

Julia Patterson

08/31/2009 Council mtg.

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Sponsor: Julia Patterson

Proposed No.: 2009-0447

JP moved

PASSED: 7-0 RD/PUR Excused

AMENDMENT TO PROPOSED ORDINANCE NO. 2009-0447, VERSION 1:

On page 5, beginning on line 101, delete:

"A. "Emergency" or "disaster" means an event or set of circumstances such as fire, flood, explosion, storm, earthquake, epidemic or pandemic, riot or insurrection or cyber or terrorist attack,"

and insert:

"A. "Emergency" or "disaster" means an event or set of circumstances such as fire, flood, explosion, storm, earthquake, epidemic, riot or insurrection,"

On page 6, beginning on line 108, delete:

"proclaiming a state of emergency pursuant to K.C.C. 12.52.030, including situations that create a significant threat of those events or circumstances."

and insert:

"proclaiming a state of emergency pursuant to K.C.C. 12.52.030. "Emergency" or "disaster" also includes the potential for flooding arising out of the diminished capacity of the Howard Hanson dam."

On page 6, after line 129, insert:

"SECTION 3. Ordinance 1058, Section 3, as amended, and K.C.C. 12.52.030 are each hereby amended to read as follows:

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1 The executive shall see that the Washington State laws and ordinances of King
2 County are enforced, and shall direct and control all subordinate officers of the county,
3 except insofar as such enforcement, direction and control is by King County Charter
4 reposed in some other officer or board, and shall maintain the peace and order in King
5 County.

6 A. Whenever an emergency or disaster occurs in King County and results in the
7 death or injury of persons or the destruction of property, or involves the potential for
8 flooding arising out of the diminished capacity of the Howard Hanson dam, to such an
9 extent as to require, in the judgment of the executive, extraordinary measures to protect the
10 public peace, safety and welfare, the executive may forthwith proclaim in writing the
11 existence of such an emergency.

12 B. Upon the proclamation of an emergency by the executive, and during the
13 existence of such emergency, the executive may make and proclaim any or all of the
14 following orders:

15 1. An order recalling King County employees from vacation, canceling days off,
16 authorizing overtime, or recalling selected retired employees;

17 2. An order waiving the requirements of K.C.C. 4.04, 4.16, 4.18, 12.16 and
18 12.18.095 with reference to any contract relating to the county's lease or purchase of
19 supplies, equipment, personal services or public works as defined by RCW 39.04.010, or to
20 any contract for the selection and award of professional and/or technical consultant
21 contracts. Provided, however, that an emergency waiver of the requirements under K.C.C.
22 4.18, 12.16 and 12.18 shall not amend the annual utilization goals unless the emergency
23 makes it impossible to achieve the annual utilization goals.

1 3. An order directing evacuation and/or clearing of debris and wreckage caused
2 by an emergency or disaster from publicly and privately owned lands and waters;

3 4. An order imposing a general curfew applicable to King County as a whole, or
4 to such geographical area or areas of King County and during such hours, as the executive
5 deems necessary, and from time to time to modify the hours such curfew will be in effect
6 and the area or areas to which it will apply;

7 5. An order requiring any or all business establishments to close and remain
8 closed until further order;

9 6. An order requiring discontinuance of the sale, distribution or giving away of
10 alcoholic beverages in any or all parts of King County, and/or the closure of any and all
11 bars, taverns, liquor stores, and other business establishments where alcoholic beverages
12 are sold or otherwise dispensed; provided that with respect to those business establishments
13 which are not primarily devoted to the sale of alcoholic beverages and in which such
14 alcoholic beverages may be removed or made secure from possible seizure by the public,
15 the portions thereof utilized for the sale of items other than alcoholic beverages may, in the
16 discretion of the executive, be allowed to remain open;

17 7. An order requiring the discontinuance of the sale, distribution or giving away
18 of gasoline or other liquid flammable or combustible products in any container other than a
19 gasoline tank properly affixed to a motor vehicle;

20 8. An order closing to the public any or all public places including streets, alleys,
21 public ways, schools, parks, beaches, amusement areas and public buildings;

22 9. An order prohibiting the carrying or possession of firearms or any instrument
23 which is capable of producing bodily harm and which is carried or possessed with intent to

1 use the same to cause such harm; provided that any such order shall not apply to peace
2 officers or military personnel engaged in the performance of their official duties;

3 10. An order granting emergency postponement of King County permit
4 procedures for public work projects, as defined by RCW 39.04.010, responding to
5 conditions of the emergency and/or for restoration of public facilities damaged as a result
6 of the emergency. Such postponements shall be temporary. All projects must comply with
7 all applicable code requirements. A permit and inspection must be obtained as soon as
8 possible after work has begun, but permit application shall be made no later than six
9 months after the date of the emergency proclamation.

10 11. Such other orders as are imminently necessary for the protection of life and
11 property.

12 C. Any executive order authorized by this section shall, be filed with the clerk of
13 the council not later than 10:00 a.m. of the second business day after it is issued, except for
14 orders waiving requirements of K.C.C. 4.04, 4.16, 4.18, 12.16 and 12.18. Executive orders
15 issued under authority of this section shall continue in force and effect until terminated by
16 order of the executive or action by the council by ordinance. Provided, however, that
17 orders waiving the requirements of K.C.C. 4.04, 4.16, 4.18, 12.16 and 12.18 shall terminate
18 as provided for in K.C.C. 4.16.050.

19 D. Any proclamation issued by the executive pursuant to the authority of this
20 chapter shall be delivered to all news media within King County and shall utilize such other
21 available means as shall be necessary, in the executive's judgment, to give notice of such
22 proclamation to the public.

23 E. It shall be a misdemeanor for anyone to fail or refuse to obey any such order

1 proclaimed by the executive. Anyone convicted of a violation of this section is punishable
2 by a fine of not more than one thousand dollars or by imprisonment for not more than
3 ninety days, or both such fine and imprisonment."

4 ✓ Renumber the remaining sections consecutively and correct any internal references
5 accordingly.

08/31/2009 Council Mtg.

Julia Patterson 16639

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PASSED: 7-0 RD/ PUR Excused*

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE NO. 2009-0447, VERSION**

2 **1:**

3 On page 1, beginning on line 1, delete all material through line 4 and insert:

4 "AN ORDINANCE relating to emergency declarations;
5 amending Ordinance 3441, Section 5, as amended, and
6 K.C.C. 4.16.050, Ordinance 12613, Section 3, and K.C.C.
7 12.52.010 and Ordinance 1058, Section 3, as amended, and
8 K.C.C. 12.52.030; and declaring an emergency."

9 **EFFECT: Amends the title to reflect Amendment 1.**