

DECLARATION OF DISASTER EMERGENCY

RECITALS:

WHEREAS, pursuant to the emergency powers of the Borough Code, 8 Pa. C.S.A. §§10A06, 1202(33) vested in the Mayor and Council of the Borough of Evans City, and the Emergency Management Act, 35 Pa. C.S.A §7501, consistent with the declaration of disaster emergency of the County of Butler and the guidance of the CDC, certain measures are warranted to protect the Borough staff, elected officials and the public from the issues related to the pandemic novel coronavirus (“COVID-19”), and

WHEREAS, the power, authority and duty to declare a disaster emergency when doing so will protect the public health, safety, welfare and peace of the Borough lies with the Borough Council and Mayor, and

WHEREAS, the Mayor and Council may prohibit activities that they reasonably believe should be prohibited to help preserve life, health, property or the public peace.

NOW, THEREFORE, as a result of the COVID-19 pandemic and in response thereto, pursuant to the power vested in the Borough Council and the Mayor by the Borough Code, 8 Pa. C.S.A. §§10A06, 1202(33) and the Emergency Management Act, 35 Pa. C.S.A §7501, the undersigned elected official declares:

THAT there is a disaster emergency in Evans City Borough, and

FURTHER, that the Evans City Borough Emergency Management Coordinator is authorized to coordinate the activities of the emergency response, to take all appropriate actions needed to alleviate the effects of this disaster, to aid in the restoration of essential public services,

and to take any other emergency response action deemed necessary to respond to this emergency, and officials of Evans City Borough are authorized to act as necessary to meet the current exigencies of this emergency, namely: by

the employment of temporary workers, by the rental of equipment, by the purchase of supplies and materials, and by entering into such contracts and agreements for the performance of public work as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted;

AND FURTHER that as a result of the aforesaid declaration, the following activities are prohibited in the Borough:

- A. There shall be no public events or gatherings that take place on Borough property, in Borough rights of way, or pursuant to Borough permits.
- B. No approval for public events shall be issued until further notice.
- C. Events under approvals that have been issued to date for events that are scheduled to occur through May 31, 2020 are hereby revoked.
- D. Approvals for public events scheduled after May 31, 2020 shall be issued with the following language: "Approval subject to revocation if, in the opinion of Borough Council, the event would be contrary to public health, safety and welfare, or contrary to state and federal guidance published by the departments of health or the CDC regarding COVID-19.
- E. Public access to all Borough buildings and facilities is prohibited except by appointment through the Borough Secretary.

This Declaration is subject to ratification, extension or termination by Borough Council, and shall be effective immediately.

IT IS SO DECLARED BY, Mayor, Dean Zinkhann, Borough of Evans City, this 2nd day of April, 2020.


