RESOLUTION NO. 20-02

A RESOLUTION OF THE CITY OF BATTLE GROUND, WASHINGTON
RATIFYING THE 2020-01 DECLARATION OF CIVIL EMERGENCY IN AND FOR THE CITY OF BATTLE GROUND, WASHINGTON EXECUTED BY THE CITY MANAGER ON MARCH 13, 2020 AND FURTHER DECLARING THE EXISTENCE OF A LOCAL CIVIL EMERGENCY

WHEREAS, Battle Ground Municipal Code (BGMC) 2.74, Emergency Management provides for the administration and procedures for declaring of local emergencies; and

WHEREAS, BGMC 2.74.040 designates the City Manager as the executive head for emergency services of the city; and

WHEREAS, BGMC 2.74.070(2) provides that if the City Council is not in session at the time an emergency arises, the executive head shall be permitted to issue a declaration of emergency, subject to City Council ratification and confirmation, modification, or rejection as soon as practicable; and

WHEREAS, on March 13, 2020, the executive head issued the 2020-01 Declaration of Civil Emergency in and for the City of Battle Ground; and

WHEREAS, the recitals of the 2020-01 Declaration are adopted herein by this reference to support the necessity of the executive head’s issuance of the 2020-01 Declaration and to further support the adoption of this Resolution 20-02 further declaring a civil emergency; and

WHEREAS, the executive head requests that the council ratify the 2020-01 Declaration of Civil Emergency and further declare an emergency due to the public health emergency that has been created by the 2019 Novel Coronavirus (COVID-19) that can result in serious illness or death and poses a high risk of transmission from person-to-person such that conditions of extreme peril to the safety of persons and property have arisen within the City; and

NOW THEREFORE, the City Council of the City of Battle Ground, Washington hereby Declares and Resolves as follows:

Section 1. Declaration of Civil Emergency. The recitals of the 2020-01 Declaration of Civil Emergency and the foregoing recitals are hereby incorporated by this reference. As a result of the foregoing, a civil emergency is hereby declared to exist within the City of Battle Ground requiring the exercise of emergency powers set forth by the Washington State Constitution Article VI, Section 11, Revised Code of Washington Chapter 38.52, and Battle Ground Municipal Code Chapter 2.74 as

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described in this declaration of civil emergency. The response to this emergency may reasonably require the use of all City resources and the need to access state and federal resources and financial mechanisms.

Section 2. Emergency Orders Authorized. Effective upon execution of this Resolution 20-02 the Battle Ground City Manager shall exercise authority through issuance of Executive Orders and through use and direction of City personnel, services and equipment, and any additional acts deemed necessary by the City Manager for the management of this emergency.

Section 3. Cancellation of City Sponsored Events. At this time, all City sponsored events are cancelled. This cancellation includes, but is not limited to, the Craft Night on March 20, 2020 and the Craft Fair on April 4, 2020.

Section 4. Suspension of Non-Essential Public Meetings. At this time, all non-essential public meetings shall be cancelled. This suspension shall include, but is not limited to, the Planning Commission meeting that had been scheduled for March 25, 2020. This does not apply to City Council meetings at this time.

Section 5. Cancellation of City Permitted Public Events. At this time, all City permitted public events with planned or forecasted attendance in excess of the recommended maximum of people permitted to gather as determined by the Washington State Governor are hereby cancelled.

Section 6. Suspension of Non-Essential Training and Travel. No city employee shall engage in non-essential training or travel for City purposes unless authorization is given by the City Manager.

Section 7. Suspension of Ride Along Programs. All City Ride Along programs are hereby suspended.

Section 8. Closure of City Facilities to the Public. The police department lobby shall be closed to the public to minimize exposure of COVID-19 to first responders. The Community Center and Senior Center shall be closed to the public. The finance counter, community development, and public works offices and the city-owned Fire Station shall also be closed to the public. Customer service provided by these public facilities shall remain available.
telephonically. With permission granted by the City Manager, limited in person appointments may be set as specifically authorized by the City Manager. The City Manager shall retain authority to make further closures as deemed necessary to protect the public health, safety, and welfare through executive order authority.

