STATE OF GEORGIA
COUNTY OF FULTON

A SECOND EMERGENCY ORDINANCE BY THE CITY OF EAST POINT, GEORGIA, TO PROVIDE FOR THE HEALTH, SAFETY, AND WELFARE OF THE GENERAL PUBLIC

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, 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 that:

Section 1: Emergency

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

Section 2: Bars, Restaurants, and Entertainment Venues

1) All bars, restaurants, and other establishments who sell food or beverages for consumption on the premises or who provide entertainment on the premises shall be closed to in-person dining, alcohol consumption, or entertainment during the effective time of this ordinance. The provision allowing for fifty (50) patrons in the previous emergency ordinance, approved on March 16, 2020, is hereby repealed and replaced as stated herein.

2) Said bars, restaurants, and other establishments may offer food for take away, delivery, or for customers to eat at location(s) other than the establishment.

3) During the effective time of this ordinance any establishment licensed for the sale of beer and/or wine for consumption on the premises may sell unopened bottles or cans of beer and wine with the purchase of food for takeout only, but not delivery. Unopened cans and bottles must meet federal law for sealed containers.

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4) Businesses affected by these closures shall establish systems that restrict in person contact as much as possible, to include a limitation of the number of customers at a time to be in the premises.

Section 3: Non-Essential Businesses

All non-essential businesses and services are ordered to close and remain closed, effective March 24, 2020 at 12:00 am and continue for seven (7) calendar days. Essential businesses and services include food and grocery stores; food banks and outdoor farmers markets; businesses that provide food, shelter, social services and other necessities of life for economically disadvantaged people (including gang prevention and intervention and domestic violence agencies); gas stations; banks and financial institutions; hotels; hardware stores and nurseries; plumbers and electricians, exterminators, custodial/janitorial workers, handyman services, funeral home workers and morticians, moving services, HVAC installers, carpenters, landscapers, gardeners, property managers, private security personnel and others who provide services to maintain the safety, sanitation and essential operation of properties and other essential activities; healthcare providers and facilities; transportation services; residential facilities; warehouses and distribution centers; city and county government services; laundromats/laundry service; newspapers, magazines, television, radio, podcasts and other media services; and educational institutions, including public and private K-12 schools, colleges, and universities – for purposes of facilitating distance learning or performing essential functions provided that social distancing of six (6) feet per person is maintained to the greatest extent possible.
Section 4: Business Hours

All Businesses, including essential and non-essential businesses, shall be open to the public only during the hours of 7:00 a.m. to 9:00 p.m. No business shall be open to the public outside of the prescribed hours above. Healthcare providers, pharmacies, and hotels are exempt from this requirement. All businesses shall make every effort to ensure adequate social distancing occurs by maintaining at least six (6) feet of personal space and providing a station(s) to wash hands with warm water and antibacterial soap, hand sanitizer containing at least 60% alcohol, or both.

Section 5: Social Gatherings

The public shall adhere to CDC guidelines related to public social gatherings. Essential businesses are not considered social gatherings.

Section 6: 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 7: Effective Dates

Unless otherwise stated herein, this Ordinance shall be effective March 23, 2020 at 12:00 am. 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: Scrivener's Errors

The City Clerk, in consultation with the City Attorney, is authorized to correct any scrivener's errors contained in this ordinance.

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BE IT ORDAINED by the City Council of East Point, this 21st day of March, 2020.

First Reading: Waived
Adoption: March 21, 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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