

**PROCLAMATION NO. 2020-01 (Amended)**

**PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE TOWN OF YOUNTVILLE, STATE OF CALIFORNIA, PROCLAIMING THE EXISTENCE OF LOCAL EMERGENCY TO RESPOND TO THE CORONAVIRUS (COVID-19) AND ADOPTING RULES AND REGULATIONS RELATED THERETO**

WHEREAS, California Government Code Section 8630 and Yountville Municipal Code Section 2.52.060 authorize the Town Manager, acting as Director of Emergency Services, to proclaim the existence of a local emergency when the Town Council is not in session and make and issue rules and regulations reasonably related to the protection of life and property affected thereby; and

WHEREAS, Yountville Municipal Code Section 2.52.10 defines "local emergency" as the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the Town caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, an earthquake, or other conditions other than conditions resulting from labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the Town, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, international, national, state, and local health and governmental authorities have been and are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARSCoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, the World Health Organization ("WHO") has reported that sustained human-to-human transmission of COVID-19 is occurring; and transmission from asymptomatic individuals has been documented and suspected community transmission of the virus is occurring in the United States. Although the majority of individuals infected with COVID-19 recover from the disease without special treatment, there is significant potential for serious infection and death; and

WHEREAS, WHO declared the COVID-19 outbreak a public health emergency of international concern on January 30, 2020, and made an assessment on March 11, 2020 that COVID-19 can be characterized as a pandemic; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") has determined that the virus presents a serious public health threat, requiring coordination among state and local health departments to ensure readiness for potential health threats associated with the virus; and

WHEREAS, the CDC has issued guidelines to local and state health departments, including the Napa County Health & Human Services Agency ("HHSA"), concerning risk assessment and public health management of persons with potential exposure to COVID-19. These guidelines require HHSA to make extraordinary efforts to monitor ongoing communicable disease threats and prepare for management of individuals who may have been exposed to COVID-19; and

WHEREAS, HHSA, the Office of Emergency Services, and other County partners (including the Town of Yountville) have been working diligently to implement the CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency on in response to COVID-19 on March 4, 2020, and issued Executive Order N-25-20 on March 12, 2020; and

WHEREAS, the Napa County Health Officer declared a local health emergency on March 12, 2020 as a result of the imminent and proximate threat to public health from the potential introduction of COVID-19 in Napa County; and

WHEREAS, the President of the United States issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19 Outbreak, on March 13, 2020.

NOW, THEREFORE, BE IT PROCLAIMED by the Town Manager of the Town of Yountville, in the capacity of the Director of Emergency Services of the Town of Yountville, as follows:

1. The Town Manager finds that, beginning on or about March 15, 2020, at 6:00 p.m., there existed conditions of extreme peril to the safety of persons and property within the Town caused by COVID-19.
2. The Town Manager finds that the conditions described herein are likely to be beyond the control of the services, personnel, equipment, and facilities of the Town, requiring the combined forces of other political subdivisions to combat.
3. The Town Manager hereby proclaims that the existence of a "local emergency" as defined by Yountville Municipal Code Section 2.52.20, based on the existence of the conditions related to COVID-19 identified herein.
4. During this local emergency, the Town Manager shall exercise the authority identified by the California Emergency Services Act (Government Code section 8550 et seq.) and Town law (including, but not limited to, "Emergency Organizations" Yountville Municipal Code chapter 2.52, Town resolutions, and the Town's emergency plans)

5. The Town Manager shall work with appropriate local, state, and federal representatives in order to seek disaster relief assistance. The Town Manager shall work with the Mayor in order to determine the appropriate method of requesting assistance from County, state and federal officials.

6. In connection with the local emergency identified in this proclamation, a special meeting of the Town Council will be scheduled on March 23, 2020 to consider the ratification of this proclamation (which may be held telephonically).

7. The Town Manager hereby orders, for the protection of persons and property, the cancellation of public meetings for all Town legislative bodies (i.e., the Town Council, and all Town boards and commissions) through March 31, 2020, including all of the following previously scheduled meetings:

- a) Town Council, including the meeting previously scheduled for March 17, 2020;
- b) Parks and Recreation Advisory Commission (PRAC), including the meeting previously scheduled for March 18, 2020

8. Notwithstanding any provision of Yountville Municipal Code section 3.16.070 to the contrary, in recognition of the significant interruption to the hotel business as a result of this proclamation and other federal and state proclamations and orders, hotels subject to Chapter 3.16 of the Yountville Municipal Code may defer remittance of the tax imposed by Yountville Municipal Code section 3.16.030 (i.e., the 12% Transient Occupancy Tax) as follows: the remittance due on or before March 31, 2020 may be deferred to on or before April 30, 2020 and the remittance due on or before April 30, 2020 may be deferred to on or before May 31, 2020. This rule or regulation shall only apply to remittance of the tax imposed by Yountville Municipal Code section 3.16.030 (i.e., the 12% Transient Occupancy Tax) and only to the remittances thereof otherwise due on or before March 31, 2020 and on or before April 30, 2020. Nothing in this proclamation shall affect any other provision of, or relieve a hotel from any other obligations under, Chapter 3.16 of the Yountville Municipal Code and other applicable law including, but not limited to, the following:

- A. The duty to make a return on or before the last day of the month under Yountville Municipal Code section 3.16.070, subdivision A;
- B. The duty to pay penalties and interest under Yountville Municipal Code section 3.16.080 if the remittances are not made as provided herein;
- C. The duty to remit the tax imposed by Yountville Municipal Code section 3.16.031 (i.e., the 1% Transient Occupancy Tax imposed for programs and services related to affordable and workforce housing); and
- D. The Duty to remit the assessment imposed by the Napa Valley Tourism Improvement District (NVTID).

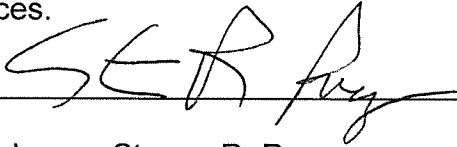
9. This proclamation shall be published and promulgated in as widespread a manner as reasonably feasible in light of the conditions prevailing during the local emergency.

10. This proclamation shall expire if not confirmed and ratified by the Town Council within seven days of the proclamation. If confirmed and ratified, the Town Council will review the need for continuing this proclamation at each Town Council meeting following the effective date hereof, but in no event later than sixty (60) days from the previous declaration or review, until the Town Council terminates this proclamation. Upon termination by the Town Council, this proclamation and the rules and regulations contained herein shall have no further force or effect.

11. The Town Manager hereby finds that the facts set forth in the recitals to this proclamation are true and correct, and establish the factual basis for this proclamation.

12. This Proclamation shall take effect immediately upon its execution.

This proclamation is hereby issued by the Town Manager, Director of Emergency Services.

A handwritten signature in black ink, appearing to read "S.R. Rogers", is written over a horizontal line.

Signed: Steven R. Rogers  
Title: Town Manager  
Director of Emergency Services  
Date: First Issued March 16, 2020 and Amended March 23, 2020

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Title: Town Manager  
Director of Emergency Services  
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