

**TOWN OF LYONS, COLORADO
RESOLUTION 2020-52**

**AN EMERGENCY RESOLUTION OF THE TOWN OF LYONS, COLORADO EXTENDING
AND MODIFYING THE MARCH 16, 2020 PROCLAMATION OF A STATE OF LOCAL
DISASTER EMERGENCY DUE TO THE PUBLIC HEALTH EMERGENCY CREATED BY
CORONAVIRUS DISEASE 2019**

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S., Section 24-33.5-701, et seq., and Lyons Municipal Code ("LMC") Section 2-5-10, et seq., the Mayor of the Town of Lyons ("Town") has the Authority to declare a local disaster emergency through a proclamation; and

WHEREAS, pursuant to LMC 2-5-30(5)(b) and C.R.S. § 24-33.5-709(1), the Lyons Board of Trustees (the "Board") is authorized to extend a proclamation of local disaster by resolution; and

WHEREAS, the Town and its citizens are currently facing a significant public emergency from Coronavirus disease 2019 ("COVID-19"), a highly infectious disease which can cause upper respiratory infections that may be severe, and which are potentially fatal; and

WHEREAS, there is significant public concern regarding the potential effects of COVID-19 and its spread from person to person and there is an extreme likelihood of danger to human life; and

WHEREAS, the spread of COVID-19 can occur rapidly and with little warning and can result in consequences that the Town must be face quickly and efficiently; and

WHEREAS, every effort must be made to preserve the Town's ability to respond to, recover from, and mitigate in the face of this incident; and

WHEREAS, the potential cost and magnitude of responding to and recovering from the impact of COVID-19 is far in excess of the Town's available resources; and

WHEREAS, Colorado Governor Jared Polis, by Executive Order D 2020 03, has declared a statewide disaster emergency due to the presence of COVID-19 in the state. The Executive Order identifies the potential for community spread and, among other things, activates disaster response and recovery aspects of applicable state, local, and interjurisdictional disaster emergency plans; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"); and

WHEREAS, on March 13, 2020, pursuant to C.R.S. § 24-33.5-709 and LMC Section 2-5-30 the Mayor of Lyons proclaimed a local disaster emergency for the municipal limits of the Town of Lyons, Colorado (the "Proclamation"); and

WHEREAS, on March 16, 2020, the Lyons Board passed Resolution 2020-51 which extended and modified the Proclamation; and

WHEREAS, as of March 22, 2020, there are 475 confirmed cases of COVID-19 in Colorado with 6 confirmed deaths; and

WHEREAS, citizens returning home to Lyons after traveling out of the state of Colorado represent an increased risk due to varying levels of response by other states and countries; and

WHEREAS, due the increasing severity of the COVID-19 crisis, additional measures are necessary to protect the public health and welfare of the citizens of Lyons; and

WHEREAS, the Board desires to extend and modify the Proclamation as set forth in this Resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, COLORADO:

Section 1. That there is a local disaster emergency in the Town of Lyons, Colorado, due to the extreme likelihood of danger or destruction of life or property resulting from COVID- 19.

Section 2. That the effect of this Proclamation of Local Disaster Emergency ("Proclamation") shall be to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to seek and authorize the furnishing of aid and assistance under such plans.

Section 3. All municipal facilities are closed to the public including:

- 1) The Town of Lyons Town Hall
- 2) The Town of Lyons Public Works Building
- 3) The Town of Lyons Visitor Center
- 4) All Town-operated public restrooms.

The Town will continue to provide all essential and non-essential services. Non-essential services shall be conducted by telephone, electronically, or by other means of communication. Upon notice to the public, non-essential services may be suspended by the Town.

Section 4. Public parks shall remain open. Groups of ten (10) or more shall not be permitted in public parks and patrons are required to maintain separation of at least six (6) feet. All parking at or adjacent to public parks shall be closed to discourage the congregation of groups, and violations shall be ticketed. Non-residents are highly-discouraged from entering Lyons to use

Town Parks due to a lack of parking.

Section 5. Meetings of the Lyons Board of Trustees (“BOT”), the Lyons Planning and Community Development Commission (“PCDC”), and the Lyons Board of Adjustments (“BOA”) shall be conducted by telephone, electronically, or by other means of communication. The Town Administrator shall take reasonable and practical measures to ensure that:

- 1) Each such meeting is open to the public at all times;
- 2) Each such meeting provides citizens a reasonable opportunity to be heard;
- 3) A reliable and public record is made and kept of each Trustee or Commissioner’s vote cast at any at any such meeting.

In the case of an emergency requiring immediate action of the BOT to protect public health, safety or welfare, the BOT may convene an emergency meeting without any advance public notice or with such limited advance public notice as the Mayor or other presiding officer finds feasible in the circumstances. At such emergency meeting, the BOT may take any action within its authority that is necessary for the immediate protection of public health, safety or welfare; provided however, that any action taken at the emergency meeting shall be effective only until the next meeting that complies with the advance notice requirements of the Colorado Open Meetings Law. At that next meeting, the BOT may ratify any action taken at the emergency meeting, if the action is not ratified it shall be deemed rescinded.

Section 6. All other public meetings of the Town of Lyons are indefinitely postponed, including all meeting of Lyons Boards and Commissions which are not the BOT, PCDC, and the BOA. As necessary, other Lyons Boards and Commission meetings may be scheduled and held pursuant to the remote meeting provisions of Section 5 above.

Section 7. That Town of Lyons residents, businesses and visitors are encouraged to remain informed, follow the U.S. Center for Disease Control guidance for mitigation strategies for communities with local COVID-19 transmission.

In particular, Town of Lyons Business are strongly encouraged to:

- 1) Offer sanitizer to patrons;
- 2) Increasing the frequency of cleaning and disinfection for high-touched surfaces;
- 3) Maintain a distance of at least six (6) feet among patrons / parties;
- 4) Notify the Town if an employee tests positive for COVID-19;
- 5) Comply with all public health orders promulgated by the Colorado Department of Public Health and Environment (“CDPHE”) and Boulder County.

Section 8. Gatherings of more than ten (10) people are strongly discouraged (i.e. religious services, parties, business meetings, sporting and entertainment events). The Town reserves the right to cancel and disperse all public gatherings which present a threat to public health and safety upon notice to the organizer or other effective forms of notification.

Section 9. Pursuant to Sec. 2-5-30(c), a curfew shall be imposed within the jurisdictional limits

of the Town from 9 P.M. to 7 A.M.

Section 10. All short-term rentals (“STRs”) within the Town shall cease operations. Guests shall be permitted to stay through their contracted term but shall not be permitted to renew. An exception to this order shall be permitted for guests who are under an isolation or quarantine order from Boulder County, or upon waiver by the Town Administrator.

Section 11. Utility shutoffs shall be suspended. The Town Administer is authorized to waive fees for late and/or non-payment of utility charges.

Section 12. Citizens who have traveled outside of the state of Colorado are strongly encouraged to self-isolate for 14 days upon return to Lyons.

Section 13. Due to the emerging nature of the COVID-19 pandemic, this Proclamation may be amended as necessary to protect public safety, health, and welfare.

Section 14. This Proclamation shall be effective from the date of passage and shall continue for eight (8) weeks or until rescinded by a Resolution of the Board of Trustees.

ADOPTED this 23rd day of March, 2020.

TOWN OF LYONS
By: 
Connie Sullivan, Mayor

ATTEST:

Dolores Vasquez, CMC - Town Clerk