# 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, said emergency state having been extended a number of times by Governor Kemp, the last time being on September 30, 2020, pursuant to an Executive Order extending the public health emergency to November 9, 2020, at 11:59 p.m., when it is scheduled to terminate; and,

**WHEREAS**, the number of confirmed cases and deaths from COVID-19 is still increasing internationally, nationally, and locally; 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**WHEREAS**, on April 2, 2020, Governor Kemp entered an Executive Order which rescinded the March 23, 2020, Executive Order and which, among other things, ordered that until April 13, 2020, at 11:59 p.m. (1) all Georgia residents shall "Shelter in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**, on April 8, 2020, Governor Kemp also entered an Executive Order 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 Order having expired at 11:59 p.m. on September 15, 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 May 12, 2020, Governor Kemp entered another Executive Order which incorporated most of the terms and provisions of his previous Executive Orders and which contained certain supplemental provisions such as (1) continuing until May 31, 2020, the closing down of all life performance venues, bars and night clubs; (2) continuing the sheltering down of those residents and visitors of the State of Georgia who meet certain criteria for higher risk of severe illness; (3) allowing restaurants and dining facilities to increase the party size at tables to 10 persons per table; and (4) establishing rules and regulations for the operation of summer camps effective May 14, 2020; and,

**WHEREAS**, on May 28, 2020, Governor Kemp entered another Executive Order effective June 1, 2020, and expiring June 15, 2020, which again incorporated most of the terms and provisions of his previous Executive Orders and which contained certain supplemental provisions such as (1) increasing the limit on social gatherings at a single location from ten (10) persons to twenty (25) persons if, to be present, persons are required to stand or be seated within six (6) feet of any other person, (2) allowing banquet and private event facilities to function where food is served, (3) continuing to ban all live performance venues, (4) permitting the opening of bars on June 1, 2020,

(5) permitting the opening of amusement parks, traveling carnivals, and circuses on June 12, 2020, subject to compliance with the operating guidelines set forth therein, and (6) establishing rules and regulations for the operation of summer schools; and,

**WHEREAS**, on June 11, 2020, Governor Kemp entered another Executive Order effective June 16, 2020, and expiring June 30, 2020, leaving in place everything in his prior Order and supplementing same with provisions which (1) no longer requires persons over the age of 65 to shelter in place unless they are in a category that is considered high risk by the CDC, (2) allowing sports and live performance venues to open to the public pursuant to certain requirements set forth at pages 32 through 36 of the Order , (3) allowing conventions to be held from July 1, 2020, provided that the requirements set forth at pages 37 through 38 are followed, (4) increasing the limit on social gatherings at a single location from twenty-five (25) persons to fifty (50) persons if, to be present, persons are required to stand or be seated within six (6) feet of any other person, (5) changing the requirements applicable to dine-in services by no longer requiring social distancing, allowing salad bars under certain conditions, no longer prioritizing take-out service, and opening accessory playrooms if regularly cleaned, (6) changing the requirements applicable to food establishments by no longer limiting the number of patrons inside a store to 50% of the fire capacity occupancy of the entire store or eight (8) patrons per 1,000 square feet, (7) changing the requirements applicable to gyms and fitness centers by now allowing hot tubs, saunas, and steam rooms to open and no longer requiring patrons to spray shower after exercising, (8) changing the requirements applicable to beauty salons, barbers body art studios, and massage therapists by no longer requiring services by appointment only, the use of hand sanitizer for arriving patrons, and waiting for services outside the premises, (9) changing the requirements applicable to bars by now limiting the total number of persons in the bar to 50 people or 35% of the fire occupancy, whichever is greater, (10) changing the requirements applicable to the operation of waterparks and amusement rides, and (11) changing the requirement that overnight campers and workers not be permitted to begin any summer camp unless they have received a negative test result for COVID-19 within seven (7) days prior to the beginning an overnight summer camp (the period of time being enlarged to twelve (12) days); and,

**WHEREAS**, on June 29, 2020, Governor Kemp entered another executive order which incorporated all of the terms and provisions of his above-mentioned June 11, 2020, Executive Order and which was effective from July 1, 2020, at 12:00 a.m. until July 15, 2020 at 11:59 p.m.; and

