

**TOWN OF BOW MAR, COLORADO
DISASTER DECLARATION
DECLARING A PUBLIC HEALTH EMERGENCY RELATED TO COVID-19**

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus disease 2019 ("COVID-19") beginning on January 27, 2020; and

WHEREAS, on March 10, 2020, Governor Jared Polis declared a State of Disaster Emergency in accordance with C.R.S. § 24-33.5-704, as the number of identified COVID-19 cases in Colorado and in the United States increased and announced numerous emergency measures to protect public health and safety; and

WHEREAS, Governor Polis subsequently issued numerous additional executive orders during the month of March that emphasize the importance of various measures to minimize the spread of COVID-19, including social and physical distancing; and

WHEREAS, on March 19, 2020, Jefferson County Public Health issued a public health order to close all dine-in service at bars and restaurants, as well as all theaters, gyms and county buildings in Jefferson County, Colorado to protect the health of the public and slow the spread of COVID-19; and

WHEREAS, the Town of Bow Mar ("Town") is monitoring the outbreak of COVID-19 and taking steps to help limit the spread of the disease and prepare for impacts to our community; and

WHEREAS, the cost and magnitude of responding to and recovery from the impact of the COVID-19 pandemic may exceed the Town's available resources; and

WHEREAS, in accordance with C.R.S. § 24-33.5-709, a local disaster may only be declared by the principal executive officer of the Town, and shall not be continued or renewed for a period in excess of seven days except by or with the consent of the Town Board of Trustees; and

WHEREAS, pursuant to §2-22 of the Bow Mar Municipal Code, the Mayor of the Town of Bow Mar is the chief executive officer of the Town and is empowered to act to preserve the health, welfare and safety of the Town and its residents, and, pursuant to C.R.S. § 24-33.5-709, is authorized to declare unilaterally a local disaster for a period of up to seven days; and

WHEREAS, pursuant to C.R.S. § 24-33.5-709, such local disaster declaration shall not be continued or renewed for a period in excess of seven days except by or with the consent of the Town Board of Trustees; and

WHEREAS, it is appropriate and in the interests of the public health and safety of the Town and its residents to address rapidly the community spread of COVID-19 and subsequent cascading impacts, such as economic distress, and further to protect the health and safety of the public by declaring an emergency in the Town; and

WHEREAS, pursuant to C.R.S. § 31-15-401(1)(b), the Town Board of Trustees is

authorized to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, it appears likely that the pandemic health emergency will extend beyond seven days, and the Board of Trustees desires to declare and approve a public health emergency as a result; and

WHEREAS, the Town's declaration of a local disaster and emergency will assist and permit access to local emergency funds, federal and state assistance, and facilitate adjustments to policies, procedures, and ordinances to ensure the public's health and welfare.

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE TOWN OF BOW MAR, COLORADO DECLARES AS FOLLOWS:

Section 1. Intent. It is the intent of this declaration to provide the necessary organization, powers, and authority to enable the timely and effective use of all available Town resources to prepare for, respond to, and recover from the declared local public health emergency and disaster.

Section 2. Public Health Emergency and Disaster Declared. The Board of Trustees declares that a public health emergency and disaster relating to COVID-19 exists within the State of Colorado and within the Town. Such circumstance is referred to in this declaration as the "public health emergency." The public shall be notified of this declaration through general dissemination to the news media, posting on the Town website, or other means of publicity intended to advise the general public.

Section 3. Duration of Declaration of Public Health Emergency and Disaster. This declaration of local disaster emergency shall remain in effect until April 17, 2020.

Section 4. Continuity of Government. During this state of public health emergency, the Town shall endeavor to continue to provide and maintain necessary public services to the maximum extent feasible.

Section 5. Purchasing Policy Emergency Provisions. Pursuant to Section 4-32 of the Bow Mar Municipal Code, any individual Trustee, the Mayor, or the Town Clerk may obligate or charge to the Town's account any amount not to exceed five thousand dollars (\$5,000.00) for equipment, supplies, and services necessary or desirable for the conduct of Town business during the emergency, provided that he or she first obtains the consent of at least one (1) other person, who shall be either the Mayor or another Trustee; and provided that any expenditure under this emergency purchasing policy shall be submitted to the Board of Trustees at the next regular or special meeting of the Board.

Section 6. Access to TABOR Funds. During the current public health emergency the Town shall have access to the Town's emergency funds mandated by the Taxpayer's Bill of Rights (TABOR) as set forth in Article X, Section 20, Subsection (5) of the Colorado Constitution entitled "Emergency reserves." Funds utilized pursuant to this declaration shall be replenished no later than the conclusion of the fiscal year following the end of the current public health emergency.

Section 7. Effective Date. This declaration shall take effect upon the date and time noted below.

READ, APPROVED UNANIMOUSLY VIA ROLL CALL VOTE, AND DECLARED THIS 24TH DAY OF MARCH, 2020 at 6:10 p.m.

TOWN OF BOW MAR, COLORADO

By: _____

Tom Feldkamp, Mayor

ATTEST:

APPROVED TO FORM:

By: _____

Sue Blair, Town Clerk

By: _____

Kathie Guckenberger
Town Attorney

Fax to Colorado Division of Homeland Security and Emergency Management when complete:

720-852-6750

Copy to be filed with the Town Clerk, the Arapahoe County Office of Emergency Management, the Jefferson County Office of Emergency Management, and posted to the Town website and location identified for public notice posting.