

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BE IT FURTHER ORDERED: All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

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

