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**CITY OF PORTLAND**  
IN THE CITY COUNCIL

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APRIL D. FOURNIER(A/L)  
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NICHOLAS M.  
MAVODONES,JR(A/L)

**ORDER DECLARING A LIMITED EMERGENCY**

**WHEREAS**, in the Spring of 2021 the COVID-19 Pandemic had seemed to be coming to an end with the advent of vaccines and good vaccination rates, but instead infection rates, and new variants, hospitalizations and deaths from the COVID-19 virus have been increasing in recent months; and

**WHEREAS**, in the two (2) weeks between July 14 and July 28, 2021, the rate of COVID-19 infections confirmed by testing have more than doubled in the United States; and

**WHEREAS**, on July 1, 2021, in the State of Maine, the average daily case total was 22.1;

**WHEREAS**, since that time the rate of COVID-19 infections confirmed by testing in the State of Maine has increased at a significant rate to an average number of 67.1 daily cases as of July 27, 2021, for an increase of 203.6 percent; and

**WHEREAS**, a majority of the new infections in the United States and the State of Maine involve the Delta variant, a highly contagious SARS-CoV-2 virus strain, which was first identified in India in December 2020; and

**WHEREAS**, the Delta variant has increased transmission, the severity of COVID-19 infections based on hospitalization and case fatality rates, decreased susceptibility to therapeutic agents, and evaded natural or vaccine-induced immunity; and

**WHEREAS**, the Delta variant represents 47.6 percent of all sequenced samples collected in July in the State of Maine; and

**WHEREAS**, as a result of the Delta variant and the increase in COVID-19 infections, the United States Centers for Disease Control and Prevention announced on July 27, 2021 that fully vaccinated individuals should wear masks in indoor public settings in parts of the country that are experiencing a substantial or high transmission of COVID-19; and

**WHEREAS**, the Maine Center for Disease Control and Prevention similarly announced on July 28, 2021, that masks are recommended to be worn by fully vaccinated individuals in public indoor settings in York and Piscataquis counties; and

**WHEREAS**, the risk of COVID-19 virus transmission from vaccinated individuals to unvaccinated individuals (for example children under 12) remains unknown; and

**WHEREAS**, as a result of the above-described situation, the City Manager has determined that City Hall

and all other City buildings will remain closed to the public and be accessible by appointment only and that masks shall continue to be worn by members of the public in those buildings; and

**WHEREAS**, City Council Chambers and other available meeting rooms in City Hall have poor ventilation and do not provide sufficient space to distance members of the public, City staff and/or the City Council or other board, commission or committee members; and

**WHEREAS**, the technology infrastructure and processes currently exist to continue to allow remote participation in and public access to City Council and other board, commission or committee meetings in accordance with Maine law; and

**WHEREAS**, the City Council is committed to continuing to provide opportunities for public engagement which are accessible and safe; and

**WHEREAS**, the City Council and all City boards, commissions and committees have or will be adopting a Remote Participation Policy as authorized in 1 M.R.S. section 403-B;

**NOW, THEREFORE, BE IT ORDERED AND DECLARED** by the Portland City Council, pursuant to 2-406 of the City of Portland's Code of Ordinances, that Order 17-20/21 be amended to specify that a limited emergency continues to exist within the City of Portland; and

**BE IT FURTHER ORDERED**, that as a result of the declared limited emergency and the existence of an "emergency or urgent issue" as described above, pursuant to 1 M.R.S. section 403-B and the City Council's recently adopted Remote Participation Policy, being physically present for City Council and Council Committee meetings in City Hall is not practicable at this time, and therefore requires that the City Council and all Council Committees continue to meet and conduct their meetings by remote technology/methods only until the limited emergency is terminated; and

**BE IT FURTHER ORDERED**, that as a result of this declared limited emergency, the existence of an "emergency or urgent issue," the fact that City Hall and all other City buildings remain closed to the public, and in order to be consistent throughout the City, the City Council hereby strongly recommends that all other City boards, commissions, and committees who have adopted a Remote Participation Policy also continue to meet by remote technology/methods only in accordance with the requirements of their adopted policy.