

FORSYTH COUNTY CHAIR DECLARATION OF LOCAL EMERGENCY

WHEREAS, on March 11, 2020, the World Health Organization announced that the coronavirus disease 19 (“COVID-19”) outbreak can be characterized as a pandemic, as the rates of infection continue to rise in many locations around the world and across the United States;

WHEREAS, the COVID-19 is a public health emergency affecting and threatening life, health, property, and public peace; and,

WHEREAS, on March 13, 2020, the President Donald Trump declared a national emergency due to COVID-19;

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a statewide emergency in Georgia, describing COVID-19, and the corresponding pandemic, as a public health emergency;

WHEREAS, in the judgment of the Chair of the Forsyth County Board of Commissioners, with advice from the Forsyth County Emergency Management Agency, there exist emergency circumstances located in the entirety of the jurisdictional boundary of Forsyth County, Georgia requiring extraordinary and immediate corrective actions for the protection of the health, safety, and welfare of the citizens of Forsyth County; and

WHEREAS, to prevent or minimize injury to people and damage to property resulting from this event, certain actions are required.

NOW, THEREFORE, pursuant to the authority vested in me by Forsyth County’s Civil Emergency Ordinance (Chapter 26 of the Forsyth County Code) (the “Ordinance”) and state law;

IT IS HEREBY DECLARED that a local state of emergency exists in Forsyth County and shall continue until the conditions requiring this declaration are abated.

THEREFORE, IT IS ORDERED:

1. That the Local Emergency hereby declared shall remain in effect until (a) the expiration of thirty (30) days, (b) earlier rescission by the Chair, (c) earlier rescission by the Board of Commissioners, or (e) extension by a subsequent or amended Declaration.
2. The following restrictions and/or powers authorized by the Ordinance are hereby instituted:
 - a. **Emergency Operations Plan.** The County’s Emergency Operations Plan is hereby activated.
 - b. **Overcharging prohibited.** In order to preserve, protect, and sustain the life, health, welfare, and safety of persons and their property during emergency or disaster situations and subsequent recovery periods, it shall be unlawful during

the duration of a state of emergency, as defined in O.C.G.A. § 38-3-3(7), or upon the determination by the chair of the county board of commissioners of the existence of an emergency or disaster, or subsequent recovery period, for any person, firm, or corporation located or doing business in Forsyth County to overcharge for housing or for any of the following goods, materials, or services sold within the unincorporated areas of the county; food and nonalcoholic beverage items; nonprescription and prescription drugs; personal and residential hygiene items, including but not limited to soap, toothpaste, toothbrushes, shampoo, dish soap, laundry detergent, and deodorant; first aid items including but not limited to bandages and disinfectants; clothing; corrective eye-ware; hearing aids; necessary items for disabled persons; office supplies; tools and building materials; gasoline; building construction, renovation and repair services; automobile repair services; automotive towing services; engineering services; accounting services; legal services; and medical services.

c. Additional Emergency Powers that may be utilized by the Chair on an as-needed basis.

- i. To direct and compel the evacuation of all or part of the population from any stricken or threatened area, for the preservation of life or other disaster mitigation, response or recovery;
- ii. To prescribe routes, modes of transportation and destinations in connection with evacuation;
- iii. To make provision for the availability and use of temporary emergency housing, emergency shelters and/or emergency medical shelters;
- iv. To transfer the direction, personnel or functions of any county departments for the purpose of performing or facilitating emergency services;
- v. To utilize all available resources of the county and subordinate agencies over which the county has budgetary control as reasonably necessary to cope with the emergency or disaster;
- vi. To utilize public property when necessary to cope with the emergency or disaster or when there is compelling necessity for the protection of lives, health, and welfare, and/or the property of citizens;
- vii. To suspend any ordinance, resolution, order, rules or regulation prescribing the procedures for conduct of county business, or the orders, rules or regulations of any county department, if strict compliance with any ordinance, resolution, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency or disaster, provided that such suspension shall provide for the minimum deviation from the requirements under the circumstances and

further provided that, when practicable, specialists shall be assigned to avoid adverse effects resulting from such suspension;

- viii. To provide benefits to citizens upon execution of an intergovernmental agreement for grants to meet disaster-related necessary expenses or serious needs of individuals or families adversely affected by an emergency or disaster in cases where the individuals or families are unable to meet the expenses or needs from other means, provided that such grants are authorized only when matching state or federal funds are available for such purposes;
 - ix. To perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population, including individuals with household pets and service animals prior to, during, and following a major disaster or emergency.
3. Any instances of overcharging, as prohibited in 2(b) and as defined in the Ordinance, shall, upon conviction, be punishable by a fine of up to \$1,000 per violation or imprisonment not to exceed 60 days.
 4. The powers in Section 2(c) of this Declaration shall be instituted by the Chair, if needed, based upon input from Forsyth County Emergency Management personnel and senior Forsyth County Management.
 5. As the COVID-19 pandemic continues to unfold, the Chair reserves the right to institute additional powers conferred by the Ordinance, should such become necessary.
 6. This Declaration shall expire by operation of law on April 17, 2020, but may be extended or earlier terminated.
 7. A copy of this Declaration shall be filed in the office of the County Clerk.

SO DECLARED, this 18th day of March, 2020.



Chair, Forsyth County Board of Commissioners

Clerk Seal