**VILLAGE OF LINCOLN HEIGHTS**

**HAMILTON COUNTY, OHIO**

**RESOLUTION NO. 2020-R-\_\_**

**A RESOLUTION DECLARING A STATE OF EMERGENCY IN THE VILLAGE OF LINCOLN HEIGHTS, HAMILTON COUNTY, OHIO DUE TO THE COVID-19 (CORONA VIRUS) PANDEMIC**

**WHEREAS,** there has been an outbreak of Coronavirus Disease 2019 (COVID-19) across the United States of America; and

**WHEREAS**, there have been multiple confirmed cases of COVID-19 across the State of Ohio, and the Village of Lincoln Heights, Hamilton County, Ohio is being affected by the spread of COVID-19 in a manner that could endanger the health, safety and welfare of Village residents and businesses; and

**WHEREAS,** the President of the United States, Donald J. Trump, has declared a national State of Emergency and the Governor of the State of Ohio, Michael DeWine, has declared a State of Emergency in Ohio (Executive Order 2020-O1D) which, among other restrictions, has closed all schools in the State of Ohio and limits large indoor gatherings; and

**WHEREAS,** Governor DeWine’s Declaration follows the Center of Disease Control and Prevention “Interim Guidance,” recommending that all employers consider how best to decrease the spread of COVID-19, including the review of guidance from state and local health officials; and

**WHEREAS**, the health risks due to COVID-19 along with the restrictions and recommendations resulting from the aforementioned declarations have created a number of issues, problems, and difficulties for the Village, including the ability to carry on the affairs of the Village as well as address the spread of COVID-19 within the Village; and

**WHEREAS**, the measures necessary to address the spread and effects of COVID-19 within the Village may exceed all public and private resources that are locally available; and

**WHEREAS,** there is an urgent and immediate need to take emergency measures to maintain essential municipal operations, protect lives, homes, businesses, and property, and to ensure that basic needs of Village residents are met.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of Lincoln Heights, Hamilton County, Ohio, that:

**SECTION I.** The Village Council hereby declares that a State of Emergency exists and has been in existence since March 9, 2020 in the Village of Lincoln Heights, Hamilton County, Ohio, and invokes and declares those portions of the Ohio Revised Code which are applicable to these conditions, and which have caused the issuance of this Resolution, to be in full force and effect in the Village of Lincoln Heights for the exercise of all necessary emergency authority for the protection of the lives, businesses, and property of the people of the Village, and the continuation of essential Village functions, operations and services with minimal interruption, as well as to support any application for emergency assistance for the Village, its residents, and its businesses.

**SECTION II.** Any and all powers to be exercised by the Village Mayor, or any other public official of the Village, as authorized by Ohio Revised Code Chapter 5502 are permitted by passage of this Resolution and are incorporated herein by reference.

**SECTION III**. The Village Council finds that as a result of thespread of COVID-19, a real and present emergency exists in the Village of Lincoln Heights affecting the public health and safety of residents, which may necessitate the Village Manager, pursuant to R.C. §735.051, to enter into a contract for work to be done, or for the purchase of supplies or materials without formal bidding and advertising so as to maintain essential municipal operations and deal with the present emergency without the pre-authorization of Village Council in an amount not to exceed $25,000. These items or services to be purchased by the Village Manager, in excess of his Charter and statutory authority, up to the limits imposed herein must also be authorized by the Mayor.

**SECTION IV.** The Manager, with the advice and consent of the Mayor of the Village of Lincoln Heights, is hereby authorized to take any and all steps reasonably necessary to maintain order and control in the Village for the well-being, health and safety of residents.

**SECTION V.** The Village Manager is hereby authorized to engage and contract, where appropriate, with local, state and federal agencies to provide disaster assistance and relief to the residents and businesses of the Village of Lincoln Heights, during this declared State of Emergency.

**SECTION VI.** All public offices and employees of the Village of Lincoln Heights are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives, federal, state and local.

**SECTION VII.** All residents and businesses are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and emergency services personnel in executing emergency operational plans, and to obey and comply with the lawful direction of properly identified emergency services personnel.

**SECTION VIII.** This Declaration shall remain in effect so long as the Ohio Governor’s declared state of emergency remains in effect, unless earlier terminated by Village Council.

**SECTION IX.** This Resolution is hereby declared to be an emergency measure necessary for immediate preservation of the public peace, health, safety and welfare of the Village of Lincoln Heights and shall take effect immediately. The reason for the emergency is the need to deal with adverse effects of the outbreak of COVID-19.

Passed this \_\_\_\_\_\_ day of April, 2020.

Mayor, Village of Lincoln Heights

Attested:

Clerk of Council

**RECORD OF VOTES CAST**

Yes No Abstain Absent

Mayor Ruby Kinsey-Mumphrey \_\_\_ \_\_\_ \_\_\_\_\_\_

Vice Mayor Jeannie Stinson \_\_\_ \_\_\_ \_\_\_\_\_\_

Phyllis Baber \_\_\_ \_\_\_ \_\_\_\_\_\_

Linda Childs-Jeter \_\_\_ \_\_\_ \_\_\_\_\_\_

Daronce Daniels \_\_\_ \_\_\_ \_\_\_\_\_\_

Kathy Goodwin-Williams \_\_\_ \_\_\_ \_\_\_\_\_\_

LaVerne Mitchell \_\_\_ \_\_\_ \_\_\_\_\_\_

**CERTIFICATION OF PUBLICATION**

I hereby certify that I have published the foregoing legislation beginning on \_\_\_\_\_\_\_\_\_, 2020 in accordance with Section 2.12 of the Charter for the Village of Lincoln Heights, Hamilton County, Ohio, by posting a complete copy of the legislation for at least 14 days after its adoption in 5 conspicuous places in the Village, to wit: 1) Healthcare Connection; 2) Seven Hills Seniors; 3) Friendship Plaza; 4) Centennial Apartments; and 5) Oak Park.

Clerk of Council