

**THE GREATER METROPOLITAN WASHINGTON AREA
MEMORANDUM OF UNDERSTANDING
FOR ANIMAL SERVICES**



**METROPOLITAN WASHINGTON
COUNCIL OF GOVERNMENTS**

JANUARY 2002

**{ADOPTED BY COG BOARD OF DIRECTORS}
MAY 8, 2002
PER RESOLUTION #R16-02**

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS
777 North Capitol Street, N.E., Suite 300
Washington, D.C. 20002

**RESOLUTION ENDORSING
THE GREATER METROPOLITAN WASHINGTON AREA
MEMORANDUM OF UNDERSTANDING FOR ANIMAL SERVICES**

WHEREAS, the Metropolitan Washington Council of Governments (Council) has a number of public safety mutual aid agreements; and

WHEREAS, the Federal Emergency Management Agency, State Emergency Management Agencies, the American National Red Cross and others have concluded that providing mutual assistance and service to animal victims of disaster is an important part of the emergency planning mosaic; and

WHEREAS, the COG Animal Services Committee, the Disaster & Emergency Preparedness Committee, the Human Services & Public Safety Policy Committee and the Chief Administrative Officers Committee have developed and reviewed *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services (MOU)*; and

WHEREAS, the events of 9-1-1 in New York and the Washington Metropolitan Region reaffirmed the need in an even greater fashion to address issues regarding disaster preparation and response with respect to the animal population in each area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS THAT:

The MOU, *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services* is attached and shall be transmitted to each jurisdiction for review and signature by the appropriate local designee'.

METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

MEMORANDUM OF UNDERSTANDING FOR ANIMAL SERVICES

ARTICLE I: PURPOSE AND AUTHORITIES

This Memorandum of Understanding is made and entered into by and between the local governments within the Washington Metropolitan Area signatory hereto.

The purpose of this Memorandum is to provide for mutual assistance among the signatories entering into this MOU in managing any emergency/disaster that is duly declared by a signatory government or to assist another jurisdiction act to prevent an emergency situation from becoming a disaster. The authorized representative of a signatory government may request assistance of another signatory government by contacting the authorized representative of that signatory government. Such cooperation will:

- **Ensure the maintenance of good order,**
- **Provide for animal care and control; and**
- **Ensure public safety within the region during a state of emergency or other emergency situation, which requires animal services assistance beyond the capacity of a signatory jurisdiction or agency.**

Emergency or disaster situations that impact animals may arise from natural or man-made catastrophes considered within the traditional realm, but may also involve those emergencies unique to an animal service response.

This Memorandum shall also provide for mutual cooperation to prevent an event from becoming a disaster and in emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by signatory jurisdictions or subdivisions of signatory jurisdictions during emergencies, such actions occurring outside actual declared emergency periods. It is incumbent upon signatory agencies to ensure that animal services personnel receive the training and have the qualifications necessary to perform the functions that they are assigned in accordance with the assistance stipulated in this Memorandum.

WHEREAS, these signatory governments in the Washington Metropolitan Area have determined that the provision of animal services aid across jurisdictional lines in emergencies will increase their ability to preserve the health, safety, and welfare of people and animals of the entire area.

ARTICLE II: BACKGROUND

The Washington Metropolitan Area is subject to emergency or disaster situations arising from natural disasters, technological hazards, man-made disasters, civil emergency aspects of resource shortages, community disorders, insurgency, terrorism or enemy attack. These emergency situations, whether natural or man-made, place animals at the same potential risk as human beings. A community disaster plan calling for mutual assistance for animals must anticipate all potential disasters (both large and small-scale), from a fire at the local animal shelter to a large scale animal hoarder to a hurricane, tornado or earthquake that impacts the entire community and surrounding areas.

Since animals and the related public health impact are sometimes forgotten in emergency situations, or because specific provisions are not made in advance to provide for their welfare, animals are often abandoned to fend for themselves in times of emergency. Accordingly, a serious problem is created in which the animals may suffer deprivation and/or untreated injuries, and also may create a public health risk for human beings.

Disasters in recent years and follow-up research have shown that proper preparation and effective coordination of animal issues enhances the ability of emergency personnel to protect both human and animal health and safety. It is much more efficient, effective, and inexpensive to develop plans to address animal issues prior to an incident than during one. The following issues highlight some of the concerns why planning for animals is a necessary part of the emergency response:

- *People Refuse to Evacuate and/or try to Return Early to Unsafe Areas*
- *Public Health and Safety Risks are Caused by Animals at Large*
- *Public Health and Safety Risks are Increased by Animal Carcasses*
- *Local Economies which Include Animal Related Businesses*
- *Animal Issues are a Potential Public Relations Catastrophe*
- *Control of Self-Responders (i.e. unauthorized volunteers) and Misuse of Donations*

By considering the issues involving animals in emergencies/disasters and taking a proactive approach on the regional level, instead of a reactive approach after the damage is done, there is a greater chance that animals and their owners will survive an emergency/disaster.

