

RESOLUTION NO. 2020-0020

A Resolution ratifying the first amendment to the Mayor's declaration of a civil emergency or disaster.

WHEREAS, on February 29, 2020, Washington State Governor Jay Inslee issued a proclamation declaring a State of Emergency in all counties of the state of Washington in response to new cases of COVID-19; and

WHEREAS, on March 16, 2020, Mayor Nadine Woodward issued an Executive Declaration of Civil Emergency or Disaster in the City of Spokane (the "Declaration"), pursuant to SMC 2.04.030, due to the public emergency faced by the City from COVID-19; and

WHEREAS, there are currently nearly 2,000 cases of COVID-19 in the state of Washington, and 20 such cases in Spokane County, according to the Washington Department of Health; and

WHEREAS, pursuant to SMC 02.04.060, a declaration of civil emergency issued by the Mayor pursuant to the authority in Chapter 02.04 SMC shall be filed with the City Clerk and presented to the City Council for ratification, confirmation, modification or rejection; and

WHEREAS, pursuant to the provisions of RCW 38.52.070(2), in the instance where a disaster is declared, the City of Spokane has the right to exercise certain powers and duties as provided for in said chapter without the necessity of complying with time consuming procedures and formalities excepting mandatory constitutional requirements; and

WHEREAS, the City Council reserves, within its authorities as established by the City Charter, to take additional necessary steps to help address and respond to civil emergencies.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane that:

Section 1. There is a present civil emergency, which necessitates the utilization of emergency powers granted pursuant Chapter 02.04 SMC, SMC 07.06.180 and RCW 38.52.070(2), which are lawful, proper, and reasonable exercises of the City of Spokane's police power, consistent with state law and the City Charter.

Section 2. The Executive Declaration of a Civil Emergency by Mayor Nadine Woodward, dated and effective March 16, 2020, remains in effect except as modified by the terms of the First Amended Declaration, dated and effective March 23, 2020, and which is hereby ratified by this City Council Resolution.

Section 3. Notwithstanding the declaration of a civil emergency and any amendments thereto, the City Council reserves the full authority under the City Charter to take any and all necessary steps to safeguard the public health, safety, and welfare of all residents of Spokane, including, without limitation, restrictions of residential evictions, restrictions on utility shut-offs, other necessary measures to mitigate the effects of economic disruption in connection with the COVID-19 pandemic, and prioritization of the use of funds or resources received from the state and/or federal governments.

Section 4. This Civil Emergency shall continue until terminated by the Mayor or by City Council resolution.

Section 5. A copy of this resolution and the Civil Emergency Declaration shall be delivered to the Governor of the State of Washington and to the Spokane County Board of Commissioners. To the extent practicable, a copy of this Civil Emergency Order shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Civil Emergency Order to the public, as many other available means may be used as are practical.

ADOPTED by the City Council March 23, 2020.

Len Hjertes
City Clerk

Approved as to form:

Michael J. Rieck
Assistant City Attorney

