

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Rebecca Herzfeld/684-8148	Not Applicable

Legislation Title:

AN ORDINANCE relating to the filing of proclamations and orders in response to civil emergencies, amending Sections 10.02.010, 10.02.020, and 10.02.030 of Seattle Municipal Code.

Summary of the Legislation:

This bill changes the amount of time that the Mayor has to file an emergency proclamation or order with the City Clerk, from 48 hours to immediately. The bill would not amend the current exception for filing later if it is not practical to meet this deadline.

Background:

Section 10.02.010 of the Seattle Municipal Code gives the Mayor the authority to take “extraordinary measures to prevent the death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering,” whenever riot, unlawful assembly... fire, flood, storm, earthquake, or other catastrophe or disaster occurs in the City and “results in or threatens to result in the death or injury of persons or the destruction of property or the disruption of local government.” In such cases, the Mayor may proclaim a civil emergency, assume extraordinary powers, and suspend procedures (such as for purchasing, hiring, and contracting) that are otherwise required by law. An emergency proclamation must be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification, or rejection within 48 hours, or “as soon as practical.”

Sections 10.02.020 and 10.02.030 give the Mayor authority to respond to an emergency by issuing orders. Such orders could set a curfew, require the closure of businesses and public places, and enter into contracts and incur obligations without regard to time-consuming procedures and formalities.

The proposed legislation would shorten the required time for filing emergency proclamations and orders with the City Clerk from 48 hours to immediately. Because some emergencies are short-lived, this will provide the City Council with more time to review the proclamation and determine whether it should be ratified. If immediate filing is not possible due the type and extent of the emergency, the current exception for filing later if it is not practical to meet the deadline would continue to apply.

X **This legislation does not have any financial implications.**

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
None.
- c) **Does this legislation affect any departments besides the originating department?**
This legislation affects the Mayor's Office.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
No.
- h) **Other Issues:**
None.