

Whitfield County
City of Dalton
Town of Cohutta
City of Tunnel Hill
City of Varnell

Joint Resolution 2020-2

Joint Resolution of Whitfield County and the Cities of Dalton, Tunnel Hill, Varnell, and the Town of Cohutta Limiting Certain Activities to Mitigate the Spread of COVID-19, and For Other Purposes

WHEREAS, the President of the United States declared a National Public Health Emergency on March 13, 2020, at which time the President promulgated guidelines for mitigating and slowing the spread of COVID-19 by and between persons; and

WHEREAS, on March 29, 2020, the President of the United States extended the applicability of those guidelines through at least April 30, 2020; and

WHEREAS, there are presently more cases of COVID-19 in the United States of America than in any other country in the World; and

WHEREAS, the Governor of the State of Georgia declared a Public Health Emergency in Georgia on March 14, 2020, that action having been confirmed by the Georgia General Assembly on March 16, 2020; and

WHEREAS, the Governor of the State of Georgia entered an Executive Order on March 23, 2020, requiring, among other things, that while all persons who are able to work from home are strongly encouraged to do so, all “high risk” Georgians should stay at home during the pendency of this emergency; and

WHEREAS, the Chairman of the Whitfield County Board of Commissioners declared a Local State of Emergency in Whitfield County, activating applicable Emergency Management Ordinances on March 16, 2020; and

WHEREAS, the Cities of Dalton, Tunnel Hill, Varnell, and the Town of Cohutta all joined in a Declaration of Emergency within their respective jurisdictions on March 23, 2020; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has stated that COVID-19 is frequently spread “[b]etween people who are in close contact with one another,” and on March 16, 2020, the President of the United States issued Guidelines for America, which encourage all persons to assist in containing COVID-19 by taking various precautions, including, but not limited to, working from home, avoiding social gatherings of ten (10) or more persons, and avoiding eating or drinking at restaurants or bars; and

WHEREAS, despite the referenced guidelines from the President, the Governor, and the CDC, it has been evidenced that persons within Whitfield County continue to gather in numbers where social distancing cannot be effectuated; and

WHEREAS, Georgia Law grants to Whitfield County, and the Cities of Dalton, Tunnel Hill, Varnell, and the Town of Cohutta, the power and the duty to protect the health, welfare, and safety of the public.

NOW, THEREFORE, in specially called emergency meetings of the respective governing authorities of the local governments within Whitfield County, Georgia, pursuant to **OCGA §50-14-1(g)**, Whitfield County, the Cities of Dalton, Tunnel Hill, Varnell, and the Town of Cohutta herewith jointly RESOLVE, DECLARE, and ORDER that the following limitations consistent with guidelines recommended by the President of the United States, the Governor of Georgia, and the Centers for Disease Control and Prevention are herewith imposed countywide as of 11:00 p.m. on Wednesday, April 1, 2020, terminating at midnight on April 30, 2020, unless amended, terminated, or extended by further action:

1. All persons showing any symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering any public place.
2. All persons in public places shall maintain a distance of not less than six (6) feet between themselves and other persons, in accordance with CDC guidelines.
3. Consistent with Governor Kemp's Executive Order of March 23, 2020, persons who (1) live in a nursing home or long-term care facility, (2) have chronic lung disease, (3) are currently undergoing cancer treatment, and (4) persons included in DPH Administrative Order 03.22.20.01, continue to be required to shelter in place and refrain from being in public places except as provided in Governor Kemp's order.
4. Persons shall not participate in any voluntary social gathering at which ten (10) or more people congregate, including, but not limited to, private social functions, religious worship meetings or services, attendance at theaters, gyms or fitness centers, flea markets or yard sales, or funeral services or visitations, among other activities.
5. Restaurants, bars, and similar food or drink establishments, including all food service permit holders issued by the Department of Public Health, shall not be open to the public, except only to offer drive-through, pick-up, carry out, or delivery service for food and drink.
6. Cafeterias in licensed medical facilities, nursing homes, and similar facilities shall be exempted herefrom, but shall ensure proper separation as set forth herein.
7. Any restaurant or bar licensed to sell beer and wine for consumption by the drink at the premises may, during such time that this Resolution shall remain in force

and effect, be authorized to sell unopened, sealed containers of beer or wine (not distilled spirits) for take-out consumption off-premises. Nothing herein, however, shall suspend any open container law or ordinance for any jurisdiction.

8. All business establishments at which close personal contact is required in the performance of the service provided, including, but not limited to, barber shops, hair salons, day spas, nail salons, massage parlors, tanning salons, and tattoo/body art studios shall remain closed to the public during the pendency hereof. All licensed health care facilities, including medical offices, urgent care clinics, chiropractors, dentists, licensed massage therapists for medically necessary treatments, and the like shall be exempted herefrom.
9. All children's playground equipment, whether located at parks, school yards, churches, apartment complexes, and the like shall be closed to the public. Public parks shall remain open for public use and all persons shall endeavor to maintain not less than six (6) feet of separation between other persons at all times to the greatest extent possible.
10. Except for grocery stores, convenience stores, and pharmacies, all retail business establishments open to the public shall limit the number of customers present within the business at any one time to a number equal to or less than one (1) customer per one thousand (1,000) square feet of floor space of said business which is open and accessible to the public. Any retail business with less than five thousand (5,000) square feet of floor space may permit up to five (5) customers.
11. Additionally, all retail businesses open to the public, including grocery stores, convenience stores, and pharmacies, shall endeavor that customers maintain a distance of not less than six (6) feet between themselves and other persons at all times while shopping, while in the checkout line, and while waiting to enter the store at all times to the greatest extent possible.
12. All businesses that remain open for use by the public shall restrict in-person contact between the public and its employees, and shall endeavor that all persons maintain not less than six (6) feet of separation between other persons therein at all times to the greatest extent possible.
13. All businesses that remain open, but not to the public, such as manufacturing, wholesale, or warehouse facilities, shall endeavor that all employees maintain not less than six (6) feet of separation between themselves at all times to the greatest extent possible.
14. All businesses and employers are encouraged to take the necessary steps to ensure that none of its personnel is exhibiting any symptoms of COVID-19 and to send such personnel home immediately if such symptoms manifest.

15. All businesses and employers are encouraged, to the maximum extent possible, to provide employees with the means and equipment to perform essential job functions remotely.
16. Any violation hereof by an individual or covered business shall be considered an ordinance violation of the subject jurisdiction and subject to immediate injunctive relief by any court of competent jurisdiction in order to gain compliance in the interest of the public's health and safety, as well as the general penalty provisions of the subject jurisdiction, up to and including a fine of \$1,000.00 and/or incarceration up to sixty (60) days.

SO Resolved, Declared, and Ordered this 1st day of April, 2020.

Whitfield County Board of Commissioners

R. Lynette Laughter, Chair

Attest:

Blanca Cardona, County Clerk
(SEAL)

City of Dalton

David E. Pennington, III, Mayor

Attest:

Bernadette Chattam, City Clerk
(SEAL)

City of Tunnel Hill

Kenny Gowin, Mayor

City Clerk
(SEAL)

City of Varnell

Tom Dickson, Mayor

City Clerk
(SEAL)

Town of Cohutta

Ron Shinnick, Mayor

City Clerk
(SEAL)