

**RESOLUTION NO. 29-2021**

**RESOLUTION OF THE CITY COUNCIL, CITY OF ABILENE, TEXAS, EXTENDING THE DECLARATION OF LOCAL DISASTER REGARDING THE WINTER WEATHER EVENT ISSUED ON FEBRUARY 19, 2021.**

**WHEREAS**, on February 12, 2021, the Mayor of the City of Abilene, by proclamation, issued a Declaration of Local Disaster regarding the February Winter Weather event and extreme cold conditions and winds in the City of Abilene; and

**WHEREAS**, on February 12, 2021, the Governor of the State of Texas issued his Proclamation declaring a state of disaster in all 254 counties in the State of Texas due to severe winter weather posing an imminent threat of widespread and severe property damage, injury, and loss of life due to prolonged freezing temperatures, heavy snow, and freezing rain statewide; and

**WHEREAS**, on February 19, 2021, the City Council issued its Resolution Extending the Declaration of Local Disaster regarding the Winter Weather event, which was effective until March 11, 2021; and

**WHEREAS**, the City Council has determined that further extending the Declaration of Local Disaster regarding the Winter Weather event is necessary to protect the residents of the City of Abilene; and

**WHEREAS**, the City Council finds that it is in the public interest to authorize additional authority as described herein pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code, and provide rules to protect the health of persons in the City of Abilene, pursuant to the Texas Government Code and Texas Health and Safety Code.

**NOW THEREFORE, IT IS HEREBY RESOLVED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

1. The foregoing recitals are incorporated herein and made findings of fact.
2. That the City Council hereby extends and continues the local state of disaster for the City of Abilene, Texas, pursuant to Section 418.108(b) of the Texas Government Code.
3. Pursuant to Section 418.108(c) of the Government Code, this extension and continuation of the declaration of the local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to Section 418.108(d) of the Government Code, this renewal and continuation of the declaration of a local state of disaster continues activation of the emergency management plan for the City of Abilene. The furnishing of aid and assistance under the declaration is hereby authorized. The appropriate preparedness and response aspects of the plan are continued.

5. The use of all available resources of the City of Abilene that are reasonably necessary to cope with this disaster are hereby authorized.
6. To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement with would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.
7. Pursuant to Section 418.108(g) of the Government Code, the City of Abilene may control ingress to and egress from a disaster area within the incorporated limits of the City of Abilene and control the movement of persons and the occupancy of premises in that area.
8. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Abilene may adopt rules to protect the health of persons in the municipality.
9. That this Declaration and Order is effective is effective until April 8, 2021 unless otherwise terminated or extended.
10. That the terms and provisions of this Resolution, Declaration and Order shall be deemed to be severable and that if any section, subsection, sentence, clause, phrase or word herein shall be declared to be invalid or unconstitutional, the same shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word herein, and the remainder of this Resolution, Declaration and Order shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

ADOPTED this 11<sup>th</sup> day of March, 2021.

ATTEST:

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Shawna Atkinson, City Secretary

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Shane Price, Mayor Pro-tem

APPROVED:

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Stanley Smith, City Attorney