

ORDINANCE

NO.

An ordinance extending a State of Emergency in Columbus, Georgia; providing for public meetings to be held using telephonic or video participation; providing authorization for the Mayor to respond to ongoing COVID-19 developments by Executive Order; and for other purposes.

WHEREAS, Columbus, Georgia has experienced an event of critical significance as a result of the Coronavirus COVID-19) disease ("COVID-19") which has continued to worsen over time; and

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

WHEREAS, on March 14, 2020 Governor Brian Kemp declared a Public Health State of Emergency in Georgia and renewed his declaration on April 8, 2020, April 30, 2020, May 28, 2020, and again on June 29, 2020 so that it will remain in effect at least through August 11, 2020; and

WHEREAS, the Charter of the Columbus, Georgia grants to this Council the power to protect the safety, health, peace, security and general welfare of the inhabitants of the consolidated government, Charter of the Consolidated Government Columbus, Georgia (hereinafter, "Columbus Charter") §3-104 (2); and

WHEREAS, pursuant to the above referenced emergency powers this Council adopted ordinances on March 24, 2020 and again on April 28, 2020 declaring a local state of emergency and regulating certain local matters that were impacted by the COVID-19 pandemic, and all provisions of these ordinances expired on or before June 1, 2020; and

WHEREAS, according to the Georgia Department of Public Health Daily Status Report for Saturday, July 11th, 2020, Georgia now has 114,401 confirmed cases of COVID-19, including 2,698 confirmed cases in Columbus Georgia/ Muscogee County; and

WHEREAS, according to the Georgia Department of Public Health Daily Status Report for Saturday, July 11th, 2020, 2,996 individuals in Georgia have died and 13,205 have been hospitalized after contracting COVID-19; and

WHEREAS, as indicated above, the state of Georgia remains under a state of emergency as a result of the COVID-19 pandemic; and

WHEREAS, Governor Brian Kemp has relaxed and/or removed many restrictions on businesses resulting in citizens and visitors interacting in public and commercial establishments; and

WHEREAS, the number of cases is growing rapidly; and if COVID-19 continues to spread in Columbus, Georgia and the surrounding communities, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, the private and public sector work force will be negatively impacted by absenteeism, and the demand for medical facilities may exceed locally available resources; and

WHEREAS, the CDC indicates that there is evidence of widespread community transmission in Georgia; and

WHEREAS, the CDC and public health officials expect that additional cases of COVID- 19 will be identified in the coming days; and

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and the safety of the residents of Columbus, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us all now rather than suffer the unfortunate and devastating medical and economic consequences later; and

WHEREAS, this emergency order is authorized by O.C.G.A. §§38-3-4 and 38-3-28 and the local control provisions of Governor Kemp's Executive Order of June 29, 2020, and it is specifically intended to supplement such declaration, as amended, and should not be construed to be inconsistent therewith; and

WHEREAS, pursuant to O.C.G.A. §38-3-51, the Governor's declared public health emergency authorizes the Mayor and Council to use emergencies powers in O.C.G.A. §§38- 3-1 through 38-3-64; and

WHEREAS. in the judgment of the Mayor and Columbus Council, with advice from other subject matter experts, there exist emergency conditions as a result of COVID-19 within the geographical boundaries of the Consolidated Government as described in Section 1-102 of the Charter requiring extraordinary and immediate corrective actions for the protection of the health,

safety, and welfare of the citizens of Columbus, Georgia and the surrounding communities;

WHEREAS, this Mayor and Council have determined that it is necessary to reimpose its Declaration of a Local State of Emergency; and

WHEREAS, the Columbus Charter also grants to the Council the power to determine that a state of emergency exists due to a natural disaster and adopt an ordinance addressing the emergency without a second reading of that Ordinance, Columbus Charter §3-201(3); and

NOW THEREFORE, the Columbus Council hereby declares and ordains as follows:

Section 1.

The Mayor and Council adopt and make the findings discussed in the "Whereas" paragraphs the factual findings of the Council.

Section 2.

The Mayor and Council hereby reinstitute the declaration of a local state of public health emergency in Columbus, Georgia.

Section 3.

During this local public health emergency, this Council and all Boards and Commissions of the Columbus Consolidated Government are hereby authorized to meet by video or teleconference during the period of emergency as long as the requirements of O.C.G.A. 50-14-1(g) pertaining to public access are met.

Section 4.

During the period of local public health emergency declared by this Ordinance, this Council hereby expressly delegates to the Mayor the authority to take any steps necessary by Executive Order or other means to enforce or replace social distancing and face mask requirements in response to the amendment or expiration of the Executive Orders of the Governor as well as such further actions as he may deem necessary to respond to changing conditions in the COVID-19 outbreak in Columbus.

Section 5.

This Ordinance shall become effective at 8:00 a.m. on the next day following the Mayor's signature and will continue to be in effect until 11:59 p.m. on Thursday, September 10, 2020, or until it is extended, rescinded, superseded, or amended by an ordinance of this Council.

Section 6.

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

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the 11th day of August, 2020; and adopted at said meeting after one reading in accordance with Section 3-201(3) by the affirmative vote of ____ members of Council.

Councilor Allen	voting	_____
Councilor Barnes	voting	_____
Councilor Crabb	voting	_____
Councilor Davis	voting	_____
Councilor Garrett	voting	_____
Councilor House	voting	_____
Councilor Huff	voting	_____
Councilor Thomas	voting	_____
Councilor Thompson	voting	_____
Councilor Woodson	voting	_____

Sandra T. Davis
Clerk of Council

B.H. "Skip" Henderson, III
Mayor