



City of Madison

Agenda Item No. 18
3/31/20 Council Meeting
Ald. Rebecca Kemble

Master

File Number: 60077

File ID: 60077

File Type: Resolution

Status: Mayoral Business

Version: 2

Reference:

Controlling Body: COMMON COUNCIL

File Created Date : 03/23/2020

File Name: Declaring a State of Emergency for the City of Madison

Final Action:

Title: **ALTERNATE** - Declaring that a state of emergency is hereby in existence for the City of Madison pursuant to Wis. Stats. § 323.11 and Madison General Ordinances Section 3.19.

Notes: Adopt under Suspension of the Rules

Sponsors: Rebecca Kemble, Grant Foster, Tag Evers and Marsha A. Rummel

Effective Date:

Attachments: 60077 v2.pdf, Proclamation of Emergency - 32320, Emergency Proclamation Memo from Mayor 32320, Emergency Orders-Projected Impact Summary.pdf

Enactment Number:

Author: Michael May

Hearing Date:

Entered by: smautz@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1		Laura Larsen	Approve
2		Laura Larsen	Approve

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor's Office	03/23/2020	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS				
Action Text:		This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS					

Notes:

1 COMMON COUNCIL 03/31/2020

Text of Legislative File 60077

Fiscal Note

The fiscal impact of specific ordinance or policy changes authorized by the emergency declaration will be described in fiscal notes of future resolutions and/or ordinance changes presented to the Common Council for approval.

Title

ALTERNATE - Declaring that a state of emergency is hereby in existence for the City of Madison pursuant to Wis. Stats. § 323.11 and Madison General Ordinances Section 3.19.

Body

WHEREAS, on March 23, 2020, the Mayor issued a proclamation declaring a state of emergency for the City of Madison resulting from evidence of increasing transmission of COVID-19;

WHEREAS, the conditions necessitating declaration of a state of emergency continue to exist; and

WHEREAS Madison General Ordinance Section 3.19 provides that upon a Mayoral proclamation of a local state of emergency, the Common Council shall meet to ratify, by resolution or ordinance, the state of emergency and may, on a prospective basis, modify the regulations issued pursuant to the state of emergency;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON:

1. That the state of emergency proclaimed for the City of Madison by the Mayor on March 23, 2020, is hereby ratified.
2. That the Common Council adopts this resolution declaring an emergency exists in the City of Madison due to the emergency described above.

BE IT FURTHER RESOLVED:

3. That a state of emergency is hereby declared for the City of Madison pursuant to Wis. Stats. § 323.11 and Madison General Ordinances Section 3.19.
4. That the state of emergency shall be in effect until **June 2, 2020, unless extended by resolution of the Common Council, or until the emergency conditions no longer exist if such period is shorter than that identified in this paragraph.**
5. This proclamation of emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
6. This proclamation of emergency activates the City of Madison emergency operations plan.
7. That this proclamation shall take effect immediately from and after its issuance.

8. That pursuant to the authority granted by the above provisions, the following regulations **have been in effect since March 23, 2020, and all actions taken pursuant to this authority are ratified, pending Council consideration of Resolutions at its next meeting, but the Mayor may not exercise the authority granted below on or after April 1, 2020:**
- (a) Under this Declaration, the Mayor may, after consultation with the City Attorney, issue orders to suspend the operation of, amend, create, or adopt city policies or ordinances, and suspend enforcement actions, that are not in conflict with existing state or federal laws, in order to mitigate the effects of the coronavirus pandemic on city workers, residents of, and businesses within the City of Madison. This includes the power to extend deadlines, waive penalties, issue permits or licenses, contract or waive contractual terms, or such other actions as are appropriate to protect the health, safety and welfare of the City and its residents.
 - (b) To the extent any such actions by the Mayor affect a legislative enactment of the Common Council, the actions shall be presented in a resolution to the Common Council at the next **regularly scheduled** meeting when the resolution may be considered. By the resolution, the Council will affirm, rescind, or amend any of the orders issued by the Mayor.

The authority granted by this Declaration **expires April 1, 2020, unless later granted or extended by the Common Council, but the Council ratifies all actions taken by the Mayor prior to this time, pending Council action at their next meeting.**