



EMERGENCY ORDER

IN AND FOR THE CITY OF SEQUIM, WASHINGTON

No. 2020-34

Regarding adopting and incorporating by reference all Washington State Proclamations related to “Stay Home - Stay Healthy” (Governor’s Proclamation 20-25) and “Safe Start – Stay Healthy” (Governor’s Proclamation 20-25.4) currently in effect or as may be amended.

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 coronavirus (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 Jay Inslee issued Proclamation 20-25 — “Stay Home - Stay Healthy” — followed weeks later by “Safe Start – Stay Healthy” (Proclamation 20-25.4 dated May 31, 2020). Proclamation 20-25 and its revisions are available for review at the Governor’s website: <https://www.governor.wa.gov/issues/issues/covid-19-resources/covid-19-reopening-guidance-businesses-and-workers>.

Proclamation 20-25.4 (“Safe Start”) allowed phased reopening of economic and social activities on a county-by-county basis. Clallam County quickly entered Phase 2 based on a relatively low rate of coronavirus infection. However, on July 30, 2020, compelled by a resurgence in active cases nationwide and across the State, the Governor rolled back some reopening activities and issued further amendments.

Throughout the State’s response to the emergency, the Governor has emphasized that all provisions of his Proclamations are tied to the science and data around the outbreak, and are therefore subject to change depending on the public health circumstances at a given place or time. Those changes can result in more restrictions or fewer, and can last days or months.

Since its own Proclamation of Civil Emergency, the City of Sequim has issued a series of Emergency Orders in alignment with the State’s mandates in an attempt to respond in a rapid and balanced way to the pandemic’s impact on the local community. The required process for issuance and ratification is slow and a bit cumbersome; the result is often that by the time an Emergency Order is presented to Council it can be out of date or out of step with the latest guidance from the State.



Due to the challenges and inefficiencies of trying to issue new or revised City orders every time the State Proclamations change, and taking into account the limited role the City has in enforcing these mandates and guidelines, it is appropriate to keep pace with the State by simply issuing a City Emergency Order that prospectively adopts and incorporates all of the State of Washington's "Stay Home – Stay Healthy" and/or "Safe Start – Stay Healthy" Proclamations currently in effect or as may be issued or amended in the future.

This Emergency Order 2020-34 may supersede or modify some of the provisions that appeared in previous Emergency Orders, including but not limited to EO 2020-04, 2020-05, 2020-06, 2020-13, 2020-18, and 2020-20. However, since the modifications may not be permanent, this Emergency Order does not repeal any previous Orders. Instead, if at a given time there are any conflicts between a State mandate and any provision of an earlier City Order, the State mandate controls. If the conflict does not involve a mandate, but rather a discretionary action within the City's authority, the City's guidance will control until such time as the provision is modified or repealed.

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

Section 1. Adopting and Incorporating Governor's Proclamation 20-25 and its current and future amendments. The City issues Emergency Order 2020-34 prospectively adopting and incorporating any State of Washington "Stay Home – Stay Healthy" and/or "Safe Start – Stay Healthy" Proclamation issued by the Governor.

Section 2. 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 3. 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 all applicable orders and proclamations are lifted.

SIGNED this 17th day of August, 2020, at 10:35 hours.

CITY OF SEQUIM

Handwritten signature of Charles P. Bush in black ink.

Charles P. Bush, City Manager

Approved as to form:

Handwritten signature of Kristina Nelson-Gross in black ink.

Kristina Nelson-Gross, City Attorney

Attest:

Handwritten signature of Sara McMillon in black ink.

Sara McMillon, City Clerk