ARTICLE III: GENERAL IMPLEMENTATION

Each party entering into this Memorandum recognizes many emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential in managing these and other emergencies under this MOU. Each party further recognizes that there will be emergencies or potential disasters, which require immediate access and well understood procedures to apply outside resources to make a prompt and effective response to such an emergency. This is because few, if any, individual parties have all the resources they may need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

When a situation within the boundaries of any of the parties hereto exists with a potential for requesting mutual assistance, the party or parties to this Memorandum shall notify the other party or parties of this MOU of such an emergency situation and its need for assistance.

Each party shall designate the appropriate official empowered to request assistance under this Memorandum.

ARTICLE IV: SIGNATORY GOVERNMENT/JURISDICTION RESPONSIBILITIES

It shall be the responsibility of each signatory government to formulate an animal services emergency/disaster relief plan including provision for mutual aid cooperation in the performance of the responsibilities listed in this article. In formulating such plans, and in carrying them out, the signatory governments, insofar as practical, shall:

- ❑ Review individual local and state hazards analyses and determine all those potential emergencies the signatory governments might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster, emergency aspects of resource shortages, civil disorders, terrorism, transportation wrecks, outbreaks of contagious disease, and other emergency situations which require assistance beyond the capacity of a signatory government.
- ❑ Assist local emergency management agencies to integrate an animal services emergency/disaster relief plan within their local Emergency Operations Plan. Preparation, response and recovery activities for animal issues should be included in the local emergency agency's Standard Operating Procedures (SOPs). Ultimately, the local (city/county) animal response plan should be adopted as an annex to the Operational Area Emergency Response Plan. Help the local emergency agency identify an Animal Coordinator to be part of the local Emergency Operations Center (EOC).
- ❑ Review the individual emergency plans of signatory governments and develop a plan that will determine the mechanism for the mutual aid management and provision of assistance concerning any potential emergency.
- ❑ Develop interjurisdictional/interstate procedures to fill any identified gaps and to resolve any identified inconsistencies or overlaps in existing or developed plans.
- ❑ Assist in warning communities adjacent to or crossing the regional boundaries.
- ❑ Protect and assure uninterrupted delivery of services, medicines, water, food, rescue,

willful misconduct, malicious or gross negligence, recklessness or omissions. Each party responding to a request for assistance under this Memorandum agrees to cooperate with and give reasonable assistance to the requesting party or its designees in defending any identified claims.

Each party shall waive any and all claims against all the other parties hereto which may arise out of their activities outside their respective jurisdictions while rendering assistance under this Memorandum.

Each party shall indemnify and save harmless the other parties to this Memorandum from all claims by third parties for property damage or personal injury which may arise out of the activities of the other parties to this Memorandum outside their respective jurisdictions while rendering assistance under this Memorandum. The party receiving assistance shall be solely responsible for indemnifying all parties rendering assistance to it. In no case shall the responding party (ies) have joint or several responsibility for indemnifying other party (ies) rendering assistance.

ARTICLE IX: MODIFICATION/DURATION

This Memorandum shall become operative immediately upon its ratification by any signatory government as between it and any other signatory government so ratifying. Duly authenticated copies of this Memorandum and on such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the signatory governments and any other appropriate agencies of the local, state and federal government.

This Memorandum may be activated, as needed, only subsequent to a request by a signatory government that is to receive assistance or commencement of exercises and/or training for mutual aid and shall continue so long as the exercises and/or training for mutual aid are in progress, the emergency remains in effect or loaned resources remain in the receiving jurisdiction (s), whichever is longer.

This Memorandum may be modified at any time the parties deem it necessary. Suggested modifications to this Memorandum shall be developed in writing and distributed to each party for their review and comment. A modification to this agreement is approved or rejected by mutual consensus of the signatory governments.

This Memorandum shall continue in force and remain binding on each party until the signatory government takes action to withdraw therefrom. Such action shall not relieve the withdrawing government from obligations assumed hereunder prior to the effective date of the withdrawal and shall not be effective until 30 days after notice thereof has been sent by the party government office designated by signature on this Memorandum desiring to withdraw to the office designated by signature of all other party governments.

Withdrawal from this Memorandum by any one party shall not terminate the Memorandum among the remaining parties.

IN WITNESS WHEREOF the parties hereto have executed this Memorandum as of the date first above written.

SIGNATORIES

<u>JURISDICTION</u>	<u>SIGNATURE</u>	<u>DATE</u>
District of Columbia	By _____	
Anne Arundel County, Maryland	By _____	
City of Bowie, Maryland	By _____	
City of College Park, Maryland	By _____	
Frederick County, Maryland	By _____	
City of Gaithersburg, Maryland	By _____	
City of Greenbelt, Maryland	By _____	
Montgomery County, Maryland	By _____	
Prince George's County, Maryland	By _____	
City of Rockville, Maryland	By _____	
City of Takoma Park, Maryland	By _____	
City of Alexandria, Virginia	By _____	
Arlington County, Virginia	By _____	
City of Fairfax, Virginia	By _____	
Fairfax County, Virginia	By _____	
City of Falls Church, Virginia	By _____	
Loudoun County, Virginia	By _____	
Prince William County, Virginia	By _____	



**Introduction of
THE GREATER METROPOLITAN WASHINGTON AREA
MEMORANDUM OF UNDERSTANDING
FOR ANIMAL SERVICES**

On May 1, 2002 the COG Chief Administrative Officer's Committee (CAO's) approved *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services (MOU)* and recommended that it be forwarded to the COG Board of Directors for further action.

