

DECLARATION NO. 20-01

DECLARATION OF THE MAYOR AND COUNCIL OF THE CITY OF ADEL,
GEORGIA DECLARING LOCAL PUBLIC HEALTH EMERGENCY RESULTING FROM
THE PROLIFERATION OF THE NOVEL CORONAVIRUS DISEASE 2019 (COVID- 19)

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

WHEREAS, the Governor of the State of Georgia declared a Public Health State of Emergency in Georgia on March 14, 2020 and the Georgia General Assembly concurred with the Governor' s declaration on March 16, 2020; and

WHEREAS, a "Public health emergency" is defined by O.C.G.A. §31-12-1.1 as follows: "the occurrence or imminent threat of an illness or health condition that is reasonably believed to be caused by bioterrorism or *the appearance of a novel* or previously controlled or eradicated *infectious agent* or biological toxin and poses a high probability of any of the following harms: (A) A large number of deaths in the affected population; (B) A large number of serious or long-term disabilities in the affected population; or (C) *Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.*; and

WHEREAS, the Charter of the City of Adel, in Section 27 (a) provides that the City may adopt such ordinance and regulations in order "to protect the health and welfare of said City" and "to prevent the spread of and to suppress infectious, contagious or dangerous diseases in the City."

WHEREAS, the City of Adel finds it necessary to take multiple measures to reduce the risk of community transmission, including the restrictions to certain private and public facilities, through at least April 17, 2020, and cancelling certain public meetings and gatherings; and

WHEREAS, additional measures will likely be required in the coming days and weeks to address the fluid situation and such measures will likely need to be executed quickly and free of the usual formalities and procedures required for City action.

NOW THEREFORE, BE IT RESOVLED, and it is hereby resolved, by the City Council of the City of Adel, Georgia as follows:

Section 1: The City Council adopts and makes the findings discussed in the" Whereas" paragraphs the factual findings of the Council.

Section 2: The City Council hereby declares a Public Health State of Emergency in the City of Adel due to the proliferation of COVID- 19 in the United States and the State of Georgia.

Section 3: The following provisions shall govern during the Public Health State of Emergency declared herein:

- a. The City Council and all other boards, commissions or agencies of the City, shall have authority to conduct meetings and take votes by teleconference in accordance with O.C.G.A. 50-14-1(g);
- b. The City Manager, with approval of the Mayor, shall have authority to take such actions deemed necessary or appropriate for the public health and safety of the citizens of the City of Adel including the closure of City facilities;
- c. Restaurants and other eating and dining establishments where food is served must cease offering dine-in services, but may continue preparing and offering food to customers via delivery, drive-through or take-out services. Patrons, employees and contractors of the establishments must maintain at least six (6) feet of personal distance between themselves as much as possible given the physical constraints of the premises. If a restaurant is licensed to sell beer and wine for on-premises consumption, such restaurant, during the effective dates of this Declaration only, shall be authorized to sell unopened bottles of beer or wine for take-out consumption off-premises;
- d. Gyms and fitness centers shall close;
- e. All public and private gatherings of more than ten (10) people occurring outside a household or living unit are prohibited. Nothing in this Order, however, prohibits the gathering of individuals for the purposes of carrying on business activity or the provision of medical or health services.
- f. The City Council desires to make certain that the chain of authority within city management is clear. If the City Manager is unable to perform his duties, City Clerk Rhonda Rowe shall assume the duties of the City Manager.

Section 4. A curfew is imposed from 9:00 p.m. to 5:00 a.m. effective immediately. Residents, unless "exempt individuals" as defined herein, shall remain in their homes or on their property. Exempt individuals include those individuals engaged in the provision of designated, essential services, such as (1) fire; (2) law enforcement; (3) medical and hospital services; (4) military services; (5) utility emergency repairs; (6) persons seeking emergency medical services or hospital services; (7) individuals traveling to and from their jobs with appropriate identification; (8) individuals engaged in the delivery of food, medicine, medical supplies, fuel including but not limited to the re-stocking of grocery stores, pharmacies, and convenience stores; and (9) news media employees. This curfew shall not apply to individuals traveling upon or exiting off of Interstate 75 for purposes of re-fueling, lodging or securing food provisions.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this Declaration are hereby suspended during the effective dates of this Declaration (or any extension thereof) and the terms and provisions of this Declaration shall prevail.


Section 6: This Declaration shall take effect upon passage by the City Council and shall expire by its own terms at 11: 59 p.m. on April 17, 2020, unless terminated or extended by further action of

the City Council.

SO DECLARED, this the 21st day of March, 2020.

CITY OF ADEL, GEORGIA

By:



Luther L. Duke III, Mayor

Attest:



Rhonda P. Rowe, City Clerk