DECLARATION OF LOCAL EMERGENCY AND EXECUTIVE ORDER

WHEREAS, Garden City, Georgia, has experienced an event of critical significance as a result of the novel coronavirus known as COVID-19; and,

WHEREAS, the World Health Organization has declared COVID-19 as a global pandemic (COVID-19 Pandemic); and,

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency in response to the outbreak of COVID-19; and,

WHEREAS, on March 14, 2020, Governor Brian Kemp declared that a public health emergency exists in the State of Georgia due to the spread of COVID-19 within Georgia; and on April 30, 2020, the Governor extended said declaration for a second time through June 12, 2020; and,

WHEREAS, the number of confirmed cases and deaths from COVID-19 is still increasing internationally, nationally, and locally; 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, on March 23, 2020, Governor Kemp announced, through the issuance of an Executive Order, that "certain individuals with an increased risk of complications from COVID-19 [were] 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WHEREAS, on April 2, 2020, Governor Kemp entered an Executive Order which rescinded the March 23, 2020, Executive Order and which, among other things, ordered that until April 13, 2020, at 11:59 p.m. (1) all Georgia residents shall "Shelter in Place" within their homes unless conducting certain "Essential Activities or Services" (e.g., engaging in "Minimum Basic Operations" of permitted businesses, working as part of the "Critical Infrastructure" work force, obtaining necessary supplies and services for family members, seeking medical or emergency

services, engaging in outdoor exercise, and performing "Necessary Travel"), (2) all business establishments that are not considered part of the "Critical Infrastructure" shall engage in only "Minimum Basic Operations" while observing social distancing, (3) all restaurants shall cease dine-in service, (4) all gyms, fitness centers, bowling alleys, theaters, live performance venues, operators of amusement rides, body-art studios, hairstyling salons, massage parlors, and bars shall immediately cease all operations, and (5) all gatherings of 10 people or more in a single location shall be prohibited; and,

WHEREAS, on April 8, 2020, Governor Kemp extended the effectiveness of his April 2, 2020, order through April 30, 2020, but on April 20, 2020, and April 27, 2020, issued Executive Orders permitting gyms, fitness centers, body-art studios, estheticians, hair designers, and massage therapists to resume in-person operations subject to certain restrictions commencing April 24, 2020, and directing certain healthcare-related practices and services to begin treating patients as soon as possible in accordance with CDC guidelines and the provisions of said Order, and on April 23, 2020, issued another executive order which, among other things, (i) permitted restaurants and dining rooms, including those at private clubs, to resume providing dine-in services as of April 27, 2020, subject to certain restrictions set forth therein, (ii) permitted in-door theaters and bowling alleys to resume normal operations as of April 27, 2020, subject to certain restrictions set forth therein, and (iii) required only those residents and visitors of the State of Georgia who meet certain criteria for higher risk of severe illness as defined by the CDC to remain Sheltered in Place after April 30, 2020; and,

WHEREAS, the above-mentioned April 27, 2020, Executive Order of the Governor also imposed restrictions through May 13, 2020, on the operation of all retail businesses as a condition of resuming operations on or after May 1, 2020, and also specifically on food establishments such as grocery stores and convenient stores as a condition of continuing business operations; and,

WHEREAS, on April 8, 2020, Governor Kemp also entered additional Executive Orders suspending the operation of the majority of short-term vacation rentals as of midnight on April 9, 2020, and requiring senior care facilities to take steps to prevent the spread of the virus, including banning most visitors and requiring in-room dining services to the extent feasible, said Orders running through June 12, 2020, with respect to senior care facilities in accordance with the Governor's Executive Orders dated April 23, 2020, and April 30, 2020, and running until April 30, 2020, at 11:59 p.m., as to short-term vacation rentals in accordance with the Governor's April 27, 2020, Executive Order; and,

WHEREAS, public health experts, including those at the CDC and the National Institute 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, on March 22, 2020, at 5:00 p.m., the Garden City Mayor declared an emergency

in the City and set forth deliberate measures to minimize the spread of COVID-19 in Garden City and to prevent or minimize sickness and injury to people and damage to property within the City resulting from the virus, and has re-declared such emergency for fourteen (14) consecutive periods based on the continuing and increased threat of the disease; and,

