



**CONSOLIDATED CITY OF INDIANAPOLIS
COUNTY OF MARION
STATE OF INDIANA**

EXECUTIVE ORDER NO. 1, 2020

WHEREAS, under Indiana Code § 36-3-3-2, the mayor of a consolidated city serves as the executive of both the consolidated city and the county;

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;

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, the State of Indiana confirmed the first known case of COVID-19 in Marion County on March 6, 2020;

WHEREAS, Indiana’s governor declared the COVID-19 outbreak a disaster emergency for the State of Indiana on March 6, 2020;

WHEREAS, the Marion County Public Health Department—based on guidance from the State of Indiana and a request from the Mayor’s Office—has banned all non-essential public gatherings of more than 250 people and has ordered the temporary closure of Marion County schools;

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 in-person patrons;

WHEREAS, concurrent with this Executive Order, the Marion County Public Health Department is issuing an order prohibiting public gatherings of more than 50 people and requiring the temporary closure to the public of all entertainment venues, gyms, and fitness centers in Marion County.

WHEREAS, Indiana Code § 10-14-3-29 grants the Mayor authority to declare a local disaster emergency;

WHEREAS, Indiana Code § 10-14-3-29.5 grants the Mayor authority to issue a local travel advisory upon the declaration of a local disaster emergency;

WHEREAS, a local travel advisory falls into one of three levels:

- (1) Advisory. This lowest level of local travel advisory means that routine travel or activities may be restricted in areas because of a hazardous situation, and individuals should use caution or avoid those areas.
- (2) Watch. A watch local travel advisory means conditions are threatening to the safety of the public. During a watch local travel advisory, only essential travel, such as to and from work or in emergency situations, is recommended, and emergency action plans should be implemented by businesses, schools, government agencies, and other organizations.
- (3) Warning: This highest level of local travel advisory means that travel may be restricted to emergency management workers only. During a “warning” local travel advisory, individuals are directed to:
 - (A) refrain from all travel;
 - (B) comply with necessary emergency measures;

- (C) cooperate with public officials and disaster services forces in executing emergency operations plans; and
- (D) obey and comply with the lawful directions of properly identified officers.

WHEREAS, Indiana Code § 10-14-3-29 provides that a declaration of a local disaster emergency activates the response and recovery portions of all local or interjurisdictional disaster emergency plans;

WHEREAS, the pandemic response portion of Marion County's Comprehensive Emergency Management Plan provides that, in the event of a novel virus pandemic:

- (1) Social distancing strategies aimed at reducing the spread of infection such as closing schools, community centers, and other public gathering points and canceling public events may be implemented during a pandemic.
- (2) Social distancing measures such as limiting public gatherings and closing schools, colleges, universities, large child care centers, libraries, houses of worship, stadiums, and recreational facilities are intended to decrease opportunities for close contact among persons in the community, thereby decreasing the potential for novel virus transmission among people and possibly slowing the spread of a pandemic. Decision-makers must consider the scope of their legal authorities, social and economic impacts, anticipated effectiveness, and current epidemiology of the pandemic prior to implementing these measures.
- (3) The Director of [the Marion County Public Health Department], the Commissioner of [the Indiana State Department of Health], the Chief of Police for the Indianapolis Metropolitan Police Department, and local and state law enforcement will coordinate activities to support social distancing measures which includes: (1) the management of proclamations and/or declarations required for social distancing measures; (2) coordination of law enforcement support for the implementation of social distancing measures; and, (3) issuance of Emergency Alert System broadcasts regarding status of social distancing measures.

WHEREAS, Indianapolis Revised Code § 201-5 grants the Mayor, upon declaration of a local disaster emergency, authority to take such actions as are appropriate to assure the public well-being, safety of public and private property, and the environment including, but not limited to, the imposition of travel bans on streets and highways; the imposition of curfews; the alteration of normal business working hours; and other steps necessary to effect emergency response and recovery; and

WHEREAS, Indiana 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;

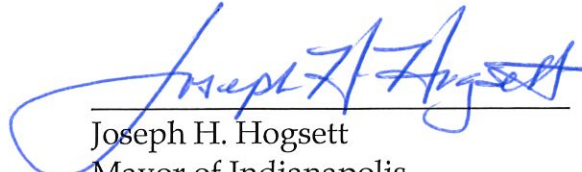
THEREFORE, under the authority vested in me as Mayor of the Consolidated City of Indianapolis and Marion County and Chief Executive of Marion County by state law and local ordinance, **IT IS HEREBY ORDERED THAT:**

1. I declare that a **local disaster emergency exists** in the City of Indianapolis and in Marion County. That emergency is attributable to the COVID-19 pandemic.
2. I declare a **watch-level local travel advisory**, effective at all hours of the day. All non-essential travel should be avoided.
 - a. This travel advisory does not affect travel in Marion County for the following purposes: (1) travel relating to medical care or diagnostic testing for oneself or another; (2) travel required to provide care to another for whom the traveler is a primary caregiver; (3) travel for mandatory employment activities; and (4) travel required to obtain food, groceries, medication, or essential household goods including cleaning supplies and personal hygiene products.
 - b. This advisory does not affect travel in Marion County relating to food delivery or to the resupply of retail stores, pharmacies, and food pantries.
3. All employers in Indianapolis and Marion County are strongly encouraged to allow for teleworking arrangements to the maximum extent possible to minimize the amount of mandatory work travel.
4. 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 public gatherings and to minimize public travel to the maximum extent possible.
5. I have considered the scope of my authority under state law and Indianapolis Revised Code § 201-5, social and economic impacts, anticipated effectiveness, and current epidemiology of this pandemic.
6. This order will remain in effect for seven days unless (1) consent to its extension is given by the City-County Council and (2) it is in fact extended by further executive order or by a resolution of the City-County Council.

7. This order is being filed with the Marion County Clerk and the Clerk of the Indianapolis City-County Council in conformity with Indiana Code § 10-14-3-29(a).

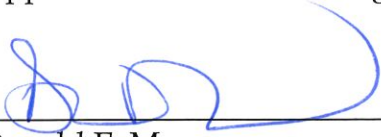
Date: March 16, 2020

CONSOLIDATED CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA



Joseph H. Hogsett
Mayor of Indianapolis
Chief Executive of Marion County

Approved as to form and legality:



Donald E. Morgan
Corporation Counsel