

**AN ORDER DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR THE  
CITY OF BURLINGTON, COLORADO**

**WHEREAS**, COVID-19 is a highly contagious virus that has spread to numerous countries throughout the world, including the United States; and

**WHEREAS**, on March 10, the Governor of Colorado declared a State of Emergency for the State of Colorado due to COVID-19; and

**WHEREAS**, on March 11, 2020, the World Health Organization (“WHO”) declared the worldwide outbreak of COVID-19 a “global pandemic”, pushing the threat beyond the “global health emergency” it had announced in January; and

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

**WHEREAS**, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or non-communicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins; and

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

**WHEREAS**, pursuant to the City of Burlington Charter and Municipal Code, the Mayor is the chief executive officer of the city and therefore may declare or proclaim a local emergency; and

**WHEREAS**, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued beyond a period of seven days or removed except by action of the City Council; 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 with the office of emergency management"; and

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

**WHEREAS**, Colorado law provides for declaring a local disaster emergency to assist local governments in responding to and recovering from emergency events, including epidemics; and

**WHEREAS**, by declaring a local disaster emergency, the City Administrator of the City of Burlington will be better able to respond to the emergency and work with other jurisdictions as appropriate and outlined in various applicable emergency management plans; and

**WHEREAS**, because of the COVID-19 pandemic, which occurred or began to occur on March 5, 2020, the City of Burlington is suffering or has suffered a disaster emergency as defined in the Act.

**NOW, THEREFORE, THE MAYOR OF THE CITY OF BURLINGTON, COLORADO, DECLARES:**

**Section 1. Local Emergency Disaster.** It is hereby determined that the presence of COVID-19 virus within the State of Colorado constitutes a local disaster emergency that warrants the mobilizing of emergency response and the furnishing of aid and assistance by the City of Burlington. The State of disaster shall remain in effect beginning on this day and ending March 30, 2020 unless further extended by the City Council.

**Section 2. Powers.** This declaration grants the City Administrator all emergency powers set forth in the Burlington Municipal Code including but not limited to the ability to implement the following measures in addition to such other measures as may be necessary and appropriate:

Suspending review and processing of Planning and Zoning Commission and Board of Adjustment and Appeals related concerns until the Local Disaster Emergency has been terminated.

Providing for remote access City Council meetings through telephonic or electronic means.

Closure or limiting access to public buildings to meet State mandates regarding meetings and implementing social distancing protocols in those facilities with limited access.

Allow for continuation of essential services, as long as contact can be prevented to mitigate the spread of COVID-19.

**Section 3. Declaration to be Filed with Colorado Office of Emergency Management.** It is further ordered that this Declaration shall be given prompt and general publicity, filed immediately with the City Clerk and a copy shall be sent to the Colorado Office of Emergency Management.

**DECLARED AND ADOPTED** on this 23<sup>rd</sup> day of March, 2020.

CITY OF BURLINGTON, COLORADO

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Dale Franklin, Mayor

[SEAL]

ATTEST:

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Rebecca Castillo, City Clerk (Acting)

STATE OF COLORADO )

County of Kit Carson )ss.

**CLERK'S CERTIFICATE**

City of Burlington )

That I, Rebecca Castillo, the official acting City Clerk of the City of Burlington, do by these presents, say that the foregoing Local Disaster Emergency Declaration was passed and adopted by the Mayor of the City of Burlington on the 23rd day of March, 2020, and that the foregoing Local Disaster Emergency Declaration is a true, correct and full copy of the Declaration as shown in Ordinance Book 13 of the records of the City of Burlington, Burlington, Colorado.

Dated this 23<sup>rd</sup> day of March, 2020.

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Rebecca Castillo, City Clerk (acting)

STATE OF COLORADO )

County of Kit Carson )ss. CLERK'S CERTIFICATION OF PUBLICATION

City of Burlington )

That I, Rebecca Castillo, the official acting City Clerk of the City of Burlington, do by these presents, say that the foregoing Local Disaster Emergency Declaration and Clerk's Certificate attached thereto was published in the *Burlington Record*, a weekly newspaper of general circulation in Burlington, Kit Carson County, Colorado, on March 26th, 2020, and "Proof of Publication" is filed herewith.

Dated this 23rd day of March, 2020.

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Rebecca Castillo, City Clerk (acting)