



# CITY OF BLACK DIAMOND

## DEPARTMENT OF COMMUNITY DEVELOPMENT

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**TO:** Interested Stakeholders

**FROM:** Barbara Kincaid, Director of Community Development *BK*

**DATE:** April 26, 2020

**SUBJECT:** Construction expectations under Governor Inslee's Phase I Construction Restart under the Stay Home, Stay Healthy Order

On April 24, 2020, Governor Inslee issued an Addendum to Proclamation 20-25 under his previously issued Stay Home, Stay Healthy Order. The Addendum establishes the implementation of a "Phase 1 construction restart" for existing, low risk construction projects. This Addendum allows certain "low-risk" construction to resume if in compliance with specific requirements—namely, the *Phase 1 Construction Restart COVID-19 Job Site Requirements*.

Since the release of the Governor's Stay Home, Stay Healthy Order (Proclamation 20-25), the Mayor, Council and city staff have worked to maintain all essential functions. On April 14, 2020, staff released a memo explaining the restart of limited permitting and planning functions. This memo was distributed to all interested parties and it was posted to the City's website. The memo lays out processes for:

- Continued review of building permits and land use applications that were received prior to the Governor's Order,
- Certain types of building inspections that could be conducted while maintaining social distancing requirements, and
- An adopted policy to provide for safe construction and inspections to resume work on existing public infrastructure projects.

The details in the Mayor's policy authorizing the commencement or resumption of public infrastructure projects is quite similar to the criteria under the Governor's Phase 1 Construction restart Addendum. The City will continue to adhere to the Mayor's policy document in tandem with the Governor's Addendum for restarting "low risk" construction activities.

The intent of this memo is to establish further understanding and expectations regarding the City's interpretation and implementation of the Governor's *Phase 1 Construction Restart COVID-19 Job Site Requirements*. The City is committed to good outcomes through positive relationships with the construction industry. We also shoulder the responsibility for public health and welfare just as you shoulder the responsibility to keep your workers safe.

Before any construction resumes, the City requests that all contractors email a complete copy of the required contractor's Jobsite Safety Plan with a signed company policy letter certifying adherence to the Plan and the name and number of the designated COVID-19 job site supervisor to [bkincaid@blackdiamondwa.gov](mailto:bkincaid@blackdiamondwa.gov).

In addition to adhering to the Mayor's above mentioned policy, the City will also observe the following special guidelines to conduct safe inspections:

- Inspections will only be performed on those sites that have established, active social distancing and sanitation measures as outlined in Governor Inslee's *Phase 1 Construction Restart COVID-19 Job Site Requirements*.
- The City will require a building permit number and the name and number of the designated COVID-19 job site supervisor in order to schedule an inspection.
- Contractors or owners who request inspections must notify the city in advance if anyone on the job site or in the building area where the inspection will occur has experienced symptoms of COVID-19. The notification should note the presence of symptoms generally but must maintain personal confidentiality as required by the Americans with Disabilities Act (ADA). Based on this information, a City determination will be made whether to perform the requested inspection.
- For each inspection, an on-site escort for the inspector must be provided. The escort must maintain social distancing from the inspector at all times and wear required PPEs. The duties of the escort include:
  - Informing all workers on site in advance that an inspection of the work will be made and that they are to provide a safe distance (6 feet minimum per social distancing requirements) from the inspector,
  - Confirming the work is complete and ready for inspection before inspector gets out of his/her vehicle,
  - Providing the inspector with safe access to the work area requiring inspection,
  - Continually keep workers a safe distance from the inspector and the inspection location and cleaning surfaces as needed, and
  - Assisting the inspector, as required, in order to safely complete the inspection.

Inspectors have the right to refuse to perform an inspection if the area or access to the area is unsafe or poses a threat to their health and safety based on the rules defined in the Governor's Stay Home, Stay Healthy Order and the Phase 1 Addendum. An unsafe site and any observed violations will result in a complaint filed to the Washington State Department of Labor & Industries and may be subject to enforcement activities under Black Diamond Municipal Code (BDMC) Title 8.