

**MADISON COUNTY COMMISSIONERS ORDER NO. 2, 2020  
ESCALATING DECLARATION OF LOCAL DISASTER  
EMERGENCY FOR COVID-19**

**WHEREAS**, under Indiana Code § 36-2-2-2, the Madison County Board of Commissioners serve as the executive of Madison County, Indiana; and

**WHEREAS**, the President of the United States has declared a national emergency concerning the spread of the Coronavirus (“COVID-19”) viral infection epidemic; and

**WHEREAS**, the Governor of the State of Indiana has made an emergency declaration in response to the COVID-19 epidemic; and

**WHEREAS**, on March 20, 2020, Vice President of the County Commissioners W. Michael Phipps made an emergency declaration of a local disaster emergency for COVID-19 epidemic in Madison County, Indiana; and

**WHEREAS**, the Madison County Health Department (MCHD) via the Madison County Health Officer Stephen Wright, M.D. has made certain health orders seeking to stem the spread of the COVID-19 epidemic in Madison County; and

**WHEREAS**, the Health Orders have made some progress but not enough; and

**WHEREAS**, the Madison County Health Officer, Stephen Wright, M.D., has determined that certain measures should be put into place to lessen the potential spread of the COVID-19 virus and to slow the epidemic including the closing of some local businesses; and

**WHEREAS**, pursuant to Ind. Code § 10-14-3-29(a) the Board of Commissioners of Madison County, Indiana issued Order No. 1, 2020 on March 20, 2020 declaring a local disaster emergency for Madison County, Indiana; and

**WHEREAS**, since declaring a local disaster emergency the number of people infected with COVID-19 in Indiana and in Madison County has grown as has the number of fatalities; and

**WHEREAS**, Madison County, Indiana has been impacted by and will be immediately threatened by the outbreak and spread of COVID-19; and

**WHEREAS**, on Monday March 23, 2020, the Governor adopted Executive Order 20-08 entitled “Directive for Hoosiers to Stay at Home” which mandated certain provisions including the cessation of non-essential business and operations; and

**WHEREAS**, the Board of Commissioners of Madison County, Indiana hereby desire to escalate their March 20, 2020 declaration.

**THEREFORE IT IS NOW HEREBY ORDERED BY THE MADISON COUNTY COMMISSIONERS AS FOLLOWS**

1. A **local disaster emergency** is hereby declared in Madison County, Indiana (including all incorporated and unincorporated areas of the county) attributable to the COVID-19 pandemic.
2. A **watch-level local travel advisory**, is hereby effective at all hours of the day. All non-essential travel shall be avoided.
  - a. This travel advisory does not affect travel in Madison County for the following purposes: (1) travel related 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; (4) travel required to obtain food, groceries, medication, or essential household goods including cleaning supplies and personal hygiene products; (5) travel for appearances ordered by the Court; and (6) travel for government related activities including obtaining government related services.
  - b. This advisory does not affect travel in Madison County relating to food delivery or to the resupply of stores, pharmacies, food pantries, or other such organizations.
  - c. Anyone traveling for nonessential purposes in violation of this Order will be held to have violated this Ordinance.
3. In conjunction with the Madison County Health Officer and the Madison County Emergency Management Executive Director, all businesses, gatherings, services, memorials or functions of any kind except those specifically permitted under this Emergency Declaration shall immediately close and cease activities.
4. The Madison County Board of Commissioners hereby expressly adopt the Governor's Executive Order No. 20-08 (a copy of which is attached hereto as Exhibit A) is if fully set forth herein. A violation of the Governor's Executive Order No. 20-08 shall be a violation of this Ordinance.
5. In addition to the provisions of the Governor's Executive Order No. 20-08, the following businesses in Madison County, Indiana, even though determined to be essential Business Operations by the Governor's Executive Order No. 20-08 shall operate via delivery, drive through, and/or curbside and close the interior of their stores to the public:
  - a. Packaged liquor stores;
  - b. Banks;
  - c. Insurance companies, underwriters, agents, brokers, and related insurance claims and agency services;


