

**GLYNN COUNTY BOARD OF COMMISSIONERS
GLYNN COUNTY, GEORGIA**

Adoption: March 25, 2020
Emergency Order/Resolution: #R-15-20

At an Emergency Special Called Meeting of the Glynn County Board of Commissioners, held virtually via teleconference, there were present:

Michael Browning, Chairman, District 1
Bill Brunson, Vice Chairman, District 4
Peter Murphy, Commissioner District 2
Wayne Neal, Commissioner, District 3
Allen Booker, Commissioner, District 5
David O'Quinn, Commissioner, At Large Post 1
Bob Coleman, Commissioner, At Large Post 2

On motion of Commissioner Brunson, which carried unanimously, the following Emergency Order was adopted:

**EMERGENCY ORDER
OF THE
GLYNN COUNTY BOARD OF COMMISSIONERS
RELATED TO COVID-19**

WHEREAS, the respiratory disease caused by the novel coronavirus, known as "COVID-19" is an infectious virus that can spread from person-to-person and can result in serious illness or death; and

WHEREAS, the World Health Organization (WHO) has declared COVID-19 to be a worldwide pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the outbreak of COVID-19 to be a national emergency; and

WHEREAS, on March 14, 2020, the Governor of Georgia declared that a Public Health State of Emergency exists in the State of Georgia due to the public health emergency from the spread of COVID-19; and

WHEREAS, on March 16, 2020, the Governor's Public Health State of Emergency declaration was ratified by the Georgia General Assembly through House Resolution 4EX; and

WHEREAS, on March 20, 2020, the Glynn County Board of Commissioners declared a local State of Emergency in Glynn County related to COVID-19; and

WHEREAS, the COVID-19 pandemic has the potential to result in significant loss of life and has the potential to result in a major disruption of community affairs, business services, and governmental operations; and

WHEREAS, cases of COVID-19 have been found in Glynn County; and

WHEREAS, in the judgment of the Glynn County Board of Commissioners, there exist emergency circumstances in Glynn County due to COVID-19 which require extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Glynn County; and

WHEREAS, to prevent or alleviate the spread of COVID-19 and the impacts of this event, including the loss of human life, certain actions are required; and

WHEREAS, medical professionals have advised that if COVID-19 spreads in Glynn County and the rest of Georgia at a rate comparable to that rate of spread in other affected areas, it will greatly strain the resources and capabilities of county and municipal governments, including public health agencies, that provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19, and the situation may become too large in scope to be handled in its entirety by the normal county and municipal operating services in some parts of this State, and this situation may spread to other parts of this State; and

WHEREAS, local emergency hospital personnel are treating patients with symptoms consistent with COVID-19, and that is a shortage of personal protective equipment which places the health, safety, and welfare of emergency medical personnel at risk as well as the general public; and

WHEREAS, due to the spread of COVID-19, there is a need for immediate action to meet the needs of Glynn County in responding to the COVID-19 pandemic and to protect the health, safety, and welfare of the citizens of same; and

WHEREAS, a critical component of the public response to the COVID-19 pandemic is to practice "social distancing" by minimizing contact between people residing in different households as much as possible; and

WHEREAS, despite guidance from the United States Centers for Disease Control and Prevention ("CDC") stating that people should avoid gathering in crowds of more than ten (10), and guidance from the Georgia Emergency Management Agency ("GEMA") recommending that Georgians avoid gathering in groups of any size, it has been evidenced that people in Glynn County continue to gather in large numbers in enclosed spaces where social distancing cannot be effectuated; and

WHEREAS, communities in Georgia are taking emergency action to limit non-essential services, to include the closure of bars and in-restaurant dining, and to curtail gatherings of more than 10 people; and

WHEREAS, on March 23, 2020, the Glynn County Board of Health adopted a resolution encouraging emergency action by the Glynn County Board of Commissioners and the City of Brunswick to mandate social distancing. Said resolution strongly encourages the Glynn County Commission and the City of Brunswick to immediately take emergency actions to curtail social gatherings, limit non-essential business activities and to implement social distancing measures to

protect Glynn County residents and the community's first responders, health care professionals and public safety personnel;

WHEREAS, on March 23, 2020, the Southeast Georgia Health System issued a letter to the Chairman of the Board of Commissioners and County Manager urging Glynn County to consider action that would assist in the slowing the spread of COVID-19 in the community, including limiting non-essential activities and curtailing activities of more than ten (10) people;

