

**BOARD OF COUNTY COMMISSIONERS**

**Grant County, Washington**

**ORDINANCE AMENDING GRANT COUNTY  
COUNTY CODE CHAPTER 2.32 TITLED  
“EMERGENCY MANAGEMENT”**

**ORDINANCE NO. 23- 005 -CC**

**WHEREAS**, The Grant County Board of Commissioners (Board) adopted by Ordinance No. 10-034-CC (2010) amending Ch. 2.32 of the Grant County Code relating to Emergency Management Services and amended by Ordinance 18-124-CC, Exh A (2018); and

**WHEREAS**, the Board has determined that it is in the best interest of the county to update and amend Ch. 2.32 of the Grant County Code; and

**WHEREAS**, in 2016, the Grant County Board of Commissioners (Board) held two public meetings and received testimony and input from the Grant County Sheriff's Office, Grant County's Department of Emergency Management, the public and a number of partner agencies regarding merging Grant County Emergency Management into the Sheriff's Office; and

**WHEREAS**, in Washington State each political subdivision must establish and emergency management organization by ordinance or resolution; and

**WHEREAS**, the decision to merge Grant County Emergency Management into the Grant County Sheriff's Office will serve to reinforce Grant County's public safety mission and provide a strengthened response to major emergencies and disasters County-wide; and

**WHEREAS**, the integration of Grant County Emergency Management into the 116 person (this number changes) Sheriff's Office provides sustained and consistently coordinated operations during emergencies; and

**WHEREAS**, integration of Grant County Emergency Management will allow for improved day to day operations due to functioning within a public safety team environment and include bolstering Grant County Emergency Management with additional personnel; and

**WHEREAS**, the merger of Grant County Emergency Management into the Grant County Sheriff's Office will optimize existing resources while providing consistent response strategy and leadership through the course of an emergency to all emergency services: fire, law enforcement and state/federal emergency response partners; and

**WHEREAS**, the merger of Grant County Emergency Management into the Grant County Sheriff's Office will allow the public to expect improvement in the emergency management services offered through the advantages of increased staffing and a broadened range of resources.

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Board of County Commissioners of Grant County, State of Washington, that Chapter 2.32 Grant County Code is amended as shown on Exhibit A attached:

A PUBLIC HEARING WAS HELD ON THE ABOVE  
RESOLUTION/ORDINANCE AT 3:05 O'CLOCK P.M. ON THE 3<sup>rd</sup>  
DAY OF JAN, 2023.

PASSED AND ADOPTED this 3 day of January, 2023.

BOARD OF COUNTY COMMISSIONERS

EXCUSED

Rob Jones, Chair

Cindy Carter

Cindy Carter, Vice Chair

Danny E. Stone

Danny E. Stone, Member

ATTEST:

Barbara J. Vasquez

Date: 1-3-2023

Barbara J. Vasquez

Administrative Assistant/Clerk of the Board

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Approved as to form:

By \_\_\_\_\_ Date: \_\_\_\_\_

Rebekah M. Kaylor, WSBA #53257

Civil Deputy Prosecuting Attorney

## **EXHIBIT "A"**

### **Chapter 2.32 – EMERGENCY MANAGEMENT**

#### **2.32.005 - Purpose**

The declared purposes of this chapter are to provide for the preparation and execution of disaster management and recovery from disaster conditions; organize and direct emergency management and homeland security issues for the citizens of Grant County and throughout municipalities as included within the county-wide emergency management program; to prevent and minimize injuries and damages resulting from disaster caused by fire, flood, winter storms and other natural hazards, or from sabotage, hostile actions, [hazardous] material incidents and other manmade disasters; and, in the public interest, protect the public health, safety, welfare, property, and environment of Grant County.

#### **2.32.010 - Definitions.**

"Disaster" includes in its meaning, but is not limited to, extraordinary fire, flood, storm, epidemic, riot, earthquake, enemy attack, sabotage, other emergencies, or similar public calamity, and any event expected or unexpected, in which a community's available, pertinent resources are expended, or the need for resources exceeds availability, and in which a community undergoes severe danger, incurring losses so that the social or economic structure of the community is disrupted and the fulfillment of some or all of the community's essential functions are prevented.

"Emergency" means an event or set of circumstances which (i) demand 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 declaring [of] an emergency as set forth in chapter 38.52 RCW.

"Emergency management" or "comprehensive emergency management" means preparation for and execution of all emergency functions other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or human caused, and to provide support for search and rescue operations for persons and property in disasters.

