JAY INSLEE
Governor

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PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05

20-40
Amendments to State Building Code

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17, 20-18, 20-19, 20-20, 20-21, 20-22, 20-23, 20-24, 20-25, 20-26, 20-27, 20-28, 20-29, 20-30, 20-31, 20-32, 20-33, 20-34, 20-35, 20-36, 20-37, 20-38, and 20-39, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, continues to broadly spread throughout Washington State; and

WHEREAS, the COVID-19 pandemic is causing a sustained global economic slowdown, which is causing an economic downturn throughout Washington State with layoffs and reduced work hours for a significant percentage of our workforce due to the closure of nonessential businesses and prohibitions on group gatherings; and

WHEREAS, the Washington State Building Code Council (SBCC), adopts, maintains, and amends the State Building Code, which is defined in RCW 19.27.031 to include but not be limited to the International Fire Code, the Washington State Energy Code – Residential, the Washington State Energy Code – Commercial, the International Mechanical Code, the Uniform Plumbing Code, and the International Residential Code; and

WHEREAS, the State Building Code is a complex series of regulations and standards enacted to protect public health, safety and general welfare as they relate to the construction and occupancy of residential and commercial structures throughout the state of Washington; and

WHEREAS, pursuant to its statutory authority, the SBCC adopts amendments to and new versions of portions of the State Building Code by orders adopted through rule-making conducted pursuant to its own regulations and the Washington State Administrative Procedures Act (Chapter 34.05 RCW); and

WHEREAS, the SBCC has enacted a series of orders adopting new, amended versions of portions of the State Building Code with an effective date for each such order of July 1, 2020; and

WHEREAS, prior to amendments to the State Building Code becoming effective, the SBCC and other entities and associations that perform work subject to the Washington State Building Codes or who provide

training related to the Washington State Building Code must conduct outreach, training, and otherwise prepare for implementation of the amendments; and

WHEREAS, due to the COVID-19 pandemic, there are exceptional constraints to conducting necessary outreach, training, and preparation prior to the July 1, 2020, scheduled effective date of the orders adopting amendments to the State Building Code; and

WHEREAS, a delay in implementation of the orders adopting amendments to the State Building Code from July 1, 2020, to November 1, 2020, will provide the SBCC and other entities and associations that perform work subject to the Washington State Building Code or who provide training related to the Washington State Building Code time for outreach, training, and other preparations; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people.

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect, and that Proclamation 20-05 is amended as provide herein.

I again direct that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the Washington State Comprehensive Emergency Management Plan and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Washington State Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

ACCORDINGLY, based on the above noted situation and under the provisions of RCW 43.06.220(1)(h), and to help preserve and maintain life, health, property or the public peace, effective immediately and until November 1, 2020, I hereby prohibit the implementation of those orders enacted by the Washington State Building Code Council adopting amendments to the State Building Code with an effective date of July 1, 2020, until November 1, 2020, as set forth below.

FURTHERMORE, based on the above situation and under the provisions of RCW 43.06.220(2)(g), and to implement the above prohibition, I also find that strict compliance with the effective dates of the orders issued by the State Building Code Council adopting new portions of the State Building Code will prevent, hinder or delay necessary action in coping with the COVID-19 pandemic, by implementing new portions of the State Building Code at a time when necessary outreach, training, and preparation, cannot feasibly take place; the specific orders set forth below are therefore suspended from their current effective dates of July 1, 2020, until November 1, 2020, as follows:

1. Order WSR 20-01-090, adopted by the Washington State Building Code Council on July 26, 2019.
2. Order WSR 20-01-103, adopted by the Washington State Building Code Council on November 8, 2019.
3. Order WSR 19-24-058, adopted by the Washington State Building Code Council on July 26, 2019.
4. Order WSR 20-01-162, adopted by the Washington State Building Code Council on October 11, 2019.
5. Order WSR 19-24-040, adopted by the Washington State Building Code Council on July 26, 2019.
6. Order WSR 20-01-047, adopted by the Washington State Building Code Council on November 8, 2019.
7. Order WSR 20-03-041, adopted by the Washington State Building Code Council on November 8, 2019.
8. Order WSR 20-02-072, adopted by the Washington State Building Code Council on November 8, 2019.
9. Order WSR 20-03-023, adopted by the Washington State Building Code Council on November 8, 2019.

Violators of this of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 2nd day of April, Two Thousand and Twenty, at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State