

RECORD OF RESOLUTIONS

Dayton Legal Print, Inc., Form AD-1, 2004E

Resolution No. _____ Passed _____, 20____

CITY OF BELPRE RESOLUTION NO. 2 (2020-21)

AN EMERGENCY RESOLUTION DECLARING THAT A LOCAL EMERGENCY EXISTS IN THE CITY OF BELPRE, WASHINGTON COUNTY, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, a Declaration of a State of Emergency is a tool that governments use to temporarily reduce, or ignore, some of their laws and procedures; or, to add new, temporary powers needed to respond to the threat that caused the Declaration; and

WHEREAS, in Article 18, Section 3 of the Ohio Constitution, Ohioans decided that all Ohio cities and Villages would have two broad categories of powers: 1) Local Self-Government – which is not limited except by the Ohio Constitution; and 2) Police, Sanitary, and similar powers – which must not conflict with the laws of the State of Ohio. Those two kinds of powers are together called “Home Rule” powers; and

WHEREAS, on March 9, 2020, Governor Mike DeWine, signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19 pursuant to the Governor’s authority vested in him by the Constitution, the laws of the State of Ohio and in accordance with Revised Code section 5502.22; and

WHEREAS, the Governor’s Executive Order declaring a State of Emergency for the entire State of Ohio urged all citizens to heed to the advice of the Department of Health and other emergency officials regarding COVID-19 in order to protect their health and safety; and

WHEREAS, on March 12, 2020, Governor DeWine announced the closing of all kindergarten through 12th grade schools through April 3, 2020 and the Ohio Department of Health Director Amy Acton signed an order prohibiting mass gatherings in the state of Ohio; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a National Emergency, invoking the Stafford Act and allowing the Federal Emergency Management Agency to coordinate disaster response and aid state and local governments in addressing the COVID-19 pandemic; and

WHEREAS, on March 17, 2020, Governor DeWine issued Executive Order 2020-03D expanding unemployment protection, eliminating obstacles to filing a claim, waiving certain penalties, and funding claims; and

WHEREAS, on March 17, 2020, the Ohio Department of Health issued a Director’s Order to Limit and/or Prohibit Mass Gatherings in the State of Ohio and to close certain types of facilities; and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death. It is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The current belief is that the virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person sneezes or coughs. It is possible that individuals can get COVID-19 by

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touching a surface or an object that has the virus on it and then touching their own mouth, nose, or eyes; and

WHEREAS, although there are no confirmed cases within the City of Belpre to date, this situation is rapidly evolving, and the threat of this virus is imminent to the citizens and visitors of the City of Belpre. It is necessary that the City of Belpre be proactive and be fully prepared to deal with its effects; and

WHEREAS, the City of Belpre, Ohio, has been or is immediately threatened by the COVID-19 Virus, also known as the Coronavirus, a biological hazard and/or pandemic as determined by the World Health Organization, the U.S. Center for Disease Control, the Ohio Department of Health, and the Washington County Board of Health.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELPRE, OHIO, THAT:

SECTION I

A State of Emergency exists in the City of Belpre, Ohio, and we hereby invoke and declare those portions of the Revised Code of the State of Ohio which are applicable to the conditions and have caused this issuance of this proclamation, to be in full force and effect for the City of Belpre for the exercise of all necessary emergency authority for the protection of lives and property for the people of the City of Belpre, Ohio, and the restoration of local government with a minimum of interruption.

SECTION II

This Council finds and determines that the COVID-19 pandemic constitutes an emergency in the City of Belpre, and that additional efforts to safeguard the health, safety and welfare of the public are required. In making the determinations and findings in this Resolution, it is Council's intention to exercise and avail itself, on behalf of the City of Belpre, of the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio and the Ordinances of the City of Belpre.

SECTION III

This Council finds and determines that the efforts needed to prepare for, respond to, and mitigate the impacts of the COVID-19 pandemic have and will place extraordinary requirements upon the City in its mission to deliver services to residents and advance the public health, safety and welfare.

SECTION IV

This Council finds and determines that the City's ability to effectively respond to and manage the COVID-19 pandemic locally will require disruptions to normal meeting schedules and may impact staffing levels, work schedules, and performance of non-essential functions; that ensuring the City's ability to discharge its essential functions is of critical importance.

SECTION V

This Council finds and determines that in order to meet the challenges and objectives described herein, it will be necessary to provide for the maximum regulatory and operational flexibility permitted by Ohio law and City ordinances, including authority to the Mayor to expend an amount up to \$100,000 in the aggregate for labor and materials deemed necessary by this emergency, and that it is necessary to empower and authorize the Mayor, as Chief Executive Officer and Chief Conservator of the Peace within the

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Municipality, to identify the best means and methods to ensure the City's ability to discharge its duties, in consultation with the Safety-Service Director and other key staff and outside consultants, and to take all appropriate actions to discharge such duties within the foregoing parameters, and he is hereby so authorized. The flexibility and authority provided under this Resolution shall continue until Council determines that the current state of emergency has sufficiently abated that such additional measures are no longer necessary.

SECTION VI

This legislation will remain in effect from the date of signage until the State of Ohio Governor and the Ohio Department of Health determines the emergency has ended, or 90 days, whichever comes first, subject to further extensions of the emergency authority by the City of Belpre Council.

SECTION VII

Due to the COVID-19 pandemic and the current emergency declared by the Governor of the State of Ohio, Mike DeWine, and the Ohio Department of Health Director, Amy Acton, an emergency currently exists which effects the public health, safety and general welfare of the citizens of the City of Belpre, Ohio. Due to the immediate risks to the public health and welfare, this Resolution shall take effect and be in full force from and immediately after its passage by Council and signing by the Mayor.

PASSED: April 13, 2020

ATTEST: Kimberly J. Mendel

PRESENTED TO MAYOR: 4/14/20

APPROVED BY MAYOR: 4/14/20

[Signature]
PRESIDENT OF COUNCIL

[Signature]
MAYOR

CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on April 14, 2020, this Resolution was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

April 14, 2020
Date

Kimberly J. Mendel
CLERK