

CITY OF MOSSYROCK, WASHINGTON
ORDINANCE NO. 488

AN ORDINANCE OF THE CITY OF MOSSYROCK, WASHINGTON, DECLARING MOSSYROCK WILL NOT RECOGNIZE PROCLAMATION 20-25.8 AT THIS TIME; SEEKING COVID-19 INFORMATION AND DATA RELEVANT TO MOSSYROCK; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of Mossyrock, Washington (the “City”) is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to Chapter 35A.11.020 RCW, the City may adopt and enforce ordinances of all kinds relating to and regulating the City’s local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, on November 15, 2020, Governor Jay Inslee issued Proclamation 20-25.8 limiting the operation of, and forcing closure of, businesses through at least December 14, 2020; and

WHEREAS, it is believed that the number of Covid-19 cases in the City of Mossyrock are nominal, if at all; and

WHEREAS, limiting the operation of, and forcing the closure of, businesses in the City of Mossyrock may have adverse consequences to the City’s already struggling economy; and

WHEREAS, the City has not been presented with any evidence that a current emergency exists within the City of Mossyrock; and

WHEREAS, the Council desires to act in a reasonable, logical and fact-based manner with due regard for all interests of its residents.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MOSSYROCK, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Emergency. An emergency exists which requires immediate action necessary for the preservation of public health and safety, public property, and the public peace.

Section 2. Non-Recognition of 20-25.8. The City will not recognize Proclamation 20-25.8 until such time as sufficient Covid-19 information and data is presented to the City that establishes a state of emergency exists within the City. The State of Washington and its Agencies not being bound by this Ordinance, each resident of the City is encouraged to use their own judgment concerning future choices and actions.

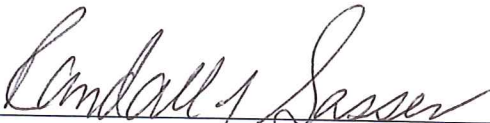
Section 3. Covid-19 Information. The City Attorney is directed to make a public records request to Lewis County seeking information and data concerning Covid-19 within the jurisdictional limits of Mossyrock and/or

within the 98564 zip code, in an effort to obtain relevant information and data so the City Council may be equipped to make a reasonable, logical and fact-based decision of whether to force private business owners to limit or cease operations.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.


Section 5. Effective Date. The City Council having declared an emergency exists which requires immediate action necessary for the preservation of public health and safety, public property, and the public peace, this ordinance shall take effect and be in full force immediately upon passage if passed by a majority of the City Council plus one. This ordinance shall take effect and be in full force five (5) days after its publication, or publication of a summary thereof, in the City's official newspaper, if passed by less than a majority of the City Council plus one.


PASSED by the Council of the City of Mossyrock, Washington, by a majority of the Council plus one, and **APPROVED** by the Mayor of the City of Mossyrock at a specially scheduled open public meeting thereof, this 18th day of November, 2020.


MAYOR, Randall Sasser

Attest:

Approved as to form:


City Clerk, Linda Hannon


City Attorney, James M.B. Buzzard WSBA #33555