

ORDINANCE 1102

CITY OF LACEY

AN ORDINANCE ADOPTING THE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN RELATING TO EMERGENCY SERVICES, CREATING A NEW TITLE 6 OF THE LACEY MUNICIPAL CODE AND ADDING CHAPTER 6.01 AND APPROVING A SUMMARY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

6.01 Emergency Disaster Plan and Organization.

6.01.010 Adoption. There is adopted for the City of Lacey a comprehensive emergency management plan, three copies of which are on file in the office of the city clerk and available for public inspection. Said plan, including its appendices and emergency support function descriptions, is adopted by reference as though fully set forth herein. The comprehensive emergency management plan may be amended from time to time by the City Manager to reflect changes in federal or state law, and changing emergency management concepts or lessons learned in exercises or real events.

6.01.020 Operational Organization. The emergency services organization of the City shall consist of the officers and employees of the City designated by the City Manager as well as all volunteer emergency workers. The functions and duties of this organization shall be distributed among such divisions, services, and staff as prescribed by the City Manager. Any plan prescribed by the City Manager shall set forth the form of the organization, establish and designate divisions and services, assign functions, duties and powers, and designate officers and employees to carry out the provisions of this chapter according to an established line of succession. Insofar as possible, the form of the organization, titles and terminology shall conform to the recommendations of the federal government and the state of Washington Military Department, Emergency Management Division.

6.01.030 Effect of Chapter on Other Rules and Regulations. At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may

be inconsistent therewith.

6.01.040 Interpretation of Chapter. This chapter shall not be construed so as to conflict with any state or federal statute or with any military rule or regulation.

6.01.050 Nonliability of City and Complying Agents. This chapter is an exercise by the city of its governmental functions for the protection of the public peace, health and safety and neither the city, the agents nor representatives of the city, nor any individual, receiver, firm, partnership, corporation, association, or trustee, nor any of the agents thereof, in good faith carrying out, complying with or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this chapter shall be liable for any damage sustained to person or property as the result of such activity. With the exception of willful misconduct, no individual, firm, association, corporation or other party owning, maintaining, or controlling any building or premises who voluntarily and without compensation grants to the city a license or privilege or otherwise permits the city to inspect, designate, and use in whole or in part such building or premises for the purpose of sheltering persons during an actual or impending natural or manmade disaster, shall be subject to liability for injuries sustained by any person while in or upon the building or premises when such person has entered or gone into or upon such building or premises for the purpose of seeking refuge therein during an actual or impending, natural or manmade disaster.

6.01.060 Emergency Services Appropriation. Appropriations will be made in the city budget to cover the expenses of emergency response training and maintaining the comprehensive emergency management plan. Such moneys are to be approved for expenditure in the same manner as expenditures are now authorized by requisition against the budget.

6.01.070 Violation--Penalty. It is unlawful for any person willfully to obstruct, hinder or delay any members of the emergency services organization in the enforcement of any rule or regulation issued pursuant to this chapter, or to do any act forbidden by any rule or regulation issued pursuant to the authority contained in this chapter. It is likewise unlawful for any person to wear, carry or display any emblem, insignia or any other means of identification as a member of the emergency services organization of the city unless authority to do so has been granted to such person by the proper officials. Convictions for violations of the provisions of this chapter

shall be punishable by a fine of not more than one thousand dollars (\$1000.00) or by imprisonment in the city's jail facility for not more than thirty (30) days or by both such fine and imprisonment.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON

This 22nd day of April, 1999.

CITY COUNCIL

By Nancy Peterson
Mayor

Attest:

Approved as to form:

Wynette D Taylor
City Clerk

[Signature]
City Attorney

Published: April 26, 1999
Monday