

**AN ORDINANCE DECLARING A LOCAL
DISASTER EMERGENCY
AND PROMULGATING MITIGATION PROCEDURES**

Ordinance No. 3 of 2020

WHEREAS, the Town Council of the Town of Winamac, Indiana (the “**Town Council**”), is responsible for the performance of various functions for the Town of Winamac (the “**Town**”); and

WHEREAS, Governor Holcomb has declared that Indiana has been placed under a State of Emergency, due to the continued spread of the Novel Coronavirus (Covid-19); and

WHEREAS, the President of the Pulaski County Commissioners has previously declared a local disaster emergency pursuant to Ind. Code § 10-14-3-29(a)(10), due to the Covid-19 coronavirus (“**Coronavirus**”) and the full board voted to extend the proclamation of a local disaster emergency indefinitely; and

WHEREAS, the Town Council has the general powers to protect the public health pursuant to Ind. Code § 10-14-3; and

WHEREAS, taking into account Executive Order No. 2020-02, which was passed by the Pulaski County Commissioners, the Town is now desirous of declaring a local disaster emergency, consistent with the Pulaski County Executive Order 2020-01, and 2020-02; and

WHEREAS, the Town Council desires to minimize an imminent threat of widespread injury or loss of life within the County, as well as to its Town residents; and

WHEREAS, given that the Coronavirus has spread to every county in Indiana, and Coronavirus cases continue to increase within Pulaski County and especially in certain counties adjacent to Pulaski County, the Town Council views these measures as in the public’s best interest; and

WHEREAS, a business is defined by this Ordinance to be any facility, building, structure, plant or other similar construction other than a private residence although any portion of a private residence utilized to conduct business with the public is considered a business by this Ordinance; and

WHEREAS, federal, state and county health officials recommend implementation of mitigation strategies to increase containment of the Coronavirus by requiring safety measures; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town

of Winamac, Indiana, that this Ordinance Declaring a Local Disaster Emergency and Promulgating Mitigation Procedures, is hereby adopted as follows:

SECTION I.

Order

1. Every employee or owner of a business where more than three (3) people work at one time must wear a facial covering that covers the nose and mouth and is designed to restrict the expelling or inhaling of matter at all times.

2. Every employee or a business, no matter the number of employees, must wear a facial covering that covers the nose and mouth and is designed to restrict the expelling or inhaling of matter anytime there is a customer in the business.

3. Every non-employee who enters a business must wear a facial covering that covers their nose and mouth and is designed to restrict the expelling or inhaling of matter at all times.

4. All business owner(s) shall monitor these limitations and will be responsible for violations of this Ordinance.

5. Any person who knowingly, intentionally, or recklessly violates this Ordinance commits a Class B Misdemeanor, punishable by up to One Hundred and Eighty (180) days imprisonment and a fine of up to One Thousand Dollars (\$1,000.00) pursuant to Ind. Code § 10-14-3-34.

6. A local disaster emergency is hereby declared.

SECTION II.

Effective Date and Duration

1. This Ordinance shall become effective immediately upon its passage, and shall remain in effect until further ordered by the Town Council for the Town of Winamac, Indiana.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WINAMAC, INDIANA, THIS 30th DAY OF APRIL, 2020.

THE WINAMAC, INDIANA TOWN COUNCIL

APPROVED:

OPPOSED:

Tom J. Murray, President

Tom J. Murray, President

James Watkins, Vice-President
President

James Watkins, Vice-

Alvin R. Parish, Council Member
Member

Alvin R. Parish, Council

David Chambers, Council Member
Member

David Chambers, Council

Judy Heater, Council Member
Member

Judy Heater, Council

ATTEST:

Melanie A. Berger, Clerk-Treasurer