

RESOLUTION NO. 05, 2020

A RESOLUTION DECLARING A STATE OF EMERGENCY IN THE VILLAGE OF ST. BERNARD, STATE OF OHIO, DUE TO THE CORONAVIRUS DISEASE 2019 OUTBREAK

WHEREAS, there has been an outbreak of respiratory disease caused by a novel (new) coronavirus which has now been detected in more than 150 countries and territories, including in the United States of America. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (abbreviated “COVID-19”); and

WHEREAS, there have been multiple confirmed cases of COVID-19 across the State of Ohio; and

WHEREAS, the President of the United States, Donald J. Trump, has declared a national State of Emergency; and

WHEREAS, the Governor of the State of Ohio, Michael DeWine, has declared a State of Emergency in Ohio (Executive Order 2020-01D) 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’s “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, there is an urgent and immediate need to take emergency measures to maintain essential municipal operations, protect lives, homes, and property, and to ensure that basic needs of those who reside and those who work in the Village of St. Bernard are met; now therefore

BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, HAMILTON COUNTY, OHIO:

Section 1. That Council hereby declares that a State of Emergency exists in the Village of St. Bernard, and invokes and declares those portions of the Ohio Revised Code which are applicable to the conditions and have caused the issuance of this resolution to be in full force and effect in the Village of St. Bernard for the exercise of all necessary emergency authority for the protection of the lives and property of the people of the Village of St. Bernard and the restoration of local government with minimal interruption.

Section 2. Any and all powers to be exercised by the Village of St. Bernard as authorized by Ohio Revised Code Chapter 5502 are permitted by passage of this Resolution and are incorporated herein by reference.

Section 3. That Council finds that as a result of the spread of COVID-19, a real and present emergency exists in the Village of St. Bernard affecting the public health and safety of both those who live and work here, necessitating the purchase and acquisition of certain items and services by the Mayor of the Village of St. Bernard, or his designee, to maintain essential municipal operations and deal with the present emergency without the requirement for competitive bidding, advertising and the pre-authorization of Council, in accordance with R.C. 735.051.

Section 4. The Mayor of the Village of St. Bernard is hereby authorized to take any and all steps necessary to maintain order and control in the Village of St. Bernard for the well-being, health and safety of both those who work and those who reside in the Village of St. Bernard.

Resolution No. 05, 2020

Page 2

Section 5. All public offices and employees of the Village of St. Bernard 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 6. All persons 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 7. All operating forces and persons affected by such conditions should direct their communications and requests for assistance and operations directly to the Mayor of the Village of St. Bernard.

Section 8. That the Council hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of the Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 9. This Resolution shall be in full force and effect from and after the earliest date allowed by law and shall remain in full force and effect until the emergency no longer exists, such time to be determined by the Ohio Director of Health and the Executive Director of the Ohio Emergency Management Agency in consultation with Governor of the State of Ohio.

Passed this _____ day of _____, 2020.

President of Council

ATTEST:

Clerk of Council

Approved this _____ day of _____, 2020.

Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Resolution No. 05, 2020, was made by posting true copies of the same in the most public places designated by Council: St. Bernard Square Bus Stop; Vine Street and Washington Avenue; Bertus Street Park; Greenlee Avenue and Johnson Alley; Park on Heger Drive; each for a period of fifteen (15) days or more commencing _____, 2020.

ATTEST: _____ DATE _____
Clerk of Council

Approved as to form _____ Date _____
Director of Law