

JOINT EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF CLAXTON, THE MAYOR OF THE CITY OF HAGAN, THE MAYOR OF THE CITY OF DAISY, THE MAYOR OF THE CITY OF BELLVILLE, AND THE CHAIRPERSON OF THE EVANS COUNTY COMMISSION RELATED TO COVID-19

WHEREAS, on March 11, 2020, the World Health Organization declared coronavirus (now designated COVID-19) as a pandemic and encouraged all countries to take urgent and aggressive action; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency regarding COVID-19; and

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a public health state of emergency regarding COVID-19; and

WHEREAS, on March 23, 2020, the Chairman of the Board of Commissioners issued a Declaration of Local Emergency activating the Evans County Emergency Operations Plan and implementing certain emergency measures (the "Emergency Declaration"); and

WHEREAS, medical professionals have determined COVID-19 is easily transmitted from person to person; and

WHEREAS, as recommended by federal and state authorities, including the United States Centers for Disease Control and Prevention ("CDC") and the Georgia Emergency Management Agency ("GEMA"), a critical component of the public response to the COVID-19 pandemic is to practice "social distancing" by minimizing contact between people residing in different households as much as possible; and

WHEREAS, elected officials have encouraged elderly citizens to remain in their residences, businesses to allow employees to work remotely, when possible, and citizens to maintain "social distance", being a distance of six (6') feet from others, when possible, and to avoid large gatherings; and

WHEREAS, the City of Claxton, the City of Hagan, the City of Daisy, the City of Bellville, (hereafter the "municipalities") and Evans County benefit from a strong and diversified economy, and the economic stability and viability of our community depends on the ability of commerce to flow; many businesses have taken proactive measures to protect public health and protect their workers while innovatively providing essential goods and services to citizens. This Order is intended to "flatten the curve" of COVID-19, protect the health of the local workforce and ultimately minimize the long-term economic impact to businesses;

WHEREAS, medical professionals have encouraged the municipalities through each Mayor and the Chairperson of the Evans County Commission to take more aggressive steps to prevent and decelerate community spread of COVID-19; and

WHEREAS, as of 7:00 P.M on March 22, 2020, the Georgia Department of Public Health has confirmed 620 positive cases of COVID-19 in Georgia, including 25 fatalities caused by COVID-19 statewide; and

WHEREAS, state law and a joint order of the municipalities and the Evans County Commission authorizes the local Emergency Management Agency to take such action as may be deemed appropriate to “promote and secure the safety, protection and well-being of the inhabitants of Evans County; and

WHEREAS, pursuant to the Georgia Emergency Management Act of 1981, O.C.G.A. § 38-3-1 et seq. and Emergency Management Ordinance the Board of Commissioners of Evans County (the “Board of Commissioners”), as the governing authority of Evans County, a political subdivision of the State of Georgia, is authorized to make, amend, and rescind orders, rules, and regulations as necessary for emergency purposes and to supplement carrying out the emergency management laws; and

WHEREAS, under O.C.G.A. § 38-3-6, emergency powers created by the law are intended to be liberally construed so as to allow government officials to meet the demands of emergencies within their jurisdictions; and

WHEREAS, after due consideration of the actions and recommendations of federal authorities and consistent with the same, the Mayors of the municipalities (hereinafter the “Mayors”), and the Chairperson of the Evans County Commission, (hereinafter the “Chairperson”), have determined that certain emergency measures are necessary to address the current public health crisis caused by the COVID-19 and to otherwise promote the safety of the residents of Evans County;

NOW, THEREFORE the Mayors and the Chairperson hereby ordain that it is hereby declared that a local state of emergency exists within the municipalities and unincorporated areas of Evans County, and shall continue until the conditions requiring this declaration are abated.

THEREFORE, IT IS ORDERED:

1.

The provisions of the Emergency Declaration, as supplemented herein, are hereby continued through and including April 7, 2020, unless modified by subsequent order, during which time a state of emergency shall exist.

2.

All public or private Community Gatherings of more than ten (10) people anywhere within the County are prohibited for the duration of this Declaration. A “Community Gathering” is defined as any indoor or outdoor event, meeting, or convening of people, subject to the exceptions below, that brings together, or is likely to bring together, or solicits to bring together, ten (10) or more persons at the same time in a single room or other confined or enclosed space, or other discrete area, such as an auditorium, stadium (indoor or outdoor), tent, arena, event center, music venue, meeting, hall, conference center, large cafeteria, basketball court, swimming pool, sports field, or any other similar indoor or outdoor space.

