

## **Sec. 35-322. Emergency Permits.**

*(Added by Ord. 4319, 6/23/98)*

### ***Sec. 35-322.1. Purpose and Intent.***

The purpose of this section is to establish procedures for the issuance of Emergency Permits. The intent of this section is to modify the procedures for permit processing, and temporarily bypass the permit requirements of this Article in the case of an emergency.

### ***Sec. 35-322.2. Applicability***

When emergency action is warranted, the requirements of obtaining a Land Use Permit or discretionary permit otherwise required by this Article may be temporarily deferred by the Director, and the Director may grant an Emergency Permit prior to a Land Use Permit or other required discretionary permit.

### ***Sec. 35-322.3. Application Procedures.***

1. Method: In cases of emergencies applications shall be made to the Director by letter or telefax if time allows, and by telephone or in person if time does not allow.
2. Information required: Applications should contain the following information:
  - a) The nature of the emergency;
  - b) The cause of the emergency;
  - c) The location of the emergency;
  - d) The remedial, protective, or preventive work required to deal with the emergency;
  - e) Where applicable, the circumstances during the emergency that appeared to justify any course(s) of action undertaken prior to the request for the Emergency Permit, including a description of that course of action and the probable consequences of failing to take action;
  - f) The identities of other public agencies alerted to the emergency;
  - g) The access routes to the emergency site(s);
  - h) The identities of, and means of contact with, the person (s) responsible for, implementing, and directing the emergency action;
  - i) The time and date the emergency occurred;
  - j) Any other reasonable information which the Director deems necessary to evaluate the application.

## **EMERGENCY PERMITS**

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### ***Sec. 35-322.4. Verification of Emergency.***

The Director shall verify the facts, including the existence and nature of the emergency, prior to granting the Emergency Permit.

### ***Sec. 35-322.5. Procedure for Granting Permit.***

1. A public notice of the emergency work shall be mailed to property owners within 300 feet of the subject property and such notice shall be posted on-site in three locations. Notice is not required to precede commencement of emergency work.
2. The Director may grant an Emergency Permit upon reasonable terms and conditions, including an expiration date, a requirement for a subsequent Land Use Permit, and a requirement for any discretionary permit required by this Article, if the Director finds that:
  - a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing; and
  - b. The action proposed is consistent with the policies of the Comprehensive Plan and the requirements of the Zoning Ordinance.
3. The action will be completed within 30 days unless otherwise specified by the terms of the permit.
4. The issuance of an Emergency Permit shall not constitute an entitlement to the erection of permanent structures. An application for a Land Use Permit and any discretionary permit required by this Article shall be made no later than 30 days following the granting of an Emergency Permit; any materials required for a completed application shall be submitted within 90 days after the issuance of the emergency permit, unless this time period is extended by the Planning and Development Department.

### ***Sec. 35-322.6. Reporting Requirements of the Director.***

1. The Director shall submit a written report to the Board of Supervisors at its first available meeting after the Emergency Permit has been issued, regarding the nature of the emergency and the work involved. Copies of this report shall be available to the public at the meeting and shall be mailed to all persons who have requested such notice in writing.
2. The Director's report shall be informational only; the decision to issue an Emergency Permit is at the sole discretion of the Director, subject to the provisions of Sec. 35-322. Et seq.

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Sec. 35-323. Reserved for Future Section.

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