



OFFICE OF MAYOR CHRIS MARTIN
601 E. BROADWAY, SUITE 200

CITY OF LOGANSPORT, INDIANA

EXECUTIVE ORDER NO. 20-02

WHEREAS, under IND. CODE§ 36-4-5-2, I, as the Mayor of the City of Logansport, serve as the Executive of the City;

WHEREAS, the magnitude of the Corona Virus, aka COVID – 19 has accelerated to emergency levels in this community and Police Chief Yike and I have conferred with the Cass County Commissioners, Dr. Ditty, Health Officer with Cass County Health Department, and Perry Gay, CEO of Logansport Memorial Hospital to determine how our joint efforts can defeat this pandemic in our community;

WHEREAS, a Centers for Disease Control risk assessment indicates that the novel Coronavirus Disease, known as "COVID-19," is a serious public-health threat and that "sustained person-to-person spread will continue to occur, including throughout communities in the United States";

WHEREAS, the Centers for Disease Control reports that COVID-19 may cause severe illness, including illness resulting in death, particularly among the elderly and those with severe underlying health conditions like heart disease, lung disease, and diabetes;

WHEREAS, the spread of COVID-19 throughout the United States and Indiana poses a severe and imminent threat to public health and requires aggressive response measures to slow the spread of the disease and mitigate its impact;

WHEREAS, guidance from the Centers for Disease Control, the World Health Organization, and other federal and international public-health authorities indicates that the prevention of public gatherings and other social-distancing measures are effective countermeasures to prevent continued exponential spread of COVID-19 and to mitigate the risk that COVID-19 will overwhelm the capacity of our health-care systems;

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and declared COVID-19 a pandemic on March 11, 2020;

WHEREAS, the United States Secretary of the Department of Health and Human Services

declared COVID-19 a public-health emergency for the United States on January 31, 2020;

WHEREAS, March 6, 2020, Indiana's Governor declared the COVID-19 outbreak a statewide disaster emergency;

WHEREAS, on March 15, 2020, the Centers for Disease Control issued guidance recommending that no gatherings of more than 50 people take place for at least eight weeks;

WHEREAS, on March 16, 2020, the State of Indiana issued an order requiring bars, restaurants, and nightclubs to close to service in-person patrons and limit services to carry out and curbside pick-up;

WHEREAS, on March 23, 2020, and April 6, 2020, Indiana's Governor issued an Executive Order 20-08 and 20-18 directing Hoosiers to stay home, but allowing essential businesses to remain open and available to the public for essential purchases;

WHEREAS, IND. CODE§ 10-14-3-29 grants the Mayor authority to declare a local disaster emergency;

WHEREAS, City of Logansport Resolution 20-107 grants the Mayor, upon declaration of a local disaster emergency, authority to take such actions as are appropriate to assure the public safety and welfare of citizens by issuing orders as are imminently necessary for the protection of life and property;

WHEREAS, IND. CODE§ 10-14-3-1 provides that an epidemic or other public-health emergency may constitute a disaster supporting the declaration of a disaster emergency;

WHEREAS, it is in the interest of the public that all Essential Retail Establishments in the City of Logansport shall limit the number of customers in their establishment at one time. An Essential Retail Establishment in the City of Logansport shall not allow more than 2 customers per 1,000 square feet of retail space. Any Essential Retail Establishment with more than 62,000 square feet of retail space is capped at 125 customers at one time. Essential Retail Establishments with 2,000 square feet of retail space or less may allow up to five (5) customers at one time. For purposes of calculating square feet, an Essential Retail Establishment may only include the square footage of actual retail space in the essential retail establishment. Essential Retail Establishments may round up to the nearest 1,000 square foot for purpose of calculating their square footage. Essential Retail Establishments shall actively monitor and enforce these limits. Essential Retail Establishment for this Executive Order shall have the same definition as the Executive Order 20-08 issued by the Indiana Governor on March 23, 2020; and

WHEREAS, I am ordering that customers are limited to one (1) person per family while shopping at Essential Retail Establishments in the City of Logansport; and

WHEREAS, I am ordering that no customers under the age of 16 will be allowed to enter Essential Retail Establishments in the City of Logansport; and

WHEREAS, IND. CODE§ 10-14-3-29 provides that I may declare a local disaster emergency for seven (7) days but may not renew such an emergency beyond seven (7)

days without the consent of the City Council; and

THEREFORE, under the authority vested in me as Mayor of the City of Logansport by state law and local ordinance, IT IS HEREBY ORDERED THAT:

