

**JOINT RESOLUTION DECLARING STATE OF EMERGENCY IN THE COUNTY OF BARTOW AND THE MUNICIPALITIES THEREIN ESTABLISHING THE CLOSURE OF ALL BARS AND RESTAURANTS AND PROCEDURES FOR TAKE OUT OR DELIVERY OF FOOD ONLY, BANNING GATHERINGS OVER 10 PEOPLE, PROVIDING FOR DISSEMINATION OF INFORMATION, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

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**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 of Emergency in Georgia on March 14, 2020; and

**WHEREAS,** the World Health Organization has declared Corona Virus Disease 2019 (COVID-19) a world health emergency and a pandemic influenza emergency; and

**WHEREAS,** Georgia law allows for the suspension of certain laws, rules, ordinances and orders during a declared state of emergency, and authorizes the County and Cities to waive compliance with time-consuming procedures and formalities; O.C.G.A. § 38-3-1 *et. seq.*; and

**WHEREAS,** the Georgia law grants to Bartow County and the municipalities thereof the power to protect the safety, health, and welfare of the public; and

**WHEREAS,** the President of the United States and the Centers for Disease Control have recommended that any gathering over 10 people be discontinued or prohibited; and

**WHEREAS,** in the judgment of the Commissioner of Bartow County, with advice from the Bartow County Emergency Management Agency, there exist emergency circumstances located in Bartow County requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of Bartow County, including individuals with household pets and service animals; and

**WHEREAS,** Public health leaders of this region have worked diligently, closely and collaboratively to respond aggressively to the COVID-19 impact in our communities, and on March 20, 2020, have made requests strongly urging action to temporarily close restaurants, bars and other places where individuals gather for socialization;

**NOW THEREFORE,** Bartow County and the municipalities therein resolve and declare as follows:

**Section 1:** Bartow County, and the municipalities therein adopt and make the findings discussed in the “Whereas” paragraphs as factual findings.

**Section 2:** Bartow County and the municipalities therein hereby declare a state of emergency and a public health emergency.

**Section 3:**

- a. Bartow County, and the municipalities therein hereby declare that all bars, restaurants, or businesses that sell food or beverages for consumption on premises or that provide entertainment on premises shall be closed to in-person dining, consumption of alcohol, or entertainment until the expiration of this resolution.
- b. Bars, restaurants, and other businesses that sell food may offer food for take-away or for customers to eat somewhere other than at the establishment, provided that cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to these restrictions and may continue normal operations.
- c. Businesses affected by these closures shall establish systems that restrict in-person contact as much as possible, to include not permitting more than ten (10) customers at a time to be inside 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 six (6) feet of personal distance between themselves as much as possible given the physical constraints of the premises.

**Section 4:** Other places of assembly including gyms, movie theaters, clubs, theaters and other places of assembly, shall limit gatherings to no more than ten (10) persons at any one time or event. This restriction does not apply to grocery stores, drug stores and other stores providing goods to individual customers; however, such stores should not conduct events for groups of ten or more persons.

**Section 5:** Bartow County, and the municipalities therein suspend the use of any County or City Parks by more than ten (10) persons in a group; however, this does not suspend the use of trails which are expressly exempted from this suspension.

**Section 6:** Bartow County, and the municipalities therein suspend the bid and competitive portions of their respective Procurement Policy and authorize the respective Managers or Mayor to utilize the single-source policy and to require departments to provide a written justification for the procurement during the effective dates of this Resolution.

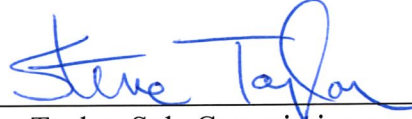
**Section 7:** Bartow County Emergency Management Agency hereby activates the Emergency Operations Plan, and the Commissioner shall have and exercise any necessary emergency powers as set forth in the Code of Bartow County, Section 26-30 et seq.;

**Section 8:** This Resolution shall take effect in the unincorporated areas upon approval by the Bartow County Commissioner, and for the municipalities upon adoption their respective declarations being adopted, and shall expire by its own terms on April 4, 2020, unless extended by further action of the respective jurisdiction.

**Section 9:** The respective Clerks, in consultation with the respective County Attorney and City Attorneys, shall have the power to correct scriveners errors.

**SO RESOLVED** this 20<sup>th</sup> day of March, 2020 to take effect immediately, the public health, safety and welfare demanding.

BARTOW COUNTY, GEORGIA



Steve Taylor, Sole Commissioner

Attest:



Kathy Gill, County Clerk

