

A TEMPORARY ORDINANCE THAT AFFIRMS THE SECOND DECLARATION OF A LOCAL STATE OF EMERGENCY RELATED TO COVID-19; AND FOR OTHER PURPOSES

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency for the United States of America in response to COVID-19; and,

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a public health emergency due to COVID-19; and,

WHEREAS, on March 16, 2020, President Donald Trump issued his Coronavirus Guidelines for America which instructs people to listen to their local authorities and to avoid social gatherings of more than ten (10) people; and

WHEREAS, on March 17, 2020, the Board of Commissioners of Bulloch County, Georgia declared a local state of emergency related to COVID-19; and,

WHEREAS, on March 28, 2020, Bulloch County's first confirmed case of COVID-19 was reported, and there is an expectation that additional cases of COVID-19 will be identified in the coming days, and that person-to-person spread is likely to continue to occur; and

WHEREAS, to prevent or minimize injury to people resulting from this pandemic, the Bulloch County Board of Commissioners finds that certain actions are required, including but not limited to, the social distancing measures set forth herein; and,

WHEREAS, the Bulloch County Board of Commissioners has determined, out of public necessity and for the good of the citizens of Bulloch County, that the proposed action is needed; and,

WHEREAS, the Bulloch County Board of Commissioners constitutes the governing body of Bulloch County, Georgia;

NOW THEREFORE, at a meeting held on the 31st day of March, 2020 with a quorum in place, the Bulloch County Board of Commissioners hereby adopts the following temporary ordinance that shall become effective at 12:00 P.M., April 1, 2020, and shall remain in effect through and including 11:59 P.M. on April 27, 2020, unless subsequently modified.

IT IS ORDAINED:

1. Statewide Shelter-In Place Order: Pursuant to Executive Order 03.14.20.01, by The Honorable Governor Brian P. Kemp declaring a Public Health State of Emergency, ratified by The Georgia General Assembly under a joint resolution of March 16, 2020, and subsequent to Administrative Order 03.22.20.01, as amended, The Commissioner of The Georgia Department of Public Health so orders certain persons or residents within the State of Georgia, and particularly within Bulloch County, who have underlying or actual conditions likely to cause an increased spread of COVID-19, if such persons were

to become infected, to isolate, quarantine, or shelter-in-place within their homes or place of residence. This order by the Department of Health shall include the following populations:

- a. Those persons who live in a nursing home or long-term care facility;
- b. Those persons or have chronic lung disease;
- c. Those persons undergoing cancer treatment; and,
- d. Those persons included under The Georgia Department of Public Health Administrative Order 03.22.20.01, as amended, which orders isolation or quarantine for:
 - i. persons with known COVID-19, persons suspected with COVID-19; and
 - ii. persons with COVID-19 exposure likely to result in infection.

The Bulloch County Board of Health is hereby designated to enforce provisions of these code sections, as an agent of The Georgia Department of Public Health for the Duration of the Governor's declaration of a Public Health Emergency.

2. Curfew: Pursuant to, Article VI, Sections 6-100 through 6-105, the Sheriff of Bulloch County, Georgia is hereby designated to enforce a curfew for the duration of this ordinance throughout Bulloch County from 10:00 P.M to 6:00 AM. The following shall include an expanded and amended list of individuals who shall be exempt from this curfew if they are performing or supporting the following essential activities:
 - a. Employees of public safety (including fire, law enforcement, emergency medical services, animal control, emergency management);
 - b. Employees of public works or public works contractors (roads, sanitation);
 - c. Employees of transportation and logistics;
 - d. Employees of hospitals and medical service providers;
 - e. Military services;
 - f. Employees of utility services;
 - g. Employees of the news media;
 - h. Employees of construction, building maintenance and repair contractors;
 - i. Employees of local industries and manufacturers traveling to and from their jobs;
 - j. Care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
 - k. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving or distributing meals, and any other related services;
 - l. Travel to return to a place of residence from outside the jurisdiction;
 - m. Travel required for non-residents to return to their place of residence outside the County;
 - n. Travel required by law enforcement or court order; and
 - o. Employees of grocery stores, convenience stores, or pharmacies.

3. Prohibition Against Overcharging for Goods, Material, Services and Housing: Pursuant to, Chapter VI, Sections 6-43 through 6-47, the Sheriff of Bulloch County, and Code Enforcement personnel employed by the Bulloch County Board of Commissioners are hereby designated to enforce provisions of these code sections.

