

# Minutes, City of Southaven, Southaven, Mississippi

## CITY OF SOUTHAVEN

*Top of Mississippi*

8710 Northwest Drive  
Southaven, MS 38671



Phone: 662.393.6939  
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### **NOTICE OF SPECIAL CALLED MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI**

In accordance with Mississippi Code Annotated §21-3-21, notice is hereby given that a Special Meeting of the Mayor and Board of Aldermen of the City of Southaven shall be held on Sunday, the 22nd day of March, 2020 at 1:00 PM in the Municipal Courtroom located at 8889 Northwest Drive, Southaven, MS 38671.

The subject matters of business (Agenda) to be acted upon at this Special Meeting are as follows, to-wit:

1. COVID-19

This Special Meeting of the Mayor and Board of Aldermen is hereby called by the Mayor, Darren Musselwhite, on this, the 22nd day of March 2020:

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Darren Musselwhite, Mayor

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## MINUTES OF THE SPECIAL CALLED MEETING OF March 22, 2020 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI

**BE IT REMEMBERED** that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in a Special Session on the 22<sup>nd</sup> day of March, 2020 at one o'clock (1:00) p.m. at City Municipal Court.

**Present were:**

|                                    |                   |
|------------------------------------|-------------------|
| William Brooks (By Teleconference) | Alderman At Large |
| Kristian Kelly (By Teleconference) | Alderman, Ward 1  |
| Charlie Hoots                      | Alderman, Ward 2  |
| George Payne                       | Alderman, Ward 3  |
| Joel Gallagher (By Teleconference) | Alderman, Ward 4  |
| John David Wheeler                 | Alderman, Ward 5  |
| Raymond Flores                     | Alderman, Ward 6  |

Also present were Mayor Musselwhite, Andrea Mullen, City Clerk, and Nick Manley, City Attorney. Approximately thirty (15) other people were present.

Mayor Musselwhite called the meeting to order.

### COVID-19

Mayor Musselwhite read the following statement:

As we continue to navigate through an unprecedented challenge in our world with the COVID-19 pandemic, the City of Southaven is continuously assessing new and ever-changing information by the minute. Along with my team of department heads and Board of Aldermen, I have been watching and studying this matter long before it reached the United States, Mississippi, and our city. We've followed, promoted, and furthermore pleaded with all to heed the recommendations of President Trump, Governor Reeves, the CDC, MSDH, and other public health experts in minimizing the risk of spread of this virus. We've urged our citizens not to panic, but to take this disease extremely seriously and take actions accordingly. This is not a perfect science, but instead a strategy of statistics to minimize the risk of a pandemic over-run of our health care facilities. Specifically, one of the key strategies in fighting this threat is social distancing by limiting mass gatherings of people. While so many of our citizens and businesses have risen to the occasion like we knew they would, our ongoing assessments have shown that too many continue to gather, creating a serious threat to the health and safety of our citizens and people, in general. Considering this as well as the very recent additional risk added by the influx of gatherings in our city following the City of Memphis mandates, we must take the following action:

Effective **TODAY, MARCH 22, 2020 at 5:00 PM** with approved ordinance from our Board of Aldermen, I order and will execute the following mandatory restrictions in our city until further notice:

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All restaurant dining rooms must close and limit service to drive-through, delivery, take-out, or curbside options.

All bars, gyms, theaters, salons, and recreational or amusement facilities must close.

All businesses, clubs, organizations, places of worship, or other gatherings within the City's boundaries shall adhere to the guidelines of the CDC to limit crowds or gatherings to no more than 10 people, with the exclusion of essential services including, but not limited to, hospitals, nursing homes, post office, distribution centers, manufacturers and distributors of household goods and items for the supply chain, manufacturers and distributors of products essential for the supply chain of vital supplies, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, gas stations, day cares, retail stores over 4,000 square feet, and hardware stores.

Alderman Payne asked that 'take out' be added for further clarification.

Alderman Kelly stated that he did not feel comfortable mandating churches and made the motion to remove churches. Mayor Musselwhite made three attempts to request for a second to the motion. There was none and the motion failed.

Alderman Gallagher expressed that need to encourage e-commerce as much as possible.

Alderman Payne expressed a concern about excluding day cares. There were various opinions on the matter to determine if essential. After some discussion, Alderman Payne made the motion to exclude daycares from the ordinance. Motion was seconded by Alderman Flores.

