

EXECUTIVE ORDER 2020-02

AN EXECUTIVE ORDER CONCERNING THE CORONAVIRUS EMERGENCY AND TAKING EMERGENCY ACTION TO PROMOTE AND SECURE THE SAFETY, PROTECTION, AND WELL-BEING OF PERSONS IN THE COMMUNITY

- 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 State Emergency in Georgia on March 14, 2020; and
- WHEREAS**, the World Health Organization has declared Coronavirus Disease 2019 (COVID-19) a world health emergency and a pandemic threatening the safety, health, and well-being of the public; and
- WHEREAS**, the Center for Disease Control has recommended that gatherings of 10 or more be discontinued or prohibited; and
- WHEREAS**, Chamblee Code Section 26-6 authorizes the Mayor of the City of Chamblee to determine that an emergency exists, and the Mayor has made the determination that COVID-19 is an existing emergency that threatens the safety, health, well-being, and lives of the citizens of Chamblee; and
- WHEREAS**, Chamblee Code Section 26-6 authorizes the Mayor of Chamblee, during a declared emergency, to take such emergency actions as may be necessary to promote and secure the safety, protection, and well-being of the inhabitants of the City of Chamblee and of DeKalb County; and
- WHEREAS**, on March 21, 2020, the Mayor of Chamblee executed Chamblee Executive Order 2020-01, prohibiting certain on-premises activities at restaurants, hookah lounges, businesses that sell food or beverages for consumption on the premises, and businesses that provide entertainment on premises, and prohibiting gatherings of 10 or more unrelated persons; and
- WHEREAS**, the number of confirmed COVID-19 cases in Georgia approximately doubled between March 21 and March 23, 2020; and
- WHEREAS**, it is in the interest of public health, safety, and welfare to adopt additional measures to stop the deadly spread of COVID-19; and
- WHEREAS**, the Governor of the State of Georgia on March 23, 2020 issued an executive order closing bars and prohibiting businesses and nonprofit organizations from allowing gatherings of more than ten (10) persons if such gatherings require persons to be within six (6) feet of each other; and

WHEREAS, the CEO of DeKalb County issued Executive No. Order 20-001 on March 23, 2020 to specify the actions taken by DeKalb County to contain the spread of COVID-19, and has asked the cities of DeKalb County to adopt similar measures; and

WHEREAS, DeKalb County Executive Order No. 20-001 states that the County’s District Health Director, S. Elizabeth Ford, M.D., has advised that she agrees that the terms of Executive Order 20-001 are necessary to protect the health and well-being of the citizens of DeKalb County, and

WHEREAS, the City of Chamblee is located within DeKalb County and relies on the County Board of Health for guidance on such related issues; and

WHEREAS, the City of Chamblee will adopt measures in this Executive Order based upon DeKalb County measures on the advice of the DeKalb County CEO along with his advisors that include Dr. Ford; and

WHEREAS, for clarity, the restrictions outlined in Chamblee Executive Order No. 2020-01 are repeated herein, and additional measures to prevent the spread of COVID-19 are also contained herein; and

NOW THEREFORE, the Mayor of Chamblee, takes the emergency action of enacting the following regulations to apply to all persons within the City of Chamblee:

Section 1: Intent

The intent of this Order is to slow the spread of COVID-19 to the maximum extent possible, to ensure that the maximum number of people self-quarantine in their places of residence to the extent feasible, while enabling services to continue, and to provide for consistency with DeKalb County emergency actions in the response to COVID-19. All individuals and families are encouraged to shelter in place as much as possible. It is further the intent of this Order to impose Social Distancing Requirements outside of places of residence to the maximum extent feasible while allowing essential services and essential businesses to continue.

For purposes of this Order, “Social Distancing Requirements” includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

Section 2: DeKalb County Executive Order No. 20-001 Recognized

The City recognizes that DeKalb County Executive Order No. 20-001 sets forth various measures intended to spread of COVID-19, and to address the economic impacts of the pandemic, including but not limited to:

- a) The judicial branch of government has agreed to a 60-day moratorium on evictions within DeKalb County.
- b) Termination of water service for residential and business accounts is suspended.
- c) WorkSource DeKalb will immediately utilize \$1.3 million to assist DeKalb workers dislocated from their jobs due to the COVID-19 pandemic. Participants will enhance their computer skills through virtual training curriculum. Trainees will receive needs related payments to offset direct and indirect training costs.
- d) The DeKalb Works Summer Youth Employment Program will increase the number of participants from 400 to 800, and will expedite implementation of the DeKalb Works Academy. DeKalb youth will be afforded the opportunity to earn and learn; while in training participants will be paid \$10 per hour.

Section 3: Emergency Regulations for Restaurants, Hookah Lounges, and Places Serving Alcohol for Consumption on Premises. [from Chamblee Executive Order 2020-01]

- a) All restaurants, hookah lounges, businesses that sell food or beverages for consumption on premises, or businesses that provide entertainment on premises shall be closed to in-person dining, consumption of alcohol, smoking of hookah, or entertainment until the expiration of this executive order.
- b) Restaurants and other businesses who sell food may offer food for take-away or for customers to eat somewhere other than at the establishment. Similarly, hookah lounges may sell their product to-go in a manner consistent with the regulations of this Section.
- c) Businesses that are subject to this Section shall establish and implement systems that restrict in-person contact as much as possible, to include not permitting more than one (1) customer at a time to be in the premises. Such processes may include the business taking the food to the customer's vehicle rather than the customer coming inside the business.
- d) Furthermore, business shall ensure that all onsite consumption of food is prohibited, and that employees and contractors of the business maintain at least 6 feet of personal distance between themselves as much as possible given the physical constraints of the premises.
- e) If a restaurant is licensed by the City of Chamblee to sell beer or wine for on-premises consumption, such business during the period that this executive order is in effect only, shall be authorized to sell unopened packages of beer or wine for take-out and consumption off-premises.
- f) Any business to which this Section applies that violates the terms set forth herein may be closed in order to protect public health and may have its business license suspended or revoked.

