

RESOLUTION NO. 2020 - 142

A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY EMERGENCY ACTION DURING THE COVID-19 DECLARED STATE OF EMERGENCY; RATIFYING SUCH EMERGENCY ACTIONS TAKEN FOR THE PERIOD OF MARCH 1, 2020 THROUGH JULY 31, 2020; AUTORIZING ADDITIONAL EMERGENCY ACTIONS, AS MAY BE REQUIRED; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the World Health Organization declared that Coronavirus (COVID-19) was a world health emergency and a global pandemic, the National Public Health Emergency for the United States was declared on March 13, 2020, and the State Public Health Emergency in Georgia was declared initially on March 14, 2020 with subsequent extension(s); and

WHEREAS, the Center for Disease Control (CDC) and Georgia Department of Public Health issued guidance on the emerging and rapidly evolving spread of the COVID-19 pandemic, including how to protect oneself from illness, including measures such as social distancing, closure of business and shelter in place restrictions; 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, the City of Powder Springs (“the City”), its citizens and businesses have been adversely impacted by COVID-19 state of emergency actions to protect public health; and

WHEREAS, on March 16, 2020, the Mayor declared a local continuing state of emergency due to the COVID-19 pandemic that activated emergency powers contained in Code Section 19-2 through Sections 19-7; and

WHEREAS, the City enacted Code Section 19-4 that expressly authorizes the City to temporarily suspend enforcement of ordinances of the City, or any portion thereof, where a state of emergency is of such a nature that immediate action outside the code is required, and where such suspension is consistent with the protection of public health, safety and welfare, and such suspension is not inconsistent with any federal or state statutes or regulations; and

WHEREAS, the City determined that the declared state of emergency required immediate action to suspend certain ordinances and resolutions of the City for the protection of public health, safety and welfare of its citizens and such suspension was not inconsistent with any federal or state statutes or regulations; and

WHEREAS, effective March 1, 2020 through and including July 31, 2020, the City did suspend the accrual of penalties and interest for property taxes, business licenses, sanitation services, stormwater assessments, outstanding water account balances and for all other City account receivables; and

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WHEREAS, the intent of the suspension was to ensure that the maximum number of people self-isolate in their places of residence to the extent feasible and businesses follow health guidelines to close and limit commerce, while enabling essential services to continue, in order to slow the spread of COVID-19 to the maximum extent possible based on evidence of increasing occurrence of COVID-19 within the City and throughout the State of Georgia; and

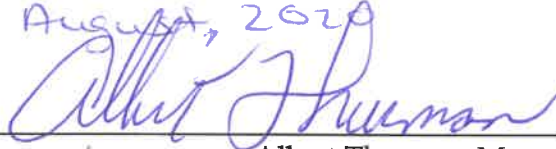
WHEREAS, the City Council now desires to ratify all actions taken by the City to suspend such collections for the period of March 1, 2020 through and including July 31, 2020; and

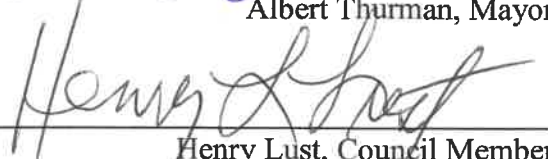
WHEREAS, the City recognizes the ongoing nature of the COVID-19 pandemic and its impact on the City and the possible need for additional emergency action to be taken by the City in the coming months of the declared state of emergency; and

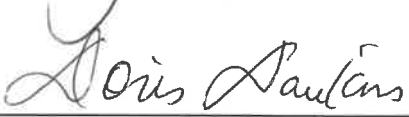
WHEREAS, the City Council desires to authorize the City Manager to take all necessary emergency actions and to seek ratification by the Mayor and Council of such emergency actions, as necessary.

NOW THEREFORE, BE IT HEREBY RESOLVED, the Mayor and Council hereby (i) ratifies, approves and authorizes all actions taken by the City to suspend such collections outlined hereinabove for the period of March 1, 2020 through and including July 31, 2020, (ii) authorizes the City Manager, after consultation with the Mayor and Council, to take all necessary emergency actions during the declared state of emergency and to seek ratification of the same, as necessary, (iii) authorizes the City Manager to take all necessary steps to effectuate such emergency actions. This Resolution shall be effective upon adoption.

SO RESOLVED this 17th day of August, 2020


Albert Thurman, Mayor


Henry Lust, Council Member


Doris Dawkins, Council Member


Thelma C Farmer, Council Member

[additional signatures follow]

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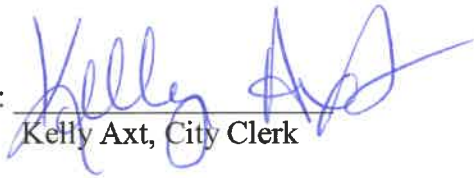


Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

ATTEST:



Kelly Axt, City Clerk