WHEREAS, since the last Declaration of Local Emergency issued on May 2, 2020, the confirmed number of COVID-19 cases in Georgia has increased from 27,733 to 28,942 and the number of Georgians hospitalized from COVID-19 has increased from 5,315 to 5,410, it being expected by the Coastal Health District that the number of confirmed cases in Chatham County (presently 234) will continue to increase as testing increases and the virus continues to spread; and,

WHEREAS, the Governor has stressed the continued need for aggressive social distancing; and,

WHEREAS, in the judgment of the Mayor, emergency circumstances remain within the City in connection with the increasing risk of the spreading of COVID-19 which require that the corrective actions set forth in this Declaration as well as certain of the corrective actions set forth in his previous fifteen (15) Declarations of Local Emergency be enforced to assure the safety, health and well-being of the citizens of Garden City;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that a local state of emergency again exists in the City and shall continue until the conditions requiring this Declaration are abated or until the Declaration expires as a matter of law.

IT IS THEREFORE ORDERED as follows:

1. This Declaration is issued in accordance with, and incorporates by reference, the Executive Orders of the President of the United States, the March 14, 2020, Proclamation of a State of Emergency issued by Governor Brian Kemp, and the above-mentioned Governor's Executive Orders of April 2, 2020, April 8, 2020, April 20, 2020, and more recently, April 23, 2020, April 27, 2020, and April 30, 2020. The terms of such Orders are hereby made the terms of this Declaration to be carried out with the force of local law.

2. Emergency management operations shall continue to be carried out by the Garden City Emergency Management Department as well as by the Chatham Emergency Management Agency pursuant to that certain Local Emergency and Disaster Mutual Aid Agreement with Chatham County dated on or about April 16, 2016, and by that certain Statewide Mutual Aid and Assistance Agreement by and between the City, Chatham County, the Chatham Emergency Management Agency, and the Georgia Emergency Management Agency/Homeland Security dated on or about April 16, 2016, as re-executed for renewal on February 2, 2020.

3. In addition, the following measures shall be implemented effective 8:00 p.m. on May 4, 2020, in accordance with Governor Kemp's Executive Orders dated April 2, 2020, April 8, 2020, April 20, 2020, April 23, 2020, April 27, 2020, and April 30, 2020:

(a) All required resources of Garden City shall be made available to assist in activities designed to address this emergency, to control the spread of COVID-19, and to aid in recovery efforts. Such assistance shall include, but not be limited to, lending personnel to the County and its agencies for the purpose of screening persons entering the County through any port owned and operated by the Georgia Port Authority in Garden City for possible COVID-19 exposure or infection.

(b) No business, establishment, corporation, non-profit corporation, or organization shall allow more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person. This provision shall not apply to cohabitating persons outside of their homes, family units or roommates residing together in private homes, or entities defined as "Critical Infrastructure" as defined by the Governor's April 2, 2020, Executive Order.

(c) Critical Infrastructure that is performing in-person operations shall implement measures through May 13, 2020, which mitigate the exposure and spread of COVID-19 among its workforce. Such measures shall include, but are not limited to, screening and evaluating workers who exhibit signs of illness; requiring workers who exhibit signs of illness to not report to work or to seek medical attention; providing personal protective equipment as available and appropriate to the function and location of workers; implementing teleworking for all possible workers; providing disinfectant products for workers to clean their workspace, equipment, and tools; placing notices that encourage hand hygiene in workplace areas; prohibiting handshaking as well as other unnecessary person-to-person contact in the workplace; prohibiting gatherings of workers during working hours; and implementing staggered shifts for all possible workers.

(d) As a condition for conducting normal in-person operations with the public, all businesses, establishments, corporations, non-profit corporations, or organizations that are not Critical Infrastructure shall implement measures through May 13, 2020, which mitigate the exposure and spread of COVID-19 among its workforce including, but not limited to, the measures applicable to Critical Infrastructure as set forth above in Subsection 3(c) as well as requiring retailers and service providers to provide for alternative points of sale outside of buildings, including curbside pick-up or delivery of products and/or services if an alternative point of sale is permitted under Georgia law; increasing physical space between workers and customers; increasing physical space between workers' worksites to at least six (6) feet; and enforcing social distancing of non- cohabitating persons while present on such business entity's leased or owned property. Pursuant to Governor Kemp's April 23, 2020, Executive Order (pages 12-13), such businesses must also (i) limit the number of patrons to 50% of the fire capacity occupancy or 8 patrons per 1,000-square

feet, (ii) encourage patrons to use hand sanitizer upon entry, (iii) encourage non-cash payment where possible, (iv) sanitize entrance and exit doors at least three times a day, (v) encourage employees to report health/safety issues to the employer, (vi) install protective screens or other mitigation measures where work-patron interactions are likely, and (vii) provide additional hand sanitizer within the business.

