

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 69, SERIES 2024**

A RESOLUTION APPROVING THE GOVERNMENT CONTINUITY PLAN

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, attached hereto as Exhibit A is a Government Continuity Plan; and

WHEREAS, the attached plan provides additional authority to take actions needed during a civil emergency, emergency or local disaster; and

WHEREAS, all agencies, jurisdictions, department heads and personnel are directed to accept the responsibilities as herein assigned and to conduct the organizational planning and training necessary to implement the Government Continuity Plan, when required, and

WHEREAS, the Town Council is familiar with the Government Continuity Plan and finds it to be in the best interests of the Town, its residents, and the general public.

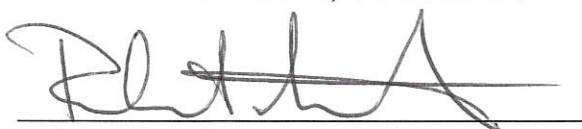
NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

Section 1. Approval

The Government Continuity Plan is hereby approved in substantially the form as attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Public Works Director, Legal Counsel, and other applicable staff or consultants, and shall be effective upon adoption of this Resolution. This Governmental Continuity Plan shall replace any previously approved Town of Timnath Government Continuity Plan.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON OCTOBER 22, 2024.

TOWN OF TIMNATH, COLORADO



Robert Axmacher, Mayor

ATTEST:



Milissa Peters-Garcia, CMC
Town Clerk





Government Continuity Plan
2024 Draft

Town of Timnath
Government Continuity Plan

LETTER OF PROMULGATION

The Town of Timnath and the Town Council hereby affirm their support of emergency management planning and processes. The following Government Continuity Plan has been reviewed and approved by the Town Council and is hereby ordered published and distributed.

All agencies, jurisdictions, department heads and personnel are directed to accept the responsibilities as herein assigned and to conduct the organizational planning and training necessary to implement the Government Continuity Plan when required.

DocuSigned by:

Aaron Adams

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Aaron Adams
Timnath Town Manager

10/24/2024

Date

Importance of Government Continuity and Purpose of This Plan

During an emergency or natural disaster, citizens of the Town look to their leadership for assistance, guidance, and ongoing government function. In order to support the necessary emergency management activities during these times, it is important that the Town government can function as smoothly as possible. The purpose of this Plan is to outline how the Town will continue to conduct business as normally as possible during such a time.

Section A. Definitions

As used in this Plan, the following words have the following meanings, unless the context otherwise requires:

- Civil Emergency: A condition of unrest including, but not limited to riot, civil disturbance, unlawful assembly, hostile military or paramilitary action, war, terrorism, or sabotage.
- Declaration: The written document executed by the Mayor or Town Manager declaring a disaster, emergency, or civil emergency.
- Emergency: Any occurrence or threat of natural or manmade disaster of a major proportion in which the safety and welfare of the inhabitants of the Town or their property are jeopardized or placed at extreme peril that timely action may avert or minimize.
- Local Disaster: The occurrence of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause including but not limited to flood, fire, cyclone, tornado, earthquake, severe high or low temperatures, blizzard, landslide, mudslide, hurricane, building or structural collapse, high water table, water pollution, air pollution, epidemic, riot, drought, utility emergency, sudden and

severe energy shortages, volcano, snow, ice, windstorm waves, hazardous substance spills, chemical or petroleum spills, biological material release or spills, radiological release or spills, structural failure, public health emergency or accidents.

Terms not defined in the Plan are to be given their common meaning.

Section B: Continuity of Government Provisions

1. Succession of Authority:

In the event of a civil emergency, emergency, or local disaster, the succession of authority shall be as provided in the Town Government Continuity Plan.

2. Powers:

Upon the issuance of civil emergency, emergency, or local disaster declaration, the Mayor or in his/her absence, the Town Manager, has the full power and authority to take the following actions and issue the following orders:

- a. Any action necessary for the protection of life and property, including but not limited to, establishing regulations governing conduct related to the cause of an emergency or disaster.
- b. An order establishing a curfew during such hours of the days or nights and affecting such categories of persons as may be designated.
- c. An order to direct and compel the evacuation of all or part of the population from any stricken or threatened areas within the Town if the Town Manager deems this action is necessary for the preservation of life, property or other civil emergency, emergency, or local disaster mitigation, response or recovery activities and to prescribe routes, modes of transportation and destination in connection with an evacuation.
- d. An order controlling, restricting, allocating or regulating the use, sale, production or distribution of food, water, clothing, and other commodities, materials, goods, services and resources.
- e. An order requiring the closing of businesses deemed nonessential by the Town Manager.

