

ORDINANCE NO. 1694

ORIGINAL

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, RELATING TO EMERGENCY PREPAREDNESS  
AND AMENDING REDMOND MUNICIPAL CODE CHAPTER  
2.20.

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WHEREAS, the City of Redmond now desires to bring its municipal code in line with the recent statutory changes to RCW 38.52; and

WHEREAS, the City Council deems it to be in the best interests of the public health, safety and welfare to enact the provisions set forth in this ordinance, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON,  
HEREBY ORDAINS AS FOLLOWS:

Section 1. Chapter 2.20 of the Redmond Municipal Code is hereby amended to read as follows:

2.20.010 Purposes. The declared purposes of this chapter are to provide for the preparation and carrying out of plans, including mock or practice exercises, for the emergency preparedness and protection of persons and property within the city in the event of a disaster, and to provide for the coordination of the emergency preparedness and disaster functions of this city with all other public agencies and affected private persons, corporations and organizations. Any expenditures made in connection with emergency preparedness and disaster activities, including mutual aid activities, and mock or practice exercises, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.

**2.20.020 Definitions.** (a) Emergency preparedness. As used in this chapter, the term "emergency preparedness" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters. It includes preparation, mitigation, response, and recovery from disasters. It does not include, nor does any provision of this chapter apply to any condition relating to a labor controversy.

(b) Disasters. As used in this chapter, "disaster" includes in its meaning but is not limited to: extraordinary fire, flood, storm, epidemic, riot, earthquake, enemy attack, sabotage, other "civil emergencies" as defined in RMC 9.12, or other similar public calamity.

(c) Preparation. As used in this chapter "preparation" means the active planning, testing, and revising of operational procedures and policies to prepare for a disaster. It includes coordination with local, county, state and federal agencies to insure cohesive working relationships and compatible emergency plans.

(d) Mitigation. As used in this chapter, "mitigation" includes risk analysis, review and identification of hazards both natural and man-made, development of strategies to minimize those hazards, and development of resources and capabilities to respond effectively to risks not controlled through conventional methods.

(e) Response. As used in this chapter, "response" includes the initiation of warnings to potential disasters, initiation of actions necessary to effectively act during a disaster, damage assessment and evaluation, coordination of operations, logistics, and planning activities during a disaster, and documentation of actions taken during a disaster.

(f) Recovery. As used in this chapter, "recovery" includes assessment of community needs after an event, prioritizing of actions for recovery, coordination of agencies during recovery, documentation of costs for future recovery of costs, and facilitation of Disaster assistance offices in providing the community with efficient mechanisms to obtain federal, state and local assistance after disasters.

**2.20.030 City Council - Duties.** It shall be the duty of the City Council under the Emergency Preparedness program to:

(1) Give advice and consent to the Mayor regarding appointments made pursuant to 2.20.040.

(2) Consider adoption of emergency preparedness mutual aid plan and agreements and such ordinances, resolutions, rules and regulation as are necessary to implement such plans and agreement as are referred to them by the Emergency Preparedness Council pursuant to section 2.20.050.

(3) Approve at the earliest practicable time after their issuance, rules and regulations reasonably related to the protection of life and property, which is affected by a disaster, such rules and regulations having been made and issued by the Emergency Preparedness Director pursuant to 2.20.070.

(4) Distribute pursuant to resolution, the functions and duties of the city emergency preparedness organization among the divisions, services and special staff referred to in 2.20.090.

(5) Approve mutual aid agreements referenced in and pursuant to 2.20.100

**2.20.040 Emergency Preparedness Council created - Membership.** The Emergency Preparedness Council, is hereby created and shall consist of the following:

- (1) The Mayor, who shall be chairperson;
- (2) The director of Emergency Preparedness, who shall be Vice-chairperson;
- (3) All department heads of the City of Redmond, and the Executive Assistant.
- (4) Such city officials and other citizens with technical expertise in related areas as may be appointed by the Mayor with the advice and consent of the City Council.
- (5) The Emergency Preparedness Program Manager.

**2.20.050 Council's powers and duties.** It shall be the duty of the Emergency Preparedness Council, and it is hereby empowered, to review and recommend for the adoption by the City Council, emergency preparedness and mutual aid plans and agreements and such ordinances, resolutions, rules and regulations as are necessary to implement such plans and agreements. the Emergency Preparedness Council shall meet upon call of the chairperson or in their absence from the city or inability to call such meeting, upon the call of the vice-chairperson.

**2.20.060 Director's powers and duties.** There is hereby created the position of the director of Emergency Preparedness. The Fire Chief of the City of Redmond shall serve in such position ex officio.

The director or his/her designee is hereby empowered and directed:

- (1) To prepare an emergency preparedness operating plan for the city conforming to the county and the state Office of Emergency Management plan and program;
- (2) To control and direct the effort of the emergency preparedness organization of this city for the accomplishment of the purposes of this chapter;

(3) To direct coordination and cooperation between divisions, services and staff of the emergency preparedness organization of this city, and to resolve questions of authority and responsibility that may arise between them;

(4) To represent the emergency preparedness organization of this city in all dealings with public or private agencies pertaining to emergency preparedness and disaster.

(5) To appoint an Emergency Preparedness Program Manager, whose duties shall include the development and evaluation of emergency plans; to develop appropriate mitigation, preparation, response, and recovery mechanisms and include such in the Emergency plan; along with the director, act as a spokesperson for Emergency Preparedness and management; coordinate City emergency preparation activities with various city, county, state, and federal agencies, conduct and evaluate testing of emergency plans, and preside over and guide interdepartmental emergency management planning committees that may be created by the Emergency Preparedness Council.

**2.20.070 Disaster powers of director.** In the event of disaster as herein provided, the director is hereby empowered:

(1) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be approved by the Emergency Preparedness Council and confirmed by the City Council at the earliest practicable time;

(2) To obtain vital supplies, equipment and such other properties found lacking and immediately needed for the protection of the life and property of the people, and bind the city for the fair value thereof, and, if required immediately, to commandeer the same for public use;

(3) To require emergency services of any city officer or employee, and to command the aid of as many citizens of this community as he thinks necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered Emergency worker volunteers (as defined by Washington Administrative Code 118-30);

(4) To requisition necessary personnel or material of any city department or agency;

(5) to execute all of the special powers conferred by this chapter or by resolution adopted pursuant thereto, all powers conferred by statute, agreement approved by the Emergency Preparedness Council, or by any other lawful authority.

**2.20.080 Emergency Preparedness organization.**

All officers and employees of this city, together with those citizens enrolled to aid them during a disaster, and all groups, organizations and persons who may be, by agreement or operation of law, including persons pressed into service under the provisions of Section 2.20.070 who shall be charged with duties incident to the protection of life and property in this city during such disaster, shall constitute the emergency preparedness organization of the city.

**2.20.090 Divisions, services and staff.**

The functions and duties of the city emergency preparedness organization shall be distributed among such divisions, services and special staff as the City Council shall prescribe by resolution.

Prior to the adoption of resolutions, the Emergency Preparedness Council shall prepare a plan setting forth the form of organization, establishment and designation of divisions and services, the assignment of functions, duties and powers, the designation of officers and employees, and submit its recommendations to the City Council.

**2.20.100 Mutual aid agreements.** The Mayor shall have the power to sign, on behalf of the city and the Emergency Preparedness Council, mutual aid agreements with other municipalities, the county and other governmental subdivisions, which have been approved by the City Council. All previous mutual aid agreements which have been signed by the Mayor are hereby confirmed and ratified, provided the same, or parts thereof, are not inconsistent with this chapter.

**2.20.110 Punishment of violations.** It is a misdemeanor punishable as provided in Section 1.01.110 for any person during a disaster:

(1) To willfully obstruct, hinder or delay any member of the emergency preparedness organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed by virtue of this chapter;

(2) To do any act forbidden by any lawful rules or regulations issued pursuant to this chapter, if the act is of such a nature as to give, or be likely to give, assistance to the enemy, or to encourage or assist in theft of or endanger property of inhabitants of this city, or to prevent, hinder, or delay the defense or protection thereof;

(3) To wear, carry, or display, without authority, any means of identification specified by the state department of ; Emergency Management,

(4) To in any manner loot or carry off any items of value during the aftermath of a disaster.

**2.20.120 No private liability.** No individual, firm, association, corporation or other party, owning, maintaining or controlling any building or premises who voluntarily and without compensation grants to the city a license or privilege or otherwise permits the city to inspect, designate and use the whole or any part or parts of the building or premises for the purpose of sheltering persons during an actual, impending, mock, or practice disaster,, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon the building or premises for the purpose of seeking refuge therein during an actual, impending, mock or practice disaster or test ordered by lawful authority. All legal liability for damage to property or injury or death to persons caused by acts done, or attempted, under color of this chapter and a bona fide attempt to comply therewith, other than acts done in bad faith, gross negligence, or willful misconduct shall be the obligation of the state of Washington. The City of Redmond is immune from liability under this chapter to the fullest extent allowed by law. ., .

Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or summary thereof consisting of the title.

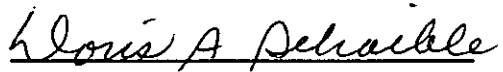


CITY OF REDMOND



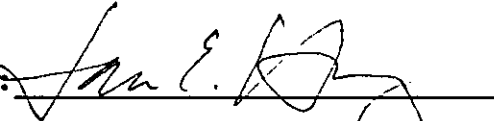
MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:



CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY: 

FILED WITH THE CITY CLERK:	June 30, 1992
PASSED BY THE CITY COUNCIL:	July 7, 1992
SIGNED BY THE MAYOR:	July 7, 1992
PUBLISHED:	July 12, 1992
EFFECTIVE DATE:	July 17, 1992
ORDINANCE NO. <u>1694</u>	