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INTRODUCED BY: Ron Sims

PROPOSED NO.: 86 - 443

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ORDINANCE NO. 7790

AN ORDINANCE establishing the King County Emergency Management Organization, and declaring the policy and purpose thereof, specifying functions; repealing Res. 18025 and Ordinance 1049, Sections 1-3 as amended, and K.C.C. 2.56.010-090, amending Ordinance 1043, Section 1, and K.C.C. 1.28.010, amending Ordinance 1438, Section 3(c) as amended and K.C.C. 2.16.060, and adding new sections to Title 2 K.C.C.

PREAMBLE:
The State of Washington, by the Washington Emergency Management Act, as amended and codified in RCW Chapter 38.52, replaced the state civil defense organization with the department of emergency management, realigned its purpose and functions and authorized and directed each political subdivision of the state to establish a local organization for emergency management in accordance with the state emergency management plan and program.

The purpose of this ordinance is to comply with the provisions of RCW 38.52, and to establish provisions relating to emergency management operations. The ordinance will thus formulate the county's emergency management policy determinations upon which appropriate implementing operations plans may be based.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Res. 18025, Ordinance 1049, Sections 1-3 as amended, and K.C.C. 2.56.010-090 are each hereby repealed.

NEW SECTION. SECTION 2. Declaration of Policy and Purpose.
Because of the existing and increasing possibility of disasters of unprecedented size and destructiveness, in order to ensure that the preparations of King County are adequate to deal with such disasters, to ensure adequate support for search and rescue operations, to generally protect the public peace, health and safety, and to preserve the lives and property of the people of the county, it is hereby found and declared to be necessary:

A. To establish a county organization for emergency management within the department of public safety;

1 B. To confer upon the county executive the emergency powers
2 necessary for carrying out emergency management functions;

3 C. To provide for rendering of mutual aid among the political
4 subdivisions of the state within King County and to cooperate with
5 the state government with respect to carrying out of emergency
6 management functions;

7 D. To provide programs, with intergovernmental cooperation,
8 to educate and train the public to be prepared for emergencies;

9 E. To ensure that to the maximum extent possible all
10 emergency management operations of the county be coordinated with
11 the comparable functions of the state and federal government, and
12 with private agencies of every type, to the end that the most
13 effective preparation and use may be made of the area's manpower,
14 resources and facilities for dealing with any disaster that may
15 occur.

16 NEW SECTION. SECTION 3. Definitions. Terms used herein
17 shall be given their common and ordinary meaning except where
18 otherwise declared or clearly apparent from the context.

19 Additionally, the following definitions shall apply:

20 A. "Emergency management" means the preparation for and the
21 carrying out of all emergency functions to mitigate, prepare for,
22 respond to and recover from emergencies and disasters, and to aid
23 victims suffering from injury or damage caused by all hazards,
24 whether natural or man-made, and to provide for search and rescue
25 operations for persons or property in distress.

26 B. "Disaster" means an event or set of circumstances of
27 catastrophic nature arising from any cause which reach such a
28 dimension as to demand immediate action to preserve public health,
29 protect life, protect public property, or to provide relief to any
30 stricken community overtaken by such occurrences, or warrants the
31 declaration of a state of emergency and/or the execution of
32 emergency management operations plans.

1 C. "Search and rescue" means the results of searching for,
2 rescuing, or recovering by means of ground, marine or air
3 activity, any person who becomes lost, injured or is killed while
4 outdoors or as a result of a disaster, including instances
5 involving searches for downed aircraft when ground personnel are
6 used.

7 D. "Vacancy" means that the office of a county official is
8 legally unoccupied due to the incumbent's death, resignation,
9 recall, incapacity or declaration of incompetency by a court of
10 competent jurisdiction, or other reason as provided for in Article
11 680 of the County Charter.

12 NEW SECTION. SECTION 4. Emergency Management Organization -
13 Establishment. There is established pursuant to state law a King
14 County emergency management organization, the operation of which
15 shall be the responsibility of the director, department of public
16 safety, hereafter referred to as the "director". The mission of
17 the emergency management organization shall be to provide for the
18 effective direction, control and coordination of county government
19 emergency operations, and to provide liaison with other
20 governments and the private sector, in compliance with an approved
21 emergency management plan.