- f. An order suspending or limiting the sale, distribution, dispensing or transportation of alcoholic beverages, firearms, explosives and/or combustible products and requiring the closing of those businesses or parts of businesses insofar as the sale, distribution, dispensing, or transportation of these items are concerned.
- g. An order prohibiting the sale or distribution within the Town of any products that the Town Manager determines could be employed in a manner that would constitute a danger to public health or safety.
- h. Appropriate and expend funds, execute contracts, authorize the obtaining and acquisition of property, equipment, services, supplies and materials without the strict compliance with procurement regulations or procedures.
- i. Transfer the direction, personnel, or functions of Town departments and agencies for the purposes of performing or facilitating civil emergency, emergency, or local disaster services.
- j. Utilize all available resources of the Town as may be reasonably necessary to cope with the civil emergency, emergency, or local disaster whether in preparation for, response to, or recovery from a civil emergency, emergency, or local disaster.
- k. Suspend or modify the provisions of any ordinance if strict compliance with such ordinance would in any way prevent, hinder or delay necessary action in coping with any civil emergency, emergency or local disaster.
- l. Accept services, gifts, grants and loans, equipment, supplies and materials whether from private, nonprofit or governmental sources.
- m. Make applications for local, state or federal assistance.
- n. Terminate or suspend any process, operation, machine, device or event that is or may negatively impact the health, safety and welfare of persons or property within the Town.
- o. Delegate authority to such Town officials as the Town Manager determines reasonably necessary or expedient.
- p. Require the continuation, termination, disconnection or suspension of natural gas, electric power, water, sewer or other public utilities.
- q. Close or cancel the use of any municipality owned or operated building or other public facility.
- r. Exercise such powers and functions in light of the exigencies of civil emergency, emergency, or local disaster including the waiving of

- compliance with any time-consuming procedures and formalities, including notices, as may be prescribed by law pertaining thereto.
- s. Issue any and all other order or undertake such other functions and activities as the Town Manager reasonably believes is required under the circumstances to protect the health, safety or, welfare of persons or property within the Town of Timnath, or to otherwise preserve the public peace or abate, clean up, or mitigate the effects of any civil emergency, emergency or local disaster.

The declaration of emergency shall list the restrictions applicable to that circumstance by reference to the individual subsections of this section. The restrictions may be changed from time to time during the time frame of the declaration based on the discretion of the Mayor or Town Council.

Section C: General Operations

1. Establishment of Emergency Operations Center (EOC):

The **Town Police Department Building** shall serve as the Emergency Operations Center. The building has a generator to support functions and communications. All staff are expected to report to the EOC when notified by the Town Manager of its activation unless specifically excused. **The Town Manager may activate a virtual EOC in lieu of the Police Department Building EOC activation.**

2. Location of Town Council Meetings and Departments if use of the Town Administration Building is imprudent:

- a. Whenever a civil emergency, emergency, or local disaster makes it imprudent or impossible to conduct the affairs of the Town at its regular locations, the Town Council may meet at any place, inside or outside of Town limits, **or may meet virtually**, via telephone or other communication device. Any temporary civil emergency, emergency, or local disaster meeting location for the Town Council shall continue until a new location is established or until the civil emergency, emergency, or local disaster is terminated and the Town Council is able to return to its normal location.

- b. Any emergency meeting of the Town Council shall be conducted in accordance with the applicable provisions of the Town Charter.
- c. Whenever a civil emergency, emergency, or local disaster makes it imprudent or impossible to conduct the affairs of any department of the Town as its regular location, such department may conduct its business **virtually** or at any place, inside or outside the Town limits, and may remain at the virtual or temporary location until the civil emergency, emergency or local disaster is declared ended or until the department disaster is declared ended or until the department is able to return to its normal location.
- d. Whenever a civil emergency, emergency, or local disaster makes it imprudent or impossible for Town Council or any Town board, commission, or committee to meet at a previously scheduled date and time, such meeting shall be deemed to be postponed until a quorum of the Town Council or Town board, commission, or committee is able to meet, not to exceed one (1) week.
- e. Any official act or meeting required to be performed at any regular location of the Town Council, board, commission or committee or any Town department is valid when performed **virtually** or at any temporary location under this section.
- f. The provisions of this section shall apply to all executive, legislative, and judicial branches, powers and functions conferred upon the Town and its officers, employees, and authorized agents by the Colorado Constitution, Colorado Statutes, the Town Municipal Code, including the Town Charter.

