

BEFORE THE BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

ORDINANCE NO. 152

AN ORDINANCE Creating an emergency medical service district in northern Pacific County, and setting forth its governing organization.

WHEREAS, the residents and guests of, visitors to, and travelers through northern Pacific County have been furnished emergency medical care and services (“EMS”) cooperatively by the areas’ local governments and fire services personnel for the past twenty-five years; and

WHEREAS, this cooperative EMS system has been subsidized by the proceeds from voter-approved excess property taxes levied annually (utilizing ambulance district authority) that have been administered via an intergovernmental agreement between Pacific County, Washington and the North Pacific County Emergency Medical Service (“NPCEMS”), a joint emergency medical services agency established November 1, 1988 under the Interlocal Cooperation Act (chapter 39.34 RCW) and involving the Cities of Raymond and South Bend, Pacific County Fire Protection Districts No. 3 – Willapa Valley, No. 4 – Naselle, No. 6 – Bay Center, No. 7 – Nemah, and No. 8 – Rural South Bend, and Pacific County. The NPCEMS has had the responsibility of overseeing and/or providing emergency medical services that included emergency medical rescue, treatment and transportation of the ill and injured in all incorporated and unincorporated areas of Pacific County, except those lying within School Districts No. 101 – Ocean Beach, No. 172 – Ocosta or No. 200 – North River; and

WHEREAS, the NPCEMS Administrative Board has recommended that the regular property tax levy available under RCW 84.52.069 for emergency medical care and services be made available as the primary financing option for this cooperative EMS system; and

WHEREAS, said levy may only be imposed by a county, emergency medical service district, city or town, public hospital district, urban emergency medical service district, or fire protection district; and

WHEREAS, since the Board of Pacific County Commissioners is neither considering nor prepared to establish a countywide system of emergency medical care and services, the next most viable option to respond to the NPCEMS Administrative Board’s financing recommendation would seem to be an emergency medical service district encompassing the earlier-noted NPCEMS service area; and

WHEREAS, RCW 36.32.480(1) as amended by the 56th Legislature with the passage of Chapter 31 – 2000 Regular Session Laws (Substitute Senate Bill 6276) in part provides that: “*A county legislative authority may adopt an ordinance creating an emergency medical service district in all or a portion of the unincorporated area of the county and, pursuant to subsection (2) of this section, within the corporate limits of any city or town ...*”; and

WHEREAS, subsection (2) of said amended Washington statute provides in part that: “*When a part of a proposed emergency medical service district includes an area within the corporate limits of a city or town, the governing body of the city or town shall approve the inclusion, ...*”; and

WHEREAS, the Clerk of the Board of County Commissioners has been provided certified copies of resolutions from the Cities of Raymond and South Bend approving inclusion; and

WHEREAS, subsection (3) of said amended statute provides that: “*The members of the county legislative authority shall compose the governing body of any emergency medical service district which is created within the county: PROVIDED, That where an emergency medical service district includes an area within the corporate limits of a city or town, the emergency medical service district may be governed as provided in an interlocal agreement adopted pursuant to chapter 39.34 RCW*”; and

WHEREAS, subsection (3) of said amended statute further provides that: *“The voters of an emergency medical service district must be registered voters residing within the service area”*; **NOW, THEREFORE**,

IT IS HEREBY RESOLVED that after considering this matter during public hearing having adequate and proper notice, and whereat written and oral comments were received, the Board of Pacific County Commissioners finds the creation of an emergency medical service district in and for northern Pacific County to be (a) in the public interest, and (b) necessary for the health and welfare of the residents and guests of, visitors to, and travelers through northern Pacific County (e.g., Naselle, Nemah, Bay Center, greater South Bend and Raymond, and Willapa Valley); **AND THEREFORE**,

BE IT HEREBY ORDAINED by the Board of County Commissioners, the legislative authority of and for the county of Pacific, state of Washington, in accordance with RCW 36.32.480, **AS FOLLOWS:**

Section 1. An emergency medical service (“EMS”) district is hereby created in accordance with and as provided by RCW 36.32.480 to provide emergency medical services that include emergency medical rescue, and treatment and transportation of the ill and injured. This EMS district shall be hereafter known as “Pacific County Emergency Medical Service (“EMS”) District No. 1” and more commonly referred to as the “North Pacific County Emergency Medical Service (“NPCEMS”) District”.

Section 2. The NPCEMS District shall encompass that portion of Pacific County, Washington – incorporated and unincorporated – that is also located within the Raymond (No. 116), South Bend (No. 118), Naselle (No. 155), Willapa Valley (No.160) or PeEll (No. 301) School Districts. The NPCEMS District is more specifically described in the attached Exhibit “A” that is made a part hereof by this reference.

