

State of Alabama)
City of Tuscaloosa)

EXECUTIVE ORDER OF THE MAYOR

To: All Departments, Incident Commander

Number: **2020-024**

Date: August 24, 2020

Regarding: Bar and Restaurant Dining Room Operation
 (A20-1003)

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 the 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, and 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 by me on August 4, 2020, and the resolution of the Tuscaloosa City Council adopted on August 4, 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 and mitigate the spread of infectious diseases by reducing the risk of exposure during a time of outbreak.

The University of Alabama began activities related to the fall semester in mid-August and resumed in-person classes on August 19, 2020. Since that time, the University has seen a dramatic increase in positive COVID-19 students. It is essential we take steps to protect our healthcare system’s capacity and staffing capability.

The University of Alabama is a large economic engine for the City and a move to virtual classes for the fall semester of 2020 would devastate our local economy and spell disaster for our service industry establishments.

The University of Alabama has taken on-campus measures to reduce the spread of COVID-19. Those measures include the cancellation of all non-academic events, the closing of dining rooms, and restrictions in access to fraternity and sorority houses. The University of Alabama recognizes there are areas of student gatherings beyond the University's control. In an effort to continue in-person schooling this semester the University has asked the City of Tuscaloosa to take measures to reduce the spread of COVID-19 in bars and restaurants.

Bars and restaurants present a unique risk for the spread of COVID-19 based upon the length of time people spend in close proximity indoors and the inability to wear a face covering while eating and drinking.

SECTION 1. Effective beginning August 24, 2020, beginning at 5:00 p.m., all ABC lounge alcohol licensees in the City of Tuscaloosa are required to cease the service and/or sale of alcoholic beverages for on-premises consumption, including Entertainment District sales. All other ABC licensed establishments shall suspend walk up bar service and only allow alcohol sales to seated customers. Alcohol service at any City of Tuscaloosa owned facilities is suspended. These restrictions shall remain in effect until 6:00 a.m. on September 8, 2020.

SECTION 2. I am asking the City Council to defer City of Tuscaloosa sales tax collections from the affected businesses.

SECTION 3. I am asking the City Council to fund an additional \$400,000 of Restart Tuscaloosa Small Business Assistance Grants for the affected businesses.

SECTION 4. 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.

SECTION 5. Failure to comply with this Order is punishable by a fine of up to \$500.00 and/or up to one hundred eighty (180) days in the municipal jail.

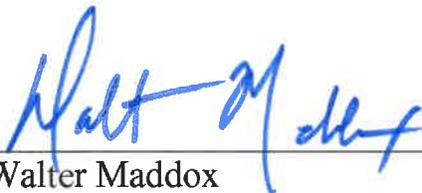
SECTION 6. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, or circumstance is held to be

invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.

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 this the 24th day of August, 2020.



Walter Maddox
Mayor, City of Tuscaloosa