

RESOLUTION NO. _____

WHEREAS, the Alabama Emergency Management Act of 1955, as amended, codified in Section 31-9-1, *et seq.*, of the Code of Alabama, confers emergency powers upon the various governing bodies in the State of Alabama, including political subdivisions of the state, to include municipalities such as the City of Auburn, Alabama; and

WHEREAS, Kay Ivey, Governor of the State of Alabama, on March 13, 2020, did declare the existence of a state public health emergency in the State of Alabama, in that the State Health Officer has reported the appearance of the novel coronavirus known as COVID-19, thereby indicating the potential of widespread exposure to an infectious agent posing significant risk of substantial harm to a large number of people within the State of Alabama, such declaration authorized by the above-referenced Alabama Emergency Management Act of 1955; and

WHEREAS, the City Council of the City of Auburn, Alabama, has determined an occurrence or imminent threat of an illness or health condition, caused by the appearance of the novel coronavirus known as COVID-19 across the State of Alabama, and in many other states and countries of the world, constitutes the potential of widespread exposure to that infectious agent, thereby posing a significant risk of substantial harm to a large number of people in the City of Auburn, Alabama; and

WHEREAS, Alabama law is clear that the quarantine authority of the State is paramount to that of any county and authority to institute quarantine measures is strictly limited to the State of Alabama or a County Board of Health/Health Officer pursuant to Title 22 of the Code of Alabama, 1975; and

WHEREAS, the State and County Health Boards/Health Officials have direct access to health information and statistics not immediately available to the City to help them with their statutorily granted authority to protect the health, safety and welfare at the State and County level; and

WHEREAS, at this time the challenges of implementing a curfew include enforcement, establishing appropriate penalties, and making sure those who have to work, who need to shop for essentials and those who need to check on elderly or other family members or friends are not restricted for those purposes; and

WHEREAS, the City Council of the City of Auburn desires to promote and encourage citizens and businesses within the City to exercise such practices as are recommended to minimize the exposure to and transmission of COVID-19 as set forth by the Centers for Disease Control and Prevention and the State Department of Public Health.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Auburn, Alabama, does hereby encourage citizens and businesses to adhere to and abide by all guidelines and recommendations issued by the Centers for Disease Control and Prevention and the Alabama Department of Public Health for minimizing the exposure and transmission of COVID-19; and

BE IT FURTHER RESOLVED that the City Council of the City of Auburn, Alabama hereby determines that the public health of all citizens would best be served by adherence to the following guidelines by citizens and businesses:

- All non-essential and non-emergency travel is “strongly discouraged” between 10 p.m. and 5 a.m.
- non work-related public and private gatherings of persons of 25 or more is strongly discouraged
- those businesses routinely providing services to gatherings of persons of 25 or more are strongly encouraged to limit numbers of patrons such that the six foot social distancing standard can be maintained
- that citizens avail themselves of City of Auburn online services whenever possible

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 17th day of March, 2020.

Mayor

ATTEST:

City Manager