

INTRODUCED: 4/6/2020

REFERRED TO: Committee of the Whole

SPONSOR: Councillor Osili

DIGEST: consents to the extension of the Mayor's renewed declaration of a local disaster emergency in response to the COVID-19 pandemic

SOURCE:

Initiated by: Councillor Osili

Drafted by: Office of Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL:



Date: April 2, 2020

CITY-COUNTY GENERAL RESOLUTION NO. ____, 2020

A GENERAL RESOLUTION consenting to the extension of the Mayor's declaration of a local disaster emergency in response to the COVID-19 pandemic.

WHEREAS, a Centers for Disease Control risk assessment indicates that the novel Coronavirus Disease, known as "COVID-19," is a serious public-health threat and that "sustained person-to-person spread will continue to occur, including throughout communities in the United States"; and

WHEREAS, the Centers for Disease Control reports that COVID-19 may cause severe illness, including illness resulting in death, particularly among the elderly and those with severe underlying health conditions like heart disease, lung disease, and diabetes; and

WHEREAS, the spread of COVID-19 throughout the United States and Indiana poses a severe and imminent threat to public health and requires aggressive response measures to slow the spread of the disease and mitigate its impact; and

WHEREAS, guidance from the Centers for Disease Control, the World Health Organization, and other federal and international public-health authorities indicates that the prevention of public gatherings and other social-distancing measures are effective countermeasures to prevent continued exponential spread of COVID-19 and to mitigate the risk that COVID-19 will overwhelm the capacity of our health-care systems; and

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020 and declared COVID-19 a pandemic on March 11, 2020; and

WHEREAS, the United States Secretary of the Department of Health and Human Services declared COVID-19 a public-health emergency for the United States on January 31, 2020; and

WHEREAS, the State of Indiana confirmed the first known case of COVID-19 in Marion County on March 6, 2020; and

WHEREAS, Indiana's governor declared the COVID-19 outbreak a statewide disaster emergency on March 6, 2020; and

WHEREAS, the Marion County Public Health Department—based on guidance from the State of Indiana and a request from the Mayor’s Office—initially banned all non-essential public gatherings of more than 250 people and ordered the temporary closure of Marion County schools; and

WHEREAS, on March 15, 2020, the Centers for Disease Control issued guidance recommending that no gatherings of more than 50 people take place for at least eight weeks; and

WHEREAS, on March 16, 2020, the State of Indiana issued an order requiring bars, restaurants, and nightclubs to close to in-person patrons; and

WHEREAS, on March 16, 2020, the Marion County Public Health Department issued an order prohibiting public gatherings of more than 50 people and requiring the temporary closure to the public of all entertainment venues, gyms, and fitness centers in Marion County; and

WHEREAS, Indiana Code § 10-14-3-29 grants the Mayor authority to declare a state of local disaster emergency; and

WHEREAS, on March 16, 2020, the Mayor declared a local disaster emergency in Executive Order No. 1, 2020; and

WHEREAS, on March 16, 2020, the City-County Council passed Proposal 122, a general resolution consenting to the extension of the Mayor’s local disaster emergency until April 5, 2020; and

WHEREAS, on March 23, 2020, the State of Indiana issued a statewide stay-at-home order; and

WHEREAS, on March 23, 2020, the Marion County Public Health Department issued its own stay-at-home order for Marion County; and

WHEREAS, on March 23, 2020, the Mayor issued Executive Order No. 2, 2020, declaring that the local disaster emergency consented to in Proposal 122 continues and raising Marion County’s travel-emergency status to the “warning” level; and

WHEREAS, Indiana Code § 10-14-3-29 provides that the Mayor may renew a local disaster emergency for seven days but may not renew such an emergency beyond seven days without the consent of the City-County Council; and

WHEREAS, on April 1, 2020, the Mayor issued Executive Order No. 3, 2020, declaring that his local disaster declaration shall be renewed effective at 12:00 a.m. on April 6, 2020 and reiterating Marion County’s “warning” level travel emergency; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council hereby consents to the extension of the Mayor’s renewed local disaster emergency declaration through May 1, 2020.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2020, at _____ p.m.

ATTEST:

SaRita Hughes
Clerk, City-County Council

Vop Osili
President, City-County Council

Presented by me to the Mayor this _____ day of _____, 2020.

SaRita Hughes
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2020.

Joseph H. Hogsett, Mayor