

**BOARD OF COMMISSIONERS OF SEMINOLE COUNTY, GEORGIA**  
**CITY COUNCIL OF IRON CITY, GEORGIA**  
**EMERGENCY DECLARATION ORDER**

**MARCH 25, 2020**

**WHEREAS**, Seminole County, Georgia and the city of Iron City, Georgia has experienced an event of critical significance as a result of the Coronavirus (COVID-19) disease; and

**WHEREAS**, The United States Centers for Disease Control and Prevention, (“CDC”) indicates that COVID-19 is a new and contagious respiratory disease caused by a new virus first detected in China and now has been detected in more than 110 locations around the world; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared that the Novel Coronavirus 2019 (“COVID-19”) disease is a global pandemic, in response to over 118,000 cases present in over 110 countries globally, while currently there are over 267,000 cases, over 11,000 deaths in 184 countries; and

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency regarding COVID-19, and pledged the “full power of the federal government” to fight this pandemic; and

**WHEREAS**, on March 14, 2020, Governor Brian Kemp issued Executive Order 03.14.20.01, which declared a public health emergency for the purpose of easing restrictions that might otherwise hinder the ability of public health systems to respond appropriately to the COVID-19 pandemic, through April 13, 2020, unless further extended; and

**WHEREAS**, on March 16, 2020, the Georgia General Assembly entered a 2020 Special Session to adopt House Resolution 4EX, ratifying Governor Brian Kemp’s public health emergency declaration, and reserving the right to terminate the emergency declaration through future legislative action; and

**WHEREAS**, as of 7:00 p.m. on March 22, 2020, the Georgia Department of Public Health has confirmed 620 positive cases of COVID-19 in Georgia, including 25 fatalities caused by COVID-19 statewide, and positive cases in Seminole, Decatur, Early, and Dougherty Counties; and, also there have been reported positive cases in adjoining Houston County, Alabama; and

**WHEREAS**, medical professionals have advised that if COVID-19 continues to spread in Southwest Georgia and Southeast Alabama at a rate comparable to that rate of spread in other affected areas, it may greatly strain the resources and capabilities of 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**, 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 of ten or more, and guidance from the Georgia Emergency Management Agency (“GEMA”), recommending that Georgians should avoid gathering in groups of any size, it has been evidenced that people in Seminole County and Iron City continue to gather in numbers larger than recommended in enclosed spaces where social distancing cannot be effectuated; and

**WHEREAS**, under O.C.G.A. § 38-3-28, the Seminole County Board of Commissioners, and the City Council of Iron City as the governing authority of a political subdivision of the State of Georgia, is authorized to make, amend, and rescind orders, rules, and regulations as necessary for emergency purposes and to supplement carrying out the emergency management laws; and

**WHEREAS**, under O.C.G.A. § 38-3-6, emergency powers created by the law are intended to be liberally construed so as to allow government officials to meet the demands of emergencies within their jurisdictions; and

**WHEREAS**, in the judgment of the Commission, and the Council of Iron City, as of the date of this Ordinance, based upon the above referenced acts by the CDC, WHO, State of Georgia and its Governor’s declaration, and its local Emergency Management Director, the Seminole County Health Department and other local medical personnel declares there exists emergency circumstances as a result of COVID-19 within the geographical boundaries of Seminole County requiring extraordinary and immediate actions for the protection of the health, safety, and welfare for the citizens of Seminole County and its surrounding communities; and

**WHEREAS**, inherent in the power to suspend ordinances is the power to take emergency affirmative actions, consistent with the protection of public health, safety, and welfare, and consistent with state and federal law; and

**WHEREAS**, to prevent or minimize injury to people resulting from this pandemic, we, the Board of Commissioners of Seminole County, Georgia, and we, the City Council of Iron City, Georgia, find that certain actions are required, including but not limited to, the social distancing measures set forth herein.

**NOW, THEREFORE, BY THE POWER VESTED IN THE SEMINOLE COUNTY BOARD OF COMMISSIONERS, AND THE CITY COUNCIL OF IRON CITY, IT IS HEREBY ORDERED THAT:**

1.

