

## DECLARATION AND ORDINANCE 2020-20

### AN ORDINANCE TAKING ADDITIONAL EMERGENCY MEASURES BY VIRTUE OF THE COVID-19 PANDEMIC; IMPLEMENTING A STAY AT HOME ORDER

WHEREAS, because of additional developments regarding the COVID-19 pandemic; and

WHEREAS, the City of Dahlonega has previously declared a state of emergency under Ordinance 2020-18;

WHEREAS, the current number of COVID-19 cases in Georgia is 2,809 with 707 hospitalizations and 87 deaths. The current number of COVID-19 cases in Lumpkin County confirmed by the Georgia Department of Public Health is 4 and is likely to continue to increase; and

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

WHEREAS, the Mayor and Council of Dahlonega agree that a coordinated effort to encourage residents to limit activities outside of the home is the best way to slow the spread of COVID-19; and

WHEREAS, the Mayor and Council hereby issue a stay at home order, as such emergency action is necessary to promote and secure the health, safety and economic well-being of the people within the City of Dahlonega; and

WHEREAS, the stay at home order will apply to all individuals living in the City of Dahlonega; and

WHEREAS, individuals are permitted to leave their places of residence only to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and essential governmental functions; and

**NOW, THEREFORE, BE IT DECLARED BY THE CITY COUNCIL OF DAHLONEGA AND IT IS SO ORDERED AND ORDAINED BY THE AUTHORITY THEREOF THAT THE CITY COUNCIL HEREBY READOPTS THE FACTUAL FINDINGS MADE PURSUANT TO THE ENACTMENT OF ORDINANCE 2020-18; AND FURTHER ADOPTS AND MAKES THE ADDITIONAL FINDINGS DISCUSSED IN THE "WHEREAS" PARAGRAPHS ABOVE AS THE FACTUAL FINDINGS OF THE COUNCIL AND BASED UPON SAID FINDINGS BY THE COUNCIL IT IS SO ORDAINED AS FOLLOWS:**

Section One: City Residents to Stay at Home.

- (a) In accordance with this emergency declaration and ordinance, we are ordering that all individuals living in the City of Dahlonega are directed to stay at their place of residence subject to exceptions as identified herein;
- (b) For the purposes of this Order individuals may leave their residences only to perform or receive any of the following Essential Activities:
  - (1) To engage in activities or tasks essential to an individual or family member's health and safety (including pets);

- (2) To obtain necessary services and supplies for themselves, their family or household or to deliver those services or supplies to others;
- (3) To engage in outdoor activity, provided the individuals remain at least six feet from each other;
- (4) To perform work for Essential Businesses or Essential Services;
- (5) To obtain products or services from Essential Businesses or Essential Services;
- (6) To care for an elderly person or someone who is medically fragile or a family member or pet in another household; and
- (7) To engage in Essential Governmental Functions, which are defined as any and all services needed to ensure the continuing operation of any governmental agency.

(c) Essential Businesses and Essential Services are defined as the following:

- (1) All types of health care operations, including but not limited to nursing homes, assisted living facilities, hospitals, physical therapy, dental offices, doctor's offices, research and laboratory operation (gyms and fitness centers are NOT considered healthcare operations);
- (2) Home based care for seniors and adults;
- (3) Veterinary operations;
- (4) Federal, State, County and Municipal services;
- (5) Utilities (gas, electricity, phone, fiber, cable);
- (6) Banks and credit unions;
- (7) Essential Infrastructure such as telecommunications, Lyft, Uber, taxis; delivery services (businesses that deliver or ship foods or goods to homes or businesses);
- (8) Manufacturing/construction (provided all persons are required to remain as distance of six (6) feet from each other);
- (9) Businesses selling food as part or all of their inventory (restaurants are addressed in Ordinance 2020-18);
- (10) Businesses that supply products needed for people to work at home;
- (11) Pharmacies;
- (12) Professional services such as legal, accounting and real estate provided employees and clients each remain generally six (6) feet apart throughout the work day;
- (13) Businesses that perform repair work for businesses and homes;
- (14) Trash and recycling collection, processing, and disposal;
- (15) Mail and shipping services;
- (16) Lodging Businesses (for example, hotels and motels);
- (17) Laundromats/dry cleaning;
- (18) Janitorial Services (building/residential cleaning and maintenance);
- (19) Providers of basic necessities to economically disadvantaged populations such as homeless and battered women populations; and
- (20) Auto service, repair and gas stations including convenience stores."

(d) Businesses and Services not deemed Essential must close. For example, all establishments providing body care services which require close physical contact between the provider and client such as barbering, hair design and salons, spas, cosmetology, esthetician salons, massage therapy, tattooing, and nail care shall be closed for business. Day care and similar child care facilities must also close.

(e) In the operation of Essential Businesses and Services other than all types of health care operations which shall be exempt from this provision, the number of persons including employees and others allowed inside each location at any given time shall be no more than one per \_\_\_ square

feet of interior floor space; and that persons generally shall not be within six (6) feet of each other for extended periods of time. Additionally, any Essential Business or Essential Service which remains open during the emergency must post signage on the entrance doors of the business informing consumers that they must maintain at least six (6) feet of personal distance between themselves and others as much as possible given the physical constraints of the premises.

- (f) Persons who are performing or accessing Essential Governmental Functions are exempt from this Order. Also exempted from this stay at home order are all essential infrastructures employees identified in that certain publication entitled: Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response.

Section Two: Penalty.

The City Marshal is directed to enforce this ordinance. A person that violates any provision of this Declaration and Ordinance shall be liable to the City of Dahlonega for a civil penalty of \$500.00 for each violation. Jurisdiction shall be in the Municipal Court of the City of Dahlonega. This does not in any way impair countywide enforcement by the Sheriff of the terms of Lumpkin County's emergency declaration and regulations.

Section Three: Effective Date.

This Declaration and Ordinance shall take effect \_\_\_\_\_, and shall expire by its own terms at 11:59 p.m. on April \_\_\_\_, 2020, unless terminated or extended by further action of the City Council.

SO DECLARED AND ORDAINED this \_\_\_\_ day of April, 2020 at \_\_\_\_\_ PM EDT.

\_\_\_\_\_  
Sam Norton, Mayor

Attest:

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Mary Csukas, City Clerk