

**BOARD OF COMMISSIONERS OF HALL COUNTY, GEORGIA**  
**RESOLUTION EXERCISING EMERGENCY POWERS**  
**DUE TO COVID-19 AND FOR PROVISIONS RELATED TO SAME**

WHEREAS, the outbreak of Coronavirus disease ("COVID-19") has become a worldwide pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 pandemic a national emergency; and

WHEREAS, on March 14, 2020, the Governor of the State of Georgia declared that a public health state of emergency exists in the State of Georgia due to the spread of COVID-19; and

WHEREAS, on March 23, 2020, the Governor of the State of Georgia issued an Executive Order as a supplement to his earlier Declaration of Emergency; and

WHEREAS, cases of COVID-19 have occurred in Hall County; and

WHEREAS, the COVID-19 pandemic has the potential to result in significant loss of life and has the potential to result in a major disruption of community affairs, business services, and governmental operations; and

WHEREAS, the Board of Commissioners of Hall County, Georgia ("County") has encouraged adherence to guidelines established by the Centers for Disease Control and Prevention related to COVID-19; and

WHEREAS, although citizens of Hall County have acted to reduce the spread of COVID-19, the governing body of the Board of Commissioners of Hall County finds that additional measures are needed to reduce further spread of COVID-19; and

WHEREAS, Section 2.70.040 of the Official Code of Hall County, Georgia ("the Code") gives the Chairman the power to exercise emergency powers in the County when there is an extreme likelihood of danger and destruction of life due to unusual conditions, and Section 2.70.050 of the Code gives the Chairman the power to close business establishments within the area within which the emergency exists;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Hall County as follows:

**Section 1:** The Board of Commissioners hereby continues to encourage citizens and businesses in Hall County to adhere to directives of the State and federal governments and the guidelines established by the Centers for Disease Control and Prevention related to COVID-19. The Board of Commissioners of Hall County encourages citizens and businesses in Hall County to work together to minimize the impact of the COVID-19 virus. This action is in the best interest of all Hall County citizens and the healthcare providers that attend to the needs of County citizens.

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**Section 2:** The Board of Commissioners of Hall County hereby finds that there is an extreme likelihood of danger and destruction of life within the boundaries of Hall County due to the unusual conditions of COVID-19, and, therefore, the Board of Commissioners of Hall County hereby declares, pursuant to the Emergency Declaration of the Governor of Georgia, that an emergency exists within the boundaries of Hall County. Furthermore, the Board of Commissioners of Hall County hereby finds that there is an actual pandemic influenza emergency and threat of civil disturbance due to COVID-19 to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare of all persons within the boundaries of Hall County.

**Section 3:** Pursuant to Sections 2.70.040 and 2.70.050 of the Hall County Code, the Chairman and Hall County Board of Commissioners hereby find that the following provisions are imminently necessary for the protection of life and hereby order that the following provisions shall govern for a period of 72 hours from the effective date and time of the applicable provision of this Resolution, unless said period of time is subsequently extended by order of the Chairman of the Board of Commissioners of Hall County:

- 3.1 All public hearings or meetings of any board, committee, commission or instrumentality of the County are hereby stayed, tolled, and postponed, except as necessary, in the opinion of the Board of Commissioners or the County Administrator, to conduct essential business.
- 3.2 All matters requiring a public hearing, including but not limited to zonings, special uses, variances, annexations, and regulatory permits, are hereby stayed from the date of this Resolution. Upon the termination of the provisions of this Resolution, the scheduling of hearings shall resume in the ordinary course. County staff is directed to work with applicants and those otherwise affected by this stay to ensure that financial impacts and disruption to business function are minimized.
- 3.3 Effective at 3:00 p.m. on Wednesday, March 25, 2020, the following requirements shall become effective, in full force, and mandatory: All bars, restaurants, and businesses which sell food or beverages for consumption on premises shall be closed to in-person dining and patio dining, as well as in-person consumption of alcohol, for a period of 72 hours from the effective date and time of this resolution, unless said period of time is subsequently extended by order of the Chairman of the Board of Commissioners of Hall County. These requirements shall not apply to any retail establishment selling groceries, so long as any such retail establishment has discontinued and closed all areas designated for the consumption of food and/or alcohol on the premises.

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- 3.4 Bars, restaurants, and other businesses which sell food may offer food for takeout, such that customers may consume such food other than on the premises of the business selling the food. In the event that customers choose to purchase food, beverages, and/or alcohol for takeout, such customers, including any minor children in the company of such customers, shall spend no more time in such businesses than is necessary to pay for and obtain any purchased food, beverages, and/or alcohol. While on the premises of any such business, all customers shall work to maintain, as much as possible given the physical constraints of the business premises, at least six (6) feet of personal distance from other customers, minor children, and employees of such businesses.
- 3.5 Businesses affected by closures shall establish systems to ensure that all on-premises consumption of food and/or alcohol is prohibited, and all such businesses shall work to ensure that customers, employees, and vendors of such businesses, as much as possible given the physical constraints of the business premises, maintain at least six (6) feet of personal distance between such persons.
- 3.6 During the pendency of this Resolution, businesses with a consumption on premises license to sell bottled beer and/or bottled wine may allow customers to take such bottled beer and/or bottled wine off the premises with takeout meals.
- 3.7 Cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to the restrictions contained in this Resolution and may continue normal operations, controlled by the rules and regulations applied thereto by the State of Georgia.
- 3.8 Any person violating or failing to comply with any provision of this Resolution shall be punished in accordance with Section 1.50.020 of the Code.

**BE IT FURTHER RESOLVED THAT** the governing body of the County hereby authorizes the purchase of any goods or services reasonably related to the limitation of the spread of COVID-19 without the necessity of strict compliance with the purchasing policy and regulations of the County.

**BE IT FURTHER RESOLVED THAT** the Board of Commissioners of Hall County hereby authorizes the Chairman, the County Administrator and County Attorney to execute all such documents and agreements that may be necessary to effectuate the terms of this Resolution.


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This Resolution shall be effective upon adoption and shall be effective for a period of 72 hours from the effective date and time of each provision of this Resolution, unless said period of time is subsequently extended by order of the Chairman of the Board of Commissioners of Hall County.

Adopted this 24<sup>th</sup> day of March, 2020.

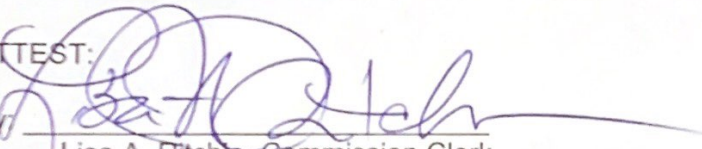
HALL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

  
Richard Higgins, Chairman

ATTEST: \_\_\_\_\_


By: \_\_\_\_\_

  
Lisa A. Ritchie, Commission Clerk  
Hall County Board of Commissioners

(SEAL)

APPROVED AS TO FORM:

By: \_\_\_\_\_

  
Van Stephens, County Attorney