

## Title

Resolution providing for a Declaration of Emergency issued by the Mayor of the City of Pittsburgh in accordance with City of Pittsburgh Code §113.03 and the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §§7101 *et seq.*, as it pertains to the existing public health emergency associated with the spread of coronavirus.

## Body

WHEREAS, a novel coronavirus (now known as “COVID-19”) emerged in Wuhan, China, began infecting humans in December 2019, and has since spread to 89 countries, including the United States; and

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention (“CDC”) have declared COVID-19 a “public health emergency of international concern,” and the U.S. Department of Health and Human Services (“HHS”) Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, the Commonwealth of Pennsylvania (“Commonwealth”) has been working in collaboration with the CDC, HHS, and local health agencies since December 2019 to monitor and plan for the containment and subsequent mitigation of COVID-19; and

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, as of March 12, 2020, pursuant to information from the CDC, there are at least 1,215 confirmed and/or presumed positive cases of COVID-19 in the United States, including 20 presumed positive cases in the Commonwealth and 2 confirmed positive cases in the Commonwealth; and

WHEREAS, with 20 presumed positive cases and 2 confirmed positive cases in the Commonwealth as of March 12, 2020, the possible increased threat from COVID-19 constitutes a threat of imminent disaster to the health of the citizens of the City of Pittsburgh; and

WHEREAS, Governor Tom Wolf has issued a Proclamation of Disaster of Emergency dated March 6, 2020, stating in part that it is critical to prepare for and respond to suspected or confirmed cases in the Commonwealth and to implement measures to mitigate the spread of COVID-19; and

WHEREAS, on March 12, 2020, Governor Tom Wolf recommended and encouraged events with more than 250 attendees to be canceled or postponed, strongly discouraging people from going to “recreational activities” in public places like gyms, movie theaters and stores, and asked religious leaders to use their discretion to prevent the spread of COVID-19; and

WHEREAS, on March 13, 2020, Governor Tom Wolf issued an order closing all K-12 schools in the Commonwealth of Pennsylvania for at least ten (10) business days; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency to address COVID-19; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention has recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, Public health officials and epidemiology experts including those from the Allegheny County Health Department have determined that coronavirus is an imminent threat to the region that is certain to impact Pittsburgh and its surrounding Western Pennsylvania municipalities; and

WHEREAS, implementation of limitations on large gatherings and use of social distancing prevent initial exposure and secondary transmission to our most vulnerable populations, and are especially important for people who are over 60 years old and those with chronic health conditions due to the higher risk of severe illness and death from COVID-19; and

WHEREAS, the worldwide outbreak of COVID-19 continues to threaten the life and health of our people and remains a public disaster affecting life, health, property and the public peace; and

WHEREAS, the Mayor of the City of Pittsburgh is authorized, in accordance with the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501, and City Code §113.03(c), to declare a disaster emergency subject to ratification by the Council of the City of Pittsburgh; and

WHEREAS, the Mayor and the Council of the City of Pittsburgh hereby direct the City of Pittsburgh Public Safety Director to coordinate the necessary activities for this emergency response, to take all appropriate action required to alleviate the effects of the coronavirus disaster emergency, to aid in the maintenance of essential public services, and to take any other lawful emergency response or action deemed necessary to protect public health, safety and welfare in the City of Pittsburgh:

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1.** The Council of the City of Pittsburgh, pursuant to the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501 and the City of Pittsburgh Code, Title One, Administrative, Subsection 113.03(c)(3), hereby authorize the Declaration of Disaster Emergency issued by the Mayor of the City of Pittsburgh in order to take all necessary actions and precautions to protect the local public from the dangers of the coronavirus.

**Section 2.** The Declaration of Disaster Emergency as authorized herein shall not be of a duration longer for a time period not in excess of seven (7) days except by or with the consent

of the Council of the City of Pittsburgh in accordance with 35 Pa. C.S. §7501(b) and City Code §113.03(c)(3).

**Section 3.** Pursuant to 35 Pa. C.S. §7501(b), this Declaration shall activate the response, protection and recovery aspects of any and all applicable local emergency management plans including, but not limited to, those addressed in the 2001 Southwestern PA Emergency Response Group (“SWPERG”) agreement adopted by the City of Pittsburgh for mutual aid and intergovernmental cooperation as required by 35 Pa. C.S. §7503 and any other such intrastate or interstate mutual aid agreements entered into by the City of Pittsburgh pursuant to 35 Pa. C.S. §§7301 *et seq.*, 35 Pa. C.S. §7504, the Pennsylvania Intergovernmental Cooperation Act, 53 Pa. C.S. §§2301 *et seq.*, or any other applicable state or federal law, in order to furnish aid and assistance as provided therein.

**Section 4.** Subject to applicable law, the Mayor or his appropriate designee may adopt and implement precautionary measures to mitigate the anticipated effects of this disaster and is authorized to execute and enforce any such rules or orders that it has adopted and promulgated with regard to said precautionary measures. These measures may include, but are not limited to:

- a. the cancellation or limitation of large gatherings;
- b. the cancellation or limitation of events or gathering that require a City issued permit or permits;
- c. the encouraged use of social distancing to prevent initial exposure and secondary transmission;
- d. the cancellation or limitation of selected City services; and
- e. the cancellation or limitation of any other activities or conduct, whether of a public or private nature, that could increase exposure or secondary transmission or are otherwise risks to public health and safety.

**Section 5.** The Mayor and the City, Director of Public Safety shall be permitted to exercise all legal authority permitted by State Statute and City Code

**Section 6.** Pursuant to this Declaration of Disaster Emergency, all City Departments are to work in coordination with the Director of Public Safety to implement and facilitate the provisions of this Declaration.

**Section 7.** In accordance with 35 Pa. C.S. §7501(b), this declaration or any related order, proclamation or statement shall be given prompt and general publicity and shall be filed promptly with the Pennsylvania Emergency Management Agency.

**Section 8.** As provided in 35 Pa. C.S. §7501(d), the City is Pittsburgh is authorized by this Declaration to exercise the powers provided in the Pennsylvania Emergency Management Services Code without regard to time-consuming procedures and formalities prescribed by law, except for mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

**Section 9.** Any agreements entered into by the City of Pittsburgh as provided herein shall be approved as to form by the City Solicitor.