

EXECUTIVE ORDER NUMBER 2020- 15
BY THE MAYOR

DECLARING, IN ACCORDANCE WITH SECTION 2-181(A) OF THE CITY OF ATLANTA CODE OF ORDINANCES, THERE TO BE AN EMERGENCY IN EXISTENCE WITHIN THE TERRITORIAL JURISDICTIONAL LIMITS OF THE CITY OF ATLANTA DUE TO THE EXISTENCE OF AN EXTREME LIKELIHOOD OF DESTRUCTION OF LIFE OR PROPERTY WITHIN THE TERRITORIAL JURISDICTIONAL LIMITS OF THE CITY OF ATLANTA DUE TO THE UNUSUAL CONDITION OF THE COVID-19 PANDEMIC; AND ORDERING THE CLOSURE OF ALL BARS AND NIGHTCLUBS THAT DO NOT SERVE FOOD, GYMS AND FITNESS CENTERS, MOVIE THEATERS, LIVE PERFORMANCE VENUES, BOWLING ALLEYS, AND ARCADES, AND PRIVATE SOCIAL CLUBS, LOCATED WITHIN THE TERRITORIAL JURISDICTIONAL LIMITS OF THE CITY OF ATLANTA IN EXERCISE OF MY EMERGENCY POWERS GRANTED PURSUANT TO SECTION 2-181(B)(4) OF THE CITY OF ATLANTA CODE OF ORDINANCES TO; DECLARING THAT RESTAURANTS, AND OTHER EATING AND DRINKING ESTABLISHMENTS WHERE FOOD IS SERVED MUST CEASE OFFERING DINE-IN SERVICES, BUT MAY CONTINUE PREPARING AND OFFERING FOOD TO CUSTOMERS VIA DELIVERY SERVICE, DRIVE-THROUGH, OR TAKE-OUT; PROVIDING THAT CAFETERIAS IN HOSPITALS, NURSING HOMES, OR SIMILAR FACILITIES SHALL NOT BE SUBJECT TO THESE RESTRICTIONS AND MAY CONTINUE NORMAL OPERATIONS; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Section 2-181(a) of the Code of the City of Atlanta (“City”), the Mayor, as chief executive of the City, shall have the emergency power to declare an emergency to exist when, in the mayor’s opinion, there is an extreme likelihood of destruction of life or property due to an unusual condition; and

WHEREAS, pursuant to Section 2-181(b) of the Code of the City of Atlanta, the Mayor, as chief executive of the City, shall have the right to exercise any or all of the following options after such declaration of emergency:

- (1) To use employees of the city other than employees of the department of police to assist in the safety and preservation of life, limb and property of the citizenry of the city.
- (2) To close streets and sidewalks and to delineate areas within the city wherein an emergency exists.
- (3) To impose emergency curfew regulations.
- (4) To close business establishments within the affected area.
- (5) To close any and all city-owned buildings and other facilities to the use of the general public.
- (6) To do any and all acts necessary and incidental to the preservation of life, limb and property of the citizenry of the city; and

WHEREAS, no emergency power as set forth in this section may be effective for more than 72 hours after the declaration of an emergency; and

WHEREAS, pursuant to Section 2-182 of the Code of the City of Atlanta, the Mayor may issue executive orders which apply to events of short duration and which expire at the next meeting of the City Council subsequent thereof unless ratified by a majority vote of the members present and voting; and

WHEREAS, like much of the world the United States, the State of Georgia, and the City of Atlanta are currently responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2” and the disease it causes named “coronavirus disease 2019” (abbreviated “COVID-19”); and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a pandemic; and

WHEREAS, on March 13, 2020 the President of the United States announced a national emergency in response to the COVID-19 pandemic, which included two emergency declarations: one under the National Emergencies Act and one under the Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, on March 14, 2020 Governor Brian Kemp signed a public health state of emergency to address the COVID-19 pandemic through assisting health and emergency management officials across Georgia by deploying all available resources for the mitigation and treatment of COVID-19; and