Section 4: Gatherings of 10 or more persons prohibited. [from Chamblee Executive Order 2020-01]

- a) It shall be unlawful for groups of ten (10) or more unrelated persons to congregate in any public or private place, whether indoor or outdoor, for any social, religious, athletic, cultural, political, entertainment, or educational purpose during the effective dates of this executive order.
- b) If a business licensed by the City is found to have hosted a gathering in violation of this Section, such business is subject to being closed to protect public health and to having its business license suspended or revoked.

Section 5: Additional Public Health Emergency Response

Beginning on the effective date of this Order, and continuing until revoked or amended by subsequent Executive Order, the following restrictions shall be imposed in the City:

- a) Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering public buildings, restaurants, shops, public parks and trails, public transportation facilities and all other areas where the public ingresses or egresses. Such person should seek medical attention and follow the directions of their Primary Care Physician until given the clearance to return to public interaction.
- b) All businesses and employers are directed to take the necessary steps, to the maximum extent possible, to provide employees with the means and equipment to perform their job functions remotely.
- c) All individuals in public places and any place of business remaining open must adhere to the Social Distancing Requirements defined in Section 1 above to the maximum extent possible.
- d) All City of Chamblee playgrounds and pavilions are closed. Individuals shall not use public playgrounds or outdoor fitness equipment.
- e) All individuals are asked to participate in a voluntary curfew beginning at 9:00 p.m. and ending at 6:00 a.m., except for necessary trips to and from work, for medical treatment, food or medication, or other emergency.
- f) All individuals and families are encouraged to shelter in place as much as possible.

Beginning on March 25, 2020 at 12:01 a.m., and continuing until revoked or amended by subsequent Executive Order, the following restrictions shall be imposed in the City:

- g) All indoor funeral gatherings shall be limited to no more than 10 persons or so many persons indicated by future CDC guidance on large gatherings; graveside services of 10 or less persons present are strongly encouraged.

- h) Funeral homes shall ensure that vehicles used to transport families are thoroughly cleaned between uses in accordance with CDC guidelines.
- i) In keeping with Sections 10 and 11 of DeKalb County Executive Order No. 20-001, all businesses in the City except “Essential Businesses,” as defined in section 11 of that Order, shall have hours of operation beginning no earlier than 6:00 a.m. and ending no later than 9:00 p.m.
- j) Any business that remains open during the time that this Order is in effect must:
 - 1) Have anti-microbial soap and water or hand sanitizer and sanitizing products readily available at the entrance and throughout the business for employees and customers, and must require employees and customers to use same;
 - 2) Provide a service upon entry to the facility that sanitizes shopping carts, baskets or bags with a sanitizing product approved by the Environmental Protection Agency for use to combat COVID-19; and
 - 3) Monitor the facility, including the entry points of the facility, to ensure compliance by employees and customers of the requirements in subsections 1) and 2) above.

Section 6: Emergency Response Leave for City Employees

The City Manager is authorized to implement paid Emergency Response Leave. This leave shall be available to all full-time employees in accordance with an Emergency Response Leave Policy approved by the City Manager. Any regular, full-time employee of the City of Chamblee exposed to COVID-19 due to a documented work-related incident while performing their job responsibilities will receive:

- a) Continuance of their base earnings in accordance with the City’s Emergency Response Leave Policy for the duration they may be out of work due to the incident, but not to exceed 320 hours.
- b) Supplemental payments of medical treatments and prescriptions to the extent not covered by the employee’s medical insurance, not to exceed the out-of-pocket maximum.

Absence from work due to COVID-19 exposure or diagnosis will not be considered job abandonment so long as the City is notified of the employee’s request for leave in accordance with the City’s Reporting for Duty Policy. No employee may return to work until cleared by a medical professional and approved by the Human Resources Department.

Section 7: General penalty.

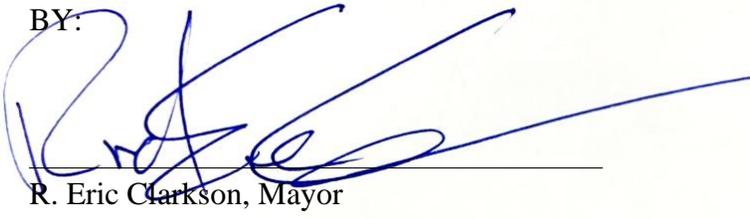
Pursuant to Chamblee Code Section 26-2, a person violating any provision of this Order shall, upon conviction thereof, be punished as provided in Chamblee Code Section 1-6.

Section 8: Expiration.

This Order shall take effect at the time of signing by the Mayor, as indicated below, and shall expire on April 21, 2020 at 11:59 p.m., unless extended by executive order or Council action.

SO ORDERED this 24th day of March 2020, at 3:30 p.m.

BY:



R. Eric Clarkson, Mayor