

AMENDMENT OF THE THIRD RESTATEMENT AND AMENDMENT OF EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA, UNDER SECTION 1.03 OF THE CHARTER OF THE CITY OF DUNWOODY, GEORGIA, DECLARING LOCAL EMERGENCY OF THE NOVEL CORONAVIRUS DISEASE 2019 GLOBAL PANDEMIC, AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Dunwoody, Georgia (“City”), are charged with the protection of the public health, safety, and welfare of the citizens of the City; and

WHEREAS, Section 1.03 of the Charter of the City of Dunwoody, Georgia (“City Charter”), empowers the Mayor and City Council to establish procedures for determining and proclaiming that an emergency situation exists within or without the City, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health or well-being of the citizens of the City; and

WHEREAS, the World Health Organization has declared the novel coronavirus known as COVID-19 as a global pandemic (“COVID-19 Pandemic”); and

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

WHEREAS, on March 14, 2020, Governor Brian Kemp declared that a public health emergency exists in the State of Georgia due to the spread of COVID-19 within Georgia; and

WHEREAS, on March 23, 2020, Governor Brian Kemp issued Executive Order No. 03.23.20.01, which requires the Department of Public Health to order that certain specific higher risk populations to shelter in place for fourteen (14) days; and

WHEREAS, Executive Order No. 03.23.20.01 further orders that 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 be seated within six (6) feet of any other person; and

WHEREAS, the novel coronavirus disease 2019 global pandemic is a public emergency affecting and threatening the safety, health and well-being of the citizens of the City; and

WHEREAS, to prevent or minimize injury to people resulting from this event, certain actions are required; and

WHEREAS, on March 26, 2020, the Mayor and Council of the City of Dunwoody adopted The Third Restatement And Amendment of Emergency Ordinance of The Mayor and Council of The City Of Dunwoody, Georgia, Under Section 1.03 of The Charter of The City of Dunwoody,

Georgia, Declaring Local Emergency of The Novel Coronavirus Disease 2019 Global Pandemic, and For Other Purposes; and

WHEREAS, there has been an escalation of COVID-19 cases in the Metro Atlanta Area as well as the City of Dunwoody; and

WHEREAS, the Mayor of the City of Dunwoody determines that such factors require the City to immediately adopt shelter in place regulations for the City of Dunwoody;

NOW, THEREFORE, BE IT ORDERED by the Mayor of the City of Dunwoody, Georgia that:

SECTION 1. The Mayor hereby finds in accordance with Section 2-57 of the City Charter that there is extreme likelihood of danger of destruction of life or property due to the novel coronavirus disease 2019 global pandemic (“COVID-19 Pandemic”) and that a state of emergency exists within the entirety of the City affecting the safety, health and well-being of citizens, and that based upon been the escalation of COVID-19 cases in the Metro Atlanta Area as well as the City of Dunwoody the immediate adoption of shelter in place regulation is necessary.

SECTION 2. The Mayor hereby amends the City’s Third Restatement And Amendment of Emergency Ordinance of The Mayor and Council of The City Of Dunwoody, Georgia, Under Section 1.03 of The Charter of The City of Dunwoody, Georgia, Declaring Local Emergency of The Novel Coronavirus Disease 2019 Global Pandemic, and For Other Purposes to include certain rules and regulation to establish shelter in place provisions as set forth on Exhibit “A” attached hereto entitled:

THE FOURTH RESTATEMENT AND AMENDMENT OF EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA, UNDER SECTION 1.03 OF THE CHARTER OF THE CITY OF DUNWOODY, GEORGIA, DECLARING LOCAL EMERGENCY OF THE NOVEL CORONAVIRUS DISEASE 2019 GLOBAL PANDEMIC, AND FOR OTHER PURPOSES

SECTION 3. If any section, subsection, provisions, or clause of any part of this Amendment shall be declared invalid or unconstitutional, or, if the provisions of any part of this Amendment as applied to a particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Amendment not so held to be invalid. It is hereby declared as the intent of the Mayor that this Amendment would have been adopted in its current form without the invalid or unconstitutional provision contained herein.

SECTION 4. This Amendment shall become effective 12:01 a.m., Sunday, March 29, 2020.

SECTION 5. Upon the passage of an amendment to the City’s Emergency Order by the Mayor and Council, or in no later than 12:00 p.m., Wednesday, April 15, 2020 this amendment shall automatically stand repealed, unless re-enacted as provided under Georgia law.

SO ORDERED this _____ day of _____ 2020, by the Mayor of the City of Dunwoody, Georgia.

CITY OF DUNWOODY, GEORGIA

By: _____
Lynn Deutsch, Mayor

Attest:

City Clerk

(SEAL)