WHEREAS, due to the COVID-19 pandemic, on March 15, I declared there to be an emergency in existence within the City of Atlanta pursuant to Section 2-181(a) of the City of Atlanta Code of Ordinances; and

WHEREAS, on March 17, 2020, in accordance with Section 2-182(b) of the City of Atlanta Code of Ordinances, I reissued this emergency declaration; and

WHEREAS, the Center for Disease Control (“CDC”) has issued guidance on the emerging and rapidly evolving situation of the COVID-19 pandemic, including how to protect oneself from this illness; and

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

WHEREAS, as on March 16, 2020, the Centers for Disease Control advised that during the next fifteen (15) days, all events in the United States of ten (10) or more people should be cancelled or held virtually; and

WHEREAS, pursuant to the guidance of the CDC, the City of Los Angeles, California, the City of Seattle, Washington and the states of New York, New Jersey, and Connecticut have imposed temporary restrictions on the operations of restaurants and eating and drinking establishments to stop large numbers of people from gathering and staying in close proximity; and

WHEREAS, in accordance therewith, public establishments such as bars and nightclubs, restaurants, and other eating and drinking establishments, gyms and fitness centers, movie theaters, live performance venues, bowling alleys, and arcades, and private social clubs have been required to close with restaurants being required to cease offering dine-in services, only preparing and offering food to customers via delivery service, drive-through, or take-out; and

WHEREAS, cafeterias in hospitals, nursing homes, or similar facilities are not subject to these restrictions and are allowed to continue normal operations; and

WHEREAS, in accordance with the guidance of the CDC, is my determination that bars and nightclubs that do not serve food, gyms and fitness centers, movie theaters, live performance venues, bowling alleys, and arcades, and private social clubs, located within the territorial jurisdictional limits of the City of Atlanta must close to the public in accordance with the emergency declaration; and

WHEREAS, restaurants, and other eating and drinking establishments must cease offering dine-in services, but may continue preparing and offering food to customers via delivery service, drive-through, or take-out; and

WHEREAS, cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to these restrictions and may continue normal operations.

NOW THEREFORE, I, KEISHA LANCE BOTTOMS, AS MAYOR OF THE CITY OF ATLANTA, NOW HEREBY AUTHORIZE, ORDER AND DIRECT AS FOLLOWS:

SECTION 1. It is my opinion that there exists an extreme likelihood of destruction of life or property within the territorial jurisdictional limits of the City of Atlanta due to the unusual condition of the COVID-19 Pandemic, and in accordance with Section 2-181(a) of the City of Atlanta Code of Ordinances, I hereby declare there to be an emergency in existence within the territorial jurisdictional limits of the City of Atlanta.

SECTION 2. In accordance with this emergency declaration, I am exercising my emergency powers in accordance with Section 2-181(b)(4) of the City of Atlanta Code of Ordinances to order the closure of all bars and nightclubs that do not serve food, gyms and fitness centers, movie theaters, live performance venues, bowling alleys, and arcades, and private social clubs, located within the territorial jurisdictional limits of the City of Atlanta.

SECTION 3. Restaurants, and other eating and drinking establishments where food is served must, pursuant to this order, cease offering dine-in services, but may continue preparing and offering food to customers via delivery service, drive-through, or take-out.

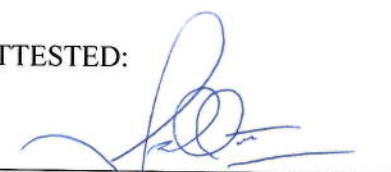
SECTION 4. Cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to the restrictions contained in this order and may continue normal operations.

SECTION 5. This order shall be effective beginning on March 20, 2020 at midnight and shall remain in effect only for the time allowable pursuant to Section 2-181(b), and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the City of Atlanta, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

This 19th day of March 2020.


Keisha Lance Bottoms, Mayor

ATTESTED:


Municipal Clerk

Foris Webb, III
Municipal Clerk