



# *Emergency Declaration*

## *Fern Hollow Bridge Collapse*

Date: January 30, 2022

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. §§7101 *et seq.*, as it pertains to the existing bridge collapse emergency.

WHEREAS, On January 28, 2022, a bridge within the City of Pittsburgh, located along Forbes Avenue near South Braddock Avenue, known as the Fern Hollow Bridge experienced a total collapse; and

WHEREAS, the Fern Hollow Bridge represents a portion of a major route of transportation within the City of Pittsburgh that has now been rendered unusable; and

WHEREAS, the Governor of Pennsylvania issued a Proclamation of Disaster Emergency concerning this event on January 28, 2022; and

WHEREAS, the Mayor of the City of Pittsburgh is authorized, in accordance with applicable law, including the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. §7501, City Code §113.03(c), 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;
- be of such magnitude or severity as to render essential State supplementation of county and local efforts or resources exerted or utilized in alleviating the danger, damage, suffering, or hardship faced; and
- 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 collapse of the Fern Hollow Bridge as constituting a disaster emergency; and

WHEREAS, the Mayor hereby will direct the City of Pittsburgh Public Safety Director, Public Works Director, and Director of Mobility and Infrastructure to coordinate the necessary activities for this emergency response, to take all appropriate action required to address the collapse of the Fern Hollow Bridge, to aid in the maintenance of essential public services, 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 collapse of the Fern Hollow Bridge.

**Section 2.** The Declaration of Disaster Emergency as authorized herein shall not be of a duration longer for a time period not in excess of 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(c)(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 and the City Director of Public Safety, Director of Public Works, and Director of Mobility and Infrastructure 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 Public Safety, Public Works, and Mobility and Infrastructure to implement and facilitate the provisions of this Declaration.


**Section 6.** In accordance with 35 Pa. C.S. §7501(b), this declaration or any 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. §7501(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 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.



  
Ed Gainey  
Mayor of Pittsburgh