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 8, the Governor extended said declaration until May 13, 2020; and,

WHEREAS, the number of confirmed cases and deaths from COVID-19 is escalating rapidly, 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WHEREAS, on April 2, 2020, Governor Kemp entered an Executive Order which rescinded the March 23, 2020, Executive Order and which, among other things, ordered that until April 13, 2020, at 11:59 p.m. o'clock (1) all Georgia residents shall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; 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; 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, on March 22, 2020, at 5:00 p.m. o'clock, 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 seven (7) consecutive three-day periods based on the continuing and increased threat of the disease; and,

WHEREAS, since the last Declaration of Local Emergency issued on April 12, 2020, the confirmed number of COVID-19 cases in Georgia has increased from 11,859 to 14,578 and the number of Georgians hospitalized from COVID-19 has increased from 2,454 to 2,858, it being expected by the Coastal Health District that the number of confirmed cases in Chatham County (presently 157) will continue to increase as testing increases and the virus spreads; and,

WHEREAS, the Governor has stressed the continued need for aggressive social distancing by asking that all Georgians stay at home during this time that the State will be hitting peak numbers of deaths per day from the illness; 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 his previous eight (8) 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, and April 8, 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 5 o'clock p.m. on April 15, 2020, in accordance with Governor Kemp's Executive Orders dated April 2, 2020, and April 8, 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 continues in-person operation during the effectiveness of Governor Kemp's April 2, 2020, Executive Order shall implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures shall include, but not be 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) All businesses, establishments, corporations, non-profit corporations, or organizations that are not Critical Infrastructure shall only engage in "Minimum Basic Operations" as defined in the April 2, 2020, Executive Order of Governor Kemp during the effective dates of said Order. Such entities shall also implement measures which mitigate the exposure and spread of COVID-19 among its workforce including, but not limited, 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.

(e) All residents and visitors of Garden City are required to shelter in place within their homes or places of residence, meaning remaining in their place of residence and taking every possible precaution to limit social interaction to prevent the spread or infection of COVID-19 to themselves or any person, unless they are 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) engaged 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.

(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. Social distancing is the most effective manner 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) All gyms, fitness centers, bowling alleys, theaters live performance venues, operators of amusement rides as defined by O.G.C.A. Sec. 25-15-51, body art studios, 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), persons licensed to practice massage therapy pursuant to O.C.G.A. Sec. 43-24A-8, and businesses which possess a license to operate as or otherwise meet the definition of a "Bar" as defined by O.C.G.A. Sec.3-1-2(2.1) shall cease operation while this Declaration is in effect.

(j) All restaurants and private social clubs shall cease providing dine-in services. Takeout, curbside pick-up, and delivery are permitted so long as social distancing is practiced in doing so.

(k) The prohibition of group dining services shall also apply to nursing homes, intermediate care facilities, inpatient hospice, assisted living communities, personal care homes, community living arrangements, and community integration homes, to the extent that in-room dining is feasible.

(l) All persons required to shelter in place under this Declaration 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.

(m) Persons having serious underlying conditions who are likely to develop complications from contracting COVID-19 are ordered to isolate, quarantine, or shelter in place within their homes or places of residence. This Declaration shall include the following populations: (i) persons who live in a nursing home or long-term care facility; (ii) persons who have chronic lung disease; (iii) persons who are currently undergoing cancer treatment; and, (iv) persons included in the Department of Public Health Administrative Order 03.22.20.01.

(n) All public restrooms are to be closed to the public due to health concerns and to be consistent with the other provisions of this Declaration.

(o) 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(l) 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.

(p) No Vacation Rental shall occur in the City. For the purpose of this Declaration, "Vacation Rental" shall include any transaction for the lease or license to use residential property for residential or vacation purposes; that is facilitated by a third party or a broker, where the lease or license term does not exceed 30 days; where such lessor or licensor is a corporation, limited liability company, partnership, person, or any other entity; and where the lessee or licensee is a private person. This definition shall not include hotels and extended stay hotels as defined by the Georgia Department of Revenue Rules and Regulations, campgrounds, or commercial transactions. This subsection shall not apply to leases for property that are or will be used as a person's primary place of residence; nor will it apply to Vacation Rentals with fully paid reservation agreements executed or agreed to prior to 12:00 on Thursday, April 9, 2020.

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. Punishment for the violation of this Declaration of Local Emergency and Executive Order is outlined in Section 1-13 of the Garden City Code.

8. 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.

9. 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 5 o'clock p.m., on this the 15th day of April, 2020.

DON BETHUNE, Mayor