

Introduced January 7, 2014
Second Reading and Adoption 2/4 Amendment, 2014 (2/4)
Posted _____ to _____, 2014

**CITY OF MOUNT RAINIER
ORDINANCE 2-2014**
(Drafted by City Manager and City Attorney)

Introduced by: Jimmy J. J. J.

An Ordinance amending *Mount Rainier Code* Chapter 13A, Snow Emergency Routes, and Chapter 13B, City Emergencies, to clarify that the City Manager has the authority to determine whether City government offices are open or closed during a Snow Emergency or other City Emergency.

WHEREAS, by Ordinance 1-2011, adopted on April 5, 2011, the Council of the City of Mount Rainier amended the *Mount Rainier Code* to establish policies and procedures for declaring a Snow Emergency and a City emergency (for inclement weather conditions such as high wind levels and tornados and/or for hazardous conditions such as chemical spills, water contamination, earthquakes, and the like); and

WHEREAS, the Council desires to delete the provisions of Ordinance 1-2011 providing that the declaration of a snow emergency or other emergency by the District of Columbia government automatically constitutes a snow or other emergency in the City of Mount Rainier; and

WHEREAS, the Council also wishes to clarify that the City Manager or his/her designee has the authority to determine whether or not City of Mount Rainier government offices will be open, will open late, or will closed during a snow emergency or other City emergency and that the status of City government operations does not depend upon a declaration of a snow or other emergency by the federal, District of Columbia or Prince George's County governments.

NOW, THEREFORE BE IT ORDAINED this 4th day of Feb, 2014 by the Council of the City of Mount Rainier that:

SECTION 1. Chapter 13A of the *Mount Rainier Code* is amended as follows:

Chapter 13A. Snow Emergencies.

Section 13A-101. Snow Emergency.

* * * *

~~C. A snow emergency shall be automatically declared in the City of Mount Rainier after such declaration has been made by the District of Columbia Government in Washington, DC. The~~

~~emergency shall continue in force and effect until the District of Columbia Government shall declare the snow emergency over.~~

~~D. C.~~ The City Manager or his/her designee ~~also may declare a City of Mount Rainier snow emergency, without a District of Columbia snow emergency declaration, or may extend a District of Columbia snow emergency~~ whenever the City Manager or his/her designee determines that to do so is in the best interests of the safety and welfare of the citizenry. The City of Mount Rainier snow emergency shall continue in full force and effect ~~until the District of Columbia snow emergency ends. The snow emergency can be extended by the City Manager or his/her designee~~ until such time as the City Manager, Chief of Police or Public Works Director determines that the emergency shall be lifted.

E. D. In the event of a snow emergency in the City of Mount Rainier, the latest edition of the City Emergency Operations Plan shall go into effect. (See Chapter 13B, Section 13B-102).

F. E. Public notice of the City of Mount Rainier snow emergency may be given by City cable television, website, City newsletter, television and radio notices, e-mail alerts, Twitter, and such other means as the City Manager or his/her designee deems necessary, effective, and appropriate.

G. F. THE CITY MANAGER OR HIS/HER DESIGNEE HAS AUTHORITY TO DETERMINE WHETHER CITY GOVERNMENT OFFICES WILL BE OPEN, WILL DELAY OPENING, OR WILL BE CLOSED DURING A SNOW EMERGENCY. THE DECISION TO OPEN OR CLOSE CITY GOVERNMENT OFFICES DOES NOT DEPEND ON THE DECLARATION OF A SNOW EMERGENCY BY THE CITY OF MOUNT RAINIER. PUBLIC NOTICE ABOUT THE STATUS OF CITY GOVERNMENT OPERATIONS MAY BE GIVEN BY THE MEANS SET FORTH IN SECTION 13A-101.E ABOVE.

CITY MANAGER OR HIS/HER DESIGNEE WILL NOTIFY MAYOR AND COUNCIL IMMEDIATELY.

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SECTION 2. Chapter 13B of the *Mount Rainier Code* is amended as follows:

Chapter 13B. Declaration of City Emergency.

Section 13B-101. Definitions.

Conditions that may constitute the need to declare a City Emergency shall include, but not be limited to, the following:

- A. Inclement weather conditions that include wind levels that exceed 50 miles per hour (MPH), or conditions declared by the National Weather Service as a storm watch, weather advisory or weather warning for a hurricane, tornado, ice storm, snow storm, and flooding.

