

COUNTY OF FLOYD
CITY OF ROME
CITY OF CAVE SPRING
STATE OF GEORGIA

JOINT RESOLUTION

JOINT RESOLUTION DECLARING STATE OF EMERGENCY IN THE COUNTY OF FLOYD, THE CITY OF ROME, GEORGIA, AND THE CITY OF CAVE SPRING, GEORGIA ESTABLISHING THE CLOSURE OF ALL BARS AND RESTAURANTS AND PROCEDURES FOR TAKE OUT OR DELIVERY OF FOOD ONLY, BANNING GATHERINGS OVER 10 PEOPLE, PROVIDING FOR DISSEMINATION OF INFORMATION, TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES

- WHEREAS**, the President of the United States declared a National Public Health Emergency on Friday March 13, 2020; and
- WHEREAS**, the Governor of the State of Georgia declared a State of Emergency in Georgia on March 14, 2020; and
- WHEREAS**, the World Health Organization has declared Corona Virus Disease 2019 (COVID-19) a world health emergency and a pandemic influenza emergency; and
- WHEREAS**, Georgia law allows for the suspension of certain laws, rules, ordinances and orders during a declared state of emergency, and authorizes the County and both Cities to waive compliance with time-consuming procedures and formalities; O.C.G.A. § 38-3-1 *et. seq.*, Rome Ordinance §§ 7-11 and 7-37; Floyd County Ordinance §§ 2-8-4, 2-8-61; Cave Spring Ordinance § 300; and
- WHEREAS**, the Georgia law grants to Floyd County, the City of Rome, and the City of Cave Spring the power to protect the safety, health, and welfare of the public; and
- WHEREAS**, Georgia law also grants to Floyd County, the City of Rome, and the City of Cave Spring the power to declare an emergency and “to pass all laws and ordinances they may consider necessary for the peace, good order, health, prosperity, comfort and security of the city, and of the inhabitants thereof”, Rome Charter § 2.10, see Floyd County Ordinance §2-1-2, see Cave Spring Charter § 1.3.19; and
- WHEREAS**, the President of the United States has recommended that any gathering over 10 people be discontinued or prohibited; and
- WHEREAS**, The Northwest Georgia medical and public health leaders have worked diligently, closely and collaboratively to respond aggressively to the COVID-19 impact in Floyd County, the City of Rome, the City of Cave Spring, and the surrounding communities, and on March 19, 2020, sent a letter to the Elected Officials strongly urging action to temporarily close restaurants, bars and other places where individuals gather for socialization (a copy of said letter is attached as Exhibit “A” and incorporated herein); and

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WHEREAS, Floyd County, the City of Rome, and the City of Cave Spring do not have the personnel or resources to monitor and police a distancing or gathering limitation.

NOW THEREFORE, in a public and specially called emergency meeting, authorized pursuant to O.C.G.A. § 51-14-1(g), the Floyd County, the City of Rome, and the City of Cave Spring resolve and declare as follows:

Section 1: Floyd County, the City of Rome, and the City of Cave Spring adopt and make the findings discussed in the “Whereas” paragraphs as the factual findings of both Commissions and Council.

Section 2: Floyd County, the City of Rome, and the City of Cave Spring hereby declare a state of emergency and a public health emergency in Floyd County, the City of Rome, and the City of Cave Spring.

Section 3:

- a. Floyd County, the City of Rome, and the City of Cave Spring hereby declare that all bars, restaurants, or businesses that sell food or beverages for consumption on premises or that provide entertainment on premises shall be closed to in-person dining, consumption of alcohol, or entertainment until the expiration of this resolution.
- b. Bars, restaurants, and other businesses that sell food may offer food for take-away or for customers to eat somewhere other than at the establishment, provided that cafeterias in hospitals, nursing homes, or similar facilities shall not be subject to these restrictions and may continue normal operations.
- c. Businesses affected by these closures shall establish systems that restrict in-person contact as much as possible, to include not permitting more than ten (10) customers at a time to be inside the premises. Such processes may include the business taking the food to the customer’s vehicle rather than the customer coming inside the business.
- d. Furthermore, business shall ensure that all onsite consumption of food is prohibited, and that employees and contractors of the business maintain at least six (6) feet of personal distance between themselves as much as possible given the physical constraints of the premises.
- e. If a restaurant is licensed to sell beer and wine for on-premises consumption, such business during the efficacy of this resolution only shall be authorized to sell unopened bottles, cans, or other sealed containers of beer or wine for take-out consumption off-premises.

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Section 4: Floyd County, the City of Rome, and the City of Cave Spring hereby suspend the use of any County and City Parks by more than ten (10) persons in a group; however, this does not suspend the use of trails which are expressly exempted from this suspension.

Section 5: Floyd County, the City of Rome, and the City of Cave Spring suspend the bid and competitive portions of the respective Procurement Policy and authorize the respective Managers or Mayor to utilize the single-source policy and to require departments to provide a written justification for the procurement during the effective dates of this Resolution.

Section 6: This Resolution shall take effect upon passage by the Floyd County, the City of Rome, and the City of Cave Spring and shall expire by its own terms on March 31, unless extended by further action of the respective Commissions or Council.

Section 7: The respective Clerks, in consultation with the respective County Attorney and City Attorneys, shall have the power to correct scribes errors.

IT IS HEREBY RESOLVED, this 19th day of March, 2020.

FLOYD COUNTY, GEORGIA

CITY OF ROME, GEORGIA

SCOTTY HANCOCK, Chairman

BILL COLLINS, Mayor

Attest:

Attest:

ERIN ELROD, Clerk

JOSEPH SMITH, Clerk

CITY OF CAVE SPRING, GEORGIA

ROB WARE, Mayor

Attest:

JUDY DICKINSON Clerk



March 19, 2020

To Our Elected Officials:

Northwest Georgia medical and public health leaders continue to work closely and collaboratively to respond aggressively to the COVID-19 impact in our community. We believe there is clear indication of community spread based on the number and nature of COVID-19 cases in Floyd County. As your local hospital and healthcare leadership, we strongly urge you to make the difficult yet necessary decision to order the temporary closure of restaurants, bars and other places of business where individuals gather for socialization, including movie theaters, museums, gyms and other recreation facilities.

The time to take action is now. We are facing a diminishing supply of the critical protective equipment for our healthcare providers, their staff and our patients. Floyd Health System, Harbin Clinic and Redmond Regional Medical Center will continue to work tirelessly to provide the highest level of medical care and protect the residents of Floyd County but **we cannot do it alone**.

We all have a responsibility to limit exposure and protect those who are most vulnerable, including the elderly, those with existing health conditions and patients with compromised immune systems. We call on our community to mobilize and work with us to slow the further transmission of COVID-19.

Kurt Stuenkel
Floyd Health System, CEO

Dr. Gary Voccio
Georgia Department of Public Health,
Northwest Health District Director

Kenna Stock
Harbin Clinic, CEO

John Quinlivan
Redmond Regional Medical Center, CEO