Section 3. The NPCEMS District shall be a quasi-municipal corporation and an independent taxing “authority” within the meaning of Article 7, Section 1, of the Washington State Constitution. The NPCEMS District shall also be a “taxing authority” within the meaning of Article 7, Section 2, of the State Constitution.

Section 4. The NPCEMS District shall be governed as provided for in an interlocal agreement which conforms with chapter 39.34 RCW that is approved by Pacific County, the Cities of Raymond and South Bend, and interested Pacific County Fire Protection Districts that are located within the District: **PROVIDED**, That in the absence of such interlocal agreement, the Pacific County Commissioners, as the members of the county legislative authority, shall constitute the governing body of the NPCEMS District.

Section 5. The Pacific County Treasurer shall serve ex-officio as the NPCEMS District treasurer (a) in the absence of the interlocal agreement referenced in Section 4 of this Ordinance, and (b) until the parties to such an agreement formally designate another public treasurer as provided for in RCW 43.09.285.

Section 6. The registered voters residing within the area described in Section 2 of the Ordinance shall be the voters of the NPCEMS District.

Section 7. In the event that any provision of this Ordinance or its application to any person or circumstance shall be for any reason declared invalid or held unconstitutional by a Court of Competent Jurisdiction, the remainder of the Ordinance or the application of the

provision to other persons or circumstances is not affected and shall continue in full force and effect.

Section 8. This Ordinance shall be of full force and effect immediately upon its passage.

PASSED by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, the 26th day of June, 2001 by the following vote 3 YEA, 0 NAY, 0 ABSTAIN and 0 ABSENT; then signed by its membership and attested to by its Clerk in authorization of such passage.

APPROVED AS TO FORM:

/s/Nathan Needham

Michael D. Smith, Prosecuting Attorney

ATTEST:

Kathy Noren

Kathy Noren, Clerk of the Board

**BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON**

Norman B Cuffel

Norman "Bud" Cuffel, Chairperson

Pat Hamilton

Pat Hamilton, Member

Jon C. Kaino

Jon C. Kaino, Member

Exhibit “A”

Preamble

All of Pacific County, Washington lying upland of the extreme low water mark of Willapa Bay, less those lands lying within the Ocean Beach (No. 101), Ocosta (No. 172) and North River (No. 200) School Districts, and more particularly described below:

Description

Beginning at a point described as the intersection of the mid-channel of the Columbia River and the line between ranges eight and nine west; thence north along said line to the north boundary of township ten north; thence east along said boundary to the line between ranges five and six west; thence north along the west boundary of range five west to the southeast corner of section thirteen, township fourteen north, range six west; thence west eleven miles to the southwest corner of section seventeen, township fourteen north, range seven west; thence north seven miles to the northwest corner of section seventeen, township fifteen north, range seven west, said corner being on the line between Pacific and Grays Harbor Counties; thence west along the north line of Pacific County to the northwest corner of section fifteen, township fifteen north, range ten west; thence south to the intersection of the west line of section thirty-four, township fifteen north, range ten west, and the westerly extreme low water line of North River; thence east to the easterly extreme low waterline of North River; thence southeasterly along the extreme low water line of Willapa Bay to the northerly extension of the westerly line of the City limits of South Bend; thence along said extension to the southerly extreme low water line of Willapa Bay; thence westerly and southerly along the southerly extreme low water line of Willapa Bay to the intersection of the quarter line of section twenty-one, township twelve north, range ten west; thence south to the south quarter corner of section thirty-three, township twelve north, range ten west; thence east to the northeast corner of section three, township eleven north, range ten west; thence south to the southeast corner of section three, township eleven north, range ten west; thence east to the northeast corner of section eight, township eleven north, range nine west; thence south to the north sixteenth corner common to sections sixteen and seventeen, township eleven north, range nine west; thence west to the north sixteenth corner of section eighteen, township eleven north, range nine west; thence south along the section lines to a point in the Naselle River on the projection of the south line of section nineteen, township eleven north, range nine west; then to the north quarter of section twenty-five township eleven north, range ten west; thence south to the center of section twenty-five township eleven north, range ten west; thence west to the west corner of section twenty five township eleven north, range ten west; thence south to the west quarter of section one, township ten north, range ten west; thence east to the west quarter of section six, township ten north, range nine west; thence south along the section lines to the mid-channel of the Columbia River; thence along said mid channel to the point of beginning.