

**DECLARATION OF EMERGENCY CONDITIONS
QUARANTINE AND CURFEW FOR HAMILTON**

WHEREAS, on January 31, 2020, the World Health Organization declared a Public Health Emergency of International Concern due to the outbreak of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization elevated the status of COVID-19 to a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a National State of Emergency due to COVID-19; and

WHEREAS, the State Board of Health designated COVID-19 to be a disease of epidemic potential, a threat to the health and welfare of the public, or otherwise of public health importance; and

WHEREAS, also, on March 13, 2020, the Governor of Alabama issued an Executive Order and declared a Statewide State of Emergency in Alabama due to COVID-19; and

WHEREAS, on March 19, 2020, the State Health Officer for the State of Alabama issued an Order, and on March 20, 2020, an amended Order, suspending certain public gatherings throughout the State of Alabama, including Marion County; and

WHEREAS, the State Health Officer later deemed that further social distancing measures are necessary to be implemented on a statewide basis to prevent the spread of COVID-19; and

WHEREAS, on March 27, 2020, the State Health Officer, suspended certain public gatherings and closed "non-essential" businesses, venues, and activities due to risk of infection by COVID-19; and

WHEREAS, by the March 27, 2020 Order, the State Health Officer prohibited all non-work related gatherings of 10 persons or more, or non-work related gatherings of any size that cannot maintain a consistent six-foot distance between persons; and

WHEREAS, on March 30, 2020, the Marion County Commission and Probate Judge Paige Vick issued a curfew and quarantine for Marion County; and

WHEREAS, based upon reports by local health officials and the Director of the Marion County Emergency Management Agency, the pandemic COVID-19 and the potential outbreak of COVID-19 constitute a serious hazard to lives in Hamilton and Marion County; and

WHEREAS, the COVID-19 pandemic emergency is having an effect in Marion County, with multiple confirmed positive cases of coronavirus in this County, thus placing Hamilton, Marion County and its citizens

under imminent danger of loss of life and severe health issues due to COVID-19; and

WHEREAS, COVID-19 will adversely affect the health, safety, and economy of the people of Hamilton, Marion County; and

WHEREAS, the situation does create emergency conditions in Marion County within the intent of the Alabama Emergency Management Act of 1955, as amended; and

WHEREAS, the City of Hamilton has been requested by the Director of the Marion County Emergency Management Agency to implement its emergency powers as set out in Code of Alabama 1975, § 31-9-10(b)(5)(b) and § 22-12-12; and

NOW THEREFORE, IT IS HEREBY PROCLAIMED that emergency conditions exist throughout Hamilton, invoking the conditions expressed in Ala. Code § 31-9-2 of the Alabama Emergency Management Act of 1955, as amended, warranting the exercise of emergency powers as provided by law, specifically, but not limited to, Code of Alabama 1975, § 31-9-10(b)(5)(b) and § 22-12-12. Additionally, the appropriate city agencies are directed to exercise their statutory authority to assist the communities and entities affected as needed and/or as requested.

IT IS FURTHER PROCLAIMED AND ORDERED that by the authority vested in me by the applicable provisions of the laws of the State of Alabama, including but not limited to Ala. Code § 31-9-10(b)(5)(b) and Ala. Code § 22-12-12, and the prior Declaration by the City of Hamilton and the Marion County Commission, and as otherwise provided by law, I, Bob Page, as Mayor of the City of Hamilton, do hereby order and direct as follows:

The purpose of this Order is to promote the health, safety, and welfare of the citizens of Hamilton and to mitigate the spread of infectious diseases, specifically the COVID-19 virus, by reducing the risk of exposure during a time of outbreak.

IT IS HEREBY ORDERED THAT A 24 HOUR PUBLIC SAFETY CURFEW IS HEREBY IMPOSED IN HAMILTON, effective as of 5:00 p.m. on Monday, March 30, 2020. This curfew shall continue in effect until 5:00 p.m. on April 17, 2020.

