

# Disaster Emergency Declaration 2020-02

## Delaware County, Indiana

- WHEREAS, the President of the United States, on March 13, 2020, has declared a nationwide emergency concerning the spread of COVID-19 viral infections, and
- WHEREAS, the Governor of the State of Indiana, on March 16, 2020, has made an emergency declaration in response to the Coronavirus (COVID-19) disease epidemic; and
- WHEREAS, the County Health Officer has determined that certain measures should be put into place to lessen the potential spread of the COVID-19 virus including the closing of some local businesses; and
- WHEREAS, pursuant to I. C. 10-14-3-29(a) the Board of Commissioners of Delaware County, IN hereby makes a local disaster emergency declaration; and
- WHEREAS, Delaware County has enacted Ordinance 1998-009 with regard to the powers, duties and responsibilities during the course of a declared emergency as well as the responsibilities of the members of the general public during an emergency; and
- WHEREAS, Delaware County, Indiana has been impacted by and will be immediately be threatened by a natural disaster with regard to the outbreak and spread of COVID-19 virus.

**NOW THEREFORE WE, THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY, INDIANA**

### **HEREBY DECLARE THAT:**

1. A local disaster emergency exists in the County and that we hereby invoke and declare those portions of the Indiana Code which are applicable to the conditions and have caused the issuance of this proclamation, to be in full force and effect in the entire County, including incorporated areas for the exercise of all necessary emergency authority for protection of the lives and property of the people of this County and the restoration of local government with a minimum of interruption. **This Emergency Order is effective at the end of business March 20, 2020.**
2. In conjunction with the Delaware County Health Officer and the Delaware County Emergency Management Authority Executive Director all businesses, gatherings, services, memorials or functions of any kind except those specifically permitted under this Emergency Declaration shall immediately close and cease activities.
3. Only those services and business which are included in the following list shall be permitted to be open and operate in the County:

A. *Local government operations deemed necessary by their respective branch of government and minimal court services as determined by the Judges of the Delaware County Circuit courts;*  
 B. *Emergency Services such as law enforcement, fire departments, and emergency medical services;*  
 C. *Business who have established contracts with government for infrastructure;*  
 D. *Business who supply local governments with goods and services to maintain critical infrastructure and key resources;*  
 E. *Pharmacies;*  
 F. *Grocery stores;*  
 G. *Daycare centers for child care that are serving any of the businesses and functions that are allowed to remain open;*  
 H. *Funeral Services only limited to no more than 10 people with proper social distancing as required by the Center for Disease Control;*  
 I. *Gas stations;*  
 J. *Home health care;*  
 K. *Restaurants and foodservice operating with a drive through or curbside service;*  
 L. *Other business necessary for continuation of healthcare;*  
 M. *Cleaning, maintenance and janitorial services;*  
 N. *Shipping and delivery services;*  
 O. *Banks provided that they operate only drive through services;*  
 P. *Any business that maintains drive-through service may remain open;*  
 Q. *All Veterinary Services may remain open;*  
 R. *Rail Road;*  
 S. *Telecommunications and Cellular Services may remain open, but with the public in the offices;*  
 T. *Water Delivery services and its contractors;*  
 U. *Media;*  
 V. *Propane, regular and Diesel gas delivery-rural and urban;*  
 W. *Energy Delivery and its contractors;*  
 X. *Only those organizations providing essential human and medical services such as the Muncie Mission, YWCA, Christian Ministries and the like may remain open subject to further order;*  
 Y. *Utility and infrastructure maintenance and repair such as Indiana American Water, Vectren, Indiana Michigan Power, Internet service providers, and others working in a direct supporting role ensuring critical infrastructure is maintained;*  
 Z. *Other specific businesses as requested by DCHD, DCEMA, Delaware County Commissioners, and/or the Mayor of Muncie as being necessary to support critical operations as addressed in a letter of authorization by one of the authorities.*

4. All county offices and buildings or facilities shall be closed except those related to emergency matters and to assist the Commissioners, Health Department, Delaware County Emergency Management Authority in their functions to maintain the continuity of government.
5. This emergency declaration shall be enacted and made effective as to all appropriate laws, statutes, ordinances, and resolutions and particularly to Indiana Code 10-14-3-29 until further order of the Executive of the City and/or the County.

6. All public offices and employees of Delaware County, Indiana and the City of Muncie, IN are hereby directed to exercise the utmost diligence in the discharge of duties required of them for the duration of the emergency and in execution of emergency laws, regulations, and directives—state and local.
7. All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and disaster services forces in executing emergency operations plans, and to obey and comply with the lawful directions of properly identified officers.
8. All operating forces will direct their communications and requests for assistance and operations directly to the Delaware County Emergency Operations Center.
9. Any person, firm or entity found to be operating in violation of this order may be fined up to the sum of \$2,500 for each violation. Each and every day constitutes a separate violation.
10. The Board of Commissioners of Delaware County may implement stricter requirements in the future such as reducing work schedules, work at home rules, closing county facilities and non-emergency operations and other actions necessary to protect the employees and the general public from the spread of COVID-19.

In witness, whereof, we have hereunto set our hand this 20<sup>th</sup> day of March, 2020 at \_\_\_\_\_ o'clock \_\_\_\_ m.

Delaware County Board of Commissioners

  
Shannon Henry, President

  
James King, Vice President

  
Sherry Riggan, Member

Attest: \_\_\_\_\_

\_\_\_\_\_ County Auditor