

ORDINANCE NO. 1206

AN ORDINANCE RESTRICTING RESTAURANTS TO TAKE OUT OR DELIVERY OF FOOD ONLY; REQUIRING THE CLOSURE OF CERTAIN BUSINESSES; AUTHORIZING PUBLIC MEETINGS TO OCCUR VIA TELECONFERENCE; TO PROVIDE AN EFFECTIVE DATE; TO SUSPEND CONFLICTING ORDINANCES; 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 Public Health State of Emergency in Georgia on March 14, 2020; and

WHEREAS, Rockdale County declared a local State of Emergency on March 17, 2020; and

WHEREAS, the City of Conyers declared a local State of Emergency on March 18, 2020; and

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

WHEREAS, the Charter of the City of Conyers grants to the City the power to protect the safety, health and general welfare of the public, pursuant to Conyers Charter §1-102; and

WHEREAS, the Charter of the City of Conyers grants to the City the authority to call an emergency meeting “to meet a public emergency affecting life, health, property or public peace,” pursuant to Conyers Charter §2-403(d); and

WHEREAS, the Code of Ordinances of the City of Conyers also grants to the City the power “to perform and exercise any other functions and duties and take any emergency actions as may be necessary to promote and secure the safety, protection and well-being of the inhabitants of the City”, pursuant to Conyers Code of Ordinances §4-3-8; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that any gathering of over 50 people be discontinued or prohibited; and

WHEREAS, the government of the City of Conyers has already taken multiple measures to reduce the risk of community transmission, including closing certain government facilities,

cancelling Municipal Court sessions through at least April 15, 2020, and cancelling certain public gatherings; and

WHEREAS, the Mayor and City Council now find it necessary to restrict restaurants to take-out and delivery and to close certain businesses and to take other steps to assist in preventing the transmission of disease and to preserve the public health and welfare.

NOW THEREFORE, BE IT ORDAINED that it is the intention of the Mayor and City Council and it hereby is ordained by the authority of same.

SECTION 1. The City Council adopts and makes the findings discussed in the “Whereas” paragraphs the factual findings of the Council, and said “Whereas” paragraphs are hereby expressly incorporated herein by reference.

SECTION 2. The following provisions shall govern during the public health state of emergency declared within the City of Conyers:

- A. The Mayor and Council hereby declare that all bars, restaurants, or businesses who sell food or beverages for consumption on premises or who provide entertainment on premises shall be closed to in-person dining, consumption of alcohol, and entertainment until the expiration of this ordinance.
- B. Bars, restaurants and other businesses who sell food may offer food for customers to eat somewhere other than at the establishment, i.e. curbside service or delivery.
- C. Businesses affected by these restrictions shall establish systems that restrict in-person contact as much as possible, such that no customers shall be allowed within the interior of the premises. Further, businesses affected by these closures shall not allow customers to consume food in the interior or exterior of their premises, including but not limited to, any designated outdoor seating areas.
- D. If a restaurant is licensed to sell beer or wine for on-premises consumption, such business for the duration of this ordinance only shall be authorized to sell beer or wine for take-out consumption off-premises with the purchase of food.
- E. The following businesses shall be closed during the duration of this ordinance: bars and nightclubs, gyms and fitness centers, movie theaters, live performance venues, bowling alleys, arcades, and private social clubs.

SECTION 3. The City Council and all other boards, commissions or agencies of the City shall have the authority to conduct meetings and take votes by teleconference in accordance with O.C.G.A. §50-14-1(g).

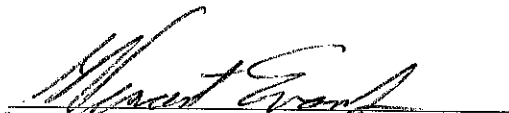
SECTION 4. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby suspended during the effective dates of this Ordinance (or any extension thereof) and the terms and provisions of this Ordinance shall prevail.

SECTION 5. If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

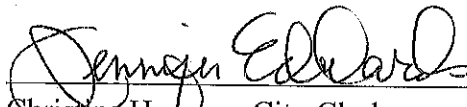
SECTION 6. This Ordinance shall take effect at 12:01 a.m. on Sunday, March 22, 2020 and shall expire by its own terms on April 13, 2020, unless extended by further action of the City Council.

SECTION 7. The City Clerk, in consultation with the City Attorney, shall have the power to correct scribes' errors.

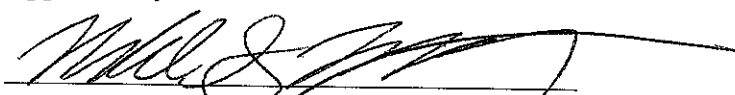
ADOPTED AND APPROVED by the City Council of Conyers, Georgia this 20th day of March, 2020.


G. Vincent Evans, Mayor

ATTEST:


~~Christina Heyman, City Clerk~~
Jennifer Edwards, Deputy City Clerk

Approved by:


Michael S. Waldrop, City Attorney