

CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-16-599

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING SECTION 2.90.075 OF THE MAPLE VALLEY MUNICIPAL CODE ENTITLED “CONTINUITY OF GOVERNMENT” AND ADOPTING THE 2016 UPDATED COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP); PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.

WHEREAS, the Washington Emergency Management Act, Chapter 38.52 RCW, incorporated herein by reference, directs that each political subdivision of the state establish a local organization for emergency management, together with a plan and program for emergency management, and to obtain certification of that plan for consistency with the state comprehensive emergency management plan; update the comprehensive emergency management plan every four years; and

WHEREAS, each local organization for emergency management is required to appoint a director of emergency management; and

WHEREAS, the City desires to comply with the law and to establish an organization to ensure preparation for and meaningful response to emergencies or a large-scale disaster; and

WHEREAS, the City intends to fund the emergency management organization through available funding sources including, the City’s general fund and available grants; and

WHEREAS, the City has changed its management structure since the adoption of Ordinance No. O-12-505 and while updating its Comprehensive Emergency Management Plan (CEMP) determined it necessary to update Section 2.90.075 of the Maple Valley Municipal Code entitled “Continuity of Government” to reflect those changes; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 2.90.075 of the Maple Valley Municipal Code, entitled “Continuity of Government” is hereby amended as follows (new text in underline; deleted text in ~~strike through~~):

2.90.075 Continuity of Government

A. In the event the Mayor is injured and unable to assume his/her duties, or in the event the Mayor is deceased, the Deputy Mayor shall assume the Mayor’s duties. In the event the Deputy Mayor is injured and unable to assume his/her duties, or in the event the Deputy Mayor is

deceased, the City Council member with the longest tenure as a City Council member for the City of Maple Valley shall assume the duties of the Mayor. If no City elected official is able to assume the duties of Mayor, any vacancy(ies) of the City council shall be filled according to the provisions of state law.

B. In the event the City Manager is injured and unable to assume his/her duties, or in the event the City Manager is deceased, the Finance Director shall assume the duties of the City Manager. In the event the Finance Director is injured and unable to assume the duties of the City Manager, or in the event the Finance Director is deceased, the persons who shall succeed in the place of the Finance Director are listed below, in order of succession:

1. Public Works Director and Community Development Director
- ~~2. Community Development Director~~
- ~~3.2.~~ Parks Director

In the event that none of the above-listed persons are able to assume the duties of the City Manager, the City Council shall appoint a qualified administrative officer to assume the City Manager's duties, pursuant to RCW 35A.13.150, as written or hereafter amended. If it is not possible for the City Council to assemble in order to make this appointment, the Mayor may appoint a qualified administrative officer to serve as City Manager. In the event that no qualified administrative officer is available, the Mayor may appoint any qualified person to serve as City Manager. The person appointed by the Mayor shall be confirmed by the City Council at the earliest opportunity.

Section 2. The City Council hereby adopts the 2016 updated Comprehensive Emergency Management Plan (CEMP).

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Section 5. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
14th DAY OF NOVEMBER 2016

CITY OF MAPLE VALLEY

Sean P. Kelly, Mayor

ATTEST/AUTHENTICATED:

Shaunna Lee-Rice, City Clerk

Approved as to form:

Patricia Taraday, City Attorney

Date of Publication: November 22, 2016

Effective Date: November 27, 2016