



## **MARCH 26, 2020: CITY OF WASHOUGAL'S IMPLEMENTATION OF WASHINGTON GOVERNOR INSLEE'S STATEWIDE PROCLAMATION NO. 20-25 & GUIDANCE MEMO**

### **I. Background**

On March 23, 2020, Governor Inslee issued Proclamation No. 20-25 that ordered that from midnight March 25, 2020 to midnight April 6, 2020, all non-essential businesses would be prohibited from conducting all but basic minimum operations and all essential businesses were allowed to continue operations so long as appropriate social distancing, sanitation, and worker safety measures were implemented. In its listing of essential businesses, the Order includes language related to construction workers as essential workers in the following circumstance:

“Construction workers who support the construction, operation, inspections, and maintenance of construction sites and construction projects (including housing construction) for all essential facilities, services and projects included in this document, and for residential construction related to emergency repairs and projects that ensure structural integrity.”

Late yesterday, March 25, 2020, the Governor issued a memorandum clarifying that, in general, commercial and residential construction is not authorized under the Proclamation because construction is not an essential activity, except for construction related to essential activities described in the order, to further a public purpose, or to address damage, unsafe conditions, or emergency repairs.

### **II. Washougal Interpretation and Action**

Taking the plain language of the order as written, it appears clear that only those construction sites and projects “for all essential facilities, services, and projects included in this document” are to be considered essential for purposes of exemption from the stay at home order. The document very carefully prescribes thirteen specific industry sectors where such construction would be considered essential.

Therefore, to comply with the Governor’s Order construction in Washougal will temporarily be limited as follows:

- 1) For residential development and building projects, all work including sites, permit submittals/drop-offs/pickups, and inspections MUST STOP, EXCEPT project or site work necessary to prevent spoliation and avoid damage, which includes activities necessary to temporarily close down and secure a site for protection of the structure and the public safety. ALL SITES NEED TO BE SECURED AND CLOSED BY END OF DAY FRIDAY, MARCH 27, AND REMAIN CLOSED UNTIL THE RESTRICTIONS IN THE GOVERNOR’S ORDER HAVE BEEN LIFTED.**

- 2) For **residential remodel construction on premises which have already been granted an occupancy permit**, all work including sites, permit submittals/drop-offs/pickups, and inspections MUST STOP, EXCEPT project or site work necessary for “emergency repairs and projects that ensure structural integrity”.
- 3) For **commercial/industrial development and building projects**, only those which directly involve any of the thirteen essential facilities, services, or projects listed in the governor’s order **MAY CONTINUE** with site work, permit submittals/drop-offs/pickups, and inspections.
  - i. ALL OTHER commercial/industrial development and building project sites, submittals, and inspections MUST STOP, EXCEPT project or site work necessary to prevent spoliation and avoid damage, which includes activities necessary to temporarily close down and secure a site for protection of the structure and the public safety. **ALL OF THESE AFFECTED SITES NEED TO BE SECURED AND CLOSED BY END OF DAY FRIDAY, MARCH 27, AND REMAIN CLOSED UNTIL THE RESTRICTIONS IN THE GOVERNOR’S ORDER HAVE BEEN LIFTED.**

Finally, we understand that this is a hardship to you and/or your business and industry and join you in hoping that the restrictions being implemented around the State and Country are short-lived. We also hope you, your staff, and all your families stay safe and healthy during this unprecedented time. Our staff will continue processing permit applications which have already been submitted, even in those segments of the industry which are not able to continue, in order to hit the ground running when the Governor’s restrictions are lifted. If the Governor’s Order is extended, our staff will work with you to reevaluate additional measures necessary to secure and prevent spoilage on your sites. In the meantime, we appreciate your compliance and are here if you have additional questions for us.

Thank you,



Mitch Kneipp  
Community Development Director