

**CITY OF LITHONIA
STATE OF GEORGIA**

ORDINANCE NO. **2020-03-27**

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF LITHONIA, GEORGIA DECLARING A STATE OF EMERGENCY IN THE CITY IN RESPONSE TO THE COVID-19 PANDEMIC CRISIS; REAFFIRMING THAT CRITICAL CITY SERVICES WILL CONTINUE TO BE PROVIDED; ENSURING THAT THE CITY WORKFORCE REMAINS IN A HEIGHTENED STATE OF READINESS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, O.C.G.A. § 38-3-1, *et. Seq.*, defines the parameters of the Georgia Emergency Act of 1981; and

WHEREAS, COVID-19 is a contagious viral disease caused by a novel coronavirus that has not been previously identified and the World Health Organization has officially announced that COVID-19 is a pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) is located in DeKalb County and is the entity that is tasked with providing the entirety of the United States of America with vital timely medical guidance on COVID-19; and

WHEREAS, in response to COVID-19, on March 13, 2020, President Donald Trump declared a national emergency and on March 14, 2020, Georgia Governor Brian Kemp declared a public health emergency in the State of Georgia; and

WHEREAS, the COVID-19 pandemic constitutes a public health and economic emergency in the City and the Mayor and City Council hereby find it necessary to declare a State of Emergency, and for the period that such state of emergency exists, the City shall take such

emergency actions as may be necessary to promote and secure the health, safety and economic well-being of the people within the City; and

WHEREAS, it is imperative to the health, safety and economic well-being of all people in the City that the City workforce maintained a heightened state of readiness to address the myriad of health, public safety and economic issues that will arise during this pandemic; and

WHEREAS, it is imperative to the health, safety and economic well-being of all people in the City that essential public services be delivered during this emergency by employees who are qualified, trained and fairly compensated; and

WHEREAS, the Mayor and City Council call on the affected institutions, like funeral homes, churches, restaurants, bars, nail salons, banks, mortgage companies, credit card companies, landlords, fitness centers, retail stores, and movie theaters to partner with the City to ensure that this health pandemic is addressed in a thoughtful, deliberate, two-pronged approach to effectively address the health issues while also considering the severe economic impact on our citizens and employers; and

WHEREAS, the Mayor has consulted with the Dekalb County Chief Executive Officer regarding the development and implementation of a comprehensive, Countywide, two-pronged response to this pandemic.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF LITHONIA, and by the authority thereof:

Section 1. There exists a public health and economic emergency within the City of Lithonia due to the COVID-19 pandemic and the following emergency actions must be taken to promote and secure the health, safety, and economic well-being of all people in the City.

Section 2. WORKFORCE READINESS – Front Line Workers. Essential government services will be delivered in a seamless manner by the City’s front-line workforce whose job

function does not allow them to work remotely and who will report to work in the following departments: police and public works. Front line employees will be compensated at their regular salary with regular accrual of annual sick leave.

Section 3. Remote Access Workforce. Employees who can and will perform their job responsibilities remotely will be compensated at their regular salary with regular accrual of annual and sick leave.

Section 4. Reserve Auxiliary Workforce. Employees who perform non-essential services and cannot work remotely will be compensated at their regular salary with regular accrual and sick leave. Auxiliary employees must agree to remain available for all assignments for which they are deemed qualified by their supervisors, if needed, regardless of department.

Section 5. Beginning on the effective date of this Ordinance and continuing until revoked or amended by subsequent ordinance, the following restrictions shall be imposed in the City of Lithonia:

- Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering public buildings, restaurants, shops, public transportation facilities and all other areas where the public ingresses or egresses. Such persons should seek medical attention and follow the directions of their Primary Care Physician until given the clearance to return to public interaction.
- All businesses and employers are directed to take the necessary steps, to the maximum extent possible, to provide employees with the means and equipment to perform their job functions remotely.
- All individuals in public places must maintain and restrict in person contact as much as possible and maintain a distance of 6 feet between individuals.

- All City playgrounds are closed. Individuals shall not utilize playgrounds or outdoor fitness equipment.
- All individuals are asked to participate in a voluntary curfew beginning at 9:00 p.m. and ending at 6:00 a.m., except for necessary trips to and from work, for medical treatment, food or medication, or other emergency.
- All public gatherings of 10 or more are prohibited in accordance with current CDC guidance. Such numerical limitation shall be deemed changed if and when the CDC increases or decreases such number, without necessity of further action by the Mayor and City Council.
- All individuals and families are encouraged to shelter in place as much as possible.

