

**ORDINANCE AMENDING CHAPTER 1, CODE OF ORDINANCES OF THE  
CITY OF COLUMBUS, MISSISSIPPI – GENERAL PROVISIONS**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF  
COLUMBUS, MISSISSIPPI AS FOLLOWS:

SECTION I. That Section 1-7, General penalties, continuing violations; is hereby amended as follows:

Change title of section as follows:

Sec. 1-7. - General penalties, continuing violations; penalties for violations of resolutions or orders related to emergencies.

Add new paragraph at the end of the second paragraph to read as follows in the below provisions as underlined below:

Whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code or ordinance, the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punished by a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 90 days, and the cost of prosecution, or by both, such fine and imprisonment in the discretion of the municipal judge. Each day any violation of any provision of this Code or any ordinance shall continue shall constitute a separate offense.

In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any ordinance shall be deemed a public nuisance and may be abated by the city, as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

Any time the Mayor and/or City Council shall make any resolution, rule, order, or regulation to prevent the introduction and spread of contagious or infectious diseases, to prevent or alleviate eminent danger to the public safety because of freedom of movement of the City's residents, to regulate the entrances and the way of ingress and egress to and from buildings, in furtherance of a proclamation or declaration of a local or civil emergency, or as otherwise necessary for emergency management purposes, any such rule, order, or regulation shall have the full force and effect of law once recorded in the office of the city clerk. The violation of any such rule, order, or regulation shall be punished by a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 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 day any violation of any such resolution, rule, order, or regulation shall continue shall constitute a separate offense.

SECTION II. REPEALING CLAUSE

All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

SECTION III. EFFECTIVE DATE

The Mayor and City Council find that this ordinance is adopted for the immediate preservation of the public peace, health and safety of the residents of the City of Columbus. For the reasons set forth in the Resolution Declaring a Civil Emergency adopted at their specially called meeting on March 21, 2020, the Mayor and City Council further find that this ordinance shall be effective immediately upon its adoption by unanimous vote of the City Council.

The above ordinance having being first reduced to writing and read and considered section by section at a public meeting of the governing authorities of the City of Columbus, Mississippi on motion of Council Member Beard, seconded by Council Member Mickens, and the roll being called, the Mayor recorded the votes as follows:


Council Member		Voted	Yes	No
Taylor-Stewart	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mickens	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Box	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beard	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jones	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gavin	voted		<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Mayor then announced that the ordinance passed upon a vote of 6 to 0 and is effective and to be enforced immediately.

SO ORDERED, ADOPTED AND APPROVED FOR IMMEDIATE EFFECT ON, this the 21<sup>th</sup> day of March, 2020.

  
ROBERT E. SMITH, SR, MAYOR

ATTEST:

  
DELIAH VAUGHN, CITY CLERK

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF  
COLUMBUS, 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 Columbus, through its Mayor and City Council, 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 Columbus, 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 were 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 Columbus 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 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 Columbus has reviewed and accepts the findings and recommendations of the CDC; and

WHEREAS, the population of the City of Columbus is comprised of college students, active duty members of and retirees of the United States Air Force, nurses, aides and support staff for physicians, employees and staff of a regional hospital and several long term care facilities, and contains significant populations of both older, at-risk individuals and individuals who travel broadly and frequently; 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 Mayor and City Council 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 Columbus; and

WHEREAS, Section 45-17-5 of the Mississippi Code allows the Mayor and City Council of the City of Columbus to order a general curfew as deemed necessary in the interest of the public health, safety and welfare of citizens and visitors to Columbus, Mississippi; and

WHEREAS, Section 45-17-7 of the Mississippi Code allows the Mayor and City Council of the City of Columbus, 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 the City of Columbus, Mississippi; and

WHEREAS, Section 21-19-3 of the Mississippi Code allows the Mayor and City Council of the City of Columbus 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, Section 21-19-17 of the Mississippi Code allows the Mayor and City Council of the City of Columbus to restrict movement for public safety and grants the Mayor and City Council 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 Mayor and City Council of the City of Columbus 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 CITY COUNCIL of the City of Columbus, that the City hereby adopts the following emergency measures that

shall take effect immediately and remain in effect until rescinded by the Mayor and City Council of the City of Columbus(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 at 5:00 p.m. on March 21, 2020, and continuing until further action by the Mayor and Council of the City of Columbus, 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: Because of the likelihood of close person-to-person contact, which increases dramatically the likelihood of the spread of infectious disease, effective at 5:00 p.m. on March 21, 2020, and continuing until further action by the Mayor and Council of the City of Columbus, all bars, nightclubs, meetings of fraternal and civic organizations, child care facilities, bowling alleys, recreational facilities, skating rinks, tattoo parlors, gyms, ~~barbershops, hair/beauty~~ and nail and tanning salons, spas, convention centers, community centers, and parks shall be closed for business. This Section also applies to municipally owned convention spaces, community centers and parks and persons who have rented municipally owned facilities shall be entitled to a full refund of any rental sums and deposits paid.

Section 3: Effective at 5:00 p.m. on March 21, 2020 and continuing until further action by the Mayor and Council of the City of Columbus, all churches, temples and places of worship, assemblages and gatherings within the City limits of the City of Columbus shall adhere to the guidelines of the Centers for Disease Control (CDC) and the Mississippi Department of Health and limit crowds, assemblages or gatherings to no more than 10 people. Such entities and assemblages and gatherings are reminded and encouraged to use live-streaming services or other electronic means of broadcasting or recording.

Section 4: Effective at 5:00 p.m. on March 21, 2020, and continuing until further action by the Mayor and Council of the City of Columbus, all businesses, agencies and units of government located within the City of Columbus and employing 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. To the extent the enforcement of this Section 3 might impair or impede the practical and safe operation of essential service businesses, including, hospitals, nursing homes, health clinics,

drug stores, pharmacies, banks, grocery stores, convenience stores, and gas stations, military installations, security and emergency response operations, such operations and services shall be exempted from this Section 3. However, nothing in this Section 3 shall otherwise limit the enforceability of Sections 1, 2 and 3 above.

Section 5: Effective at 5:00 p.m. on March 21, 2020, and continuing until further action by the Mayor and Council of the City of Columbus, there is in effect a general curfew from 10:00 p.m. until 6:00 a.m. except for essential travel by those over the age of 18 years.

Section 6: The City, through future action of the Mayor and City Council, may order a 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 City Council.

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

Council Member Barry moved for adoption of the Resolution, which motion was seconded by Council Member Beard, said Resolution having been introduced in writing at a specially called meeting of the Mayor and City Council of the City of Columbus, Mississippi, held on March 21st, 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 Mayor recorded the votes as follows:

<u>Council Member</u>	<u>Voted</u>	<u>Yes</u>	<u>No</u>
Taylor-Stewart	voted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mickens	voted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Box	voted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Beard	voted	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jones	voted	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Gavin

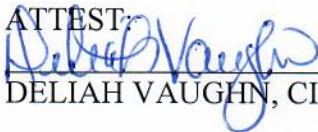
voted

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APPROVED, this the 21<sup>st</sup> day of March, 2020.

  
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ROBERT E. SMITH, SR., MAYOR

ATTEST:

  
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DELIAH VAUGHN, CITY CLERK