

CITY OF AVONDALE
PROCLAMATION OF EMERGENCY

BY THE AUTHORITY VESTED as Mayor of the City of Avondale (the “Mayor”), a state of local emergency is declared as follows:

WHEREAS, pursuant to Chapter 6, Section 7 of the Avondale City Code (the “City Coder”), the Mayor may by proclamation declare a local emergency to exist, where necessary to preserve the peace and order of the City; and

WHEREAS, pursuant to Ariz. Rev. Stat. § 26-311, the Mayor has the authority to determine that a local emergency exists within the City limits of the City of Avondale; and

WHEREAS, the Mayor has determined that in November 2019, a novel coronavirus known as COVID-19 was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the coronavirus disease COVID-19 that has spread globally; and

WHEREAS, on January 30, 2020, the World Health Organization declared a Public Health Emergency followed by a declaration of pandemic due to COVID-19; and

WHEREAS, on March 11, 2020, the Honorable Douglas A. Ducey, Governor of the State of Arizona, declared a state of emergency due to COVID-19; and

WHEREAS, on March 13, 2020, citing 1,645 people from 47 states having become infected with the virus that causes COVID-19, the President of the United States, Donald J. Trump, declared the COVID-19 outbreak a state of national emergency that began March 1, 2020; and

WHEREAS, on March 15, 2020, the Honorable Douglas A. Ducey, Governor of the State of Arizona, announced the temporary closure of all schools in Arizona due to COVID-19; and,

WHEREAS, the City Code defines as follows:

“Disaster” means the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property, or extreme peril to the safety of persons or property, resulting from any natural or man-made causes, including but not limited to fire, flood, earthquake, wind, storm, blight, drought, famine, infestation, air contamination, epidemic, explosion, riot or other acts of civil disobedience which endanger life or property, or hostile military or paramilitary action.

“Emergency” means the existence of a disaster within the city limits requiring immediate action by the emergency forces of the city.

“Emergency forces” means all city governmental and private sector agencies, volunteers, facilities, equipment, trained manpower, and other resources required to perform emergency services functions.

“Emergency services” means the organization, administration, trained manpower, facilities, equipment, material, supplies, programs, emergency plans, ability to execute emergency plans, and all other measures necessary and incidental thereto relating to disaster prevention, preparedness, response, and recovery by all governmental and private sector agencies to protect or save health, life or property.

“Local emergency” means the existence of a disaster within the city limits, and the situation is or is likely to be beyond the capability and resources of the city as determined by the mayor and which requires the combined efforts of other political subdivisions.

"Regulations" means the orders, rules, and emergency procedures deemed essential for emergency services.

“State of emergency" means the duly proclaimed existence of a disaster within the state except a disaster resulting in a state of war emergency which is or is likely to be beyond the capabilities and resources of any single county, city or town, and requires the combined efforts of the state and the political subdivision; and

WHEREAS, as of March 17, 2020, there are 20 cases of COVID 19 in the State of Arizona and approximately 5,145 cases nationwide; and

WHEREAS, in the Republic of Italy, the number of COVID 19 cases increased from 1500 to 31,500 in a period of ten days; and

WHEREAS, the Mayor finds it necessary and prudent to prepare for that eventual first and possibly second and third case scenario and to take every lawful precaution available in order to protect the health, safety and welfare of citizens of Avondale; and

WHEREAS, the Mayor desires the City to work constructively and cooperatively with Maricopa County, Luke Air Force Base, Maricopa Association of Governments and the adjacent cities of Phoenix, Glendale, Tolleson, Goodyear, Buckeye, Litchfield Park, the Gila River Indian Community, the State of Arizona, the United States of America, the Tolleson Union High School District, Agua Fria Union High School District, Avondale Elementary School District, Littleton Elementary School District, Litchfield Elementary School District, Pendergast Elementary School District and any charter school within the City along with all other branches of government, as we prepare diligently for the worst in order to prevent the worst from ever happening; and

WHEREAS, the Mayor desires the City to support Avondale businesses, restaurants, and merchants in their lawful efforts to implement and follow the emergency edicts of the State of Arizona and the United States Federal Governments; and

WHEREAS, the Mayor desires the City to follow recommendations set by the CDC, Maricopa County Department of Health, the United States Department of Health; and

WHEREAS, the Mayor also wishes to promote standards set for Social Distancing and crowd gathering rules that promulgate the safety of the community and Restaurants and Bars; and

WHEREAS, the Mayor has determined the crisis arising from COVID 19 constitutes a disaster under Section 6-1-8 of the City Code; and

WHEREAS, emergency management measures will be required for an undetermined period of time to reduce the severity of the local emergency, receive available aid, and to protect the health, safety, life and property located in the City; and

WHEREAS, the local emergency requires the mobilization of all emergency forces in the City as defined in the City Code.

NOW THEREFORE, I, Kenneth Weise, Mayor of the City of Avondale, acting under the power vested in me pursuant to the Avondale City Charter, Chapter 6 of the Avondale City Code and Ariz. Rev. Stat. § 26-511, do hereby declare an emergency exists due to the threat of a COVID-19 outbreak in the City of Avondale.

FURTHER, I declare that the City of Avondale is, or will be, entitled to aid, relief, and assistance; and to the extent necessary for emergency functions pursuant to Ariz. Rev. Stat. § 26-307(A), Ariz. Rev. Stat. § 26-31, and the Avondale City Charter.

FURTHER, I direct the City Manager, City Attorney and City Clerk to prepare a resolution that provides the City Manager with authority to make, amend and temporarily rescind City rules, regulations and ordinances upon the filing with the City Clerk of such signed orders, rules and regulations as are necessary and consistent with law and to enact such temporary emergency regulations and penalties sufficient to mitigate the local emergency that exist.

FURTHER, I direct the City Manager, or his designees, to coordinate activities of the City Emergency Operations Plan and to take all appropriate action needed to alleviate and mitigate the effects of a possible COVID-19 outbreak within the City, and to take any and all actions, including such lawful actions necessary to respond to this emergency.

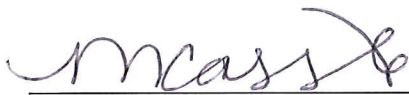
FURTHER, that any resolution adopted by the City Council pursuant to this proclamation shall be deemed part of this proclamation and shall have the full force and effect as if included herein.

THIS PROCLAMATION SHALL BE EFFECTIVE IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL A WITHDRAWAL OF THE PROCLAMATION OF EMERGENCY IS FILED WITH THE CITY CLERK.



Kenneth N. Weise, Mayor

ATTEST:



Marcella Carrillo, City Clerk

APPROVED AS TO FORM:



Michael S. Wawro, City Attorney