Seminole County is declared to be under a state of emergency, which shall continue until April 13, 2020, unless modified by subsequent order.

2.

That, all public or private Gatherings of more than ten (10) people anywhere within the unincorporated areas of Seminole County and incorporated areas of Iron City are prohibited for the duration of this Order. A "Gathering" is defined as any indoor or outdoor event, meeting, or convening of people, subject to the exceptions below, that brings together, or is likely to bring together, or solicits to bring together, ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, stadium (indoor or outdoor), tent, arena, event center, music venue, meeting hall, conference center, large cafeteria, or any other confined indoor and outdoor space.

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: (1) governmental operations; (2) child-care or adult care facilities, residential buildings or any type of temporary sheltering or housing; (3) grocery stores or pharmacies; (4) hospital or medical facilities; (5) educational institutions engaged in medical, engineering, or other efforts by students or faculty to deal with the impact of COVID-19, (6) all businesses essential to any of the foregoing categories as well as to food cultivation, including farming, livestock, and fishing; (7) any service, retail, commercial, or industrial establishment governed by Section 4 and Section 5 below; and (8) the performance of job duties by persons not exhibiting symptoms of COVID-19 or residing with any person not exhibiting symptoms of COVID-19.

3.

A mandatory curfew shall be effective between the hours of 10:00 p.m. EDT to 5:00 a.m. EDT during which all residents within the unincorporated areas of the county and incorporated areas of Iron City shall remain sheltered in place unless exempted as provided hereafter. Anyone performing emergency or first responder services, essential government services, law enforcement services, directed healthcare or rescue services by an appropriate agency of Seminole County, local municipalities, state or federal governments, or essential utility services or military services. Those residents or transients that are going to and from lawful employment required during such hours.

4.

Notwithstanding Section 2 and Section 3 above, the following business categories will be regulated as follows:

- a. An "Imminent Health Hazard" is defined as a product, practice, circumstance, or event that may pose a significant risk of injury or illness to food service employees or to members of the public if not promptly corrected or halted. The COVID-19 is considered an "imminent health hazard" by this definition. Because of this, and in order to protect members of the public, dining areas should be closed until further notice. Take out, drive-through, delivery, or third-party delivery options should be the only means by which consumers can obtain food. Restaurants which are licensed by Seminole County Code of Ordinances or the Iron City Code of Ordinances or the sale of malt beverages by the drink for consumption on premises may sell malt beverages in sealed containers by the package without obtaining any additional license. Restaurants which are licensed under Seminole County Code of Ordinances or the Iron City Code of Ordinances for the sale of wine by the drink for consumption on premises may sell wine in sealed containers by the package without obtaining any additional license. Cafeterias in hospitals, nursing homes, higher education institutions, or similar facilities shall not be subject to the restrictions contained in this Section.
- b. Except for food service establishments licensed by the Department of Public Health, all business locations licensed under Seminole County Code of Ordinances or the Iron City Code of Ordinances for the sale of alcoholic beverages for consumption on premises or for brown bagging for consumption on premises, such as bars, taverns,

and similar establishments, shall be closed for business.

- c. All establishments providing body care services which require physical contact between the provider and client, including, without limitation, barbering, hair design, cosmetology, esthetics, massage therapy, tattooing, body waxing, tanning salons, or nail care shall be closed for business. This paragraph shall not restrict any services performed by or under the direct supervision of a licensed medical doctor, nurse, dentist, physical therapist, chiropractor, or other healthcare professional.
- d. All indoor recreation facilities, including, without limitation, gyms, health studios, yoga, barre, spin, or other fitness classes, spas, saunas, indoor amusement facilities, arcades, pool halls, playhouses, and concert venues, shall be closed for business.

5.

Except as otherwise set forth herein, all other service, retail, commercial, or industrial establishments will be permitted to remain open subject to the following restrictions, regardless of the number of employees gathered: (i) reasonable steps are taken to ensure that customers, employees, and other persons on the premises shall generally not be within six (6) feet of each other for longer than brief periods; and (ii) employees are not suffered or permitted to work if they are exhibiting symptoms of COVID-19 or residing with anybody exhibiting symptoms of COVID-19.

