

ORDINANCE NO. 40-2020

AN ORDINANCE AUTHORIZING THE MAYOR TO TAKE ANY AND ALL ADMINISTRATIVE ACTION DEEMED NECESSARY IN THE HANDLING OF STATE OF EMERGENCY MANDATES BY THE GOVERNOR OF THE STATE OF OHIO AS IT PERTAINS TO THE CITY'S OPERATIONS AND DECLARING AN EMERGENCY.

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency; and

WHEREAS, the Governor further asked state agencies to develop and implement procedures, including suspending or adopting temporary rules within an agency's authority, consistent with recommendations from the Department of Health designed to prevent or alleviate this public health threat; and

WHEREAS, the Administration, consistent with actions now being taken by state and county officials, seeks to have Council authorize the Administration to act quickly to institute any and all reasonable measures to protect the public health as well as the health of City's employees and public by reducing the risk of contracting and/or spreading this dangerous illness; and

WHEREAS, the above-mentioned state of emergency compels the cancellation of public events and gatherings: and

WHEREAS, this Ordinance will provide guidance during this and future emergencies and other circumstances where Council, boards, and/or commissions may choose not to meet; and

WHEREAS, as set forth in Section 8 of the Avon Lake City Charter, this Council by a vote of at least two-thirds of its members determines that the President of Council, or in the President's absence the President Pro Tem, may postpone or cancel council meetings, or limit public attendance in the event of a state of emergency being declared by the State of Ohio, Lorain County, or the City of Avon Lake or upon recommendation of community health and safety officials; and

WHEREAS, as set forth in Section 10 of the Avon Lake City Charter, this Council by a vote of at least two-thirds of its members determines that this Ordinance is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health,

and safety and to provide for the usual daily operation of municipal departments in that holding public meetings during a pandemic may threaten public health;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF
THE CITY OF AVON LAKE AND STATE OF OHIO:

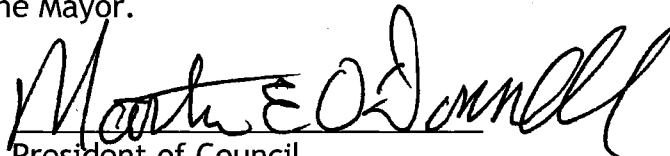
Section 1: That Council hereby authorizes the Mayor and Council to execute any and all reasonable plans to contain the spread of the COVID-19 virus by, among other things, deploying personnel in a manner deemed best suited to minimize contact with the general public wherever and whenever possible. Furthermore, the Mayor is authorized to take any emergency actions directed by the Governor or the County Health Department to protect the employees and the public as we all try to deal with the COVID-19 and until such time as it is determined that the threat no longer exists.

Section 2: That Council, Mayor, boards, and/or commissions may be postponed or cancelled and the public from attendance based on the restrictions to public gatherings by the Governor for the public health and safety to eliminate the potential spread of the COVID-19 virus.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to authorize the Mayor and/or Council to take any and all measures to protect the public and the City's employees from contracting and/or spreading the COVID-19, thus for the public health, safety and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the Mayor.


PASSED: 3/23/2020



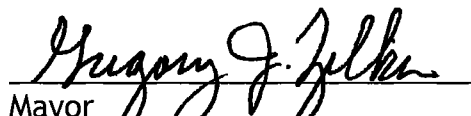
President of Council

POSTED: 3/27/2020

APPROVED: 3/24/2020

ATTEST: 

Clerk of Council



Mayor