

EMERGENCY PROCLAMATION 2020-04

A PROCLAMATION OF EMERGENCY AND TEMPORARY MORATORIUM ON COMMERCIAL EVICTIONS

WHEREAS, on February 29, 2020, the Governor of the State of Washington proclaimed a State of Emergency due to COVID-19;

WHEREAS, on March 5, 2020, the City Mayor issued the City of Auburn Proclamation, which proclaimed an emergency due to COVID-19;

WHEREAS, despite sustained efforts, the virus remains a threat, and further efforts to control the spread of the virus to reduce and minimize the risk of infection and mitigate the effects of COVID-19 are needed;

WHEREAS, in addition to the public health and safety issues related to the spread infection, the economic impacts of COVID-19 are significant and threaten to undermine the stability of City of Auburn businesses;

WHEREAS, allowing commercial tenants to decide whether or how to remain open based on public health concerns, rather than economic pressures, or to mitigate the economic impacts of COVID-19, is conducive to public health and safety;

WHEREAS, the Mayor finds that pursuant to RCW 38.52.070, it is in the public interest to protect the health and safety of persons and property and to provide emergency

assistance to the victims of the public health emergency to establish a 30-day moratorium on commercial tenant evictions;

WHEREAS, the Mayor has determined that it is necessary for the City to take actions authorized under Chapter 2.75 (Emergency Preparedness) of the Auburn City Code (“ACC”) and Chapter 38.52 (Emergency Management) of the Revised Code of Washington (“RCW”) including, but not limited to, the definitions in RCW 38.52.010, the authorizations in RCW 38.52.070 and RCW 38.52.110, the liability, immunity, and indemnification provisions of RCW 38.52.180, et. seq.

NOW THEREFORE I, Nancy Backus, Mayor of the City of Auburn, Proclaim as follows:

Section 1. As authorized by ACC 2.75.090, I hereby make, issue, and adopt the following emergency rule, which shall be in place for 30 days consistent with a temporary moratorium:

No landlord or commercial property owner shall evict a commercial tenant in the City of Auburn during this local emergency period if the tenant provides one week notice to the landlord or commercial property owner before payment is due that the tenant is unable to pay rent due to circumstances related to the COVID-19 pandemic. Within one week of the tenant’s notice, the tenant must provide the landlord or commercial property owner with documentation supporting the tenant’s inability to pay rent due to circumstances related to the COVID-19 pandemic.

These circumstances include loss of business income due to a COVID-19 related workplace closure, child care expenditures due to school closures, health care expenses related to being ill with COVID-19 or caring for a member of the tenant’s household who is ill with COVID-19, or reasonable expenditures that stem from government-ordered emergency measures.

No landlord or commercial property owner shall require payment of late fees due Delinquent payment of rent during this temporary moratorium. All commercial tenant late fees and charges shall be waived during the temporary moratorium.

Section 2. As soon as practicable I will advise and consult with the City Council with respect to all actions taken under the authority of this Proclamation.

Section 3. This Proclamation will take effect on my signature, and will remain in effect for 30 calendar days.

Dated and signed: 3.20.20

CITY OF AUBURN


NANCY BACKUS, MAYOR