



Jefferson County - City of Port Townsend
COMPREHENSIVE EMERGENCY MANAGEMENT PLAN



Part 3: Emergency Operations Guide

EOG 3.3.13

PROCEDURES FOR LOCAL DECLARATION OF EMERGENCY

September 5, 2008

EXECUTION OF EMERGENCY POWERS - To provide for the full implementation of the Comprehensive Emergency Management Plan and execution of certain emergency powers by a Declaration of Emergency made by the Board of County Commissioners or the City Council.

This guide defines a local Declaration of Emergency, outlines how to expeditiously make a local Declaration, and clarifies the emergency powers triggered by a Declaration.

REQUIREMENTS OF THE LAW - This document provides guidance in carrying out a Declaration of Emergency pursuant to the requirements of the law. A Declaration of Emergency is indicated when 1) the event will likely require full commitment of county and/or city resources, 2) it may be necessary to expend funds not provided for in the budget or to suspend certain budget rules, and 3) when the leaders of government wish to assure the public that local government is responding with all available effort.

DECLARATION OF EMERGENCY AND FEDERAL DISASTER ASSISTANCE - A local Declaration of Emergency (declaration) is a prerequisite for requesting state and federal assistance in a major emergency situation, and it activates certain emergency powers and procedures that are not available without it.

WHO MAKES A DECLARATION OF EMERGENCY - A Declaration of Emergency must be made by the county or city legislative body by adoption of an ordinance or resolution. The County declaration is made under RCW 36.40.180, and the City declaration is made under RCW 35.33.081. A joint declaration can be made under RCW 38.52.070(2).

A declaration must be made by the legislative body unless there is specific authority given to the administrative executive to take such action on their behalf. Such temporary action will be affirmed by the legislative body as soon as practicable.

DECLARATION REQUIRED FOR FULL ACTIVATION OF THE EMERGENCY MANAGEMENT PLAN - A declaration is required for full activation of the Comprehensive Emergency Management Plan, and designates the Department of Emergency Management as the primary agency for assuring coordination and maximum use of resources.

IMMEDIATE DISPOSITION OF A DECLARATION - The declaration will be forwarded to the State Emergency Management Division by the most expeditious means by the local Emergency Operations Center.

RESPONSIBILITIES OF THE BOARD OF COUNTY COMMISSIONERS OR CITY COUNCIL –

- Review the recommendation of the Department of Emergency Management for making a Declaration of Emergency.
- Adopt a Declaration of Emergency by resolution or ordinance.
- Establish procedures for continuity of government in the absence of a quorum.

RESPONSIBILITIES OF THE DEPARTMENT OF EMERGENCY MANAGEMENT:

- Determine the need for full activation of the Comprehensive Emergency Management Plan according to the nature and scope of the emergency.
- Draft an appropriate declaration document for presentation to the legislative authority.
- Provide a summary of the events necessitating a declaration.
- Disseminate the declaration.

RESPONSIBILITIES OF THE COUNTY/CITY DEPARTMENT OF PUBLIC WORKS

- Provide advice to the Department of Emergency Management when damage is occurring to public roads and bridges.
- Request a Declaration of Emergency for public roads and bridges and other infrastructure.

CONCEPT OF OPERATION - The Director of Emergency Management or designee shall determine the necessity of requesting a declaration using the following general guidance:

The nature of the incident requires extraordinary commitment of county and/or municipal resources to combat the emergency.

Effective response to the emergency requires activation of the emergency powers and procedures defined by law. Such powers include entering into contracts and incurring obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims.

Make expenditures associated with the emergency without further notice or hearing.

When a declaration is necessary to emphasize and affirm the seriousness of the event and the intent of government to bring all the available resources to bear in meeting the needs of the community.

The County Administrator and/or the City Manager will arrange for an emergency session of the legislative body according to the rules. The Continuity of Government procedures will be enacted in the absence of a quorum.

A Declaration of Emergency will be made by adoption of a resolution including the following elements: (A sample Declaration of Emergency is attached).

- A description of the nature of the emergency.
- A definition of the impact areas.
- A statement that an emergency exists and that unusual measures will be necessary in order to safeguard life and property.
- Notification that release of specified city/county resources is authorized in responding to the emergency.
- A time limitation to the emergency declaration.
- The estimated amount of money required to meet the emergency if known.

The declaration will be immediately forwarded to the State Emergency Management Division as an indication that local emergency procedures have been activated.

The Emergency Operations Center (or Alternate EOC) will be activated as the central coordination point for implementation of emergency procedures authorized by the declaration.

TELEPHONIC VOICE VOTE AUTHORIZED - When exigent circumstances require, a telephone vote of the legislative body can adopt a Declaration of Emergency. This action needs to be on the record, witnessed, and later affirmed if necessary. Telephonic voice vote will be coordinated by the County Administrator or City Manager (or designee).

ALTERNATE LOCATION FOR CONDUCTING PUBLIC BUSINESS - The emergency affairs of the county or city can be conducted at an alternate place of business for the duration of the emergency provided a reasonable effort is made to notify the public of the emergency relocation.

IMPORTANT REFERENCES RELATING TO A DISASTER DECLARATION

- Chapter 35.33.081 Revised Code of Washington – Emergency expenditures (second and third class cities and towns).
- Chapter 36.40.180 Revised Code of Washington – Emergencies subject to hearing – nondebtable emergencies (counties).
- Chapter 38.52.070(2) – Local organizations and joint organizations authorized – Establishment, operation – Emergency powers, procedures.
- Jefferson County Resolution 54-05 – Continuity of County Government in the Case of an Emergency or Disaster (September 2005).

CLARIFICATION OF SOME OF THE TERMS USED HERE

- Declaration of emergency – Activation of emergency powers by adoption of a resolution by the legislative body
- Emergency powers – Emergency actions authorized without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, provisions pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds. (Reference RCW 38.52.070(2)).
- Joint declaration – A Declaration of Emergency enacted concurrently by the Board of County Commissioners and the City Council that includes both Jefferson County and the City of Port Townsend.