

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

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KIRK W. CALDWELL
MAYOR

ROY K. AMEMIYA, JR.
MANAGING DIRECTOR

GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

March 4, 2020

PROCLAMATION
COVID-19 [Novel Coronavirus]

By the authority vested in me as the Mayor of the City and County of Honolulu, pursuant to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) (“RCH”); the Revised Ordinances of the City and County of Honolulu 1990, as amended (“ROH”); and the Hawaii Revised Statutes (“Haw. Rev. Stat.”), I, Kirk W. Caldwell, Mayor, hereby proclaim, determine, declare and find the following:

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(1) provides that, in the event of a state of emergency or disaster in the City and County of Honolulu (the “City”), the Mayor may take action to relieve hardship and inequities or obstructions to the public health by suspending any county law, in whole or in part, or by alleviating the provisions of county laws on such terms and conditions as the Mayor may impose, including county licensing laws, and county laws relating to labels, grades, and standards;

WHEREAS, Haw. Rev. Stat. § 127A-13(b)(2) provides that the Mayor may suspend any county law that impedes or tends to impede, or that may be detrimental to, the health, safety and welfare of the public; and

WHEREAS, Haw. Rev. Stat. § 127A-14(b) further provides that the Mayor may declare the existence of a state of emergency in the City by proclamation if the Mayor finds that an emergency or disaster exists or that there is an imminent danger or threat of emergency or disaster; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) has determined and is monitoring an outbreak of respiratory illness caused by a novel coronavirus that was first detected in Wuhan, Hubei Province, China, in December 2019, and has become commonly identified as COVID-19; and

WHEREAS, symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death, and that COVID-19 has rapidly expanded and is reportedly spreading from person-to-person and is highly contagious; and

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

WHEREAS, on January 31, 2020, the United States Secretary of Health and Human Services declared the outbreak of COVID-19 a public health emergency for the United States; and

WHEREAS, COVID-19 has rapidly spread globally and has been found in 68 nations worldwide; and

WHEREAS, as of March 4, 2020, and as reported by the CDC, the United States has 80 cases of COVID-19, which increases from day to day; and

WHEREAS, COVID-19 continues to evolve and spread around the globe and is now spreading in the community, not just from travelers to/from China, South Korea, Japan, Italy, and Iran; and

WHEREAS, the City's Department of Emergency Management has been advised by the State of Hawaii, Department of Health of the potential adverse effects of COVID-19 [Novel Coronavirus] as set forth above (the "**Emergency Condition**"); and

WHEREAS, the City's Department of Emergency Management anticipates that the most likely impacts resulting from COVID-19 Novel Coronavirus will include causing a threat to human health, safety and welfare that may result in the need to quarantine and/or evacuate residents from some areas as deemed appropriate by the State of Hawaii, Department of Health; and

WHEREAS, while there have been no reported cases in the City and County of Honolulu and the State of Hawai'i, seeking to prepare for and to mitigate any adverse cumulative effects of the Emergency Condition that poses a threat to human health and safety and welfare is in the best interest of the City and its residents;

NOW, THEREFORE, I, Kirk W. Caldwell, Mayor of the City and County of Honolulu, pursuant to the authority vested in me as the Mayor of the City and County of Honolulu as set forth above, in order to promote and protect the public health, safety, and welfare of the residents of the City and County of Honolulu, and to prepare for and maintain the flexibility to take proactive, preventative, and mitigation measures to minimize the adverse impact that the Emergency Condition may cause on the City, and to work cooperatively and in conjunction with federal, State, and the Counties of Hawaii, Maui, and Kauai, do hereby proclaim, declare and find that:

1. there is imminent danger or threat of a state of emergency or disaster in all or any portion of the City, as of the date and time of this Proclamation; and
2. the powers vested in me by operation of Haw. Rev. Stat. §§ 127A-12(c) and 13(b) include, but is not limited to, the power to suspend, in whole or in part, Haw. Rev. Stat. ch. 103D and Haw. Rev. Stat. §§ 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4 that impede or tend to impede the expeditious discharge of the functions of emergency management, or that compliance therewith is impracticable due to existing conditions and, therefore, such provisions shall not apply to any such emergency management functions; and Haw. Rev. Stat. chs. 76, 78, and 88, as I deem necessary to carry out emergency management functions under Haw. Rev. Stat. ch. 127A; and
3. any public property of the county, real or personal, may be possessed, used, managed, controlled, or reallocated as I require for the purposes of emergency management

functions under Haw. Rev. Stat. ch. 127A, including parks, playgrounds, and other public buildings; and

4. the provisions of the Revised Ordinances of Honolulu, in whole or in part, shall be suspended including, but not limited to, Sections 1-8.2 and 1-8.3 (intergovernmental agreements and private grants), Section 2-3.2(b) (filing lawsuits), and Section 2-3.4 (settlement authority), to the extent that they impede the expeditious discharge of the functions of emergency management or the compliance therewith is impracticable due to existing conditions.
5. all City and County officers and employees shall be required to take all steps requested by the State of Hawaii Director of Department of Health to qualify the City for reimbursement from the Federal Emergency Management Agency and for other state and federal relief as may be available to reimburse the City for the expenses it incurs in addressing this emergency.

This Proclamation of Emergency or Disaster shall terminate on the first to occur of (1) sixty (60) days after the date of this Proclamation, or (2) issuance of a Declaration of Termination of Emergency issued by the undersigned, whichever occurs first.


Kirk W. Caldwell, Mayor
City and County of Honolulu

Date: March 4, 2020
Time: 4:00pm

APPROVED:


Paul S. Aoki
Acting Corporation Counsel