

**EMERGENCY ADMINISTRATIVE ORDER**

**WHEREAS**, on March 14, 2020, Governor Brian Kemp issued Executive Order 03.14.20.01 which declared a public health emergency;

**WHEREAS**, on March 16, 2020, the Georgia General Assembly entered a 2020 Special Session to adopt House Resolution 4EX, ratifying Governor Brain Kemp's public health emergency declaration;

**WHEREAS**, Medical professionals advised that if COVID-19 continues to spread in Georgia at a rate of spread in other affected areas, it may greatly strain the resources and capabilities of county, state and federal governments to include public health agencies;

**WHEREAS**, a critical component of the public response to the COVID-19 pandemic is to practice "social distancing" by minimizing contact between people in different households as much as possible;

**WHEREAS**, The Code of Ordinances of Towns County Georgia Chapter 12 Section 102 provides for a state of emergency to wit:

*State of emergency. The term "state of emergency" is defined, pursuant to O.C.G.A. § 38-3-3(5), as a condition declared by the governor when, in his judgment, the threat or actual occurrence of a disaster or emergency is of sufficient severity and magnitude as to warrant extraordinary efforts in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby.*

**WHEREAS**, The Code of Ordinances of Towns County Georgia Chapter 14 Section 26 provides for emergency powers which may be exercised to wit:

*In the event of manmade or natural disaster, actual enemy attack upon the United States, or any other emergency which may affect the lives and property of the citizens of the county, the county commissioner, jointly with the mayor of the cities of Hiawassee and Young Harris, or in their absence a legally appointed successor, may declare that a state of emergency exists and thereafter shall have and may exercise for such period as such state of emergency exists or continues, the following emergency powers to:  
(paragraph 4) Perform and exercise such other functions and duties, and take such emergency actions as may be necessary to promote and secure the safety, protection and well-being of the inhabitants of the county.*

**NOW, THEREFORE IT IS ORDERED:**

1.

Towns County Georgia is declared to be under a state of emergency which shall continue until April 6, 2020 unless modified or rescinded by subsequent order.

2.

During this state of emergency, the following business categories, within the unincorporated areas of Towns County, Georgia, will be regulated as follows:

- A. Restaurants shall close to the public except to provide drive through, delivery or curbside services. Restaurants which are licensed for sale of beer and/or wine by the drink for consumption on the premises may sell beer and/or wine in sealed containers by the package without obtaining any additional license. However, the sale of beer and/or wine must be incidental to the sale of food and cannot be sold separately. Cafeterias in hospitals, nursing homes or similar facilities shall not be subject to this restriction.
- B. All establishments providing body care services which require physical contact between the provider and client, including but not limited to, barbering, hair design, cosmetology, massage therapy, tattooing, body waxing, tanning salons or nail care shall be closed for business. This paragraph shall not restrict any services performed by or under the direct supervision of a licensed medical doctor, nurse, dentist, physical therapist, chiropractor or other healthcare professional.

3.

Pursuant to the Code of Ordinances of Towns County Georgia, violation of any provision of this Order, upon conviction, shall be punishable the same as a county ordinance violation by a fine not to exceed one thousand dollars (\$1,000.00) per violation and/or imprisonment not to exceed sixty (60) days. Each day a business operates without complying with this Order shall constitute a separate offense.

4.

Nothing in this order shall be construed as creating any right or benefit, substantive or procedural, enforceable at law in equity by any party against Towns County, Georgia, its departments, agencies, entities, its officers, employees, or agents or any other person.

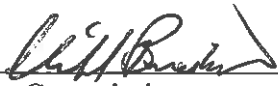
5.

This Order shall become effective on 12:00 P.M. March 26, 2020 and shall remain in effect through and including 11:59 P.M. on April 6, 2020, unless modified by subsequent order.

Adopted on March 24, 2020.

TOWNS COUNTY, GEORGIA

(SEAL)

By:   
Sole Commissioner

ATTEST:

By:   
Clerk