

**AN EMERGENCY ORDINANCE**

AN EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT TO AMEND THE CODE OF THE CITY; TO DECLARE A STATE OF EMERGENCY IN THE CITY; TO PROHIBIT GATHERINGS ON PUBLIC PROPERTY OWNED OR CONTROLLED BY THE CITY; TO TEMPORARILY CLOSE CITY HALL TO THE GENERAL PUBLIC; TO AUTHORIZE THE CITY MANAGER TO IDENTIFY DISCRETIONARY SERVICES, IF WARRANTED; TO AUTHORIZE THE EXPENDITURE OF UNBUDGETED FUNDS BY THE CITY MANAGER RELATED TO THE EMERGENCY, AND TO AUTHORIZE THE CITY MANAGER TO ENTER CONTRACTS ON BEHALF OF THE CITY FOR SAID PURPOSE; TO ENCOURAGE ALL CITIZENS AND BUSINESSES TO FOLLOW THE LATEST GUIDANCE FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND GEORGIA DEPARTMENT OF PUBLIC HEALTH; TO REPEAL CONFLICTING ORDINANCES; TO FIX EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF WEST POINT, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

WHEREAS, the President of the United States declared a National Public Health Emergency on Friday, March 13, 2020, and the Governor of the State of Georgia declared a state public health emergency on March 14, 2020; and

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

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has noted that COVID-19 is proliferating through “community spread”, and people have contracted the virus in areas of Georgia, including Troup County, as a result of direct or indirect contact with infected persons; and

WHEREAS, Section 24(b)(8) of the Charter of the City of West Point authorizes the Mayor and Council “to meet a public emergency affecting life, health, property or public peace” through the adoption of one or more emergency ordinances.”

**SECTION 1:**

For the purposes of describing the circumstances which warrant the adoption of an emergency ordinance pursuant to Section 24(b)(8) of the Charter, the Mayor and Council hereby adopt and make the findings included in the “WHEREAS” clauses as findings of fact.

**SECTION 2:**

The Mayor and Council hereby declare a state of emergency in the City of West Point, which, unless sooner repealed by the Mayor and Council, will remain in force for sixty (60) days from the date hereof.

**SECTION 3:**

For the duration of the declared emergency, there shall be no public gatherings of more than ten (10) persons on any property owned or controlled by the City of West Point. To avoid confusion, the following definitions shall apply under this Section: a “public gathering” shall mean the organized gathering or assembly of more than ten (10) persons at a specific location; “property owned or controlled by the City of West Point” shall include any park, public square, public space, playground, cemetery, recreational area, or similar place of public gathering, but nothing herein shall prohibit individuals or families from using sidewalks or designated pedestrian areas of parks for walking or other exercise where no organized gathering is occurring.

**SECTION 4:**

For the duration of the declared emergency, the City Manager shall be vested with the following discretion and authority, to wit:

- (a) To categorize City services as either “required” or “discretionary”, and to periodically review and modify such categories;

(b) To assign specific employees to required or discretionary services, and to periodically review and modify such assignments;

(c) To temporarily suspend the provision of discretionary services and to direct employees who provide discretionary services not to report to work until such time as the service suspension is lifted or until such time as the City Manager redirects the employee to other services;

(d) To provide wages to any employees who are directed not to report to work at the employee's regular rate of pay; and

(e) To contract for and expend non-budgeted sums and services, as may in his discretion be required to meet the demands upon government and services of the City for the duration of the declared emergency, including therein authority to spend such sums from the reserves of the City. Any such non-budgeted expenditures shall be reported to the Mayor and Council.

**SECTION 5:**

Any deadlines for the purchasing or obtaining of business licenses, permits or similar civil approvals mandated by the City Code shall be tolled for the duration of the emergency as established herein, and for 15 days thereafter.

**SECTION 6:**

For the duration of the declared emergency, access to City Hall shall be restricted to employees. The customer service utility payment drop box shall remain open, and citizens are encouraged to work with City staff regarding ongoing issues via telephone and email.

**SECTION 7:**

The Mayor and Council direct all citizens and businesses of the city to review and comply with the latest guidance of the CDC and Georgia Department of Public Health. The City Manager shall undertake such action as he may deem necessary or helpful to provide such information to the public.

**SECTION 8:**

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

READ AND ADOPTED \_\_\_\_\_

ATTEST:

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Steve Tramell, Mayor

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City Clerk

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Joseph R. Downs, III, Councilmember

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Alanteo Hutchinson, Councilmember

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Gerald W. Ledbetter, Councilmember

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Gloria R. Marshall, Councilmember

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Sandra Thornton, Councilmember

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Deedee Williams, Councilmember