

RESOLUTION NO. 2020-44

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TAKE ADMINISTRATIVE ACTION DEEMED NECESSARY IN THE HANDLING OF STATE OF EMERGENCY MANDATES BY THE GOVERNOR OF THE STATE OF OHIO AS IT PERTAINS TO THE CITY'S OPERATIONS.

WHEREAS, the Governor of the State of Ohio declared a state of emergency on March 10, 2020, due to the ongoing threat of the COVID-19 pandemic; and

WHEREAS, the Governor directed state agencies to develop and implement procedures, including suspending or adopting temporary rules within an agency's authority, consistent with recommendations from the Department of Health designed to prevent or alleviate this public health threat; and

WHEREAS, subsequent to the declaration of the state of emergency, the Governor and the Director of the Ohio Department of Health have issued over two dozen orders and directives affecting business and governmental operations and public and private gatherings across the state, including designating certain businesses as essential, closing all nonessential businesses, restricting operations of restaurants and related food preparation services, and otherwise severely limiting and/or modifying social and economic interactions and standards; and

WHEREAS, the ongoing threat of the COVID-19 pandemic requires swift and immediate action to address and implement rapidly evolving changes required by orders, standards, and regulations from the Governor and the Department of Health; and

WHEREAS, consistent with actions taken by state and county officials, the Council seeks to authorize the City Manager to act quickly to institute any and all reasonable measures to protect the public health, safety, and wellbeing of the City's employees, residents, and economic interests while reducing the risk of contracting and/or spreading this dangerous illness; and

WHEREAS, this Resolution will provide guidance during this and future emergencies and other circumstances where Council, boards, and/or commissions may choose not to meet and/or be required to meet with restrictions on the ability to permit public in-person gatherings and attendance; and

WHEREAS, the safe operation of businesses within the City of Huron is necessary for the economic health and wellbeing of the City of Huron, which has a direct impact on the health, safety and wellbeing of the citizens of the City of Huron; and

WHEREAS, current regulations implemented by the State of Ohio, the Ohio Department of Health, and the Restaurant Advisory Group created by the Governor of the State Ohio for the operation of restaurants, bars, and similar businesses requires increased distances between patrons and employees; and

WHEREAS, to allow for the safe operation of restaurants, bars, and similar establishments, certain temporary amendments and adjustments to current planning and zoning regulations are necessary, including the suspension of certain parts thereof; and

WHEREAS, as set forth in Section 2.09 of the Huron City Charter, this Council by a vote of at least two-thirds of its members determines that the Mayor, or in the Mayor's absence the Vice-Mayor, may postpone or cancel council meetings, or limit public attendance in the event of a state of emergency being declared by the State of Ohio, Erie County, or the City of Huron or upon recommendation of community health and safety officials; and

WHEREAS, as set forth in Section 3.04 of the Huron City Charter, this Council by a vote of at least two-thirds of its members determines that this Resolution is an emergency measure and that it shall take effect immediately and that it is necessary for the immediate preservation of the public property, health, safety, and wellbeing, to provide for the usual daily operation of municipal departments, and to ensure the economic health and wellbeing of the City of Huron, and prevent and reduce the spread of COVID-19;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON AND STATE OF OHIO:

Section 1: That Council hereby authorizes the City Manager and Council to execute any and all reasonable plans to contain the spread of COVID-19 by, among other things, deploying personnel in a manner deemed best suited to minimize contact with the general public wherever and whenever possible. Furthermore, the City Manager is authorized to take any emergency actions directed by the Governor or the County Health Department to protect the employees and the public as we all try to deal with the COVID-19 and until such time as it is determined that the threat no longer exists.

Section 2: That Council, boards, and/or commission meetings may be postponed or cancelled and the public prohibited from in-person attendance based on the restrictions to public gatherings by the Governor for the public health and safety to eliminate the potential spread of COVID-19.

Section No. 3: That to provide for transparency in government and public participation while protecting against the spread of COVID-19, Council meetings may be held outside of the physical presence of members of the public with public participation protected through the submission of comments and questions to the Clerk of Council on or before 3:00 p.m. on the last day immediately preceding the meeting of the Council, Committee, or Board to which such comments or questions are addressed, with such comments or questions read aloud by the Clerk of Council at the meeting of the body to which it is addressed.

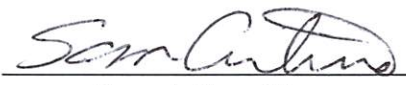
Section No. 4: That upon application by a restaurant, bar, or similar business to expand their operations into or upon any area within the public right of way in order to comply with the mandatory social distancing measures, the City Manager may waive any requirements enumerated in the Codified Ordinances of the City of Huron, Ohio

pertaining to use of public or private spaces including, but not limited to, sidewalks, tree lawns, and parking lots, and the requirements for obtaining or maintaining special permits for the operation of a business outside of the normal operating space of such business, and to grant such business a special temporary conditional use permit for the operation thereof for a period not to exceed 180 days unless extended by application, provided that the applicant otherwise complies with all applicable State statutes and safety regulations.

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: That this Resolution hereby authorizes the City Manager and/or Council to take any and all measures to protect the public and the City's employees from contracting and/or spreading COVID-19, and to protect the economic viability of the businesses operating in the City of Huron, all of which has a direct impact on the public health, safety and welfare of the citizens of the City of Huron. Therefore, this Resolution shall be in full force and effect from and immediately after passage and approval by the Council.


Clerk of Council


Sam Artino, Mayor

Adopted: 17 JUN 2020



