



# BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5748  
September 15, 2020  
Regular Business

## AGENDA BILL INFORMATION

<b>TITLE:</b>	AB 5748: Permit Expiration Extension (Ordinance No. 20C-21 First Reading and Adoption)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed:
<b>RECOMMENDED ACTION:</b>	Adopt Ordinance No. 20C-21, allowing the building official to extend permits for an additional 6 months.	<input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

<b>DEPARTMENT:</b>	Community Planning and Development
<b>STAFF:</b>	Alison Van Gorp, Deputy Director
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Ordinance No. 20C-21
<b>CITY COUNCIL PRIORITY:</b>	n/a

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

## SUMMARY

The COVID-19 pandemic has adversely impacted construction sites, due to work stoppages and delays. Staff are recommending a code amendment that would allow the building official to grant a 6-month extension to building permits to provide relief to permit applicants and property owners.

## BACKGROUND

On February 29, 2020, Governor Inslee proclaimed that a State of Emergency exists in all counties in the State of Washington due to the COVID-19 Pandemic ("Pandemic") and on March 23, 2020 the Governor issued the "Stay Home, Stay Safe" Proclamation, requiring all non-essential businesses to close and residents of the state of Washington to stay at home and strictly limit physical contact with people outside their household.

The Stay Home Order had significant impacts on construction activity and resulted in a work stoppage on most construction sites. On April 23, 2020, Governor Inslee issued the Phase 1 Construction Restart COVID-19 Job Site Requirements that allowed existing construction projects to resume. On May 15, 2020, the Governor fully reopened construction activity in King County by issuing the Phase 2 Construction COVID-19 Job Site Requirements. The Phase 2 Job Site Requirements allow all construction work to proceed, provided all health and safety measures are followed on the job site, such as maintaining 6-feet of separation between workers, using masks and PPE, regular hand washing, etc.

Most construction sites on Mercer Island were shut down for one to two months in the spring, and many were impacted by other delays due to the impacts of the Stay Home order and Job Site Requirements. Some projects were also directly impacted by the COVID-19 virus and mandatory quarantines.

Staff heard from permit applicants with concerns about their ability to complete projects prior to permit expiration. [MICC 17.14.010\(105.5\)](#) currently provides that permits will expire two-years after issuance. Applicants have the option to renew the permit for a third year with the payment of an additional permit fee. Currently, permits cannot be renewed or extended beyond three years.

## **ORDINANCE**

Given the impacts of the Pandemic, staff are recommending a code amendment (see Exhibit 1), allowing the Building Official to authorize a permit extension of up to 6-months during or after a declared emergency, when the emergency has resulted in work stoppage or significant delays to the construction project. The 6-month extension will be granted upon request by the permit applicant at no additional fee. The permit extension may be requested at the end of the two-year period, or at the end of the three-year period, if the applicant had already applied for an extension. The maximum period for a permit to be active will be 3.5 years under this code amendment.

## **RECOMMENDATION**

1. Suspend Council Rules of Procedure 6.3 and 10.1 requiring second reading of an ordinance.
2. Adopt Ordinance No. 20C-21, allowing the building official to extend permits for an additional 6 months.