

ORDINANCE NUMBER 2020-21



**AN EMERGENCY ORDINANCE DECLARING
A LOCAL STATE OF EMERGENCY
AND CONTINUITY OF GOVERNMENT FOR
THE CITY OF WAYNESBORO, VIRGINIA
AS A RESULT OF THE SPREAD OF CORONAVIRUS, COVID-19**

WHEREAS, the City Council of the City of Waynesboro, Virginia considers the safety and welfare of the residents of the City to be of utmost importance;

WHEREAS, the President of the United States has declared a national state of emergency to exist throughout the country as a result of the spread of the COVID-19 disease;

WHEREAS, the Governor of Virginia has declared a state of emergency to exist throughout the Commonwealth of Virginia as a result of the spread of the COVID-19 disease;

WHEREAS, the Governor of Virginia and the State Health Commissioner have jointly declared a public health emergency to exist throughout the Commonwealth of Virginia as a result of the spread of the COVID-19 disease;

WHEREAS, on March 15, 2020, Governor Northam announced a ban on all gatherings of one hundred or more people statewide, and the CDC recommends a ban on gatherings of fifty people or more;

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, due to the spread of the COVID-19 disease, the City of Waynesboro is facing a disaster and a condition of extreme peril to the lives and safety of the residents and visitors of the City;

WHEREAS, as a result of this disaster and extreme peril, the declaration of the existence of an emergency is necessary to permit the full powers of the government to deal effectively with the condition of the disaster and peril;

WHEREAS, allowing the City to limit in-person attendance will allow our constituents to protect themselves and one another, while maintaining informed and active citizenship and will let the City operate in an efficient and safe manner while the City mitigates the effects of this public health crisis and disaster;

WHEREAS, the City Manager, Michael G. Hamp, II, is authorized under the laws of the Commonwealth of Virginia to make a local declaration of emergency with the consent of the governing body; and

WHEREAS, Mr. Hamp has declared that a local state of emergency exists in the City of Waynesboro as a result of the spread of the COVID-19 disease, effective on March 16, 2020 at 1800 hours and subsequently requests the consent of the City Council to proceed with the ratification of the declaration of emergency.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF WAYNESBORO, VIRGINIA THAT:

1. The City Council for the City of Waynesboro, Virginia hereby consents to and ratifies the City Manager declaring a local state of emergency within the City of Waynesboro.

2. During the existence of this emergency, the powers, functions and duties of the City Manager, the Director of Emergency Management, and the organization and functions of the City of Waynesboro shall be those prescribed the laws of the Commonwealth of Virginia and the ordinances, resolutions, approval plans of the City of Waynesboro, and other measures necessary to mitigate the impact of the public health emergency and to protect life and safety endangered by the event;

3. The infectious nature of COVID-19 makes it unsafe to assemble a quorum of this Council in a single location, or to assemble members of the public in a single location, making it difficult or impossible for this Council and the city's boards and commissions to conduct meetings in accordance with normal practices and procedures. In accordance with Section 15.2- 1413 of the Code of Virginia, 1950, as amended, notwithstanding any contrary provision of law, general or special, the following emergency procedures are adopted to ensure continuity of government during the pendency of the emergency and disaster created by COVID-19:

a. That any process, procedure, or matter which requires the physical presence of the public in a city building that the City Manager has declared or in the future declares to be closed to the public is hereby suspended.

b. Meetings of the Council and other city boards and commissions may be held through electronic communication means without a quorum of members physically present in a single location, provided that notice of such meetings is still given in accordance with applicable laws.

c. Such meetings may be held without permitting members of the public to be physically present in a central location or in the same physical location as any of the Council, board, or commission members, so long as alternative arrangements for public access to such meetings are made. Such alternative public access may be electronic, including but not limited to audio, telephonic, or video broadcast.

d. For any matter requiring a public hearing by law, public comment will be solicited and received via written means prior to the vote on such matter. Public comments may also be solicited and, if so solicited, received, via electronic and/or telephonic means if possible and practical. All such comments will be provided to the members of the body and made a part of the record of such meeting.

4. The City Manager is hereby authorized to take any other actions that are reasonable and necessary to effectuate the terms of the Policy or this Ordinance.

Adopted this 20th day of March 2020.

CERTIFICATE

The undersigned Chairman and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an Ordinance entitled An Emergency Ordinance Declaring a Local State of Emergency for the City of Waynesboro, Virginia Resulting from the Spread of Coronavirus, COVID-019, adopted by the City Council at a meeting held on March 20, 2020.

INTRODUCED: ON MARCH 20, 2020 BY COUNCILMAN BRUCE ALLEN
ADOPTED: ON MARCH 20, 2020
EFFECTIVE: MARCH 20, 2020

/s/ Julia Bortle
CLERK

/s/ Terry R. Short, Jr.
MAYOR