

**ORDINANCE NO. 1552**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 8.44 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NOS. 851 and 705 RELATING TO EMERGENCY MANAGEMENT.**

**WHEREAS**, Pursuant to RCW 38.52 the City of Bonney Lake has previously adopted a plan of emergency management approved by the state director of emergency management; and

**WHEREAS**, Ordinance 851, adopted at the time of the City's annexation into Pierce County Fire Protection District No. 22, and in accordance with the emergency management plan then in place, named the fire district fire chief as the emergency management director for the city; and

**WHEREAS**, the fire district, now known as East Pierce Fire & Rescue has expanded to cover many jurisdictions and areas of unincorporated Pierce County; and

**WHEREAS**, the Bonney Lake City Council finds it preferable to return direction of the emergency management plan and the responsibilities of emergency management services to the direction of its elected mayor and administrative staff.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, ORDAINS AS FOLLOWS:**

**Section 1.** Bonney Lake Municipal Code Chapter 8.44 and the relevant sections of Ordinances 851 and 705 are hereby amended as follows:

**Section 2.** Section 8.44.010 Purpose. The purpose of this chapter is to maintain a plan of emergency management under the direction of the mayor, who, ~~with the concurrence of the fire chief of Pierce County Fire Protection District No. 22,~~ shall be responsible for the administration and implementation of such ~~plan for emergency specific action~~ emergency management plans as now constituted, or as may be amended or developed in the future.

**Section 3.** Section 8.44.020. Plan Adopted.

- A. In accordance with Chapter 38.52 RCW, and as presently constituted, the city council has adopted an emergency management plan (EMP) for the city of Bonney Lake. Said Plan is adopted by reference as though fully set forth herein.
- B. ~~In accordance with the EMP, the fire chief of Pierce County Fire Protection District No. 22 shall serve as the emergency management director (EMD) for the city and shall report to the mayor.~~

~~Implementation of the EMP under the direction of the district fire chief~~  
The mayor shall be responsible for the implementation of the EMP,  
which shall include the administrative promulgation of rules and  
procedures necessary to effectuate the functions of the EMP and to  
~~annually review and update the plan as needed~~ conduct such periodic  
review and updates as may be required.

- C. The mayor may appoint an emergency management director or coordinator, and delegate such powers and responsibilities as permissible by law to oversee and administer the emergency management and preparedness of the city.
- D. Under the Mayor's direction, the emergency management director or coordinator ~~The EMD~~ is empowered to require emergency services of a city officer or employee, and in the event of a proclamation by the Governor of the existence of a disaster, to command the services and equipment of as many citizens of the community as he or she considers necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency management workers.

**Section 3.** Section 8.44.030. Obstructing emergency management personnel or functions – Penalties.

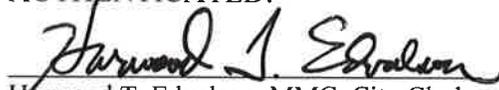
- A. All city officials, employees, agents and volunteers who discharge duties under the emergency management plan shall be deemed public servants in the discharge of official powers or duties.
- B. Any person who knowingly hinders, delays, or obstructs any public servant in the discharge of official powers or duties under the provisions of this chapter shall be guilty of a gross misdemeanor.

**Section 4.** This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication, as required by law.

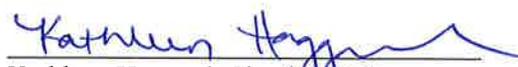
**PASSED** by the City Council and approved by the Mayor this 9th day of August, 2016.

  
\_\_\_\_\_  
Neil Johnson, Jr., Mayor

AUTHENTICATED:

  
\_\_\_\_\_  
Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kathleen Haggard, City Attorney

Passed: 8/9/2016  
Valid: 8/9/2016  
Published: 8/17/2016  
Effective Date: 9/8/2016  
This Ordinance totals 2 page(s)

AB16-93

City of Bonney Lake, Washington  
**City Council Agenda Bill (AB)**

<b>Department/Staff Contact:</b> Administrative Services / Edvalson	<b>Meeting/Workshop Date:</b> 9 August 2016	<b>Agenda Bill Number:</b> AB16-93
<b>Agenda Item Type:</b> Ordinance	<b>Ordinance/Resolution Number:</b> D16-93	<b>Councilmember Sponsor:</b>

**Agenda Subject:** Emergency Management for the City of Bonney Lake

**Full Title/Motion:** An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 8.44 Of The Bonney Lake Municipal Code And Ordinance Nos. 851 And 705 Relating To Emergency Management.

**Administrative Recommendation:** Approve.

**Background Summary:** When the city joined Pierce County Fire District No. 22, the city envisioned the fire chief as being the emergency management director for the city. Now that the district has expanded and is known as East Pierce Fire & Rescue, its life/safety focus has broadened to cover all the jurisdictions they serve. Per RCW 38.52.070, the city has responsibility for emergency management within the city limits. The fire district has provided support to the city over the intervening years, and has pledged to assist as they have in the past. However, bringing the coordinating responsibility back under the Mayor moves the leadership of emergency management programs back with the city where the responsibility lies and can be more actively pursued. Mayor Johnson has appointed the Administrative Services Director as the Emergency Management Coordinator for the City. This ordinance clarifies that the city is responsible for its own emergency management plans and programs.

**Attachments:** Draft Ordinance D16-93.

<b>BUDGET INFORMATION</b>				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
\$1,000	\$735			<input checked="" type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
<b>Budget Explanation:</b> The responsibility for emergency management includes no increase in salary for the director, but is a reallocation of time partially allowed by the promotion of a deputy city clerk.				

<b>COMMITTEE, BOARD &amp; COMMISSION REVIEW</b>			
<b>Council Committee Review:</b>	Finance Committee Date: 26 July 2016	<i>Approvals:</i>	Yes No
		Chair/Councilmember Randy McKibbin	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember Tom Watson	<input checked="" type="checkbox"/> <input type="checkbox"/>
		Councilmember Dan Swatman	<input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:	<b>Consent Agenda:</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Commission/Board Review:</b>			
<b>Hearing Examiner Review:</b>			

<b>COUNCIL ACTION</b>	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): 9 August 2016	Tabled to Date:

<b>APPROVALS</b>		
<b>Director:</b> <i>HTE</i>	<b>Mayor:</b> <i>NLJ</i>	<b>Date Reviewed by City Attorney:</b> 08/02/16 <small>(if applicable)</small>