STATE OF GEORGIA  
COUNTY OF FULTON

A THIRD EMERGENCY ORDINANCE BY THE CITY OF EAST POINT, GEORGIA,  
TO PROVIDE FOR THE HEALTH, SAFETY, AND WELFARE OF THE GENERAL  
PUBLIC, INCLUDING AN ORDER TO REMAIN AT THE PLACE OF RESIDENCE

WHEREAS, the duly elected governing authority of the City of East Point, Georgia is  
the Mayor and Council thereof; and

WHEREAS, the governing authority is empowered to provide for the health, safety, and  
welfare of the residents, employees, businesses, and visitors within the city; and

WHEREAS, the spread of the COVID-19 virus has been declared a global pandemic by  
the World Health Organization (“WHO”); and

WHEREAS, the Centers for Disease Control (“CDC”) has recommended the public  
avoid gatherings of ten (10) people or more; and

WHEREAS, the President of the United States has declared the spread of COVID-19 a  
national emergency; and

WHEREAS, the Governor of Georgia has declared the spread of COVID-19 a public  
health emergency in the state; and

WHEREAS, the health, safety, and welfare of residents, businesses, employees, and  
visitors are the top priority of the governing authority; and

WHEREAS, the governing authority and staff have been closely monitoring the spread  
of COVID-19 and the associated guidance from medical professionals as well as state and  
federal government agencies to help stop the spread of the disease; and

WHEREAS, the governing authority believes it is necessary to provide guidance  
regarding the City of East Point’s response to this emergency and associated regulations; and

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WHEREAS, there have been continued instances of large numbers of people congregating in certain areas of the city since the passage of the city’s first emergency ordinance; and

WHEREAS, confirmed cases of Coronavirus/COVID-19 have increased and, as of noon on March 24, 2020 there have been 1,026 confirmed cases and 32 deaths in the State of Georgia and 184 confirmed cases in Fulton County; and

WHEREAS, On March 22, 2020, twenty-four (24) infectious disease clinicians in Georgia signed onto an opinion stating they believe there is little time to “flatten the curve” of the spread of COVID-19; and

WHEREAS, these clinicians advised that at least one model suggests that “the point of no return” of Georgia is estimated to begin on March 24, 2020 and that after that date, every day of delay before restrictive measures, such as those put in place by California, New York, and Illinois, are taken will lead to an earlier and higher peak of infected Georgians that will completely overwhelm our hospital systems; and

WHEREAS, these clinicians have requested that effective Tuesday, March 24, 2020 there be a stay at home/shelter in place declaration for fourteen (14) days with only essential personnel being deployed during this emergency; and

WHEREAS, the intent of this ordinance is to ensure the highest extent of self-isolation feasible in an effort to prevent transmission and spread of COVID-19 in an attempt to “flatten the curve” to the greatest extent possible; and

WHEREAS, the Mayor and Council find that there exists an urgent need to take additional measures for the health, welfare, and safety within the City of East Point due to the extraordinary circumstances of the COVID-19 global pandemic; and

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WHEREAS, the governing authority is authorized to provide emergency ordinances under O.C.G.A. § 38-3-28 and East Point Charter Sections 1-103(9) and 2-203.

THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF EAST POINT that:

Section 1: Emergency

The Mayor and Council of the City of East Point declare a state of emergency continues to exist in the City of East Point based on the global pandemic Coronavirus/COVID-19 disease.

Section 2: The non-conflicting provisions in the previous Emergency Ordinances, approved by the East Point City Council on March 16, 2020 and March 21, 2020 are hereby incorporated by reference.

Section 3: Shelter in Place

a) All individuals currently living within the jurisdiction of the City of East Point are hereby directed to stay in their place of residence to the maximum extent possible for the next fourteen (14) days. Individuals using shared or outdoor spaces must, to the extent possible, at all times maintain social distancing of at least (6) feet away from any other person outside of their residence. Persons subject to this ordinance may leave their places of residence to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and government services. Essential businesses and services are those defined as such in the City of East Point’s Second Emergency Ordinance, approved March 21, 2020. Childcare services, provided by existing childcare facilities, shall be considered to be essential services. Childcare facilities shall
also observe the CDC’s guidelines that no more than ten (10) individuals be present in a single location, such as an enclosed classroom.

b) Exemptions:

- Individuals experiencing homelessness are exempt from this order, but are urged to find shelter. Non-profit and government agency providers are encouraged to provide such shelter.

- First responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, as well as those performing essential government functions are exempt from this ordinance.

- Individuals leaving their residence to work for or obtain services from any Healthcare Provider (including but not limited to hospitals, clinics, pharmacies, home healthcare service providers, mental health services, or related services) are exempt from this ordinance.

- Residents may engage in outdoor activity, such as, but not limited to walking, hiking, running, or cycling, provided the individuals comply with social distancing requirements.

Section 4: Personal Curfew

A curfew on persons within the City of East Point is hereby established from the hours of 9:00 p.m. until 7:00 a.m. except for those individuals identified as exempt in Section 3 of this ordinance. This curfew shall be effective beginning at 12:00 a.m. on March 25, 2020 until April 7, 2020 at 7:00 a.m.
Section 5: Adherence to State and Federal Recommendations

The Mayor and Council further recommend that, in addition to the foregoing, all individuals continue to adhere to recommendations by State and Federal Officials and Agencies related to health and safety during this health emergency.

Section 6: Severability

The provisions of this ordinance are declared to be severable. In the event any Section, paragraph, sentence, clause, or phrase of this ordinance are declared to be invalid, unconstitutional, or otherwise unenforceable by the valid judgment or decree of a court of competent jurisdiction, it is the intent of the Mayor and Council that said provision shall be severable and all other portions of this ordinance shall remain in place, valid, and enforceable.

Section 7: Effective Dates

Unless otherwise stated herein, this Ordinance shall be effective March 25, 2020 at 12:00 a.m. Pursuant to Charter Section 2-203(a) this Ordinance shall be automatically repealed thirty (30) days from the date of its adoption. However, the Ordinance may be reenacted in the same manner or repealed earlier by a repealing ordinance.

Section 8: Conflicting Law

To the extent this ordinance conflicts with any law, regulation or ordinance of the City of East Point already in existence, such conflicting law, regulation or ordinance is hereby repealed.

Section 9: Scrivener’s Errors

The City Clerk, in consultation with the City Attorney, is authorized to correct any scrivener’s errors contained in this ordinance.
BE IT ORDAINED by the City Council of East Point, this 24th day of March, 2020.

First Reading: Waived
Adoption: 3/24/2020

CITY OF EAST POINT, GEORGIA

Deana Holiday Ingraham, Mayor

APPROVED AS TO FORM:

Brad Bowman, City Attorney

ATTEST:

Keshia McCullough, City Clerk

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