

CITY OF MOAB RESOLUTION NO. 05-2021
A RESOLUTION CONTINUING THE LOCAL EMERGENCY PROCLAMATION DUE TO
THE ECONOMIC IMPACT OF COVID-19 NOVEL CORONAVIRUS ON THE CITY OF
MOAB

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) has been characterized by the World Health Organization as a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-Co V-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, on September 19, 2020 Governor Gary R. Herbert issued Executive Order No. 2020-63 declaring a state of emergency in Utah due to the on-going COVID-19 pandemic and finding that COVID-19 constitutes an epidemic that presents a continuing threat to public health and economic and social stability and thus emergency conditions exist sufficient to constitute a statewide disaster within the intent of the Utah Code Title 53, Chapter 2a, Disaster Response and Recovery Act;

WHEREAS, COVID-19 continues to spread and threaten public health and safety, causing loss of life, human suffering, and economic and social disruption throughout the state;

WHEREAS, as of the date of this Resolution, Grand County remains in a high level of transmission;

WHEREAS, COVID-19 has caused a severe economic impact on businesses in the City of Moab. This severe impact included a period of temporary closure and a current reduction in seating capacity for restaurants and a corresponding reduction in revenue;

WHEREAS, the impacts of COVID-19 on businesses in the City of Moab include the closing of several eating establishments;

WHEREAS, on February 24, 2021 the Utah Department of Health issued Public Health Order No. 2021-7 ordering, among other things, restaurants to require each patron to maintain at least six feet of physical distance from any patron from a separate party, including in an area of ingress or egress;

WHEREAS, Utah Code Annotated (UCA), §53-2a-208, “Emergency Management Act, Local emergency – Declarations” provides that:

(1)(a) A local emergency may be declared by proclamation of the chief executive officer of a municipality or county. . . .;

(2) A declaration of a local emergency: (a) constitutes an official recognition that a disaster situation exists within the affected municipality or county; (b) provides a legal basis for requesting and obtaining mutual aid or disaster assistance from other political subdivisions or from the state or federal government; (c) activates the response and recovery aspects of any and all applicable local disaster emergency plans; and (d) authorizes the furnishing of aid and assistance in relation to the proclamation;

WHEREAS, “State of emergency” means a condition in any part of this state that requires state government emergency assistance to supplement the local efforts of the affected political subdivision to save lives and to protect property, public health, welfare, or safety in the event of a disaster, or to avoid or reduce the threat of a disaster;

WHEREAS, the circumstances described in this proclamation do create a local emergency as provided in UCA §53-2a-208, Emergency Management Act;

WHEREAS, On February 3, 2021, pursuant to UCA §53-2a-208, Emergency Management Act, City Manager Joel Linares declared a local state of emergency for the City of Moab;

WHEREAS, Utah Code Annotated §53-2a-208(1)(b) “Local emergency – Declarations” states as follows: “A local emergency shall not be continued or renewed for a period in excess of 30 days except by or with the consent of the governing body of the municipality or county.”

NOW, THEREFORE, the City of Moab City Council hereby renews the February 3, 2021 declaration of local emergency in the City of Moab due to the above circumstances and to ensure that, among other things, the City of Moab has access to any available resources to mitigate, manage, and respond to COVID-19 under the state Emergency Management Act or any other available law, statute, regulation or resource. This Resolution renewing the local state of emergency will remain in effect for thirty days after the date passed and signed unless otherwise ordered or resolved and may be continued or renewed by this Council.

PASSED AND APPROVED by a majority of the City of Moab City Council. This Resolution shall take effect immediately upon passage.

SIGNED:

Emily S. Niehaus, Mayor

Date

ATTEST:

Sommar Johnson, Recorder