



EMERGENCY ORDER

IN AND FOR THE CITY OF SEQUIM, WASHINGTON

No. 2020-18

Regarding Governor Inslee’s Proclamation Addendum 20-25 dated April 24, 2020, restarting Phase I construction activities, repealing sections in conflict, and revising permit processing and inspection processes accordingly.

Policy/Budget (Council) **City Clerk use only:** Presented to Council _____
Administrative (City Manager)

On March 16, 2020, at a special meeting of the City Council of the City of Sequim, the City Council issued a Proclamation of Civil Emergency due to the novel corona virus (COVID-19) outbreak that was identified as a pandemic by the World Health Organization on March 11, 2020.

The Proclamation of Civil Emergency was issued pursuant to Sequim Municipal Code 2.60, RCW 35A.38.010, and RCW 38.52.070(2) based on the public health threat posed by COVID-19, and is consistent with concurrent emergency declarations issued by the President of the United States and the Governor of the State of Washington.

On March 23, 2020 Governor Inslee issued Proclamation 20-25 – “Stay Home Stay Healthy”, which ordered everyone to shelter in place until April 6, 2020 unless 1) performing essential activities and/or 2) working in essential business services. “Essential activities” are limited to: 1) getting necessary supplies and services for family/household members, 2) engaging in activities essential to public health/safety for family/household members, 3) caring for family members, friends, etc., and 4) engaging in outdoor exercise if appropriate social distancing was followed. People who are in unsafe housing situations, such as domestic violence, or who are experiencing homelessness are exempt from the Proclamation.

On April 2, 2020 the Governor extended his emergency Proclamation (20-05) and his “Stay Home, Stay Healthy” Order until May 4, 2020 at 11:59 p.m.

On April 24, 2020, Governor Inslee issued an addendum to Proclamation 20-25 that implemented “Phase 1 Construction Restart” that rescinded portions of the previous guidance on construction in the state and set forth the circumstances under which work on some projects would be allowed to resume.

NOW, THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Section 1. Repeal Sections 1, 2, and 9 of Emergency Order #5, and Sections 1 and 2 of Emergency Order #6. These sections are repealed in their entirety.

Section 2. Adopt Governor’s Proclamation Addendum 20-25, Implementation of Phase I Construction Re-Start dated April 24, 2020 in its entirety. The Proclamation Addendum and Phase I



job-site requirements can be found [here](#). *No jobsite may operate until the contractor can meet and maintain all requirements, including providing materials, schedules and equipment required to comply. Currently operating projects must be in compliance by no later than Friday, May 1.*

Section 3. Definition of “Existing” as used in Phase I. The City defines “existing” construction as those projects and/or work that was issued a permit prior to the end of business on Friday, April 24, 2020. Only the work expressly permitted is considered existing construction and permitted to continue per the Governor’s Proclamation Addendum 20-25.

Section 4. All Construction not identified in Section 3 remains closed. The Governor’s Addendum rescinds all previous guidance regarding essential construction and allows all activities that can achieve a minimum six-foot distance to continue. Those activities that cannot achieve those minimum distances remain closed unless projects have been granted a hazard assessment and control plan approved by Washington State Dept. of Labor and Industries.

Section 5. Inspections Under Phase I Construction. Community Development and Public Works inspections will continue only for construction authorized under Section 3 of this Order. Inspections via video or photographs may be allowed as determined at the applicable inspector’s sole discretion. Community Development inspections are only available Monday, Wednesday, and Friday between 9:30 a.m. and 1:30 p.m. For all onsite inspections, contractors must give 24-hour notice before the requested inspection is to occur. These departments are operating with minimal or remote staffing, so while staff strive to be timely, do not expect normal response times. At the time of the inspection, all onsite workers must maintain a minimum of distance of 10 feet from the inspector at all times. All workers onsite must leave the inspection area for the duration of the inspection. Failure to keep minimum physical distancing and comply with approved safety plans may result in the inspector terminating the inspection at the inspector’s sole discretion. If the inspection is terminated for failure to comply with these physical distancing requirements or any requirements in the approved safety plans as specified in Phase I, the inspector at the inspector’s sole discretion may assess re-inspection fees to the contractor. Inspectors will review plans on their own devices and will sign off on the City’s inspection cards, as appropriate, and contact the contractor regarding whether the inspection has been signed off or corrections are required. This section supersedes and replaces all prior versions in their entirety.

Section 6. Community Development and Public Works Departments to Continue Accepting and Processing Permit Applications. Community Development and Public Works will continue to accept and process permits, however, they will only be accepted via mail or online through the Departments’ online Permit Center. Permit processing will include permits for construction that is not authorized under Section 3 of this Order, however engaging in unauthorized activities is strictly **prohibited**. In addition, anyone who submits a permit that requires a neighborhood meeting or public hearing must agree, in writing and as approved by the City, to waive permit processing timelines until the applicable public input can be achieved to the City’s satisfaction. This waiver must be submitted with and is considered part of the permit application; failure to include this waiver constitutes an incomplete application and will be rejected.

Section 7. Penalty for Violation. Persons who violate the City’s orders are subject to the penalties as set forth in SMC 2.60.140. Construction activities in violation of this Order are subject to additional penalties as set forth in SMC 1.13 – Code Enforcement and SMC 15.05 - Building Code.



Section 8. Presentation, Ratification, Termination. Emergency Orders issued under the March 16, 2020 Proclamation of Civil Emergency will be filed with the Legal Department and presented by the City Clerk as soon as practicable to the City Council for ratification and confirmation, modification, or rejection, if applicable.

Rejected orders will be void after the Council vote rejecting them.

Until such time as Council acts, Emergency Orders will be considered in full force and effect.

Section 9. Duration. Unless modified, extended, or terminated by the Sequim City Council or Sequim City Manager as applicable, this Emergency Order is effective immediately and remains in effect until such time as the Governor's "Stay Home Stay Healthy" order is lifted.

SIGNED this 27th day of April, 2020, at -- hours.

CITY OF SEQUIM

A handwritten signature in blue ink that reads "Charles P. Bush".

Charles P. Bush, City Manager

Approved as to form:

A handwritten signature in blue ink that reads "Kristina Nelson-Gross".

Kristina Nelson-Gross, City Attorney

Attest:

A handwritten signature in blue ink that reads "Sara McMillon".

Sara McMillon, City Clerk