



Emergency Declaration

2nd Avenue Commons Shelter Fire

Date: June 7th, 2024

Issued by the Mayor of the City of Pittsburgh in accordance with applicable law, including City of Pittsburgh Code §113.03 and the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501 *et seq*, as it pertains to the existing disaster emergency caused by the fire at the 2nd Avenue Commons shelter.

WHEREAS, on June 4th, 2024, a structure within the City of Pittsburgh, located along 2nd Avenue near Municipal Courts Drive, known as 2nd Avenue Commons, experienced significant damage as a result of a fire; and

WHEREAS, the fire has rendered the structure unsafe for human occupancy, causing it to be condemned by the City of Pittsburgh Department of Permits, Licenses, & Inspections, displacing one hundred and eighty-eight (188) occupants; and

WHEREAS, damage to the facility is extensive, and efforts to repair it are anticipated to take several months to complete; and

WHEREAS, without intervention, this population who lived here is likely to end up sheltering outside, which could have serious consequences due to the heat and humidity that will be present in the region for the next few months; and

WHEREAS, the City of Pittsburgh Emergency Management Agency (EMA) and the American Red Cross are coordinating urgent action to identify temporary shelter facilities to provide safe, adequate shelter to the one hundred and eighty-eight (188) displaced individuals; and

WHEREAS, it is further necessary to take every responsible measure to expedite the repair of 2nd Avenue Commons; and

WHEREAS, the Mayor of the City of Pittsburgh is authorized, in accordance with applicable law, to declare a local disaster emergency subject to ratification by the Council of the City of Pittsburgh when conditions are found to:

Affect seriously the safety, health, or welfare of a substantial number of citizens of this Commonwealth or preclude the operation or use of essential public facilities;

...

Have been caused by forces beyond the control of man, by reason of civil disorder, riot, or disturbance, or by factors not foreseen and not known to exist when appropriation bills were enacted; and

WHEREAS, the Mayor of the City of Pittsburgh has identified the fire at, and subsequent condemnation of, 2nd Avenue Commons as constituting a disaster emergency; and

WHEREAS, the Mayor hereby will direct the City of Pittsburgh Chief of Emergency Management and the Directors of City Planning and Permits, Licenses, & Inspections to coordinate the necessary activities for this emergency response, to take all appropriate action required to address the need for temporary shelter facilities and the swift repair and reopening of 2nd Avenue Commons, and to take any other lawful emergency response or action deemed necessary to protect public health, safety, and welfare in the City of Pittsburgh:

THEREFORE, the Mayor of the City of Pittsburgh makes the following Declaration:

Section 1. Pursuant to the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501 and the City of Pittsburgh Code, Title One, Administrative, Subsection 113.03(c)(3), and other applicable law, this

Declaration of Disaster Emergency is issued by the Mayor of the City of Pittsburgh in order to take all necessary actions and precautions to address the fire at, and subsequent condemnation of, 2nd Avenue Commons, to provide for temporary shelter facilities, and affect the swift repair of the facility.

Section 2. The Declaration of Disaster Emergency as authorized herein shall not be of a duration longer than seven (7) days except by or with the consent of the Council of the City of Pittsburgh in accordance with 35 Pa. C.S. §7501(b) and City Code §113.03(e)(3).

Section 3. Pursuant to 35 Pa. C.S. §7501(b), this Declaration shall activate the response, protection and recovery aspects of any and all applicable local emergency management plans including, but not limited to, those addressed in the 2001 Southwestern PA Emergency Response Group (“SWPERG”) agreement adopted by the City of Pittsburgh for mutual aid and intergovernmental cooperation as required by 35 Pa. C.S. §7503 and any other such intrastate or interstate mutual aid agreements entered into by the City of Pittsburgh pursuant to 35 Pa. C.S. §7301 *et seq.*, 35 Pa. C.S. §7504, the Pennsylvania Intergovernmental Cooperation Act, 53 Pa. C.S. §2301 *et seq.*, or any other applicable state or federal law, in order to furnish aid and assistance as provided therein.

Section 4. The Mayor, the Chief of Emergency Management, the Director of City Planning, and the Director of Permits, Licenses, & Inspections shall be permitted to exercise all legal authority permitted by State Statute and City Code.

Section 5. Pursuant to this Declaration of Disaster Emergency, all City Departments are to work in coordination with the Directors of City Planning and Permits, Licenses, & Inspections to implement and facilitate the provisions of this Declaration.

Section 6. In accordance with 35 Pa. C.S. §7501(b), this declaration or and related order, proclamation or statement shall be given prompt and general publicity and shall be filed promptly with the Pennsylvania Emergency Management Agency.

Section 7. As provided in 35 Pa. C.S. §(d), the City of Pittsburgh is authorized by this Declaration to exercise the powers provided in the Pennsylvania Emergency Management Services Code without regard to time-consuming procedures and formalities prescribed by law, except for mandatory constitutional requirements, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the issuance of temporary certificates of occupancy, the levying of taxes and the appropriation and expenditure of public funds.

Section 8. In accordance with 35 Pa. C.S. §7501(c), the city of Pittsburgh is authorized to enter into contracts and incur obligations necessary to disaster emergency management, response, and recovery, including but not limited to agreements as needed to delegate municipal functions, powers, or responsibilities to the Commonwealth and its agencies.

Section 9. Any agreements entered into by the City of Pittsburgh as provided herein shall be approved as to form by the City Solicitor.



A blue ink signature of Ed Gainey, Mayor of Pittsburgh, written in a cursive style.

Mayor Ed Gainey
City of Pittsburgh