**WHEREAS**, on July 15, 2020, Governor Kemp entered another executive order which (1) incorporated all of the terms and provisions of his above-mentioned June 29, 2020, Executive Order, (2) supplemented same with respect to the operation of certain Critical and non-Critical Infrastructure including, but not limited to, schools and child care learning centers and family child learning homes, and (3) specifically suspended any state, county, or municipal law, order, ordinance, rule or regulation, other than orders issued pursuant to the authority of Official Code of Georgia Annotated Section 38-3-60 et seq. (relating to judicial emergencies), requiring persons to wear face coverings, masks, face shields, or any other personal protective equipment while in places of public accommodation or on public property, said executive order being effective from July 16, 2020, at 12:00 a.m. until July 31, 2020 at 11:59 p.m.; and,

**WHEREAS,** on July 31, 2020, Governor Kemp entered another executive order which incorporated all of the terms and provisions of his above-mentioned July 15, 2020, Executive Order and which was made effective from August 1, 2020, at 12:00 a.m., until August 15, 2020, at 11:59 p.m.; and,

**WHEREAS**, on August 15, 2020, Governor Kemp entered another executive order effective from August 16, 2020, at 12:00 a.m. until August 31, 2020 at 11:59 p.m., which (1) extends the restrictions set forth in his July 31, 2020, Executive Order, (2) allows license-exempt day camp programs the option to operate during school terms for the purpose of providing Supervision as defined by Ga. Comp R. & Regs. R.591-1-1.32(7) and/or providing a physical location for children five (5) years of age or older participating in digital or distance learning during school hours, (3) suspends the nap or rest period requirement for pre-K programs that are operating less than six (6) consecutive hours per day, and (4) authorizes some local governments who meet a coronavirus "threshold" (there must be a prevalence in the applicable County of confirmed cases of COVID-19 over the previous 14 days of at least 100 cases per 100,000 people) to mandate the wearing of masks or face coverings in public subject to a number of restrictions including, but not limited to, (i) the unenforceability of such a mandate on private property unless the owner or occupant consents; (ii) exempting from the mandate's application individuals on private residential property or at polling places; (iii) exempting from the mandate's application individuals while eating or drinking, who have difficulty donning or removing a face mask or face covering without assistance, who have a bona fide religious objection to wearing the mask, or who have a bona fide medical reason not to wear a face mask or face covering; (iv) limiting enforcement of the mandate to individuals and not holding owners, directors, officers, or agents of any business, establishment, corporation, non-profit corporation, or organization liable for the failure of their employees or customers to comply with the mandate; (v) requiring the issuance of a warning before writing a citation for violating the mandate; and (vi) limiting the penalty for non-compliance with the mandate to $50.00 without any imprisonment; and,

**WHEREAS**, on August 31, 2020, Governor Kemp entered another executive order effective from September 1, 2020, at 12:00 a.m. until September 15, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his August 15, 2020, Executive Order; and

**WHEREAS,** on September 15, 2020, Governor Kemp entered another executive order effective from September 16, 2020, at 12:00 a.m. until September 30, 2020, at 11:59 p.m., again extending for fifteen (15) days all of the terms and provisions set forth in his August 31, 2020, Executive Order, and also terminating his prior April 8, 2020, Executive Order with respect to nursing homes and long-term care facilities, and instead implementing a three-phase system for the opening up of Long-Term Care Facilities (as defined therein) pursuant to the State of Georgia Department of Public Health's Long-Term Care Facilities Reopening Guidance Administrative Order; and,

**WHEREAS**, on September 30, 2020, Governor Kemp entered another executive order effective from October 1, 2020, at 12:00 a.m. until October 15, 2020, at 11:59 pm., once again extending for fifteen (15) days most of the terms and provisions set forth in his September 15, 2020, Executive Order except for the provisions specifically applicable to summer camps and overnight camps; and,