A Community Gathering does not include the following or similar uses, so long as persons attending the same observe social distancing requirements and all other applicable provisions of this Declaration: (1) governmental operations; (2) spaces where persons may be in transit or waiting for transit such as bus stations; (3) child-care or adult care facilities, residential buildings or any type of

temporary sheltering or housing; (4) grocery stores, pharmacies, or other retail, commercial, and industrial facilities which comply with Section 2.D above; (5) hospital, medical facilities, and other healthcare operations; (6) the performance of job duties by persons not subject to mandatory quarantine protocols established pursuant to the Executive Order (as defined below); and (7) non-profit operations undertaken to address emergency conditions (e.g. food banks, etc.).

Additionally, pursuant to Executive Order 03.23.20.01 issued by Governor Brian Kemp on March 23, 2020 (the “Executive Order”), 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 be seated within six (6) feet of any other person.

The above emergency measure is **mandatory**.

3.

Pursuant to the Executive Order, the following persons who have serious underlying conditions likely to cause an increased spread of COVID-19 if infected, shall isolate, quarantine, or shelter in place within their homes or place of residence: (i) those persons who live in a nursing home or long-term care facility; (ii) those persons who have chronic lung disease; (iii) those persons who are currently undergoing cancer treatment; and (iv) those persons included in Department of Public Health Administrative Order 03.22.20.01 (as the same may be revised or modified, the “DPH Administrative Order”), including those persons who have received a positive lab-confirmed test for COVID-19, those persons suspected to have COVID-19 based on symptoms and a known exposure to a person with COVID-19, and those persons who have been in close contact with a person with known or suspected COVID-19. The conditions of such quarantine, isolation, or shelter in place shall be set forth in the DPH Administrative Order. In accordance with the Executive Order, the above emergency measure is **mandatory**.

4.

So as to ensure that the maximum number of people self-isolate and to better enable essential services to continue, and to slow the spread of the COVID-19, all individuals living within the Cities and unincorporated areas of the County (and who are not required to quarantine, isolate, or shelter in place) are requested to shelter at their residence, and travel outside the residence only (i) to obtain healthcare services or engage in activities or perform tasks essential to their health (e.g. obtaining medical supplies or medication, etc.); (ii) to obtain other necessary services or supplies (e.g. groceries, household supplies, financial services, supplies needed to work from home, fuel and auto repair, laundry cleaners, take-out meals, government and social services, legal and other professional services, childcare services, etc.); (iii) to engage in outdoor activity (e.g. walking, hiking, jogging, bicycling, etc.), provided that social distancing requirements are observed; and (iv) to perform work providing essential products and services. The foregoing shall be interpreted to allow persons to engage in the above activities described in (i) and (ii) for themselves, their families, household members, significant others, and pets, as well as neighbors and others who may need assistance. At present, the above is **not mandatory**, but nonetheless strongly encouraged.

5.

The following business categories will be regulated as follows:

- A. Restaurants shall close to the public except to provide take out, delivery, drive-through, or curbside service. Restaurants which are duly licensed under the Code of Ordinances of the Cities or Evans County (the “Code”) for the sale of alcoholic beverages by the drink for consumption on premises may sell beer and wine in sealed containers by the package without obtaining any additional license. Cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to the restrictions contained in this Section. In order to qualify as a “Restaurant” under this Section, the food establishment must derive at least 60 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served during the preceding calendar year or, if a new business, is reasonably projected to derive at least 60 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served during the remainder of the current calendar year.
- B. Except for Restaurants as provided in Section 5.A above, all businesses licensed under the Code for the sale of alcoholic beverages for consumption on premises, such as bars, night clubs, social clubs, taverns, and similar establishments, shall be closed for business.
- C. Notwithstanding Section 2 above, all indoor recreation facilities, including, without limitation, gyms, health studios, dance studios, martial arts studios, yoga or other fitness classes, spas, saunas, indoor amusement facilities, arcades, bowling alleys, pool halls, movie theatres, playhouses, and concert venues, shall be closed for business. To the extent that any of the foregoing also qualify as a “Restaurant”, the business may remain open for the limited purposes set forth in Section 5.A above.
- D. All hair salons, barber shops, nail salons, tattoo parlors, massage parlors, and similar businesses requiring sustained physical contact shall be closed for business.
- E. All other retail, commercial, and industrial establishments will be permitted to remain open subject to the following restrictions: (i) reasonable steps are taken to ensure that customers, employees, and other persons on the premises observe social distancing requirements; (ii) employees are not suffered or permitted to work if they subject to mandatory quarantine protocols established pursuant to the Executive Order (as defined above); and (iii) reasonable and appropriate cleaning/sanitizing protocols designed to minimize the spread of COVID-19 are reduced to writing and diligently observed.

6.

