

State of Alabama    )  
City of Tuscaloosa    )

**EXECUTIVE ORDER OF THE MAYOR**

To:            All Departments, Incident Commander

Number:       **2020-014**

Date:          April 17, 2020

Regarding:    Re-Adoption of Alabama Department of Public Health “Stay at Home” Order  
                  (CityLaw File No. A20-0531)

**Authority:**

By the authority vested in me by the applicable provisions of the laws of the State of Alabama, including but not limited to Ala. Code § 11-44B-7 (1975), pursuant to which the Mayor of the City as the Chief Executive Officer has the general supervision and control of all other officers and affairs of the City, and pursuant to the emergency powers vested in me as Mayor by Alabama State Law and the ordinances and resolutions of the City of Tuscaloosa, including without limitation Ala. Code § 11-45-1, Ala. Code § 31-9-10, and § 9-11 of the Code of Tuscaloosa, the Proclamation of Existence of a Local Disaster and Emergency issued on March 13, 2020, and the resolution of the Tuscaloosa City Council adopted on March 17, 2020, and as otherwise provided by law, I, Walter Maddox, as Mayor do hereby order and direct as follows:

The purpose of this Order is to promote the health, safety, and welfare of the citizens of Tuscaloosa, by continuing to mitigate the spread of infectious diseases by reducing the risk of exposure to COVID-19 during a time of outbreak.

## SECTION I: CONTINUATION OF THE “STAY AT HOME” ORDER

On April 3, 2020, State Health Officer Scott Harris, M.D., issued a “Stay at Home” order applicable to the State of Alabama. That same day, Executive Order 2020-010 was issued, adopting the State Health Officer’s order as an official order of the City of Tuscaloosa. The State Health Officer’s order is due to expire by its own terms on April 30, 2020, at 5:00 p.m., unless extended or relaxed by further order of the State Health Officer. The purpose of this Section I of this Executive Order is to re-adopt and promulgate the requirements of the State Health Officer’s order as an official order of the City of Tuscaloosa, and to ensure that the social distancing measures and other requirements of that order can be continued within the City of Tuscaloosa and the police jurisdiction, to the extent necessary, upon the expiration or modification of the State Health Officer’s Order. Therefore, effective immediately, it is hereby ordered that the following Public Safety Curfew order be implemented within the City of Tuscaloosa and the police jurisdiction:

1. Every person is ordered to stay at his or her place of residence, except as necessary to perform any of the following “essential activities”:
  - a. **To obtain necessary supplies.** A person may leave his or her place of residence to obtain the following supplies for himself or herself, for other household members, including pets, or for a loved one or friend who cannot or should not leave home or cannot care for himself or herself:
    1. Food and other consumer goods necessary to maintain a person’s daily routine or to maintain the safety, sanitation, and routine operation of a home or residence;
    2. Supplies needed to work from home;
    3. Pharmaceutical prescriptions or other medical supplies;
    4. Fuel for automobiles or other vehicles or other vehicle supplies;
    5. Materials for distance learning or other education-related purposes; and

6. Any other supplies necessary to maintain a person's or pet's daily routine or to maintain the safety, sanitation, and routine operation of a home or residence.
- b. **To obtain or provide necessary services.** A person may leave his or her place of residence to obtain or provide the following services for himself or herself, for other household members, including pets, or for a loved one or friend who cannot or should not leave home or cannot care for himself or herself:
    - (i) Dental, medical, or surgical procedures;
    - (ii) Government-funded services or benefits;
    - (iii) Automobile repair services;
    - (iv) Services vital to the treatment or care of people with physical, intellectual, or developmental disabilities, or people with substance-use disorders;
    - (v) Services related to any public or private distance learning activities and education continuity, including all services under education continuity plans approved by the State Superintendent of Education; and
    - (vi) Any other services necessary to maintain a person's or pet's health and safety or to preserve the person's ability to perform an essential activity as defined in this paragraph.
  - c. **To take care of others.** A person may leave his or her place of residence to care for a family member, friend, or pet in another household, or to donate blood, or to transport family members, friends, or pets as allowed by this Order.
  - d. **To work.** A person may leave his or her place of residence to perform work at "essential businesses and operations" as defined in Paragraph 2 below, or to perform essential work-related activities as follows:
    - (i) Work-related activities to maintain the value of a business, establishment, corporation or other organization, such as

managing inventory, ensuring security, and processing payroll and employee benefits;

- (ii) Work-related activities to enable people to work or shop remotely from their residences or to allow people to buy products through drive-by, curbside, or door-to-door delivery; or
  - (iii) Work-related activities that do not require any regular interaction within six feet of another person.
- e. **To engage in outdoor activity.** A person may leave his or her place of residence to participate in outdoor activity that involves fewer than 10 people, so long as the person maintains a consistent six-foot distance from other persons.
  - f. **To seek shelter.** A person may leave his or her place of residence to seek shelter if required by his or her employment by an “essential service or business” or if his or her residence is unsafe or at imminent risk of becoming unsafe. A person may also leave his or her place of residence to seek help from providers of basic necessities to economically disadvantaged people, such as food pantries.
  - g. **To travel as required by law.** A person may leave his or her place of residence to travel as required by law enforcement or court order, including the transportation of children required by a custody agreement.
  - h. **To see family members.** A person may leave his or her place of residence to visit the residence of other persons who are related to him or her.

Anyone leaving his or her home or place of residence as authorized in this order shall take reasonable steps to maintain six feet of separation from other persons.

- 2. For the purposes of this Order, “essential businesses and operations” means and includes:

- a. **Government operations**, including public safety and first responders, law enforcement, fire prevention and response, courts and court personnel, military, emergency management personnel, corrections, probation and parole, child protection, child welfare, EMTs, 911 call-center employees, all workers and vendors that support law enforcement and emergency management operations and services, and other federal, state, tribal, or local officials or employees;
- b. **Infrastructure Operations**, including electric, natural gas, and water utilities, nuclear facilities and other generating facilities, utility poles and components, fuel pipelines and transmission systems, petroleum producers, telecommunications, electronic security and life safety services, wireless communication companies, communications sales and customer support, telecommunication and data centers, cybersecurity operations; businesses and other operations concerned with flood control, aviation, and the maintenance, operation, or construction of dams, airports, ports, roads and highways, and mass transit; automotive sales and repair, vehicle rental and taxi services, network providers (such as Uber and Lyft), freight and passenger rail, motor carriers, pipelines, and other transportation infrastructure and businesses, water and waste water systems, transportation companies such as airlines and bus lines, hazardous waste disposal, hotels and commercial lodging services, and RV parks;
- c. **Manufacturing facilities**, including food processing and production; companies that produce pharmaceuticals, food additives, medical equipment, medical devices and supplies, technology, biotechnology, chemical products, telecommunications products; automotive production and suppliers, airplane, ship, and space vehicle or rocket manufacturers; companies involved in healthcare, energy, steel and steel products, fuel and petroleum exploration and production, lubricants, greases and engine oils, mining, national defense, sanitary and cleaning products, household products, personal care products, products used by any other;
- d. **Agricultural operations and farms**, including food cultivation, livestock, cattle, poultry and seafood operations, transportation of agricultural products, livestock auctions, feedlots, dealers and brokers of livestock, farmer's markets, feed stores, repairers and suppliers of agricultural equipment, gas, diesel and petroleum suppliers,

companies involved with aquaculture, horticulture, and chemicals, including pesticide, herbicide, and fertilizer producers and distributors, forest products businesses, including those involved in forestry operations, logging, manufacture of lumber and paper products; meat processing facilities, rendering facilities and transporters, feed processing facilities, veterinary services;

- e. **Essential retailers**, defined as all supermarkets, food and beverage stores, including liquor stores and warehouse clubs, food providers, convenience stores, office-supply stores, bookstores, computer stores, pharmacies, health care supply stores, hardware stores, home improvement stores, building materials stores, stores that sell electrical, plumbing, and heating materials, gun stores, gas stations, auto, farm equipment, bicycle, motorcycle, and boat supply and repair stores, and businesses that ship or deliver groceries, food, and goods directly to residences;
- f. **Restaurants and bars**;
- g. **Essential personal services**, defined as trash collection, mail and shipping services, home repair, automotive sales and repair; warehouse, distribution and fulfillment centers, kennels, animal shelters, laundromats/laundry service, drycleaners, childcare facilities, public transportation, and providers of business services including security and payroll, and funeral, cemetery, and related services;
- h. **Media operations**, including newspapers, digital news sites, television, radio and other media services;
- i. **Financial services**, including banks and related financial institutions, credit unions, payday lenders, businesses that process credit card and other financial transactions, and other services related to financial markets;
- j. **Professional Services**, including legal services, accounting services, insurance services, and real estate services (including appraisal and title services);
- k. **Providers of basic necessities to economically disadvantaged populations**, including businesses, religious and secular non-profit

organizations, food banks, homeless shelters, and congregate-care facilities;

- l. **Construction and construction-related services**, including building and construction, lumber, building materials and hardware businesses, electricians, plumbers, other construction tradesmen and tradeswomen, exterminators, cleaning and janitorial, HVACR and water heating businesses, painting, moving and relocating services, other skilled trades, and other related construction firms and professionals for maintaining essential infrastructure;
- m. **Essential public services**, defined as services necessary to maintain the safety, sanitation, and essential operations of residences and essential businesses and essential business operations, including law enforcement, fire prevention and response, firearm and ammunition manufacturers and retailers, building code enforcement, security, emergency management and response, building cleaning including disinfection, automotive sales and repair, mortuaries and cemeteries;
- n. **Military or defense operations**, including employers and personnel who support the essential products and services required to meet national security commitments, including personnel working for companies and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense and government-owned/contractor-operated and government-owned/government-operated facilities.
- o. **Essential services or product providers**, defined as vendors that provide services or products, including logistics, transportation, and technology support, child care programs and services, medical waste disposal, hazardous waste disposal, services needed to ensure the continuing operation of an essential business or operation, operation of government agencies, and to provide for the health, safety and welfare of the public;
- p. **Federally-designated critical infrastructure**, defined as workers and related industries identified by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) in its “Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response,”

<https://www.cisa.gov/identifyingcritical-infrastructure-during-covid-19>, as may be amended;

- q. **Other state-designated essential businesses and operations**, defined as businesses and operations deemed essential by the Alabama Department of Public Health or the Alabama Emergency Management Agency; and
  - r. **Support operations for essential businesses and operations**, defined as employees, contractors, agents, suppliers, or vendors of an essential business or operation as defined in this paragraph;
  - s. **Other City-designated essential businesses and operations**, defined as businesses and operations deemed essential by the City of Tuscaloosa, either by further executive order or by action of the City Council.
3. Operators of “essential businesses and operations” as defined in Paragraph 2 may, but need not, issue credentials to their employees verifying their status as an employee of an essential business or operation. The decision to provide any such credentials is left to the discretion of the essential business or operation.
4. “Essential businesses and operations” as defined in Paragraph 2 shall take all reasonable steps, for employees and customers, to (a) avoid gatherings of 10 persons or more and (b) maintain a consistent six-foot distance between persons.
5. The following businesses, venues, and activities shall remain closed to non-employees or not take place:
- a. **Entertainment venues** as follows:
    - (i) Night clubs
    - (ii) Bowling alleys
    - (iii) Arcades
    - (iv) Concert venues

- (v) Theaters, auditoriums, and performing arts centers
- (vi) Tourist attractions (including museums and planetariums)
- (vii) Racetracks
- (viii) Indoor children's play areas
- (ix) Adult novelty stores
- (x) Venues operated by social clubs

b. **Athletic facilities and activities** as follows:

