

Chapter 8

Keeping Your Community Safe

Public safety services – including police, fire, courts, prosecution, jails, emergency medical services, and 911 dispatch – represent almost 50% of an average city's budget.

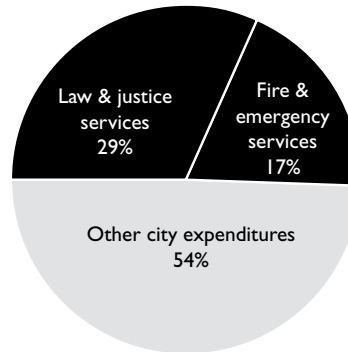
Fire and emergency medical services

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, page 65 for civil service requirements related to firefighters.)
- Establish a volunteer fire department under the direction of an appointed fire chief. (See chapter 7, page 65 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).

2007 expenditures for all cities



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

Key to Symbols

 – Legal citing



 – Internet resource



 – Print publication



 – Training/conference


 – Who to call

Resources


WA State Patrol – WA State Fire
Marshall, (360) 753-6540  

Basic Firefighter Training,
WA State Patrol  

WA State Firefighters Association,
1-800-340-8023  

Fire services, Public safety
webpage, MRSC 

Washington Fire Chiefs

Wildfire information, Access
Washington webpage 

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 – intergovernmental relations, chapter 2, page 13.

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, page 65.

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, page 65.

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 – intergovernmental relations*, chapter 2, page 13.

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.

Know the law

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

Resources



Public safety webpage, MRSC 



Police & fire enforcement services – Public safety webpage, MRSC 


WA Association of Sheriffs & Police Chiefs – training materials, crime statistics, jail studies, sex offender notification information, (360) 486-2380  


Criminal Justice Training Commission, WA State Criminal Justice Commission, (206) 835-7300  

WA State Patrol 

Hiring and Keeping Police Officers, National Institute of Justice, July 2004  

Spanish resource for law enforcement, National Institute of Justice (online training)  

IRS Taxable Fringe Benefits Guide, January 2007 (pdf, 322kb) 


 – guidelines regarding fringe benefits withholding and tax liability (e.g. uniform allowances, employer provided vehicles)


Know the law


RCW 39.34.180

Resources


Court Services – Public safety
webpage, MRSC 

Jail Services – Public safety
webpage, MRSC 

WA Association of Sheriffs &
Police Chiefs, Jail statistics 

National Institute of Justice,
Funding Opportunities 

WA Office of Public Defense 

Administrative Office of the
Courts 

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.

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.



Wapato City Hall

Emergency management planning

Local jurisdictions have a duty to save lives, protect property, protect the economic base of the community, and preserve the environment. To accomplish this, every city should have emergency management programs. Every city must establish a local organization or join a joint local organization for emergency management in order to comply with the state comprehensive emergency management plan and program. 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, local jurisdiction officials respond with all available resources. When local resources aren't enough, a city can use 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.

Know the law


RCW 38.52 – Emergency management


RCW 35.33.081 – Emergency expenditures – Nondebatable emergencies


WAC 118-30-040 – Responsibilities of political subdivisions



WAC 118-30-060 – Plan requirements




Resources



“Emergency Planning for Small Cities,”
Dave Hall, EMD 


Emergency Management Division, WA
Military Dept. 

David Hall, EMD, (253) 512-7057
or 1-800-562-6108 or d.hall@emd.
wa.gov 

*Elected Officials Guide to Emergency
Management*, WSEMA, February 2003
(pdf, 219kb)  

*Guide to Emergency Management
Policy Issues*, Senior Public Officials
workshop, EMD, May 2007 (pdf,
638kb)   

*Keeping Hazard from Becoming
Disasters: A Mitigation Workbook for
Local Government*, EMD, March 2003
(pdf, 204kb)  

Federal Emergency Management
Agency (FEMA) 

WA State Emergency Management
Association 

Public Health Emergency
Resources 