



City of Legislation

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Resolution of the City Council of the City of Hampton, Virginia Confirming the Declaration of a Local Emergency Made Necessary by “September 2018 Hurricane” Also Named “Hurricane Florence”

PURPOSE/BACKGROUND:

The City Manager, in her capacity as Director of Emergency Management, issued a Declaration of Local Emergency on September 10, 2018, as weather conditions and the expected accumulation of rain and high winds predicted to be caused by the hurricane referred to as the “September 2018 Hurricane” also named “Hurricane Florence” constituted a real and substantial threat to the health and safety of persons and property in the City. Confirmation and ratification by Council of this Declaration of Local Emergency are required by law.

Recommendation:

Approval of this resolution is required by law.

WHEREAS, Section 44-146.21 of the Code of Virginia, 1950, as amended, prescribes necessary actions precedent to a declaration of a local emergency;

WHEREAS, Section 44-146.21 prescribes two methods for declaring an emergency: the first is accomplished by the local director of emergency management with the consent of the governing body; the second is accomplished by the director of emergency management without the initial consent of the governing body, but with subsequent confirmation by the governing body at its next regularly scheduled meeting or at a special meeting within forty five days of the declaration, whichever is first to occur;

WHEREAS, it was necessary and the conditions were proper on September 10, 2018, for the City Manager, as Hampton Director of Emergency Management, to declare a local emergency in the City without first obtaining the consent of the Hampton City Council (the Council), and confirmation by the Council is now required by law;

WHEREAS, the Council is satisfied that the weather conditions predicted to be caused by and actually caused by the “September 2018 Hurricane” also named “Hurricane Florence” constituted a real and substantial threat to health and safety of persons and property in the City and necessitated a declaration of local emergency; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hampton, Virginia:

1. That it hereby understands and confirms the Declaration of Local Emergency made on September 10, 2018, by the Hampton Director of Emergency Management, and such declaration shall remain effective until the emergency conditions occasioned by the “September 2018 Hurricane” also named “Hurricane Florence” are declared terminated by this Council;
2. That it understands and confirms that the Declaration of Local Emergency empowered the Director of Emergency Management with special authority and duties, which are

defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia, and the City of Hampton; and

3. That it understands and confirms that when, in the judgment of this Council, all needed emergency actions have been taken, appropriate action to end the declared local emergency will be taken.