

RESOLUTION NO. 2020-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RATIFYING THE DECLARATION OF LOCAL DISASTER EMERGENCY BY THE MAYOR AND CONTINUING THE DECLARATION OF LOCAL DISASTER EMERGENCY OF THE CITY OF BRIGHTON, COLORADO

WHEREAS, the Colorado Disaster Emergency Act, Colorado Revised Statutes (C.R.S.) § 24-33.5-701, *et seq.*, provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and

WHEREAS, pursuant to C.R.S. § 24-33.5-703(3), a “disaster” is defined to mean “the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, or hostile military or paramilitary action, or a condition of riot, insurrection, or invasion”; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster may be declared “only by the principal executive officer of a political subdivision;” and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local disaster “shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision;” and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster “shall be given prompt and general publicity and shall be filed promptly with the city clerk and recorder;” and

WHEREAS, pursuant to C.R.S. § 24-33.5-709(2), the effect of declaring a local disaster “is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans”; and

WHEREAS, in addition to declaring a local disaster, the City of Brighton’s Emergency Operations Plan and the Pandemic Emergency Plan are in effect; and

WHEREAS, because of the COVID-19 Pandemic, which occurred or began to occur on March 5, 2020 the City of Brighton is suffering or has suffered a disaster as defined under C.R.S. § 24-33.5-703(3); and

WHEREAS, the cost and magnitude of responding to and recovering from the impact of this disaster may exceed the City of Brighton’s available resources; and

WHEREAS, pursuant to Brighton Municipal Code § 8-50-60(a), on March 13, 2020, the Mayor issued a Declaration of Local Disaster Emergency of the City of Brighton, Colorado; and

WHEREAS, pursuant to Brighton Municipal Code § 8-50-60(d)(1), the City Council is authorized to continue or renew a local disaster emergency.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. That there is a local disaster emergency in the City of Brighton, Colorado, as the result of, the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from COVID-19 requiring emergency action to avert danger or damage.

Section 2. That the effect of this declaration of disaster shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to seek and authorize the furnishing of aid and assistance under such plans.

Section 3. Pursuant to Brighton Municipal Code § 8-50-60(d), this declaration shall be effective upon the date and time given below and shall remain in effect until April 21, 2020 unless further action is taken by City Council to terminate this declaration of disaster.

Section 4. That the City Manager shall, as required by the Brighton Municipal Code, file this declaration with the City Clerk and forward a copy to the State Office of Emergency Management.

Section 5. The purpose of this resolution is to provide for the health, safety, and welfare of the people.

Section 6. All resolutions or parts of resolutions of the City in direct conflict herewith are hereby rescinded.

RESOLVED this 14th day of March, 2020.

CITY OF BRIGHTON, COLORADO



GREGORY MILLS, Mayor

ATTEST:



NATALIE HOEL, City Clerk

APPROVED AS TO FORM:



JACK D. BAJOREK, City Attorney