



PROCLAMATION

WHEREAS, one of the greatest responsibilities of any elected official is the protection of the electorate served and the protection of the greater public health and safety; and

WHEREAS, COVID-19 poses a serious and potentially deadly threat to the public and the public health as the Federal Center for Disease Control (“CDC”) has noted that serious illness occurs in 16% of cases with older people and people of all ages with severe chronic medical conditions — like heart disease, lung disease and diabetes, for example — seeming to be at a higher risk of developing serious COVID-19 illness and noting that the World Health Organization has determined COVID-19 to be a pandemic; and

WHEREAS, across the globe, the disease has been dramatically spread through contact by those with no known correlation to any affected areas or without contact with those known to be infected, called “community spread” and the Iowa Department of Public Health (“IDPH”) has now identified community spread in central Iowa and has issued new recommendations for individuals with underlying conditions, and all Iowans should be prepared for cancellations and disruptions in routine activities; and

WHEREAS, a high rate of infection has been shown to overwhelm medical systems throughout the world and numerous governmental entities and epidemiologists have stated that community spread in the United States poses the same risk of overwhelming American medical systems; and

WHEREAS, the IDPH has recommended the immediate implementation of several mitigation measures to have the most significant impact on slowing the spread of the virus, including avoiding large gatherings of more than 10 people, and considering adjustments for smaller gatherings with high risk groups; and

WHEREAS, Iowa Code Section 372.14(2) and the City of Newton Code of Ordinances Section 34.03 grant the Mayor powers in emergency circumstances when public danger exists to take extraordinary steps to protect the public health and safety.

NOW, THEREFORE, IN CONSIDERATION OF THE FORGOING AND OTHER VALID EMERGENT CONCERNS, I, MICHAEL L. HANSEN, MAYOR OF THE CITY OF NEWTON, PROCLAIM THE FOLLOWING:

I hereby determine that a state of emergency or public danger exists and direct that all gatherings of 10 people or more on public property or public right-of-way are hereby prohibited and any permits or permissions previously granted are hereby rescinded and any amounts paid for such permits shall be refunded upon request.

I further determine and direct the Police Chief to enforce such direction to avoid any such gatherings, whether formally or informally organized.

This Proclamation of emergency and public danger is part of an ongoing response of the City of Newton to protect public health and safety and may be modified or superseded with more restrictive proclamations at any time as circumstances warrant.

Per Section 34.99 of the Code of Ordinances, the public is advised that the violation of a mayoral proclamation of emergency or of any subsidiary proclamation thereto

evidencing the exercise of emergency powers or of any rule or order issued pursuant thereto by the mayor or the city administrator or of any order issued pursuant thereto by any peace officer or of any directive issued by designated emergency services personnel pursuant thereto shall constitute a violation of that section and shall be punishable as a misdemeanor as provided by section 34.99 of the Code of Ordinances.

A. Restaurants and Bars: All Restaurants and Bars are hereby closed to the general public except that to the extent permitted by applicable law, and in accordance with any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises.

B. Fitness Center: All fitness centers, health clubs, health spas, gyms, aquatic centers are hereby closed.

C. Theaters: All theaters or other performance venues at which live performances or motion pictures are shown are hereby closed.

D. Library: City of Newton Library is hereby closed.

E. Mass Gathering: Social, community, spiritual, religious, recreational, leisure, and sporting gatherings and events of more than 10 people are hereby prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers. Planned large gatherings and events must be canceled or postponed until after termination of this disaster.

F. Senior Citizen Centers and Adult Daycare Facilities: All facilities that conduct adult day services or other senior citizen centers are hereby closed.

PROCLAIMED THIS 17TH DAY OF MARCH, 2020 BY THE AUTHORITY VESTED IN ME BY THE CODE OF IOWA AND THE CITY OF NEWTON CODE OF ORDINANCE:



**MICHAEL L. HANSEN
MAYOR
CITY OF NEWTON**

