



City Council Agenda Bill

20170

Bill Number

Subject: An ordinance amending the Bellingham Municipal Code 2.57.010 to update the definition of "disaster" and "emergency" to be consistent with state law.

Summary Statement: The City of Bellingham Municipal Code 2.57 establishes the plans and protocols necessary for the City to respond to an emergency or disaster. BMC 2.57.010 defines the term "disaster." The current definition of "disaster" differs from the state law definition of "emergency or disaster" (as provided in RCW 38.52.010(6)). The purpose of this ordinance is to amend the definition of "disaster" in the BMC to be consistent with state law. Having definitions consistent with state law is desirable because state and local governments often work together to respond to an emergency or disaster.

Previous Council Action: N/A.

Fiscal Impact: None

Funding Source:

Attachments: Ordinance

Meeting Activity	Meeting Date	Staff Recommendation	Presented By	Time
Consent Agenda	28-Oct-2013	Pass Ordinance	Shane Brady	

Council Committee:

Agenda Bill Contact:

Shane Brady

Committee Actions:

Reviewed By	Initials	Date
Chief Cliff Cook, Police	<i>CC</i>	10-15-13
Ted Carlson, PW Director	<i>TC</i>	10-15-13
Chief Christensen, Fire	<i>CC</i>	10-15-13
Legal	<i>SPB</i>	10-15-13
Mayor	<i>KL</i>	10-23-13

Council Action:

ORDINANCE NO. _____

AN ORDINANCE RELATING TO EMERGENCY SERVICES, AMENDING CURRENT SECTION 2.57.012 BY ADOPTING THE STATE LAW DEFINITION OF "EMERGENCY"

WHEREAS, the City of Bellingham has enacted laws in regards to emergency preparedness through Bellingham Municipal Code 2.57;

WHEREAS, the current definition of "emergency" and "disaster" in Bellingham Municipal Code 2.57.020 is different from the definition under State law;

WHEREAS, the City of Bellingham wishes to have emergency services ordinances that are consistent with State law to ensure effective enforcement of a potential emergency declaration should there be an emergency or disaster;

WHEREAS, amending the definition of "emergency" and "disaster" to conform with state law will lend to more effective enforcement of the City's code and interaction with the state of Washington in times of emergency; and

WHEREAS, adoption of and amending the Bellingham Municipal Code to include the existing definition of "emergency" and "disaster" under state law is necessary to preserve the public safety, health, and welfare of the community in the case of an emergency;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Section 2.57.010 of the Bellingham Municipal Code shall be amended to read as follows:

For the purposes of this chapter, the following definitions shall apply:

~~"Disaster" means the actual or threatened existence of conditions of extreme peril to the safety of a large segment of the community and/or their property.~~

"Emergency or disaster" as used in all sections of this chapter shall mean an event or set of circumstances which: (i) 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 (ii) reaches such a dimension or degree of destructiveness as to warrant the governor declaring a state of emergency pursuant to RCW 43.06.010.

"Emergency services" means the preparation for and the carrying out 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 epidemics; riot, but other than conditions resulting from a labor controversy; nuclear or chemical fiasco or holocaust; fire, flood, storm,

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earthquake, or other natural causes; and to provide support for persons and property in distress. These functions include, without limitations, fire fighting services; police services; medical and health services; rescue; engineering; air raid warning services; communications; radiological, chemical, and other special weapons defense; evacuations 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 and for carrying out of the foregoing functions.

PASSED by the Council this _____ day of _____, 2013.

Council President

APPROVED by me this _____ day of _____, 2013.

Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

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