Section 9. Modifications to Water Shutoff Policies. At this time, the City is waiving service fees to better accommodate the ability of customers to make online payments. At this time, the City is also waiving late charges. The City Manager shall be authorized to make modifications to City water shutoff policies via Executive Order to ensure sanitation resources remain available in homes in the City of Battle Ground to protect the public health, safety, and welfare.

Section 10. Janitorial Services. The City Manager is authorized to increase janitorial services and sanitation services at all City facilities as deemed necessary to protect the public health, safety, and welfare.

Section 11. City Council Meetings. All City Council members and City staff members shall be permitted to attend City Council Meetings telephonically. The City Council shall be permitted to suspend public comment at Council Meetings by a majority vote. All City Council meetings shall remain open to the public as required by the Open Public Meetings Act, Chapter 42.30 RCW. This may require a staff member to be assigned by the City Manager to ensure the public can attend the City Council meeting at a location to be set by the City Manager to listen to any meeting where the City Council members are all attending telephonically.

Section 12. Suspension of Code Regulations that Set Curfew on Supply Deliveries to Grocery Stores. To ensure the health, safety, and welfare of the citizens of Battle Ground, any applicable sections of the Battle Ground Municipal Code, including but not limited to BGMС Sections 10.12.025 and 10.14.060, which may preclude a grocery store from receiving a supply during certain hours of the day are hereby suspended. All grocery stores shall be permitted to receive supply deliveries twenty-four (24) hours a day until further notice. BGMС Sections 10.12.025 and 10.14.060 shall not be suspended as applied to any other purpose.

Section 13. Municipal Court. The Battle Ground Municipal Court Judge shall be authorized to issue an Emergency Administrative Order altering the Battle Ground Municipal Court proceedings as is consistent with the March 4, 2020 Washington Supreme Court adopted Order No. 25700-B-502 granting emergency authority to the presiding judges of all Washington courts to “adopt, modify, and suspend court rules and orders, and to take further actions concerning court operations as warranted to address the current public health emergency.” In coordination with Section 8 herein and the Emergency Administrative Order
issued by the Battle Ground Municipal Court Judge, the Battle Ground Municipal Court shall be closed to the public on Mondays through Wednesdays and on Fridays of each week until further notice. The Battle Ground Municipal Court shall be open to the public on Thursdays for the duration of the Battle Ground Municipal Court docket.

Section 14. City Manager and Mayor to Act as Community Liaisons. To ensure the public health, safety, and welfare, the City Manager and Mayor are hereby authorized to work with the City’s Communication Manager/PIO to communicate messaging from community stakeholders, including restaurant and bar owners, on the City’s official communication websites to ensure citizens have the best opportunity to receive all pertinent messaging.

Section 15. Contracting and Borrowing Authority. The City Manager, the City Chief Financial Officer, and those delegated by subsequent Executive Order are hereby authorized to make emergency procurements consistent with the provisions of Battle Ground Municipal Code Section 2.74.100.

Section 16. Circulation. The executive head shall cause any declaration of emergency or Executive Order issued pursuant to the authority of this Resolution or BGMC Chapter 2.74 to be delivered to the director of emergency management, state emergency management, the Governor, the public, and news media within the general area of the City. The executive head or designate shall use available means as shall be necessary in his or her judgment to give notice of such declarations. Such declarations and orders shall be filed with the city clerk as soon as practical.

Section 17. Duration. This Resolution of Civil Emergency shall be terminated upon issuance of another declaration when order has been restored in the affected areas of City of Battle Ground.

Section 18. Effective Date. This Resolution shall be effective immediately.


Attest:
Kay Kammer, City Clerk

City of Battle Ground:
Adrian Cortes, Mayor
Approved as to Form:

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Christine Hayes, City Attorney