

DECLARATION OF DISASTER EMERGENCY

FOR THE COUNTY OF BERKS, PENNSYLVANIA

WHEREAS, a novel coronavirus (now known as "SARS Co V-2") emerged in Wuhan, China, began infecting humans in December 2019, and has since spread throughout the world, including the United States; and

WHEREAS, SARS Co V-2 is known to have the potential to cause Coronavirus Disease- 2019 (COVID-19) in humans; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has declared COVID-19 a "public health emergency of international concern," and the U.S. Department of Health and Human Services ("HHS") Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, the Governor's Office of the Commonwealth of Pennsylvania issued a Proclamation of Disaster Emergency on March 6, 2020 due to COVID-19 under the authority of 35 Pa.C.S. §§ 7101, et seq. that authorized the suspension of certain procedures and formalities prescribed by law and urged counties to "act as necessary to meet the current exigencies"; and

WHEREAS, emergency management measures are required to reduce the severity of this disaster and to protect the health, safety and welfare of affected residents in Berks County; and

WHEREAS, Section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa.C.S. § 7501) authorizes Berks County to declare a disaster emergency "upon the finding a disaster has occurred or is imminent"; and

WHEREAS, the Commissioners of the County of Berks, did previously declare a local disaster emergency on March 12, 2020 which was subsequently terminated on June 28, 2021 as conditions in the community became more normalized, and such exigent actions were no longer necessary; and

WHEREAS, in the closing days of December, 2021, Berks County began experiencing the impact of a resurgence of COVID-19, creating a strain on the delivery of healthcare, public safety and other essential services; and

WHEREAS, as authorized by Berks County Resolution 113-17 and the tenants set forth in PA Title 35, the Chief Administrative Officer is empowered to declare a disaster emergency in the absence of a majority of the Board of Commissioners, with such action subject to Board ratification within seven days;

NOW, THEREFORE, I, the Berks County Chief Administrative Officer, on behalf of the Berks County Board of Commissioners ("Commissioners"), of whom there is no current majority, and pursuant to the provisions of Section 7501 of the Pennsylvania Emergency Management Services Code (35 Pa.C.S. § 7501), and Berks County Resolution 113-17, do hereby declare the existence of a disaster emergency in Berks County due to COVID-19.

FURTHER, the Chief Administrative Officer and the County Emergency Management Coordinator shall coordinate the County's activities of the emergency response, work with state and federal authorities, and take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency.

FURTHER, I hereby reinstate a Leadership Council to advise the Chief Administrative Officer and County Emergency Management Coordinator in response to COVID-19 that shall consist of the Board of Commissioners, the Chief Administrative Officer, the County Emergency Management Coordinator, Human Resources and the Solicitor's Office, and any and all additional members as deemed necessary and appropriate by the Commissioners. This Leadership Council shall meet as

needed in response to COVID-19 without the need to formally advertise times and places of meetings due to the exigent and evolving circumstances of this disaster.

STILL FURTHER, pursuant to 35 Pa.C.S. § 7501(d), on behalf of the Commissioners, I authorize the temporary suspension of all formal requirements in light of the exigencies of this disaster emergency, including all time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements) pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

This Declaration shall take effect immediately.

Authorized



Chief Administrative Officer

Date: December 30, 2021

Ratified




Commissioner Chairperson

Attest: 



Commissioner



Commissioner

Date: January 6, 2022

RESOLUTION NO. 3-2022

BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Berks County Board of Commissioners hereby authorizes ratifying actions taken by Ronald R. Seaman, Chief Administrative Officer, on behalf of the Berks County Board of Commissioners, issuing a Declaration of Disaster Emergency in Berks County due to COVID-19. Chief Administrative Officer and County Emergency Management Coordinator shall coordinate the County's activities of the emergency response, work with state and federal authorities, and take all appropriate action needed to alleviate the effects of this disaster, to aid in the restoration of essential public services, and to take any other emergency response action deemed necessary to respond to this emergency.

ADOPTED THIS 6TH DAY OF JANUARY, 2022.

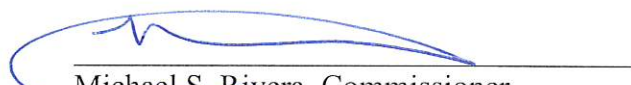
COUNTY OF BERKS


Christian Y. Leinbach, Chair


Kevin S. Barnhardt, Commissioner

Attest:


Carmen Torres, Chief Clerk


Michael S. Rivera, Commissioner