

RESOLUTION NO. 20-08

A RESOLUTION TO DECLARE A STATE OF EMERGENCY DUE TO COVID-19 VIRUS, AND DECLARING AN EMERGENCY.

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

WHEREAS, this situation is rapidly evolving, and the threat of this virus is imminent to the citizens and visitors of the City of Ontario. It is necessary that Ontario be proactive and be fully prepared to deal with its effects; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Alex M. Azar II, Secretary of Health and Human Services, determined and declared that a public health emergency exists in the United States in relation to COVID-19; and

WHEREAS, on February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments with updated guidance for COVID-19; 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 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 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, on March 22, 2020, the Ohio Department of Health issued a Director's Order for all Ohioans to Stay at Home unless participating in Essential Activities, Essential Governmental Activities, or Essential Business and Operations as are defined in the Order; and

WHEREAS, on March 31, 2020, the President of the United States of America declared that a major disaster exists in the State of Ohio and ordered federal assistance to supplement state and local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020 and continuing; and

WHEREAS, in the City of Ontario, this threat has already affected the daily lives of the citizens of Ontario and the need for citizens and Ontario employees to stay home from work and other public places should they be exposed to the virus substantially impairs the functioning of Ontario's government and its ability to protect the lives and property of the citizens of Ontario.

NOW, THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF ONTARIO, STATE OF OHIO:

SECTION 1. THAT a State of Emergency is declared for the entire City of Ontario to protect the lives and well-being of its citizens as well as those who work, attend school, or otherwise visit the City from the dangerous effects of COVID-19.

SECTION 2. THAT this Declaration shall be broadly interpreted to make the City, its employees, citizens, and businesses eligible for all grants, funding, loans, discounts, or any other type of benefit related to the COVID-19 pandemic from any federal, state or local governments; or from any private company, organization, or citizen offering such benefits.

SECTION 3. THAT government buildings shall be closed to public access.

SECTION 4. THAT law enforcement officers, employees, and all other emergency management personnel subject to City control shall cooperate in the enforcement and implementation of the provisions of this Resolution, all applicable local ordinances, state and federal laws, and the Ontario Emergency Operations Plan.

SECTION 5. THAT this Resolution shall be (a) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public, and (b) distributed to others as necessary to ensure proper implementation of this Resolution.

SECTION 6. THAT all City tax deadlines for 2020 including the filing of 2019 returns shall follow Federal Law.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including R.C. §121.22.

SECTION 8. THAT it is hereby determined that this Resolution is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this City and for the further reason that there is an immediate need to respond to the Federal and State health emergency to best protect the general health and welfare of all City residents and the general public, and this Resolution shall therefore go into

immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: April 15, 2020

Ayes 6 Nays 0 Abstain _____

Eddie Gallo
Eddie Gallo, President Pro Tempore

APPROVED AS TO FORM:

[Signature]
Andrew J. Medwid, Law Director

ATTEST:

Cathy VanAuker
Cathy VanAuker, Clerk of Council

APPROVED:

[Signature]
Randy Hutchinson, Mayor

4-15-2020
Date

DISAPPROVED:

Objections: _____

Randy Hutchinson, Mayor

Date