At that meeting of the CAO's it was understood that conceptually this *MOU* follows the same basic principles of regional cooperation that is exhibited in other public safety agreements like the *Police Mutual Aid Agreement* and the *Mutual Aid Agreement for Fire and/or Rescue or Ambulance Service*. It is a piece of the planning mosaic.

The CAO's are forwarding this document to the COG Board of Directors with the understanding that any actual response by a jurisdiction to render mutual aid is pending their assessment of indemnification/liability issues. This is understood as the *MOU* already stipulates in Article VI that "... it is understood that the signatory government rendering aid may withhold resources to the extent necessary to provide reasonable protection for such government jurisdiction." COG is currently trying to address these issues through Congressional intervention.

At the January 18, 2002 meeting of COG's Human Services & Public Safety Policy Committee (HSPSPC), the HSPSPC endorsed a referral of *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services (MOU)* to COG's Chief Administrative Officer's Committee (CAO's) for their endorsement and transmittal to their local jurisdictions for review and signature. The COG Disaster & Emergency Preparedness Committee also previously approved this document on July 9, 2001 with unanimous consent.

The COG Animal Services Committee drafted *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services* before the events of 9-1-1, but it takes on even greater significance now. Both in New York and the Washington Metropolitan Region the events of 9-1-1 opened up a number of issues regarding the disaster response with respect to the animal population in each area. The evacuation of neighborhoods, assistance with pets stranded at shutdown airports, military personnel with animals assigned overseas, etc. are just some of the issues that might be raised prompting the need for regional support that this *MOU* addresses.

Moreover, the more recent F5 Tornado that swept through the neighboring COG jurisdiction of Charles County (LaPlata) could have destroyed the Tri-County Animal Shelter in Hughesville had its path veered slightly away in another direction. The region most definitely would have felt the impact and a need for inter-jurisdictional coordination.

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Certain emergency events would require assistance from other jurisdictions even when a formal emergency has not been publicly declared. In the animal world, these types of events can be demonstrated by hoarder (collector) cases, a fire or hazardous release at your local animal shelter forcing a full or partial evacuation of animals from the premises.

The emphasis on working together has never been greater in the public safety and health communities. It makes practical sense to extend the philosophy of mutual aid and support to the animal services community throughout the COG region. Both FEMA and the American Red Cross recognize the importance of planning for animals in disaster by virtue of their agreements with The Humane Society of the United States. This point is further illustrated in the District Response Plan, which has an Animal Protection Annex under development.

The animal services community in this region needs the foundation to be able to count on support from one another when an incident or event overwhelms the existing resources (including equipment and personnel) of your local government animal services agency to adequately respond.

There is a real connection that people have to the animals in our communities. This strong bond may cause the next emergency to impact not only the animal as victims, but the people who care for them as well. Many of the citizens that live throughout our region consider animals to be companions that they rely on for physical and emotional support.

The COG Animal Services Committee is composed of animal services personnel representing local governments in the region, national and local non-profit organizations and others who regularly serve the protection and safety of animals and the quality of life in our region. As jurisdiction become signatories to this MOU, members of the COG Animal Services Committee will be available to provide technical support in the development of your animal disaster plan.

In short, several committees (Animal Services Committee, Human Services & Public Safety Policy Committee, Disaster & Emergency Preparedness Committee and the Chief Administrative Officers Committee) concerned with addressing the animal piece of the emergency planning mosaic ask the COG Board of Directors to endorse *The Greater Metropolitan Washington Area Memorandum Of Understanding For Animal Services* and provide for its transmittal to each of your jurisdictions for review and signature by the appropriate local designee'.

CERTIFICATE

The undersigned hereby certifies that:

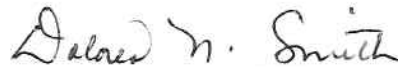
1. He/she is the duly appointed, qualified and acting Certifying Officer of the Metropolitan Washington Council of Governments, and keeper of the records thereof, including the journal of its proceedings.
2. The copy of the Resolution **R16-02**, annexed hereto entitled:

**RESOLUTION ENDORSING THE GREATER METROPOLITAN
WASHINGTON AREA MEMORANDUM OF UNDERSTANDING
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is the original Resolution as finally adopted at a meeting held on **May 8, 2002** which was duly convened in conformity with all applicable requirements; a proper quorum was present throughout said meeting, and the resolution was duly proposed, considered, and adopted in conformity with applicable requirements.

WITNESS my hand and seal of the Metropolitan Washington Council of Governments this 26th day of August, 2002

(SEAL)



Dolores N. Smith
Legal Assistant/Clerk to
the Board of Directors