

CITY OF MOAB RESOLUTION NO. 29-2020
A RESOLUTION CONTINUING THE DECLARATION OF LOCAL EMERGENCY DUE TO
COVID-19 NOVEL CORONAVIRUS

WHEREAS, Coronavirus disease 2019 (COVID-19) is a respiratory illness that can spread from person to person. The virus that causes COVID-19 is a novel coronavirus that was first identified during an investigation into an outbreak in Wuhan, China;

WHEREAS, the World Health Organization has officially designated the COVID-19 outbreak as a global pandemic;

WHEREAS, U.S. Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States to aid the nation's health care community in responding to COVID-19;

WHEREAS, the U. S. Centers for Disease Control and Prevention (CDC) states that more cases of COVID-19 are likely to be identified in the United States in the coming days, including more instances of community spread and that it is likely that at some point, widespread transmission of COVID-19 in the United States will occur. Widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time;

WHEREAS, Gov. Gary R. Herbert issued an executive order, which remains in effect, declaring a state of emergency in Utah in response to the evolving outbreak of COVID-19;

WHEREAS, the Utah Department of Health has activated its incident command structure in response to the evolving global outbreak of COVID-19 and is working with local health departments, healthcare providers, and other public health partners throughout the state to monitor illness associated with this new coronavirus and to prevent further spread;

WHEREAS, the State of Utah has implemented the Utah COVID-19 Community Task Force to coordinate the response to the incident throughout the entire state and among all levels of government. The Utah Coronavirus Task Force is actively monitoring the spread of COVID-19 on a state, national, and global level;

WHEREAS, the Utah Department of Public Safety, Division of Emergency Management, State Emergency Operations Center, is coordinating resources across state government to support the Utah Department of Health and local officials in alleviating the impacts to people, property, and infrastructure, and is assessing the magnitude and long-term effects of the incident with the Utah Department of Health;

WHEREAS, the City of Moab has been working with, meeting with and coordinating with state, county and local governmental entities, emergency and first responders, health providers, business owners, the school district and many others to prepare for and manage the COVID-19 pandemic;

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of the City of Moab and require the combined forces of a mutual aid region or regions to combat;

WHEREAS, Utah Code Annotated (UCA), Section 53-2a-208, Emergency Management Act, Local emergency – Declarations provides that:

(1)(a) A local emergency may be declared by proclamation of the chief executive officer of a municipality or county. . . .;

(2) A declaration of a local emergency: (a) constitutes an official recognition that a disaster situation exists within the affected municipality or county; (b) provides a legal basis for requesting and obtaining mutual aid or disaster assistance from other political subdivisions or from the state or federal government; (c) activates the response and recovery aspects of any and all applicable local disaster emergency plans; and (d) authorizes the furnishing of aid and assistance in relation to the proclamation;

WHEREAS, “State of emergency” means a condition in any part of this state that requires state government emergency assistance to supplement the local efforts of the affected political subdivision to save lives and to protect property, public health, welfare, or safety in the event of a disaster, or to avoid or reduce the threat of a disaster;

WHEREAS, the circumstances described in this proclamation do create a local emergency as provided in UCA Section 53-2a-208, Emergency Management Act;

WHEREAS, On March 12, 2020, pursuant to UCA Section 53-2a-208, Emergency Management Act, City Manager Joel Linares declared a local state of emergency for the City of Moab;

WHEREAS, On April 10, 2020, the City of Moab City Council passed Resolution 21-2020 extending the March 12, 2020 declaration of local state of emergency;

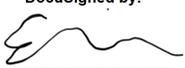
WHEREAS, Utah Code Annotated 53-2a-208(1)(b) “Local emergency – Declarations” states as follows: “A local emergency shall not be continued or renewed for a period in excess of 30 days except by or with the consent of the governing body of the municipality or county.”

NOW, THEREFORE, the City of Moab City Council hereby extends the April 10, 2020 declaration of local emergency in the City of Moab due to the above circumstances and to ensure that, among other things, the City of Moab has access to any available resources to mitigate, manage, and respond to COVID-19 under the state Emergency Management Act or any other available law, statute, regulation or resource. This Resolution continuing the local state of emergency will remain in effect for 30 days unless otherwise ordered or resolved and may be continued pursuant to Utah Code Annotated 53-2a-208(1)(b) by majority vote of the City Council.

PASSED AND APPROVED by a majority of the City of Moab City Council. This Resolution shall take effect immediately upon passage.

SIGNED:

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Emily S. Niehaus, Mayor

Date

ATTEST:

Sommar Johnson, Recorder