

ORDINANCE 3476AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO
EMERGENCY MANAGEMENT.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Kirkland Municipal Code Chapters 3.20 and 3.45 are hereby repealed.

Section 2. There is hereby created a new Chapter 3.20 in the Kirkland Municipal Code entitled, Emergency Management, to read as follows:

3.20.010 Definitions. For the purposes of this chapter the following terms shall have their ordinary meaning and, in addition, :

"Emergency or Disaster" means an event or set of circumstances which:

- (a) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences, or;
- (b) reaches such a dimension or degree of destructiveness as to warrant the declaration of a state of emergency.

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

3.20.020 Purpose.

Because of the possibility of the occurrence of emergencies or disasters of unprecedented size and destructiveness, and in order to ensure that preparations of the city will be adequate to deal with such disasters, and generally to protect the public peace, health, and safety, and to preserve the lives and property of the people of the city, it is the purpose of this chapter to provide for emergency management in the City of Kirkland and to create an emergency management plan to provide for coordination of the City of Kirkland's Emergency Management with other government programs.

3.20.030 Division Created.

There is hereby created, within the Department of Fire and Building Services, a Division of Emergency Management to perform emergency management functions. The Division of Emergency Management is the City of Kirkland's local organization for emergency management for the purposes of RCW 38.52.070. For purposes of state regulation WAC 118-06-050 (1)(b)(i), it is hereby specified that the Division of Emergency Management represents only the City of Kirkland.

3.20.040 Director

The Division of Emergency Management shall be headed by the Director of Emergency Services. The City Manager shall appoint the Director of Fire and Building Services as the Director of Emergency Services. The Director of Emergency Services shall be directly responsible to the City Manager for the organization, administration, and operation of the Emergency Management Division.

3.20.050 Emergency Management Plan

The Director of Emergency Services shall create and maintain an Emergency Management Plan which will also serve as the City of Kirkland's Comprehensive Emergency Operations Plan as described in WAC 118-07. The City Manager shall insure that the City of Kirkland executes its Emergency Management Plan in the event of disaster and operates in accordance with said plan.

3.20.060 ECC

The Emergency Management Plan shall provide for activation of the Emergency Coordination Center (ECC) or a crisis action team (CAT). Operation of the ECC shall be under the direction of the Incident Commander (IC). The Emergency Management Plan shall provide for the designation of the IC, who will normally be the Fire Chief, the Police Chief, or the Director of Public Works.

3.20.070 Emergency Powers

In the event of an emergency or disaster coming within the scope of this chapter, the City of Kirkland shall have the broadest authority and greatest discretion consistent with the laws of the City of Kirkland and of the State of Washington with respect to emergency response and operation. These powers include, but are not limited to, those provided for in RCW 38.52.070.

3.20.080 Emergency Management Task Force

There is hereby established an Emergency Management Task Force (EMTF) which shall be composed of: Members of the City Council; the City Manager or designee; members of the CAT; the City Attorney or designee; and the Public Information Officer. The

Emergency Management Plan shall provide for meetings of the EMTF as a work group, meaning those members of the EMTF available to meet, as needed, shall for such meeting, be the EMTF work group. The City Manager or designee shall chair the EMTF work group. The EMTF shall have as one of its functions, liaison to members of the City Council who were not present at a work group meeting. Work group meetings may be called to address questions or implications of public health, safety and welfare relative to a disaster situation, particularly disaster recovery.

3.20.090 Ratification of Actions

The Incident Commander shall have the authority to act on behalf of the City Council, the Mayor, and/or the City Manager, subject to ratification as soon as is practicable. The City Manager shall have the authority to take action on behalf of the City Council and/or the Mayor pursuant to the Emergency Management Plan, subject to ratification by the EMTF work group, the City Council and/or the Mayor.

3.20.110 Compensation Board.

There is hereby established a compensation board for the processing of claims arising from emergency management related activities. This board shall function as provided for in the Emergency Management Plan and be guided by applicable state law such as RCW 38.52.210(2) through RCW 38.52.260. The Emergency Management Claims Compensation Board shall be composed of: one Councilmember selected by the Council; the City Manager; the Director of Emergency Services; and the City Attorney. The Councilmember shall serve as the chair of the Compensation Board and the Director of Emergency Services shall serve as secretary of the Board.

3.20.120 Search and Rescue.


The Chief of Police shall be responsible for search and rescue activities in the City and may restrict access to a mission area. Such operations shall be in accordance with City procedures which shall be guided by applicable state law, such as RCW 38.52.400.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 20th day of June, 1995.

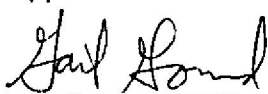
Signed in authentication thereof this 20th day of
June, 1995


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

4city95\Emergord