



# TEMPORARY EMERGENCY ORDER of the City Manager

<b>COVID-19 Public Health Emergency Suspension of Public Records Disclosure Requirements</b>			<b>Category:</b> COVID-19
			<b>Number:</b> 4
			<b>Classification:</b> Environmental
<b>Effective Date:</b> 03/24/2020 – 04/23/2020	<b>Waiver/ Suspends:</b> SMC 2.35.050(B)  Policy 100-05: Sections 4.2, 5.5(1), 5.6, 6.4, and 6.5	<b>Policy Originator:</b> City Manager	<b>Approved By:</b> City Manager   <hr style="width: 100%;"/> Debbie Tarry

**1. PURPOSE:**

The purpose of this Temporary Emergency Order is to provide a temporary suspension of certain provisions of SMC Chapter 2.35 and Policy 100-05 Disclosure of Public Records in response to the Washington State Governor’s Proclamation 20-28 regarding the Public Records Act to address the COVID-19 public health emergency.

**2. IMPACTED INDIVIDUALS:**

City of Shoreline Public Records Officer  
Public Records Requestors

**3. ORDER:**

On February 29, 2020, the Washington State Governor declared a State of Emergency in all counties. On March 4, 2020, the City Manager issued a Declaration of Local Public Health Emergency. On March 23, 2020, the Washington State Governor issued the “Stay Home Stay Safe” Proclamation, effectively closing all but businesses deemed to be essential until at least April 6, 2020. In response to this Proclamation, on March 24, 2020, the City Manager determined that a “Level 4 – City Closure” was warranted, resulting in substantial reduction in the City’s workforce.

On March 24, 2020, the Washington State Governor issued a Proclamation waiving and suspending certain provisions of Washington’s Public Records Act, chapter 42.56 RCW. Specifically, the Governor’s Proclamation suspended the requirement for in-

person inspection of public records and the mandatory five (5) business day response period.

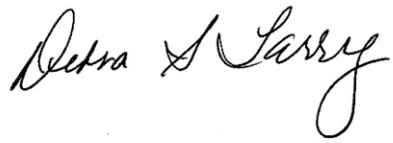
SMC Chapter 2.35 Public Records and Policy 100-05 set forth the City's process and procedures in compliance with the Public Records Act. SMC 2.35.050(B) states that the City must provide the requested records or a written response within five (5) business days. Pursuant to SMC 2.35.010(B), the City Manager has established a Public Records Policy, Policy No. 100-05. Section 4.2 and Section 7.1 provide that records are available for inspection during the City's normal business hours at the Clerk's Office. Section 5.5(1) permits submittal of a request in-person at the City Clerk's Office. Section 5.6, Section 6.4, and Section 6.5 speak to the five (5) business day response requirement.

The Governor's Proclamation suspending certain provisions of the Public Records Act stated that the processing of public records by all public agencies statewide involved the conduct of business and, that strict compliance with the suspended provisions would prevent, hinder, or delay necessary action for coping with the COVID-19 State of Emergency in responding to public records requests by bringing people in contact with one another at a time when the virus is rapidly spreading. The City concurs with and adopts the Governor's statement by reference.

**THEREFORE**, for the reasons set forth above and pursuant to the authority granted to the City Manager by the City Council under Resolution No. 456, this Temporary Emergency Order is issued providing the following:

1. SMC 2.35.050(B) is suspended in regard to the five (5) business day response time.
2. Section 5.6, Section 6.4, and Section 6.5 of Policy 100-05 are suspended in regards to the five (5) business day response time.
3. Section 4.2 and Section 7.1 of Policy 100-05 are suspended in regards to providing for in-person submittal of request and in-person inspection of public records.
4. Nothing in this Temporary Emergency Order relieves the City's Public Records Officer from responding to public records requests as promptly as possible and providing the fullest assistance to requestors given the reduced workforce and so long as such actions do not unreasonably disrupt the essential functions of the City necessary to respond to COVID-19.
5. This Temporary Emergency Order shall be in effect from March 24, 2020 until 11:59 pm Local Time on April 23, 2020.

Dated this 31<sup>st</sup> day of March, 2020.

A handwritten signature in black ink, appearing to read "Debbie Tarry". The signature is written in a cursive style with a large, looping initial 'D'.

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Debbie Tarry  
City Manager