

CITY OF AUBURN PROCLAMATION OF EMERGENCY

WHEREAS, on March 13, 2020, President Donald Trump issued an emergency declaration in response to the public health threat posed by the COVID-19 virus; and

WHEREAS, on March 18, 2020, Maine Governor Janet Mills issued a similar proclamation for the State of Maine; and

WHEREAS, on March 31, 2020, Maine Governor Janet Mills made amendments to the proclamation for the State of Maine; and

WHEREAS, since these declarations, the number of confirmed cases in the State of Maine has increased and the spread of COVID-19 has increased; and

WHEREAS, the COVID-19 emergency persists and grows throughout the City, the State of Maine, the United States of America, and the world; and

WHEREAS, the risk of community spread of COVID-19 seriously impacts the life, health and safety of the public, and public health is imperiled by the person-to-person spread of COVID-19; and

WHEREAS, these risks are likely to continue, the City of Auburn, its residents, and its visitors are also under threat from the spread of this virus; and

WHEREAS, on March 18, 2020, the Maine Supreme Judicial Court issued a Revised Emergency Order and Notice from the Maine Supreme Judicial Court [Regarding] Courthouse Safety and Coronavirus (Covid-19), in which the Court ordered that cases involving Forcible Entry and Detainer (evictions, landlord/tenant) will not be heard or scheduled by any Maine court before May 1, 2020; and

WHEREAS, under conditions of this emergency, the City of Auburn recommends and encourages all landlords throughout the City to not undertake or process any evictions; and

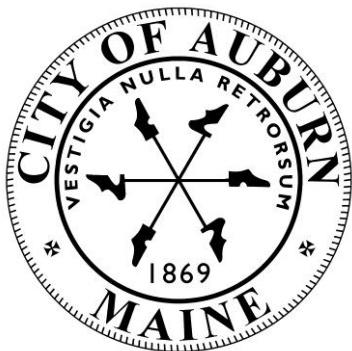
WHEREAS, these factors present an immediate threat to the public health and safety, to protect the health and safety of the community, it is necessary for Auburn City Government to recognize this public health emergency and to be prepared to take immediate steps to respond to it; and

NOW THEREFORE, in accordance with City Ordinance, Section 16-22, "Proclamation of Emergency", the Mayor and City Manager, having consulted with the City Council, do hereby declare a state of emergency throughout the City of Auburn. This state of emergency shall remain in effect until rescinded by the Mayor and City Manager. Assistant City Manager Phillip L. Crowell, Jr. is hereby designated the City's Emergency Management Director.

FURTHER, the Mayor and City Manager do hereby **ORDER** as follows:

1. All Auburn residents and businesses will adhere to the National and State of Maine Emergency Declarations.
2. Governor Mills' "Stay Healthy at Home" Executive Order requires that Maine people remain at home unless to leave for an essential job or an essential activity. All residents, in accordance with the "stay at home order" issued by Governor Janet Mills, will not congregate in Auburn parks and open spaces. The use of walking trails is strongly encouraged. Use of playground equipment and group play activities are prohibited.
3. In light of the current COVID-19 pandemic, the Maine Judicial Court's suspension of eviction cases until May 1, 2020, and the shared need for all members of our community to work cooperatively to protect the public health and safety, all owners of residential and commercial rental properties within the City of Auburn are hereby requested to rescind or suspend all terminations of all leases or tenancies, including tenancies at will (both residential and commercial) for non-payment of rent beginning March 1, 2020 until 30 days after the termination of this Proclamation if the tenant is able to show an inability to pay rent due to circumstances related to the COVID-19 pandemic. The tenant must provide the owner with documentation outlining the reasons for non-payment within five business days of the payment date. These circumstances include loss of income due to a COVID19 related workplace or business closure, child care expenditures due to school closures, health care expenses related to being ill with COVID-19 or caring for a member of the tenant's household who is ill with COVID-19, or reasonable expenditures that stem from government-ordered emergency measures. The requested limitation does not extend to cases where a tenant causes substantial damage to the property or the other bases for termination of tenancies contained in 14 M.R.S. § 6002(A), (B), (D), (E) & (F) nor would it eliminate the obligation of tenants to pay rent.

ENFORCEMENT, Pursuant to 37-B M.R.S. §786, this Order shall be enforced by law enforcement as necessary and violations are a Class E crime, subject to up to six months days in jail and a \$1,000 fine. In addition, compliance with Section IV of this Order may also be enforced by government officials who regulate licenses, permits or any other authorization to operate a business or occupy a building.



IN WITNESS WHEREOF, I have
hereunto set my hand and caused
the Seal of the City of Auburn, Maine
to be fixed this 1st day of April 2020


Jason Levesque, Mayor


Peter Crichton, City Manager