22 NEW SECTION. SECTION 5. Powers and Duties. A. The county
23 executive, through the director, shall have general supervision
24 and control of the emergency management organization, and shall be
25 responsible for implementing the provisions of this ordinance in
26 the event of a disaster.

27 B. In performing his duties pursuant to this ordinance, and
28 to effect its policy and purpose, the county executive is further
29 authorized and empowered to:
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1 1. Make, amend and rescind the necessary orders, rules, and
2 regulations to implement the provisions of this ordinance within
3 the authority conferred upon him herein and in Chapter 12.52 of
4 the King County Code, consistent with the provisions of state law
5 and the plans of the state and federal government.

6 2. Cooperate with the state and federal government, with
7 other counties, and with private agencies in all matters
8 pertaining to the emergency management operations of the county.

9 3. Prepare a comprehensive plan and program for the
10 emergency management of the county pursuant to state law, and to
11 submit the plan and program to the state director of emergency
12 management for his recommendations thereto and certification for
13 consistency with the state comprehensive emergency management plan
14 in order to ensure that local emergency operations are coordinated
15 with the state plan and program.

16 4. In accordance with such plan and program for county
17 emergency management, procure supplies and equipment, institute
18 training programs and public information programs, and take all
19 other preparatory steps including the full or partial mobilization
20 of the emergency management organization in advance of an actual
21 disaster, to ensure the furnishing of emergency management
22 personnel in time of need.

23 5. On behalf of the county, enter into mutual aid
24 arrangements, in collaboration with other public and private
25 agencies within the state, for reciprocal emergency aid and
26 assistance in the event of a disaster too great to be dealt with
27 unassisted.

28 6. Delegate any administrative authority vested in him
29 pursuant to this ordinance, and to provide for the subdelegation
30 of any such authority.

1 NEW SECTION. SECTION 6. Use of Existing Resources.

2 A. In implementing the provisions of this ordinance, the
3 county executive is directed to use the services, equipment,
4 supplies, and facilities of existing departments, offices and
5 agencies of the county to the maximum extent practicable.

6 B. The county executive, in the event of a disaster, after
7 proclamation by the governor of the state of the existence of such
8 a disaster, shall have the power to command the service and
9 equipment of as many citizens as considered necessary in the light
10 of the disaster proclaimed.

11 Provided that:

12 Citizens so commandeered shall be entitled during the period
13 of such service to all privileges, benefits and immunities as are
14 provided by law for registered emergency workers.

15 NEW SECTION. SECTION 7. Continuity of Government. In the
16 event of a disaster, it is essential to assure continued operation
17 of county government, to preserve and protect records essential to
18 the continued functioning of county government, and to provide for
19 the appointment of temporary interim successors to the elected and
20 appointed offices of the county.

21 A. Office of the County Executive. In the event that a
22 vacancy exists or occurs in the office of the county executive
23 during or immediately following the occurrence of a disaster
24 requiring the execution of the county's emergency management
25 operations plan, the powers and duties of the office of the county
26 executive, subject to the provisions of the King County Charter,
27 shall be exercised and discharged on an interim temporary basis by
28 the incumbents of the following offices:

29 1. The director, department of public safety.
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1 2. In the event the director, department of public safety
2 is unavailable, then the director of the department of public
3 works.

4 3. In the event that both the director, department of
5 public safety and the director of the department of public works
6 are unavailable, then the director of the department of public
7 health.

8 B. County Council. In the event that a disaster reduces the
9 number of councilmembers, then those councilmembers available for
10 duty shall have full authority to act in all matters as the county
11 council. Quorum requirements for the council shall be suspended
12 for the period of the emergency, and where the affirmative vote of
13 a specified proportion of the council is required for approval of
14 an ordinance or other action, the same proportion of those
15 councilmembers available shall be sufficient. As soon as
16 practicable thereafter, the available councilmembers shall act in
17 accordance with the charter and state law to fill existing
18 vacancies on the council.

19 C. Other Elected Officials. Elected officers of the county,
20 other than the county executive and county councilmembers, are
21 authorized and directed to designate temporary interim successors
22 to the office of such officer in the event a vacancy occurs during
23 an emergency caused by a disaster.

