

RESOLUTION NO. 04-2020

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE
BOROUGH OF NEW OXFORD, ADAMS COUNTY,
PENNSYLVANIA, RATIFYING DECLARATIONS OF DISASTER
EMERGENCY ISSUED ON MARCH 20, 2020, MARCH 27, 2020
AND APRIL 3, 2020 BY PROCLAMATION OF THE MAYOR OF
THE BOROUGH OF NEW OXFORD, AND EXTENDING THE
MAYOR'S MOST RECENT DECLARATION OF DISASTER
EMERGENCY ISSUED ON APRIL 3, 2020.**

WHEREAS, declarations of public health emergencies issued by federal, state and local governments and agencies prompted by the continued spread and resulting health risks of the coronavirus (hereinafter referred to as "COVID-19") have resulted in heightened responses taken by such federal, state, county and local governments and agencies to contain and mitigate COVID-19 through various measures, including restricting access to public buildings and gathering places, the closing of non-essential and non-life-sustaining businesses and recommending social distancing to avoid infection and quarantine of those infected with COVID-19; and

WHEREAS, COVID-19 has caused and threatens to cause injury, damage and suffering to the residents of the Borough of New Oxford and the persons and property within the jurisdictional limits of the Borough of New Oxford, and it constitutes a threat to the health, safety and welfare of the residents of the Borough of New Oxford; and

WHEREAS, as a result of COVID-19, emergency and management measures and procedures are required to reduce the severity of this disaster and to protect the health, safety and welfare of the residents of the Borough of New Oxford and the persons and property within its jurisdiction; and

WHEREAS, section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa. C.S.A. § 7501) governing general authority of political subdivisions relative to health and safety, authorizes the governing body of a political subdivision, through its mayor or other chief executive officer, to declare a local disaster emergency subject to ratification by the governing body and subject to the continuation and extension of a local disaster emergency in excess of seven (7) days with the consent of the governing body; and

WHEREAS, on March 20, 2020, March 27, 2020 and April 3, 2020, James R. Eisenhart II, Mayor of the Borough of New Oxford (hereinafter referred to as the "Mayor"), issued and proclaimed three (3) Declarations of Disaster Emergency, each for a period of seven (7) days, authorizing the taking of all appropriate measures in order to facilitate the Borough's coordination with other agencies and its necessary and appropriate responses to the ongoing threat of COVID-19; and

WHEREAS, pursuant to subsection 7501(b) of the Emergency Management Services Code (35 Pa. C.S.A. § 7501(b)), a declaration of a local disaster emergency shall not be continued for a period in excess of seven (7) days except by or with the consent of the governing body of the political subdivision; and

WHEREAS, the Borough Council of the Borough of New Oxford, in ratifying and extending the most recent Declaration of Disaster Emergency, as proclaimed by the Mayor, desires to ensure that the Borough of New Oxford has proper authority to coordinate with other agencies and to implement all possible actions in order to contain and mitigate the spread of COVID-19 consistent with the actions and recommendations of federal, state and county governments and agencies and consistent with the duty of the Borough of New Oxford to protect the health, safety and welfare of its residents and the persons and property within its jurisdiction.

WHEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of New Oxford, Adams County, Pennsylvania, does hereby ratify the Declarations of Disaster Emergency issued and proclaimed by New Oxford Borough Mayor James R. Eisenhart II on March 20, 2020, March 27, 2020 and April 3, 2020. The Declarations of Disaster Emergency issued and proclaimed by the Mayor are hereby incorporated herein by reference.

WHEREFORE, BE IT FURTHER RESOLVED, that the Borough Council of the Borough of New Oxford, Adams County, Pennsylvania, does hereby extend, continue and renew the Declaration of Disaster Emergency issued and proclaimed by Mayor Eisenhart on April 3, 2020 continuing until and through May 4, 2020, the date of the next general monthly business meeting of the Borough Council of the Borough of New Oxford.

WHEREFORE, BE IT FURTHER RESOLVED, that the Emergency Management Coordinator of the Borough of New Oxford shall coordinate and will continue to coordinate the activities of the emergency response, to take all appropriate action required and necessary to alleviate the effects of this disaster, to aid in the continuation and restoration of essential public services and to take any other emergency response actions necessary to respond to this COVID-19 disaster emergency.

WHEREFORE, BE IT FURTHER RESOLVED, that the officials of the Borough of New Oxford shall act and will continue to act as required and necessary to meet the current demands of this COVID-19 disaster emergency, to include, but not limited to: the employment of temporary workers, the purchase or rental of necessary equipment, the purchase of necessary supplies and materials, and to enter into such contracts and agreements for the performance of necessary public work as may be required to meet this COVID-19 disaster emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, but subject,

however, to all mandatory requirements of the Constitution of the United States and of the Commonwealth of Pennsylvania.

This action is taken under and pursuant to the provisions of section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa. C.S.A. § 7501) governing general authority of political subdivisions relative to health and safety and emergency management services, which authorizes the governing body of a political subdivision, through its mayor or other chief executive officer, to declare a local disaster emergency subject to ratification, continuation, extension and renewal by the governing body of the political subdivision.

This action is also taken consistent with and pursuant to the provisions of section 10A06 of the Borough Code (8 Pa. C.S.A. § 10A06) relative to the general powers granted to the mayor of a borough in the event of a state of emergency to issue a proclamation declaring such state of emergency subject to the powers of the borough council to ratify and extend, by resolution, the mayor's declaration of a state of emergency.

THIS RESOLUTION DULY ADOPTED according to law on this 6th day of April, 2020, at a duly advertised monthly general business meeting of the Borough Council of the Borough of New Oxford, Adams County, Pennsylvania.

BOROUGH OF NEW OXFORD

By: 
Dorothy M. Robinson
President of Borough Council

Attest:


Tanja K. Kepner, Secretary/Treasurer