

RESOLUTION NO. 11941-09

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, CONFIRMING THE DECLARATION OF A LOCAL EMERGENCY MADE NECESSARY BY THE NOR'EASTER, WHICH WAS DECLARED BY THE NEWPORT NEWS DIRECTOR OF EMERGENCY MANAGEMENT ON NOVEMBER 12, 2009 AT 9:35 A.M..

WHEREAS, Section 44-146.21 of the Code of Virginia, 1950, as amended, prescribes necessary actions precedent to a declaration of a local emergency; and

WHEREAS, the Section 44-146.21 prescribes two methods for declaring an emergency: the first is accomplished by the local director of emergency management with the consent of the governing body; the second is accomplished by the director of emergency management without the initial consent of the governing body, but such declaration must be confirmed by the governing body at a meeting within fourteen days of the emergency declaration; and

WHEREAS, it was necessary and proper for the Newport News, Virginia, Director of Emergency Management to declare a local emergency in Newport News, Virginia without first obtaining the consent of the Council of the City of Newport News, Virginia (the "Council") and confirmation by the Council is now required by law; and

WHEREAS, the Council is satisfied that size, strength and duration of the storm constituted a real and substantial threat to health and safety of persons and property in the City of Newport News, Virginia, and that it necessitated a declaration of local emergency; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia:

1. That it hereby confirms the Declaration of Local Emergency made on November 12, 2009 at 9:35 a.m., by the Director of Emergency Management.
2. That it understands and confirms that the Declaration of Local Emergency empowered the Director of Emergency Management with special authority and duties, said authority and duties being defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia and the City of Newport News.
3. That it understands and confirms that when, in judgment of this Council, all needed emergency actions have been taken, appropriate action to end the declared local emergency will be taken.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON NOVEMBER 24, 2009

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk