

Order#: 2020-01

**EXECUTIVE ORDER OF THE CHAIRMAN OF THE CITY OF BUFORD,
ACTING UNDER THE AUTHORITY OF CHAPTER 30 "POWERS AFTER
DECLARATION" OF THE CITY OF BUFORD CODE OF ORDINANCES
TO DECLARE A PUBLIC EMERGENCY; TO PROVIDE FOR SOCIAL DISTANCING;
CLOSURE OF CERTAIN ESTABLISHMENTS; PROHIBIT DINE-IN RESTAURANTS;
INCORPORATION OF THE GOVERNOR'S ORDER, TO PROVIDE FOR AN
EFFECTIVE DATE, AND FOR OTHER PURPOSES**

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 Centers for Disease Control and Prevention has recommended that any gathering of over 50 people be discontinued or prohibited; 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, in order to mitigate or alleviate some of the impacts of the COVID-19 pandemic in the City, certain actions are needed; and

WHEREAS, based upon the President's Declaration of National Emergency and the Governor's Public Health State of Emergency, it is in the best interest of the welfare of the City of Buford, Georgia and its citizens to declare a local state of emergency to activate certain emergency powers under the City's Charter and Code of Ordinances;

WHEREAS, Chapter 30. *Civil Emergencies* of the City of Buford Code of Ordinances authorizes the Chairman to temporarily declare an emergency to exist when, in his opinion, one or more of the following conditions exist:

- (1) There is extreme likelihood of danger of destruction of life or property due to unusual conditions.
- (2) Unusual or extreme weather conditions making use of city streets or areas difficult or impossible.
- (3) Civil unrest, commotion or uprising is eminent or exists.
- (4) There is a stoppage or loss of electrical power affecting a major portion of the city.

WHEREAS, Section 30-32 – *Powers after Declaration*, authorizes the Chairman the right to exercise any or all of the following powers under emergency conditions:

- (1) Use employees of the city to assist in the safety and preservation of life, limb and property of its citizens.
- (2) Close streets and sidewalks and delineate areas within the city wherein an emergency exists.
- (3) Impose emergency curfew regulations.
- (4) Close business establishments within the affected area.
- (5) Close any or all city-owned buildings and other facilities to the use of the general public.
- (6) Do all acts necessary and incidental to the preservation of life, limb and property of the citizens of the city.

WHEREAS, Chapter 30 further prescribes when an emergency is declared by the Chairman that emergency powers may be effective for more than 72 hours after the declaration of an emergency by the Chairman; however, upon declaration of a second or further emergencies to exist, the emergency powers may be exercised during such further emergency period, but not for more than 72 hours in one declared emergency period; Chairman may extend emergency until rescinded or until the next regular, special or called meeting of the City Commission; and

NOW THEREFORE BE IT DECLARED, AND IT IS HEREBY DECLARED by the Chairman of the City of Buford that the Covid-19 crisis is a risk that is extremely likely to result in destruction of life or property and emergency powers pursuant to Sec. 30-32. – *Powers after Declaration* of the City of Buford Code of Ordinances are hereby authorized and available for use by the City of Buford including but not limited to appropriate staff taking action to respond to said emergency.

Section 1: The Chairman adopts and makes the findings discussed in the recital paragraphs set forth above.

Section 2: The Chairman hereby declares a Public Health State of Emergency in the City of Buford due to the rapid spread of COVID-19 in the United States and the State of Georgia.

Section 3: The following provisions shall govern during the Public Health State of Emergency declared herein:

- a. All gyms, fitness centers/studios, movie theaters, live performance venues, bowling alleys and entertainment centers, hair salons, nail salons, and private clubs shall be temporarily closed to the public until the expiration of this ordinance. Home hair and nail salons are exempt.
- b. Restaurants, food courts, brewpubs, breweries, and other eating establishments within the City limits cease offering dine-in and/or outdoor/patio service. Such establishments may continue to prepare and offer food to customers through delivery, takeout, and/or drive-thru service. Any establishment that is licensed for on-premises



consumption of alcoholic beverages shall be authorized to sell unopened bottles of beer or unopened bottles of wine curbside or to takeout customers only during the times specified by alcoholic beverage license and pertinent Code sections. The City makes no representations as to the effect of these types of sales on an establishment's state liquor license.