Roll call was as follows:

| ALDERMAN           | VOTED |
|--------------------|-------|
| Alderman Brooks    | YES   |
| Alderman Kelly     | YES   |
| Alderman Hoots     | YES   |
| Alderman Payne     | YES   |
| Alderman Gallagher | YES   |
| Alderman Wheeler   | YES   |
| Alderman Flores    | YES   |

Having received a majority of affirmative votes, Mayor Musselwhite declared that the motion was carried on the 22<sup>nd</sup> day of March, 2020.

Mayor Musselwhite asked if there were any other comments from the Board and there were none.

Next, the Board of Alderman considered the following resolutions:

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## Resolution Declaring Civil Emergency for the Control of Contagious and Infectious Diseases

### **A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, 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, 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 Southaven, and COVID-19 has already been detected in numerous individuals in multiple counties, including Desoto, 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 22, 2020, there are at least 207 cases in Mississippi that have tested positive for COVID-19; and

WHEREAS, there are documented cases of COVID-19 in Desoto County, Mississippi; and

WHEREAS, the State of Mississippi and the City of Southaven 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 to the 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, especially for older adults and individuals with serious chronic medical conditions; and

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

WHEREAS, the City of Southaven contains significant populations of older, at-risk individuals in the City's large retirement community; and

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

WHEREAS, the City of Southaven finds COVID-19 a natural disaster which has caused and will continue to cause injury 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 Southaven and Desoto County, Mississippi; and

WHEREAS, Miss. Code Ann. §45-17-7 allows the City of Southaven 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 Southaven and Desoto County, Mississippi; and

WHEREAS, Miss. Code Ann. §21-19-3 allows the City of Southaven 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, Miss. Code Ann. §21-19-17 allows the City of Southaven to restrict movement for public safety and allows the City of Southaven the power to make such regulation 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, Miss. Code Ann. §21-19-29 allows the City of Southaven to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD of Aldermen of the City of Southaven declare a Civil Emergency and that the City of Southaven hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the governmental authority of the City of Southaven (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 22, 2020 until further notice by Motion and Order of the Governing Authority of the City of Southaven, all restaurants shall only serve food using drive-through, take-out, 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: Effective immediately until further notice by Motion and Order of the Governing Authority of the City of Southaven, all bars, nightclubs, lounges, taverns, gyms, theaters, salons, and recreational or amusement facilities shall close.

Section 3: Effective 5:00 p.m. March 22, 2020 until further notice by Motion and Order of the Governing Authority of the City of Southaven, the businesses, clubs, organizations, places of worship, or other gatherings within the City's boundaries

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shall adhere to the guideline of the Centers for Disease Control (CDC) to limit crowds or gatherings to no more than 10 people, with the exclusion of essential services including, but not limited to, hospitals, nursing homes, post office, distribution centers, manufactures and distributors of household goods and items for the supply chain, distributors and manufacturers of products essential for the supply chain of vital supplies, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, gas stations, day cares, retail stores over 4,000 square feet, and hardware stores.

Section 3: The City may issue such other orders as are necessary for the protection of life and liberty.

Section 4: Violations of this Resolution and/or Declaration may be subject to misdemeanor prosecution pursuant to State of Mississippi Law, including, but not limited to, Miss. Code Ann. §45-17-9 as well as the City's Code of Ordinances.

Alderman Flores made the motion, which was seconded by Alderman Payne to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Southaven, Mississippi, held on March 22, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

|                         |            |
|-------------------------|------------|
| Alderman William Brooks | voted: YES |
| Alderman Kristian Kelly | voted: YES |
| Alderman Charlie Hoots  | voted: YES |
| Alderman George Payne   | voted: YES |
| Alderman Joel Gallagher | voted: YES |
| Alderman John Wheeler   | voted: YES |
| Alderman Raymond Flores | voted: YES |

RESOLVED AND DONE, this 22nd day of March, 2020.

## Ordinance Adopting Penalty for Emergency

### **ORDINANCE AMENDING TITLE 1, CHAPTER 1, SECTION 1 CODE OF ORDINANCES OF THE CITY OF SOUTHAVEN, MISSISSIPPI – IN GENERAL**

**WHEREAS**, pursuant to Mississippi Code Section 45-17-9, the City of Southaven (“City”) may provide by ordinance that any person violating the provisions of orders issued by the chief administrative officer pursuant to this authorization during a proclaimed civil emergency be guilty of a misdemeanor and be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or six (6) months imprisonment, or both such fine and imprisonment; and

**WHEREAS**, on March 22, 2020, the City Governing Authorities approved a resolution to regulate and to prevent the introduction and spread of contagious or infectious diseases, to prevent or alleviate eminent danger to the public safety

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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; and

**NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AS FOLLOWS:**

1. Title 1, Chapter 1, Section 1-2 be amended as follows:

Any time the Mayor and/or Board of Aldermen 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 \$300.00 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.

