

RESOLUTION NO. 11-2022

**ORDER DECLARING A DISASTER
IN AND FOR MONTEZUMA COUNTY, COLORADO**

WHEREAS, the Colorado Disaster Emergency Act, Colorado Revised Statutes (C.R.S.) § 24-33.5-701, *et seq.*, provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters; and,

WHEREAS, pursuant to C.R.S. § 24-33.5-703(3), a "disaster" is defined to mean "the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, or hostile military or paramilitary action, or a condition of riot, insurrection, or invasion"; and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster may be declared, "only by the principal executive officer of a political subdivision;" and,

WHEREAS, pursuant to §§ 30-10-307 and 308, C.R.S., as amended, the chairman of the Board of County Commissioners (BOCC) is the principal executive officer of Montezuma County and, in the absence of the chairman, the vice-chairman is statutorily authorized to act as the principal executive officer; and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local disaster "shall not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the political subdivision;" and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder;" and,

WHEREAS, pursuant to C.R.S. § 24-33.5-709(2), the effect of declaring a local disaster "is to activate the response and recovery aspects of any and all applicable local and interjurisdictional disaster emergency plans and to authorize the furnishing of aid and assistance under such plans"; and,

WHEREAS, by declaring a local disaster, the Montezuma County Disaster Policies are in effect; and,

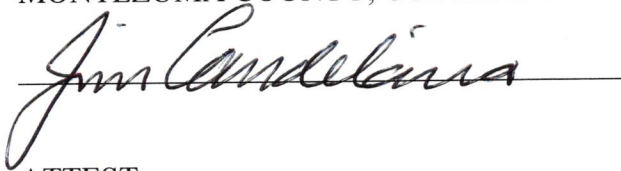
WHEREAS, because of the drought, which occurred or began to occur on June 1, 2021 Montezuma County and/or jurisdictions within its boundaries, is

suffering or has suffered a disaster as defined under C.R.S. § 24-33.5-703(3); and,

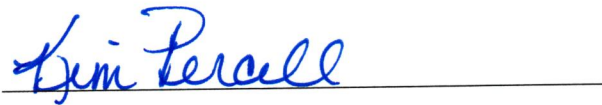
WHEREAS, the cost and magnitude of responding to and recovering from the impact of this disaster exceeds Montezuma County's available resources.

NOW, THEREFORE, IT IS HEREBY ORDERED, by the chair or vice-chair of the Board of County Commissioners, County of Montezuma, State of Colorado, that a disaster emergency is declared in and for the County of Montezuma, Colorado, beginning on October 4, 2022 and ending on February 4, 2023 unless further extended by consent of the BOCC.

CHAIR JAMES CANDELARIA
BOARD OF COUNTY COMMISSIONERS
MONTEZUMA COUNTY, COLORADO



ATTEST:
KIM PERCELL
CLERK AND RECORDER



10/4/2022

Date