- c. Cafeterias or on-site dining services in hospitals, nursing homes, assisted living facilities, and other similar facilities within the City limits following previously issued state and federal public health guidelines shall not be subject to closure requirements of this Order.
- d. All employers and business which remain open for use by the public must take the necessary steps to restrict in person contact and maintain a distance of 6 feet between individuals while in the establishment.
- e. The Governor's Executive Order No. 03.23.20.01 is hereby incorporated by reference herein, such that:

All persons ordered by the Department of Public Health to isolate, quarantine, or shelter in place within their homes or place of residence shall comply with such executive order or administrative order. In accordance with the Governor's executive, the following populations are specifically included:

- i. Those persons who live in a nursing home or long-term care facility;
 - ii. Those persons who have chronic lung disease;
 - iii. Those persons who are currently undergoing cancer treatment; and
 - iv. Those persons included in any Department of Public Health Administrative Order.
- f. All businesses which possess a license to operate as or otherwise meet the definition of "bar" as defined in Official Code of Georgia Section 3-1-2(2.1) shall cease operation.
- g. No business, establishment, corporation, non-profit, corporation, or organization shall allow more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person.

CITY OPERATIONS:

- a. The City Commission and all other boards, commissions or agencies of the City, shall have authority to conduct meetings and take votes by teleconference in accordance with O.C.G.A. Section 50-14-1(g).
- b. The City Manager, with approval of the Chairman or two Commissioners, shall have authority to take such actions deemed necessary or appropriate for the public health


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and safety of the citizens of the City of Buford.

- c. Occupation Tax (business licenses) due date shall be extended to May 29, 2020 from March 31, 2020.
- d. City parks are closed until April 30, 2020 unless otherwise determined by the City Manager.
- e. Buford Community Center limits gatherings to 10 persons or less. Cancelling and rescheduling of events will be directed at the discretion of the City Manager.
- f. Buford City Hall shall be closed to the public except for appointments. Drive-thru service shall continue but may be suspended by the City Manager if conditions warrant.
- g. The City shall operate at reduced staffing levels in order to limit the possibility of community spread and spread across an entire department. Operations may return to normal at the discretion of the City Manager.
- h. Utility disconnects are suspended until such time the emergency is rescinded.
- 1) The City Manager shall be authorized to utilize personnel and resources, including but not limited to the Gwinnett County Police Department, the City of Buford Public Safety Department and Buford City Marshal, to support compliance with and to assist in the enforcement of this Order.

Section 4. This Order shall take effect beginning March 25, 2020 at 12:00 p.m. and shall continue until its expiration or further action by the City Commission.

Section 5. The City staff shall take reasonable and necessary efforts to disseminate such Order and educate local business and the public impacted thereto.


SO ORDERD AND DECREED, this day of March, 2020.

**CITY OF BUFORD, A GEORGIA
MUNICIPAL CORPORATION**

BY:



PHILLIP BEARD, CHAIRMAN


CHRIS BURGE, VICE CHAIRMAN

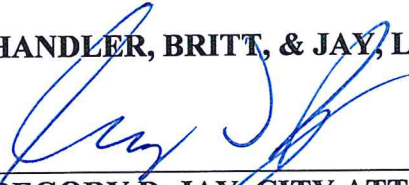

BRAD WEEKS, COMMISSIONER

ATTESTED TO BY:

BY: 
KIM WOLFE, CITY CLERK

APPROVED AS TO FORM:

CHANDLER, BRITT, & JAY, LLC


GREGORY D. JAY, CITY ATTORNEY