"Emergency management organization" means the staff element responsible for the coordination of Grant County planning and preparation for disaster response. This organization

provides liaison and coordination with federal, state, and local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state program requirements.

"Emergency worker" means any person who is registered with a local emergency management organization or the department and holds an identification card issued by a local emergency management director or the department for the purpose of engaging in authorized emergency response, management and recovery activities or is an employee of the state of Washington or any political subdivision thereof who is called upon to perform emergency management activities. Use of emergency workers is governed by chapter 118-04 WAC.

An architect registered under chapter 18.08 RCW or a professional engineer registered under chapter 18.43 RCW, are considered emergency workers. Registration is a prerequisite for eligibility for emergency workers for benefits and legal protection under chapter 38.52 RCW. Registration includes classification of approved emergency workers under categories established in chapter 118-04/118-80 WAC, chapter 38.52 RCW.

"Executive head and/or executive heads" means the county executive in those counties with an elective office of county executive, however designated, and in the case of other counties, the county legislative authority known as the board of county commissioners. In the case of cities and towns, it means the mayor, the city manager/administrator, in those cities and towns with council management form of government. Cities and towns may also designate an executive head for the purpose of this chapter by ordinance.

"Local organization for emergency management" means an organization created in accordance with the provisions of this chapter by state or local authority to perform local emergency management functions.

"Political subdivision" means any county, city or town situated within the state of Washington.

#### **2.32.020 - Emergency management organization.**

Emergency management evolved from the civil defense program established by prior county ordinance. Grant County Sheriff's Office Emergency ~~Management~~ Operations Division continues to serve the rural areas of Grant County as well as the fourteen incorporated cities and towns within Grant County. The mission of emergency management is to provide for the effective direction, control and coordination of county government, emergency response agencies, and to provide liaison with other governments and the private sector, in compliance with an approved emergency management plan. As directed by chapter 38.52 RCW, Grant County accepts the lead responsibility to provide an emergency management program. Incorporated cities and towns are considered partners in the county program and may formally adopt the comprehensive emergency management plan ("CEMP"). Adoption of the plan establishes compliance with chapter 38.52 RCW for the cities and towns, and strengthens their local commitment to better preparedness. Political subdivisions are assessed annually for their share of the emergency management program costs based upon their populations.

Emergency management is organized under the National Response Framework and the Incident Command System (ICS).

The Grant County Sheriff shall also serve as the director of emergency management, and appoints a chief deputy of emergency ~~management~~ operations to serve as his deputy director for the day to day operations of the emergency ~~management~~ operations division. The chief deputy of emergency ~~management~~ operations gathers significant information on emergency situations, and provides the chief elected officials with recommendations to proclaim a declaration of emergency. The Sheriff may hire supporting personnel to conduct planning and coordination of emergency management activities.

The chief deputy of emergency ~~management~~ operations and staff are prepared to follow the chain of command of county government and to report to and activate the emergency operations center (EOC) for the coordination of resources for response and emergency planning for protection of the public when necessary.

#### **2.32.030 - Emergency management—Duties.**

(a)

Prepare a comprehensive plan and program for the emergency management of the county pursuant to state law, and to submit the plan and program including, but not limited to, elements addressing mitigation activities, preparedness, responses to disasters and emergencies, and recovery operations to the state director of emergency management for the director's recommendations thereof and certification for consistency with the state comprehensive emergency management plan in order to ensure that local emergency operations are coordinated with the state plan and program.

(b)

The director of emergency management, in collaboration with other public and private agencies within the county, develop or cause to be developed, mutual aid agreements for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements must be consistent with the county comprehensive emergency management plan and program, and in times of emergency it is the duty of each local organization to render assistance in accordance with the provisions of such mutual aid agreements.

(c)

The director shall make studies and surveys of the manpower, industries, resources and facilities of the county as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The director of emergency management shall establish workforce and planning groups required in accordance with state and federal plans and directions subject to approval of the board.

(d)

The director shall prepare a comprehensive emergency management plan for the emergency preparedness of the county to include the incorporated municipal and unincorporated areas and shall present such plan to the board for its approval. When the board has approved the plan ~~bevy~~ by resolution, it shall be the duty of all Grant County agencies, departments and emergency preparedness forces of the county to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time.

(e)

To develop and maintain a county hazard identification and vulnerability assessment or a threat hazard identification risk assessment.

(f)

To support coordination of the response to and recovery from activities during and following a disaster.

