

ISSUANCE OF COVID-19 EMERGENCY REGULATION

Pursuant to the authority vested in the St. Albans City Council RE: Title 20 VSA § 16 which states “ The towns and cities of the state and other agencies designated or appointed by the governor are authorized and empowered to make, amend and rescind such orders, rules, and regulations as may be necessary for emergency management purposes and to supplement the carrying out of the provisions of this chapter, but not inconsistent with any orders, rules or regulations promulgated by the governor or by any state agency exercising a power delegated to it by him or her. (Amended 1989, No. 252 (Adj. Sess.), § 14.)

Thus, City of St. Albans hereby promulgates the following emergency regulation **to be effective starting at 6:30 pm on April 15, 2020:**

COVID-19 Emergency Regulation 1:

(a) The purpose of this regulation is to preserve the public health and safety. In every incident the primary goal is to educate and garner voluntary compliance.

(b) Any person, business, or organization who, within the boundaries of the City of St. Albans, intentionally fails to abide by any lawful order issued by a federal, state, or local government in connection with the COVID-19 emergency, and in particular the requirements stated by the Governor of Vermont in Executive Order No. 01-20, issued March 13, 2020 and titled, “Declaration of State of Emergency in Response to COVID-19 and National Guard Call-Out,” and its Addenda (collectively “EO 1-20”) shall be subject to the civil penalties in the St. Albans City Code of Ordinances, applied as follows:

(1) First offense: A first offense by any person, business, or organization shall be punishable by a minimum fine of \$100.00 and a maximum fine of \$500.00 with a waiver penalty fine of \$100.00;

(2) Second offense. A second offense by any person, business, or organization shall be punishable by a minimum fine of \$250.00 and a maximum fine of \$500.00 with a waiver penalty fine of \$250.00;

(3) Third or subsequent offense. A third or subsequent offense by any person, business, or organization shall be punishable by a minimum fine of \$500.00.

(c) Because of the risk of conveying the COVID-19 virus, any person who, within the boundaries of the City of St. Albans, intentionally spits on, bites, or otherwise intentionally causes the person’s bodily fluid to come into contact with a law enforcement officer, first responder, or health care professional while that professional

is performing a lawful or public health duty shall, be subject to a penalty fine of \$1,000.00 per incident, per person assaulted.

(d) Each incident or each contact of either of the violations above shall be considered a separate Incident.

(e) The City may refer any person or entity who violates subsections (b) or (c) above to the appropriate authority for possible additional enforcement action.

- **Adopted by unanimous vote of the St. Albans City Council on April 13, 2020.**