4. Public or Private Gatherings: Indoor or outdoor public or private gatherings or events at a single location outside of a household or living unit of ten (10) persons or less anywhere in Bulloch County may be permitted so long as participants remain at least six (6) feet apart. Indoor or outdoor public or private gatherings or events at a single location outside of a household or living unit of more than ten (10) persons anywhere in Bulloch County are prohibited. Such indoor or outdoor public or private gatherings shall include, but not be limited to, venues and activities as follows:
 - a. Auditoriums, stadiums, or arenas;
 - b. Tents;
 - c. Event or conference centers;
 - d. Meeting halls or social clubs;
 - e. Public or private community pools operated by social clubs or homeowners associations;
 - f. Restaurants or cafeterias;
 - g. Churches;
 - h. Birthday parties, family reunions, baby showers and weddings held at such venues;
 - i. Pick-up or sandlot games;
 - j. Special event permits issued by the County shall be suspended for the duration of this ordinance.

A gathering does not include the following or similar uses, so long as persons attending the same are generally not within six (6) feet of each other for extended periods:

- a. Governmental operations;
- b. Spaces where persons may be in transit or waiting for transit such as airports, bus stations or terminals;
- c. Child-care or adult care facilities, residential buildings or any type of temporary sheltering or housing;
- d. Grocery stores or pharmacies;
- e. Hospital or medical facilities;
- f. Educational institutions engaged in medical, engineering or other efforts by students or faculty to deal with the impact of COVID-19;
- g. The performance of job duties by persons not exhibiting symptoms of COVID-19 or residing with any person exhibiting symptoms of COVID-19;
- h. Manufacturers, distribution centers, food processors, and similar industrial facilities provided that employees comply with the social distancing requirements as stated herein;

- i. Pastors who need access to church materials located at the church building and/or sanctuary and who hold on-line services as long as the social distancing requirements of ten (10) or less persons are followed;
 - j. Building and building maintenance and repair contractors;
 - k. Funeral services shall only be held outdoors/graveside as long as the social distancing requirements of twenty-five (25) or less persons are followed;
 - l. Gas stations and convenience stores;
 - m. Hardware stores; and
 - n. Banks.
5. Alcoholic Beverage Sales Restrictions: Any alcoholic beverage licensee permitted to sell beer, malt beverages, wine or distilled spirits for on-premises consumption for the duration of this ordinance, shall be authorized to sell unopened bottles or cans of beer or wine for take-out consumption off-premises, without obtaining any additional licensing. Patrons, employees and contractors of the establishments shall operate in a manner that allows for at least six (6) feet of personal distance between themselves and others. The sale of alcoholic beverages in unopened containers and license application for catered events shall be prohibited.
6. Restaurant and Dining Restrictions: Restaurants and other eating and dining establishments where food is served must cease offering dine-in services but may continue preparing and offering food to customers via delivery, drive-through or take-out services. Patrons, employees and contractors of the establishments shall operate in a manner that allows for at least six (6) feet of personal distance between themselves and others.
7. Public Parks and Facilities Restrictions: The Statesboro-Bulloch County Parks and Recreation Department shall cease all organized indoor and outdoor activities, special events and programs that would defeat the purpose of social distancing for duration of this ordinance. Open space facilities including parks and walking trails shall remain open, but indoor facilities, including public restrooms, shall remain closed for the duration of this ordinance. When using open spaces, patrons should use social distancing practices and gatherings referenced in Section 4 shall be prohibited.
8. Public Building Restrictions: Subject to other restrictions imposed by the Sheriff of Bulloch County, or the judicial branch of the State of Georgia, or by other higher levels of government authority, the County Manager is authorized to restrict public access to county buildings or property in a such manner that meets the intent of this ordinance.
9. Tolling: All deadlines of any action, determination or decision required of any official, board or commission of the Bulloch County government under the provisions of the Bulloch County Code of Ordinances shall be tolled for the duration of this ordinance, and for thirty (30) days following the expiration of this ordinance.

10. Fines and Penalties: Pursuant to the emergency powers granted to the Bulloch County Board of Commissioners, violation of any provision of this ordinance, 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 ninety (90) days. For purposes of enforcing the provisions of this ordinance, each day a business operates within Bulloch County without complying with this ordinance shall constitute a separate offense.
11. General Provisions: Nothing in this ordinance shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against Bulloch County, its departments, agencies or entities, its officers, employees or agents, or any other person.
12. Disaster Relief: Bulloch County shall seek reimbursement from the State of Georgia and/or FEMA for all eligible expenditures.
13. Applicability: This ordinance shall apply throughout the entire geographical area of Bulloch County, both in the unincorporated area and the incorporated areas of Bulloch County.

Adopted at a meeting of the Bulloch County Board of Commissioners held in compliance with Georgia's Open Meetings Act on the 31st day of March, 2020, at which meeting a quorum was present.

BOARD OF COMMISSIONERS OF
BULLOCH COUNTY, GEORGIA

By: Roy Thompson
Roy Thompson, Chairman

Attest: Olympia Gaines
Olympia Gaines, Clerk

