

Chapter 8

Keeping your community safe

Public safety services - including police, fire, courts, prosecution, jails, emergency medical services, and 911 dispatch - represent nearly half of an average city's budget.

Fire and emergency medical services

Service delivery options

A city can provide fire protection and emergency medical services (EMS) in several different ways:

- Establish a municipal fire department under the direction of an appointed fire chief. (See Chapter 7 for civil service requirements related to firefighters.)
- Establish a volunteer fire department under the direction of an appointed fire chief. (See Chapter 7 for workers' compensation and pensions for volunteer firefighters.)
- Annex to a fire district, and transfer a portion of the city's property tax authority and control over service levels, to the fire district.
- Annex to a regional fire service authority, which is created through the merger of fire departments or fire districts and, which, like a fire district, has its own property tax authority.
- Enter into a contractual arrangement with another jurisdiction to provide for all or a portion of fire protection or EMS services:
 - Some cities and towns contract with the fire district (rather than annexing to the district or operating their own department). This option allows cities to maintain control of service levels and budgetary impacts, but may relieve the city of issues such as liability, personnel supervision, and direct costs such as equipment.
 - A city or town can also contract through an interlocal agreement with a neighboring city or town for fire or EMS services or both.
- Participate in an emergency medical services district, which has its own property tax authority.
- Create an ambulance utility (specific requirements apply).

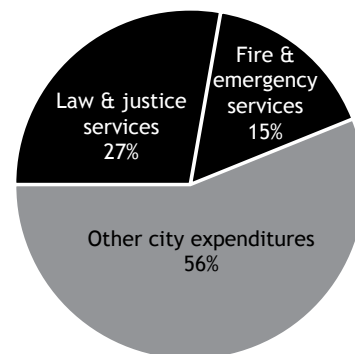
Mutual aid agreements

The Interlocal Cooperation Act authorizes fire departments to contract with other departments to provide mutual fire suppression assistance. Many municipalities enter into such contracts with other cities or fire districts to provide back-up assistance in emergency situations.

For more information on partnership options and interlocal agreements see Working with other entities, Chapter 2.

Cities with one or more full-time paid firefighters must establish a civil service commission to oversee hiring and hear appeals. For information on civil service requirements see Chapter 7.

2014 expenditures for all cities



Police and law enforcement services

The state constitution says that cities may make and enforce within their limits all such local police, sanitary and other regulations as are not in conflict with state laws. The constitution and state law don't mandate the level of law enforcement services but appear to infer that this is the paramount responsibility of cities. This is a policy decision for a city's council.

Once a city determines how it will provide law enforcement services, specific laws on how such services are delivered apply.

Service delivery options

A city can provide law enforcement protection in a number of different ways:

- Establish a municipal police department under the direction of an appointed police chief or marshal.
- Enter into a contractual arrangement with another jurisdiction to provide for all or a portion of law enforcement services.
 - Many cities contract with the county sheriff.
 - A city can also contract with a neighboring city for police services.

The level of service and cost must be negotiated between the jurisdictions.

Cities with more than two full-time police officers must establish a police civil service commission to govern hiring and hear appeals. For information on civil service requirements see Chapter 7.

Mutual aid agreements

The Interlocal Cooperation Act and the Washington Mutual Aid Peace Officers Powers Act authorize a law enforcement agency to contract with any other law enforcement agency to provide mutual assistance. Many small cities enter into such contracts with other cities, the county or the state patrol to provide back-up assistance in emergency situations.

For more information on interlocal agreements see Working with other entities, Chapter 2.

Risk management and liability

Risk management and liability issues related to law enforcement are a significant concern for cities. To reduce liability, many city insurance programs have training programs and have specific requirements, such as procedures for hiring police chiefs.

Courts, prosecution and jails

Each county, city, and town is responsible for the prosecution, adjudication, sentencing, and incarceration of misdemeanor and gross misdemeanor offenses committed by adults in their respective jurisdictions. They can use their own courts, staff, and facilities, or create contracts or interlocal agreements to provide these services.

More than 100 cities run their own courts with elected or appointed judges. Although the city council may appoint the court's judge and determine the court's budget, the judge is responsible for running the court, including supervising court staff, and is not subject to council or executive oversight.

Once a city establishes its own criminal code or municipal court, it may not terminate the municipal court or repeal the criminal code without first entering into an agreement for payment of criminal justice costs with the county or another city.



White Salmon City Hall

Emergency management planning

Local governments have the responsibility to protect the health, safety, and welfare of their citizens, to protect the economic base of the community, and to preserve the environment. The middle of an emergency is the worst time to think about what processes you need to have in place. Instead, proactive mitigation policies and actions can be an investment in the future, creating a safer, more disaster-resilient communities by:

- Protecting public safety and prevent loss of life and injury.
- Reducing harm to existing and future development.
- Preventing damage to a community's unique economic, cultural, and environmental assets.
- Minimizing operational downtime and accelerating recovery of government and business after disasters.
- Reducing the costs of disaster response and recovery and the exposure to risk for first responders.
- Helping accomplish other community objectives, such as leveraging capital improvements, infrastructure protection, open space preservation, and economic resiliency.

