

## RESOLUTION 2020-02

### CITY COUNCIL AFFIRMATION OF LOCAL EMERGENCY DECLARATION COVID-19

**WHEREAS**, the President of the United States and the Governor of the state of Idaho have declared a health emergency related to the threat of Covid-19, and

**WHEREAS**, pursuant to Idaho Code § 46-1011 the Mayor of the City of Kellogg has declared a local disaster emergency on the 17th day March, 2020 due to the threat of Covid-19; and

**WHEREAS**, said declaration sets forth legal and factual considerations in support of such declaration, and

**WHEREAS**, the City Council of the City of Kellogg recognizes the imminent threat of widespread and severe harm to the health of residents and visitors to the City of Kellogg as addressed by the Centers for Disease Control and by actions of the Governor of the state of Idaho , and

**WHEREAS**, such declaration activates the response and recovery aspects of applicable local or intergovernmental disaster emergency plans for the furnishing of aid and assistance; and

**WHEREAS**, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to the City of Kellogg and requires state emergency assistance to supplement local efforts to protect life, health and property; and

**WHEREAS**, Idaho Code § 67-2808 authorizes the Council of the City of Kellogg to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and

**WHEREAS**, an emergency declaration must be filed with the county recorder's office and "given prompt and general publicity."

**NOW THEREFORE**, the City Council of the City of Kellogg does hereby declare:

That a Local Disaster Emergency exists and that all efforts will be made to protect the citizens and property of the City of Kellogg through activation of all local disaster emergency plans and state emergency assistance; and

That this Local Disaster Emergency shall continue until the Centers for Disease Control and the Governor of the state of Idaho sound an end to the emergency and the City Council expressly authorizes the discontinuance of such Declaration; and

Pursuant to this Resolution the following steps are expressly authorized in furtherance of the foregoing disaster emergency declaration:

**Examples:**

***Changing date, meeting place or method of holding council meetings.***

***Restricting Access to certain places***

***Changing methods of bill payment***

***Limiting building occupancy***

***Establishing temporary rules for using parks or other city facilities***

***Authorizing the Mayor, in consultation with the Council President, to establish other administrative policies necessary to protect the public health and safety***

That this Declaration of Local Disaster Emergency ("Declaration") shall be promptly filed with the Shoshone County Recorder's Office; and

That prompt and general publicity shall be given by a press release notifying the public of this Declaration.

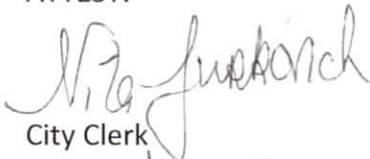
Approved by the City Council of the City of Kellogg this 18th day of March, 2020.



Mayor Pro-Tem

Date: March 18, 2020

ATTEST:



City Clerk

Date: March 18, 2020

## MAYOR'S DECLARATION OF LOCAL DISASTER EMERGENCY

**WHEREAS**, Idaho Code § 46-1011 allows the Mayor of a city to declare a local disaster emergency; and

**WHEREAS**, Idaho Code § 46-1002(2) defines "disaster" as the "imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, windstorm, wave action, volcanic activity, explosion, riot, or hostile military or paramilitary action and including acts of terrorism;" and

**WHEREAS**, the imminent threat of widespread and severe harm to the health of residents and visitors to the City of Kellogg as addressed by the Centers for Disease Control and by actions of the Governor of the state of Idaho constitutes a "disaster"; and

**WHEREAS**, a declaration activates the response and recovery aspects of applicable local or intergovernmental disaster emergency plans for the furnishing of aid and assistance; and

**WHEREAS**, Idaho Code § 46-1002(3) provides that an "emergency" includes the imminent threat to life or property which requires state emergency assistance to supplement local efforts to protect well-being or property or to avert or lessen the threat of "disaster;" and

**WHEREAS**, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to the City of Kellogg and requires state emergency assistance to supplement local efforts to protect life, health and property; and

**WHEREAS**, Idaho Code § 67-2808 authorizes the Council of the City of Kellogg to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and

**WHEREAS**, an emergency declaration must be filed with the county recorder's office and "given prompt and general publicity."

**NOW THEREFORE**, the Mayor of the City of Kellogg does hereby declare:

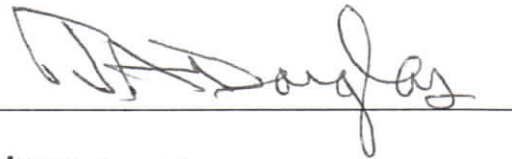
That a Local Disaster Emergency exists and that all efforts will be made to protect the citizens and property of the City of Kellogg through activation of all local disaster emergency plans and state emergency assistance; and

That this Local Disaster Emergency shall expire within seven (7) days unless the City Council expressly authorizes the continuance of such Declaration; and

That this Declaration of Local Disaster Emergency ("Declaration") shall be promptly filed with the Shoshone County Recorder's Office; and

That prompt and general publicity shall be given by a press release notifying the public of this Declaration.

Declared this 17th day of March, 2020.



Mayor Pro-Tem

Date: 3-17-2020

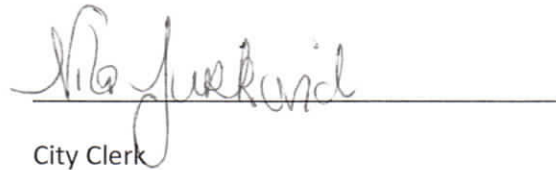
ATTEST:



City Clerk

Date: March 17, 2020

Confirmed by the City Council of the City of Kellogg on the 18 day of March, 2020.



City Clerk

Date: March 18, 2020