

**RESOLUTION DECLARING STATE OF EMERGENCY IN WAYNE COUNTY,  
GEORGIA AND HEREIN ESTABLISHED EMERGENCY PROTECTIVE ORDERS  
TO CONTROL THE SPREAD OF COVID-19.**

**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 State of Emergency in Georgia on March 14, 2020 and urged local officials to do what's in the best interest of their communities to keep people safe and stop the spread of Covid-19; and

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

**WHEREAS**, the Wayne County Emergency Management Ordinance grants to the Chairperson or County Administrator in concurrence with the Wayne County Commissioners separately, or jointly with the mayors of Jesup, Odum and Screven the power to protect the safety, health, and welfare of the public during a declared state of emergency; and,

**WHEREAS**, the Centers for Disease Control and Prevention have recommended that any gathering of over 10 people be discontinued or prohibited; and

**WHEREAS**, preventing and slowing community spread of COVID-19 provides health systems additional time to obtain personal protective equipment necessary to protect health care workers and medical equipment necessary to treat COVID-19, and is therefore vital to the health of the nation; and

**WHEREAS**, the United States Supreme Court has previously held that “[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members”; and

**WHEREAS**, O.C.G.A. § 38-3-28 provides the political subdivisions of this state with the authority to make, amend, and rescind such orders, rules, and regulations as may be necessary for emergency management purposes to supplement rules and regulations promulgated by the Governor during a State of Emergency; and

**WHEREAS**, On March 23, 2020, the Governor of the State of Georgia issued an Executive Order, which grants the Department of Public Health the power to segregate and isolate individuals with certain communicable diseases or conditions when said individuals' exposure to the general population is likely to endanger the health of others.

**NOW THEREFORE, IT IS FURTHER RESOLVED** as follows:

**Section 1:** Because of the proliferation of COVID-19 in the United States and the State of Georgia, the Wayne County Board of Commissioners hereby declare a public health State of Emergency, effective at 12:00 P.M. Wednesday, March 25, 2020, pursuant to Chapter 12 of the Wayne County Code of Ordinances and Chapter 3 of Title 38 of the Official Code of Georgia Annotated.

**Section 2:** All required resources of Wayne County and its municipalities shall be made available to assist in activities designed to address this emergency, control of the spread COVID-19 and aid in recovery efforts.

**Section 3:** The Wayne Emergency Management Agency shall activate the Wayne County Emergency Operations Plan (EOP) in response to this emergency event.

**Section 4:** All indoor and outdoor recreation, fitness and entertainment facilities (including any and all county parks or recreational facilities owned and/or operated by Wayne County are closed immediately and shall remain closed until such time as the State of Emergency has been lifted or amended. During this State of Emergency, Lake Lindsey Grace will be closed to any person that is not a resident of Wayne County and will only be opened to Wayne County residents from the hours of 7:30 AM to 7:30 PM Eastern Standard Time. For the duration of this State of Emergency, fishing shall be the only permissible use of Lake Lindsey Grace. Further, the use of any Jet Ski or Pleasure Craft will be strictly prohibited.

**Section 5:** Any person showing symptoms recognized by the CDC as indicators of COVID-19 shall refrain from entering public buildings, restaurants, shops, public transportation facilities and all other areas where the public ingresses or egresses. Such person should seek medical attention and follow the directions of their Primary Care Physician until given the clearance to return to public interaction.

**Section 6:** For the duration of this declared emergency, the County Administrator shall be vested with the following discretion and authority, subject to the powers and obligations of the Constitutional Officers of Wayne County and/or other Elected Officials, to wit:

- 1) To categorize subject to the approval of any affected Constitutional Officer and/or Elected Official, services provided by Wayne County as either “required” or “discretionary”, and to periodically review and modify such categories.

- 2) To use his discretion to permit employees to telework or to make other arrangements to work outside of their normal work setting.
- 3) To temporarily suspend provisions 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 County Administrator redirects the employee to other services.
- 4) To contract for and expend non-budgeted sums and services consistent with the Emergency Management Ordinances of Wayne County, as may in his or her discretion be required to meet the demands upon government and services of Wayne County for the duration of the declared emergency. Any such non-budgeted items shall be reported to the governing authority of Wayne County within 90 days of the end of this declared emergency.

**Section 7:** During the duration of the declared State of Emergency and consistent with the Governor's Executive Order, all businesses, establishments, corporations, non-profit corporations or other organizations shall allow no more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person.

**Section 8:** Restaurants and other eating and dining establishments where food is served must cease offering dine-in services but may continue preparing and offering food to customers via delivery, drive-through or take-out services. At all times, patrons, employees and contractors of the establishments must maintain at least six (6) feet of personal distance between themselves as much as possible given the physical constraints of the premises. Any other businesses which remain open during the State of Emergency must undertake measures to ensure that consumers maintain at least six (6) feet of personal distance between themselves and others as much as is possible given the physical constraints of the premises.

**Section 9:** Pursuant to and consistent with O.C.G.A. §38-3-50, elected officials shall declare an Emergency Interim Successor for their offices, so that Wayne County services may be continued in the event such elected official is unable to perform his or her duties during this State of Emergency. Such Emergency Interim Successor shall be compensated as outlined in O.C.G.A. §38-3-50.

