

CUSTER COUNTY DISASTER EMERGENCY DECLARATION

Enacted March 16, 2020

WHEREAS, the Colorado Disaster Emergency Act, Colorado Revised Statutes (C.R.S.) 24-33.5-701, *es seq.*, provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disaster; and,

WHEREAS, pursuant to C.R.S. 24-33.5-703(3), a “disaster” is defined to mean “the occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural cause or human origin, including but not limited to fire, flood, earthquake, wind storm, wave action, hazardous substance, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, or hostile military or paramilitary action, or a condition of riot, insurrection, or invasion”; and,

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

WHEREAS, pursuant to C.R.S. 24-33.5-709(1), the declaration of local disaster “shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision;” and,

WHEREAS, pursuant to C.R.S. 24-33.5-709(1), an order declaring, continuing, or terminating a local disaster “shall be given prompt and general publicity and shall be filed promptly with the clerk and recorder;” and,

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

WHEREAS, by declaring a local disaster, the Custer County Disaster Policies are in effect; and,

WHEREAS, COVID-19 is a novel Coronavirus first identified during an outbreak in Wuhan, China in December 2019, and since then, COVID-19 has spread to several countries, including the United States of America, and more specifically, to several counties in the State of Colorado; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 outbreak as a pandemic; and

WHEREAS, on March 11, 2020, the Governor of the State of Colorado, Jared Polis, declared a State of Emergency by and through a verbal order and subsequent written Executive Order D 2020 003, allowing subsequent State emergency rulemaking regarding specific industries; and

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

WHEREAS, the Governor wrote, in part, that “[i]n the coming days, the State anticipates there will be additional presumptive positive cases” in Executive Order D 2020 003; and

WHEREAS, the presence of COVID-19 in Colorado presents unique challenges and places strain upon local government, emergency and medical facilities and personnel; and

WHEREAS, the presence of COVID-19 in Custer County has created an unprecedented impact on the healthcare system and disruption of social activities; and

WHEREAS, the magnitude of the COVID-19 outbreak and the anticipated response and recovery costs exceed current operational resources available to Custer County Government and all available resources are being utilized to protect the public health and safety; and

WHEREAS, a disaster emergency declaration permits use of County Procurement Policy, permitting emergency purchases of equipment and supplies necessary to protect the public health, particularly the most vulnerable population; and

WHEREAS, a disaster emergency declaration permits the County and its clinical partners to establish sustainable protocols to slow the spread of the disease while minimizing effects on the workplace and the economy as a whole; and

WHEREAS, it is appropriate and in the interest of the public health and safety, and further protects the local economy, for the Chair of the Custer County Board of County Commissioners to implement said recommendation.

NOW, THEREFORE, BE IT RESOLVED, that there is hereby declared a local disaster emergency for Custer County, Colorado, pursuant to C.R.S. 24-33.5-709, as may be amended.

BE IT FURTHER RESOLVED, the effect of this declaration is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans.

BE IT FURTHER RESOLVED, that such activation will provide resources to support delivery of credible, accurate, and reliable information to empower the public to slow the spread of the disease while living their lives with minimal disruption.

BE IT FURTHER RESOLVED, that Custer County encourages people to remain calm and to base their actions on credible sources of information.

BE IT FURTHER RESOLVED, that this declaration shall be given prompt and general publicity and shall be filed promptly with the County Clerk and Recorder, and the Colorado Division of Homeland Security and Emergency Management (CDHSEM).

BE IT FURTHER RESOLVED, that this declaration shall be valid for a period not to exceed seven days except by or with the consent of the Custer County Board of County Commissioners.

IMPLEMENTED THIS 16th day of March 2020, at Westcliffe, Custer County Colorado.

By: _____
Tommy G. Flower, Chair
Board of County Commissioners and
Principle Executive Officer
Custer County

