

Town of Milton

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MAYORAL PROCLAMATION OF CIVIL EMERGENCY AND DECLARATION POSTPONING TOWN COUNCIL ACTIONS AND PUBLIC HEARINGS

WHEREAS, Town Charter Section 29 authorizes the Town Council to provide for and preserve the health, cleanliness, ornament, good order and public welfare of the Town, its inhabitants and affairs; and

WHEREAS, Town Code Chapter 17, Section 17-3 provides authority to the Mayor, or in his absence the Vice-Mayor, to proclaim a civil emergency; and

WHEREAS, on January 31, 2020, the U.S. Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, commonly known as Coronavirus; and

WHEREAS, COVID-19, a respiratory disease that can result in severe illness or death, is caused by the SARS-CoV-2, which is a new strain of Coronavirus that had not been previously identified in humans and can easily spread from person to person; and

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

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, *et seq.* and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and

WHEREAS, effective March 13, 2020, the Governor of the State of Delaware declared that a state of emergency exists within Delaware because of the spread of the COVID-19 virus and has since issued eleven modifications to the Declaration of a State of Emergency; and

WHEREAS, on March 18, 2020, the Town of Milton offices closed to public access, though employees continue to work, including through telework, and remain available to citizens and businesses; and

WHEREAS, in the beginning of April 2020, the Town no longer had the ability to hold an in-person public meeting due to facilities' closures, State of Emergency declarations, and loss of available venues; and

WHEREAS, the world outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission significantly impact the life and health of all people; and

WHEREAS, "any natural disaster or man-made calamity" is a condition which meets the definition of a civil emergency pursuant to Town Code Chapter 17 so that measures can be taken to protect the public health, safety, and welfare, including orders immediately necessary for the protection of life; and

WHEREAS, in consideration of the health, safety, and welfare of the Town's citizens, and in the public interest, all efforts will be taken to protect people by taking measures necessary to prevent the spread and abide by the Governor's methodology to "flatten the curve;"

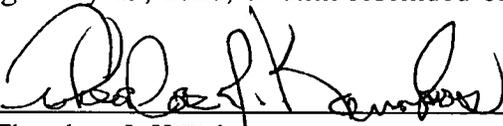
NOW, THEREFORE, I, Theodore J. Kanakos, Mayor of the Town of Milton, Delaware, pursuant to the authority vested in me by the Milton Town Code in Chapter 17, and in the public interest and for the general welfare of the Town of Milton, do hereby proclaim and declare that a state of emergency exists and has existed within the Town of Milton concurrently with the state of emergency declared by the Governor of the State of Delaware, and that all of the orders, conditions, and regulations promulgated in the Governor's declaration and all of its subsequent modifications are, have been, and will be (in the case of modifications made after that date of the Proclamation) effective within the Town of Milton.

IT IS HEREBY ORDERED that regular monthly Town Council meetings and all scheduled public hearings, that cannot reasonably be held electronically, are hereby postponed, and that all dates or time requirements that have or will otherwise lapse for any aspect of business to be carried on by the Town that are specified in the Charter or Code of the Town of Milton are hereby suspended, until such time exists when the Governor of the State of Delaware has lifted or amended the Declaration of a State of Emergency to allowing public gatherings to accommodate transparent meeting conduct and full public participation.

IT IS FURTHER ORDERED that this Proclamation shall be: (1) promptly filed with the Town Clerk; (2) distributed to the news media; (3) posted at Town Hall, and on the Towns bulletin board to bring its contents to the attention of the general public; and (4)

distributed to others as necessary to ensure proper implementation of this Proclamation of Civil Emergency.

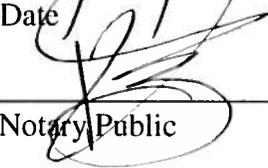
IT IS FINALLY ORDERED that this Proclamation of Civil Emergency is effective immediately and shall remain in effect through May 15, 2020, or until rescinded or superseded by another applicable Proclamation.



Theodore J. Kanakos

4/24/2020

Date


Notary Public

