



Legislation Details (With Text)

File #: 16-0359 **Version:** 1 **Name:** Hurricane Matthew - Emergency Declaration
Type: Consent Item **Status:** Passed
File created: 10/10/2016 **In control:** City Council Legislative Session
On agenda: 10/12/2016 **Final action:** 10/12/2016
Title: Resolution of the Council of the City of Hampton, Virginia Confirming the Declaration of a Local Emergency Made Necessary by Hurricane Matthew and Declared by the Hampton Director of Emergency Services on October 8, 2016

Sponsors:

Indexes:

Code sections: Code of Virginia 44-146.21 - Declaration of Local Emergency

Attachments: 1. Hurricane Matthew - Emergency Declaration

Date	Ver.	Action By	Action	Result
10/12/2016	1	City Council Legislative Session	approved	Pass

Resolution of the Council of the City of Hampton, Virginia Confirming the Declaration of a Local Emergency Made Necessary by Hurricane Matthew and Declared by the Hampton Director of Emergency Services on October 8, 2016

PURPOSE/BACKGROUND/DISCUSSION/IMPACT:

The City Manager, in her capacity as Director of Emergency Management, issued a Declaration of Local Emergency on October 8, 2016 as weather conditions and flooding predicted to be caused by Hurricane Matthew constituted a real and substantial threat to 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:

Approve the Resolution.

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 fourteen days of the declaration, whichever is first to occur;

WHEREAS, it was necessary and the conditions were proper on October 8, 2016, 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; and

WHEREAS, the Council is satisfied that the weather conditions and flooding predicted to be caused by and actually caused Hurricane Matthew constituted a real and substantial threat to health and safety of persons and property in the City and necessitated a declaration of local emergency.

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 October 8, 2016, by the Hampton Director of Emergency Management, and such declaration shall remain effective until the emergency conditions occasioned by Hurricane Matthew 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.

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held on October 12, 2016.