

ORDER TEMPORARILY SUSPENDING SECTIONS OF THE TOWN OF HEIDELBERG REGULAR MEETING AGENDA CONCERNING PUBLIC COMMENTS AND THE PROCLAMATIONS, SPECIAL PRESENTATIONS, COMMENDATIONS, AND RESOLUTIONS HONORING INDIVIDUALS, BUSINESSES, GROUPS OR ORGANIZATIONS.

WHEREAS, the Town of Heidelberg adopted an ordinance which governs the order of its business, which is codified at Section 21-15-19 of the MS Code 1972 Statute; and

WHEREAS, the Town of Heidelberg also adopted an ordinance which governs public comments, which is codified at Resolution No. 2018-01 Code of Ordinance; and

WHEREAS, both the Mississippi Department of Health, and the United States White House have urged that certain emergency measures be implemented in the wake of the COVID-19 spread; and

WHEREAS, the emergency measures recommended include, but are not limited to, social distancing; and

WHEREAS, the Town of Heidelberg recognizes that part of ordinances codified at Section 21-15-19 and Resolution No. 2018-01 of the Town of Heidelberg Code of Ordinances are not compatible with the implementation of the recommended measures; and

WHEREAS, in *Gannett River States Pub. Corp., Inc. v. City of Jackson*, the Mississippi Supreme Court opined that a municipality is not required to allow public comment (*See 866 So. 2d 462, 469* (Miss. 2004)); and

WHEREAS, the Town of Heidelberg desires to strike a balance between carrying on the public's business while minimizing risk and exposure to COVID-19 for all.

NOW THEREFORE, IT IS HEREBY ORDERED that public comments, proclamations, special presentations, commendations, and resolutions honoring individuals, businesses, groups, or organizations shall be *temporarily suspended* from the Council's order of business on the agenda until further action of the Council.

IT IS FURTHER ORDERED that the provisions of this order shall remain effective until passage of an order eliminating the suspension.

IT IS FINALLY ORDERED, that the provisions of this order shall become effective immediately upon passage so that the public health, safety, and welfare is not jeopardized by the spread of COVID-19.

Adopted on June 2, 2020