**WHEREAS**, on October 15, 2020, Governor Kemp entered another executive order effective from October 16, 2020, at 12:00 a.m. until October 31, 2020, at 11:59 p.m., extending for fifteen (15) days all of the terms and provisions set forth in his September 30, 2020, Executive Order, a **copy of which October 15, 2020, Executive Order being attached hereto**; 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 twenty-eight (28) consecutive periods based on the continuing and increased threat of the disease; and,

**WHEREAS**, since the last Declaration of Local Emergency issued on September 30, 2020, the total confirmed number of COVID-19 cases in Georgia has increased from 312,452 to 336,241, and the total number of confirmed cases in Chatham County (now 8,984) [416 cases in the last two weeks]) is expected to increase as the virus continues to spread; and,

**WHEREAS**, in the last fourteen (14) days, there have been 142 confirmed cases of COVID-19 per one hundred thousand (100,000) people in Chatham County, Georgia according to the Georgia Department of Public Health; and,

**WHEREAS**, the Governor has stressed the continued need for aggressive social distancing; and the wearing of face coverings as practicable while outside homes, except when eating, drinking or exercising outdoors; 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 twenty-nine (29) 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, April 23, 2020, April 27, 2020, April 30, 2020, May 12, 2020, May 28, 2020, June 11, 2020, June 29, 2020, July 15, 2020, July 31, 2020, August 15, 2020, August 31, 2020, September 15, 2020, September 30, 2020, and, most recently, October 15, 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 12:01 a.m. on October 16, 2020, in accordance with Governor Kemp's Executive Order dated October 15, 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.

(b) No business, establishment, corporation, non-profit corporation, or organization shall allow more than fifty (50) 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 October 15, 2020, Executive Order.

(c) Critical Infrastructure that is performing in-person operations shall implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures shall include, but are not limited to, (i) screening and evaluating workers who exhibit symptoms of COVID-19 (i.e., fever or chills; cough; shortness of breath or difficulty breathing; fatigue; muscle or body aches; headache; new loss of taste or smell; sore throat; congestion or runny nose; nausea or vomiting; and diarrhea) (hereinafter referred to "COVID-19 Symptoms"), (ii) requiring workers who exhibit COVID-19 Symptoms not report to work or to seek medical attention, (iii) providing personal protective equipment as available and appropriate to the function and location of workers, (iv) 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, (v) prohibiting handshaking as well as other unnecessary person-to-person contact in the workplace, (vi) prohibiting gatherings of workers during working hours, and, (vii) 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 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 (i) 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 (ii) increasing physical space between workers and customers, (iii) increasing physical space between workers' worksites to at least six (6') feet, (iv) enforcing social distancing of non-cohabitating persons while present on such business entity's leased or owned property, and, (v) if the entity engages volunteers or has members of the public participate in activities, prohibiting volunteering or participation in activities for persons diagnosed with COVID-19, having exhibited COVID-19 Symptoms, or having had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days, (vi) encouraging patrons to use hand sanitizer upon entry, (vii) prohibiting more than fifty (50) persons being physically present if, to be present, persons are required to stand or be seated within six (6') feet of any other person, (viii) sanitizing entrance and exit doors on a regular basis, (ix) encouraging employees to report health/safety issues to the employer, (x) installing protective screens or other mitigation measures where work-patron interactions are likely, and (xi) provide additional hand sanitizer within the business.

(e) Through October 31, 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) those persons living in a Long-Term Care Facility as defined on Page 9 of the Governor's October 15, 2020, Executive Order to include intermediate care facilities, inpatient hospice, assisted living communities, community living arrangements, and community integration homes, (ii) those persons who have chronic lung disease, (iii) those persons who have moderate to severe asthma, (iv) those persons who have severe heart disease, (v) those persons who are immunocompromised, (vi) those persons with Class III or severe obesity, and (vii) 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 October 15, 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 , corporation, non-profit corporation, or organization not classified as Critical Infrastructure, (iv) part `of the workforce for Critical Infrastructure and actively engaged in the performance of, or travel to and from, their respective employment, or (v) with

respect to residents of Long-Term Care Facilities other than community living arrangements and community integration homes, conducting an activity permitted by the State of Georgia Department of Public Health's Long-Term Care Facilities Reopening Guidance Administrative Order. 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 fifty (50) 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 shall not gather in crowds of fifty (50) or more in any single location. The term "single location" shall not include private residences.