Further, IT IS FURTHER PROCLAIMED AND ORDERED THAT A QUARANTINE FOR HAMILTON, ALABAMA IS HEREBY OFFICIALLY DECLARED. A Quarantine is the forced isolation or restriction of free movement of a person or persons to prevent the spread of a notifiable disease or health condition. See ALA. ADMIN. CODE r. 420-4-1-.02(10). Specifically, the COVID-19 virus is such a notifiable disease or health condition currently present in the City of Hamilton.

During this curfew and quarantine, all persons shall not be in or remain in public places and shall remain in their places of residence, if within the City of Hamilton, except as provided further herein.

(A) **Exceptions.** People may lawfully leave their residence while this Order is in effect only to engage in the following activities:

(i) **WORK.** Persons may travel to and from their place of employment to perform work consistent with the Order of the State Health Officer dated the 27th day of March, 2020.

(ii) **ESSENTIAL ACTIVITIES.** To engage in certain essential activities, again consistent with the Order of the State Health Officer dated the 27th day of March, 2020, including, without limitation, visiting a health or veterinary care professional, obtaining medical supplies or medication, obtaining grocery items (for their household or to deliver to others), utilizing local restaurant services; patronizing local retail shops, conducting normal everyday business activities, fulfilling child custody arrangements and Orders, lawful child care arrangements and to or for legally mandated government purposes. Additionally, any travel for the following purposes is not prohibited by this Order: (a) providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons; (b) returning to one's place of residence from outside the City; (c) traveling to one's place of residence located outside the City; (d) traveling through the City from one location outside the City to another location outside the County; (e) compliance with an order of law enforcement or court shall be exempt from this Order; (f) traveling to or from a place of business; (g) traveling to or from financial institutions, insurance companies or agencies and related financial services, or for (h) legally mandated government purposes. Persons engaging in these essential activities shall maintain reasonable social distancing practices. This includes maintaining a distance of at least six-feet away from others, frequently washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. These essential activities are subject to change and are not limited to the activities listed in this subsection. Individuals must use reasonable judgment as it relates to the activities listed in this subsection. Individuals must use reasonable judgment as it relates to the many and various circumstances during this time.

(iii) **Outdoor Activities.** To engage in outdoor activity and recreation, provided that the recreational activity does not involve physical contact with other persons and individuals and compliance with social distancing requirements is obtainable. These activities,

include, but are not limited to, walking, hiking, running, cycling, golfing, hunting, use of scooters, roller skates, skateboards, or other personal mobility devices. Any persons engaging in outdoor activity shall maintain a six-foot distance from any other persons.

(iv) **CAREGIVING.** To care for or support a friend, family member, or pet in another household.

(B) As per the Order of the State Health Officer dated the 27th day of March, 2020, all non-work related gatherings of ten (10) or more persons, or non-work related gatherings of any size that cannot maintain a consistent six feet distance between persons, are prohibited.

(C) To the extent that this Order is in conflict with other Declarations or Orders of the City of Hamilton, this Order shall supersede the others until this Order is amended or repealed.

(D) In the event that this Order and Declaration is less restrictive or in conflict with a statewide order of the State Health Officer, then the Order of the State Health Officer supersedes this Order and Declaration. In the event the State Health Officer implements a state-wide order that is more restrictive or stringent, then the order of the State Health Officer order shall take precedence.

(H) **PENALTY.** Failure to comply with this Order is punishable by a fine of up to \$500.00 and/or up to six months in the county jail.

(I). If any subsection, sentence, clause, phrase, or work of this Order or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this order.

(J) **IMPLEMENTATION.** All Departments of the City and their respective employees to whom this Executive Order applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Order is not intended to conflict with, supersede or contradict any lawful ordinance or resolution duly enacted by the City of Hamilton, the Marion County Commission, the Governor of the State of Alabama or the State Health Officer. In the event the State Health Officer implements a state-wide order that is more restrictive or stringent, then the order of the State Health Officer order shall take

precedence. This Order does not create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by a party against the County, its departments, agencies, entities, officers, employees, or agents, or any other person.

By: _____
Bob Page, Mayor

By: _____
Angela Owen, City Clerk