

RESOLUTION NO 20- 09

A RESOLUTION CONSENTING TO AND RATIFYING MAYOR LINDSAY WALKER'S MARCH 19, 2020 DECLARATION OF LOCAL EMERGENCY

WHEREAS, the Colorado Disaster Emergency Act, Colorado Revised Statutes (C.R.S.) § 24-33.5-701, et seq., provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and

WHEREAS, pursuant to C.R.S. § 24-33.5-703(3), a “disaster” is defined to mean “the occurrence of imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, or hostile military or paramilitary action, or a condition of riot, insurrection, or invasion”; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster may be declared “only by the principal executive officer of a political subdivision”; and

WHEREAS, pursuant to C.R.S. § 31-4-302, the Mayor is the principal executive officer of the Town of Springfield; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local disaster “shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision”; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster “shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder”; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(2), the effect of declaring a local disaster “is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans”; and

WHEREAS, because of the COVID-19 Pandemic, which occurred or began to occur on March 5, 2020, the Town of Springfield is suffering or has suffered a disaster as defined under C.R.S. § 24-33.5-703(3); and

WHEREAS, whereas COVID-19 is a highly contagious virus that originated in China and has since spread to numerous countries throughout the world, including the United States of America; and

WHEREAS, COVID-19 may cause serious illness or death in certain cases, particularly in cases where the elderly or persons with underlying health conditions contract it; and

WHEREAS, on January 30, 2020, the World Health Organization declared the worldwide outbreak of COVID-19 as a “public health emergency of international concern”; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared COVID-19 as a public health emergency; and

WHEREAS, on March 10, 2020, the Governor of the State of Colorado, Jared Polis, announced a state of emergency due to the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, the President of the United States, Donald Trump, declared a national state of emergency due to the COVID-19 outbreak; and

WHEREAS, on March 16, 2020, the Colorado Department of Public Health and Environment (“CDPHE”) issued Public Health Order 20-22, closing bars, restaurants, theaters, gymnasiums, and casinos statewide; and

WHEREAS, on March 19, 2020, the Baca County Board of County Commissioners declared a local emergency in Baca County due to the COVID-19 outbreak; and

WHEREAS, on March 19, 2020, Mayor Lindsey Walker declared a local disaster in the Town of Springfield; and

WHEREAS, on March 19, 2020, the CDPHE issued an updated notice on Public Health Order 20-22, to, among other things include off-track betting facilities and extend the duration of the Order until April 30, 2020; and

WHEREAS, the Town of Springfield anticipates that cases of COVID-19 will occur in the Town and may result in serious illness or death for certain at-risk members of the community and also may have the effect of interrupting the normal daily functioning of the community in terms of additional closures; and

WHEREAS, the expense and magnitude of responding to and recovering from the impact of a significant COVID-19 outbreak in the Town of Springfield is in excess of the Town's available resources; and

WHEREAS, the Town of Springfield desires to coordinate its emergency response efforts with Baca County, the State of Colorado, and the federal government to the maximum feasible extent; and

WHEREAS, Colorado law provides for local governments to declare a local disaster emergency to assist the local governments in responding to and recovering from emergency events, including pandemics like COVID-19; and

WHEREAS, the Board of Trustees consents to and ratifies the Mayor's local disaster declaration, and extends it to April 30, 2020, to remain consistent with revised Public Health Order 20-22.

NOW THEREFORE, pursuant to the authority set out in C.R.S. § 24-33.5-709, the Board of Trustees consents to and ratifies Mayor Walker's March 19, 2020 declaration of local emergency in the Town of Springfield, Baca County, Colorado, effective immediately. This declaration shall terminate on April 30, 2020 unless otherwise extended or terminated by resolution of the Board of Trustees. A copy of this declaration shall be posted at Town Hall, 748 Main Street, Springfield, Colorado. A copy of this declaration shall be delivered to the Baca County Clerk and Recorder. A copy of this declaration shall be posted to the Town of Springfield, Colorado web site at <<https://www.colorado.gov/pacific/springfield>>.

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ADOPTED THIS 23rd DAY OF MARCH, 2020.

Town of Springfield, Colorado

By: Lindsay Walker
Lindsay Walker, Mayor

ATTEST:

By: Merna McGinnis
Merna McGinnis, Acting Town
Manager/Town Clerk