

The Garland County Quorum Court will meet at 6 p.m., Thursday, June 25, 2020 by the Zoom videoconference service. The special meeting will be to consider authorizing the extension of the existing Garland County COVID-19 emergency declaration to match Gov. Hutchinson's extension of the statewide order. The Zoom information is as follows:

Topic: Special Quorum Court Meeting

Time: Jun 25, 2020 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87835385080?pwd=T3l6Y2M0bHk5UzBHeGtVNjYzQWkwQT09>

Meeting ID: 878 3538 5080

Password: Quorum

Dial in by phone:

(346) 248-7799

Meeting ID: 878 3538 5080

Password: 348752

(301) 715-8592

Meeting ID: 878 3538 5080

Password: 348752

GARLAND COUNTY QUORUM COURT

SPECIAL MEETING AGENDA

June 25, 2020

The June 25, 2020 special meeting of the Garland County Quorum Court will be held via Zoom in the County Courtroom June 25, 2020 at 6:00 p.m., 501 Ouachita Ave, Hot Springs, Arkansas, with County Judge Darryl Mahoney presiding.

Roll Call

Approval of the Agenda for June 25, 2020 Quorum Court Meeting.

Reading of Proposed Resolutions:

R-20-25 A RESOLUTION CONSENTING TO AND AUTHORIZING THE GARLAND COUNTY JUDGE TO EXTEND A LOCAL EMERGENCY DECLARATION BEYOND 120 DAYS.

Adjourn.

RESOLUTION NO. R-20-25

BE IT RESOLVED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS; A RESOLUTION TO BE ENTITLED:

“A RESOLUTION CONSENTING TO AND AUTHORIZING THE GARLAND COUNTY JUDGE TO EXTEND A LOCAL EMERGENCY DECLARATION BEYOND 120 DAYS.”

WHEREAS, Garland County Judge Darryl Mahoney verbally declared a public health emergency on March 13, 2020 and entered a written declaration on March 16, 2020 related to the COVID-19 pandemic; and,

WHEREAS, the State of Arkansas and 78 other jurisdictions therein have also declared emergencies; and,

WHEREAS, on June 18, 2020, Gov. Asa Hutchinson extended the statewide declaration for 45 days, until on or about August 3, 2020; and,

WHEREAS, Garland County Judge Darryl Mahoney has determined the local declaration should generally correspond to the state’s extended date, and,

WHEREAS, Ark Code Ann. 12-75-108(a)(3) requires the authorization and consent of the governing body of the local jurisdiction in order to extend a local declaration beyond 120 days; and,

WHEREAS, unless extended the Garland County declaration will go beyond 120 days prior to the end of the state’s order; and,

NOW, THEREFORE, BE IT RESOLVED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

Pursuant to Ark. Code Ann. 12-75-108(a)(3), the Garland County Quorum Court hereby consents and the Garland County Judge is hereby authorized to extend the emergency declaration beyond 120 days as he deems necessary and appropriate.

ATTEST: _____
Sarah Smith
Garland County Clerk

APPROVED: _____
Darryl Mahoney
Garland County Judge

SPONSOR: _____
Justice of the Peace

DATE: _____

[A.C.A. § 12-75-108](#)

Current through all legislation of the 2020 First Extraordinary Session and the 2020 Fiscal Session (through all legislation enacted and approved in 2020)

AR - Arkansas Code Annotated > Title 12 Law Enforcement, Emergency Management, and Military Affairs > Subtitle 5. Emergency Management > Chapter 75 Arkansas Emergency Services Act of 1973 > Subchapter 1 — General Provisions

12-75-108. Local disaster emergencies — Declaration.

(a)

(1)A local disaster emergency may be declared only by the chief executive or his or her designee of a political subdivision.

(2)If time is critical because of a rapidly occurring disaster emergency event, the chief executive verbally may declare a local disaster emergency for immediate response and recovery purposes until the formalities of a written declaration can be completed in the prescribed manner.

(3)A declaration of a local disaster emergency shall not be continued or renewed for a period in excess of one hundred twenty (120) days except by or with the consent of the governing body of the political subdivision.

(4)Any order or proclamation declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the city or county clerk, as applicable.

(b)

(1)The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local or interjurisdictional disaster emergency plans, to authorize the furnishing of aid and assistance thereunder, and to initiate emergency management functions under this chapter.

(2)

(A)In addition to other powers conferred on the chief executive declaring a local disaster emergency, the chief executive may suspend the provisions of any local regulatory ordinances or regulations for up to thirty (30) days if strict compliance with the ordinance provisions would prevent, hinder, or delay necessary actions to cope with the disaster emergency.

(B)Local regulatory ordinances include, but are not limited to:

(i)Zoning ordinances;

(ii)Subdivision regulations;

(iii)Regulations controlling the development of land;

(iv)Building codes;

(v)Fire prevention codes;

(vi)Sanitation codes;

(vii)Sewer ordinances;

(viii)Historic district ordinances; and

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(ix) Any other regulatory type ordinances.

(c)

(1) An interjurisdictional office of emergency management or official of an interjurisdictional office of emergency management shall not declare a local disaster emergency unless expressly authorized by the interjurisdictional agreement under which the interjurisdictional office of emergency management functions.

(2) However, an interjurisdictional office of emergency management shall provide aid and services in accordance with the interjurisdictional agreement under which it functions.

(d) If a county judge uses county labor and equipment on private property to provide services that are required as a result of the natural disaster, the county judge shall notify the owner of the private property by any possible method as soon as practicable of:

(1) The amount of private property necessary to provide services;

(2) The nature of labor and equipment to be used on the private property;

(3) The estimated amount of time the private property will be used to provide services; and

(4)

(A) The estimated amount of compensation the county will provide to the owner of the private property as a result of damage to the private property caused by the county.

(B) Within sixty (60) days from the removal of county labor and equipment from the private property, the county shall compensate the owner of the private property for reasonable damage to the property.

History

Acts 1973, No. 511, § 13; A.S.A. 1947, § 11-1946; Acts 2001, No. 568, § [1](#); No. 1278, § 2; 2007, No. 197, § [5](#); 2007, No. 465, § [2](#); 2009, No. 165, §§ [29](#), 30; 2013, No. 169, § [1](#); 2013, No. 973, § [1](#).

Annotations

Notes

Amendments.

The 2001 amendment by No. 568 redesignated the former (b) as the present (b)(1); inserted (b)(2); and redesignated the former (c) as the present (c)(1) and (c)(2).

The 2001 amendment by No. 1278 substituted “sixty (60) days” for “seven (7) days” in (a)(2).

The 2009 amendment substituted “A declaration of a local disaster emergency” for “It” in (a)(3); and rewrote (c).

The 2013 amendment by No. 169 added “and to initiate emergency management functions under this subchapter” at the end of (b)(1).

The 2013 amendment by No. 973 added (d).

A.C.A. § 12-75-108

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