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**ORDINANCE NO. 3776**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ESTABLISHING A POLICY FOR THE PROVISION OF RESCUE OPERATIONS AT THE WASTEWATER TREATMENT PLANT, PROVIDING FOR THE PAYMENT OF A CHARGE FROM THE WASTEWATER TREATMENT PLANT, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, provisions of the Washington Administrative Code require the Edmonds Wastewater Treatment Plant ("WWTP") to designate a provider for confined space rescue operations; and

WHEREAS, the Snohomish County Fire District #1 ("Fire Department") has individuals trained in confined space rescue and equipment necessary to conduct such rescue operations, and

WHEREAS, the City has entered into an interlocal agreement with the Fire Department to provide, among other services, "technical rescue," and to charge annually for its services; and

WHEREAS, the City Council deems it to be in the public interest to designate the Fire Department as the provider of confined space rescue at the WWTP, subject to the clarification that the Fire Department, as an emergency rescue operation, will use its best efforts to endeavor to provide confined space rescue but, due to emergency demands and priorities may be unable to respond to any particular call, and

WHEREAS, the City Council wishes it to be clear that the duties undertaken are general duties to the public at large and do not create a duty to any specific individual, particularly to individual employees of the WWTP, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Pursuant to the requirements of the Washington Administrative Code 296-809-50014, the Snohomish County Fire District No. 1 (the "Fire Department") is an agency that has the "capability to reach potential victims within an appropriate time frame that is based on the identified permit space hazards. . . ." The Mayor or his designee is hereby authorized to designate the Fire Department as the provider of confined space rescue services to the WWTP subject to the following terms and conditions:

1.1 The duties created are general and create no specific duty to any individual, person or employee. The Fire Department is an emergency responder. While the Fire Department has the training, personnel and equipment, and therefore the capability to reach the victim within the time frame appropriate for the hazards which have been identified, other emergencies, such as natural or other disasters caused by man, acts of terrorism as well as single, multiple or escalating incidents such as medical emergencies, structure fires, motor vehicle accidents or hazardous materials responses that may impact the Fire Department's ability to respond in a timely manner to a confined space rescue incident at the WWTP, may prevent response in any particular situation. For example, in the event of an earthquake or other widespread natural disaster, the Fire Department may be called to respond to multiple emergency situations. In that event, the Fire Department shall make its best efforts to respond to all such calls for emergency service in accordance with triage principles established in conformance with

the professional standards of fire departments and other emergency medical and rescue responders.

1.2 The Fire Chief of the Snohomish County Fire District No. 1 shall:

1.2.1 Evaluate the Fire Department's ability, in terms of proficiency with rescue-related tasks and equipment, to function appropriately while rescuing entrants from the particular confined spaces identified in the permit describing a particular entry.

1.2.2 Designate a rescue team that:

1.2.2.1 has the capability to reach the victim(s) within a time frame appropriate to the identified hazard; and

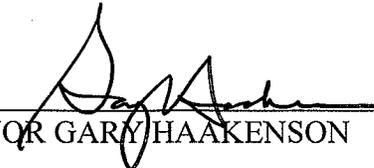
1.2.2.2 is equipped and trained for proficiency in the needed rescue techniques or services.

1.2.3 The rescue team(s) shall be informed by the Public Works Director or his designee of the hazards they may confront when called on to perform rescue at the WWTP and the rescue team shall be provided with site access in order that it can develop appropriate rescue plans and practice rescue operations.

1.3 The Fire Department shall annually report a sum commensurate with the cost of maintaining the capability to provide rescue operation services to the WWTP and to the Edmonds City Council in accordance with Section 2.5 of an interlocal agreement between the parties. The costs of service shall be borne by the Combined Utility Fund.

Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

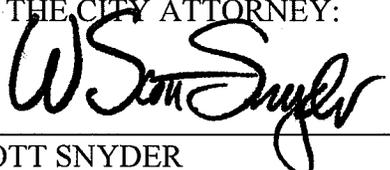
APPROVED:

  
MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:

  
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	01-15-2010
PASSED BY THE CITY COUNCIL:	01-19-2010
PUBLISHED:	01-24-2010
EFFECTIVE DATE:	01-29-2010
ORDINANCE NO. <u>3776</u>	

**SUMMARY OF ORDINANCE NO. 3776**

of the City of Edmonds, Washington

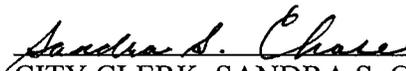
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On the 19th day of January, 2010, the City Council of the City of Edmonds, passed Ordinance No. 3776. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ESTABLISHING A POLICY FOR THE PROVISION OF RESCUE OPERATIONS AT THE WASTEWATER TREATMENT PLANT, PROVIDING FOR THE PAYMENT OF A CHARGE FROM THE WASTEWATER TREATMENT PLANT, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 20th day of January, 2010.

  
CITY CLERK, SANDRA S. CHASE

# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.



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of the City of Edmonds, Washington

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The full text of this Ordinance will be mailed upon request.  
DATED this 20th day of January, 2010.

CITY CLERK, SANDRA S. CHASE

Published: January 24, 2010.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance

No. 3776

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

January 24, 2010

and that said newspaper was regularly distributed to its subscribers during all of said period.

*Jody Groll*

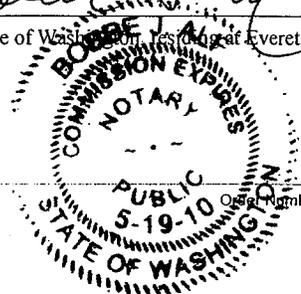
Principal Clerk

Subscribed and sworn to before me this 25th

day of January, 2010

*[Signature]*

Notary Public in and for the State of Washington, County of Snohomish, City of Everett, Snohomish County.



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EDMONDS CITY CLERK