(h) Subject to the following exceptions and/or exemptions, all persons shall wear masks or facial coverings covering the nose and mouth in public places of all sorts (the "Face Covering Requirement"):

(i) The Face Covering Requirement shall not be applied to individuals who are eating or drinking, those who have difficulty donning or removing a face mask or face covering without assistance, those who have a bona fide religious objection to wearing a face mask or face covering, or those who have a bona fide medical reason not to wear a face mask. The Requirement shall also not apply in the following circumstances: (A) when a person is alone in enclosed spaces or only with other household members; (B) when wearing a facial mask or covering would prevent the receipt of personal services or performing work in the course of employment; (C) when complying with the directions of a law enforcement officer or for the purpose of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in financial transactions; (D) children under the age of ten (10) years; (E ) when outdoors and maintaining social distancing from anyone other than individuals with whom they cohabitate; and (F) in personal vehicles or upon

residential property.

(ii) The Face Covering Requirement shall not give rise to any penalties (criminal or otherwise) or other cause of action against any private business, establishment, corporation, non-profit corporation, or organization.

(iii) Notwithstanding the provisions set forth in Section 9 of this Declaration, the Face Covering Requirement shall not give rise to any fines, fees, or penalties in excess of fifty ($50.00) dollars against any person per offense, nor shall it be punishable by imprisonment for any term. Prior to issuing any citation, law enforcement officers shall warn noncompliant individuals about the health risks posed by not wearing a face mask or face covering and shall make good faith reasonable efforts to distribute free masks to individuals who cannot afford a face mask or face covering. A person who is found in violation of the Face Covering Requirement and who cannot afford a face mask or face covering shall be provided one at the City's expense.

(iv) Enforcement measures may only be taken against individuals. Owners, directors, officers, or agents of any business establishment, corporation, non-profit corporation, or organization may not be held liable for the failure of their customers to comply with the mandate.

(v) The Face Covering Requirement shall not be enforced at any polling place as defined under Official Code of Georgia Annotated Section 21-2-2(27), and no individual shall be denied ingress to or from a polling place for failure to wear a face covering or face mask.

(vi) The Face Covering Requirement may be enforced against individuals on private property where the owner or occupant of the property consents to enforcement. Businesses, establishments, corporations, non-profit corporations, and organizations shall be required to post reasonable notice of the Face Covering Requirement and state whether such business, establishment, corporation, non-profit corporation, or organization consents to enforcement or does not consent to enforcement of such requirement on its property.

(i) Any person exhibiting COVID-19 Symptoms 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 fourteen (14) days until cleared by a medical professional.

(j) All gyms, fitness centers, body art studios permitted pursuant to Official Code of Georgia Annotated Section 31-40-2, businesses registered pursuant to Official Code of Georgia Annotated Sections 43-10-11 and 43-10-18, estheticians as defined by Official Code of Georgia Annotated Section 43-10-1(8), hair designers as defined by Official Code of Georgia Annotated Section 43-10-1(9), and persons licensed to practice massage therapy pursuant to Official Code of Georgia Annotated Section 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 October 15, 2020, 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 and COVID-19 Symptoms, (ii) all exercise equipment being cleaned after use, (iii) requiring no less than ten (10) feet of distance between patrons participating in group fitness classes, (iv) enforcing social distancing and prohibiting congregating between non-cohabitating patrons, especially in pools, group fitness classes, and areas where group sports regularly occur. With respect to beauty salons, barber shops, body art studios, and massage therapists, such measures specifically include, but are not limited to, (i) there being only one patron per service provider at any one time (one parent may enter with child), (ii) all work stations being more than ten (10) feet apart, (iii) the chairs being sanitized after each use, (iv) requiring workers to wear personal protective equipment (e.g., masks, protective clothing, protective gloves, and shoe coverings) as available and appropriate to the function and location of the worker with the business location, and (v) encouraging patrons waiting for service to wait outside.