6.

All Seminole County and Iron City public parks or public facilities shall be closed for business. However, this shall not apply to Reynolds Landing Park, Sealy's Landing Park, and Saunders Slough Boat Ramp.

7.

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

8.

All deadlines imposed under Seminole County Code of Ordinances, or, under the Iron City Code of Ordinances, relating to the renewal of business licenses, shall be tolled for the duration of this Order, and for thirty (30) days following the expiration of this Order.

9.

All deadlines of any action, determination, or decision required of any official, board, commission of Seminole County, or council of Iron City under the provisions of the Seminole County Code of Ordinances, or the Iron City Code of Ordinances shall be tolled for the duration of this Order, and for thirty (30) days following the expiration of this Order.

10.

Pursuant to Seminole County Code of Ordinances, or Iron City Code of Ordinances, violation of any provision of this Order, 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 sixty (60) days. For purposes of enforcing the provisions of this Order, each day a business operates

within the unincorporated areas of Seminole County or the incorporated areas of Iron City without complying with this Order shall constitute a separate offense.

11.

Nothing in this Order shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against Seminole County or Iron City, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

12.

This Order shall become effective at 12:00 p.m. EDT on March 25, 2020, and shall remain in effect through and including 11:59 p.m. EDT on April 13, 2020, unless modified by subsequent order.

OFFERED FOR ADOPTION, AS INITIATED BY THE BOARD  
OF COMMISSIONERS OF SEMINOLE COUNTY, GEORGIA  
on this 25<sup>th</sup> day of March, 2020.

COUNTY OF SEMINOLE, STATE OF GEORGIA

BY: <u>Sheila Williams</u>	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
SHEILIA WILLIAMS, Chairman				
BY: <u>Brenda Peterson</u>	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
BRENDA PETERSON				
BY: <u>Jeffrey C. Braswell</u>	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
JEFFREY C. BRASWELL				
BY: <u>Darius Culverson</u>	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
DARIUS CULVERSON				
BY: <u>Mark Spooner</u>	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain	<input type="radio"/> Absent
MARK SPOONER				

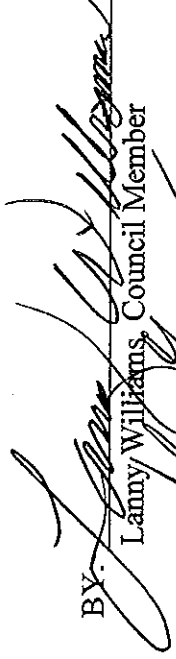
ATTEST:


Paula Granger  
Paula Granger, County Clerk

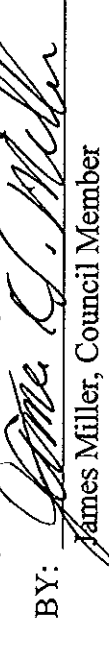
SEAL


OFFERED FOR ADOPTION, AS INITIATED BY THE  
CITY COUNCIL OF IRON CITY, GEORGIA  
on this 25<sup>th</sup> day of March, 2020.

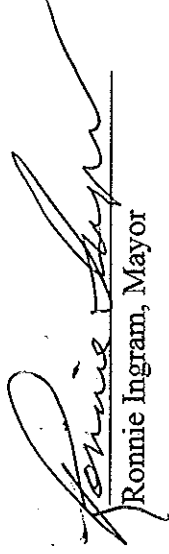
CITY OF IRON CITY, COUNTY OF SEMINOLE, STATE OF GEORGIA

BY:   Yea  Nay  Abstain  Absent  
Lanny Williams, Council Member

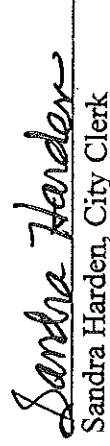
BY:   Yea  Nay  Abstain  Absent  
John Gray, Mayor Pro Tem

BY:   Yea  Nay  Abstain  Absent  
James Miller, Council Member

BY:   Yea  Nay  Abstain  Absent  
Anne Stark, Council Member

  
Ronnie Ingram, Mayor

ATTEST:

  
Sandra Harden, City Clerk

SEAL