

**DECLARATION OF LOCAL DISASTER EMERGENCY DUE TO THE PRESENCE OF CORONAVIRUS DISEASE  
2019 IN THE CITY OF COMMERCE CITY, COLORADO**

**MARCH 12, 2020**

**Authority:** This declaration is issued pursuant to the authority granted to the City Manager of the City of Commerce City, Colorado (Commerce City) as the chief executive/principle executive officer of Commerce City under Section 7.4 of the Charter of the City of Commerce City (Charter), Chapter 23 of the Commerce City Revised Municipal Code (Emergency Operations Plan),<sup>1</sup> and the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 et seq. (Act).<sup>2</sup> This declaration is issued with the support of the Mayor of Commerce City.

**Background:** Coronavirus disease 2019 (COVID-19) is highly infectious and can cause upper respiratory infections that may be severe and are potentially fatal. There is significant public concern regarding the potential effects of COVID-19 and its spread from person to person. The spread of COVID-19 can occur rapidly and with little warning and result in consequences that the City must be face quickly and efficiently. Every effort must be made to preserve Commerce City's ability to respond to, recover from, and mitigate in the face of this incident.

The Governor of Colorado, by Executive Order D 2020 03,<sup>3</sup> has declared a statewide disaster emergency due to the presence of COVID-19 in the state. The Executive Order identifies the potential for community spread and, among other things, activates disaster response and recovery aspects of applicable state, local, and interjurisdictional disaster emergency plans.

The Commerce City Emergency Manager has advised me that a disaster, as defined in the Charter, Emergency Operations Plan, and the Act, is currently present in Commerce City due to the presence of COVID-19 surrounding communities and its anticipated presence in Commerce City. To wit, there is an occurrence of imminent threat of widespread or severe damage, injury, or loss of property or loss of life resulting from epidemic and this condition immediately endangers public property, health, peace, and safety. This condition requires emergency action to avert and minimize danger and injury. The anticipated cost and magnitude of responding to the impact of the spread of COVID-19 is far in excess of Commerce City's available resources. Declaring a local disaster is appropriate and in the interests of public health, safety and welfare.

**Declaration:** Pursuant to the authorities cited above, I declare there to be a local disaster in the City of Commerce City, Colorado, to wit, the occurrence of imminent threat of widespread or severe damage, injury, or loss of life or property, due to the presence and spread of COVID-19. The effect of this declaration shall be, as necessary to cope with this incident, to:

1. Activate the response and recovery aspects of the Emergency Operations Plan and any applicable inter-jurisdictional disaster emergency plans;

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<sup>1</sup> CCRMC 23-3 defines "chief executive" as follows: "For the purposes of this plan, in the absence of a declaration of extreme emergency by the mayor, the city manager is the chief executive. In accordance with City Charter, once the mayor declares an extreme emergency, the mayor becomes the chief executive for purposes of this plan."

<sup>2</sup> "A local disaster may be declared only by the principal executive officer of a political subdivision." CRS § 24-33.5-709(1).

<sup>3</sup> <https://drive.google.com/file/d/1Qxr64Kx2RWsflWszGVcjKZP2av3VuT-t/view>.

2. Authorize the furnishing of aid and assistance under such plans;
3. Authorize the requesting of aid and assistance from appropriate agencies; and
4. Authorize emergency procurements under the Procurement policy.
5. To authorize cooperation and coordination with federal, state, and county emergency agencies and public health agencies regarding response, recovery, and mitigation efforts.

This declaration shall be expire in 7 days unless renewed by the City Council of the City of Commerce City. This declaration shall be recorded with the City Clerk and shall be distributed to the City Council of the City of Commerce City, the Adams County Emergency Management Agency, the Colorado Division of Emergency Management, and appropriate representatives of the news media.

For more information, please visit:

- [www.colorado.gov/pacific/cdphe/2019-novel-coronavirus](http://www.colorado.gov/pacific/cdphe/2019-novel-coronavirus)
- [www.tchd.org/818/Coronavirus](http://www.tchd.org/818/Coronavirus)
- [www.c3gov.com/coronavirus](http://www.c3gov.com/coronavirus)

Effective March 12, 2020 at 2:46 p.m.



Brian K. McBroom, City Manager