(k) Live performance venues (i.e., any indoor or outdoor location that requires patrons to purchase a license to attend an event featuring live musical, dramatical, automotive, educations, or any other type of entertainment performed before in-person patrons, with the exception of drive-in performances, dining facilities, private reception venues, weddings, events held as part of a convention, and outdoor recreational fields used for amateur sporting events) shall be permitted subject to the applicable requirements above for non-Critical Infrastructure as well as certain extra measures which will be determined based on a tiered classification. Live performance venues shall be tiered based upon the fire code capacity of the venue. Tier 1 shall include venues that can host 999 or fewer persons. Tier II shall include venues that can host between 1,000 and 4,999 persons. Tier III shall include venues that can host 5,000 or more persons. The calculation of the total number of persons shall include all persons, including workers that are present in a live performance venue. For the

detailed requirements for each tier classification, reference is hereby made to the requirements set forth on pages 43 through 47 of Governor Kemp's October 15, 2020, Executive Order which are incorporated herein by reference thereto and made a part hereof.

(l) All restaurants, dining rooms, as well as all banquet facilities, private event facilities, private reception venues, and private social clubs may conduct dine-in services subject to the terms and conditions of Governor Kemp's October 15, 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 while interacting with patrons, (iii) using only cafeteria style salad bars and buffets where workers, socially distancing themselves, are responsible for serving the patrons and handling utensils and where the buffet facility has hand sanitizer available, a sneeze guard, and utensils that are regularly replaced, (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) regularly cleaning any dining room play areas if in use, (vii) the mandatory use of disposable paper menus or menus which are sanitized between diners, (viii) the removal of all items from self-service drinks and condiments, and having workers personally provide such items to patrons, and (ix) increasing physical space between workers and patrons. All workers of such establishments who exhibit COVID-19 Symptoms shall be required to not report to work or to seek medical attention. If a worker becomes ill or presents COVID-19 Symptoms at work, the operator should identify the worker's condition during a pre-work screening and send the worker home. Restaurants shall create, maintain, and follow established policies regarding when workers who have become ill are permitted to return to work. A worker with known or suspected COVID-19 must self-isolate for at least ten (10) days after the onset of COVID-19 Symptoms and end isolation only after the symptoms have improved and the worker has been fever-free and/or free of COVID-19 Symptoms for three (3) consecutive days without medication before returning to work.

(m) Theater, cinemas, and bowling alleys may conduct operations subject to the terms and conditions of Governor Kemp's October 15, 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 strict enforcement of social distancing and the provision of hand sanitizers with respect to patrons, (iii) the regular cleaning of on-site playgrounds if in use; (iv) food service areas adhering to the same guidelines set forth above in Subsection (l) for restaurants, (v) theater seats, door knobs, and railings being cleaned before and after

each film showing, and (vi) 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.

(n) All food establishments (grocery stores and convenient stores) must implement the measures set forth in Governor Kemp's October 15, 2020, Executive Order 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 all registers, decals on floors, and one-way aisles), (iv) adding staff to oversee the sanitation of shopping carts, and (v) providing personal protective equipment for workers, and encouraging patrons to wear face coverings.

(o) All businesses which possess a license to operate or otherwise meet the definition of "Bar" as defined by Official Code of Georgia Annotated Section 3-1-2(2.1) shall, in addition to the applicable requirements set forth above for non-Critical Infrastructure, implement the additional measures set forth in Governor Kemp's Executive Order dated October 15, 2020, which include the following: (i) screening and evaluating workers who exhibit COVID-19 Symptoms, (ii) requiring workers to wear face coverings at all times, (iii) enforcing social distancing on non-cohabitating persons while on the premises, (iv) sanitizing the bar at least twice a day, (v) limiting the number of total persons inside the bar to fifty (50) persons or thirty-five percent (35%) of the total listed fire capacity occupancy of the entire bar, whichever is greater, (vi) limiting contact between patrons and workers, (vii) limiting party size at tables to no more than six (6) patrons, (viii) establishing seating areas for patrons to discourage loitering at the bar or in commonly trafficked areas, and (ix) making all food service areas adhere to the same guidelines set forth above in Subsection (l) for restaurants. Bars shall create, maintain, and follow established policies regarding when workers who have become ill are permitted to return to work. A worker with known or suspected COVID-19 must self-isolate for at least ten (10) days after onset of COVID-19 Symptoms and end isolation only after the symptoms have improved and the worker has been fever-free and/or free of COVID-19 Symptoms for three (3) consecutive days without any medication before returning to work.

