

RESOLUTION NO. 2020- 73

Declaration Suspending Certain Activities Pursuant to COVID-19 virus

WHEREAS, by the Proclamations dated March 13, 18, 20, and 23, 2020 Governor Ivey found that the appearance of COVID-19 virus in the state has created a potential of widespread exposure to an infectious agent that poses significant risk of substantial harm to a large number of people and declared a state public health emergency under Alabama Code Section 31-9-1, et sq al;

WHEREAS, on March 26, 2020 after subsequent proclamations of March 18, 20 and 23 Governor Ivey proclaimed new implications of COVID-19 had come to light on a continual basis, requiring flexibility and adaptability by all levels of government with the State of Alabama; and

WHEREAS, Governor Ivey proclaimed the existence of conditions that warrant implementation of additional extraordinary measures and relief during the state public health emergency now in effect in order to guard public health and protect human life; and

WHEREAS, the State Health Officer has issued orders suspending certain public gatherings due to the risk of infection by the novel coronavirus (COVID-19) which applies to all counties of the state; and

WHEREAS, among his orders he has suspended ALL non-working gatherings of 10 people or more or gatherings of any size that cannot maintain a consistent six-foot distance between persons are prohibited; and

WHEREAS, subsequently he has issued an order effective beginning March 28, 2020 to close all non-essential businesses, venues, and activities to non-employees which said order lists, among other, retail stores;

WHEREAS, the City Council of the City of Cullman recognizes that extraordinary measures must be taken to ensure the greatest possible success for the community in combating the continuing spread of the pandemic disease; and

WHEREAS, the City Council of the City of Cullman, in following the guidance of the Attorney General, and the State Health Department, pursuant their powers under

Title 11-47-131 in accordance with the definition of quarantine in the Alabama Administrative Code 420-4-1.02 (10);

THEREFORE, pursuant to Title 22-12-12, and pursuant to the intent of the Governor's proclamation and the state health officer's order, and the health officer's recommendation, the council hereby resolves as follows:

The Mayor shall issue orders necessary to accomplish a quarantine sufficient to maintain the minimum distance people may gather along with the number of individuals allowed to congregate including, but not limited to the guideline of the Governor, and State health officers, to protect life and property of its citizens, including the following:

Social distancing:

1. Allow no more than 40% of state fire capacity in the store, allowed to be open pursuant to the order of the State Health Department, at a time. To calculate the maximum number of occupants permitted, (a) multiply the maximum occupancy amount times 0.4 or (b) divide the total square footage of the sales space by 75. 40% capacity limit does not apply to employees. Require staff to count the number of customers entering and exiting the store and to enforce this as the emergency maximum occupancy.
2. Clearly mark 6' spacing in lines and other high-traffic areas and consider ways to encourage spacing if there are lines outside. Consider posting signage or using ropes to direct customers and to limit bottlenecks/encourage flow in high-density areas of stores.
3. Designate employees to monitor social distancing and assist customers.
4. Maximize space between customers and employees at checkout.

Cleaning and Sanitation:

5. Designate employee(s) to ensure that the cleaning guidelines set by the CDC are followed.
6. Discontinue self-serve foods and product sampling.

Notice:

7. Post a conspicuous notice of the store's emergency maximum occupancy at all entrances.

Limit time in store, especially for vulnerable populations:

8. Exclusive hours for those in high-risk populations, including seniors, where stores will limit their capacity to 40% of fire capacity at any time.


9. Larger grocery stores and retailers (those with greater than 25,000 SF), are encouraged to offer pickup and/or delivery options.

The Mayor is hereby granted the authority on behalf of the council to issue such order as he deems necessary to carry out the intended social distancing mandated by the Governor, the Health Officers, and to protect life and property during this declared emergency.

This Resolution shall remain in effect until such time as it is rescinded by Mayoral Order.

In the event that this Resolution is less restrictive or in conflict with a statewide order of the State Health Officer, then the order of the State Health Officer supersedes this Resolution. In the event the State Health Officer implements a state-wide order that is more restrictive or stringent, then the order of the State Health Officer order shall take precedence.

DONE this the 4th day of April, 2020.



Jenny Folsom
President of the City Council

Attested by:

Wesley A. Moore
City Clerk

APPROVED this the 4th day of April, 2020.

Woody Jacobs
Mayor