



## **INFORMATIONAL MEMORANDUM**

**TO:** Community Services & Safety Committee

**FROM:** David Cline, City Administrator

**BY:** Kari Sand, City Attorney

**CC:** Mayor Ekberg

**DATE:** October 31, 2023

**SUBJECT:** Ordinance establishing TMC Chapter 2.24, “Fire Personnel,” to designate the offices of Fire Chief and Fire Marshal

### **ISSUE**

Formally designate the offices of Fire Chief and Fire Marshall as provided by the Puget Sound Regional Fire Authority ("RFA") for the City.

### **BACKGROUND**

The City and the Puget Sound Regional Fire Authority entered into an interlocal agreement in October of 2022 to consolidate fire services to allow the RFA to provide fire protection, fire suppression, fire marshal services, emergency medical services, and non-emergency medical services to the City effective January 1, 2023. Ordinance No. 2690 eliminated the office of Fire Chief based on the transition of fire services to Puget Sound Regional Fire Authority. This Ordinance reestablishes the office of the Fire Chief, as well as establishes the office of the Fire Marshal, and the Fire Chief and Fire Marshal of the RFA will henceforth serve in those positions for the City of Tukwila.

### **DISCUSSION**

The Ordinance establishes a new chapter 2.24 of the Tukwila Municipal Code and designates that the Fire Chief and Fire Marshal of the Puget Sound Regional Fire Authority shall serve as the City of Tukwila Fire Chief and Fire Marshal following the voter-approved annexation of the City into the RFA.

### **FINANCIAL IMPACT**

N/A

### **RECOMMENDATION**

The Council is being asked to review this Ordinance and to adopt it on the Consent Agenda at the November 20, 2023, Regular Council meeting.

### **ATTACHMENTS**

Draft Ordinance



**DRAFT**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, ESTABLISHING TUKWILA MUNICIPAL CODE CHAPTER 2.24, "FIRE PERSONNEL," TO DESIGNATE THE OFFICES OF FIRE CHIEF AND FIRE MARSHAL; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Tukwila has entered into an interlocal agreement with Puget Sound Regional Fire Authority for the provision of fire and emergency medical services effective January 1, 2023; and

**WHEREAS**, effective January 1, 2023, the duties of the offices of Fire Chief and Fire Marshal were transitioned to and provided by Puget Sound Regional Fire Authority; and

**WHEREAS**, Ordinance No. 2690 eliminated the office of Fire Chief based on the transition of fire services to Puget Sound Regional Fire Authority; and

**WHEREAS**, Ordinance No. 2692 provides that, effective January 1, 2023, references in the Tukwila Municipal Code to the Fire Marshal shall be interpreted to refer to PSRFA; and

**WHEREAS**, the City of Tukwila desires to clarify and formally designate the offices of Fire Chief and Fire Marshal as provided by the PSRFA pursuant to an interlocal agreement and through annexation of the City of Tukwila into the PSRFA as approved by voters and certified by King County Elections on August 15, 2023, said annexation to be effective on January 1, 2024;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:**

**Section 1. TMC Chapter 2.24 Established.** Tukwila Municipal Code (TMC) Chapter 2.24 is hereby established to read as follows:

**CHAPTER 2.24  
FIRE PERSONNEL**

Sections:

2.24.010 Offices Created

2.24.020 Puget Sound Regional Fire Authority Designated as Agency

**Section 2. Regulations Established.** TMC Section 2.24.010 is hereby established to read as follows:

**2.24.010 Offices Created**

There is created in the City the offices of Fire Chief and Fire Marshal.

**Section 3. Regulations Established.** TMC Section 2.24.020 is hereby established to read as follows:

**2.24.020 Puget Sound Regional Fire Authority Designated as Agency**

A. Effective retroactively to January 1, 2023, City fire and emergency medical services shall be provided by the Puget Sound Regional Fire Authority (“PSRFA”) pursuant to terms of an interlocal agreement. Any references in the Tukwila Municipal Code to the Tukwila Fire Department, Fire Chief, or Fire Marshal, shall be interpreted to refer to the PSRFA.

B. The Fire Chief and Fire Marshal for the PSRFA shall serve as the Fire Chief and Fire Marshal for the City of Tukwila.

C. All PSRFA fire personnel serve the City of Tukwila pursuant to the terms of an interlocal agreement that shall remain in effect until the effective date of the annexation as approved by Tukwila voters and certified by King County Elections on August 15, 2023.

**Section 4. Corrections by City Clerk or Code Reviser Authorized.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 5. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

**Section 6. Effective Date.** This ordinance or a summary thereof shall be published in the official newspaper of the City and shall take effect and be in full force five days after passage and publication as provided by law, and shall be applied retroactively to January 1, 2023.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at  
a Regular Meeting thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
Christy O'Flaherty, MMC, City Clerk

\_\_\_\_\_  
Allan Ekberg, Mayor

APPROVED AS TO FORM BY:

Filed with the City Clerk: \_\_\_\_\_

Passed by the City Council: \_\_\_\_\_

Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Ordinance Number: \_\_\_\_\_

\_\_\_\_\_  
Office of the City Attorney