(p) All amateur sports teams and amateur sports organizations that continue in-person operation during the effective dates of this Declaration shall adhere to the guidelines for non-Critical Infrastructure organizations set forth above. Collegiate or high school sports teams and organizations that engage in practices, games, or other in-

person operations shall operate solely pursuant to the rules and guidelines that have been promulgated or approved by the applicable conference or association. Professional sports teams and professional sports organizations that engage in practices, games, or other in-person operations shall operate solely pursuant to the rules or guidelines that have been promulgated or approved by the respective professional league of the sport.

(q) The operators of amusement rides as defined by Official Code of Georgia Annotated Section 25-15-51, traveling carnivals, water parks, circuses, and other temporary amusement rides shall implement the applicable requirements set forth above for non-Critical Infrastructure, as well as all of the additional measures set forth in Governor Kemp's October 15, 2020, Executive Order which include, but are not limited to, the following: (i) proactively encouraging social distancing by the placement of signs and ground markers on the premises, (ii) placing signage at any entrance to instruct patrons that they cannot enter if they have been diagnosed with COVID-19, have symptoms of COVID-19, or had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days, (iii) requiring workers to wear face coverings at all times, (iv) requiring workers to monitor queues and enforce social distancing and prevent gatherings, (v) reconfiguring queues so that patrons must adhere to social distancing while waiting on a ride or attraction, (vi) with the exception of water parks, encouraging patrons to wear face coverings at all times when they are not experiencing a ride or an attraction, (vii) prohibiting parties from entering when at least one patron in the party is exhibiting COVID-19 Symptoms, (viii) establishing uniform entrances where patrons are screened, (ix) prohibiting the entrance of patrons exhibiting COVID-19 Symptoms, (x) reducing face-to-face purchase transactions when possible, (xi) reducing the number of patrons per ride or attraction by allowing only persons in the same party to be seated together on the same row of an amusement ride or in the same car or ride unit, and seating patrons on every other row to achieve social distancing of at least six (6) feet between persons not in the same party, (xii) where patrons are arranged in groups for open-air rides such as free-fall rides, rafting rides, and other similar types of rides and attractions, seating persons in the same party adjacent to each other and providing at least six (6) feet between non-cohabitating groups or patrons, (xiii) closing rides or attractions if social distancing and sanitation protocols cannot be implemented, (xiv) making food service areas adhere to the same guidelines set forth above for restaurants in Subsection (l), and (xv) requiring water parks and water amusement rides to ensure that pool water is treated in accordance with Georgia Department of Public Health regulations and to close any ride and attraction such as wave pools where social distancing cannot be effectively managed.

(r) Through October 31, 2020, all Long-Term Care Facilities, as defined on Page 9 of Governor's Kemp's October 15, 2020, Executive Order to include nursing homes,

intermediate care facilities, inpatient hospice, assisted living communities, community living arrangements, and community integration homes shall take the steps set out on Pages 29 through 30 of said Order to prevent the spread of the virus which include, but are not limited to, the following:

(i) adhering to guidance provided by the Georgia Department of Public Health, the Centers for Disease Control and Prevention, and the Centers for Medicare & Medicaid Services;

(ii) adopting an infectious disease transfer communication protocol with local hospitals;

(iii) transferring residents to hospitals only if medically needed for hospitalization, including the need for respiratory assistance or other emergency medical needs (a positive COVID-19 test result not being the sole foundation for sending a resident to the hospital);

(iv) prohibiting all visitors and non-essential personnel except as permitted in Section 3(e) of this Declaration as permitted by the State of Georgia Department of Public Health's Long-Term Care Facilities Reopening Guidance Administrative Order for Long-Term Care Facilities other than community living arrangements or community integration homes;

(v) cancelling all internal and external group activities as practicable, except for activities permitted by the State of Georgia Department of Public Health's Long-Term Care Facilities Reopening Guidance Administrative Order for Long-Term Care Facilities other than community living arrangements or community integration homes;