Section 6. Beginning at 12:01 a.m. the day after the effective date of this ordinance, and continuing until revoked or amended by subsequent ordinance, the following restrictions shall be imposed in the city:

- All businesses except “Essential Businesses,” as defined below, shall have hours of operation beginning no earlier than 6:00 a.m. and ending no later than 9:00 p.m.
- There shall be no dine-in service at any restaurant, brewery or bar. Such establishments shall only be open for take-out or delivery services.
- Any establishment that is licensed for on-premises consumption of alcoholic beverages shall be allowed to sell such unopened beverages curbside or to take-out customers only during the times specified on the establishment’s license. The City makes no representations as to the effect of these types of sales on an establishment’s state liquor license.

- Bowling alleys, gyms, fitness centers, nail salons, spas, beauty salons, barbers, or other establishments offering personal grooming services shall reduce maximum occupancy to 10 persons.
- All indoor funeral gatherings shall be limited to no more than 10 persons or so many persons as indicated by future CDC guidance on large gatherings; graveside services of 10 or less participants are highly encouraged.
- Funeral homes shall strive for density reduction in all activities and shall ensure vehicles used to transport families are thoroughly cleaned between uses in accordance with CDC guidelines.
- All houses of worship shall also strive for density reduction in all services, whether scheduled or based upon a life event such as a funeral or baptism, and wherever practical shall practice physical distancing. Houses of worship are further encouraged to use social media or other video outlets to broadcast worship services.
- All employers and businesses 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.

Section 7. Essential businesses are defined as the following:

- Health care operations, including research and laboratory operations.
- Federal, State, County and Municipal Services.
- Utilities (gas, electricity, phone, cable).
- Banks and credit unions.
- Essential Infrastructure – telecommunication, transportation (buses, MARTA, lyft, Uber, taxis).

- Delivery services (businesses that deliver or ship foods or goods to homes or businesses).
- Essential manufacturing/construction to maintain public health, safety and welfare.
- Businesses selling food.
- Pharmacies.
- Businesses that perform repair work for businesses and homes.
- Trash and recycling collection, processing, and disposal.
- Mail and shipping services.
- Laundromats/dry cleaning.
- Janitorial services (building/residential cleaning and maintenance).
- Providers of basic necessities to economically disadvantaged populations.
- Auto repair and gas stations.
- Warehouse/distribution and fulfillment.
- Funeral homes, crematories and cemeteries.
- Storage for Essential Businesses.
- Animal shelters or animal care or management and crematories.
- Bike shops.
- News media.
- Logistics and Tech Support.
- Cafeterias located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and vital resources in the City. Those facilities are strongly

encouraged to stagger meal times, limit use as much as feasible to achieve physical distancing, and to thoroughly follow CDC protocols of cleaning.

- Childcare or elderly care facilities located within medical, industrial, government or other such production facilities that are performing essential functions that are necessary to promote health, welfare and vital resources to the City.

Section 8. The mayor and City Council call upon the City's private and public partners, at both the federal and state level, to work cooperatively with the City to alleviate the public health and economic impacts of the COVID-19 pandemic on the City's families, individuals, businesses and other entities.

Section 9. The Mayor and City Council request that businesses and other public sector partners consider implementation of effective strategies to ameliorate the economic impact of this pandemic, including but not limited to:

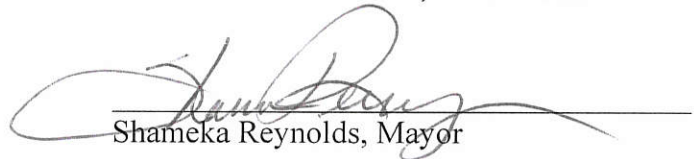
- Developing a protocol to allow:
 - Residential and business tenants additional time to make rental payments in qualifying situations;
 - Homeowners additional time to make mortgage payments in qualifying situations;
 - Additional time for qualifying business and individuals, without penalty or interest, to make payments on credit cards and other types of personal debt; and
- Develop strategies to redirect/re-employ the private sector workforce in a way that assists our citizens and businesses as they struggle to balance the health issues with the reality of having to make a living.

Section 10. All ordinances and parts of ordinances in conflict herewith are hereby expressly suspended until the expiration or termination of this Ordinance.

Section 11. This Ordinance may be amended as necessary in order to adapt to the ever-changing health and economic situation in the City. This Ordinance is not intended to and does not create any right or benefit, substantive or procedural, enforceable in law or equity by any party against the City, its officials, employees, or agents. This Ordinance is effective immediately and remains in effect until further notice.

ORDAINED this 27th day of MARCH, 2020.

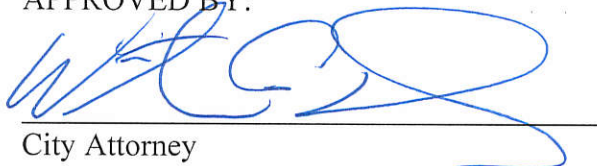
CITY OF LITHONIA, GEORGIA


Shameka Reynolds, Mayor

ATTEST:


Robinette Blount, Acting City Clerk

APPROVED BY:


City Attorney