Valuable assistance is available from state and federal government agencies, but cities must be aware of guidelines and restrictions in place for accessing that support. To comply with the state comprehensive emergency management plan and program, cities must establish a local organization or join a joint local organization for emergency management. There are also specific federal planning, reporting and training requirements that must be met before cities can qualify for certain federal grants or assistance.

Immediately before, during, and after an emergency, all available resources will be tapped. When local resources aren't enough, a city can use its previously established mutual aid or interlocal agreements with adjoining local jurisdictions, and/or seek help from the State Emergency Management Division.

Declaration of state of emergency

A city's mayor or manager, following the recommendation of the Emergency Management Agency and/or the city Emergency Management Coordinator, can declare a "State of Emergency." Such a declaration provides for extraordinary local powers such as expenditures for emergency assistance to citizens and measures to protect public health, safety, and property and is generally a preliminary step in the process of asking for county/state/federal assistance.

National Flood Insurance Program

Among FEMA's many resources, the National Flood Insurance Program aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners and by encouraging communities to adopt and enforce floodplain management regulations. See resources listing below for more information.



Wapato City Hall

Resources

Basic Firefighter Training, Washington State Patrol - Office of the State Fire Marshal

wsp.wa.gov/fire/basicff1.htm

Emergency Information and Resources, Washington state

access.wa.gov/topics/emergency

Fireworks Regulation in Washington State topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Fire-Protection/Fireworks-Regulation.aspx

Local Government Fire Protection Service Providers topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Fire-Protection/Local-Government-Fire-Protection-Service-Providers.aspx

Washington Fire Chiefs

washingtonfirechiefs.com/

Washington State Firefighters Association

wsffa.org/

Washington State Patrol

wsp.wa.gov/

Wildfire Prevention: The Wildland/Urban Interface topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Fire-Protection/Wildfire-Prevention-The-Wildland-Urban-Interface.aspx

Police and law enforcement services

Public Safety topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety.aspx

Quick Reference Guide for Public Employers, Internal Revenue Service (IRS)

irs.gov/pub/irs-pdf/p5138.pdf

Recreational Marijuana: A Guide for Local Governments topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety.aspx

Know the law

- RCW 52.04.061 - City annexation to fire district
- RCW 52.26.100 - City annexation to regional fire service authority
- RCW 52.26.100 - City annexation to regional fire service authority - transfer of civil service employees
- RCW 35.23.440 (21) - Service levels for second class cities
- RCW 35.27.370 (6) - Service levels for towns
- RCW 35A.11.020 - Service levels for code cities
- RCW 35.21.775 - Cities and towns - Provision of fire protection services to state-owned facilities
- RCW 35.21.779 - Fire protection services for state-owned facilities - Contracts with CTED
- RCW 41.08 - Civil service firefighters
- RCW 35.103 & 35A.92 - Fire department performance measures
- Section 11, WA State Constitution - Police and sanitary regulations
- RCW 10.93 - WA mutual aid peace officers powers act
- RCW 41.12 - Civil service for city police
- RCW 35A.12.020 - Chief law enforcement officer (code cities)
- RCW 35.23.021 - Police chief (second class cities)
- RCW 35.27.070 - Town marshal
- RCW 38.52 - Emergency management
- RCW 35.33.081 - Emergency expenditures - Non-debatable emergencies
- WAC 118-30-040 - Responsibilities of political subdivisions
- WAC 118-30-060 - Plan requirements

Training - Espanol for Law Enforcement, National Institute of Justice
espanol.training.nij.gov/usermanagement/login_form?came_from=https%3A//espanol.training.nij.gov/&retry=&disable_cookie_login__=1

Courts, prosecution and jails

Administrative Office of the Courts

courts.wa.gov/appellate_trial_courts/aocwho/

Courts Overview topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Criminal-Justice-and-Corrections/Courts-Overview.aspx

Jail Services and Alternatives to Incarceration topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Criminal-Justice-and-Corrections/Jail-Services-and-Alternatives-to-Incarceration.aspx

National Institute of Justice Grants

federalgrants.com/National-Institute-of-Justice-Grant-21789.html

Washington Association of Sheriffs and Police Chiefs - Crime Statistics (WASPC)

waspc.org/cjis-statistics---reports

Washington State Office of Public Defense (OPD)

opd.wa.gov

Emergency management planning

Elected Officials' Guide to Emergency Management, Washington State Emergency Management Association

mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/em101offguide.pdf

Emergency Planning at the Local Level topic page, MRSC

mrsc.org/Home/Explore-Topics/Public-Safety/Emergency-Services/Emergency-Management-and-Disaster-Planning/Emergency-Planning-at-the-Local-Government-Level.aspx

Emergency Preparedness -Health, WA State Department of Health (DOH)

doh.wa.gov/Emergencies/EmergencyPreparednessandResponse

Local Mitigation Planning Handbook, Federal Emergency Management Agency (FEMA)

fema.gov/media-library-data/20130726-1910-25045-9160/fema_local_mitigation_handbook.pdf

National Federal Flood Insurance Program, Federal Emergency Management Agency (FEMA)

fema.gov/information-state-local-officials

Washington Emergency Management Division (EMD)

emd.wa.gov

Washington State Emergency Management Association (WSEMA)

wsema.com