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Title: AN ORDINANCE relating to service of process on the county during an emergency; amending Ordinance 13, Section 1, and K.C.C. 2.04.010; and declaring an emergency.

Sponsors: Claudia Balducci

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3/24/2020	1	Metropolitan King County Council	Passed	Pass

Clerk 03/19/2020

AN ORDINANCE relating to service of process on the county during an emergency; amending Ordinance 13, Section 1, and K.C.C. 2.04.010; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY

SECTION 1. Findings:

A. On February 29, 2020, public health - Seattle & King County confirmed the first cases of the novel coronavirus ("COVID-19"), including one death, in the county.

B. COVID-19 is a respiratory disease that can result in serious illness or death and can easily spread from person to person.

C. On March 1, 2020, King County executive Dow Constantine signed a proclamation of emergency in response to COVID-19, enabling "extraordinary measures" to fight the outbreak.

D. On March 16, 2020, Governor Jay Inslee ordered the statewide closure of food establishments to sit in serve and the prohibition of gatherings of more than fifty people.

E. Dr. Jeff Duchin, health officer for public health - Seattle & King County issued a parallel local Health Officer Order in King County stating "These orders are essential to protect our whole community from an unprecedented outbreak, especially the most vulnerable people and our health care system."

F. On March 16, 2020, public health - Seattle & King County reported 488 confirmed cases of COVID-19 and a total of forty-three reported deaths from COVID-19.

G. The council has authority to delegate the agent upon with a summons may be served and during this emergency proclamation it is necessary to allow for alternative means for serving the clerk of the council.

SECTION 2. Ordinance 13, Section 1, and K.C.C. 2.04.010 are hereby amended to read as follows:

A. For the purpose of service of summons on King County under provisions of RCW 4.28.080, the person to be served is the clerk of the county council.

B.1. During a period of an emergency proclaimed by the executive, and as directed by the chair of the council in writing and until the emergency provisions for acceptance of service are ended in accordance with subsection B.4. of this section, the clerk of the council shall accept service by:

a. email to clerkemergencyprocess@kingcounty.gov; or

b. the U.S. postal service.

2. The clerk of the council shall post the email address in subsection B.1.a. of this section on the county council's home web page during the period described in subsection B.1. of this section.

3. If directed by the chair of the council to accept service in accordance with this subsection B.1. of this section, the clerk of the council shall notify in writing, by email and letter, the Washington State Bar Association and the King County Bar Association of activation of the emergency service of process provisions described in subsection B.1 of this section.

4. The clerk of the council shall accept service by email or the U.S. postal service in accordance with this subsection until either the executive terminates the proclamation of the emergency or the chair of the council rescinds the direction.

SECTION 3. All actions up to the effective date of this ordinance taken by county officials, agents and employees, consistent with the terms and purposes of the ordinance are hereby ratified, confirmed and approved.

SECTION 4. The council finds as a fact and declares that an emergency exists and the enactment of this ordinance as an emergency ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.