

JOINT DECLARATION OF A STATE OF EMERGENCY AND EMERGENCY EXECUTIVE ORDER OF THE CHAIRMAN OF THE GRADY COUNTY BOARD OF COMMISSIONERS, MAYOR OF THE CITY OF CAIRO, AND MAYOR OF THE CITY OF WHIGHAM

WHEREAS, the respiratory disease caused by the novel coronavirus, known as “COVID-19” is an infectious virus that can spread from person-to-person and can result in serious illness or death; and

WHEREAS, the World Health Organization (“WHO”) has classified the spread of COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, President Donald Trump declared the outbreak of COVID-19 a national emergency; and

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a public health state of emergency regarding COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has noted that COVID-19 is proliferating via “community spread,” meaning people have contracted the virus in areas of Georgia as a result of direct or indirect contact with infected persons, including some who are not sure how or where they became infected; and

WHEREAS, on March 26, 2020, the Georgia Department of Public Health confirmed Georgia a total of 1,525 cases of COVID-19 and 48 related deaths from COVID-19 within the State of Georgia; and

WHEREAS, COVID-19 has caused or contributed to numerous deaths in the Southwest Georgia area and numerous persons having been infected with the virus, some of which appears to have been caused by people attending public gatherings where people either carrying the virus or already infected by the virus were in attendance; and

WHEREAS, social distancing is recommended by the CDC to prevent the continued spreading of the illness in the community; and

WHEREAS, the CDC expects that additional cases of COVID-19 will be identified in the coming days, including more cases in the United States, and the person-to-person spread is likely to continue to occur; and

WHEREAS, if COVID-19 spreads into Grady County at a rate comparable to the rate of spread in other affected areas in Southwest Georgia, it may greatly strain the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19; and

WHEREAS, the Chair of the Grady County Board of Commissioners, Mayor of the City of Cairo, and Mayor of the City of Whigham, in consultation with the Georgia Department of Health and Grady County Emergency Management Agency have determined that there exists an emergency that may affecting the lives and property of the citizens of Grady County; and

WHEREAS, Chapter 20, Article II, Section 20-34 of the Code of Ordinances, Grady County, provides that the Chairman of the Board of Commissioners and the mayors of the cities affected by an emergency may, in addition to exercising certain powers, “take such emergency actions as may be necessary to promote and secure the safety, protections, and well-being of the inhabitants of the county”;

WHEREAS, the undersigned deem it necessary to declare a state of emergency and issue an emergency order to promote and secure the safety, protections, and well-being of the inhabitants of Grady County;

NOW THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE CHAIRMAN OF THE GRADY COUNTY BOARD OF COMMISSIONERS, MAYOR OF THE CITY OF CAIRO, AND MAYOR OF THE CITY OF WHIGHAM UNDER THE AUTHORITY OF THE GEORGIA EMERGENCY MANAGEMENT ACT OF 1981 AND ARTICLE II OF CHAPTER 20, CODE OF ORDINANCES, GRADY COUNTY:

1. That a state of emergency related to the COVID-19 respiratory disease exists within Grady County, the City of Cairo, and the City of Whigham.
2. The Chairman of the Board of Commissioners, the Mayor of the City of Cairo, and the Mayor of the City of Whigham shall have and may exercise for such period those powers set forth in Chapter 20, Article II, Section 20-34 of the Code of Ordinances, Grady County.
3. For purposes of this Order,
 - a. “Business” means any commercial, mercantile, industrial, or professional endeavor engaged in, whether for-profit or non-profit, regardless of the nature of the service, the function they perform, or its corporate or entity structure, and private educational entities.
 - b. “Essential Activities” shall be defined as:
 - i. Activities or tasks essential to the health and safety of residents, including but not limited to providing healthcare services, activities or tasks essential to the health and safety of a person’s family or household members, partners, or significant others (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining

medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.

- ii. Obtaining necessary services or supplies for residents and their family or household members, or delivering those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. Outdoor activity, such as, by way of example and without limitation, walking, hiking, running, or bicycling. However, individuals shall not engage in team sports and/or activities which result in the congregation of ten (10) or more persons. Individuals engaged in outdoor activities shall comply with Social Distancing Requirements.
 - iv. Caring for a family member or pet in another household.
- c. “Essential Business” shall be defined as:
- i. Those conducting Healthcare Operations (as that term is defined herein);
 - ii. Activities related Essential Infrastructure (as that term is defined herein);
 - iii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.
 - iv. Food production, including farming, livestock, and fishing.
 - v. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
 - vi. Newspapers, television, radio, and other media services.