(e) Through June 12, 2020, residents and visitors of Garden City who meet the criteria for higher risk of severe illness as defined by CDC shall be required to Shelter in Place within their homes or places of residence. Such criteria include, but is not limited to, (i) persons who are 65 years of age or older, (ii) those persons living in a nursing home or long-term care facility, (iii) those persons who have chronic lung disease, (iv) those persons who have moderate to severe asthma, (v) those persons who have severe heart disease, (vi) those persons who are immunocompromised, (vii) those persons with Class III or severe obesity, and (viii) those persons with diabetes, liver disease, and chronic kidney disease undergoing dialysis. "Shelter in Place" requires remaining in one's place of residence and taking every possible precaution to limit social interaction to prevent the spread or infection of COVID-19 to oneself or any person, unless he/she is either (i) conducting or participating in "Essential Services" as defined in the April 2, 2020, Executive Order of Governor Kemp (e.g., obtaining necessary supplies and services, engaging in activities essential for family health and safety, and engaging in outdoor exercise); (ii) performing "Necessary Travel" which is defined in said Order as travel as required to conduct or participate in Essential Services, Minimum Basic Operations, or Critical Infrastructure; (iii) engaging in the performance of, or travel to and from, the performance of Minimum Basic Operations for a business, establishment, corporation, non-profit corporation, or organization not classified as Critical Infrastructure, or (iv) part of the workforce for Critical Infrastructure and actively engaged in the performance of, or travel to and from, their respective employment. All persons required to Shelter in Place shall not receive visitors except as follows: (i) visitors providing medical, behavioral health, or emergency services or medical supplies or medication, including home hospice; (ii) visitors providing support for the person to conduct activities of daily living or instrumental activities of daily living; (iii) visitors providing necessary supplies and services such as food and supplies for household consumption and use, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence; or, (iv) visitors received during end-of-life circumstances. To the extent practicable under the circumstances, visitors shall maintain a minimum distance of six (6) feet between themselves and all other occupants of the person's home or residence. Any visitors visiting for the sole purpose of delivering medication, supplies, or other tangible goods shall, to the extent practicable, deliver such items in a manner that does not require in-person contact or require the deliverer to enter the person's home or residence.

(f) All public gatherings of 10 or more people are prohibited unless there is at least six (6) feet distance between each person at all times.

(g) Residents shall practice social distancing as directed by the CDC and are encouraged to wear a face mask when outside of their homes (except for when eating or exercising). Social distancing and the wearing of face masks are the most effective ways of stopping the spread of this emergency. Garden City residents shall not gather in crowds of 10 or more in any single location. The term "single location" shall not include private residences.

(h) Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall seek immediate medical attention and shall follow the directions of their primary care physician until given the clearance to return to public interaction. All such persons are ordered to self-isolate for 14 days until cleared by a medical professional.

(i) Through May 13, 2020, all gyms, fitness centers, body art studios permitted pursuant to O.C.G.A. Sec. 31-40-2, businesses registered pursuant to O.C.G.A. Secs. 43-10-11 and 43-10-18, estheticians as defined by O.C.G.A. Sec. 43-10-1(8), hair designers as defined by O.C.G.A. Sec. 43-10-1(9), and persons licensed to practice massage therapy pursuant to O.C.G.A. Sec. 43-24A-8, may conduct in-person operations subject to implementing measures which mitigate the exposure and spread of COVID-19, such measures being set forth in Governor Kemp's Executive Order dated April 23, 2020 (pages 14-16), which include, but are not limited to, the measures applicable to non-Critical Infrastructure as set forth above in Subsection 3(d) of this Declaration. With respect to fitness centers, such measures specifically include, but are not limited to (i) all patrons being screened at entrances for high temperatures, coughs, and respiratory symptoms, (ii) all exercise equipment being cleaned after use, (iii) there being no group classes or use of pools, basketball courts, tanning beds and saunas, and (iv) locker room use being limited. With respect to beauty salons, barber shops, body art studios, and massage therapists, such measures specifically include, but are not limited to, (i) business operations being conducted by appointments only, (ii) patrons being required to use hand sanitizers, (iii) there being only one patron per service provider at any one time (one parent may enter with child), (iv) work stations being more than 10 feet apart, (v) the chairs being sanitized after each use, and (vi) patrons having to wait in their cars until the service provider is ready.

