

ORDINANCE NO. 2020-09

TO DECLARE A STATE OF EMERGENCY IN WESTERVILLE, DUE TO THE COVID-19 PANDEMIC AND TO EMPOWER THE CITY MANAGER WITH EXTRAORDINARY POWERS DURING THE STATE OF EMERGENCY AND TO DECLARE AN EMERGENCY.

WHEREAS, in December 2019, a coronavirus known as COVID-19 was first detected in the People's Republic of China and which has now spread to Central Ohio; and

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and can easily spread from person to person; and

WHEREAS, Governor Mike DeWine has issued Executive Order 2020-01D, declaring a State of Emergency in the State of Ohio as a necessary state-wide preventive and proactive measure to slow the spread of COVID-19; and

WHEREAS, the Director of the Ohio Department of Health has issued state-wide Orders limiting or prohibiting gatherings and the closure of certain venues and businesses; and

WHEREAS, the spread of COVID-19 within Westerville would threaten to strain City resources and threaten the health, safety, and welfare of the citizens of Westerville; and

WHEREAS, additional measures are deemed necessary, above and beyond those instituted by the State and Federal government, in order to help slow the outbreak of COVID-19 in our community and to expedite actions deemed necessary to protect our residents.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTERVILLE, OHIO:

Section 1. That a State of Emergency is hereby declared for the City to protect the welfare of the City's residents, visitors, and businesses from the dangerous effects of COVID-19.

Section 2. That, during this declared Emergency, the City Manager is hereby authorized to purchase such products, hire such persons and services, and enter such short term contracts as the City Manager

deems necessary and appropriate to prevent or mitigate the effects of this Emergency on the community.

Section 3. That, during this declared Emergency, the contracting and purchasing provisions and requirements of Chapter 132 of the Codified Ordinance are temporarily suspended.

Section 4. That, during this declared Emergency, the City Manager is hereby authorized to expend such City funds as deemed necessary and appropriate for the effective operation of the City and its personnel and to implement such temporary personnel actions as are necessary.

Section 5. That, during this declared Emergency, the City Manager is hereby authorized to expend such funds as he deems necessary and appropriate to prevent or mitigate the effects of this Emergency in Westerville.

Section 6. That the City Manager is hereby authorized and directed to issue such administrative Executive Orders as are appropriate to give effect to this Ordinance, including the tolling of specific City deadlines.

Section 7. That whenever during this declared Emergency the City Manager takes an action, based on the authority provided in this Ordinance, which action exceeds the authority otherwise provided to the City Manager in the Ohio Revised Code or the Codified Ordinances, the City Manager shall report such action to City Council within forty-eight hours after taking such action.

Section 8. That whenever during this declared Emergency the City Manager takes an action, based on the authority provided in this Ordinance, which exceeds the authority otherwise provided to the City Manager in the Ohio Revised Code or the Codified Ordinances, such action shall not be subject to or conditioned upon ratification by City Council, but may be rescinded by a subsequent ordinance adopted by Council.

Section 9. That this State of Emergency shall continue until such Emergency no longer exists as determined by the Ohio Department of Health or City Council.

Section 10. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety, such necessity arising from the rapid spread of the

COVID-19 virus in Central Ohio, and therefore, this Ordinance shall take effect and be in force immediately upon passage.