

CITY OF DECATUR, GEORGIA

PUBLIC HEALTH EMERGENCY ORDER NO. 1

PROVIDING FOR THE TEMPORARY CLOSING OF RESTAURANTS FOR IN-PERSON DINING, PROHIBITING GATHERINGS OF MORE THAN 50 PERSONS, AND RELATED MATTERS.

WHEREAS, pursuant to Resolution R-20-06, adopted March 16, 2020, the City Commission of the City of Decatur determined that there is a public health emergency within the City of Decatur due to the rapid spread of COVID-19 in the United States, the State of Georgia and DeKalb County; and

WHEREAS, Resolution R-20-06 authorized the Mayor to exercise any and all powers enumerated in City Code Section 30-35 that she deems necessary and expedient in light of the emergency circumstances present, keeping the City Commission apprised of any and all actions taken; and

WHEREAS, the undersigned has been participating in multiple conference calls with national, state, regional, county and local government officials in order to continue monitoring the situation and determining steps necessary to combat the spread of COVID-19 in the City of Decatur; and

WHEREAS, expert guidance indicates that restaurants, where groups of people congregate, should be closed to in-person dining; for example, the “President’s Coronavirus Guidelines for America” direct that, in states with evidence of community transmission, restaurants should be closed; and

WHEREAS, several City of Decatur restaurants have already voluntarily transitioned to a take-out and/or delivery model, closing their in-person dining facilities in order to reduce community transmission; and

WHEREAS, the thriving and renowned Decatur restaurant scene is an integral part of the City of Decatur community and individual restaurants are already experiencing and will continue to experience severe revenue loss, which the City is working in various ways to mitigate, including the below-described temporary relaxation of alcoholic beverage regulation; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that large gatherings of people should be discontinued in order to slow the spread of the virus; and

WHEREAS, between March 16 and today, the number of cases of COVID-19 that have been officially reported in DeKalb County has more than doubled, and there are now reports of multiple cases in the City of Decatur.

NOW, THEREFORE, I, Patti Garrett, Mayor of the City of Decatur, in order to protect the health, prosperity, comfort, safety, security, good order and welfare of the City and its residents and to promote and secure the safety, protection and well-being of the inhabitants of the County and of the City of Decatur, hereby order and direct the following:

1.

Prohibition of On-Premises Dining and Consumption

Until the expiration of this order, all restaurants (as that term is defined in Section 54-31 of the City Code of Ordinances), but not including health care facilities (as that term is defined in Section 54-31), are prohibited from providing on-premises (i.e., in-person) dining, on-premises consumption of alcohol and on-premises entertainment.

2.

Exception for Take-Out and Delivery.

Between the hours of 7:00 a.m. and 9:00 p.m., restaurants and other businesses currently licensed to sell food in the City of Decatur may offer prepared meals and other food for take-out and/or delivery for consumption off-premises. Such establishments shall establish systems that restrict in-person contact as much as possible; this shall include specifically that no more than one (1) person at a time may enter the establishment to pick up food (with the exception of parents or guardians needing to be accompanied into the restaurant by their minor child or children).

3.

Temporary Sale of Alcoholic Beverages by Restaurants
for Off-Premises Consumption

Subject to the requirements of State law, a restaurant that holds a current license issued by the City of Decatur to sell beer, wine, malt beverages and/or distilled spirits for on-premises consumption under Section 6-51 and/or Section 6-111, may temporarily, during the effective period of this emergency order, sell such alcoholic beverages for off-premises consumption, but only between the hours of 7:00 a.m. and 9:00 p.m. Any such alcoholic beverages shall be sold in a sealed bottle or other sealed container.

4.

Prohibition of Assemblages, Events and Gatherings of 50 or More Persons

Until the expiration of this order, all public or private assemblages, events and gatherings of 50 persons or more are prohibited within the incorporated limits of the City of Decatur. This includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences and other gatherings. Exceptions apply to critical facilities as may be determined by the City but critical facilities explicitly include government facilities providing essential services, grocery stores and pharmacies, hospitals and medical offices and facilities.

5.

Time Period

This Order shall become effective immediately and shall expire at 11:59 p.m. on April 16, 2020, unless extended further or rescinded earlier.

6.

No Rights Created

This Public Health Emergency Order is issued for the purpose of protecting the health, prosperity, comfort, safety, security, good order and welfare of the City and its residents and to promote and secure the safety, protection and well-being of the inhabitants of the County and of the City of Decatur, and is not intended to create any substantive or procedural right or benefit for any person, as that term is defined in City Code Section 1-2, specifically including any person that holds an alcoholic beverage license issued by the City of Decatur.

SO ORDERED this 19th day of March, 2020 at 3:00 p.m.

Patricia M. Barnett

Mayor
City of Decatur

Attest:

mRoark

City Clerk

