

**STATE OF GEORGIA**

**CITY OF COLLEGE PARK**

**ORDINANCE NO.**

AN ORDINANCE DECLARING A STATE OF EMERGENCY WITHIN THE CITY, PROHIBITING GATHERINGS IN EXCESS OF TEN PERSONS, SETTING A NON-ESSENTIAL ACTIVITY CURFEW AND FOR OTHER LAWFUL PURPOSES

**WHEREAS**, the City of College Park (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

**WHEREAS**, the duly elected governing authority of the City, is the Mayor and Council thereof (“City Council”); and

**WHEREAS**, the World Health Organization (“WHO”) has declared the COVID-19 Virus, commonly referred to as the Coronavirus, a global pandemic; and

**WHEREAS**, local government, for-profit institutions and other institutional agencies, including schools, airlines, sports leagues and others, have begun closing facilities and cancelling or limiting scheduled events to prevent the further spread of COVID-19; and

**WHEREAS**, the City is authorized pursuant to its Charter, the Georgia Constitution and its emergency management powers under O.C.G.A. §38-3-28 to impose necessary rules and regulations for emergency management purposes and to preserve the health, safety and welfare of the residents of the City; and

**WHEREAS**, the City Council desires through this Ordinance to make and carry out reasonable provisions deemed necessary to deal with the Coronavirus epidemic for the protection, safety, health, or well-being of the citizens of the City; and

**WHEREAS**, this Ordinance is in the best interests of the health and general welfare of the City, its residents and general public.

**THE MAYOR AND COUNCIL OF THE CITY OF COLLEGE PARK, GEORGIA,**  
**HEREBY ORDAINS** as follows:

**Section 1.**

- a. Declaration of Emergency.** As of March 19, 2020, the City Council hereby declares that a state of emergency exists with respect to the Coronavirus epidemic.
- b. Business Curfew.** The City hereby imposes a curfew on all businesses identified as bar/pub establishments, nightclubs, and restaurants, and such other businesses providing prepared foods and beverages for consumption by the public, with the exception of gas station convenience stores and grocery stores, as defined in the City's Zoning Ordinance, as well as pharmacies, hospitals, clinics and any other establishments of medical treatment, the airport, and any hotels and motels. Such businesses shall close to the public no later than 10pm each day and shall remain closed until 7am the following day. Each such business licensed to dispense alcoholic beverages by the drink shall cease dispensing alcohol thirty (30) minutes prior to closing.
- c. City Meetings.** All City Meetings, including City boards, agencies and commissions, with the exception of emergency City Council meetings, are hereby cancelled through the duration of this Ordinance.

**d. Effective Date.** This Ordinance shall become effective upon its adoption on March 19, 2020 and shall remain in effect through and until April 19, 2020, unless otherwise rescinded earlier or extended by subsequent ordinance. This Ordinance 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 and/or the City's departments, agencies, entities, officers, employees, contractors, agents and/or representatives.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. No section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest

extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5:** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED this 20<sup>th</sup> day of March, 2020.

**CITY OF COLLEGE PARK, GEORGIA**



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Bianca Motley Broom, Mayor

ATTEST: \_\_\_\_\_

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Shavala Moore, City Clerk

APPROVED BY:

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City Attorney