

## **ORDINANCE 20-03-02**

### **AN ORDINANCE OF THE CITY OF HELEN, GEORGIA IMPOSING FURTHER RESTRICTIONS UNDER THE LOCAL STATE OF EMERGENCY RELATED TO COVID-19**

**WHEREAS**, the United States, the State of Georgia, and the City of Helen, Georgia are experiencing an event of critical significance as a result of the Coronavirus (COVID-19) disease (“COVID-19”); and

**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

**WHEREAS**, the City of Helen, Georgia declared a local State of Emergency on March 24, 2020, via the adoption of Ordinance 20-03-01; the findings made therein regarding the current health crisis being incorporated herein by reference;

**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 during a State of Emergency;

**WHEREAS**, pursuant to Section 2.24 of the Charter of Helen, Georgia, the Mayor and Commission may adopt emergency ordinances and to do those things necessary and proper to promote or protect the safety, health, peace, security and general welfare of said government and its inhabitants

**WHEREAS**, this State of Emergency is a quickly evolving situation, mandating continual assessment by the City of Helen, Georgia, in order to protect the public health and the well being of its citizens;

**NOW, THEREFORE**, the City Commission of Helen, Georgia hereby ordains, amends and supplements the regulations adopted in Ordinance 20-03-01 in the initial Declaration of a Local State of Emergency, as follows:

- 1.** The local State of Emergency, declared by the City Commission of Helen, Georgia, in Ordinance 20-03-01, due to the public health crisis, is extended,

such that the Declared Local State of Emergency, the Regulations adopted by the Commission in Ordinance 20-03-01; and the Regulations adopted in this Emergency Ordinance 20-03-02 shall remain in effect until April 30, 2020.

2. For the duration of the declared emergency, all city park(s), public areas, playground area(s), recreational areas, or similar places are closed by the City of Helen. Individuals or families may continue to use sidewalks for walking or other exercise, provided that six foot social distancing parameters are maintained.
3. All businesses within the Municipal Limits of the City of Helen, Georgia, except the Businesses defined below, are required to cease all activities except minimum basic operations. Those businesses allowed to remain open shall comply with Social Distancing Requirements of keeping customers a minimum of six feet apart, including, but not limited to, when any such customers are standing in line at those businesses.

The City Commission finds that the following businesses may remain open During the Local State of Emergency, either by the essential services that their businesses renders, or due to the nature of their operations allowing the required social distancing parameters to be maintained;

- i. Grocery stores, convenience stores, and other establishments engaged in, as their primary purpose, the retail sale of canned or packaged foods, fruits and vegetables, pet supplies, meats, and/or any other household consumer products (such cleaning and personal care products). This includes stores that sell groceries and also sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- ii. Gas stations; convenience stores, auto-supply stores, hardware stores and related facilities;
- iii. Banks and related financial institutions;
- iv. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences and essential businesses;
- v. Restaurants and other facilities that prepare and serve food, but such facilities shall ONLY be permitted to remain open for drive through or curbside service. If a restaurant remains open for drive through or curbside service; customers must remain in their vehicle throughout the process, and the food MUST be taken from the premises by vehicle. If a restaurant is licensed to sell beer and wine for on-premises consumption, such restaurant, during the effective dates of this ordinance only, shall be authorized to sell unopened bottles or cans of beer or wine for

take-out consumption off-premise. The same parameters apply as to curbside food service sales. The customer must remain in their vehicle throughout the process, and the package sale is for off-premises consumption only.

- vi. Laundries/Laundromats, provided that the social distancing parameters required are enforced.
- vii. Package Stores, provided that the social distancing parameters required are enforced.
- viii. Sanitation Services.
- ix. Pharmacies.
- x. Large scale outdoor recreational facilities, such as golf courses, provided that the social distancing parameters required are enforced.
- xi. Home Offices or such businesses conducted solely as “home businesses” and not open to the public.
- xii. Any business that is identified as a critical infrastructure business as designated by the Governor of the State of Georgia or so identified by U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency.

**ALL OTHER BUSINESSES** within the municipal city limits of Helen Georgia **are hereby ordered closed**. The businesses closed specifically include, but are not limited to, hotels and motels; short term vacation rentals of houses and cabins; arcades; amusement parks and related businesses; horse carriage rides; and any outdoor commercial day use picnic table areas, and any and all other businesses not enumerated as being permitted to remain open in items 3.i. through xii. of this ordinance.

Those Businesses ordered to close may maintain minimum basic administrative operations. For the purposes of this Order, “Minimum Basic Operations” means that employees may enter the business to perform necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, accept packages, or for other necessary business administrative functions. However, these businesses must remain closed to the public.

- 3. THE CITY COMMISSION OF HELEN, GEORGIA** further directs that violations of this Order shall be considered ordinance violations subject to the general penalty provisions outlined in Section 1-7 of the Official Code of Helen, Georgia.

4. **THE CITY COMMISSION OF HELEN, GEORGIA** hereby authorizes the city manager with the authority to suspend all city ordinances or parts of such ordinances that are in conflict with the provisions of this Emergency Declaration during its effective dates or any extension thereof and states, that should such a conflict arise, the terms and provisions of this Declaration shall prevail.

**THIS EMERGENCY ORDINANCE SO ORDAINED, ORDERED, APPROVED, AND ADOPTED**, this 31st day of March, 2020.

\_\_\_\_\_(SEAL)  
Steve Fowler, Mayor

ATTEST:

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Marilyn Chastain, City Clerk

APPROVED AS TO FORM:

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Carl Free, City Attorney