



Legislation Details (With Text)

**File #:** 60762      **Version:** 1      **Name:** Declaring a state of emergency  
**Type:** Resolution      **Status:** Defeated  
**File created:** 6/1/2020      **In control:** Attorney's Office  
**On agenda:** 6/2/2020      **Final action:** 6/2/2020  
**Enactment date:**      **Enactment #:** RES-20-00436

**Title:** Approving the Mayor's declaration that a state of emergency exists for the City of Madison pursuant to Wis. Stats. § 323.11 and Madison General Ordinances Section 3.19.

**Sponsors:** Sheri Carter, Satya V. Rhodes-Conway

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/2/2020	1	COMMON COUNCIL	Adopt	Fail
6/1/2020	1	Attorney's Office	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - MISC. ITEMS	

**Fiscal Note**

The proposed resolution ratifies a state of emergency is in existence for the City of Madison due to civil commotion, disturbances, looting and rioting. The state of emergency shall be in effect until June 3, 2020. The fiscal impacts of the actions causing the need for the state of emergency will not be known until after the emergency ends and the various agencies involved have had time to process the related costs.

**Title**

Approving the Mayor's declaration that a state of emergency exists for the City of Madison pursuant to Wis. Stats. § 323.11 and Madison General Ordinances Section 3.19.

**Body**

WHEREAS, on May 30, 2020, under Wis. Stat. § 323.11, the Mayor issued a proclamation declaring a state of emergency for the City of Madison resulting from civil commotion, disturbances, looting and rioting;

WHEREAS, on May 30, 2020 three Madison Police vehicles were damaged and more than eighty-two businesses within the City were damaged from the looting and rioting; and

WHEREAS, the conditions necessitating a declaration of a state of emergency existed at the time of the Mayor's declaration and continue to exist; and

WHEREAS, Wis. Stat. § 323.14(4)(b) provides that upon a Mayoral proclamation of a state of emergency, the proclamation shall be subject to ratification, alteration, modification, or repeal by the Common Council as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation; and

WHEREAS Madison General Ordinance Section 3.19 provides that upon a Mayoral proclamation of a local state of emergency, the Common Council shall meet to ratify, alter or repeal, by resolution or ordinance, the state of emergency and may, on a prospective basis, modify the regulations issued pursuant to the state of emergency;

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MADISON:

1. That the state of emergency proclaimed for the City of Madison by the Mayor on May 30, 2020, is hereby ratified.
2. That the Common Council adopts this resolution declaring an emergency exists in the City of Madison due to the emergency described above.

BE IT FURTHER RESOLVED:

3. That a state of emergency is hereby declared for the City of Madison pursuant to Wis. Stat. §§ 323.11 and 323.14 and Madison General Ordinances Sec. 3.19.
4. That the state of emergency shall be in effect until June 3, 2020.
5. This proclamation of emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
6. This proclamation of emergency activates the City of Madison emergency operations plan.
7. That this proclamation shall take effect immediately from and after its issuance.
8. That pursuant to the authority granted by the above provisions, the following regulations are now in effect and have the force of law. [Content to be added at Council meeting of June 2 or Section 8 deleted].

The authority granted by this Declaration expires June 3, 2020.