**NOW THEREFORE BE IT FURTHER ORDERED:** All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

**NOW THEREFORE BE IT FURTHER ORDERED:** The Mayor and Board of Aldermen find that this ordinance is adopted for the immediate preservation of the public peace, health and safety of the residents of the City of Southaven For the reasons set forth in the Resolution Declaring a Civil Emergency adopted at their specially called meeting on March 22, 2020, the Mayor and Board of Aldermen further find that this ordinance should be effective immediately upon its adoption by unanimous vote of the Board of Aldermen.

Alderman Payne made the motion, which was seconded by Alderman Flores to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Southaven, Mississippi, held on March 22, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

|                         |            |
|-------------------------|------------|
| Alderman William Brooks | voted: YES |
| Alderman Kristian Kelly | voted: YES |
| Alderman Charlie Hoots  | voted: YES |



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|                         |            |
|-------------------------|------------|
| Alderman George Payne   | voted: YES |
| Alderman Joel Gallagher | voted: YES |
| Alderman John Wheeler   | voted: YES |
| Alderman Raymond Flores | voted: YES |

RESOLVED AND DONE, this 22nd day of March, 2020.

Mayor Musselwhite read the following closing statement:

In addition, I have also declared a Civil Emergency for our city to control the spread of this disease. This, in no way, should be misconstrued as a need for panic, but is simply a maneuver to allow us leniency with certain laws which will further allow us to serve our citizens better and also recover unusual costs associated with these circumstances.

For those that question why we've not taken more drastic measures such as a "Shelter-in-Place" or other similar orders, please understand that although it sounds like a noble move and is possible that circumstances could require this, cities do not have the manpower and other resources to enforce this. This decision is more effectively made by the state or federal government with much-needed resource allocations to support it. Neither have done this at this time.

Furthermore, it's important to me that my citizens and our business community know that I understand that all of these decisions have tremendous consequences. We have been cautious and reluctant to execute mandates because we know we face serious economic risks in addition to public health and safety risks and these decisions have serious impacts on the livelihoods of our people in the short term. Even still, we must make difficult decisions with our priorities in line. The health and safety of our people must always be our number-one goal. In weighing all risks, we must also consider that the sooner we control the spread of this virus, the sooner we can return to our way of life and a thriving local economy again.

Stay calm; stay home if you can; stay smart; stay positive; stay safe; and consider the safety and needs of your fellow man.

We will get through this and return to the way of life we love in Southaven!

Mayor Musselwhite then entertained questions from the media.

Next, Mayor Musselwhite introduced Brian Hogan, Assistant Administrator, with Baptist Hospital. Mr. Hogan stated that Baptist Hospital strongly follows the CDC guidelines and the CDC strongly encourages social isolation. Mr. Hogan stated that he agreed with the seriousness of the situation and the need for action. Mayor Musselwhite expressed appreciation to Mr. Hogan for all that Baptist Hospital is doing in the City.

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There being no further business to come before the Board of Aldermen, a motion was made by Alderman Flores to adjourn. Motion was seconded by Alderman Wheeler. Motion was put to a vote and passed unanimously March 22, 2020 at 1:34 p.m.

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Darren Musselwhite,  
Mayor

\_\_\_\_\_  
Andrea Mullen,  
City Clerk  
(Seal)

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## **A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, 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, 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 Southaven, and COVID-19 has already been detected in numerous individuals in multiple counties, including Desoto, 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 22, 2020, there are at least 207 cases in Mississippi that have tested positive for COVID-19; and

WHEREAS, there are documented cases of COVID-19 in Desoto County, Mississippi; and

WHEREAS, the State of Mississippi and the City of Southaven 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 to the 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, especially for older adults and individuals with serious chronic medical conditions; and

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

WHEREAS, the City of Southaven contains significant populations of older, at-risk individuals in the City's large retirement community; and

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

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WHEREAS, the City of Southaven finds COVID-19 a natural disaster which has caused and will continue to cause injury 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 Southaven and Desoto County, Mississippi; and

WHEREAS, Miss. Code Ann. §45-17-7 allows the City of Southaven 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 Southaven and Desoto County, Mississippi; and

WHEREAS, Miss. Code Ann. §21-19-3 allows the City of Southaven 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, Miss. Code Ann. §21-19-17 allows the City of Southaven to restrict movement for public safety and allows the City of Southaven the power to make such regulation 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, Miss. Code Ann. §21-19-29 allows the City of Southaven to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD of Aldermen of the City of Southaven declare a Civil Emergency and that the City of Southaven hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the governmental authority of the City of Southaven (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 22, 2020 until further notice by Motion and Order of the Governing Authority of the City of Southaven, all restaurants shall only serve food using drive-through, take-out, 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: Effective 5:00 p.m. until further notice by Motion and Order of the Governing Authority of the City of Southaven, all bars, nightclubs, lounges, taverns, gyms, theaters, salons, and recreational or amusement facilities shall close.

