

**RESOLUTION  
90-2020  
EXTENDING STATE OF LOCAL EMERGENCY  
AND ENCOURAGING COMPLIANCE WITH SAFER AT HOME ORDER**

**WHEREAS**, the Alabama Emergency Management Act of 1955, as amended, codified in Section 31-9-1, *et seq.*, of the Code of Alabama (hereinafter, the "Act"), confers emergency powers upon the various governing bodies in the State of Alabama, including political subdivisions of the state, to include municipalities such as the City of Eufaula, Alabama; and

**WHEREAS**, Kay Ivey, Governor of the State of Alabama, on March 13, 2020, did declare the existence of a state public health emergency in the State of Alabama, in that the State Health Officer has reported the appearance of the novel coronavirus known as COVID-19 (hereinafter, "COVID-19"), thereby indicating the potential of widespread exposure to an infectious agent posing significant risk of substantial harm to a large number of people within the State of Alabama, which declaration was authorized by the Act; and

**WHEREAS**, on March 18, 20, 23 and 26; April 2, 3, and 13; May 8 and 21; June 9 and 30; July 2, 15, 29; and August 21 and 27 of 2020, Governor Ivey issued supplemental proclamations to extend the state of emergency and further address the occurrence of COVID-19 in the State of Alabama;

**WHEREAS**, Governor Ivey's 17<sup>th</sup> supplemental emergency Proclamation of August 27, 2020, extended the state-wide state of emergency until November 8, 2020;

**WHEREAS**, the Act, at Section 31-9-10 thereof, does provide the power and authority for a political subdivision of the State of Alabama, such as the City of Eufaula, Alabama, to declare a state of local emergency in the event the governing body of said political subdivision, to wit: the City Council of the City of Eufaula, Alabama, determines that any of the conditions described in Section 31-9-2(a) of the Act, has occurred or is imminently likely to occur;

**WHEREAS**, on March 23, 2020, the City Council of the City of Eufaula, Alabama (hereinafter, "City Council") determined an occurrence or imminent threat of an illness or health condition, caused by the appearance of COVID-19 across the State of Alabama, and in many other states and countries of the world, constitutes the potential of widespread exposure to that infectious agent, thereby posing a significant risk of substantial harm to a large number of people in the City of Eufaula, Alabama, which threat the City Council hereby determines continues to this day;

**WHEREAS**, on March 23, 2020, the City Council adopted Resolution 16-2020, declaring a State of Local Emergency, which State of Local Emergency was extended pursuant to its terms by Council President Johnny A. Knight on April 6, 2020, and April 27, 2020;

**WHEREAS**, on May 18, 2020, the City Council adopted Resolution 35-2020, which extended the State of Local Emergency, which was again extended by Council President Johnny A. Knight pursuant to its terms;

**WHEREAS**, on July 6, 2020, the City Council adopted Resolution 63-2020, which extended the State of Local Emergency until midnight on September 9, 2020;

**WHEREAS**, the City Council desires to continue to protect the public peace, health, and safety, and to preserve the lives and welfare of its citizens and employees; and

**WHEREAS**, COVID-19 continues to pose an imminent threat to the health and safety of the public, and City officials and administrators need the authority to react promptly and without delay in order to address the impact of COVID-19; and

**WHEREAS**, Section 31-9-10 of the Act does empower the governing body of a political subdivision of the State of Alabama, to-wit: The City Council of the City of Eufaula, Alabama, upon determining the existence of any of the conditions described in Section 31-9-2(a), which determination has heretofore been made, to waive procedures and formalities otherwise required by law related to:

- a. performance of public work;
- b. entering into contracts;
- c. incurring obligations;
- d. employment of temporary workers;
- e. utilization of volunteer workers;
- f. rental of equipment;
- g. acquisition and distribution, with or without compensation, of supplies, materials and facilities;
- h. to impose a public safety curfew for its inhabitants;
- i. appropriation or expenditure of public funds;
- j. to close; notwithstanding Section 11-1-8 of the Act, any and all public buildings owned or leased by and under the control of the City of Eufaula where emergency conditions warrant;

said powers to be exercised as necessary to protect against COVID-19 and ensure the health, safety and welfare of the inhabitants of the City of Eufaula, Alabama.

**NOW, THEREFORE, BE IT RESOLVED**, based upon the findings and determinations hereinabove stated, and the authorities hereinabove recited, the City Council does hereby declare that the State of Local Emergency for the City of Eufaula, Alabama, is extended effective immediately as set forth below; and

**BE IT FURTHER RESOLVED**, that the City Council hereby determines that one or more of the conditions described in Section 31-9-2(a) of the Act continues to exist, and therefore the City Council is empowered to act set as provided in the entirety of Section 31-9-10 of the Act for the duration of the State of Local Emergency;

**BE IT FURTHER RESOLVED** that the City Council does hereby authorize the Mayor of the City of Eufaula to impose a public safety curfew in the event the risk of COVID-19 in the City of Eufaula increases or conditions otherwise warrant, for the duration of the State of Local Emergency, and

**BE IT FURTHER RESOLVED** that the duration of this Declaration of a State of Local Emergency shall extend to **November 8, 2020**, at midnight unless sooner terminated by City Council; and

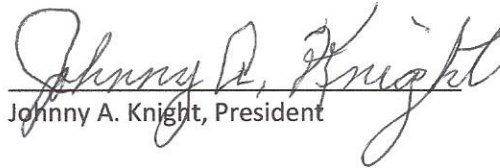
**BE IT FURTHER RESOLVED**, that the City Council hereby encourages that City business be conducted via telephone, email or online if feasible; and

**BE IT FURTHER RESOLVED**, that the Mayor, City Clerk, and all Departments are requested and authorized to record the additional expenses incurred in the past and future as a result of the COVID-19 impacts, and seek reimbursement to the extent provided, available, and authorized by Federal and State Laws; and

**BE IT FURTHER RESOLVED**, that the City Council hereby strongly encourages all citizens to wear a face mask when in public, to practice recommended social distancing, to engage in good hygiene such as frequent hand washing as recommended by health experts, and, along with all businesses operating in the City, to comply with and abide by the State Health Officer's current Safer at Home Order, a copy of which is available at <https://www.alabamapublichealth.gov/legal/assets/order-adph-cov-gatherings-082720.pdf>.

ADOPTED AND APPROVED THIS 8<sup>th</sup> day of September, 2020.

THE CITY OF EUFAULA, ALABAMA  
A MUNICIPAL CORPORATION

  
\_\_\_\_\_  
Johnny A. Knight, President

ATTEST:

  
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Joy White, City Clerk