

No. 02-20-RE

A RESOLUTION

A Resolution of the Council of the County of Allegheny authorizing and ratifying the Declarations of Emergency proclaimed by the County Chief Executive due to the imminent threat to public health, safety and welfare of the citizens of Allegheny County caused by the existence and spread of the COVID-19 virus.

WHEREAS, on March 12, 2020, Allegheny County Chief Executive Rich Fitzgerald issued a proclamation declaring the existence of a state of emergency within Allegheny County due to the imminent threat to public health, safety and welfare of the citizens of Allegheny County caused by the existence and spread of the COVID-19 virus; and

WHEREAS, the County Chief Executive recently issued a second proclamation continuing the Declaration of Emergency within the County because the emergency conditions caused by the COVID-19 virus have not abated; and

WHEREAS, County Council is of the considered opinion that the Declarations of Emergency within the County must be continued to allow for the exercise of all necessary powers granted under applicable law to protect the health, safety and welfare of the citizens of Allegheny County from the effects of the existence and spread of the COVID-19 virus.

Now, therefore, the Council of the County of Allegheny hereby resolves as follows:

Section 1. Incorporation of Preamble.

The provisions set forth in the preamble to this Resolution are incorporated by reference in their entirety herein.

Section 2. Authorization and Ratification of Chief Executive's Declaration of

A. Pursuant to Section 7501 (b) of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A. § 7501 (b) (2012), the Declarations of Emergency proclaimed by the County's Chief Executive due to the imminent threat to public health, safety and welfare of the citizens of Allegheny County caused by the existence and spread of the COVID-19 virus are hereby authorized and ratified retroactive to the date of their original issuance and continuation.

B. All powers and authority granted to the County in Chapter 75 of the Pennsylvania Emergency Management Services Code are hereby activated and shall be exercised by the proper

County officers to address and remediate the threat to public health, safety and welfare caused by the presence of the COVID virus in Allegheny County.

Section 3. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

Section 4. Repealer. Any resolution or ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

Section 5. Effective Date. This Resolution shall enter into effect retroactive to March 12, 2020.

Section 6. Termination. This Resolution shall terminate on the date that the County's Chief Executive issues a proclamation finding and declaring that the threat to public health, safety and welfare caused by the presence of the COVID virus in Allegheny County has abated.

Enacted in Council, this 24th day of March, 2020.

Council Agenda No. 11460-20.



Patrick Catena
President of Council

Attest: 

Jared Barker
Chief Clerk of Council

Chief Executive Office March 25th, 2020.

Approved: 

Rich Fitzgerald
Chief Executive

Attest: 

Jennifer M. Liptak

SUMMARY PAGE

A RESOLUTION OF THE COUNCIL OF THE COUNTY OF ALLEGHENY AUTHORIZING AND RATIFYING THE DECLARATIONS OF EMERGENCY PROCLAIMED BY THE COUNTY CHIEF EXECUTIVE DUE TO THE IMMINENT THREAT TO PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF ALLEGHENY COUNTY CAUSED BY THE EXISTENCE AND SPREAD OF THE COVID-19 VIRUS

On March 12, 2020, Allegheny County Chief Executive Rich Fitzgerald issued a proclamation declaring the existence of a state of emergency within Allegheny County due to the imminent threat to public health, safety and welfare of the citizens of Allegheny County caused by the existence and spread of the COVID-19 virus.

In accordance with Section 7501 (b) of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S.A. § 7501 (b) (2012), this Resolution authorizes and ratifies the Chief Executive's prior Declarations of Emergency and activates all of the power and authority under applicable laws to enable the County to deal with the emergency caused by the COVID-19 virus.

MEMORANDUM
OFFICE OF THE COUNTY MANAGER

TO: Jared E. Barker
Allegheny County Council

FROM: William D. McKain CPA
County Manager

DATE: March 18, 2020

RE: Proposed Resolution

Attached is a Resolution authorizing and ratifying the Declarations of Emergency proclaimed by the County Chief Executive due to the imminent threat to public health, safety and welfare of the citizens of Allegheny County caused by the existence and spread of the COVID-19 virus.

The Allegheny County Law Department has reviewed this legislation prior to submitting it to Council.

I am requesting that this item be placed on the agenda at the next Regular Meeting of Council.