(vi) establishing appropriate social distancing infrastructure for residents and employees;

(vii) requiring employees to practice frequent hand hygiene;

(viii) implementing active screening of residents for COVID-19 Symptoms;

(ix) screening all employees prior to beginning their shift for COVID-19 Symptoms;

(x) requiring workers, to the extent feasible, to self-quarantine for fourteen (14) days in accordance with Centers for Disease Control and Prevention guidelines before returning to work after exposure due to unmitigated close contact with a

positive COVID-19 case but, if necessary to ensure adequate staffing, allowing workers to continue working in consultation with the Georgia Department of Public Health or the workplace occupational health program so long as they are asymptomatic and correctly wearing personal protective equipment as required by the Department while on duty; and,

(xi) implementing universal and correct use of face masks or face coverings for all employees and requiring the use of addition personal protective equipment by workers as needed, but particularly when interacting with residents with COVID-19 Symptoms.

(s) 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 previously 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, the latest COVID-19 guidelines published by their respective governing professional organizations, the provisions of this Declaration, and the Governor's October 15, 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 Executive Order dated October 15, 2020, for Critical Infrastructure.

(t) 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 October 15, 2020, Executive Order and this Declaration shall implement additional measures to prevent the spread of COVID-19. Such measures are set forth in Governor Kemp's October 15, 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, and (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. Pre-K programs that are operating in child care learning centers as defined in Code Sections 20-1A-4(1)

and 20-1A-2(3) respectively, Ga. Comp R. & Regs. R. 591-1-1-.03(12), shall not be required to provide supervised naps or rest periods during the day for children under five (5) years of age, provided that such pre-K programs are operating less than six (6) consecutive hours per day.

(u) Subject 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, camps (defined as any entity offering organized sessions of supervised recreational, athletic, or instructional activities held between typical school terms or during school breaks, including those entities commonly referred to as "day camps," and any license-exempt day camps operating during school terms for the purposes specifically permitted herein) will be permitted to operate subject to the terms and conditions of Governor Kemp's October 15, 2020, Executive Order which are intended to mitigate the spread of the COVID-19 virus. Such conditions include, but are not limited to, (i) placing signage at any entrance to instruct campers that they cannot enter if they have been diagnosed with COVID-19, have exhibited COVID-19 Symptoms, or had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days, (ii) screening campers at drop-off for symptoms of COVID-19, (iii) requiring parents dropping-off and picking-up campers to remain in their vehicles, (iv) prohibiting unnecessary visitors from camp activities and facilities, (v) discontinuing camp tours, (vi) requiring that any persons exhibiting COVID-19 Symptoms be separated from the group immediately and requiring such person to leave the camp facility as soon as practicable, (vii) prohibiting any worker or camper that has either stayed home sick, been prevented from entering camp due to COVID-19 Symptoms, or been sent home during camp due to COVID-19, from attending camp again until they have either had a negative COVID-19 test or have been fever and fever medication free for seventy-two (72) hours, the COVID-19 Symptoms have improved, and at least ten (10) days have passed since the COVID-19 Symptoms first appeared, (viii) limiting groups to twenty-five (25) persons or less, including workers and campers, in a space where all persons gathered can maintain at least six (6) feet of distance between themselves and any other person, (ix) keeping the same workers and campers in the same group for the duration of the camp to the extent possible, (x) allowing each group of campers to swim only once per day and staggering swim times to avoid crowding at the swimming facilities, (xi) requiring day campers, if possible, to bring their own lunch and snacks with them to camp each day, with all such food items being in a sealed lunch bag marked with the camper's name, and (xii) providing masks or other personal protective equipment to workers and campers.

License-exempt day camp programs may operate during school terms for the purpose of providing Supervision as defined by Ga. Comp R. & Regs. R. 591-1-1-.32(7), and as a physical location for children five (5) years of age or older participating in digital or distance learning during school hours.

