



COBB COUNTY BOARD OF COMMISSIONERS

COBB COUNTY, GEORGIA
FILED IN OFFICE

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Michael H. Boyce
Chairman

2020 MAR 24 PM 6:27

COBB COUNTY CLERK'S OFFICE

DECLARATION OF EMERGENCY IN COBB COUNTY

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 Public Health Emergency in Georgia on March 14, 2020, which was affirmed by the General Assembly on March 16, 2020; and

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

WHEREAS, the respiratory disease caused by COVID-19 is an infectious virus that can spread from person-to-person and can result in serious illness or death; and

WHEREAS, as of March 24, 2020, the World Health Organization reported 372,757 confirmed cases of COVID-19, with 16,231 deaths, in 194 countries, areas or territories; and

WHEREAS, the United States of America is currently the country with the third-most confirmed COVID-19 cases in the world; and

WHEREAS, Cobb County is experiencing the direct and indirect impacts of the COVID-19 pandemic as the virus proliferates via "community spread"; and

WHEREAS, laboratory testing has confirmed in excess of 80 cases of COVID-19 in Cobb County to date; and

WHEREAS, several Cities within the borders of Cobb County have declared emergencies; and

WHEREAS, the Official Code of Cobb County, Georgia, grants the chairman of the board of commissioners authority to declare an emergency for the unincorporated area of the county in the event of an actual or threatened emergency, which may result in the large-scale loss of life, injury, property damages or destruction, or in the major disruption of routine community affairs, business or governmental operations in the county and which is of sufficient severity and magnitude to warrant extraordinary assistance by federal, state and local departments and agencies to supplement the efforts of available public and private resources, Cobb County Code, Sec. 34-2; and

WHEREAS, following a declaration of emergency and during the continuance of such state of emergency, the Official Code of Cobb County, Georgia, authorizes the chairman to implement local emergency measures to protect life and property or to bring the emergency situation under control, including but not limited to effectuating Sec. 34-7 of the County Code, Cobb County Code, Sec. 34-2; and

WHEREAS, medical professionals have advised that if COVID-19 continues to spread in Cobb County and the rest of Georgia at a rate comparable to the rate of spread in other affected areas, it may greatly strain the resources and capabilities of the county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19, and the situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of this State; and

WHEREAS, in the judgment of the Chairman of the Cobb County Board of Commissioners, with advice from the Cobb & Douglas Board of Health (CDBH) and Cobb Emergency Management Agency (CEMA), there exists a public health emergency in unincorporated Cobb County requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of Cobb County; and

WHEREAS, a critical component of the public response to the COVID-19 pandemic is to practice “social distancing” by minimizing contact between people residing in different households as much as possible, and

WHEREAS, despite guidance from the United States Centers for Disease Control and Prevention (“CDC”), stating that people should avoid gathering in crowds, it has been evidenced that people in Cobb County continue to gather in large numbers in enclosed spaces where social distancing cannot be effectuated; and,

WHEREAS, the County’s District Health Director, Dr. Janet Memark, has advised the Chairman that she agrees that this Declaration of Emergency is necessary to protect the health and well-being of the citizens of Cobb County; and

WHEREAS, that the Cobb & Douglas Board of Health is authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance with this Declaration of Emergency for a period not to extend beyond the term of this Declaration;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that a local state of emergency exists in Cobb County and shall terminate on April 15, 2020, unless renewed by the Chairman;

WHEREFORE, IT IS ORDERED:

1.

Cobb County Emergency Management Agency (CEMA) shall activate the Emergency Operations Plan.

2.

Consistent with Governor Kemp's Executive Order dated March 23, 2020, and pursuant to the Chairman's authority under Sec. 34-2 and 34-7 of the Cobb County Code, no business, establishment, corporation, non-profit corporation, or organization shall allow more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person.

3.

Beginning on March 25, 2020 at 12:00 pm and continuing until terminated, revoked or amended by subsequent action, the following restrictions, made pursuant to the Chairman's authority under Sec. 34-2 and 34-7 of the Cobb County Code, shall be imposed in Cobb County:

- (a) Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering public buildings, restaurants, shops, 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 individuals in public places must maintain and restrict in-person contact as much as possible and maintain a distance of 6 feet between individuals, in accordance with CDC guidelines.
- (c) All individuals and families are required to shelter in place consistent with this Declaration.
- (d) All businesses except "Essential Businesses," as defined below, shall have hours of operation beginning no earlier than 6:00 a.m. and ending no later than 9:00 p.m., except to allow for restocking, cleaning, and preparation of the next day's business.
- (e) All businesses and employers are encouraged to take the necessary steps ensure that no personnel are showing symptoms of COVID-19 as identified by the CDC, and to send personnel home immediately if any such symptoms are indicated.
- (f) All businesses and employers are encouraged, to the maximum extent possible, to provide employees with the means and equipment to perform their job functions remotely.
- (g) All businesses that remain open for use by the public must take the necessary steps to restrict in person contact and maintain a distance of 6 feet between individuals, in accordance with CDC guidelines.
- (h) There shall be no dine-in service at any restaurant, brewery or bar. Such establishments shall only be open for take-out or delivery services.

- (i) Any establishment that is licensed for on premises consumption of alcoholic beverages shall be allowed to sell such unopened beverages curbside or to take-out customers only during the times specified on the establishment's license. The County makes no representations as to the effect of these types of sales on an establishment's state liquor license.

4.

