

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF STEWART COUNTY, GEORGIA  
DECLARING A LOCAL HEALTH STATE OF EMERGENCY**

**WHEREAS**, the outbreak of the COVID-19 Corona Virus in the United States has placed the State of Georgia and the citizens of Stewart County, Georgia in ongoing and imminent danger; and

**WHEREAS**, there have been deaths from COVID-19 in counties in close proximity to Stewart County; and

**WHEREAS**, the World Health Organization (W.H.O.) has classified COVID-19 as a pandemic; and

**WHEREAS**, the President of the United States, Donald J. Trump, and the Centers for Disease Control and Prevention (CDC), have issued guidelines to slow the spread of COVID-19, warning that large gatherings of individuals in close proximity to one-another pose a risk of the the spread of COVID-19; and

**WHEREAS**, the Governor of the State of Georgia, Brian P. Kemp issued Executive Order No. 03.14.20.01 declaring a Public Health State of Emergency in the State of Georgia on March 14, 2020, due to the impact of COVID-19, and

**WHEREAS**, the The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020;

**WHEREAS**, O.C.G.A 38-3-28(a) provides the political subdivisions of the state with authority to make, amend and rescind orders, rules, and regulations as may be necessary for emergency management purposes to supplement rules and regulations promulgated by the Governor during a state of emergency; and

**WHEREAS**, in the judgment of the Chair of the Stewart County Board of Commissioners, with advice from the Stewart County Emergency Management Agency, there exist emergency circumstances located within the boundaries of Stewart County including the Cities of Lumpkin and Richland requiring extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Stewart County, including individuals with household pets and service animals; and

**WHEREAS**, public health officials advise that large gatherings of individuals pose a risk of the spread of COVID-19 and the CDC recommends that persons maintain a distance of six feet from others when possible;

**WHEREAS**, the elected officials of Stewart County have determined that limiting large gatherings of people is necessary and critical to preventing and/or slowing the spread of COVID-19 throughout the community; and

**WHEREAS**, it is necessary to take extraordinary and emergency actions to prevent the spread of this serious illness to people

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that a **Local Health State of Emergency** is declared in Stewart County, and in the City of Lumpkin and the City of Richland within the County; and accordingly the Board of Commissioners, acting through its Chairman, may exercise all powers contained in Section 14-35 of the Stewart County Code of Ordinances concerning Civil Emergencies; and

**IT IS FURTHER RESOLVED:**

- (1) That public or private gatherings bringing or likely to bring together ten (10) or more persons at the same time in a single room or single confined indoor or outdoor space—including stadiums, auditoriums, tents, outdoor arenas, back yards, meeting halls, conference rooms, private homes, or other confined areas—are prohibited anywhere in Stewart County;
- (2) That all other gatherings, public or private, permitted under this declaration must nonetheless allow for a social distance of six (6) feet between attendees;
- (3) That a mandatory curfew shall be effective between the hours of 9:00 P.M. and 6:00 A.M., during which all persons within the county shall remain at home; but the curfew shall not apply to anyone performing emergency or first responder services, essential government services, law enforcement services, rescue services, safety services, health services, essential utility services, or military services; and the curfew shall not apply to anyone traveling to and from or engaging in lawful employment;
- (4) That restaurants may only provide take out, delivery, or drive through services;
- (5) That locations for consumption of alcoholic beverages on the premises, including bars, taverns, and private clubs, shall close and remain closed, except to the extent such locations are also restaurants (see above);
- (6) That Indoor recreation areas including gyms, health clubs, indoor amusement facilities, pool halls, theaters, or any similar facility must close and remain closed;
- (7) That grocery stores, shopping centers, and other retail establishments may remain open but must limit access to no more than thirty (30) customers at a time for grocery stores and twenty (20) customers at a time for other retail establishments;
- (8) That church services otherwise in compliance with the measures above shall be held in the discretion by the pastor, reverend, or leadership of each individual church (but, per the measures above, no such service may be held that is likely to bring together ten (10) or more persons at the same time in a single room or single confined indoor or outdoor space, nor may any such service, under any conditions, be held if it cannot provide a minimum of six (6) feet of distance between attendees);

- (9) That violation of this order shall constitute a misdemeanor and shall be punishable with a fine not exceeding \$1,000.00 and/or imprisonment not exceeding 180 days, or both;
- (10) That these provisions shall be enforced by the Stewart County Sheriff's Office, and, within their respective boundaries, the City of Lumpkin Police Department, and City of Richland Police Department;
- (11) That this declaration of a local health emergency allows the Board of Commissioners to dispense with compliance with Article I, Section 12 of the Stewart County Code of Ordinances, which required formal sealed bids for purchases in excess of \$7,500.00
- (12) That, as permitted under O.C.G.A. § 38-3-54, public meetings of the Board of Commissioners and other bodies of the local government of the County concerning regular County business may be held by telephone, internet, or other remote means, provided that such meetings are made available to the public by telephone or live video stream, and that the Board of Commissioners may hold emergency meetings in the light of the exigencies of the emergency situation without regard to or compliance with time-consuming procedures and formalities prescribed by law and pertaining thereto.
- (13) That if the provisions contained in this Resolution shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Resolution, but, in such case, this Resolution shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Resolution; and
- (14) That all Resolutions or Ordinances in conflict with this Resolution are, to the extent and length of time of such conflict, hereby repealed or set aside.

**IT IS FURTHER RESOLVED**, that this Resolution shall become effective following approval by the Stewart County Board of Commissioners on March 24, 2020 and shall continue to be in effect until **11:59 P.M. on April 13, 2020**, or until it is extended, rescinded, superseded, or amended in writing by the Board of Commissioners.

**SO RESOLVED**, this 24th day of March, 2020

BOARD OF COMMISSIONERS OF  
STEWART COUNTY, GEORGIA

By: \_\_\_\_\_  
Joseph B. Williams, Chairman

Attest: \_\_\_\_\_  
Jacqueline Sutton-Ball, Clerk