

STATE OF GEORGIA
CITY OF TUCKER

AMENDED DECLARATION OF LOCAL EMERGENCY IN THE CITY OF TUCKER IN
RESPONSE TO THE COVID-19 PANDEMIC CRISIS

WHEREAS, the City of Tucker, Georgia is currently experiencing an event of critical significance as a result of the spread of the COVID-19 coronavirus; and

WHEREAS both the President of the United States and the Governor of the State of Georgia have declared national and state emergencies, respectively; and

WHEREAS the Chief Executive Office declared a state of emergency in DeKalb County; and

WHEREAS, the Mayor and City Council of the City of Tucker passed the Emergency Management and Services Ordinances O2020-03-08; and

WHEREAS, in the judgment of the Mayor of the City of Tucker, there exist emergency circumstances located in the City requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of the City of Tucker; and

WHEREAS, to prevent or minimize injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY DECLARED that a local state of emergency exists and shall continue for 30 days unless the emergency is declared abated.

WHEREFORE, IT IS ORDERED:

(1) That the applicable local emergency operations plan is hereby activated and City staff shall cooperate with the Centers for Disease Control, Georgia Emergency Management and Homeland Security Agency and the DeKalb County Emergency Management Agency to combat the COVID-19 coronavirus and provide for the public welfare of the citizens of Tucker;

(2) This emergency declaration amendment is pursuant to the authority in Sections 12-1(a)(4)b&d. In addition, the provisions of Section 12-4 of the City's Emergency Management and Services Ordinance, pertaining to **Overcharging**, are hereby declared to be in effect. Further, the provisions of Section 12-6 of the City's Emergency Management and Services Ordinance, pertaining to **Closed or restricted areas and curfews during an emergency**, are hereby declared to be in effect. Further:

A. Any business in the City of Tucker, MUST operate within the guidance issued by the Center for Disease Control pertaining to the covid-19, as amended from time to time, which can be found at (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>). This specifically includes recommendations for sanitation, social distancing and limited social gatherings to no more than 10 persons.

B A curfew is imposed from 9pm to 6am, except for necessary trips to work, or for medical treatment, food and medication. This means that any business with public interfacing that might otherwise be able to continue operations must close to public operations by 9pm, and not reopen to the public until 6am. This curfew does not encompass manufacturing plants, distribution centers, and business that do not interface with the general public.

C. This curfew and restriction on operations is limited in the following manner:

i. Non-public business operations that allow for social distancing during curfew hours is allowed. For example, it would not be a violation of this curfew to sanitize facilities, stock shelves or take delivery of supplies during curfew hours, so long as the facility is not open to the public.

ii. In regards to food service establishments, this curfew will not prohibit food delivery or pick-up, provided that any on-site dining shall meet all other CDC guidance.

iii. These restrictions shall not apply to “Essential Critical Infrastructure Workers” as defined by the U.S. Department of Homeland Security. See the guidance for greater detail and definition of “Essential Critical Infrastructure Workers” but at a minimum such term includes health care services, pharmaceutical and food supply workers. Additional essential services include healthcare operations including research, laboratories, and blood collection facilities; utilities; banks and credit unions; transportation infrastructure (MARTA, Lyft, Uber, Taxis, buses); delivery services, businesses selling food; pharmacies; business that perform repair work; laundry mats and dry cleaning; auto repair and gas stations; warehouses and distribution centers; crematories; animal shelters; news media; childcare and elderly services; and any services that is declared by the Mayor to be essential for the protection of the public health, safety and welfare.

D. It shall be an unlawful, unfair, and deceptive trade practice for any person, firm, or corporation doing business in the City of Tucker, for as long as such state of emergency exists, to sell or offer for sale at retail any goods or services necessary to preserve, protect, or sustain the life, health, or safety of persons or their property at a price higher than the price at which such goods were sold or offered for sale immediately prior to the declaration of a state of emergency, provided, however, that such price may be increased only in an amount which accurately reflects an increase in cost of the goods or services to the person selling the goods or services or an increase in the cost of transporting the goods or services into the area.

E. Any establishment that is licensed for on premise consumption of alcoholic beverages shall be allowed to sell unopened beverages curbside or to take-out customers only during the times specified on the establishment's license. The City makes no representations as to the effect of these sales on an establishment's state liquor license.

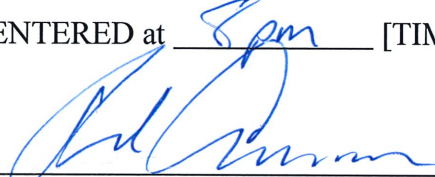
F. The Mayor may appoint an emergency task force to keep him abreast of changes and make recommendation to help ensure the health, safety and welfare of the public.

G. Except for meetings of the City Council, all meetings of any board, commission or authority for the city of Tucker are hereby canceled for the duration of the emergency.

H. Any application submitted to the city that has a set time frame for city action is hereby tolled for the duration of the declared emergency. This tolling shall not apply to any action that is required by state law and cannot be tolled by a local authority.

(3) The declaration of emergency shall supersede any previous declarations and shall be effective for 30 days, unless expressly extended or terminated.

ENTERED at 8 pm [TIME] on 03/23/2020 [DATE].



Frank Auman, Mayor

Attested by: 

Bonnie Warne, City Clerk

