

AN EMERGENCY ORDINANCE AMENDING CHAPTER 34, CIVIL EMERGENCIES. FULTON CITY CODE. BY ENACTING NEW SECTIONS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, THE NOVEL CORONAVIRUS, DESIGNATED AS COVID-19, IS A GLOBAL PANDEMIC THAT HAS CAUSED THE UNITED STATES OF AMERICA AND THE STATE OF MISSOURI TO DECLARE STATES OF EMERGENCY; AND

WHEREAS, CITY RESIDENTS HAVE TESTED POSITIVE FOR COVID-19, WHICH PRESENTS AN IMMINENT THREAT OF WIDESPREAD ILLNESS WITHIN THE CITY AND REQUIRES EMERGENCY ACTION ON THE NATIONAL, STATE, AND LOCAL LEVEL TO LESSEN THE SPREAD OF THE DISEASE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: That Chapter 34, Civil Emergencies is amended by enacting the following sections:

Sec. 34-2. - Policy.

Because fire, flood, civil disturbances, riots, health crises, or other emergencies occur within the city, the following powers are hereby granted to the Mayor or his designee, which shall be exercised only in the event of an emergency found and declared to exist by the Mayor, and only for the duration of such emergency, which powers shall be invoked only after a declaration of an emergency by the Mayor.

Sec. 34-3. - Declaration of Emergency.

- a. The Mayor shall have the right to declare an emergency to exist when, in the Mayor's opinion, one or more of the following conditions exist:
 1. Imminent danger of destruction of life or property due to extraordinary conditions and/or natural disaster;
 2. Imminent danger of unusual or extreme weather conditions, making use of city streets or areas difficult or impossible;
 3. Imminent danger of civilian uprising or riot;
 4. Stoppage, loss, or serious disruption of city utility functions such that the safety of city residents or continuation of services is jeopardized;
 5. Imminent danger of health crises as declared by the Federal Government, State Government, or Local Health Department;
 6. Declaration of Emergency issued by the Federal and/or State Government affecting the population, infrastructure, operations, or safety of the city.

- b. After declaration of emergency and public notification thereof to the extent practicable, the Mayor shall have the right to exercise any or all of the following powers:
 - 1. The right to use employees of the city to assist in the preservation of life, limb, and property;
 - 2. The power to close streets and sidewalks to the use of the public;
 - 3. The power to close any city-owned buildings and other facilities to the use of the general public;
 - 4. The power to reassign all administrative and executive employees doing non administrative work as non-administrative or non-exempt employees during the declared emergency.
 - 5. The power to postpone license and permit processing and deadlines;
 - 6. The power to waive penalties for city services and functions;
 - 7. The power to postpone or waive utility shut offs;
 - 8. The power to amend work schedules for city staff, following the advice and consent of the Director of Administration;
 - 9. The power to establish immediate or delayed effective dates;
- c. The Mayor shall notify City Council of the planned enactments as soon as is practicable prior to the enactment taking effect in order to ensure the organization remains in clear communication at all times.

Sec. 34-4. - Declaration of Emergency Expiration or Nullification.

- a. The Mayor may include a date in the Declaration of Emergency stating when the anticipated emergency shall end. The Mayor may choose to allow the Declaration to expire on the date, as drafted, or may choose to extend the Declaration to a new date.
- b. The Mayor by Declaration or City Council by Resolution shall order that an Emergency no longer exists and that prior operations, regulations, and enforcements shall take effect immediately or at a later date as specified in the document.

SECTION TWO: That this ordinance shall be in full force and effect after its passage by the Council and approval by the Mayor.

SECTION THREE: That this ordinance is an EMERGENCY ORDINANCE within the meaning of Article III. Section 3.10 (f) of the Fulton City Charter to grant

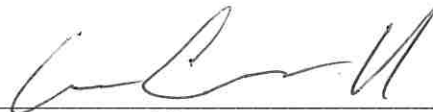
specific powers to the Mayor during the COVID-19 Health Emergency as declared both on a Federal and State level. This ordinance shall be codified in the Fulton City Code so that the city will be prepared in the future if and when an emergency situation should arise again.

READ THREE TIMES AND PASSED THIS 24th DAY OF March, 2020.



Lowe Cannell
President of the Council

APPROVED THIS 24th DAY OF March, 2020.



Lowe Cannell
Mayor

ATTEST:



Courtney L. Crowson, CMC/MRCC
City Clerk