- B. Hazardous conditions may include, but not be limited to, a chemical spill, water contamination, uprooted trees, earthquake, tremor, downed power lines, power outages, and buildings or structures declared unfit for human habitation.

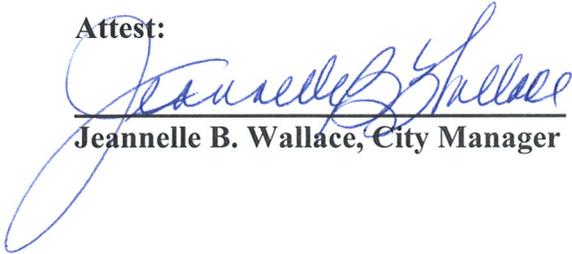
Section 13B-1032. Adoption of City of Mount Rainier Emergency Operations Plan.

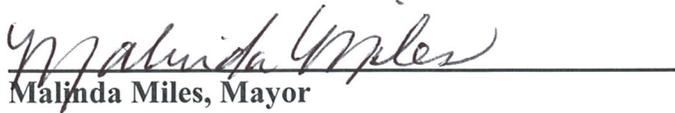
- A. The February 1, 2009, as amended, or the latest edition and revision of the City of Mount Rainier Emergency Operations Plan is adopted by reference and made a party of this Code.
- B. If the City Manager or his/her designee determines that inclement weather or other hazardous condition exists, and declares a City Emergency, the latest edition of the City of Mount Rainier Emergency Operations Plan shall go into effect.
- C. ~~A City Emergency shall be automatically declared in the City of Mount Rainier after such declaration has been made by the District of Columbia Government in Washington, DC. The City Emergency shall continue in force and effect until the District of Columbia Government shall declare the emergency to be over.~~
- CD. The City Manager or his/her designee also may declare a City Emergency, ~~without a District of Columbia emergency declaration, or may extend a District of Columbia emergency~~ whenever the City Manager or his/her designee determines that to do so is in the best interests of the safety and welfare of the citizenry. The City Emergency shall continue in full force and effect ~~until the District of Columbia emergency ends. The City Emergency can be extended by the City Manager or his/her designee until such time as the City Manager, Chief of Police or Public Works Director determines that the City emergency shall be lifted.~~
- D. Public notice of the City Emergency may be given by City cable television, website, City newsletter, television and radio notices, e-mail alerts, Twitter, and such other means as the City Manager or his/her designee deems necessary, effective, and appropriate.
- E. THE CITY MANAGER OR HIS/HER DESIGNEE HAS AUTHORITY TO DETERMINE WHETHER CITY GOVERNMENT OFFICES WILL BE OPEN, WILL DELAY OPENING, OR WILL BE CLOSED DURING A CITY EMERGENCY. THE DECISION TO OPEN OR CLOSE CITY GOVERNMENT OFFICES DOES NOT DEPEND ON THE DECLARATION OF AN EMERGENCY BY THE CITY OF MOUNT RAINIER. PUBLIC NOTICE ABOUT THE STATUS OF CITY GOVERNMENT OPERATIONS MAY BE GIVEN BY THE MEANS SET FORTH IN SECTION 13B-102.D ABOVE.

SECTION 3. This Ordinance shall be effective upon adoption.

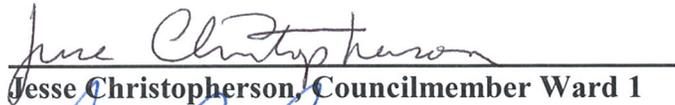
THIS ORDINANCE IS ADOPTED BY THE COUNCIL OF THE CITY OF MOUNT RAINIER THIS 4th DAY OF February, 2014.

Attest:


Jeannelle B. Wallace, City Manager


Malinda Miles, Mayor

Jimmy Tarlau, Councilmember Ward 1


Jesse Christopherson, Councilmember Ward 1


Ivy R. Thompson, Councilmember Ward 2


Brent Bolin, Councilmember Ward 2

Explanatory Note

*** Indicates matter unchanged in existing law, but not set forth in this Ordinance.

ALL CAPITAL LETTERS indicate language added to existing law.

~~Strikethrough~~ indicates language that is deleted from existing law.