

**EXECUTIVE ORDER
DOUGLAS COUNTY BOARD OF HEALTH**

THIS IS AN ADDITIONAL EMERGENCY ORDER TO SUPPLEMENT THE MARCH 21, 2020 ORDER OF THE DOUGLAS COUNTY COMMISSION DECLARING A LOCAL STATE OF EMERGENCY RELATED TO COVID-19, AND TO SUPPLEMENT THE MARCH 23, 2020 EXECUTIVE ORDERS TO LIMIT PUBLIC INTERACTIONS. IT SERVES TO FURTHER DEFINE ALL NONESSENTIAL PUBLIC AND PRIVATE GATHERINGS, TO IMPOSE “STAY HOME” AND “SHELTER IN PLACE” REQUIREMENTS, AND FOR OTHER PURPOSES.

WHEREAS, Douglas County, Georgia (the “County”) has experienced an event of critical significance as a result of the Coronavirus (COVID-19) disease (“COVID-19”); and

WHEREAS, on March 21, 2020, the Douglas County Government and the City of Douglasville issued Orders (the “Orders”) declaring a local state of emergency related to COVID-19 and on March 23, 2020 further (1) prohibited public and private gatherings of more than ten people, except for essential functions; and (2) closed all bars, restaurants, and other business that sell food or beverages for consumption on premises or who provide entertainment on premises to in-person dining, consumption of alcohol, or entertainment, except that such business may offer food for take-away, drive through or delivery if otherwise compliance with the Orders; and (3) closed all bars, gyms, parks and private social clubs; and

WHEREAS, the World Health Organization has declared Coronavirus Disease 2019 (COVID-19) a world health emergency and a pandemic; and

WHEREAS, since the issuance of the Orders there have been 16 new confirmed cases of COVID-19 in the County and 1 death, bringing the total confirmed cases to 17 as of noon on March 25, 2020, and there are a significant and increasing number of suspected cases of COVID-19 in surrounding counties and across the state; and

WHEREAS, widespread testing for COVID-19 is not yet available, and it is believed that community transmission of COVID-19 in the County has been substantial and continues to increase; and

WHEREAS, medical professionals and experts in the County have advised that COVID-19 is spreading in the County such that it may greatly strain the resources and capabilities of the public health agencies and hospital that provides essential services for containing, mitigating, and treating the spread of contagious diseases, such as COVID-19, and the situation may very soon become too large in scope to be handled in its entirety by the normal health care providers in the County; and

WHEREAS, in the judgement of the Douglas County Board Health, as of the date of this Order, there is exist emergency circumstances as a result of COVID-19 within the geographical boundaries of the County requiring additional extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of all the residents of Douglas County;

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Health does hereby supplement the Orders with this:

IT IS ORDERED as follows:

1. The intent of this order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of life, they should at all times as reasonably possible, comply with Social Distancing Requirements as defined in Section 6 below. All provisions of this Order should be interpreted to effectuate this intent. Failure to comply with any of the provisos of this Order constitutes an imminent threat to the public health.

2. All individuals currently living within the territorial limits of the County shall shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 6. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such available as soon as possible and to the maximum extent practicable (and to utilize Social Distancing Requirements in their operation).

3. All businesses with a facility in the County, except Essential Businesses as defined below in Section 6, are required have hours of operation beginning no earlier than 6:00am and no later than 9:00pm except to allow for restocking, cleaning and preparation for the next day's business. During these hours of operation, all businesses are expected to enforce the Social Distancing Requirements as defined in this document including, but not limited to, when any customers are standing line. For clarity, all businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 6 below.

4. All public and private gatherings of 10 or more people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted in Section 6. Nothing in this Order prohibits the gathering of members of a household or living unit.

5. This Order allows travel into or out of the County to perform Essential Activities, operate Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

6. Definitions and Exemptions.

a. For purposes of this Order, individuals may leave their residence to perform any of the following “Essential Activities.” But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or partners or significant others (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.

ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetable, pet supplies, fresh meats, fish and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, running, or bicycling.

iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities especially permitted in this Order.

v. To care for a family member or pet in another household.

b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, public health centers, dentists, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, chiropractors, or any related and/or ancillary healthcare services (as ordered by a physician) provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible. “Healthcare Operations” includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms, salons, spas and similar facilities.

c. For purposes of this order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of “Essential Infrastructure,” including but not limited to, public works construction, construction, architecture, and all related activities (in particular affordable housing or housing for individuals experiencing homelessness), airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

e. For the purposes of this Order, Covered Businesses (both Essential and Nonessential) include any for-profit, nonprofit, or private educational entities, regardless of the nature of the service, the functions they perform, or its corporate or entity structure.

f. For the purposes of this Order, “Essential Infrastructure;

i. Healthcare Operations and Essential Infrastructure;

ii. Grocery stores, certified farmers’ markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and other nongrocery products necessary to maintain the safety, sanitation, and essential operation of residences;

- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair, and related facilities;
- vii. Banks and related financial institutions;
- viii. Hardware stores;
- ix. Plumbers, electricians, exterminators, and other providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- x. Businesses providing mailing and shipping services, including post office boxes;
- xi. Educational institutions----including private K-12 schools, colleges, and universities----for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six feet per person is maintained to the greatest extent possible;
- xii. Laundromats, drycleaners, and laundry service providers;
- xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food service to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xiv. Businesses that supply products needed for people to work from home;
- xv. Businesses or manufacturers that supply other essential businesses with the support or supplies necessary to operate;

- xvi. Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvii. Airlines, taxies, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xviii. Home-based care for seniors, adults, or children;
- xix. Residential facilities including hotels, motels, shared rental units and similar facilities and shelters for seniors, adults and children;
- xx. Professional services, such as legal, accounting services, real estate services when necessary to assist in compliance with legally mandated services;
- xxi. Unless otherwise preempted by state law, childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 10 or fewer (“stable” means that the same group of 10 or fewer children are in the same group each day).
 - 2. Children may not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room.
 - 4. Childcare providers shall remain solely with one group of children.
- xxii. All business which possess a Class A, retail liquor package license: Class B, retail beer package license: or a Class C, retail wine package license shall be authorized, but only via drive-thru, in parking lots or at curb for sealed product distribution.
- xxiii. Funeral homes, facilities, and services operating under the following mandatory conditions:

1. Funeral services are limited to 10 or fewer attendees provided that social distancing of six feet per person is maintained to the greatest extent possible.
 - g. For purposes of this Order, “Social Distancing Requirements” includes maintaining at least a six-foot distance from other individuals and includes additional infection control measures such as washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into a tissue and immediately discarding, or when a tissue is not available into one’s sleeve or elbow), regularly cleaning high-contact surfaces, and not shaking hands.
7. Enforcement and Remedies.
 - a. Individuals: In recognition that the Douglas County Board of Health, the local governments, and law enforcement do not have the personnel or resources to monitor and police social distancing or gathering limitations or shelter in place requirements for all individuals currently living within the territorial limits of the County, all enforcement agencies are authorized to support compliance with this Order through information delivery and education of individuals regarding the imminent threat to public health posed by COVID-19.
 - b. Covered Businesses: Any violations of this Order by covered businesses or owners of covered business shall be a misdemeanor as further provided for by O.C.G.A. 31-5-8.
8. If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other person or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
9. It is not the intent of this resolution to abrogate the terms of any county or municipal law, resolution, or ordinance of local application which authorizes a governing body within the county to provide penalties for a violation of a valid rule and regulation of the county board of health.
10. This Order shall become effective following approval by the Douglas County Board of Health at noon on March 26, 2020, and will continue to be in effect until 11:59 p.m.,

on April 10, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Douglas County Board of Health.

11. Copies of this Order shall promptly be: (1) made available to the Douglas County Board of Commissioners, the governing authority of all the municipalities located in Douglas County, the Douglas County Sheriff, and all other local law enforcement agencies in Douglas County; (2) posted on the Douglas County Board of Health's website; and (3) provided to any member of the public requesting a copy of this Order.

IN WITNESS WHEREOF, this ORDER has been adopted by the Douglas County Board of Health on the 25th day of March 2020.

DOUGLAS COUNTY BOARD OF HEALTH

By: _____
Charles Craton, MD, Chairman

Attest: _____
Lisa P Crossman, Deputy Director
Cobb & Douglas Public Health