

**Executive Order
City of Opelika
Office of the Mayor**

**EXECUTIVE ORDER NO. _____
BY THE MAYOR**

WHEREAS, by Proclamation dated March 13, 2020, Governor Ivey found that the appearance of COVID-19 in the State of Alabama creates the potential of widespread exposure to an infectious agent that poses a significant risk of substantial harm to a large number of people and declared a state public health emergency under ALA CODE §31-9-1, et seq; and

WHEREAS, pursuant to Ordinance No. 008-20, adopted on March 17, 2020, the City Council of the City of Opelika declared a public health emergency related to the Coronavirus (COVID-19) exists within the territorial limits of the City of Opelika; and

WHEREAS, pursuant to Ordinance No. 008-20, the City Council authorized the Mayor to issue orders as appropriate to protect life and property; and

WHEREAS, pursuant to the Order of the State Health Officer Suspending Certain Public Gatherings due to Risk of Infection by COVID-19, issued March 19, 2020, and amended March 27, 2020, all gatherings of any size that cannot maintain a consistent six-foot distance between persons are prohibited; and

WHEREAS, this Order is issued based on evidence of increasing occurrence of COVID-19 within Lee County and throughout the City of Opelika, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that age, condition and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19; and

WHEREAS, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware that they carry the virus; and

WHEREAS, because people without symptoms can transmit the disease and because evidence shows that the disease is easily spread, social distancing of a six-foot separation between people is currently required for all activity that is permitted by the Governor's Shelter-In-Place Order; and

WHEREAS, scientific evidence shows that at this stage of the emergency, it is essential to slow the virus transmission as much as possible to protect the most vulnerable and to prevent the healthcare system from being overwhelmed; and

WHEREAS, one proven way to slow the transmission is to limit the interactions among people to the greatest extent practicable; and

WHEREAS, the City has received reports that some residents continue to congregate in the public parks without maintaining the required social distancing.

NOW, THEREFORE, I, Gary Fuller, as Mayor of the City of Opelika, by the authority vested in me by the applicable provisions and laws of the State of Alabama and Ordinance No. 008-20 of the Opelika City Council adopted on March 17, 2020, and as otherwise provided by law, hereby authorize, order and direct as follows:

Section 1. Effective at 12:00 (noon) on April 8, 2020, and remaining in effect until this Order is rescinded, all City-owned and operated parks located within the City of Opelika shall be closed to the public. No person shall go upon or allow any child in his or her custody to go upon or otherwise use a City-owned and operated park until this Order is rescinded.

Section 2. "Park" means any City-owned and operated area of land open to the public for outdoor recreation, including baseball fields, softball fields, tennis courts, outdoor playgrounds, outdoor basketball courts, pickleball courts, golf disk courses, picnic areas, walking trails and dog parks. The parks closed, pursuant to this Order, include, but are not limited to,

Opelika Sportsplex (including amphitheater, outdoor walking and running track, Tumble Tree disk golf course and pickleball courts), Covington Recreation Center (including playground and picnic tables with grills), Denson Drive Recreation Center (including outdoor green space), Bandy Park (including ballfields, basketball courts and picnic areas), Floral Park (including softball fields, picnic area and dog park), Miles Thomas Field, Municipal Park (including playgrounds and picnic areas), Moore Stadium, Ray Ward Park, Shady Park, West Ridge Park (including ballfields, playgrounds, picnic areas and walking trails), Wood Duck Heritage Siddique Nature Park, Stern Park (including dog park) and Springvilla Park (except Springvilla Campground which shall remain open).

Section 3. This Order does not apply to City employees or employees of government agencies working within the course and scope of their public service employment.

Section 4. It shall be unlawful and a misdemeanor offense for any person to violate any provision of this Order. Any person convicted of any violation of this Order shall be subject to the penalties set forth in Section 1-8 of the City Code.

Section 5. 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 shall take precedence.

Section 6. To the extent that this Order is in conflict with other executive orders, this Order shall supersede the others until this Order is amended or repealed.

SO ORDERED from City Hall on this the 8th day of April, 2020.



GARY FULLER, MAYOR
CITY OF OPELIKA, ALABAMA