

ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF HERNANDO, MISSISSIPPI, PROVIDING  
PENALTIES FOR VIOLATION OF A CIVIL EMERGENCY

WHEREAS, pursuant to Section 45-17-9 of the Mississippi Code of 1972, Annotated, as Amended, the Mayor and Board of Aldermen of the City of Hernando, Mississippi (the “governing authorities”), are empowered to provide a penalty for violation of the provisions of or orders issued pursuant to a proclaimed civil emergency; and

WHEREAS, on March 24, 2020, the governing authority adopted a resolution declaring a civil emergency, and for the control of contagious and infectious diseases, and related purposes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Hernando, Mississippi, as follows:

1. The Code of Ordinances, City of Hernando, Mississippi, shall include the following:

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 resolution, proclamation, declaration, rule, order, or regulation shall have the full force and effect of law. The violation of any such resolution, proclamation, declaration, rule, order, or regulation shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00), plus the cost of prosecution, or six (6) months imprisonment, or both such fine and imprisonment.

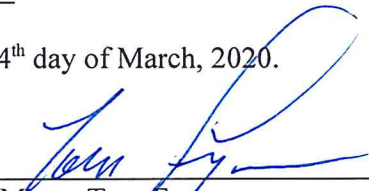
2. That each instance of any violation of any such resolution, proclamation, declaration, rule, order, or regulation shall constitute a separate offense (even if occurring on the same day).
3. That in the event any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

4. The governing authorities do hereby unanimously find that it is necessary for the immediate preservation of the public peace, health and safety for the reasons set forth in the resolution declaring a civil emergency, and for the control of contagious and infectious diseases, and related purposes that this Ordinance be made effective immediately.
5. That the City Clerk shall place a copy of this Ordinance in the book of ordinances for the City of Hernando, Mississippi.

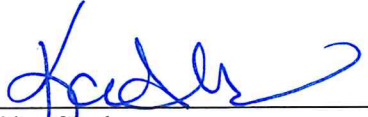
After first having been reduced to writing, then read and considered section by section and as a whole by the Mayor and Board of Aldermen, a motion was properly made by Alderman Harris and duly seconded by Alderman Higdon for the adoption of this Ordinance. A roll call was taken with the following results:

Alderman Higdon	X	YES	_____ NO
Alderwoman Brooks	X	YES	_____ NO
Alderman Bryant	X	YES	_____ NO
Alderman Harris	X	YES	_____ NO
Alderman Hobbs	X	YES	_____ NO
Alderman McLendon	X	YES	_____ NO
Alderman Miller	X	YES	_____ NO

THE foregoing Ordinance was adopted on this the 24<sup>th</sup> day of March, 2020.

  
\_\_\_\_\_  
Mayor Tom Ferguson

Attested to:

  
\_\_\_\_\_  
City Clerk

(SEAL)