(v) Schools shall operate without being required to comply with the ban on gatherings of more than twenty-five (25) persons without social distancing, but the School District shall implement alternative measures to prevent the spread of COVID-19 among school workers and students such as (i) screening and evaluating workers and students who exhibit COVID-19 Symptoms, (ii) requiring workers and students who exhibit COVID-19 Symptoms to not report to school and to seek medical attention, (iii) enhancing sanitation of the school and disinfecting common surfaces regularly, (iv) prohibiting gatherings of students of the school premises outside of instructional times, (v) holding meetings and conferences virtually whenever possible, (vi) permitting students to take breaks and lunch outside, in their personal workspace, or in such other areas where proper social distancing is attainable, (vii) requiring, if appropriate and practicable (as determined by the local school board), workers and students to wear facemasks or face coverings while indoors on school property during school hours, (viii) enforcing social distancing protocol before, during , between, and after all athletic, educational, musical, and other group activities – especially when such activities require students to exercise, sing, or play a brass or woodwind instrument, (ix) reduce class sizes, or moving classes into larger or more open spaces such as gymnasiums, stadiums, arena, or outdoor areas to better facilitate social distancing measures, (x) ensuring ventilation systems operate properly and increasing circulation of air within facilities as practicable, (xi) encouraging handwashing or sanitation by workers and students at appropriate places within the school, (xii) discouraging person-to-person contact, and (xiii) placing notices that encourage hand hygiene at the entrance to the school and in other areas where they are likely to be seen.

(w) Conventions The term "Convention" means an organized event of more than 100 persons that is required to register or obtain a license to gather for a common purpose at a single indoor facility or grouping of indoor facilities for more than four hours and in some cases for more than one day. Such definition shall include exhibitions, trade shows, conferences, and business retreats. Conventions shall not include any regular operation of a business that occurs on property owned or leased for the exclusive operation of such business. Conventions shall not include regular religious services, business meetings, sports competitions or events categorized by Official Code of Georgia Annotated Section 16-11-173(b)(1)(A). Conventions shall comply with all of the applicable requirements above for non-Critical Infrastructure as well as the requirements set forth in Governor Kemp's October 15, 2020, Executive Order which include, but are not limited to, (i) placing signage at any entrance to instruct patrons that they cannot enter if they have been diagnosed with COVID-19, have exhibited COVID-19 Symptoms, or had contact with a person that has or is suspected to have COVID-19 within the past fourteen (14) days, (ii) placing signage at any entrance and throughout the facility providing information regarding enhanced sanitation procedures, social

distancing, and other instructions and limitations, as applicable, set forth below, (iii) requiring all workers who have frequent contact with patrons to wear a face covering while at the facility, provided, however, that such workers shall be permitted to remove their face coverings while either eating and drinking, due to warm weather, or because they are causing difficulty breathing due to extenuating circumstances, (iv) to the extent practicable, screening all individuals at entrances and preventing any person from entering or remaining that exhibits COVID-19 Symptoms, (v) providing an isolation area or areas for individuals experiencing COVID-19 Symptoms that are unable to immediately leave the convention, (vi) to the extent practicable, utilizing contactless parking systems, registration, check-in security checks, and/or sales, (vii) to the extent practicable, utilizing physical barriers such as partitions or Plexiglas at registration and check-in stations, refreshment stations, and points of sale, (viii) to the extent practicable, requiring pre-registration for all seated events to be held as part of the convention, (ix) implementing staggered registration and attendance times, as practicable, for patrons by using virtual queue systems or grouping patrons by name, registration level, or other variable, (x) reconfiguring all queues so that patrons must adhere to social distancing while waiting, which may include floor markings, (xi) to the extent practicable, implementing one-way aisles to guide patron traffic through large areas of booths, (xii) requiring all dining facilities to follow the criteria for restaurant dine-in services set forth above in Subsection 3(k) of this Declaration, and (xiii) if the facility is open to multiple groups of patrons or is hosting multiple events at one time, to the extent practicable, prohibiting contact between patrons of separate event.

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 October 15, 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 October 15, 2020, Executive Order, 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 from October 16, 2020, at 12:01 a.m. until October 31, 2020, at 11:59 p.m., but maybe 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 9:00 p.m. on this the 15th day of October, 2020.

DON BETHUNE, Mayor