

RESOLUTION NO. 11706-08

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, CONFIRMING THE DECLARATION OF A LOCAL EMERGENCY MADE NECESSARY BY TROPICAL STORM HANNA, WHICH WAS DECLARED BY THE NEWPORT NEWS DIRECTOR OF EMERGENCY MANAGEMENT ON SEPTEMBER 5, 2008 AT 12:00 P.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 for Tropical Storm Hanna 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 projected path of Tropical Storm Hanna 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.

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 September 5, 2008 at 12:00 p.m., by the Director of Emergency Management for Tropical Storm Hanna, and such declaration shall be effective until the emergency occasioned by Tropical Storm Hanna is declared terminated by this Council.

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 SEPTEMBER 9, 2008

Mabel V. Washington, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk