

ORDINANCE
NO. 1058

AN ORDINANCE granting Emergency Powers to The King County Executive in event of an enemy attack upon the United States, civil disturbance, riot, sabotage, or major natural disaster; repealing Res. 35544 and Section 2, 3, 4 and 5, Ordinance 1008 and K.C.C. 12.52; and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION SECTION 1. (a) "Civil Defense" means the preparation for and the coordination of all emergency functions other than functions for which the military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action, or by civil disturbance, riot, fire, flood, storm, earthquake, or other natural causes, and to provide support for search and rescue operations for persons and property in distress. These functions include, without limitation, fire fighting services, police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and the coordination of the foregoing functions.

(b) "Civil Defense worker" means any person who is registered with a state or local civil defense organization for the purpose of engaging in authorized civil defense service or is an employee of the State of Washington or any political subdivision thereof who is called upon to perform civil defense service.

(c) "Civil Defense service" means and includes all activities authorized by and carried on pursuant to the provisions of the Washington State Civil Defense Act of 1951, RCW 38.52, including training necessary or proper to engage in such activities.

(d) "Injury" as used in this Ordinance shall mean and include accidental injuries and/or occupational diseases arising out of civil defense service.

1 NEW SECTION SECTION 2. (a) Because of the existing and increasing
2 possibility of the occurrence of disasters of unprecedented size and
3 destructiveness resulting from enemy attack, sabotage, or other hostile
4 action, riot, civil disturbance, or from fire, flood, storm, earthquake, or
5 other natural causes, and in order to insure that preparations of King County
6 will be adequate to deal with such disasters, and further to insure adequate
7 support for search and rescue operations, and generally to provide for the
8 common defense and to protect the public peace, health, and safety, and to
9 preserve the lives and property of the people of King County, it is hereby
10 found and declared to be necessary:

11 (1) To confer upon the King County Executive the emergency powers
12 provided herein;

13 (2) To provide for the rendering of mutual aid among the political
14 subdivisions of King County and with other adjoining counties and to cooperate
15 with the State of Washington and the Federal Government with respect to the
16 carrying out of civil defense functions; and

17 (3) To provide a means of compensating civil defense workers who may
18 suffer any injury as defined by RCW 38.52 as a result of participation in civil
19 defense service.

20 NEW SECTION SECTION 3. The King County Executive shall see that the
21 Washington State Laws and Ordinances of King County are enforced, and shall
22 direct and control all subordinate officers of the County, except insofar as
23 such enforcement, direction and control is by King County Charter reposed in
24 some other officer or board, and shall maintain the peace and order in King
25 County.

26 (a) Whenever an enemy attack is made against the United States or other
27 major national disaster, or earthquake, volcano eruption, flood, fire,
28 sabotage, civil disturbance, riot, unlawful assembly, or insurrection, or the
29 imminent threat thereof, occur in King County and result in the death or
30 injury of persons or the destruction of property to such extent as to require,
31 in the judgment of the King County Executive, extraordinary measures to
32 protect the public peace, safety and welfare, the King County Executive may
33 forthwith proclaim in writing the existence of such an emergency.

1 (b) Upon the proclamation of an emergency by the King County Executive,
2 and during the existence of such emergency, the King County Executive may make
3 and proclaim any or all of the following orders:

4 (1) An order recalling King County employees from vacation, cancelling
5 days off, authorizing overtime, recalling selected retired employees, and the
6 emergency procurement of supplies and equipment without formal bidding
7 procedures.

8 (2) An order directing the evacuation and to clear debris and wreckage
9 resulting from a major disaster from publicly and privately owned lands and
10 waters.

11 (3) An order imposing a general curfew applicable to King County as a
12 whole, or to such geographical area or areas of King County and during such
13 hours, as he deems necessary, and from time to time to modify the hours such
14 curfew will be in effect and the area or areas to which it will apply.

15 (4) An order requiring any or all business establishments to close and
16 remain closed until further order.

17 (5) An order requiring the closure of any and all bars, taverns, liquor
18 stores, and other business establishments where alcoholic beverages are sold
19 or otherwise dispensed; provided that with respect to those business establish-
20 ments which are not primarily devoted to the sale of alcoholic beverages and in
21 which such alcoholic beverages may be removed or made secure from possible
22 seizure by the public; the portions thereof utilized for the sale of items
23 other than alcoholic beverages may, in the discretion of the King County
24 Executive, be allowed to remain open.

25 (6) An order requiring the discontinuance of the sale, distribution or
26 giving away of alcoholic beverages in any or all parts of King County.

27 (7) An order requiring the discontinuance of the sale, distribution or
28 giving away of firearms and/or ammunition for firearms in any or all parts of
29 King County.

30 (8) An order requiring the discontinuance of the sale, distribution or
31 giving away of gasoline or other liquid flammable or combustible products in
32 any container other than a gasoline tank properly affixed to a motor vehicle.

33 (9) An order requiring the closure of any or all business establishments

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1 where firearms and/or ammunition for firearms are sold or otherwise dispensed;
2 provided that with respect to those business establishments which are not
3 primarily devoted to the sale of firearms and/or ammunition and in which such
4 firearms and/or ammunition may be removed or made secure from possible seizure
5 by the public, the portions thereof utilized for the sale of items other than
6 firearms and ammunition may, in the discretion of the King County Executive,
7 be allowed to remain open.

8 (10) An order closing to the public any or all public places including
9 streets, alleys, public ways, schools, parks, beaches, amusement areas and
10 public buildings.

11 (11) An order prohibiting the carrying or possession of firearms or any
12 instrument which is capable of producing bodily harm and which is carried or
13 possessed with intent to use the same to cause such harm, provided that any
14 such order shall not apply to peace officers or military personnel engaged in
15 the performance of their official duties.

16 (12) Such other orders as are imminently necessary for the protection of
17 life and property; provided, however, that any such orders shall, at the
18 earliest practicable time, be presented to the King County Council for
19 ratification or confirmation, and if not so ratified and confirmed shall be
20 void.

21 (c) The King County Executive shall cause any proclamation issued by
22 him pursuant to the authority of this ordinance to be delivered to all news
23 media within King County and shall utilize such other available means, includ-
24 ing public address systems, as shall be necessary in his judgment, to give
25 notice of such proclamation to the public.

26 (d) It is unlawful for anyone to fail or refuse to obey any such order
27 proclaimed by the King County Executive. Anyone convicted of a violation of
28 this section shall be punishable by a fine of not more than Five Hundred
29 Dollars (\$500.00) or by imprisonment for not more than one hundred eighty (180)
30 days, or both such fine and imprisonment.

31 (e) This Ordinance is necessary for the immediate preservation of the
32 public peace, health and safety, and the support and preservation of public
33 agencies of King County, and shall take effect immediately.