All recreation gyms, basketball courts, sports fields, and other recreation facilities operated by the Evans County Recreation Department shall be closed to the public and all related programs shall be suspended; except that public parks and greenspace areas shall remain open for passive recreational use only (e.g. walking, jogging, bicycling, etc.), so long as (i) such use does not violate the social distancing requirements set forth in this Declaration; and (ii) no more than ten (10) or more persons are present at any one time in a discrete portion of any park or greenspace area. Passive

recreational areas shall not be used by individuals who are subject to mandatory quarantine protocols established pursuant to the Executive Order (as defined below). Interpretation of this Section shall be within the discretion of those employees of the Cities and County having responsibility for the operation of such recreation areas.

7.

All permits for special events, including facility rentals, to be held on property owned or leased by the Cities or County are hereby cancelled, and no new special event permits shall be authorized for the duration of this Declaration. Persons affected by this cancellation shall be entitled to a refund of any permit, deposit, or rental fees paid.

8.

All deadlines imposed under the Codes relating to the renewal of business licenses or occupation tax certificates and the payment of related fees, shall be tolled for the duration of this Declaration, and for forty-five (45) days following the expiration of this Declaration.

9.

As used in this Declaration, the phrase “social distancing requirements” or “social distancing” shall mean those protocols recommended by the CDC with respect to personal spacing and hygiene, and shall minimally require at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds (or using hand sanitizer if soap and water is not readily available) as frequently as practicable, covering coughs and sneezes (into the sleeve or elbow; not hands), and refraining from customary greetings requiring personal contact (e.g. shaking hands, etc.).

10.

All houses of worship are encouraged to achieve density reduction in all services, whether scheduled or based upon a life event such as a funeral or baptism, and wherever practical, shall practice social distancing. Houses of worship are further requested to use social media or other video outlets to broadcast worship services in lieu of physical services to the extent practicable. Funeral homes shall likewise strive for density reduction in all activities and shall ensure that vehicles used to transport families and facilities shall be thoroughly cleaned between uses in accordance with applicable guidelines issued by the CDC and the Georgia Funeral Directors Association. Graveside services of 10 or less participants are highly encouraged. Recognizing the vital importance of organized religion to many in our County, and so as to not unduly interfere with the legitimate exercise of religious freedom, the above emergency measure is **not mandatory**, but highly encouraged.

11.

Pursuant to the Emergency Management Ordinance, violation of any mandatory provision of this Declaration, upon conviction, shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) per violation and/or imprisonment not to exceed one hundred (120) days, for each violation. The owner of land upon which a violation occurs, and each person assisting in the commission of a violation, shall be guilty of separate offenses. For purposes of enforcing the provisions of this Declaration, each day during which a violation or failure to comply continue shall

constitute a separate violation. Injunctive relief shall also be available to restrain any violation of this Declaration.

12.

No person shall refuse entry or access to any authorized representative or agent of the City or County who requests entry for purposes of inspection, and who presents appropriate credentials. Nor shall any person obstruct, hamper or interfere with any such representative while that individual is in the process of carrying out his official duties.

13.

Nothing in this Declaration shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Cities or County, its departments, agencies, boards, officers, employees, agents, or any other person or entity.

14.

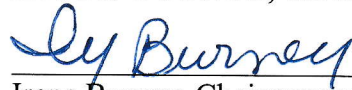
This Order is supplemental to the Executive Order and any future order or directive issued by the Governor of Georgia or the President of the United States or any subdivision or agency of this State or the United States (including, without limitation, the Georgia Department of Public Health). To the extent of a conflict between such current or future order or directive and this Order, the order imposing the more restrictive emergency measures shall apply. Subject to the foregoing sentence, the provisions of the Executive Order and the DPH Administrative Order are by this reference incorporated herein and made a part of this Order.

SO ORDERED AND ORDAINED, this 24th day of March, 2020, at 1:04 p. m. This Order shall become effective on March 25th, 2020, at 12:01 a.m. and shall remain in effect through and including 11:59 p.m. on April 7, 2020, unless modified by subsequent order.

THE CITY OF CLAXTON, GEORGIA


Terry Branch, Mayor
Claxton City Council

EVANS COUNTY, GEORGIA


Irene Burney, Chairperson
Evans County Commission

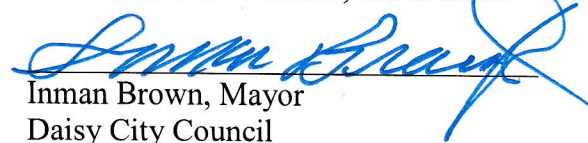
THE CITY OF HAGAN, GEORGIA


Matt Blocker, Mayor
Hagan City Council

THE CITY OF BELLVILLE, GEORGIA


Jerry Cox, Mayor
Bellville City Council

THE CITY OF DAISY, GEORGIA


Inman Brown, Mayor
Daisy City Council