

TEMPORARY ORDINANCE NO. 7-20

PERMANENT ORDINANCE NO. 5-20

AN ORDINANCE AUTHORIZING EMERGENCY MEASURES IN RESPONSE TO THE COVID-19 VIRUS AND DECLARING AN EMERGENCY

WHEREAS, the Coronavirus (COVID-19) is a new respiratory disease that is caused by the SARS-CoV-2 and can result in serious illness or death; and

WHEREAS, COVID-19 is spread through people who are in close contact with one another and through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the Centers for Disease Control (CDC) believes spread of the disease might be possible before people show symptoms and has recommended limitations on meetings of groups; and

WHEREAS, the CDC notes that COVID-19 seems to be spreading easily and sustainably in a process known as community spread (people have been infected with the virus without knowing where they became infected); and

WHEREAS, older adults and people with chronic medical conditions or who are immunocompromised are at higher risk of getting seriously ill; and

WHEREAS, on March 9, 2020, Ohio Governor DeWine declared a State of Emergency in Ohio (Executive Order 2020-01D); and

WHEREAS, on March 10, Ohio Governor Mike DeWine recommended large, indoor gatherings be cancelled or postponed due to the potential for the coronavirus (COVID-19) exposure; and

WHEREAS, on March 11, the World Health Organization (WHO) declared COVID-19 to be a global pandemic; and

WHEREAS, on March 12, Ohio Director of Health, Dr. Amy Acton, ordered that mass gatherings of 100 people or more be cancelled or postponed due to the potential for the coronavirus (COVID-19) exposure; and

WHEREAS, on March 13, the Ohio Attorney General's Office issued a letter indicating that based on the Ohio Department of Health's Order prohibiting mass gatherings while encouraging people to stay at home and avoid unnecessary contact with each other, City Council may "appear via teleconference or telephone" if all other requirements of the Open Meetings Act are met; and

WHEREAS, on March 17, Ohio Director of Health, Dr. Amy Acton, ordered that mass gatherings of 50 people or more be cancelled or postponed due to the potential for the coronavirus (COVID-19) exposure; and

WHEREAS, on March 22, Ohio Director of Health, Dr. Amy Acton, issued a stay at home order and ordered the reduction of mass gatherings of 10 people or more be cancelled or postponed due to the potential for the coronavirus (COVID-19) exposure effective at 11:59 p.m. EST on March 23, 2020; and

WHEREAS, as of March 23, 2020, there were at least Four Hundred Forty-Two (442) confirmed cases of COVID-19 identified in Forty-Six (46) counties in the State of Ohio with One Hundred Four (104) hospitalized and Six (6) confirmed deaths; and

WHEREAS, based on the information presented so far, City Council has determined that steps should be taken to prepare for an emergency situation;

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

SECTION 1. City Council may meet remotely provided the following conditions are met:

1. Identity verification is in place to ensure that the person participating is the city council member;
2. The method of meeting is able to document any votes cast by individual members;
3. If a member is cut off from the meeting, Council will cease all discussions and deliberations while an attempt is made to reconnect the member. If the member remains unavailable and they are not needed for a quorum, the meeting may continue;
4. The public has access to the remote meeting and may hear the discussions and deliberations.

SECTION 2. While the Governor's and CDC's recommendations, the orders of the Ohio Department of Health, and any future orders and restrictions on meetings are in place, Boards and Commissions and City Council Sub-Committees will not meet with the exception of the Finance Committee which will meet if City Council meets. City Council hereby delegates the work of those commissions to city staff, with City Council taking final action on recommendations.

SECTION 3. The Mayor is hereby granted authority to declare A State of Emergency within the City of Lancaster should it become necessary in order to continue to provide city services or take action to comply with an order from the State of Ohio.

SECTION 4. If Council is rendered unable to meet in-person or remotely or secure a quorum, the Mayor, Finance Committee Chairperson, and the City Auditor shall meet in-person or remotely and take any and all necessary action upon a majority vote of the three. City Council hereby grants the following powers in addition to any emergency powers set forth in Ohio Revised Code Sections 715.37 and 735.051 specifically and in Chapter VII generally:

1. Executing intergovernmental agreements;
2. Taking actions necessary to implement state and federal requirements;
3. Making budget or staffing adjustments necessary to address the emergency;
4. Executing labor agreements under terms similar to those agreements already approved;
5. Changing city service or staffing levels to reduce potential exposure to the virus;
6. Extending due date for income tax filings.

These powers may be exercised as long as the state of emergency exists and Council is unable to meet.

SECTION 5. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 6. This ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City by taking immediate steps to reduce the spread of COVID-19 and ensure the government of the City is able to function in times of emergency.

Passed: 3/23/2020 after 1st reading. Vote: Yeas 9 Nays 0

Approved: 3/23/2020

Clerk: Teresa Lee Somdy

Offered by: Greg J. Melin - Treasurer

Second by: Melody R. Bobbitt

Requested by Finance Committee

[Signature]

President of Council

[Signature]

Mayor