

**DECLARATION OF EMERGENCY  
ENACTMENT OF EMERGENCY POWERS**

**CITY OF MARQUETTE**  
County of Marquette, State of Michigan

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On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of the novel coronavirus (COVID-19) in Michigan. COVID-19 is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 17, the Marquette County Board of Commissioners declared a countywide state of emergency.

Shortly thereafter, Governor Gretchen Whitmer issued Executive Order 2020-21, which directed residents to remain at home or in their place of residence to the maximum extent feasible, in an attempt to suppress the spread of COVID-19, to prevent the state health care system from being overwhelmed, to allow time for the production of critical test kits, ventilators, and personal protective equipment, to establish the public health infrastructure necessary to contain the spread of infection.

Since that time, this general “Stay Home, Stay Safe” order has been extended several times with minor changes. The current order is in effect through May 28.

In the City of Marquette, as throughout the State of Michigan, this order led to the immediate closure of retail establishments, taverns, breweries and dine-in restaurants, in addition to countless other businesses. While the local community has proven resilient and creative in these difficult times, the economic struggles of City residents and business owners is undeniable.

On May 18, Governor Whitmer signed Executive Orders 2020-91 and 2020-92, which allow for the limited re-opening of certain sectors of the state economy, including retail businesses, taverns, breweries and dine-in restaurants throughout the Upper Peninsula. The orders, which go into effect on May 22, require these establishments to undertake several precautionary measures, specifically by providing room for safe social distancing and by limiting their seating capacity to 50% of normal.

While this is overall good news for the local economy, these restrictions mean that additional creative solutions may be needed to assist our local business community into the foreseeable future.

Therefore, as the Mayor of the City of Marquette, in accordance with Chapter 20 of the Marquette City Code, I hereby declare that a Local State of Emergency exists within the City.

Additionally, under the powers enumerated in Section 20-7 of the Marquette City Code, I declare that – due to the combination of current economic conditions, requirements to limit seating, a continuing need for appropriate social distancing and the impending effective date of the Governor’s recent orders – the time and cost of the Special Land Use Permitting process for outdoor food and beverage service

represents an undue injury or damage to City businesses.

Beginning immediately and continuing so long as an active Executive Order of the Governor imposes seating and distancing limitations on these establishments, the Special Land Use Permitting process for Outdoor Food and Beverage Service is suspended.

Please note that during this time, all food and beverage service must still follow the mandates found in the Executive Orders, as well as any requirements from the Marquette County Health Department. Additionally, all streets and public ways must remain open for traffic and ingress and egress for public safety must be maintained.

Signed this 21<sup>st</sup> day of May, 2020.

  
Jennifer A. Smith, Mayor