

**RESOLUTION NO. 10403**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, RESCINDING RESOLUTION 10341**

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**WHEREAS**, a pandemic of the Coronavirus Disease (“COVID-19”) occurred across the United States and over the globe; and

**WHEREAS**, the World Health Organization declared COVID-19 a global pandemic that is controllable via precautionary measures to stop the spread of the disease; and

**WHEREAS**, the Governor of the State of Montana declared a State of Emergency on March 12, 2020; and

**WHEREAS**, the President of the United States declared the COVID-19 disease a pandemic of sufficient severity and magnitude to warrant an emergency declaration, on March 13, 2020; and

**WHEREAS**, MCA §7-34-4101, permits the City Commission to “do all other acts which may be necessary for the promotion of health, and to prevent the spread of infectious or contagious diseases” within the City; and

**WHEREAS**, the Great Falls City Commission adopted Resolution 10341 on March 23, 2020 authorizing the City Manager to waive enforcement of City Ordinances and take other actions as were necessary to effectively address the emergency; and

**WHEREAS**, the City undertook reasonable precautions and the City Commission and the City Manager worked together to timely address issues resulting from the pandemic to slow the spread of COVID-19 and protect vulnerable City citizens, including but not limited to the issuance of Executive and Administrative Orders in response to the emergency; and

**WHEREAS**, on January 13, 2021, the Montana Governor rescinded Montana Executive Orders 20-2020 and 3-2020 and issued Executive Order 2-2021, declaring that a

statewide emergency runs concurrent to the emergency declaration of the President of the United States; and

**WHEREAS**, the Cascade City County Health Department adopted Revised COVID-19 Control Measures on January 20, 2021, based upon the Governor’s Executive Order 2-2021; and

**WHEREAS**, the need for the City Manager’s immediate emergency powers under Resolution 10341 appears to have been reduced by the precautions and actions taken for the continuation of essential and necessary governmental services; and

**WHEREAS**, the need for the actions delineated in Resolution 10341 appears to have diminished, as the City’s actions and the response to the pandemic have decreased the possibility that the emergency may create an inability to convene a quorum of the City Commission, either completely or in a timely manner; and

**WHEREAS**, the City Commission and City Manager will continue to maintain and continue governmental services during the pandemic.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, AS FOLLOWS:**

**Section 1.** The authority of the City Manager to declare an emergency is based on MCA §10-3-402;

**Section 2.** The City Manager’s Emergency Proclamation and Order, dated March 19, 2020, continues to be hereby affirmed.

**Section 3.** The powers which were delineated in Resolution 10341 as those in addition to the authority granted to the City Manager by §7-34-4101, are hereby rescinded and the City Commission and City Manager will continue to act in the public interest as set forth under law.

**PASSED AND ADOPTED**, by the City Commission of the City of Great Falls,  
Montana, this 20<sup>th</sup> day of April, 2021.

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Bob Kelly, Mayor

ATTEST:

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Lisa Kunz, City Clerk  
City Clerk

(SEAL OF THE CITY)

APPROVED TO AS FORM:

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Sara R. Sexe, City Attorney