

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

Adoption: March 31, 2020
Emergency Order/Resolution: #R-16-20

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) The rental and/or occupancy of Commercial Lodging Establishments for a period of less than 30 consecutive days shall be prohibited until April 30, 2020 at 11:59 P.M., except by:

(a) Essential Lodgers as hereinafter defined; and

(b) Any person, renter, or guest currently occupying (currently physically present and checked in) a Commercial Lodging Establishment under a paid reservation tendered prior to the adoption of this Order on

March 31, 2020. Such person, renter, or guest shall be allowed to complete their existing reservation period; and

(c) The owner of a short-term rental occupying his or her own property;

(ii) Commercial Lodging Establishments shall not accept new reservations or accept new guests, renters, or occupants (regardless of when the reservation was made) for the period beginning immediately upon adoption of this Order and ending on April 30, 2020 at 11:59 P.M., other than Essential Lodgers.

(iii) “Commercial Lodging Establishment” means, without limitation, short-term rentals, hotels, motels, bed and breakfast businesses and any other facility providing temporary lodging and other temporary accommodations to the public, such as RV parks or campgrounds, and any similar place by whatever name called, that offers or makes available for a fee or other consideration to the public any room or rooms, lodgings, accommodations, or short-term rentals for occupancy for a period of less than 30 consecutive days.

(iv) “Essential Lodgers” means: (1) healthcare professionals; (2) first responders; (3) National Guard members; (4) law enforcement; (5) state or federal government employees on official business; (6) airline crewmembers and critical care pilots on official business in Glynn County; (7) patients of medical facilities located in Glynn County and members of their immediate families; (8) journalists; (9) displaced Glynn County residents; (10) Glynn County residents who must vacate their homes due to exigent circumstances, such as fire or flood; (11) Glynn County residents utilizing hotels as transitional living arrangements; (12) persons sheltering in hotels due to domestic violence; (13) hotel employees, service providers, and contractors; (14) incident responders engaged in official business in Glynn County; and/or (15) Glynn County residents who, for any reason, are temporarily unable to reside in their home.

(v) “Short-term rental” means any residence that is offered for occupancy for a fee or other consideration for less than 30 consecutive days to the same renter.

(vi) “Residence” means an owner-occupied house; a single-family house or dwelling unit; or any unit or group of units in a condominium, apartment building, cooperative, or timeshare.

(vii) This Section shall only apply to Commercial Lodging Establishments on Saint Simons Island and Sea Island.

Section 3. The beaches of Sea Island shall be and are hereby closed to the public commencing at 6:00 A.M. on April 1, 2020. The beaches of Saint Simons Island and public access thereto shall also remain closed to the public.

Section 4. 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 5. 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 6. Any county ordinances, or portions thereof, in direct conflict with this Emergency Order are temporarily suspended for the duration of this Order.

Section 7. 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 8. Glynn County Resolutions #R-13-20 (adopted March 20, 2020), #R-14-20 (adopted March 20, 2020), and #R-15-20 (adopted March 25, 2020), and Glynn County Ordinance 0-2020-2 (adopted March 20, 2020) shall remain in full force and effect and are extended, along with the respective declaration of local state of emergency, orders, directives, contents, and authority contained therein, until April 30, 2020, at 11:59 P.M., unless modified by subsequent order of the Glynn County Board of Commissioners.

Section 9. This Emergency Order and its contents shall become effective immediately and shall remain in effect until April 30, 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 31st day of March 2020, at 10 A.M.

**GLYNN COUNTY BOARD
OF COMMISSIONERS:**



By:


MICHAEL BROWNING, CHAIRMAN

ATTEST:

By: 
DHWANI PATEL, COUNTY CLERK

(SEAL)