

RESOLUTION NO. ____

BY THE AVONDALE ESTATES BOARD OF MAYOR AND COMMISSIONERS TO ENACT EMERGENCY MEASURES TO PREVENT THE SPREAD OF THE NOVEL CORONA VIRUS BY PROHIBITING GATHERINGS OF 10 OR MORE PEOPLE AND OTHER CONDUCT DETRIMENTAL TO PUBLIC HEALTH, PROHIBITING DINING AT RESTAURANTS AND ESTABLISHING REGULATIONS FOR TAKE-OUT OR DELIVERY OF FOOD.

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 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; and

WHEREAS, the Center for Disease Control has recommended that large gatherings be discontinued or prohibited; and

WHEREAS, the Charter of the City of Avondale Estates (Section 1.12, subsections (a)(11) and (a)(13)) grants to the Board of Mayor and Commissioners the power to protect the safety, health, and welfare of the public by prohibiting conduct detrimental to public health.

NOW THEREFORE, in a public and specially called emergency meeting, authorized pursuant to O.C.G.A. § 51-14-1(g), the Board of Mayor and Commissioners resolves and declares as follows:

Section 1: Emergency Regulations for Restaurants and Places Serving Alcohol for Consumption on Premises.

- a) All restaurants, or businesses who sell food or beverages for consumption on premises or who provide entertainment on premises shall be closed to in-person dining, consumption of alcohol, or entertainment for so long as this resolution is in effect.
- b) Restaurants and other businesses who sell food may offer food for take-away or delivery. Customers must consume the food somewhere other than at the establishment.
- c) Businesses that are subject to this Section shall establish and implement systems that restrict in-person contact as much as possible, to include not permitting more than one (1) customer at a time to be in the premises. Such processes may include the business taking the food to the customer's vehicle rather than the customer coming inside the business. For off-site delivery, businesses shall observe protocols that minimize personal interaction with the customer.
- d) Businesses subject to this Section shall ensure that all onsite consumption of food is prohibited, and that employees and contractors of the business maintain at least 6 feet of

personal distance between themselves as much as possible given the physical constraints of the premises.

- e) If a restaurant is licensed to sell beer or wine for on-premises consumption, such business during the period that this resolution is in effect only, shall be authorized to sell unopened packages of beer or wine for take-out and consumption off-premises.
- f) Any business to which this Section applies that violates the terms set forth herein may be closed in order to protect public health and may have its business license suspended or revoked.

Section 2: Gatherings of 10 or more persons prohibited.

- a) It shall be illegal for groups of ten (10) or more persons to congregate in any public or private place, whether indoor or outdoor, for any social, religious, athletic, cultural, political or educational purpose during the effective dates of this Resolution. Violation of this Section shall constitute a misdemeanor.
- b) In the context of a business other than those subject to Section 1 of this resolution, the limit of ten persons within the business shall be measured to include the aggregate number of customers, visitors and those working at the business at any one time. Businesses subject to this Section shall ensure that customers, employees, contractors and visitors to the business maintain at least six (6) feet of personal distance between themselves as much as possible given the physical constraints of the premises. If a business licensed by the City is found to have hosted a gathering in violation of this Section, such business is subject to being closed to protect public health and to having its business license suspended or revoked.

Section 3: Prohibiting the Use of Public Facilities including Playground Equipment, Benches, Pavilions and Water Fountains.

In recognition that the virus may live on surfaces located in public places and parks and thus be transmitted to persons touching such surfaces, all playground equipment, pavilions, water fountains and benches located at public places, including but not limited to Willis Park and Lake Avondale, are hereby closed to public use during the period that this Resolution is in effect. Touching of any such facility shall constitute a violation of this Resolution and a misdemeanor. Individuals may still use public paths, trails and greenspaces for exercise.

Section 4: This Resolution shall take effect immediately upon adoption and shall remain in effect until April 19, 2020 at 11:59 p.m., unless cancelled, extended or modified by further action of the Board of Mayor and Commissioners. The Board of Mayor and Commissioners intends to revisit the policy expressed in this Resolution every two weeks for so long as necessary.

[signature page follows]

SO RESOLVED, this _____ day of March 2020.

**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

JONATHAN ELMORE, Mayor

ATTEST:

Gina Hill, City Clerk

Approved as to Form:

Stephen G. Quinn, Assistant City Attorney