

**CIVIL EMERGENCY ORDER
CITY OF PORT ANGELES
SUSPENDING ENFORCEMENT OF CERTAIN
PROVISIONS OF THE CONSTRUCTION CODE
PROVISIONS IN THE
PORT ANGELES MUNICIPAL CODE**

WHEREAS, in his capacity as City Manager, NATHAN A. WEST proclaimed a civil emergency exists in the City of Port Angeles as declared on March 17, 2020 by COVID-19 Declaration of Emergency; and

WHEREAS, the facts stated in that Declaration continue to exist, as well as the following additional facts; and

WHEREAS, the World Health Organization (WHO) has declared that COVID-19 disease is a global pandemic, which is particularly severe in high risk populations such as people with underlying medical conditions and the elderly, and the WHO has raised the health emergency to the highest level requiring dramatic interventions to disrupt the spread of this disease; and

WHEREAS, as of January 29, 2021, the State of Washington has had 307,809 cases of COVID-19 and 4,243 deaths; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency to allow the government to marshal additional resources to combat the virus; and

WHEREAS, Clallam County is currently in Phase 1, and is paused from proceeding to a higher Phase until further Order of the Governor; and

WHEREAS, Art. XI, Sec. 11 of the Washington State Constitution grants cities like the City of Port Angeles broad police powers to “make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws”; and

WHEREAS, COVID-19 constitutes an emergency as defined by the City of Port Angeles Municipal Code (PAMC) Chapter 2.24 Emergency and necessitates the utilization of emergency powers granted pursuant to Chapter 35A.38 and Chapter 38.52 RCW; and

WHEREAS, Chapter 14 of the Port Angeles Municipal Code allows businesses and persons to apply for and obtain permits for building structures within the City limits in accordance with the Washington State Building Codes; and

WHEREAS, COVID -19 has had various effects on people who have been planning construction and housing projects in Port Angeles. Some who have planned projects under the 2015 Codes have had those projects long delayed due to restrictions imposed because of COVID-19. Others have planned projects under the 2018 Codes and are now delayed while waiting for implementation of the 2018 Codes. Meanwhile, implementation of the 2018 Construction Codes has experienced many delays over the last year. The financial hardships created by uncertainty about the effective implementation date of the 2018 Codes have been further exacerbated by the recent Emergency Rule delaying implementation of the 2018 Building Codes from February 1, 2021 until July 1, 2021, followed a few days later by the retraction of that extension by Governor Inslee; and

WHEREAS, the circumstances described above, which all are a consequence of COVID-19, have created significant financial hardships for many developers and builders in Port Angeles, and equally have created significant administrative and operational burdens on the City's Department of Community and Economic Development; and

WHEREAS, pursuant to PAMC 2.24.020(B), I find and declare it is in the best interest of the public safety, rescue and recovery efforts, and the protection of property that the enforcement of certain provisions of the Port Angeles Municipal Code be temporarily limited as set forth in this Proclamation; therefore,

BE IT PROCLAIMED BY NATHAN A. WEST, CITY MANAGER OF THE CITY OF PORT ANGELES, THAT:

SECTION 1:

PAMC 14.01.040 hereby is suspended until July 1, 2021. In place of that ordinance, the Director of the City's Department of Community and Economic Development is authorized to adopt administration procedures that allow permit applications submitted to the City pursuant to this PAMC Title 14 to be vested under either the 2015 Construction Codes or the 2018 Construction Codes, at the election of the permit applicant.

SECTION 2:

All proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this proclamation, then the provision of this proclamation shall control.

SECTION 3:

A copy of this Proclamation shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Proclamation to the public, as many other available means as may be practical shall be used, including but not limited to posting on public facilities and public address systems.

SECTION 4:

This Proclamation shall immediately, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification or rejection, and if rejected this Proclamation shall be void; however, any such rejection or modification shall not affect any actions previously taken. The Council may, by resolution, ratify, modify or reject the order. If the City Council modifies or rejects this Proclamation, said modification or rejection shall be prospective only, and shall not affect any actions taken prior to the modification or rejection of this Proclamation.

DATED this 29th day of January, 2021, at 5:19pm.

DocuSigned by:

Nathan A. West

NATHAN A. WEST, CITY MANAGER