



**Emergency Order 2020-07
COVID-19 Pandemic Response**

May 5, 2020

On May 4, 2020 Governor Inslee issued Proclamation 20-25.3 amending Proclamations 20-05, 20-25 and 20-25.1, and 20-25.2, adjusting and further extending the “Stay at Home, Stay Healthy” order to May 31, 2020. The amended proclamation extends all of the prior prohibitions set forth in the above-referenced proclamations, while creating a variance procedure to allow certain counties to ease restrictions earlier and creating a number of exemptions for religious services and certain low-risk activities.

Consistent with the Governor’s Proclamation 20-25.3, and in an effort to keep Port staff safe, maintain essential operations, and slow the spread of COVID-19, I am ordering the following:

1. The following changes in policy and procedure shall apply to the Port’s Point Hudson facility:
 - a. No nightly guest moorage is permitted at Point Hudson until June 1, 2020, unless this order is further extended; and
 - b. Nightly guest moorage customers who booked reservations for the period May 5 to May 31, 2020 prior to the issuance of Governor’s Proclamation 20-25 on March 23, 2020 will be notified and offered a full refund.

Other than the changes to policy and procedure for Point Hudson set forth above, Emergency Order 2020-06 continues to apply.

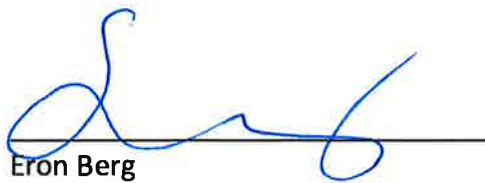
2. The following changes in policy and procedure shall apply to the Port’s Boat Haven facility:
 - a. Through the period ending May 31, 2020, Boat Haven Yard & Moorage staff are directed not to make reservations for, or execute, Haul-Out and Yard Tenancy Agreements for any “do it yourself” recreational vessel owners.¹

¹ Amends item #4(g) of Emergency Order 2020-06.

- b. The Addendum to the Standard Hoist/Yard Tenancy Agreement attached to this Emergency Order 2020-07, which establishes COVID-19 work-site requirements for low-risk outdoor work, shall be required for all haul outs occurring at Boat Haven.
3. In addition to the policy changes outlined in item #2, above, Boat Haven Yard & Moorage Staff are directed to apply the Non-working Long-term yard rate of \$8.24 per foot per month to Yard Tenancy Agreements for recreational vessels executed prior to the issuance of the state-wide "Stay Home/Stay Healthy" order, subject to the following limitations:
- a. The Non-working Long-term yard rate shall only be applied to yard tenants who executed an agreement with the Port, and had recreational vessels hauled out for work, on or before March 23, 2020 (i.e., the date of issuance of Governor's Proclamation 20-25);
 - b. In consequence of the COVID-19 pandemic and the effect of Proclamation 20-25, the tenant has been unable to either:
 - i. Conduct non-essential "do it yourself" work on a recreational vessel; or
 - ii. Retain a Boat Haven marine trades business to timely complete previously schedule work on a recreational vessel.²
 - c. The lower "storage" rate shall be applied retroactively to March 23, 2020 through to May 31, 2020;
 - d. Customers shall be provided with a credit balance adjustment to apply any overpayment as payment to subsequent invoices; and
 - e. Beginning June 1, 2020, the applicable rate set forth on the 2020 Yard Rate Schedule shall apply, unless this order is further extended.

Except as specifically modified by this Emergency Order 2020-07, all other currently effective provisions of prior Emergency Orders shall remain in effect.

Signed May 5, 2020:



Eron Berg
Executive Director

² "Boat Haven marine trades businesses" means all trades working at the facility, whether lease tenants or independent contractors, PROVIDED that such businesses have valid State and City businesses licenses.



**Addendum to Standard Hoist/Yard Tenancy Agreement
Establishing COVID-19 Work-Site Requirements for
Low-Risk Outdoor Work at Boat Haven**

All vessel repair and maintenance activities occurring in the Port of Port Townsend's Boat Haven Work Yard and Boat Yard areas may occur only if such activities allow workers to work at least six (6) feet away from each other. Any work that requires individuals to be closer than six (6) feet is not considered "low-risk" and is prohibited. Adherence to the physical distancing and other requirements established within this Addendum will be strictly enforced by the Port, and violations may result in the issuance of "stop work" orders or termination of the Hoist/Yard Tenancy Agreement.

I, _____, the undersigned, owner and operator of _____ (i.e., name of business or vessel), agree to the following restrictions on all outdoor work at the Port's Boat Haven facility:

- 1. General Requirements.** I understand and agree that all owners/operators of vessels conducting work in the yard areas at Boat Haven have a general obligation to keep a safe and healthy worksite. I expressly understand and agree that failure to follow the requirements set forth in this addendum will be considered a violation of these duties and may result in the following, at the Port's sole and absolute discretion:
 - a. Issuance of a 24 to 48 hour "stop work" order; or
 - b. Issuance of an indefinite "stop work" order with the owner/operator given the option to either:
 - i. Launch the vessel and vacate Port property, if practicable; or
 - ii. Retain a contractor (e.g., a Boat Haven-based marine trade) to complete the required work.
- 2. Contractors.** All independent contractors retained by an owner/operator to conduct all or a portion of the work required on a vessel are also required to comply with the following COVID-19 worksite-specific safety practices, as outlined in Governor Jay Inslee's "Stay Home, Stay Healthy" Proclamation 20-25, and in accordance with the Washington State Department of Labor & Industries General Coronavirus Prevention Under Stay Home-Stay Healthy Order (DOSH Directive 1.70 and the Washington State Department of Health Workplace and Employer Resources & Recommendations).
- 3. Social Distancing Requirements.** I understand and agree to follow the social-distancing requirements while on Port premises generally and while conducting any work in the yard areas at Boat Haven:
 - a. Social distancing of at least six (6) feet of separation shall be maintained by every person on every worksite at all times;
 - b. Gatherings of any size are prohibited;
 - c. Any time two (2) or more persons meet, a minimum of six (6) feet of separation shall be required;

