

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING A CIVIL EMERGENCY, AND FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES, AND RELATED PURPOSES

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. §33-15-11(b)(17), Governor Tate Reeves declared a State of Emergency existed in the State of Mississippi as a result of the outbreak of COVID-19; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the City of Starkville, through its Mayor and Board of Aldermen, adopted a Proclamation of Existence of Local Emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the emergence and risk of spread of COVID-19 within Mississippi constitutes a public emergency that has resulted in substantial injury or harm to life, health, and property within Mississippi, and in the City of Starkville, and COVID-19 has already been detected in numerous individuals in multiple counties throughout the State; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi, and as of March 20, 2020, there are at least 80 cases in Mississippi that have tested positive for COVID-19, resulting in at least one death; and

WHEREAS, the State of Mississippi and the City of Starkville is being adversely affected by the outbreak of the novel coronavirus, COVID-19, and there exists a continued threat to the public's safety, private property and the social and economic welfare to the state; and

WHEREAS, the Centers for Disease Control (CDC) guidelines for responding to COVID-19 recommends avoiding crowds or gatherings of more than 10 people, especially for older adults and individuals with serious chronic medical conditions; and

WHEREAS, the governmental authority of the City of Starkville has reviewed and accepts the findings and recommendations of the CDC; and

WHEREAS, the City of Starkville, as a college town, is densely populated, and contains significant populations of both older, at-risk individuals in the City's large retirement community, and younger individuals who travel broadly and frequently; and

WHEREAS, Miss. Code Ann. §45-17-3 allows the City of Starkville to proclaim a civil emergency if it determines that a natural disaster which has caused death or injury has occurred; and

WHEREAS, the City finds COVID-19 a natural disaster which has caused and will continue to cause injury to persons to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code. Ann. §45-17-5 allows the City of Starkville to order a general curfew as deemed necessary in the interest of the public health, safety and welfare of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code Ann. §45-17-7 allows the City of Starkville after declaration of civil emergency and in the interest of the public safety and welfare to issue such orders as are necessary for the protection of life of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code Ann. §21-19-3 allows the City of Starkville to make regulations to prevent the introduction and spread of contagious or infectious diseases; to make quarantine for this purpose and enforce same within five miles of the corporate limits; and

WHEREAS, Miss. Code Ann. §21-19-17 allows the City of Starkville to restrict movement for public safety and allows the City of Starkville the power to make such regulation to protect the health and lives and to enhance the general welfare of the community by restricting such movements of its citizens, or any group thereof, when there is eminent danger to the public safety because of freedom of movement thereof; and

WHEREAS, Miss. Code Ann. §21-19-29 allows the City of Starkville to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD of Aldermen of the City of Starkville, that the City of Starkville hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the governmental authority of the City of Starkville (unless a different effective date is stated in such measure(s)), to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

Section 1: Effective immediately and for a period of thirty days unless extended by Motion and Order of the governing authority of the City of Starkville, all restaurants shall only serve food using drive-through, curbside (only) pick-up, or delivery methods, and shall not allow the use by the public of interior or exterior common dining or bar facilities.

Section 2: Effective immediately and for a period of thirty days unless extended by Motion and Order of the governing authority of the City of Starkville, the businesses, clubs,

organizations, places of worship, or other gatherings within the City's boundaries shall adhere to the guideline of the Centers for Disease Control (CDC) to limit crowds or gatherings to no more than 10 people, with the exclusion of essential services including, but not limited to, hospitals, nursing homes, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, and gas stations.

Section 3: The City, through future action of the Mayor and Board of Aldermen, may order a general curfew or shelter-in-place applicable to such geographical areas of the municipality, or to the municipality as a whole, as advisable, and applicable during such hours of the day or night as necessary in the interest of the public safety and welfare, with such curfew only to remain in effect for a period not to exceed five days, or an earlier date of rescission as may be ordered by the Mayor and Board of Aldermen.

Section 4: The City may issue such other orders as are necessary for the protection of life and liberty.

Alderman Jason Walker made the motion, which was seconded by Alderman Hamp Beatty to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, held on March 20, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

Alderman Ben Carver	voted	Yea
Alderman Sandra Sistrunk	voted	Yea
Alderman David Little	voted	Yea
Alderman Jason Walker	voted	Yea
Alderman Hamp Beatty	voted	Yea
Alderman Roy A'. Perkins	voted	Yea
Alderman Henry Vaughn	voted	Yea

APPROVED, this the 20th day of March, 2020.




D. LYNN SPRUILL, MAYOR



LESA HARDIN, CITY CLERK