WHEREAS, pursuant to O.C.G.A. § 38-3-28, the Glynn County Board of Commissioners, as the governing authority of Glynn County, is authorized to make, amend, and rescind orders, rules, and regulations as necessary for emergency management purposes and to supplement carrying out the emergency management laws of Georgia Emergency Management Act of 1981; and

WHEREAS, pursuant to O.C.G.A. § 38-3-28, all orders, rules, and regulations promulgated by counties under the Georgia Emergency Management Act of 1981 shall have the full force and effect of law when filed in the office of the county clerk; and

WHEREAS, under O.C.G.A. § 38-3-6, the emergency powers created pursuant to the Emergency Management Act of 1981 are intended to be liberally construed so as to allow government officials to meet the demands of emergencies within their jurisdictions; and

WHEREAS, the Glynn County Board of Commissioners deems it necessary and in the best interests of the health, safety, and welfare of the citizens of Glynn County, Georgia, to issue this Emergency Order for the reasons stated above and herein;

NOW, THEREFORE, BE IT ORDERED, DIRECTED, AND RESOLVED by the Glynn County Board of Commissioners, acting in its capacity as the governing authority of Glynn County and pursuant to the authority vested in it by local and state law, as follows:

Section 1. For purposes of describing the circumstances that warrant the adoption of this Emergency Order, the Board of Commissioners hereby makes and adopts the recitals set forth above as findings of fact and incorporates same herein by reference.

Section 2.

(i) All public or private Community Gatherings of more than ten (10) people anywhere within the unincorporated area of Glynn County are prohibited for the duration of this Order. A "Community Gathering" is defined as any indoor or outdoor event, meeting, or convening of people, subject to the exceptions below, that brings together, or is likely to bring together, or solicits to bring together, more than ten (10) persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, stadium (indoor or outdoor), tent, arena, event center, music venue, meeting, hall, conference center, large cafeteria, places or houses or worship, or any other confined indoor and outdoor space. Without limiting the generality of the foregoing subsection, the term Community Gathering shall include, but not be limited to, gatherings of more than ten people at weddings, funerals, and graveside services.

(ii) Individuals at Community Gatherings of ten or less people should take reasonable steps to ensure that such individuals are generally not within six (6) feet of each other for longer than brief periods.

(iii) A Community Gathering does not include the following or similar uses, so long as persons attending the same are generally not within six feet of each other for extended periods: (1) governmental operations; (2) spaces where persons may be in transit or waiting for transit such as airports, bus stations, or terminals; (3) child-care or adult care facilities, residential buildings or any type of temporary sheltering or housing; (4) grocery stores or pharmacies; (5) hospital or medical facilities; (6) educational institutions engaged in medical, engineering, or other efforts by students or faculty to deal with the impact of COVID-19; and (7) the performance of job duties by persons not exhibiting symptoms of COVID-19 or residing with any person exhibiting symptoms of COVID-19.

Section 3. Notwithstanding the provisions of Section 2 above, restaurants and eating establishments shall close to the public except to provide take out, delivery, drive-through, or curbside service. Restaurants that are licensed by Glynn County to sell malt beverages and wine by the drink for consumption on premises may temporarily sell malt beverages and wine by the original unbroken package for take-out or pickup for consumption off the premises without obtaining any additional license, subject, however, to the provisions and restrictions set forth in Ordinance: #0-2020-2 adopted by the Board of Commissioners on March 20, 2020. Cafeterias in hospitals, nursing homes, higher education institutions, or similar facilities shall not be subject to the restrictions contained in this Section.

Section 4. Notwithstanding the provisions of Section 2 above, except for restaurants and food service and eating establishments licensed by the Department of Public Health, all other business locations licensed Glynn County for the sale of alcoholic beverages for consumption on the premises, such as lounges, bars, taverns, nightclubs, and similar establishments, shall be closed for business.

Section 5. Notwithstanding the provisions of Section 2 above, all establishments providing body care services which require physical contact between the provider and client, including, without limitation, barbering, hair design, cosmetology, esthetics, massage therapy, tattooing, body waxing, tanning salons, or nail care shall be closed for business. This paragraph shall not restrict any services performed by or under the direct supervision of a licensed medical doctor, nurse, dentist, physical therapist, chiropractor, or other healthcare professional.

Section 6. Notwithstanding the provisions of Section 2 above, all indoor or outdoor public and private pools regulated by the Department of Public Health, and all indoor recreation, fitness and/or entertainment facilities, including, without limitation, gyms, health studios, yoga, barre, spin, or other fitness classes, spas, saunas, indoor amusement facilities, arcades, bowling alleys, pool halls, movie theatres, playhouses, and concert and music venues, shall be closed for business.

