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City Council

Approval of an Ordinance Amending Authority in the Event of an Emergency

Agenda Date: 4/25/2017
Agenda Item Number: 4.K
File Number: 17-0358

Type: ordinance **Version:** 2 **Status:** Passed

Title

Approval of an Ordinance Amending Authority in the Event of an Emergency

Recommended Action

Committee Recommendation:

Not referred to a committee.

City Manager Recommendation:

Move to approve on second reading the ordinance amending Olympia Municipal Code Sections 2.04.080 and 2.04.090 relating to authority in the event of an emergency.

Report

Issue:

Whether to approve an ordinance updating the Olympia Municipal Code (OMC) to clarify authority in the event of an emergency.

Staff Contact:

Annaliese Harksen, Deputy City Attorney/Police Legal Advisor, 360.753.8338

Presenter(s):

None - Consent Calendar Item

Background and Analysis:

Background and analysis has not changed from first to second reading.

RCW Chapter 38.52 on Emergency Management and Olympia Municipal Code (OMC) Chapter 2.24 establish the City of Olympia's Department of Emergency Management. RCW 38.52.010 defines the "Executive Head" who may proclaim an emergency:

[i]n the case of cities and towns, [as] the mayor in those cities and towns with mayor-council or commission forms of government, where the mayor is directly elected, and it means the city manager in those cities and towns with council manager forms of government. Cities and towns may also designate an executive head for the purposes

of this chapter by ordinance.

If there is a need to declare an emergency, the OMC provides such authority to the City Manager or Emergency Management Director under OMC 2.24.030(C)(2), which states, in part, that:

*... C. Emergency. Emergency as used in this chapter shall mean an event or set of circumstances which: 1. Demands immediate action to preserve public health, protect life, protect public property or provide relief to any stricken neighborhood overtaken by such occurrences, and 2. Reaches such a dimension or degree of destructiveness as to warrant the **City Manager** or **Emergency Management Director** proclaiming the existence of an emergency, with such action subject to prompt confirmation of the City Council by adoption of a resolution at a special or regular meeting, authorizing and directing all city personnel, services and facilities to be assigned to the emergency response and recovery effort.*

Olympia Municipal Code Sections 2.04.080 and 2.04.090, which were valid provisions when the City of Olympia was governed under a Commission form of government, are no longer applicable under the City of Olympia's Council-Manager form of government and should be repealed.

Neighborhood/Community Interests (if known):

None known

Options:

1. Approve the proposed ordinance amending OMC Sections 2.04.080 and 2.04.090 on second reading.
2. Direct staff to make different or additional amendments to the proposed ordinance.
3. Decide not to approve the proposed ordinance and leave OMC Sections 2.04.080 and 2.04.090 as currently written. This could lead to confusion in the event of an emergency.

Financial Impact:

None

Attachments:

Ordinance