(j) Until May 13, 2020, at 11:59 p.m., all live performance venues, operators of amusement rides as defined by O.C.G.A. Sec. 25-15-51, public swimming pools, and businesses which possess a license to operate as or otherwise meet the definition of a "Bar" as defined by Official Code of Georgia Annotated Section 3-1-2(2.1) shall cease all operations.

(k) Through May 13, 2020, all restaurants and private social clubs may conduct dine-in services subject to the terms and conditions of Governor Kemp's April 23, 2020, Executive Order (pages 7-9), as supplemented by the April 27, 2020 Executive Order, which are intended to mitigate the spread of the COVID-19 virus. Such conditions include, but are not limited to, (i) the measures applicable to non-Critical Infrastructure as set forth above in Subsection 3(d) of this Declaration, (ii) the requirement that all employees wear face coverings, (iii) no salad bars or buffets, (iv) the requirement that all table condiments, tabletops, and check presenters be cleaned between diners, (v) the mandatory use of rolled silverware (no table pre-sets), (vi) limiting the size of parties to 6, (vii) closing dining room play areas, (viii) the required use of disposable paper menus or menus which are sanitized between diners, (ix) not allowing more than 10 patrons per 500 square feet of public space (not including hallways, restrooms and spaces not open to the public), and (x) the removal of all items from self-service drinks and condiments, and having workers personally provide such items to patrons.

(l) Theater, cinemas, and bowling alleys may conduct operations subject to the terms and conditions of Governor Kemp's April 23, 2020, Executive Order (pages 16 and 17), as supplemented by the April 27, 2020 Executive Order. Such conditions include, but are not limited to, (i) the measures applicable to Non-Critical Infrastructure as set forth above in Subsection 3(d) of this Declaration, (ii) the enforcement of social distancing and the provision of hand sanitizers with respect to patrons, (iii) no use of on-site playgrounds, party rooms, or arcades, (iv) theater seats, door knobs, and railings being cleaned before and after each film showing, and (v) bowling balls, bowling shoes, score-keeping machines, ball returns, tables, seats, and other fixtures at each bowling lane being thoroughly sanitized before and after each use.

(m) Through May 13, 2020, all food establishments (grocery stores and convenient stores) must implement the measures set forth in Governor Kemp's April 23, 2020, Executive Order (pages 13-14) to mitigate the exposure and spread of COVID-19 in addition to the requirements placed upon Critical Infrastructure as set forth above in Subsection 3(c) of this Declaration, said measures including, but not limited to, (i) scheduling specific hours of operation for vulnerable populations, (ii) reducing store hours for additional cleaning after hours, (iii) enacting policies and procedures for social distancing (e.g., plexiglass at registers, decals on floors, and one-way aisles), (iv) no cooking stations, sampling stations, or self-service salad bars or buffets, (v) adding staff to oversee the sanitation of shopping carts, and (vi) providing personal protective equipment for workers, and encouraging patrons to wear face coverings.

(n) Through June 12, 2020, all nursing homes, intermediate care facilities, inpatient

hospice, assisted living communities, personal care homes, community living arrangements, and community integration homes shall take the steps outlined in the Governor's Executive Order dated April 8, 2020, to prevent the spread of the virus including, but not limited to, (i) requiring in-room dining if feasible, (ii) prohibiting all visitors and non-essential personnel except for certain compassionate care situations referenced in Subsection 3(e) above, (iii) cancelling all internal and external group activities as practicable, (iv) implementing universal and correct use of facemasks for all employees and requiring the use of additional personal protective equipment such as gowns, gloves, eye protection, and N95 respirators by employees as needed, but particularly when interacting with residents with respiratory symptoms, (v) establishing appropriate social distancing infrastructure for residents and employees, (vi) requiring all employees to practice frequent hand hygiene, (vii) implementing active screening of residents for fever and respiratory symptoms, (viii) screening all employees prior to beginning their shift for fever and respiratory symptoms, and, (ix) adopting an infectious disease transfer communication protocol with local hospitals.