1. This Emergency Executive Order for the City of Logansport shall be effective at Noon, EST on Monday, April 27, 2020. This emergency is attributable to the COVID-19 pandemic.
2. I have asked the City Council to consent to an extension of this Executive Order until further notice, and understand that the Council will consider this request for renewal at their regularly scheduled meeting on May 4, 2020. This declaration shall continue indefinitely unless the Council declines to consent to that extension. Should the Council decline to consent, this declaration will expire at 11:59 a.m. on Tuesday, May 5, 2020.
3. I hereby order in the interest of the public that all Essential Retail Establishments in the City of Logansport shall limit the number of customers in their establishment at one time.
 - An Essential Retail Establishment in the City of Logansport shall not allow more than 2 customers per 1,000 square feet of retail space.
 - Any Essential Retail Establishment with more than 62,000 square feet of retail space is capped at 125 customers at one time.
 - Essential Retail Establishments with 2,000 square feet of retail space or less may allow up to five (5) customers at one time.
 - For purposes of calculating square feet, an Essential Retail Establishment may only include the square footage of actual retail space in the essential retail establishment. Essential Retail Establishments may round up to the nearest 1,000 square foot for purpose of calculating their square footage.
 - Essential Retail Establishments shall actively monitor and enforce these limits.
 - Essential Retail Establishment for this Executive Order shall have the same definition as the Executive Order 20-08 issued by the Indiana Governor on March 23, 2020.

Example: An Essential Retail Establishment has 2,350 square feet of actual retail space. This retailer may round up to 3,000 square feet for purposes of calculating their square footage. Thus, this Essential Retail Establishment may have six (6) customers at one time.

Example: An Essential Retail Establishment has 60,000 square feet of actual retail space. This Essential Retail Establishment may have up to

120 customers at one time.

Example: An Essential Retail Establishment has 80,000 square feet of actual retail space. Even though the square footage allows up to 160 customers, this Executive Order caps customers at one time at 125 customers.

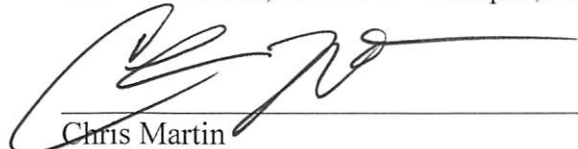
Example: An Essential Retail Establishment has 1,300 square feet of actual retail space. This essential retail establishment may allow up to five (5) customers at one time.

4. I hereby order that customers are limited to one (1) person per family while shopping at Essential Retail Establishments in the City of Logansport. Each person entering such establishment should wear a mask that covers their nose and mouth.
5. I hereby order that children under the age of 16 will not be allowed into Essential Retail Establishments.
6. The Governor has issued executive orders on March 31, 2020 and has extended the terms of Executive Orders 20-04, 20-10, 20-11, and 20-22 which relevant to this Emergency Order prohibits restaurants, bars, night clubs and other establishments from providing in-dining services within the City of Logansport through May 1, 2020. I hereby adopt said resolutions in this order and those orders shall continue to be effective through this order even if modified by the Governor until it has been determined that the in-dining closures can be safely terminated. These establishments will continue to be authorized to provide drive-thru, curbside take out, and delivery services for their food. Masks should be worn to cover the mouth and nose of all persons making deliveries of this type as well as during preparation of the food. The Governor's orders applicable to alcoholic beverages are not affected by this order.
7. A person who knowingly, intentionally, or recklessly violates this executive order is subject to fines of up to \$2,500 and punishment as a Class B misdemeanor under IND. CODE§ 10-14-3-24, and IND. CODE§ 10-14-3-34.
8. Anyone engaging in activities permitted under this Executive Order or the Governor's Executive Order 20-08 should observe Centers for Disease Control guidance on appropriate social distancing (maintaining six feet of separation from others) and observe responsible practices to help limit the spread of disease (frequent hand washing for at least 20 seconds, covering all coughs and sneezes, and disinfecting frequently used surfaces). Persons participating in allowed indoor activities other than their homes shall also wear masks covering their nose and mouth before entering and while within such facilities.

9. All individuals in high-risk populations including the elderly and those with chronic medical conditions like heart disease, diabetes, or lung disease are strongly encouraged to avoid all public gatherings and to minimize all travel to the maximum extent possible.
10. I have considered the scope of my authority under state law and City of Logansport social and economic impacts, anticipated effectiveness, and current epidemiology of this pandemic and it is my desire to end its threat to the City as quickly as possible.
11. This order will be filed with the Clerk-Treasurer of the City of Logansport in conformity with IND. CODE§ 10-14-3-29(a).
12. If any provision of this Executive Order, or its application to any person or circumstance, is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Order are hereby declared to be severable.



IN TESTIMONY WHEREOF, I, Chris Martin, have hereunto set my hand and caused to be affixed the Great Seal of the City of Logansport, State of Indiana, on this 27th of April, 2020.



Chris Martin
Mayor, City of Logansport

ATTEST:



Duane Ullom, Clerk-Treasurer