- (i) Fitness centers and commercial gyms
- (ii) Spas and public or commercial swimming pools
- (iii) Yoga, barre, and spin facilities
- (iv) Spectator sports
- (v) Sports that involve interaction with another person of closer than 6 feet
- (vi) Activities that require use of shared sporting apparatus and equipment
- (vii) Activities on commercial or public playground equipment

c. **Close-contact service providers** as follows:

- (i) Barber shops
- (ii) Hair salons
- (iii) Waxing salons
- (iv) Threading salons

- (v) Nail salons and spas
- (vi) Body art facilities and tattoo services
- (vii) Tanning salons
- (viii) Massage therapy establishments and services

6. All “essential retailers” as defined in Paragraph 2, including grocery stores, pharmacies, and “big box” stores, shall continue to comply with the following rules, in addition to any other applicable provisions of this Order:
  - a. **Emergency maximum occupancy rate.** Occupancy shall be limited to no more than 50 percent of the normal occupancy load as determined by the fire marshal. This “emergency maximum occupancy rate” shall be posted in a conspicuous place, and enough staff shall be posted at the store entrances and exits to enforce this requirement.
  - b. **Social distancing.** An employee of the essential retailer may not knowingly allow customers or patrons to congregate within six feet of one another.
  - c. **Sanitation.** The essential retailer shall take reasonable steps to comply with guidelines on sanitation from the Centers for Disease Control and Prevention and the Alabama Department of Public Health.
7. Notwithstanding any other provision of this Order, a business may continue to operate through curbside pickup, delivery, remotely, or any other method that does not involve a customer entering its building, provided that the business takes all reasonable steps to ensure a consistent six-foot distance between persons.
8. All non-work related gatherings of 10 persons or more, or non-work related gatherings of any size that cannot maintain a consistent six-foot distance between persons, are prohibited.

9. All restaurants, bars, breweries, or similar establishments shall not permit on-premises consumption of food or drink.
  - a. Such establishments may continue to offer food for take-out or delivery provided the social distancing protocols, including maintaining a consistent six-foot distance between persons, are followed.
  - b. Such establishments are strongly encouraged to offer online ordering and curbside pick-up of food.
  - c. Hospital food service areas are excluded from this order, provided they have their own social distancing plan.

## **SECTION II: RELIGIOUS ORGANIZATIONS, SCHOOLS, AND MEDICAL FACILITIES**

This Order does not seek to regulate the activities of the following categories of institutions and individuals. These categories shall continue to follow and comply with the Alabama Department of Public Health's Order and follow any subsequent State orders:

1. Religious entities, including religious and faith-based facilities, entities, and groups;
2. Health-care providers and caregivers, including physicians, dentists, mental health workers, nurses, chiropractors, physical therapists, veterinarians, hospitals/clinics, medical practices, research and laboratory operations, hospice, health care facilities, clinical staff, nursing homes, residential health care facilities, adult day care centers, blood banks, congregate-care facilities, assisted living facilities, elder care, medical wholesale and distribution, home health workers and aides, medical supply and equipment manufacturers and providers, medical waste disposal, hazardous waste disposal, other ancillary healthcare services;
3. Education providers, public and private K-12 schools, colleges and universities or other educational institutions.

**SECTION III: EFFECTIVE TIME AND PRIORITY**

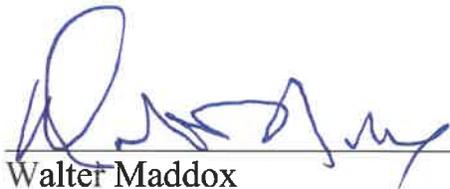
This Order shall remain in full force and effect through April 30, 2020.

This Order supersedes and preempts all executive orders previously issued regarding COVID-19 curfew orders.

**Implementation:**

All Departments of the City and their respective employees to whom this Executive Order applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Order is not intended to conflict with, supersede or contradict any lawful ordinance or resolution duly enacted by the City Council. This Order does not create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by a party against the City, its departments, agencies, entities, officers, employees, or agents, or any other person.

So Ordered from City Hall on the date first written above.



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Walter Maddox  
Mayor, City of Tuscaloosa