

**EXECUTIVE ORDER -2020-2**  
**MARCH 13, 2020**  
**PROCLAMATION OF A STATE OF EMERGENCY**  
**FOR THE CITY OF WILMINGTON**

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) has determined that a novel coronavirus (“COVID-19”) presents a serious public health threat, which is likely to impact the State of Delaware; and

**WHEREAS**, the Delaware Department of Health & Social Services’ Division of Public Health (DPH) has determined that it is vital for the State of Delaware to prepare for the possible community transmission of COVID-19 and take steps to avoid the transmission of the virus, which may include avoiding public gatherings; and

**WHEREAS**, the President of the United States has issued Proclamations prohibiting travel to the United States by foreign nationals who recently visited areas acutely impacted by COVID-19; the Department of State has issued Level 3 and Level 4 Travel Advisories for certain affected countries; and domestic and foreign health authorities have issued guidance to citizens within their respective jurisdictions, both recommending and mandating precautionary measures to defend against the spread of COVID-19.

**WHEREAS**, it is in the best interests of the City of Wilmington to protect its citizens from a potential public health emergency that could threaten the lives of those who live and work here; and

**WHEREAS**, the predicated public health threat created by COVID-19 will likely continue to create dangerous and potentially life-threatening public health conditions that may result in additional public safety responses; and

**WHEREAS**, the Governor of the State of Delaware, John C. Carney, imposed a State of Emergency for the State of Delaware on Friday, March 13, 2020 at 8:00 a.m. E.S.T. due to the CDC’s determination that a novel coronavirus (“COVID-19”) presents a serious public health threat and is likely to impact the State of Delaware and DPH’s determination that the State of Delaware prepare for the possible community transmission of COVID-19; and

**WHEREAS**, Wilm. C. § 7-42 declares the Mayor to be the director of civil defense in accordance with and for the purpose of administering the applicable provisions of 20 Del. C. § 3101 *et seq.*; and

**WHEREAS**, Wilm. C. § 7-39 authorizes the Mayor, having now found the existence of an emergency within the City that affects life, health, property or the public peace, to proclaim a state of emergency:

**NOW, THEREFORE, I, MICHAEL S. PURZYCKI, MAYOR OF THE CITY OF WILMINGTON, DO HEREBY ORDER**, pursuant to the declaration of emergency provisions of Chapter 7 of the Wilmington City Code, that a State of Emergency exists in the City of Wilmington in connection with the novel coronavirus (“COVID-19”) and its anticipated effects, along with such other actions authorized by Chapter 7 of the Wilmington City Code, I specifically order, direct and authorize:

1. In accordance with Wilm. C. § 7-62 and Governor Carney’s declared state of emergency, and 29 Del. C. § 10002(h), subject to any modification pursuant to any further emergency order and proclamation of the Governor made hereafter, all public meetings of public bodies of the City of Wilmington will continue to be open to the public, but may be conducted electronically, either by means of telephone conference call or video-conference call. The technology used must permit members of the public to hear the comments of and speak to such members of the public body contemporaneously. Public participants must also be permitted to electronically access presentation materials and submit questions or comments. Notice requirements of public meetings will continue as required by law, including the electronic information necessary for participation.

2. Since Delaware has evidence of the presence of COVID-19 and the CDC event guidance strongly emphasizes that those at highest risk (older adults and individuals with chronic medical conditions) not attend large gatherings, pursuant to Wilm. C. § 7-40(a)(2), (9), (b), event hosts should cancel all “non-essential mass gatherings” in the City of 100 people or more.

3. Pursuant to Wilm. C. § 7-42(1), the Mayor, through the City’s emergency management office, may appropriate and expend funds, make contracts, obtain and distribute equipment, materials and supplies for the purpose of emergency management.

4. Pursuant to Wilm. C. § 7-42(4), the Mayor, through the City’s emergency management office, may appoint, employ, remove or provide, wardens, rescue teams, auxiliary fire and police personnel, and other civilian defense workers.

5. Pursuant to Wilm. C. § 7-42(6) and 7-64(b)(2), the Mayor, through the City’s emergency management office, may assign and make available for duty the employees, property or equipment of the city relating to firefighting, engineering, rescue, health, medical and related services, police, transportation, construction and similar items or services for emergency management purposes within or outside of the city limits.

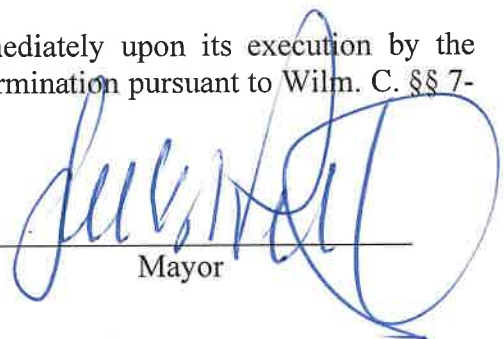
6. Pursuant to Wilm. C. § 7-64(b)(1), the Mayor may suspend the provision of any regulatory statute prescribing the procedures for conduct of city business, or the orders, rules, or regulations of any city agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster as well as transfer the personnel, functions, and/or responsibilities of city agencies or units for the purpose of performing or facilitating emergency or disaster services, and take such action and give such directions to city law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with Chapter 7 of the Wilmington City Code.

7. Pursuant to Wilm. C. § 7-66, City agencies may implement their emergency or disaster assignments without regard to procedures required by other laws except mandatory constitutional requirements pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies, and materials and expenditures of public funds.

8. Pursuant to Wilm. C. § 7-64, the Mayor reserves the right to himself and to his Chief of Staff, the Director of Emergency Management, and to any other person he might hereafter designate, to take or direct the necessary authorities to take, without issuance of further written order, any necessary actions authorized by the City of Wilmington Code and applicable laws to respond to this emergency.

This Executive Order shall become effective immediately upon its execution by the Mayor and shall continue until further proclamation of its termination pursuant to Wilm. C. §§ 7-39, 7-41, and 7-64.

Signed this 13th day of March, 2020.

  
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Mayor

Attest:   
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City Clerk