

RESOLUTION NO. 2020-__

A RESOLUTION BY THE CITY OF PINE LAKE TO CLOSE PUBLIC FACILITIES THAT ENCOURAGE CONGREGATING AND POSE A BURDEN TO PUBLIC HEALTH, PUBLIC SAFETY AND FINANCIAL RESOURCES.

WHEREAS, due to the spread of the Novel Coronavirus Disease 2019 (COVID-19), the President of the United States declared a National Public Health Emergency on March 13, 2020, the Governor of the State of Georgia declared a State of Emergency in Georgia on March 14, 2020, and the Chief Executive Officer of DeKalb County issued an executive order on March 23, 2020 declaring a public health emergency exists within DeKalb County; and

WHEREAS, the City of Pine Lake declared a State of Emergency due to COVID-19 on March 24, 2020 and in April extended the declaration through May; and

WHEREAS, the Governor of the State of Georgia issued Executive Orders on April 23 and May 12, 2020 providing guidance to reviving a healthy Georgia and issued an Executive Order on April 30, 2020 renewing the public health state of emergency; and

WHEREAS, Governor Kemp's Executive Orders require all residents of and visitors to Georgia to practice social distancing, refrain from gathering and adhere to sanitary practices in accordance with guidelines from the Centers for Disease Control (CDC); and

WHEREAS, the Charter for the City of Pine Lake provides the City with powers to prohibit any practice or use of property that is detrimental to the health of the inhabitants of the City and enforce such standards, and to exercise all powers necessary or desirable to protect the health and general welfare of the inhabitants of the City; and

WHEREAS, according to information from the Georgia Department of Public Health, there have been over 38,000 confirmed cases of COVID-19 in Georgia, including 2856 cases in DeKalb County; and

WHEREAS, the CDC has recommended that public gatherings be limited in order to mitigate the spread of the virus and to protect vulnerable members of the community including those who are elderly or immune compromised; and

WHEREAS, the Georgia Department of Natural Resources has made available parks, trails and certain other facilities for socially-distanced public use but has closed all playgrounds and swimming pools at state parks through the entire Summer 2020 season; and

WHEREAS, for the City's beach to be open for regular public use, including recreation on the beach and in the water, the city must require city employees, contractors or volunteers to patrol the beach to enforce social distancing so as to prohibit congregating between non-cohabiting patrons and to ensure that unsanitary conditions are corrected;

WHEREAS, the City is not willing to require such service of employees, contractors or volunteers while there is continuing community transmission of the virus; and

WHEREAS, for the beach to be open for regular public use, the City must provide restroom facilities which are regularly cleaned and sanitized based on frequency of use and ensure an adequate supply of hand sanitizer and the cost of such is a burden to the City;

NOW THEREFORE, BE IT RESOLVED by the City of Pine Lake as follows:

Section 1. The Mayor and Council adopt and make the findings in the “Whereas” paragraphs the factual findings of the Mayor and Council.

Section 2. The Mayor and Council hereby declare the playground, the beach, the lake, the Beach House, and the Club House are closed to the public until further notice. Individuals may still use public paths, trails, greenspaces and tennis courts for exercise so long as they observe appropriate social distancing and do not congregate with non-cohabiting persons.

Section 3. To discourage congregating and provide distance between cars, the Mayor and Council direct staff to reduce the number of parking spaces at the beach by at least twelve.

Section 4. To reduce community transmission of COVID-19, the Mayor and Council encourage inhabitants to shelter in place as much as possible, to abide by a voluntary curfew beginning at 9:00 p.m. each night and ending at 6:00 a.m. the next morning, and to wear appropriate coverings for the face and nose, in accordance with CDC guidelines, when within six feet of non-cohabiting persons.

Section 4. All public City meetings through August 31, 2020 will be conducted by teleconference in accordance with O.C.G.A. § 50-14-1(g) without the requirement of a quorum being present in person so long as the public is afforded simultaneous access to the teleconference meeting. Such regular meetings of the Mayor and Council will be held each Tuesday night at 7:00 p.m.

Section 5. The various clauses and subsections of this resolution are intended to be severable. Should any of the provisions of this ordinance be deemed invalid by a court of competent jurisdiction, it is the intent of the City Council that the remaining provisions remain in full force and effect.

Section 6. This resolution shall become effective upon its approval by the City Council and signature by the Mayor.

ADOPTED this _____ day of May, 2020.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

Valerie Caldwell , City Clerk
(SEAL)

Approved as to Form:

Susan J. Moore, City Attorney