(g)

To develop and maintain an active public education program, both through direct public presentations and contact with the local news media.

(h)

To develop an exercise and training program and test the capability of the county to implement the emergency management plans by exercise or drills.

(i)

To develop, coordinate and maintain a county hazard warning and notification system.

(j) Gain and maintain compliance with the National Incident Management System criteria

#### **2.32.040 - Local emergency management financial.**

A county or municipality shall be eligible to receive [federal disaster] funds if the local emergency management organization has met all state and federal requirements to receive such funds. Qualifications include: legal establishment of an emergency management organization by local ordinance or resolution; an appointed local director; an approved emergency and disaster plan with all applicable annexes [Emergency Support Functions]; and an approved fiscal year program and other necessary compliance documents.

#### **2.32.060 - Emergency regulations.**

(a)

Whenever necessary to meet a declared emergency or to prepare for such an emergency the may, by resolution, promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulation, drills, or practice periods required for preliminary training, and all other matters with are required to protect public safety, heath, and welfare in declared emergencies.

(b)

Every resolution of emergency regulations shall be in writing; shall be dated; shall refer to the particular emergency to which it pertains. The board may rescind such regulation by resolution at any time. If not rescinded sooner, every such regulation shall expire at the end of thirty days after its effective date or at the end of the emergency to which it relates, whichever

come[s] first. Any resolution, rule or regulation inconsistent with period of time and to the extent such conflict exists.

(c)

When implementing instructions (such as standard operating procedures (SOPs) or other operating plans) are written or updated by departments, cities, towns, or other entities covered by the Grant County ~~Emergency Operations~~ Comprehensive Emergency Management Plan, a copy of these plans are to [be] given to the emergency management director who will place a copy in the Grant County Emergency Operations Center to enhance coordination.

#### **2.32.070 - Participation in labor dispute or politics.**

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

#### **2.32.080 - No private liability.**

(a)

There shall be no liability on the part of anyone including any person, partnership, corporation, the county of Grant or any political subdivision thereof, who owns or maintains any building or premises which have been designated by a local organization for emergency management as a shelter from destructive operations or attacks by enemies of the United States for any injuries sustained by any person while in or upon said building or premises, as a result of the condition of said building or premises or as a result of any act or omission, or in any way arising from the designation of such premises as a shelter, when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority, except for an act of willful negligence by such owner or occupant or his servants, agents, or employees. Any requirement for a license to practice any professional, mechanical or other skill shall not apply to any authorized emergency worker who shall, in the course of performing his duties as such, practice such professional, mechanical or other skill during an emergency described in this chapter.

(b)

The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this chapter, or under the workers' compensation law, or under any pension or retirement law, nor the right of any such person to receive any benefits or compensation under any act of congress.

#### **2.32.090 - Phases of emergency operations.**

The department shall operate in a professional manner and conduct normal business and practices as the current situation allows. The following are specific phases of operations to which the department will conduct emergency operations.

~~*Phase I—Routine Operations*~~*Level I—Monitoring*

Incidents are handled by the emergency management staff in cooperation with other local or state agencies. Other staff may be involved as advisors if needed for specific expertise.

~~*Phase II—Enhanced Operation (Alert Stage)*~~*Level II—Partial Activation*

An incident is or could potentially grow beyond the capability of the staff to handle. In this instance the emergency manager, along with select staff, are tasked to support the incident from the county EOC.

During this, the emergency manager will continue to monitor and process other requests for assistance, separate from the incident that has caused activation of the EOC.

~~*Phase III—Full Operation*~~*Level III—Full Activation*

An incident's size and complexity requires representation in the EOC by all appropriate county, cities, towns, outside agencies, and organizations to support expanded operations. The number of staff and the agencies represented will vary by incident. In this phase, the level of activity dictates that normal emergency management staff functions cease and all personnel respond in support of the incident, performing functions in accordance with position checklists and previous EOC training. As the event becomes more defined, staffing levels may be adjusted.

#### **2.32.100 - Shelters.**

No individual, firm, association, corporation, or other party, owning, maintaining or controlling any building or premises who voluntarily and without compensation grants to the county a license or privilege or otherwise permits the county to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering people during an actual, impending emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of the condition of said building or premises or as a result of any act or omission in connection with the upkeep or maintenance thereof, (except a willful act or misconduct) when such person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during emergency or disaster events.

#### **2.32.110 - Severability.**

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances shall not be affected.