Section 3: Effective 5:00 p.m. March 22, 2020 until further notice by Motion and Order of the Governing Authority of the City of Southaven, the businesses, clubs, organizations, places of worship, or other gatherings within the City's boundaries shall adhere to the guideline of the Centers for Disease Control (CDC) to limit crowds or gatherings to no more than 10 people, with the exclusion of essential services including, but not limited to, hospitals, nursing

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homes, post office, distribution centers, manufactures and distributors of household goods and items for the supply chain, distributors and manufacturers of products essential for the supply chain of vital supplies, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, gas stations, day cares, retail stores over 4,000 square feet, and hardware stores.

Section 3: The City may issue such other orders as are necessary for the protection of life and liberty.

Section 4: Violations of this Resolution and/or Declaration may be subject to misdemeanor prosecution pursuant to State of Mississippi Law, including, but not limited to, Miss. Code Ann. §45-17-9 as well as the City's Code of Ordinances.

Alderman Flores made the motion, which was seconded by Alderman Payne to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Southaven, Mississippi, held on March 22, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

|                         |            |
|-------------------------|------------|
| Alderman William Brooks | voted: yes |
| Alderman Kristian Kelly | voted: yes |
| Alderman Charlie Hoots  | voted: yes |
| Alderman George Payne   | voted: yes |
| Alderman Joel Gallagher | voted: yes |
| Alderman John Wheeler   | voted: yes |
| Alderman Raymond Flores | voted: yes |

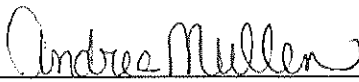
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RESOLVED AND DONE, this 22nd day of March, 2020.

  
DARREN MUSSELWHITE, MAYOR

ATTEST:

  
CITY CLERK



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## **ORDINANCE AMENDING TITLE 1, CHAPTER 1, SECTION 1 CODE OF ORDINANCES OF THE CITY OF SOUTHAVEN, MISSISSIPPI – IN GENERAL**

**WHEREAS**, pursuant to Mississippi Code Section 45-17-9, the City of Southaven (“City”) may provide by ordinance that any person violating the provisions of orders issued by the chief administrative officer pursuant to this authorization during a proclaimed civil emergency be guilty of a misdemeanor and be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or six (6) months imprisonment, or both such fine and imprisonment; and

**WHEREAS**, on March 22, 2020, the City Governing Authorities approved a resolution to regulate and 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; and

### **NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI AS FOLLOWS:**

1. Title 1, Chapter 1, Section 1-2 be amended as follows:

Any time the Mayor and/or Board of Aldermen 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 \$300.00 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.

**NOW THEREFORE BE IT FURTHER ORDERED:** All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

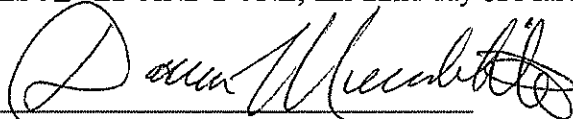
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**NOW THEREFORE BE IT FURTHER ORDERED:** The Mayor and Board of Aldermen find that this ordinance is adopted for the immediate preservation of the public peace, health and safety of the residents of the City of Southaven For the reasons set forth in the Resolution Declaring a Civil Emergency adopted at their specially called meeting on March 22, 2020, the Mayor and Board of Aldermen further find that this ordinance should be effective immediately upon its adoption by unanimous vote of the Board of Aldermen.

Alderman Paye made the motion, which was seconded by Alderman Flores to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Southaven, Mississippi, held on March 22, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

|                         |            |
|-------------------------|------------|
| Alderman William Brooks | voted: yes |
| Alderman Kristian Kelly | voted: yes |
| Alderman Charlie Hoots  | voted: yes |
| Alderman George Payne   | voted: yes |
| Alderman Joel Gallagher | voted: yes |
| Alderman John Wheeler   | voted: yes |
| Alderman Raymond Flores | voted: yes |

RESOLVED AND DONE, this 22nd day of March, 2020.



DARREN MUSSELWHITE, MAYOR

ATTEST:

  
CITY CLERK

