

CHELAN COUNTY BOARD OF COMMISSIONERS
RESOLUTION NO. 2020 - 39

**A RESOLUTION AMENDING EMERGENCY DECLARATION
FOR COVID-19 RESPONSE ORDERING STAY AT HOME
AND AMENDING AND CLARIFYING RESOLUTION 2020-38**

Whereas, on March 17, 2020, Chelan County adopted and enacted Resolution 2020-32 declaring an emergency in order to respond to the COVID-19 virus pandemic emergency, and

Whereas, on April 6, 2020, Chelan County adopted and enacted Resolution 2020-38 amending and extending the emergency declaration in Resolution 2020-32, and

Whereas, since the adoption of Resolution 2020-38, the county has received numerous questions regarding the scope, applicability, and implementation of Resolution 2020-38 which create the need to clarify Resolution 2020-38, and

Whereas, the County recognizes the Mayors and Councils of Wenatchee, Cashmere, Leavenworth, Entiat, and Chelan, have the responsibility and capability to adopt the proclamations and enactments they deem necessary for the protection of the public health, safety and welfare in their jurisdictions, and

NOW, THEREFORE BE IT HEREBY RESOLVED that the Chelan County Board of Commissioners hereby orders as follows:

1. The foregoing recitals are incorporated herein as findings, conclusions, and orders.
2. Previously enacted Resolution 2020-32, Resolution 2020-38, and the Governor's Proclamations, including but not limited to 20-25 and 20-25.1, enacting the Stay Home, Stay Healthy declaration through May 4, 2020, are incorporated herein.
3. There continues to be an emergency which necessitates the continued activation of the Chelan County Comprehensive Emergency Management Plan, activation of the Chelan County Emergency Operations Center, and utilization of emergency powers granted by statute.
4. Applicability:
 - a. This order shall only apply in the unincorporated areas of Chelan County and shall not apply within any of the municipal corporate boundaries of the Cities of Wenatchee, Cashmere, Leavenworth, Entiat, or Chelan.
 - b. This order shall not apply to any land owned or operated by the State of Washington, United States of America, or any special purpose districts including but not necessarily limited to public utility, school, hospital, sewer, water, irrigation, fire, park, reclamation, cemetery, or port districts.
 - c. This order shall not apply to any tribal land, Indian trust land, or allotments.
 - d. This order shall not apply to private campgrounds.
5. The use of any vehicle, recreational or otherwise, for camping, sleeping, or occupancy while not traveling in Chelan County is prohibited, unless said use occurs on owner's property and is limited to owner and owner's family, or else at a private campsite or facility.
6. All Short Term/Vacation Rentals including but not necessarily limited to Air B&B and VRBO shall cease renting accommodations and shall close; no use or occupancy is allowed regardless of whether it is compensated or not, subject to the provisions of subsections 4, 7, and 8 herein.

7. This order applies to all such structures, uses, rentals, and/or occupancies regardless of whether or not:
- a Conditional Use Permit has been granted
 - a building or structure constitutes a single family residence
 - a single unit, portion, subsection, or entire building or structure is rented
 - management is present or nearby
 - cooking or food preparation equipment or capabilities exist
 - the length of the lease is less than 30 days

8. Owners and operators of Short Term/Vacation Rental including but not necessarily limited to Air B&B and VRBO or campground and camping facilities in Chelan County shall assist in the implementation of Governor Inslee's Proclamations 20-25 and 20-25.1 by providing such accommodations or facilities only to persons for whom such accommodations or facilities are required (1) to conduct or participate in essential activities, (2) for employment in essential business services, or (3) as otherwise provided by Proclamation 20-25. Nothing in this order requires the removal of persons who are already staying in transient accommodations or campground and camping facilities at the time this order is made.

9. Nothing herein is intended to be inconsistent with Governor Inslee's Proclamations 20-25 or 25.1.

10. Violations of this order are hereby declared to be detrimental to public health, safety, and welfare and are hereby declared to be public nuisances, and are contrary to Chelan County Code. RCW 36.32.120(10).

11. Any person willfully violating the Governor's emergency proclamations can be found guilty of a gross misdemeanor, and upon conviction thereof is subject to a fine of not more than five thousand dollars and/or imprisonment in the county jail not to exceed 364 days. RCW 43.06.220(5).

12. Any person violating health department orders made for the prevention, suppression and control of dangerous contagious and infectious diseases, or for leaving isolation without the consent of the proper health officer, can be found guilty of a misdemeanor and upon conviction thereof is subject to a fine of not less than twenty-five dollars nor more than one hundred dollars and/or to imprisonment in the county jail not to exceed ninety days. RCW 70.05.120(4)

13. This order shall remain in effect until midnight on May 4, 2020, unless extended beyond that date by the Board of County Commissioners.

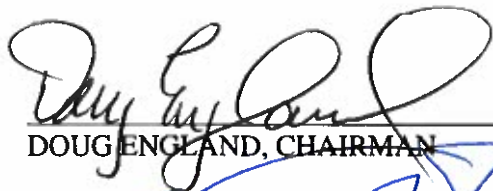
14. This resolution requiring compliance with Proclamations 20-25 and 25.1, Stay Home, during the COVID-19 Emergency shall become effective immediately.

15. The state of emergency declaration enacted in Resolution 2020-32 is hereby extended until midnight on May 4, 2020, unless extended beyond that date by the Board of County Commissioners.

16. This resolution amends and clarifies Resolutions 2020-32 and 2020-38. In any instance where the provisions of this resolution conflict with the provisions of Resolutions 2020-32 or 2020-38, the provisions of this resolution supersede and control.

Dated at Wenatchee, Washington, this 13 day of April, 2020.

BOARD OF CHELAN COUNTY COMMISSIONERS


DOUG ENGLAND, CHAIRMAN


BOB BUGERT, COMMISSIONER


KEVIN OVERBAY, COMMISSIONER

ATTEST: SUSAN WARD


Deputy Clerk of the Board

