



## **RESOLUTION OF THE TOWN OF ONANCOCK**

### **AUTHORIZING THE ADOPTION OF PROCEDURES FOR ELECTRONIC PUBLIC MEETINGS AND PUBLIC HEARINGS TO ENSURE THE CONTINUITY OF GOVERNMENT DURING THE COVID-19 PANDEMIC DISASTER**

**WHEREAS**, on March 12, 2020, Governor Ralph S. Northam issued Executive Order Fifty-One declaring a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic; and

**WHEREAS**, Executive Order Fifty-One acknowledged the existence of a public health emergency which constitutes a disaster as defined by Virginia Code § 44-146.16 arising from the public health threat presented by a communicable disease anticipated to spread; and

**WHEREAS**, Executive Order Fifty-One ordered implementation of the Commonwealth of Virginia Emergency Operations Plan, activation of the Virginia Emergency Operations Center to provide assistance to local governments, and authorization for executive branch agencies to waive “any state requirement or regulation” as appropriate; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency, beginning March 1, 2020, in response to the spread of COVID-19; and

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

**WHEREAS**, on March 31, 2020, the governing body of the Town of Onancock Town Council confirmed the declaration of local emergency made by the local director of emergency management on March 19, 2020 by the Accomack County Director of Emergency Services, specifically finding that the

COVID-19 Pandemic constitutes a “disaster” as defined in Virginia Code § 44-146.16, being a “communicable disease of public health threat”; and

**WHEREAS**, Virginia Code § 15.2-1413 & 1102 provides that, notwithstanding any contrary provision of law, a locality may, by ordinance, provide a method to assure continuity of government in the event of a disaster for a period not to exceed six months; and

**WHEREAS**, on March 31, 2020 , the governing body of the Town of Onancock Town Council, pursuant to Virginia Code § 15.2-1413 & 1102, adopted an Emergency Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with Pandemic Disaster (“Emergency Ordinance”); and

**WHEREAS**, through its Emergency Ordinance, the Town Council specifically found that COVID-19 constitutes a real and substantial threat to public health and safety and constitutes a “disaster” as defined by Virginia Code § 44-146.16 being a “communicable disease of public health threat” and

**WHEREAS**, through its Emergency Ordinance, the Town Council further found that the COVID-19 pandemic makes it unsafe to assemble in one location a quorum for public bodies including the Town Council, the Planning Commission and all local commissions, committees and authorities created by the Town Council or to which the Town Council appoints all or a portion of its members (collectively “Public Entities” and individually “Public Entity”), or for such Public Entities to conduct meetings in accordance with normal practices and procedures; and

**WHEREAS**, through its Emergency Ordinance, the Town Council adopted certain procedures to ensure the continuity of government during the COVID-19 Pandemic disaster (“Continuity Procedures”), suspended any deadlines applicable to Public Entities and their staff during the COVID-19 disaster, and authorized Public Entities, at their discretion, to postpone non-emergency public hearings and action items during the disaster; and

**WHEREAS**, the Planning Commission and Board of Zoning Appeals of the Town of Onancock, being a public body and whose members are appointed by the Council, are both Public Entities included within the scope of the Emergency Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Onancock hereby incorporates by reference and adopts the Continuity Procedures prescribed in the Emergency Ordinance, a copy of which is attached hereto; and

**BE IT FURTHER RESOLVED** that the Town of Onancock hereby authorizes and directs its officers and staff to take all steps reasonably necessary or appropriate to implement such Continuity Procedures and to develop any specific procedures as applicable and appropriate for the Town of Onancock, provided that such specific procedures are consistent with the terms and conditions of the Emergency Ordinance; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon adoption and shall remain in effect during the pendency of the Emergency Ordinance including for any applicable period upon the re-adoption of the Emergency Ordinance by Town Council.

**ADOPTED** by the Onancock Town Council.

APPROVED:

Robert Bloxom	AYE
Joy Marino	AYE
Catherine Krause	AYE
Ray Burger	AYE
Maphis Oswald	AYE
Matt Spuck	AYE



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Mayor Fletcher Fosque

ATTEST:



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Lisa Fiege, Clerk