(o) All medical practices, dental practices, orthodontics practices, optometry practices, physical therapists, ambulatory surgical centers, physicians performing elective surgeries, healthcare institutions, medical facilities, and any and all other healthcare-related practices and services that have elected to cease operations because of the spread of COVID-19 should begin treating patients as soon as practicable in accordance with the CDC guidelines, Centers for Medicare and Medicaid Services guidelines, and the provisions of this Declaration and the Governor's April 20, 2020, Executive Order to prevent the spread of COVID-19. All such healthcare-related practices and services shall not be subject to Minimum Basic Operations restrictions but should consider implementing the operational guidelines provided in this Declaration and the Governor's April 2, 2020, Executive Order for Critical Infrastructure.

(p) In addition to the requirements for businesses, establishments, corporations, and organizations that are not Critical Infrastructure as set forth above in Subsection 3(d) of this Declaration, and the standard hygiene, sanitation, and disinfection licensing rules promulgated by the Georgia Department of Early Care and Learning, all child care facilities in the City that operate during the effective dates of Governor Kemp's April 23, 2020, Executive Order and this Declaration shall implement additional measures to prevent the spread of COVID-19. Such measures are set forth on pages 20-21 of Governor Kemp's April 23, 2020, Executive Order which include, but are not limited to, (i) screening all children prior to them entering the classroom for signs of an illness, fever, cough, or shortness of breath, (ii) prohibiting unnecessary visitors, (iii) providing meals in classrooms rather than in a congregated or communal setting, (iv) restricting

family access to the front door of the facility or the door of their respective child's classroom, (v) sanitizing frequently touched objects such as games and objects or surfaces not ordinarily cleaned daily, (vi) using washable toys to the extent practical, (vii) restricting the use of a child's bedding to sheets, pillows, blankets, and sleeping bags which have been washed and kept separate in bins, cubbies, or bags, and (viii) prohibiting the transportation of children for any reason except from their residence to the facility.

4. Telecommuting and operating as a single member home office with no clients or customers is not a violation of residential zoning.

5. Any person firm, or corporation located or doing business in the City which overcharges for any goods, materials, services sold within the City during the duration of this Declaration or subsequent recovery period shall be prosecuted to the fullest extent permitted by law.

6. Any city ordinance in conflict with this Declaration is temporarily suspended during the Declaration of Local Emergency period, unless otherwise amended in writing.

7. Pursuant to Official Code of Georgia Annotated Section 38-3-7, any person who violates Governor Kemp's April 23, 2020, Executive Order, as supplemented by the April 27, 2020, Executive Order, shall be guilty of a misdemeanor. Any law enforcement officer enforcing the terms and provisions of the Order should take reasonable steps to provide notice prior to issuing a citation or making an arrest. No provision of said Order or this Declaration shall limit the ability of law enforcement officers to enforce the laws of this State and the ordinances of this City. Particularly, the provisions of Official Code of Georgia Annotated Section 38-3-4 (requiring the law enforcement officers of the State and of the political subdivisions thereof to enforce the Governor's orders issued pursuant to Articles 1 through 3 of Title 38, Chapter 3 of the Official Code of Georgia Annotated) remain in effect.

8. Any law enforcement may, after providing reasonable notice and at least two citations for violations of Official Code of Georgia Annotated Section 38-3-7, is authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance with Governor Kemp's April 23, 2020, Executive Order, as supplemented by the April 27, 2020, and April 30, 2020, Executive Orders, for a period not to extend beyond the term of said Order.

9. A violation of this Declaration shall be punished as outlined in Section 1-13 of the Garden City Code.

10. This Declaration is issued based on evidence of the increasing occurrence of COVID-19 within Chatham County and throughout the State of Georgia, scientific evidence and best

practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of Garden City places it at risk for serious health complications including death, from COVID-19. It comes after the release of substantial guidance from the CDC, the Georgia Department of Public Health, and other public health officials throughout the State of Georgia, the United States, and around the world, including a variety of prior orders to combat the spread and harms of COVID-19.

11. The emergency measures set forth in this Declaration shall be in effect for 72 hours or until the next regular, special, or called meeting of City Council, whichever is earliest, but may be re-exercised and extended by the Mayor for additional emergency periods upon subsequent declarations of emergencies being made based on the continued assessment of the quickly evolving situation.

ENTERED at 8:00 p.m. on this the 4th day of May, 2020.

DON BETHUNE, Mayor