

AN ORDINANCE OF THE CITY OF WEST PLAINS, MISSOURI, (THE "CITY") GRANTING THE MAYOR THE AUTHORITY TO ISSUE PROCLAMATION OF CIVIL EMERGENCY.

WHEREAS, the first reported case of the novel coronavirus disease (COVID-19) occurred in the United States on January 24, 2020, with the first death occurring on February 28, 2020; and

WHEREAS, Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), on March 13, 2020 the President of the United States exercised Presidential authority to declare that the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS, on March 13, 2020 Governor Mike Parson signed Executive Order 20-02 declaring a state of emergency in Missouri in response to COVID -19, and

WHEREAS, The City finds it to be in the public interest to grant the mayor of the City the ability to declare a civil emergency, and exercise additional powers to protect the health and safety of the citizens of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI, AS FOLLOWS:

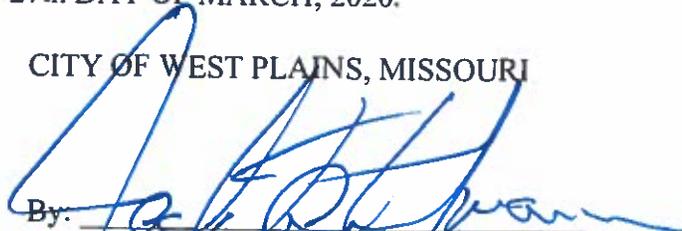
- (a) Whenever, after consultation with appropriate city and county officials as determined within his discretion, it is the judgment of the mayor, or in his absence or inability to act, the mayor pro tem, or, if both the mayor and the mayor pro tem are absent or unable to act, then the councilmember with the greatest seniority present and able to act, that there reasonably appears to exist, or there is a clear or imminent threat of, a state of civil emergency, or other emergency within the city because of mob action, riots, general civil disobedience or disorder or natural or other disaster, including but not limited to a public health emergency, then the mayor or such successor shall be empowered, in order to suppress such actions, preserve the peace and order of the city, and protect its citizens and their property, in addition to any other power granted to him by law, to issue a proclamation declaring a state of civil or other emergency or disaster to exist.
- (b) The mayor may in such proclamation exercise such of the following powers as to him may appear reasonably necessary for the purposes mentioned in this section:
 - (1) Issue a "stay at home" order requiring individuals to remain in their residences unless performing "essential activities" as defined by that order;
 - (2) Limit the number of people allowed to congregate in any place or public gathering;
 - (3) Limit the occupant load allowed into any business at any time;
- (c) Such proclamation shall not affect or limit the authority of the city administrator and/or the director of emergency management operations to take any actions within the scope

of their authority to respond to a disaster or event described within that chapter. The proclamation may also delegate the exercise of all or part of the authority described within this section for the duration of the declared civil emergency, or for such shorter time period as the mayor or his designated successor may deem appropriate, to the city administrator and/or the director of emergency planning and operations.

- (d) It shall be unlawful for any person to fail, neglect or refuse to comply with the orders made or prohibitions contained within a proclamation issued under this division during the time that such proclamation shall be in effect, or to otherwise violate or in any manner aid, assist, encourage or countenance the commission or perpetration of a violation of the orders or prohibitions contained within any such proclamation during the effective time thereof.
- (e) Any person who violates this ordinance shall, upon conviction, be punished by a fine not exceeding \$500.00 or by imprisonment in the city jail for a period not exceeding three months or by both such fine and imprisonment. Each day a violation continues shall constitute a separate offense.
- (f) This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 27th DAY OF MARCH, 2020.

CITY OF WEST PLAINS, MISSOURI

By: 
JACK PAHLMANN, Mayor

ATTEST:


MALLORY SNODGRAS, City Clerk