

## **ORDINANCE NO. 14-2020**

### **DECLARING A STATE OF EMERGENCY IN THE VILLAGE OF FAIRFAX ON ACCOUNT OF THE COVID-19 PANDEMIC AND, AS TO THE ADOPTION OF SAME, DECLARING AN EMERGENCY**

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death, caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been identified previously in humans and can spread easily from person-to-person; and

**WHEREAS**, COVID-19 is spread between individuals who are in close contact with each other through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, individuals might contract COVID-19 by touching a surface or object contaminated with the virus and then touching their own mouth, nose, or eyes; and

**WHEREAS**, accordingly, on January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Ohio declared a State of Emergency on account of COVID-19, in Executive Order 2020-01D; and

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

**WHEREAS**, on March 12, 2020, the Hamilton County Board of County Commissioners declared a State of Emergency in Hamilton County, Ohio on account of COVID-19; and

**WHEREAS**, the Ohio Department of Health has confirmed multiple cases of COVID-19 in Ohio, and anticipates that the number of cases will grow significantly over at least the next four-to-six weeks; and

**WHEREAS**, to "flatten the curve" of the growing number of cases, on March 22, 2020, the Director of the Ohio Department of Health issued a Stay at Home Order, directing all Ohio residents to stay at home until 11:59 p.m. on April 6, 2020, subject to the limited exceptions outlined therein and further order, and then, on April 2, 2020, extended the order to May 1, 2020; and

**WHEREAS**, on March 23, 2020, in response to the pandemic and Stay at Home Order, the Mayor of the Village of Fairfax ("Village") issued an "Order Regarding Essential Government Functions During COVID-19 Outbreak," outlining certain steps undertaken by the Village in connection with the provision of essential government services and the protection of Village employees and residents; and

**WHEREAS**, the Village has taken other steps administratively to limit or suspend opportunities for contact that could spread COVID-19, including but not limited, to suspending the Village Mayor's Court, canceling meetings, extending tax filing deadlines, and closing the Municipal Building to the public; and

**WHEREAS**, notwithstanding the measures taken by the Village to date, given the continuing, and growing, emergency conditions, it is now necessary to declare a State of Emergency in the Village of Fairfax, consistent with the recommendation of the Hamilton County Emergency Management Agency and the declarations of other political subdivisions within Hamilton County;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio that:

**SECTION I:** Council hereby declares a State of Emergency in the Village of Fairfax related to COVID-19, requiring action to protect the health, safety, and welfare of the residents of, and businesses in, the Village.

**SECTION II:** During such State of Emergency, and as to COVID-19, the Village shall, as appropriate: (A) participate in inter-jurisdictional disaster emergency plans and operations, and render or receive aid and assistance thereunder, including, but not limited to, assistance from, to, or through the Hamilton County Emergency Management Agency; (B) be eligible for, pursue, and receive funding, materials, supplies, and other assistance from federal, state, and local sources, as well as any available private sources; (C) exercise such emergency powers as provided by federal or Ohio law, or otherwise provided by Village ordinance, resolution, or order, including, but not limited to, any suspension or modification of competitive bidding allowed by law; (D) follow, and rely upon, guidance or opinions from the State of Ohio, including, but not limited to, the Governor, Lt. Governor, Director of the Ohio Department of Health, Attorney General, Auditor, Treasurer, and Ohio Supreme Court or court of appropriate jurisdiction in Hamilton County. The Village shall also be eligible for, pursue, and receive funding, materials, supplies, and other assistance from federal, state, and local sources, as well as any available private sources, on account of, but after the expiration of, this or any extended State of Emergency, or otherwise on account of COVID-19 before declaration of this State of Emergency.

**SECTION III:** During such State of Emergency, and as to COVID-19, the Mayor, Administrator, and Chief of Police may, as appropriate and otherwise lawful, make all necessary orders, utilize all resources and personnel of the Village, and otherwise take action that is necessary and appropriate to respond to this emergency, including, but not limited to, the delegation of administrative and departmental functions among responsible personnel to assure proper implementation. To the extent necessary, all such prior actions are hereby ratified and included under this State of Emergency.

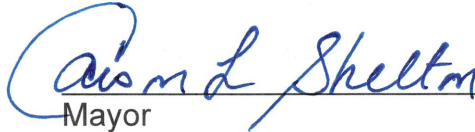
**SECTION IV:** This State of Emergency shall end as of 11:59 p.m. on May 18, 2020 unless extended by a majority vote of Council or repealed prior to that date.

**SECTION V:** Council hereby finds and determines that this Ordinance was adopted in conformance with all requirements of the Ohio Open Meetings Act, R.C. 121.22, as amended by the emergency provisions of Ohio HB 197.

**SECTION VI:** The Administrator and Fiscal Officer are hereby authorized and directed to deliver a copy of this Ordinance to any appropriate governmental office or agency to further the purposes of the Ordinance, including, but not limited to, the Hamilton County Emergency Management Agency.

**SECTION VII:** This Ordinance is hereby declared to be an emergency measure necessary for the provision of the public health, safety, and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to protect the residents of, and businesses in, the Village, on account of the COVID-19 pandemic, as set forth in the findings above.

Passed this 3rd day of April, 2020.

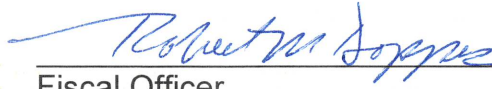
  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Fiscal Officer

**CERTIFICATE**

I hereby certify the foregoing to be a true and correct copy of Ordinance No. 14-2020 adopted by the Council of the Village of Fairfax at its special meeting held on April 3, 2020.

  
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Fiscal Officer