- vii. Gas stations and auto-supply, auto-repair, and related facilities.
- viii. Banks and related financial institutions.
- ix. Hardware stores.
- x. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses.
- xi. Businesses providing mailing, shipping, and delivery services.
- xii. Educational institutions-including private K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that Social Distancing Requirements are maintained, to the greatest extent possible.
- xiii. Laundromats, drycleaners, and laundry service providers.
- xiv. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site.
- xv. Businesses that supply products needed for people to work from home.
- xvi. Businesses or manufacturers that supply other Essential Businesses with the support or supplies necessary to operate, including, building supply stores.
- xvii. Businesses that ship or deliver groceries, food, goods, or services.
- xviii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- xix. Home-based care for seniors, adults, or children.

- xx. Residential facilities including hotels, motels, shared rental units and similar facilities and shelters for seniors, adults, and children.
- xxi. Professional services, such as legal, accounting services, and real estate services.
- xxii. Childcare facilities, subject to the following provisions:
 - 1. Childcare must be carried out in stable groups of ten or fewer (“stable” means that the same ten or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children
- d. “Essential Infrastructure” includes, but is not limited to, public works construction, construction and all related activities (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with the Social Distancing Requirements, to the extent possible.
- e. “Healthcare Operations” shall include activities conducted at hospitals, medical clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. Healthcare Operations also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare. Healthcare Operations do not include exercise gyms and similar facilities.
- f. “Social Distancing” means maintaining a minimum distance of six feet from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into

the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. These modifications of interpersonal contact are necessary to combat the spread of COVID-19

4. No Business, establishment, corporation, non-profit corporation, or organization shall allow more than ten persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six feet of any other person except as necessary to operate essential an Essential Business or perform Essential Activities, or conduct Healthcare Operations.
5. No public or private gatherings of more than ten persons shall be permitted at a single location if such gathering requires persons to stand or to be seated within six feet of any other person except as necessary to operate essential an Essential Business, perform Essential Activities, or conduct Healthcare Operations.
6. All individuals currently living in City of Cairo, City of Whigham and Grady County shall shelter at their place of residence from 10:00 p.m. until 5:00 a.m. except, individuals may leave their residence to perform Essential Activities, perform work at an Essential Business, or obtain services at any facility conducting Healthcare Operations.
7. Excepting those used for Healthcare Operations and/or Essential Business, any facility used for an activity: 1) in which Social Distancing requirements cannot be followed; 2) that involves prolonged periods of time where persons stand or are seated within six feet of one another, which includes but is not limited to, any facility used for entertainment, socializing, grooming, or general health and wellbeing purposes, must close and remain closed for the duration of this Order.
8. Any person who has tested positive for COVID-19 or has been released from a hospital or other healthcare facility pending the results of a test for the virus, shall remain in his or her place of residence until he or she receives confirmation that the results of the test were negative. Individuals subject to this provision of this Order are, however, authorized to travel to and from facilities conducting Healthcare Operations as instructed by a medical professional licensed to practice within the State of Georgia.
9. Those at high risk of severe illness from COVID-19 and people who are sick are encouraged to remain in their residence except to seek medical care as instructed by a medical professional licensed to practice within the State of Georgia.
10. Individuals are encouraged to remain at their place of residence between the hours of 5:00 a.m. and 10:00 p.m. except to operate an Essential Business, perform Essential Activities, or obtain services at a facility conducting Healthcare Operations.

11. This Order shall extend to all areas within the geographical boundaries of Grady County, Georgia, which includes all incorporated areas and unincorporated areas.
12. Any violation of this Order shall be punished to the greatest extent permitted by the jurisdiction in which the violation occurred. Any officer of the State of Georgia, County of Grady, City of Cairo, or City of Whigham having authority to arrest for a criminal offense may enforce this Order. Violations shall be prosecuted according to the laws, rules and ordinances of the jurisdiction in which the offense was committed.
13. This Emergency Order is adopted pursuant to O.C.G.A. §38-3-28 (a) and Chapter 20, Article II, Section 20-34 of the Code of Ordinances, Grady County, and shall commence at 8:00 a.m. on Saturday, March 28, 2020 and shall terminate 8:00 a.m. on Monday, April 13, 2020, unless renewed, amended, or terminated sooner.
14. If one or more of the provisions contained in this Order shall be held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provisions of this Order.

SO DECLARED AND ORDERED, this _____ day of March, 2020 at _____ a.m/ p.m.

Keith Moye, Chairman
Grady County Board of Commissioners

Attest: _____
John White, Clerk of Grady County
(Affix County Seal)

Jerry Cox, Mayor *Pro Tem*
City of Cairo

Attest: _____
Dana Barfield
(Affix City Seal)

George Trulock, Mayor
City of Whigham

Attest: _____
Lucy Calhoun
(Affix City Seal)