

State of Emergency

RESOLUTION 2020-005

AN ORDINANCE FOR THE DELARATION OF A LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER PURPOSES.

WHEREAS, Crisp County, Georgia has experienced an event of critical significance as a result of the Coronavirus (COVID-19) disease; and

WHEREAS, the Centers for Disease Control and Prevention, (the “CDC”) indicates that COVID-19 is a new and contagious respiratory disease caused by a novel (new) coronavirus that was first detected in China and which has now been detected in more than 100 locations internationally, including in the United States; and

WHEREAS, as reported by the World Health Organization (“WHO”), the world has experienced a deep humanitarian crisis with more than 209,800 cases and more than 8,778 deaths due to COVID-19; and

WHEREAS, COVID-19 is officially a global pandemic according to the WHO; and

WHEREAS, President Trump has declared a national emergency for the United States of America in response to COVID-19; and

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a public health state of emergency and several Georgia counties have declared a state of emergency due to COVID-19;

WHEREAS, as reported by the DPH effective as of March 19, 2020, Georgia now has 287 confirmed cases of COVID-19 and 10 COVID-19 related deaths; and

WHEREAS, the CDC has issued guidance on the emerging and rapidly evolving situation of the COVID-19 pandemic, including how to protect oneself from illness; and

WHEREAS, social distancing is recommended by the CDC to prevent the continued spreading of the illness in the community; and

WHEREAS, the CDC expects that additional cases of COVID-19 will be identified in the coming days, including more cases in the United States, and that person-to-person spread is likely to continue to occur; and

WHEREAS, if COVID-19 spreads in Crisp County and the rest of Georgia, at a rate comparable to the rate of spread in other affected areas, it may greatly strain the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19, and the situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of the State; and

WHEREAS, in the judgment of the Commission of the Unified Government of Crisp County, Cordele, and Arabi, Georgia, as of March 20, 2020, there exist emergency circumstances as a result of COVID-19

within the geographical boundaries of the Unified Government as described in Section 26-38 of the Emergency management and response powers in the event of an actual or threatened occurrence of a disaster or emergency, which may result in the large-scale loss of life, injury, property damage or destruction or in the major disruption of routine community affairs, business or governmental operations in the county

WHEREAS, to prevent or minimize injury to people resulting from this event, certain actions are required, including but not limited to, a curfew and prohibition on gatherings;

NOW, THEREFORE, the Commission of Crisp County, and the city of Cordele, and Arabi, Georgia hereby ordains that it is hereby declared that a local state of emergency exists within the territorial limits of the Unified Government of Crisp County, Georgia and shall continue until the conditions requiring this declaration are abated.

THEREFORE, IT IS ORDERED:

Section 1. That the Crisp County Office of Emergency Management activates the Emergency Operations Plan;

Section 2. That the following sections of the Crisp County Code be implemented:

- a. Section 26-35. Powers during an emergency or disaster
- b. Section 24-40. Authority to Waive Procedures and Fee Structures
- c. Section 26-42. Closed or Restricted Areas and Curfews; Prohibition on Gatherings in accordance with the following directives:

(i) Voluntary Shelter in Place: Beginning Friday, March 20, 2020 at 7:00 p.m. and concluding Sunday, April 5, 2020 at 11:59 p.m. unless otherwise extended, a voluntary shelter in place policy is hereby implemented requesting that individuals not loiter, wander, stroll, or play in any public place within the territorial limits of Crisp County,

Provided, however, that the provisions of this section shall not apply in the following instances:

1. When a person is upon an emergency errand;
2. When a person is traveling to, or returning directly home from, lawful employment or otherwise engaged in lawful employment that makes it necessary to be in above referenced places during the proscribed period of time;
3. When a person is attending or traveling directly to or from an activity involving the exercise of First Amendment rights of free speech, freedom of assembly, or free exercise of religion;
4. When a person is engaged in interstate and intrastate vehicular travel through Crisp County, Georgia;
5. When a person is walking or running to or from their residence for recreational or fitness purposes; and
6. When a person is procuring food or medicine or seeking medical care.

(ii) Prohibition on Gatherings: Beginning on Friday, March 20, 2020 at 7:00 p.m. and concluding Sunday, April 5, 2020 at 11:59 p.m. unless otherwise extended, all public assemblages, events, and gatherings within the territorial limits of the Unified Government of Crisp County, Georgia shall be prohibited of ten (10) or more people, not including employees, in restaurants, bars, and/or entertainment

establishments or in facilities owned by the Unified Government of Crisp County, Cordele, and Arabi, Georgia or on public property.

(iii) Bars, Pubs, and Nightclubs

1. Pursuant to Section 6-199. The county commission is authorized to suspend the sale of liquor by the drink under any license for any emergency situation such that the county commission finds such suspension necessary for the protection of the public health, safety, or welfare, any licensee authorized to sell alcoholic beverages for consumption on premises shall suspend all sale of alcoholic beverages effective at Friday, March 20, 2020 at 7:00 p.m. and ending on Sunday, April 5, 2020 at 11:59 p.m.

(iv) Restaurants

1. A restaurant shall immediately limit its occupancy to 50% of its current building occupancy.
2. A restaurant shall follow the CDC guidance by ensuring, at minimum, a 6-foot distance between any group of patrons and limiting parties to no more than 10 individuals.
3. The Department of Business and Professional Regulation shall ensure all restaurants implement employee screening and prohibit any employee from entering the restaurant premises if they meet any of the criteria listed below:
 - a. Any person showing, presenting signs or symptoms of, or disclosing the presence of a respiratory infection, including cough, fever, shortness of breath or sore throat;
 - b. Any person who has been in contact with any person(s) known to be infected with COVID-19, who has not yet tested negative for COVID-19 within the past 14 days;
 - c. Any person who traveled through any airport within the past 14 days; or
 - d. Any person who traveled on a cruise ship within the past 14 days.

For purposes of this section, "restaurant" shall include any Food Service Establishment, Sec. 34-31.- Definitions-Restaurant means an establishment for the preparation and serving of meals, lunches, short orders, sandwiches, frozen desserts or other edible products for consumption on premises and which derive at least 50 percent of gross sale from food products.

Section 3. Severability

a. It is hereby declared to be the intention of the Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Commission to be fully valid, enforceable, and constitutional.

b. It is hereby declared to be the intention of the Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance. c. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest

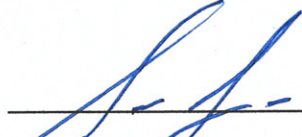
extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. All Ordinances or parts of Ordinances in conflict with this Ordinance are, to the extent of such conflict, hereby repealed or set aside.

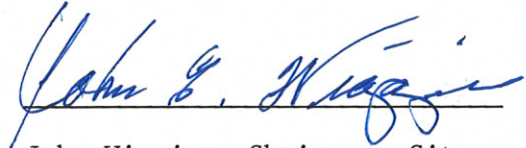
Section 5. This Ordinance shall become effective immediately upon its adoption.

SO ORDERED AND ORDAINED this 20th day of March, 2020.

THE UNIFIED GOVERNMENT OF CRISP COUNTY, GEORGIA



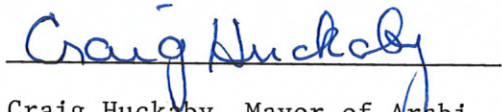
Sam Farrow, Chairman



John Wiggins, Chairman, City
of Cordele



James Nance, Vice Chairman



Craig Huckaby, Mayor of Arabi



Wallace Mathis, Commissioner



Larry Felton, Commissioner



Dicky Dowdy, Commissioner