“Essential Businesses” are defined as the following:

- a) Healthcare operations, including research and laboratory operations, and holistic and alternative healthcare practitioners
- b) Federal, State, County, Municipal, and educational institution services
- c) Utilities (gas, electricity, phone, cable)
- d) Essential Infrastructure--telecommunications, telecommunication service providers, airports, airlines, transportation (buses, MARTA, Lyft, Uber, taxis)
- e) Road construction and related engineering and surveying services
- f) Defense Industrial Base or Critical Infrastructure Workforce
- g) Financial Services Sector Essential Critical Infrastructure Workers, including banks and credit unions
- h) Delivery services (businesses that deliver or ship foods or goods to homes or businesses)
- i) Manufacturing, construction, providers of uniforms and supplies to maintain public health, safety and welfare
- j) Businesses that produce, sell or deliver food and household essentials
- k) Pharmacies
- l) Lodging Businesses (hotels, motels, extended stay and commercial lodging)
- m) Businesses that sell, manufacture, supply products or provided services to support persons working from home work including but not limited to computers, audio and electronics, IT and telecommunications equipment.
- n) Businesses that support and/or perform repair or construction work for businesses and homes
- o) Trash and recycling collection, processing, and disposal
- p) Bonding companies
- q) Legal services
- r) Mail and shipping services
- s) Laundromats/dry cleaning
- t) Janitorial Services (Building/Residential cleaning and maintenance)
- u) Providers of basic services (including but not limited to food insecurity, rent, clothing, shelter, medical, legal) necessities to economically disadvantaged populations
- v) Auto repair, wrecker services, and gas stations
- w) Warehouse/distribution and fulfillment
- x) Funeral homes, crematories, and cemeteries
- y) Storage for essential businesses
- z) Animal shelters/rescues or animal care or management and crematories
- aa) News Media

- bb) Logistical and Tech Support.
- cc) Services Providers that maintain or ameliorate the exterior of facilities or grounds where there is social distancing and a limit of no more than 5 employees. Examples: grass cutting, gutter cleaning, pressure washing, window cleaning, tree cutting and pruning, landscaping, etc.
- dd) Cafeterias located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and vital resources in Cobb County. These facilities are strongly encouraged to stagger meal times, limit use as much as feasible to achieve physical distancing, and to thoroughly follow CDC protocols of cleaning.
- ee) Childcare or elderly care facilities located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and essential businesses in Cobb County.
- ff) Any service that is deemed by the County Manager to be essential for the protection of public health, safety and welfare.

5.

The various courts comprising the judicial branch of the Cobb County government, including the Superior Court, State Court, Magistrate Court and Probate Court, have entered individual Orders of Judicial Emergency providing directives and guidance regarding their respective court operations during the COVID-19 pandemic. This Declaration of Emergency is not intended to change or interfere with the Orders of Judicial Emergency entered by the judiciary.

6.

All official meetings of the Cobb County Board of Commissioners through April 15, 2020 are hereby cancelled in accordance with the directives of the CDC, the President and the Governor to avoid all non-essential public gatherings. If an official meeting becomes necessary in order to sustain County operations, an emergency meeting will be rescheduled in accordance with state law. During this public health emergency, the County will continue to comply with the Open Meetings Act.

7.

All permits for special events, including park facility rentals, to be held on Cobb County property for the duration of this Declaration of Emergency are hereby cancelled, and no new special event permits shall be authorized for the duration of this Declaration of Emergency. Persons affected by this cancellation shall be entitled to a refund of any permit or rental fees paid.

8.

The bid and competitive portions of the County's Procurement Policy are suspended, and the County Manager is authorized to utilize the single-source policy and to require departments to provide a written justification for the procurement during this Declaration of Emergency.

9.

The County Manager is hereby authorized to suspend any law, code provision or regulation prescribing the procedures for conduct of county business, or the orders, rules or regulations of any county agency, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances and further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension.

10.

All County departments under the control and supervision of the County Manager are directed to consider every opportunity to partner with our citizens and businesses to alleviate and ameliorate the economic impact of this pandemic. Examples could be extensions in deadlines for filing county-related applications, paying various required fees, etc.;

11.

Cobb County Water System (CCWS) shall refrain from taking any action which would result in the termination of water services for any CCWS customer due to non-payment.

12.

The Chairman hereby authorizes the provision of welfare benefits to citizens upon execution of an intergovernmental agreement for grants to meet COVID-19-related necessary expenses or serious needs of individuals or families adversely affected by the COVID-19 pandemic, in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state or federal funds are available for such purposes.

13.

The Chairman hereby authorizes performance and exercise of such other functions, powers and duties as may be deemed necessary by the Chairman, with advice from the CDBH and CEMA, to promote and secure the safety and protection of the civilian population during and following the COVID-19 public health emergency.

14.

This Declaration of Emergency is not intended to and does not create any right or benefit, substantive or procedural, enforceable in law or equity by any party against Cobb County, its officials, employees, or agents. County employees will continue to be provided separate detailed written guidance on pay and reporting to work during this period.

ENTERED at 6:18 p.m. on March 24, 2020.

COBB COUNTY, GEORGIA

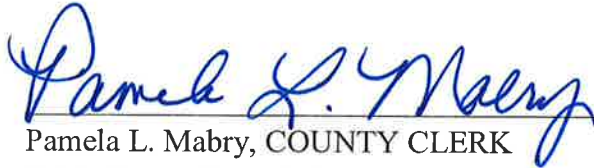
(COUNTY SEAL)



Michael H. Boyce, CHAIRMAN
Cobb County Board of Commissioners



ATTEST:



Pamela L. Mabry, COUNTY CLERK
Cobb County Board of Commissioners