- d. Funeral services are limited to family only and no more than ten (10) people with proper social distancing (currently six feet) as required by the Center for Disease Control.
6. The Health Department, with direction for the Health Officer, may limit any business permitted by the Governor's Executive Order to be conducted in a manner to limit public access during the local disaster emergency.
7. The Madison County Commissioners also designate the following as essential services to the extent the Governor's Order does not so declare them:
  - a. Veterinary services
  - b. Automobile repair shops including automotive dealership repair operations;
8. The Health Department and/or the majority of the Commissioners may grant additional waivers from the operation of this Order.
9. While it is understood that teleworking may not be possible for all industries or employers. All employers in Madison County are encouraged to allow for teleworking arrangements to the maximum extent possible to minimize the amount of mandatory work travel.
10. During this local disaster emergency, all citizens, businesses, and employers in Madison County shall follow the Orders and guidance of the Madison County Health Department, Indiana State Department of Health, Indiana Governor, and federal entities (including, but not limited to, the Center for Disease Control, Health and Human Services, and Surgeon General) related to the COVID-19 pandemic.
11. During this local disaster emergency, the Madison County offices and buildings or facilities shall be open to the public by appointment only. Madison County department heads shall direct their employees (to the extent possible depending on the department) to work from home. Those with business with the Courts will continue under Court guidance and direction, and the building will remain open for such business. Those with other business with the County must schedule an appointment and show proof of appointment before entering the building. The Public is encouraged to transact business with the County remotely to the extent possible. Visit [www.madisoncounty.in.gov](http://www.madisoncounty.in.gov) for remote access and phone numbers.
12. Individuals in high-risk populations – including the elderly and those with chronic medical conditions like heart disease, diabetes, or lung disease – are encouraged to avoid public gatherings and to minimize public travel to the maximum extent permissible.
13. This order will remain in effect until further order of the Board of Commissioners of Madison County. The Board of Commissioners of Madison County may implement

stricter requirements in the future, or may alleviate requirements as the situation dictates.

14. Any person, firm, or entity found to be operating in violation of this Order may be fined up to the sum of \$2,500 for each violation. Each and every day constitutes a separate violation.
15. Consistent with Ind. Code § 10-14-3-33.5, nothing in this Order prohibits or restricts the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during the local disaster emergency declared and escalated herein.
16. In the event any one or more of the provisions contained in this Order should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect, and in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision will be added as a part of this Order that is as similar to the illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.
17. This Order is effective immediately upon its execution and is being filed with the Madison County Clerk and the County Auditor in conformity with Indiana Code § 10-14-3-29(a),

Dated this 23 day of March, 2020.

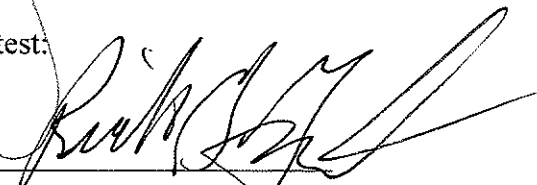
**MADISON COUNTY BOARD OF COMMISSIONERS:**

  
\_\_\_\_\_  
KELLY GASKILL, PRESIDENT

  
\_\_\_\_\_  
W. MICHAEL PHIPPS, VICE PRESIDENT

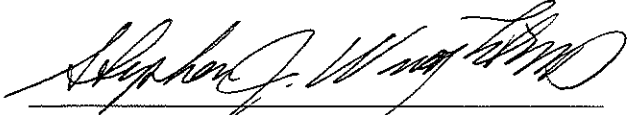
  
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JOHN M. RICHWINE, MEMBER

Attest:

  
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RICK GARDNER, AUDITOR

**RECOMMENDED AND AGREED TO BY MADISON COUNTY HEALTH OFFICER:**

A handwritten signature in black ink, appearing to read "Stephen J. Wright, M.D.", written over a horizontal line.

STEPHEN WRIGHT, M.D.

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