

**CITY OF COATESVILLE
COUNTY OF CHESTER**

**AN ORDINANCE RATIFYING THE DECLARATION OF STATE OF
EMERGENCY ISSUED ON DECEMBER 11, 2020, RELATED TO THE
CORONAVIRUS COVID-19 PANDEMIC, WITH CERTAIN MODIFICATIONS.**

WHEREAS, the City of Coatesville (“City”) is a Third Class City operating by means of a home rule charter and the Third Class City Code; and

WHEREAS, on or about December 10, 2020, there were approximately 457,289 positive cases of Coronavirus COVID-19 and 12,010 Coronavirus COVID-19 related deaths in the Commonwealth of Pennsylvania,¹ at least 14,794 presumptive positive cases and 430 Coronavirus COVID-19 related deaths in Chester County,² and 564 presumptive positive cases and 4 Coronavirus COVID-19 related deaths in the City of Coatesville, which has caused and threatens to cause illness, injury, and damage to the persons and property of residents of the City of Coatesville; and

WHEREAS, the Governor of Pennsylvania issued a Proclamation of Disaster Emergency due to the Coronavirus COVID-19 pandemic on March 6, 2020, which was renewed for 90 days on June 3, 2020, August 31, 2020, and November 24, 2020, as authorized by the Emergency Management Services Code, 35 Pa.C.S. § 7301(c); and

WHEREAS, the Secretary of the Pennsylvania Department of Health issued an Order on July 15, 2020, directing mitigation measures in response to the Coronavirus COVID-19 pandemic; as authorized by the Disease Prevention and Control Law, 35 P.S. § 521.5; and

WHEREAS, the Secretary of the Pennsylvania Department of Health issued an Order effective on November 18, 2020, updating the July 15, 2020, Order to require universal face coverings in all public spaces, with limited exceptions, in response to the Coronavirus COVID-19 pandemic; and

WHEREAS, on or about December 10, 2020, 4.3% of the residents of the City of Coatesville had been infected with Coronavirus COVID-19 and the disease continues to spread both nationwide and within the City of Coatesville and may endanger the health, safety and welfare

¹ Statewide statistics obtained from the Pennsylvania Department of Health website:
<https://www.health.pa.gov/topics/disease/Coronavirus/Pages/Cases.aspx>.

² Chester County and City of Coatesville statistics obtained from the Chester County Health Department website dashboard:
<https://chesco.maps.arcgis.com/apps/opsdashboard/index.html#/975082d579454c3ca7877db0a44e61ca>

of a substantial number of persons residing within the City and likewise threatens to create substantial public health, medical, and emergency response activities within the City; and

WHEREAS, residents of the City of Coatesville have been observed walking in groups, gathering in groups, and socializing in groups, all of which significantly increase the risk of infection with Coronavirus COVID-19 of persons participating in such activities, as well as their families, neighbors and those with whom they come in contact, at substantial risk to their health, safety and welfare; and

WHEREAS, immediate, proactive emergency management measures in the form of a limitation on public gatherings and the mandatory wearing of face coverings are required to mitigate the severity of this public health emergency for purposes of protecting the health, safety and welfare of the residents of the City of Coatesville; and

WHEREAS, the City Manager had requested that a Declaration of State of Emergency be issued in accordance with Section 19-1 of the City Code to authorize him to exercise the powers set forth in Section 19-2 of the City Code; and

WHEREAS, the President of City Council issued a Declaration of State of Emergency pursuant to Section 19-1 on December 11, 2020; and

WHEREAS, Section 19-1 of the City Code requires the City Council to ratify the December 11, 2020, Declaration of State of Emergency pursuant to Section 2-309, Emergency Ordinances, of the City Charter to permit the declaration to continue for a period of thirty (30) days unless sooner repealed; and

WHEREAS, the City Council is further authorized to declare the existence of a local disaster emergency in the City of Coatesville pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code, 35 Pa C.S. §7101 *et seq.*; and

WHEREAS, the City Council of the City of Coatesville has determined that it should ratify the December 11, 2020, Declaration of State of Emergency issued pursuant to Section 19-1 of the City Code to extend the Declaration of State of Emergency for thirty (30) days from the date of adoption with a modification:

NOW THEREFORE, in accordance with the foregoing authority, which incorporates all rights and powers granted to the City of Coatesville under its Charter, the Third Class City Code, and the Pennsylvania Emergency Management Services Code, the City hereby enacts and ordains as follows:

SECTION 1. The December 11, 2020, Declaration of State of Emergency, a true and correct copy of which is attached hereto and made part hereof, and all of the terms and conditions set forth therein are hereby adopted and ratified by the City Council, except that no fines shall be assessed for violation of the requirements set forth in the Declaration.

SECTION 2. Upon adoption of this Ordinance, the City Manager shall email a true and correct copy thereof to Chester County Office of Emergency Management and the Pennsylvania Emergency Management Agency.

SECTION 3. The effect of this Ordinance ratifying the Declaration of State of Emergency is to activate the response and recovery aspects of any and all state, county and local emergency management plans and to authorize the furnishing of aid and assistance thereunder.

SECTION 4. All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby temporarily suspended insofar as the same affect this Ordinance.

SECTION 5. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof.

SECTION 6. This Ordinance shall be effective immediately upon adoption in accordance with Section 2-309 of the City Charter and shall expire in thirty (30) days unless sooner repealed or reenacted.

ENACTED AND ORDAINED this 14th day of December, 2020.



Linda Lavender-Norris, President, City Council

ATTEST:



James Logan, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 14 day of December, 2020, was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 14 day of December, 2020, and that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.