3. Mutual Aid Agreements:

- a. During a civil emergency, emergency or local disaster, the Town Manager may, on behalf of the Town, enter into such reciprocal aid, mutual aid, joint powers agreements, intergovernmental assistance agreements, or other compacts or plans with other governmental entities for the protection of life and property. Such agreements may include the furnishing or exchange of supplies, equipment, facilities, personnel and/or services.
- b. The Town Council may exercise such powers and functions in light of the exigencies of an emergency or disaster and may waive compliance

with time-consuming procedures and formalities prescribed by law pertaining thereto.

- c. The foregoing shall apply to all executive, legislative and judicial powers and functions conferred upon the Town and its officers, employees and authorized agents.

4. Finance:

- a. Access to TABOR Funds:

In the event of a declared civil emergency, emergency, or local disaster, the Town Manager shall have access to the Town's emergency funds mandated by the Taxpayer's Bill of Rights (TABOR) as set forth in Article X, Section 20, Subsection (5) of the Colorado Constitution, entitled "emergency reserves". Funds utilized pursuant to this chapter shall be replenished no later than the conclusion of the fiscal year following the end of the emergency.

- b. Report by the Town Manager/Discretionary Ratification by Town Council:

At such time as a civil emergency, emergency, or local disaster is declared to have ended, the Town Manager shall prepare a written report that details the official actions taken by the Town Manager during the declaration, including a timeline, significant actions, and a detailed summary of all expenses incurred during such declaration. Such written report shall be submitted to the Town Council within thirty (30) days. The Town Council may, but is not required to, approve a resolution ratifying the actions taken by the Town Manager during the declaration. In the event that a resolution is not approved, the Town Manager report shall be retained by the Town Clerk and made a part of the official record of the Town Council Meeting at which the report was discussed by the Town Council in conjunction with the Town Manager.

5. Information Technology (IT):

The Town of Timnath has a generator that, assuming the internet is operational, will allow continued operation through a cloud and any technology contractor. Currently, Corkat has the Town's system backed up in Loveland, Colorado and at a second location in Ohio to assure the necessary redundancy needed if the Loveland location is inaccessible.

The Town will use the following communication technology as determined by the Town Manager:

- a) Software such as Microsoft Teams
- b) Cell phone communication and standard phone lines
- c) 2-way radios

Section D: Enforcement of Orders

1. **The members of the Police Department, Code Enforcement, and such other law enforcement and peace officers as may be authorized by the Town Manager are authorized and directed to enforce the orders, rules, and regulations made or issued pursuant to this Section. All members of the public shall be deemed to have been given notice of the restrictions contained within a declaration upon its dissemination to the news media or publication on the Town website or other means of publicity.**

During the period of a declared civil emergency, emergency, or local disaster, a person shall not:

- a. Enter or remain upon the premises of any establishment that does not open for business to the general public, unless such person is the owner or authorized agent of the establishment.
- b. Violate the provisions of a declaration.
- c. Violate any of the orders duly issued by the Town Manager or designee pursuant to such a declaration.
- d. Willfully obstruct, hinder, or delay any duly authorized Town officer, employee or volunteer in the enforcement or exercise of the provisions of the Section, or of the undertaking of any activity pursuant to this Section.

The Municipal Court shall have the jurisdiction to preside over alleged violations of a declared civil emergency and shall be subject to the penalties set forth in Section 1-4-20 of the Timnath Municipal Code.

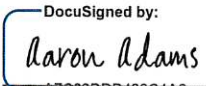
2. Conflict of Other Laws:

If any provision of this Plan conflicts with the Town Charter, the Town Charter shall control. If any provision of this Plan conflicts with any provision of the Town of Timnath Municipal Code, or any provision of a Resolution of Town Council or Town Council adopted Rules of Order, this Plan shall control.


The Government Continuity Plan, annexes and appendices, and subsequent revisions supersede all previous editions and is effective upon signing by the Town of Timnath, Town Council for planning, training and exercising, and preparedness and response operations. The Town Manager shall update the Plan as required and shall conduct drills and exercises in order to identify deficiencies and maintain an adequate level of readiness.

Government Continuity Plan Approval Signatures

The Government Continuity Plan has hereby been reviewed and approved by the Town of Timnath, Town Council this 22 day of October, 2024.

By: 
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Aaron Adams, Town Manager

By: 
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Terry Jones, Police Chief