TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.c.

Agenda Item: **Resolution 26-G-07 to declare a State of Local Emergency**

Meeting Date: February 3, 2026

Category: General

Prepared by: Lesa Yeatts, Town Attorney

Description:
On January 22, 2026, Governor Abigail D. Spanberger declared a state of emergency in the Commonwealth of Virginia due to National Weather Service forecasts that indicated a severe winter storm.

Following the Governor's action, on January 24, 2026, Chief of Police, Steven Pihonak, in his capacity as Emergency Management Coordinator for the Town of Herndon, declared a state of local emergency in the Town of Herndon.

In order for the Town to fully activate and utilize the comprehensive emergency management planning in the Herndon Emergency Management Plan and be afforded all of the powers pursuant to Virginia Code Sections 44-146.16 and 44-146.21, the Town Council must demonstrate its consent by ratifying the Chief's action on January 24, 2026 by approving the adoption of the resolution declaring a local state of emergency.

Background/Timing Impact:
On January 22, 2026, Governor Abigail D. Spanberger declared a state of emergency in the Commonwealth of Virginia due to National Weather Service forecasts that indicated a severe winter storm with significant snow, along with sleet, ice, freezing rain, and temperatures below freezing for several days that could cause transportation difficulties and power outages.

Pursuant to Virginia Code Section 44-146.21, a local emergency may be declared by the local director of emergency management with the consent of the governing body of the political subdivision. Furthermore, Virginia Code Sections 44-146.16 and 44-146.21 bestow upon the said local director of emergency management enumerated powers, activates the Town's Emergency Management Plan and authorizes the furnishing of aid and assistance thereunder.

The threat to public safety for the citizens of the Town of Herndon from this situation and its aftermath constitutes an emergency of such sufficient severity and magnitude to warrant a coordinated response by the various Town departments, agencies, and

voluntary organizations such that Chief of Police, Steven Pihonak, Emergency Management Coordinator for the Town of Herndon, declared a state of local emergency in the Town of Herndon on January 24, 2026.

In order for the Town to fully utilize the comprehensive emergency management planning in the Herndon Emergency Management Plan and be afforded all of the powers pursuant to Virginia Code Sections 44-146.16 and 44-146.21, the Town Council must demonstrate its consent by ratifying the Chief's action on January 24, 2026 by approving the adoption of the resolution declaring a local state of emergency.

Strategic Focus Area:
Good Governance

Fiscal Impact:
The full cost of the Town's response is underdetermined at this time.

Legal Impact:
The Governor's Declaration of Emergency and the Code of Virginia allow for some cost recovery when a Declaration of Local Emergency is formally declared. Town Council action in adopting this Resolution will meet that requirement.

Staff Recommendation/Next Steps:
Staff recommend adoption of the resolution as proposed.

Attachments:
1. Resolution (Proposed)
2. Declaration of Emergency by Chief - SNOW