



**CITY OF BOZEMAN, MONTANA
DECLARATION OF EMERGENCY FOR COVID-19 PANDEMIC**

Declared this 16th day of March, 2020

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 12, 2020, the Governor of the State of Montana issued Executive Order No. 2-2020 Declaring a State of Emergency to Exist Within the State of Montana Related to the Communicable Disease Covid-19 Novel Coronavirus; and

WHEREAS, the Health Officer and Board of Health for the Gallatin City-County Health Department are implementing precautionary and protective measures for the citizens of the City of Bozeman; and

WHEREAS, pursuant to Sect. 7-1-101, MCA, the City of Bozeman having exercised self-government powers pursuant to the constitution and laws of the State of Montana may exercise any power not prohibited by the constitution, laws or charter and, pursuant to 7-1-102, MCA, may provide any service or perform any functions not expressly prohibited by the Montana constitution, state law, or the City's charter.

NOW, THEREFORE, as City Manager of the City of Bozeman, Montana, and as chief executive officer of the City, and pursuant to the authority vested in me by the City of Bozeman Charter and the laws of the State of Montana, I hereby declare pursuant to §10-3-402, MCA, that, based on the Presidential Proclamation and Governor's Executive Order along with recommendations from the Health Officer for the Gallatin City-County Health Department, and coordination with other governmental agencies, an emergency exists within the City of Bozeman.

As such, I order the following:

1. All provisions of the City of Bozeman's Emergency Operations Plan shall immediately come into effect and shall include all applicable provisions of the

City's inter-jurisdictional Emergency Management Plan with Gallatin County, until terminated by separate Declaration.

2. The City continues to coordinate planning and response efforts with the Gallatin City / County Health Department, Gallatin County Emergency Management, Bozeman School District 7, Montana State University, and other local and state governments, institutions, and agencies.
3. The City Manager may declare which City functions and services are essential. Essential services means services, facilities, or functions of the City that are critical to ensuring public health, safety and general welfare during the time this Declaration is in effect. These services include law enforcement, emergency response, the City's municipal court, information technology including online services, solid waste collection, building inspection services, cemetery, records management, operation of the City's water treatment and water reclamation facilities, and certain functions related to street maintenance, etc. This includes essential services necessary to support the above such as City's Facilities.
4. Essential services also include those where federal, state, or local law provides for a specific time under which the City must act. These include matters related to the Montana Subdivision and Platting Act and matters subject to Title 7, Chapter 21, Part 10, MCA (Property Development Review).
5. The City Manager has the authority to, upon oral or written order and with appropriate posting, take additional steps as necessary pursuant to Sect. 10-3-406, MCA, close or limit access to public and private facilities and buildings, cancel or limit permitting for public assembly permits and recreation facility and park rentals including alcohol and catering permits related to special events, declare certain public services essential, establish standards for public access to essential services including standards for social distancing, etc., provide for city officials and public involvement in essential public meetings through electronic or telephonic means, and delegate to public employees and officials the authority vested in the City during this emergency.
6. All non-essential public meetings of any board, agency, or committee of the City other than the City Commission are hereby suspended indefinitely. Prior to holding a meeting of a City board, agency, or committee, the staff liaison must, no less than 72 hours prior to the proposed meeting time, obtain approval from the City Manager or an Assistant City Manager that such meeting is: (i) essential to the functioning of the City during the time this Declaration is in place; and (ii) provide a plan for addressing the requirements of the City's Pandemic Continuity of Operations Guide and any subsequent directives of the City Manager related to public meetings. All requirements must be in place prior to conducting an essential meeting. The City Clerk will implement this declaration.

7. The Bozeman City Commission's public meeting agendas will, until further modification of this order, be limited to essential matters only. These matters include payment of claims, approving contracts and bid openings, and matters that, in the opinion of the City Manager, can be placed upon the Commission's consent agenda. Upon ratification of this Order by the City Commission, the City hereby suspends indefinitely the City Commission's consideration of all non-essential legislative and policy matters.
8. Pursuant to 2.02.070, BMC, regular meetings of the City Commission may be canceled by the, Mayor, or a majority of the Commission if no business is scheduled for a required meeting. The Mayor, City Manager, or three commissioners may determine to remove all pending business from a regular Monday meeting agenda.
9. All closures, scale back of operations, and steps to implement this Declaration and communications related to the above must be approved by the City Manager in consultation with a department director, communications coordinator, and fire chief.
10. Matters related to the City's human resources, internal operating procedures (staff meetings, etc.) will be addressed in a separate administrative order.
11. The City Commission may enact emergency ordinances to implement this Declaration.
12. Copies of this Emergency Declaration must be filed with the City Clerk, Gallatin County, the City of Belgrade, the State of Montana Disaster and Emergency Services Division in Helena, Montana, and a copy must be posted to the home page of the City's website (www.bozeman.net).



Dennis M. Taylor, Interim City Manager

ATTEST:



Mike Maas
City Clerk

