

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO THE DUTIES AND POWERS OF THE BUILDING OFFICIAL AND ENHANCING THE CITY'S ABILITY TO ACT TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE IN RESPONSE TO EMERGENCIES, AND AMENDING SECTION 16.04.050 OF THE OLYMPIA MUNICIPAL CODE

WHEREAS, on March 17, 2020, the Olympia City Council passed Ordinance No. 7233 declaring a state of emergency relating to the novel coronavirus (COVID-19) pandemic under the authority of Article XI, Section 11, of the Washington State Constitution; 35A.11.020 RCW; 35A.11.030 RCW; 35A.13.190 RCW; 35A.38.010 RCW; 35.33.081 RCW; Chapter 38.52 RCW; Chapter 39.04 RCW; WAC 197-11-880; and other applicable laws and regulations; and

WHEREAS, the Olympia City Council finds it necessary to amend Olympia Municipal Code Section 16.04.050 for the purpose of providing the Building Official the powers to fully address building impacted matters within the City of Olympia in a declared emergency;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Findings Adopted. The above stated recitals are adopted as findings of the Olympia City Council and are incorporated by reference as though fully set forth herein.

Section 2. Amendment of OMC Section 16.04.050. Olympia Municipal Code Section 16.04.050 is hereby amended to read as follows:

16.04.050 Duties and Powers of Building Official -- General

A. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

B. The building official is hereby authorized to issue a stop work order on any type of construction that the building official has determined is in violation of a rule, regulation, proclamation or order issued by a duly authorized government official in a declared emergency. Duly authorized government official means the Governor, the City Manager, the Director of Emergency Management, or the Mayor, as provided in OMC Chapter 2.24.

Section 3. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. Effective Date. This Ordinance is for the immediate preservation of public peace, health, safety, and welfare pursuant to City of Olympia public health emergency Ordinance No. 7233 and shall take immediate effect upon adoption, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

/s/ Annaliese Harksen
DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: