TOWN OF BUTLER

RESOLUTION NO.: 362

A RESOLUTION PROVIDING FOR A TEMPORARY CURFEW IN RESPONSE TO THE COVID-19 CORONAVIRUS PANDEMIC

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 Coronavirus (now designated “COVID-19” or “virus”) as a pandemic and encouraged all countries to take urgent and aggressive action to reduce or stop the rapid spread of such virus; and

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

WHEREAS, on March 13, 2020, Governor Kay Ivey of the State of Alabama declared a State Public Health Emergency regarding COVID-19; and

WHEREAS, COVID-19 has caused or contributed to numerous deaths throughout the world and the United States, and numerous persons have been infected with the virus; and

WHEREAS, medical professionals have determined COVID-19 is easily transmitted from person to person; and

WHEREAS, Choctaw County, Alabama has had its first reported case of COVID-19; and

WHEREAS, health experts have encouraged elderly citizens to remain in their residences, businesses to allow employee to work remotely, when possible, and citizens to maintain a distance of six (6) feet from others, when possible, to avoid gatherings of more than ten (10) persons and to practice social distancing; and

WHEREAS, despite the continuous encouragement to avoid gatherings and to practice social distancing, law enforcement continues to witness groups of residents, juvenile and adult, congregate at different locations, including parking lots and public parks.

NOW, THEREFORE, it is hereby ordered, pursuant to the “Alabama Emergency Management Act of 1955” codified in Section 31, Chapter 9 of the Code of Alabama, 1975, as follows:

1. Mandatory Curfew: A mandatory curfew shall be effective between the hours of 9:00 p.m. and 5:00 a.m. during which all persons within the Town of Butler shall remain at home. The curfew shall not apply to anyone performing emergency or first responder services, essential governmental services, law enforcement services, rescue services, safety services, health services, essential utility services (including maintenance or restoration of any utility, cable and/or telecommunication services) or military services.
services. The curfew shall also not apply to anyone traveling to or from employment, or engaging in lawful employment or engaging in the deliveries to grocery stores and pharmacies.

2. The curfew shall also apply to the Tuscahoma Landing area currently being maintained by the Town of Butler.

3. The provision of this resolution shall be effective April 1, 2020, and shall remain in effect until terminated by resolution of the Town Council for the Town of Butler.

4. All law enforcement officers of the Town of Butler are hereby authorized to enforce this resolution. Any violation of this resolution shall be a misdemeanor punishable pursuant to Section 1-14 and Section 12-20 of the Code of Ordinances for the Town of Butler.

5. This resolution was entered with due consideration of the orders, rules, regulations, actions, recommendations, and requests of Federal and State authorities relevant thereto and to the extent permitted by law and shall be interpreted consistent with such orders, rules, regulations, recommendations and requests, all in accord with the provisions of § 31-9-10 of the Code of Alabama, 1975.

6. The Town Council for the Town of Butler may issue a mandatory shelter at home order, with appropriate exemptions, in the near future should it become necessary to protect public health and safety and encourage all citizens and businesses to take immediate action to prepare in advance for such a contingency.

ADOPTED AND RESOLVED THIS THE 18th DAY OF APRIL, 2020.

TOWN COUNCIL FOR THE TOWN OF BUTLER

[Signature]

MAYOR

ATTEST:

[Signature]

Town Clerk