**Section 10:** For the duration of this declared State of Emergency and for the purpose of a clear succession plan, the Wayne County Board of Commissioners resolve to appoint an Emergency Interim County Administrator. In the event the Current County Administrator, at his or the Wayne County Board of Commissioner's discretion, is unable to perform his duties as detailed in the Wayne County Code of Ordinances, the Wayne County Board of Commissioners name and appoint Richard Johnson as the Emergency Interim County Administrator. In the performance of these duties, the Emergency Interim County Administrator shall be given all the rights, privileges, responsibilities and shall perform assume all of the duties as detailed in the Wayne County Code of Ordinances.

**Section 11:** Consistent with the Governor’s Executive Order, the Department of Public Health shall order certain persons within the State of Georgia who have serious underlying conditions likely to cause an increased spread of COVID-19, if such persons were to become infected, to isolate quarantine, or shelter in place within their homes or place of residence. This order by the Department of Public Health shall include the following populations within the State:

- (1) Those persons who live in a nursing home or long-term care facility;
- (2) Those persons who have chronic lung disease;
- (3) Those persons who are currently undergoing cancer treatment; and
- (4) Those persons included in Department of Public Health Administrative Order 03.22.20.01.

**Section 12:** At this time, the offices of the Wayne County Government will remain open and operational, however, to limit the possible spread of COVID-19, every public access to the Wayne County Government offices will be locked and will only be unlocked by prior scheduled appointment or at the discretion of the Department Head/Constitutional Officer of each individual department. To the extent possible, citizens are encouraged to utilize the services of the Wayne County Government online. This Order shall have no effect on the operations of the Wayne County Courthouse or the Wayne County Jail.

**Section 13:** Wayne County Transit remains operational throughout Wayne County at this time. Citizens are encouraged to use Wayne County Transit only when necessary to travel to and from work, shopping for essential items at such places as grocery stores or pharmacies and for any non-emergent medical needs. However, Wayne County reserves the right, for the health, safety, in the best interest of all the citizens of Wayne County and consistent with the Governor’s Executive Order to encourage more extensive sanitation efforts, to refuse services based on the patron’s medical symptoms as determined by the Wayne County Transit service provider.

**Section 14:** Services, Facilities, Employers, Employees or others that are deemed to provide “Essential Services” by the State of Georgia shall not be affected, now or in the future, by any term or partial term of this Resolution and no term or partial term of this Resolution shall be read or deemed to be in conflict with the Executive Order as issued by the Governor of the State of Georgia on March 23, 2020.

Persons or otherwise deemed to be providing “Essential Services” are encouraged to undertake measures to ensure that consumers and/or employees maintain at least six (6) feet of personal distance between themselves and others as much as is possible given the physical constraints of the premises.

**Section 15:** If any term or partial term of this Resolution is found to be invalid or unenforceable under any state law, regulation or in conflict with any new or existing Order of the Governor of the State of Georgia, by virtue of such State of Emergency or otherwise, such term or partial term will be deemed deleted and the remaining terms or partial term will remain in full force and effect.

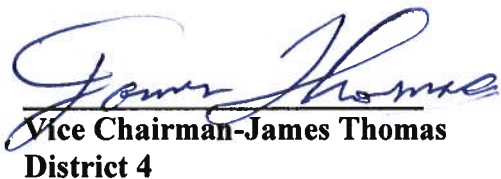
**Section 16:** All ordinances or parts thereof or policies in conflict with the provisions of this Resolution are hereby suspended during the effective dates of this Resolution (or any extension thereof) and the terms and provisions of the Resolution shall prevail.

**Section 17:** Enforcement for the violation of this Resolution is outlined in Chapter 12, Section 2 of the Wayne County Emergency Management Ordinance and as granted to the Department of Public Health through Executive Order of Governor Brian Kemp dated March 23, 2020.

It is further ordered that this Resolution shall become effective at 12:00 P.M. on Wednesday, March 25, 2020 and expires at 12:00 P.M. on Monday April 6, 2020, or shall terminate in conjunction with the termination of the Governor's State of Emergency, if earlier.

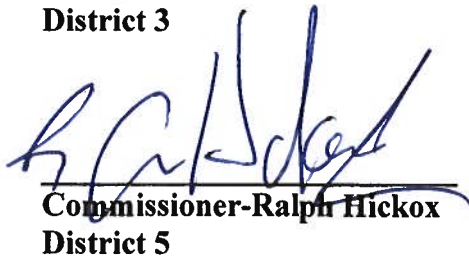
**SO RESOLVED**, this 24th day of March, 2020.

  
Chairman-Herschel Hires  
District 1

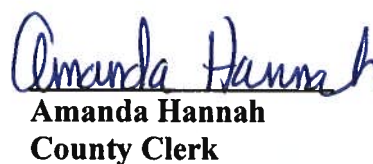
  
Vice Chairman-James Thomas  
District 4

  
Commissioner-Kevin McCrary  
District 2

  
Commissioner-Mike Roberts  
District 3

  
Commissioner-Ralph Hickox  
District 5

**ATTEST:**

  
Amanda Hannah  
County Clerk