24 D. Appointed Officers. The county executive shall, subject
25 to rules and regulations that he may adopt, permit each appointed
26 officer of the county to designate temporary interim successors in
27 the event a vacancy occurs during an emergency caused by a
28 disaster.

1 E. Termination of Succession. Any county officer succeeding
 2 to an office on a temporary interim basis pursuant to this
 3 ordinance shall exercise and discharge the duties and powers of
 4 that office as prescribed by the charter or by ordinance only
 5 until such time as a regularly appointed successor is designated
 6 by the customary means.

7 1. Successors to fill vacancies in elective offices shall
 8 be appointed by the council pursuant to Section 680 of the King
 9 County Charter and the state constitution until a permanent
 10 successor is duly elected and qualified.

11 2. Successors to fill vacancies in appointed offices shall
 12 be made by the county executive, or other authorized officer,
 13 subject to the confirmation process where applicable.

14 SECTION 8. Ordinance 1043, Section 1 and K.C.C. 1.28.010 are
 15 hereby amended as follows:

16 Conduct of county business in event of emergency or disaster.
 17 Whenever, due to an ~~((natural))~~ emergency or a disaster, ~~((an~~
 18 ~~attack-or-an-attack-is-imminent;))~~ it becomes imprudent,
 19 inexpedient or impossible to conduct the affairs of King County at
 20 the regular or usual place or places, the legislative body of King
 21 County may meet at any place within or without the territorial
 22 limits of King County on the call of the chairman or any two
 23 members of the King County council. After any emergency
 24 relocation, the affairs of the King County council shall be
 25 lawfully conducted at such emergency temporary location or
 26 locations for the duration of the emergency.

27 SECTION 9. Ordinance 1438, Section 3(c) and K.C.C 2.16.060 as
 28 amended, are hereby amended as follows:

29 Department of Public Safety - Duties. Divisions.
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1 A. The department of public safety is responsible to keep and
2 preserve the public peace and safety including the discharge of
3 all duties of the Office of Sheriff under State law, except those
4 duties relating to jails and inmates which are performed by other
5 departments of county government. The functions of the department
6 include:

7 1. Oversee a crime prevention program, investigate crimes
8 against persons and property and arrest alleged offenders.

9 2. Execute the processes and orders of the courts of
10 justice and all other mandated functions required by law.

11 3. Plan and coordinate resources for the public safety and
12 welfare in the event of a major (~~natural-or-manmade~~) emergency
13 or disaster.

14 4. Provide service and administrative functions which
15 support but do not duplicate other governmental activities, and
16 which have the potential to be fiscally self-supportive.

17 B. The department of public safety shall shall be composed of
18 the following divisions:

19 1. Field operations division. The division of field
20 operations shall be responsible for administering resources
21 allocated to the functions of police patrol, general criminal
22 investigation, crime prevention, traffic, and emergency
23 (~~services~~) management.

24 2. Technical services division. The division of technical
25 services shall be responsible for administering resources
26 allocated to the function of:

27 a. Civil Process;

28 b. Fiscal Control;

29 c. Communications;

30 d. Personnel and Training;

31 e. Records and Identification; and

32 f. Property Management, including evidence; stolen, lost
33 or unclaimed property; and department equipment and supplies.

1 3. Criminal investigation division. The division of
2 criminal investigation shall be responsible for administering
3 resources allocated to the functions of major crimes
4 investigation, narcotics investigation, gambling and vice
5 investigation, criminal warrants service, and sundry criminal
6 investigations not conducted in the Field Operations Division.

7 SECTION 10. Should any section, subsection, paragraph,
8 sentence, clause or phrase of this ordinance be declared
9 unconstitutional or invalid for any reason, such discussion shall
10 not affect the validity of the remaining portions of this
11 ordinance.

12 INTRODUCED AND READ for the first time this 11th day
13 of August, 19 86.

14 PASSED this 22nd day of September, 19 86.

15 KING COUNTY COUNCIL
16 KING COUNTY, WASHINGTON

17 Audrey Inger
18 Chair

19 ATTEST:

20 Jeanette M. Owens
21 Clerk of the Council

22 APPROVED this 1st day of October, 19 86.

23 Jim Hill
24 King County Executive