

A RESOLUTION TO EXTEND ALLOWANCE FOR TEMPORARY OUTDOOR RESTAURANT OPERATIONS THROUGH CALENDAR YEAR 2021

- WHEREAS**, the President of the United States declared a National Public Health Emergency on March 13, 2020; and
- WHEREAS**, the Governor of the State of Georgia declared a State Public Health Emergency on March 14, 2020 and urged “local officials to do what’s in the best interests of their communities to keep people safe and stop the spread of coronavirus”; and
- WHEREAS**, on March 16, 2020, the Centers for Disease Control (CDC) and the President of the United States stated that any gathering of over 10 people should be discontinued or prohibited; and
- WHEREAS**, on March 18, 2020, in an emergency specially called meeting, open and available to the public by teleconference pursuant to O.C.G.A. § 50-14-1(g), the Mayor and City Council for the City of Dunwoody passed an emergency declaration and state of emergency within and for the City of Dunwoody; and
- WHEREAS**, on April 20, 2020, Governor Brian Kemp issued an Executive Order that permitted restaurants to re-open dining rooms beginning Monday, April 27, 2020 so long as there at least six (6) feet maintained between persons; and
- WHEREAS**, it is essential for the governing authority of the City to act immediately in order to minimize the spread of COVID-19 and to prevent or minimize sickness, injury, or death, to people and damage to property resulting from this public health crisis; and
- WHEREAS**, O.C.G.A. § 38-3-28 provides the political subdivisions of this state with the authority to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes to supplement rules and regulations promulgated by the Governor during a State of Emergency; and
- WHEREAS**, the City adopted a Resolution on May 11, 2020 (Resolution 2020-05-13) authorizing restaurants to obtain Temporary Outdoor Restaurant operations Permits that would expire December 31, 2020, subject to a set of rules, regulations and restrictions; and
- WHEREAS**, the COVID-19 pandemic has not yet subsided, and the cases in the State of Georgia and DeKalb County are currently on the rise; and
- WHEREAS**, the Mayor and City Council find it necessary, to help aid the prevention of the spread of COVID-19, to continue authorizing restaurants to obtain Temporary Outdoor Restaurant Operations Permits and to allow continued outdoor dining through the 2021

calendar year.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA:

Section 1: That Resolution 2020-05-13, incorporated herein by reference, is hereby extended through calendar year 2021 and the authority of restaurants to acquire Temporary Outdoor Restaurant Operations Permits is hereby extended through December 31, 2021. Those restaurants who have already acquired same in 2020 may continue to operate under the said permit on the condition that the restaurant has acquired a valid 2021 Occupation Tax Certificate, paid its Occupation taxes by the due date, and is in compliance with all other ordinances of the City, County and the laws of the State of Georgia pertaining to it.

Section 2: This Resolution shall become effective immediately upon adoption.

So resolved this 11th day of January, 2021.

Lynn P. Deutsch
Mayor

Attest:

Approved as to form:

Sharon Lowery, City Clerk
(SEAL)

City Attorney