

A RESOLUTION OF THE BOARD OF MAYOR AND SELECTMEN OF THE CITY OF WEST POINT, 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 West Point, through its Board of Mayor and Selectmen of the City of West Point, adopted a Resolution 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 West Point, 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 23, 2020, there were at least 249 confirmed cases of COVID-19 in Mississippi, resulting in at least one death; and

WHEREAS, the State of Mississippi and the City of West Point are 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 of this City and 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, with special risks to older adults and individuals with serious chronic medical conditions or co-morbidities; and

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

WHEREAS, the City of West Point is populated by a substantial number of both older adults and others with special risks, as well as individuals who travel broadly and frequently, and there are residents involved in the provision of health-related services, to include employees and staff of a full-service hospital and several long term care facilities; and

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

WHEREAS, the Board of Mayor and Selectmen of the City of West Point finds that COVID-19 is a natural disaster which has caused and will continue to cause injury, illness and/or death 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 the City of West Point; and

WHEREAS, Section 45-17-7 of the Mississippi Code allows the Board of Mayor and Selectmen of the City of West Point, after declaration of a 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 the City of West Point, Mississippi; and

WHEREAS, Section 21-19-3 of the Mississippi Code allows the Board of Mayor and Selectmen of the City of West Point to make regulations to prevent the introduction and spread of contagious or infectious diseases; to make quarantine for this purpose and enforce the same within five miles of the corporate limits; and

WHEREAS, Section 21-19-17 of the Mississippi Code allows the Board of Mayor and Selectmen of the City of West Point to restrict movement for public safety and grants the Board of Mayor and Selectmen of the City of West Point the power to make such regulations as are necessary 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, Section 21-19-29 of the Mississippi Code allows the Board of Mayor and Selectmen of the City of West Point 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 BOARD OF MAYOR AND SELECTMEN OF THE CITY OF WEST POINT, that the City hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the Board of Mayor and Selectmen, 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 continuing until further action by the Board of Mayor and Selectmen, no gatherings of more than ten (10) people may occur or be held within the boundaries of the City of West Point, including, but not limited to: bars, dance halls, gymnasiums or fitness centers, outdoor recreational or sports facilities, meetings of social, fraternal and civic organizations, barbershops, hair salons, beauty shops, nail salons, funerals or weddings, with the exception of those establishments providing necessary products and services such as health care facilities or clinics, nursing homes, pharmacies, grocery stores, gas stations, banks, food marts, convenience stores, discount or dollar stores, child care facilities, laundry mats, and manufacturers located in commercial or industrial districts.

Section 2: Restaurants now will be limited to 50% (percent) of their allowable seating occupancy, provided social distancing can be maintained between dining parties, will adhere to all requirements as directed by Executive Order, and may serve food using drive-through or curbside pickup or delivery methods.

Section 3: Effective immediately, and continuing until further action by the Board and Mayor and Selectmen, all businesses, agencies, manufacturers and units of government located within the City of West Point and employing ten (10) or more employees in any one business location shall take all reasonable measures to ensure that such businesses comply with CDC recommendations and guidance and implement appropriate safeguards to prevent the spread of infectious disease, including but not limited to: mandating social distancing, sending home and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms, emphasizing work-from-home where possible, mandating respiratory etiquette and proper hand hygiene, maintaining clean and sanitary workplaces, cautioning employees regarding travel and taking all such additional measures to prohibit and/or reduce the spread of infectious disease, and especially COVID-19.

Section 4. Effective 12:00 p.m. Monday, May 11, 2020 all retail businesses open to the public shall require their employees and customers over the age of six (6) years to wear face coverings. Employees and customers shall properly wear face coverings insuring coverage of the nose and mouth. Facilities managers must provide adequate supervision, including door monitors to ensure employees and customers entering business facilities comply with face coverings and prohibit entrance to those not in compliance.

Section 5. Contrary to the Governor's Executive Order #1478, all City Parks are to remain closed with the exception of the walking trails at Marshall and Zuber Parks, and the Kitty Dill Memorial National Walking Trail on which social distancing is to be maintained.

Section 6: Any violation of this Ordinance shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment for a term not exceeding ninety (90) days, and the cost of prosecution, or by both such fine and imprisonment, in the discretion of the municipal judge, except as provided otherwise by state law. Each such violation is a separate offense.

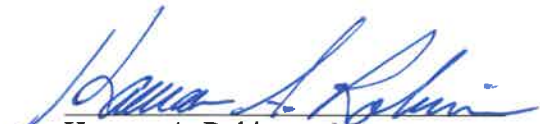
Section 7: The City may issue such other orders as are necessary for the protection of life and liberty.

Selectman Binder made the motion to adopt the foregoing Resolution. The motion was seconded by Selectwoman Pittman, said Resolution having been reduced to writing at a specially called meeting of the Board of Mayor and Selectmen for the City of West Point, Mississippi, held on May 5, 2020, which was read, considered, debated and ultimately adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the results were as follows:

Selectwoman Leta Turner voted:	Aye
Selectman William Binder voted:	Aye
Selectman Ken Poole voted:	Nay
Selectman Keith McBrayer voted:	Aye
Selectman Jasper Pittman voted:	Aye

Motion Carried.




Harmon A. Robinson, Mayor


Eddie A. Longstreet, City Clerk