

**MAYORAL PROCLAMATION
OF CIVIL EMERGENCY
CITY OF SEATTLE**

WHEREAS, Seattle Office of Emergency Management has reported to me that on December 25, 2021 that the City of Seattle will activate its Emergency Operating Center for a significant civil emergency caused by a severe winter weather storm resulting in freezing temperatures, snowfall and ice threatening public safety, property destruction and injury, and hazardous travel conditions; and

WHEREAS, the City of Seattle has been in a civil emergency due to the COVID-19 pandemic, and, because of the emergence of a new variant, is now reporting record high community case counts due to the rise of the Omicron variant, which is also impacting every city department; and

WHEREAS, as described in Section 2 of this proclamation, the situation is sufficiently serious that it is necessary that I declare a civil emergency within the City of Seattle and exercise the Mayor's emergency powers; and

WHEREAS, I have reviewed the situation, consulted with City Department heads, and verified the existence of the emergency cited below, and the necessity for me to take immediate, extraordinary action as outlined in this proclamation; NOW, THEREFORE,

I, JENNY A. DURKAN, AS MAYOR OF THE CITY OF SEATTLE DO PROCLAIM THAT:

SECTION 1: CIVIL EMERGENCY POWERS

A. A civil emergency exists requiring and authorizing me to exercise the emergency powers vested in me as Mayor by RCW Chapter 38.52, the Charter of the City of Seattle, Article V, Section 2, and Seattle Municipal Code Chapter 10.02 as described in this proclamation;

B. Effective upon my signing this proclamation, I will be exercising that authority through the issuance of Executive Orders and through the use and direction of City personnel, services and equipment and additional acts necessary to the management of this emergency; and

C. It is unlawful for anyone to fail to obey an order proclaimed by the Mayor pursuant to the provisions of Chapter 10.02. Failing to comply with an order constitutes a violation as specified in that order. SMC 10.02.110.

SECTION 2: DETERMINATION OF EMERGENCY

Based on my review of the present circumstances, the report of Seattle Office of Emergency Management, and my consultations with City Department heads, I have determined that the circumstances caused by a severe winter storm with freezing temperatures and snowfall, have created circumstances that are hazardous, threaten public safety, create a risk of property damage, and may result in significant risk of injury to our residents. These conditions threaten to

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disrupt local government and schools to such an extent as to require me to exercise the authority assumed in Section 1 and to take the extraordinary measures in Section 3 to prevent death or injury of persons or damage to property and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering. These winter weather circumstances have been magnified due to the ongoing COVID-19 pandemic and the rise of the Omicron variant which is impacting staffing across contractors, providers, and city employees.

SECTION 3: CONTRACTING AND BORROWING AUTHORITY

Pursuant to SMC Section 10.02.030, I hereby assume the authority to enter into contracts and incur obligations necessary to relieve the emergency, protect the health and safety of persons and property, and provide emergency assistance to victims, and to exercise them in light of the exigencies of the situation without regard to time-consuming procedures and formalities prescribed by ordinance, statute, rule or regulation (excepting mandatory constitutional requirements), including, but not limited to the following limitations and requirements:

- The budget law (RCW 35.32A) and the adopted City budget;
- Competitive bidding and the publication of notices pertaining to the performance of public works (RCW 35.22.620 et seq.; RCW Chapters 39.04 through 39.12; SMC Chapter 3.18; and SMC Chapter 20.48, etc.);
- Entering into contracts;
- Incurring of obligations;
- Employment of temporary workers;
- Rental of equipment;
- Purchase of supplies and materials (including Seattle Municipal Code Chapters 10.02 and § 10.02.070 thereof); and
- Appropriation and expenditure of public funds.

I intend to consult with the City Council wherever practical and present all orders and proclamations at the earliest practicable time to the City Council for review and appropriate legislation.

SECTION 4: CIRCULATION

A copy of this Proclamation and any civil emergency order issued hereunder shall be delivered to the Governor of the State of Washington and to the County Executive of King County. To the extent practicable, a copy of this Proclamation and any civil emergency orders issued hereunder shall be made available to all news media within the City and to the general public. In order to give the widest dissemination of this Proclamation to the public, as many other available means as may be practical to use shall be used, including but not limited to posting on public facilities, websites, social media, and public address systems.

SECTION 5: PRESENTATION, RATIFICATION, TERMINATION

This Proclamation shall immediately upon issuance, or as soon as practical, be filed with the City Clerk for presentation to the City Council for ratification and confirmation, modification, or rejection. The Council may, by resolution, modify or reject the proclamation, and, if rejected, it

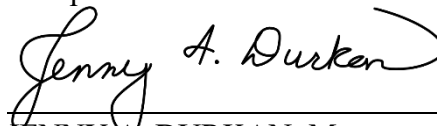
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shall be void. If the Council modifies or rejects this proclamation, said modification or rejection shall be prospective only, and shall not affect any actions taken prior to the modification or rejection. The Council shall endeavor to act on any proclamation of civil emergency within 48 hours of its being presented to the Council by the Mayor.

SECTION 6:

This Proclamation shall be terminated by the issuance of another proclamation when I determine that extraordinary measures are no longer required for the protection of the public peace, safety and welfare, or by the passage of a termination resolution by vote of not less than two-thirds (2/3) of all the members of the City Council. Before termination of this civil emergency, I or the City Council shall consult with the Chief of Police, the Fire Chief, the Director of Public Health – Seattle & King County, and the Director of Emergency Management to determine if there are any fiscal, public safety response or disaster recovery imperatives that require the continuation of emergency measures.

DATED this 24 day of December, 2021, at 12:10 p.m.



JENNY A. DURKAN, Mayor
The City of Seattle