

RESOLUTION NO. 2020-13

A RESOLUTION, allowing certain pre-existing home sales/financing agreements and residential/commercial construction contracts to proceed during the term of the Governor's Stay Home-Stay Healthy proclamation.

WHEREAS, on February 29, 2020, the Governor of the state of Washington issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout Washington as a result of the COVID-19 outbreak in the United States and confirmed person-person spread of COVID-19 in Washington State; and

WHEREAS, on March 18, 2020, the Mayor of the City of Wenatchee declared a State of Emergency due to the COVID-19 outbreak; and

WHEREAS, on March 23, 2020, the Governor of the state of Washington issued Proclamation 20-25, which amended 20-05, defined permitted and prohibited activities, and ordered non-essential businesses to cease operations at midnight of that day; and

WHEREAS, on March 25, 2020, the Governor of the state of Washington issued a memorandum indicating that "in general, commercial and residential construction is not authorized under the Proclamation 20-25 because construction is not considered to be an essential activity" but providing that exceptions to the order would be allowed for construction in the following limited circumstances: a) Construction related to essential activities as described in the order; b) to further a public purpose related to a public entity or governmental function or facility, including but not limited to publicly financed low-income housing; or c) to prevent spoliation and avoid damage or unsafe conditions, and address emergency repairs at

both non-essential businesses and residential structures; and

WHEREAS, on March 27, 2020, the Governor of the state of Washington issued a memorandum providing for real estate and mortgage guidance in the context of essential activities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE that current, pre-existing construction contracts may proceed to build completion as an essential activity under the Governor of the state of Washington's guidance subject to the following conditions:

1. A signed affidavit stating there is an existing construction contract and an issued building permit on or before March 27, 2020, must be provided.

2. The Director of Community Development, or his designee, will then determine if said building is at a stage where spoliation, damage or unsafe conditions may occur if the construction is discontinued.

3. An authorization letter will then be issued by the City Building Department.

4. Property inspections by City personnel shall be arranged by appointment only, and be limited to two people at each occurrence. Inspections may require additional measures as required by the building inspector.

5. All persons on site must observe social distancing guidelines and applicable health and worker protection measures, as per Governor Inslee's Proclamation 20-25.

6. The City authorization letter must be posted on site.

7. City inspections and authorization to continue work does not supersede nor waive the obligation of the applicant to meet permitting requirements or approvals of other agencies with jurisdiction over the project.

8. This Resolution may be rescinded or superseded any time at the direction of the City Council.

9. Nothing herein is intended to be inconsistent with Governor Inslee’s Proclamations 20-05 and 20-25 or the memorandums interpreting same.

BE IT FURTHER RESOLVED that inspection activities by the City Building Department may continue for final inspections necessary to obtain final occupancy permits on projects where necessary to close a pending real estate sale or mortgage transaction provided that all activities must meet social distancing and appropriate health and worker protection measures before proceeding consistent with the Governor’s memorandum of March 27, 2020.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a special meeting thereof this ____ day of _____, 2020.

CITY OF WENATCHEE, a Municipal Corporation

By _____
FRANK KUNTZ, Mayor

ATTEST:

By: _____
TAMMY L. STANGER
City Clerk

APPROVED:

By: _____
STEVE D. SMITH

City Attorney