



## **DIRECTIVE OF THE MAYOR**

WHEREAS, the President of the United States declared a National Public Health Emergency on March 13, 2020; and

WHEREAS, on March 14, 2020, the Governor of the State of Georgia issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and

WHEREAS, on March 16, 2020, the City of Chattahoochee Hills issued several Directives to protect its citizens, employees, and visitors from the spread of the COVID-19 virus; and

WHEREAS, the citizens, non-profits and business owners of the City have voluntarily taken aggressive steps in coordination with the City to help curb the spread of COVID-19 virus and to help protect each other; and

WHEREAS, on March 23, 2020, due to the increasing number of COVID-19 cases in Georgia, the Governor issued an Executive Order restricting the operations of certain businesses, ordering the Department of Public Health to promulgate rules and regulations to protect the citizens of Georgia, restricting the liberties of certain persons within the state, and ordering other measures to help protect the health and safety of the citizens of Georgia and urged "local officials to do what's in the best interests of their communities to keep people safe and stop the spread of coronavirus"; and

WHEREAS, on March 23, 2020, Governor Kemp announced that "certain individuals with an increased risk of complications from COVID-19 to isolate, quarantine, or shelter in place," covering those who "live in long-term care facilities, have chronic lung disease, are undergoing cancer treatment, have a positive COVID-19 test, are suspected to have COVID-19 because of their symptoms or exposure, or have been exposed to someone who has COVID-19", and that the Department of Public Health would institute rules and regulations to implement such measures; and

WHEREAS, on March 23, 2020, Governor Kemp additionally announced measures to "close all bars and nightclubs and...ban all gatherings of ten or more people" unless they can assure spacing for at least six (6) feet apart between people at all times beginning at noon on March 24, 2020 and lasting until noon on April 6, 2020; and

WHEREAS, on March 16, 2020, the Center for Disease Control (CDC) and the President of the United States stated that any gathering of over 10 people should be discontinued or prohibited; and

WHEREAS, public health experts, including those at the CDC and the National Institutes of Health (NIH), have advised that individuals infected with COVID-19 are contagious even while experiencing minor or no symptoms and implored leaders to take immediate action to prevent further community spread of COVID-19; and

WHEREAS, preventing and slowing community spread of COVID-19 provides health systems additional time to obtain personal protective equipment necessary to protect health care workers and medical equipment necessary to treat COVID-19, and is therefore vital to the health of the nation; and

WHEREAS, in light of the continuing spread of the COVID-19 virus and following the Governor's lead in combatting the spread of the COVID-19 virus and pursuant to the powers granted to the City under Section 1.03(b)(7) that grants the City the authority to establish and carry out reasonable provisions necessary to meet such an emergency for the protection, safety, health, and well-being of the citizens; and

WHEREAS, O.C.G.A. § 38-3-28 provides the political subdivisions of this state with the authority to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes to supplement rules and regulations promulgated by the Governor during a State of Emergency; and

WHEREAS, the United States Supreme Court has previously held that “[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members”; and

WHEREAS, the Charter of the City of Chattahoochee Hills provides the governing authority of the city with the authority to take actions deemed necessary to deal with such an emergency for the protection of the safety, health, and well-being of the citizens of the city; and

WHEREAS, in consultation with other local and regional mayors and government leaders, I, Tom Reed, Mayor of the City of Chattahoochee Hills, with the full support of the City Council, have determined that there exists emergency circumstances located within Chattahoochee Hills' jurisdiction requiring extraordinary and immediate response for the protection of the health, safety, and welfare of the citizens of the community, our City, the state, and the nation; and

WHEREAS, it is essential for the Chattahoochee Hills to act immediately in order to minimize the spread of COVID-19 and to prevent or minimize sickness, injury, or death, to people and damage to property resulting from this public health crisis.

NOW, THEREFORE, IT IS HEREBY DECLARED that a local state of emergency exists within the Chattahoochee Hills and shall continue through May 1 or until the State of Georgia and United States Federal Government's States of Emergency are lifted, whichever is later.

Pursuant to the aforementioned Charter provision, it is hereby ORDERED:

1. The City of Chattahoochee Hills hereby declares a public health state of emergency within the City because of the proliferation of COVID-19 in the United States and the State of Georgia, which will remain in force and effect through May 1 or until the State of Georgia and United States Federal Government's States of Emergency are lifted, whichever is later;
2. That the regularly scheduled meetings of the City Council, Planning Commission, the Parks Commission, the Historic Commission, and all of their committees scheduled for the remaining days of March and for the entire month of April are hereby cancelled;
3. That all gatherings of any size which have been permitted by this City for the remaining days of March and the entire month of April 2020, are hereby cancelled;

4. That all other gatherings of ten (10) or more persons on any property owned or controlled by the City are hereby prohibited through April 30, 2020, unless each person in the gathering can maintain at least six feet of separation from others in attendance. To avoid confusion, the following definitions shall apply under this Section: a “public gathering” shall mean the organized gathering or assembly of ten (10) or more persons at a specific location; “property owned or controlled by the City” shall include any park, public square, public space, playground, recreational area, or similar place of public gathering, but nothing herein shall prohibit individuals or families from using streets, sidewalks or designated pedestrian areas of parks for walking or other exercise if they are not participating in an organized gathering;
5. That all City owned park facilities (playgrounds, restrooms, pavilions, public parking areas, etc.) are closed until April 30, 2020;
6. That public access to City buildings is restricted until April 30, 2020;
7. That the City Manager establish procedures so that City business can continue including the issuance of permits, payment of fines and other monies due to the City, and permitting the inspection of records and documents in a manner that does not place City personnel, citizens or others at risk and, to the extent practical, encourage all transactions to occur remotely;
8. That all essential operations of the City will be maintained, including Fire, EMS, Police, and Public Works, in support of all citizens;
9. That the deadline for business license renewal be extended to May 15, 2020;
10. That all businesses located inside the City are encouraged to organize their operations to follow item 4 above, and to take appropriate measures to protect the health and safety of the public and their employees;
11. That restaurants in the City close to inside dining, and implement curbside take-out only policies, including allowing the sale of unopened beer and wine in conjunction with food purchases through April 30;
12. That the citizens of Chattahoochee Hills are encouraged to follow all relevant CDC guidelines, shelter in place to the extent possible, and to contact neighbors and friends who may be housebound, elderly, or in ill health to help ensure they are safe and well taken care of;
13. That the provisions of this Declaration may be extended based on the continuation of States of Emergency at the Federal and State levels; and
14. That if one or more of these provisions contained in this Directive shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, in violation of City Ordinance, or unenforceable in any respect, such invalidity, violation or unenforceability shall not affect any other provision of this directive, but, in such case, this directive shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the directive.

The provisions of this directive shall become effective immediately and shall expire on April 30, 2020, or as directed by the Mayor.

This 24<sup>th</sup> day of March 2020.



---

TOM REED, Mayor