Section 7. All other retail, commercial, or industrial establishments not specifically addressed in Sections 2 through Section 6 above will be permitted to remain open subject to the following restrictions: (i) reasonable steps are taken to ensure that customers, employees, and other persons on the premises shall generally not be within six (6) feet of each other for longer than brief

periods; and (ii) employees are not suffered or permitted to work if they are exhibiting symptoms of COVID-19 or residing with anybody exhibiting symptoms of COVID-19.

Section 8.

(i) Open air County owned or operated parks and recreation facilities/areas, including County walking trails, sidewalks, designated pedestrian areas, marinas/boat ramps, dog parks, and campground facilities shall remain open to the public for walking, exercise, and other recreational uses, provided that individuals using or visiting such areas are not part of an organized gathering or event of more than 10 people and that such individuals take reasonable steps to ensure that, to the greatest possible, there is generally at least six feet of distance them and other individuals.

(ii) County owned or operated swimming pools, playgrounds, playing fields, basketball courts, miniature golf, fishing piers, skate parks, tennis courts, bocce courts, and pickleball courts, picnic areas and all indoor County owned or operated recreation facilities shall be closed for use by the public.

(iii) Notwithstanding anything to the contrary in this Section, the beaches of Saint Simons Island and public access thereto and Coast Guard Park, Massengale Park, and the Saint Simons Island Pier and access thereto shall remain closed to the public in accordance with Emergency Directive Resolution: #R-14-20 adopted by the Board of Commissioners on March 20, 2020.

Section 9. All permits for public conduct and special events, including park and facility rentals, to be held on Glynn County property for the duration of this Order are hereby cancelled, and no new public conduct or special event permits or park or facility rentals shall be authorized for the duration of this Order. Persons affected by this cancellation shall be entitled to a refund of any permit or rental fees paid.

Section 10. All deadlines imposed under the Glynn County Code of Ordinances relating to the renewal of Occupation Tax Licenses shall be tolled for the duration of this Order, and for thirty (30) days following the expiration of this Order.

Section 11. All deadlines of any action, determination, or decision required of any official, board, or commission of Glynn County under the provisions of the Glynn County Code of Ordinances, Glynn County Zoning Ordinance, and/or Glynn County Subdivision Regulations shall be tolled for the duration of this Order, and for thirty (30) days following the expiration of this Order.

Section 12. Pursuant to Section 2-2-32 of the Glynn County Code of Ordinances, violation of any of the provisions of this Order, upon conviction, shall be punishable by a fine not to exceed \$1,000 per violation or imprisonment not to exceed sixty (60) days, or both. For purposes of enforcing the provisions of this Order, each day a business operates within the unincorporated area of Glynn County without complying with this Order shall constitute a separate offense.

Section 13. Nothing in this Order shall prohibit the gathering of individuals for the purposes of: (i) carrying on business certified as “essential” by the Georgia Emergency

Management Agency pursuant to O.C.G.A. § 38-3-58 or designated by the Governor as “critical infrastructure”; (ii) the provision of medical or health services performed by or under the direct supervision of a licensed medical doctor, nurse, dentist, physical therapist, chiropractor, or other healthcare professional; or (iii) carrying on business designated as a critical infrastructure sector/industry, as set forth at <https://www.cisa.gov/critical-infrastructure-sectors>. To the extent possible, all businesses and services described in this Section should take reasonable steps to ensure that customers, employees, and other persons on the premises or work site are generally not within six (6) feet of each other for longer than brief periods.

Section 14. Nothing in this Order shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against Glynn County, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Section 15. Any county ordinances, or portions thereof, in direct conflict with this Emergency Order are temporarily suspended for the duration of this Order.

Section 16. If one or more of the provisions contained in this Order are held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order. In such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

Section 17. This Emergency Order and its contents shall become effective at 6:00 A.M. on March 26, 2020, and shall remain in effect until April 13, 2020, at 11:59 p.m., unless modified by subsequent order of the Glynn County Board of Commissioners.

SO ORDERED, DIRECTED, AND ADOPTED by the Glynn County Board of Commissioners this the 25 day of March, 2020, at 10 A.M.



**GLYNN COUNTY BOARD
OF COMMISSIONERS:**

By:


MICHAEL BROWNING, CHAIRMAN

ATTEST:

By: 
DHWANI PATEL, COUNTY CLERK

(SEAL)