

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**AN EMERGENCY RESOLUTION ENCOURAGING LANDLORDS, MORTGAGE COMPANIES, THE GOVERNOR, U.S. PRESIDENT AND U.S. CONGRESS TO IMPLEMENT PRACTICES AND PROGRAMS TO HELP PROTECT THE PUBLIC FROM THE HOUSING HARDSHIPS CAUSED BY THE COVID-19 PANDEMIC AND FOR OTHER LAWFUL PURPOSES**

**(Sponsored by Councilmembers khalid and Reeves)**

**WHEREAS**, the City of South Fulton (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the duly elected governing authority of the City is the Mayor and Council thereof (“City Council”);

**WHEREAS**, the City is authorized pursuant to the Georgia Constitution, O.C.G.A. §38-3-28, and the City Charter Section 1.12(b)(8) to impose necessary rules and regulations for emergency management purposes and to preserve the health, safety and welfare of the residents of the City;

**WHEREAS**, the City and governments across the world are currently responding in an emergency capacity to an outbreak of respiratory disease caused by a novel coronavirus (“COVID-19”); and

**WHEREAS**, the City desires to further safeguard and promote the public health, safety, and general welfare of all citizens through the adoption of this Resolution.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY RESOLVES** as follows:

**Section 1:** The City Council hereby encourages all landlords within the City to implement the following for the duration of the COVID-19 pandemic:

- A. Freeze rents on all residents & pledge to not issue any rent increases;
- B. Halt evictions on renters, absent extraordinary circumstances;
- C. Waive late fees for residents who pay late rent due to being impacted by the COVID-19 pandemic;

- D. Offer flexible payment plans for residents who cannot pay rent by the due date;
- E. Communicate with residents proactively that you are available to assist them and want to work with them to ensure they remain housed; and
- F. When necessary and possible, offer discounted rental rates or waive rent.

**Section 2.** The City Council hereby encourages all mortgage and lien holders of residential, commercial, and personal property within the City to implement the following throughout the duration of the COVID-19 pandemic:

- A. Halt foreclosures and repossessions of property, absent extraordinary circumstances;
- B. Waive late fees for property owners who make payment after the due date because they have been affected by the COVID-19 pandemic and related government actions;
- C. Offer flexible payment plans for property owners who cannot pay by the due date;
- D. Offer to freeze interest accrual when necessary; and
- E. Communicate with property owners proactively that you are available to assist them and want to work with them to ensure they remain housed.

**Section 3.** The City Council hereby encourages Governor Kemp:

- A. To use emergency powers to impose an immediate moratorium on residential and commercial rent payments, such that no citizen of City of South Fulton should be required to pay rent during this health emergency or accumulate debt for unpaid rent; and
- B. To call on federal legislators and President Trump's administration to impose an immediate moratorium on residential and commercial mortgage payments, such that no owner of City property should be required to pay mortgage payments during this health emergency or accumulate additional debt for unpaid mortgage payments.

**Section 4.** The City Council encourages the members of the United States Congress, specifically Representatives Jody Hice, Doug Collins, and Financial Services Committee Chair Maxine Waters, and Senators David Perdue and Kelly Loeffler, to impose an immediate moratorium on residential and commercial mortgage payments and rents, such that no owner of property in the nation should be required to pay mortgage during this health emergency or accumulate additional debt for unpaid

mortgage payments, and no renter in the nation should be required to pay rent during this health emergency or accumulate debt for unpaid rent.

**Section 5.** The City Council encourages President Trump to issue an executive order to impose an immediate moratorium on residential and commercial mortgage payments and rents, such that no owner of property in the nation should be required to pay mortgage during this health emergency or accumulate additional debt for unpaid mortgage payments, and no renter in the nation should be required to pay rent during this health emergency or accumulate debt for unpaid rent.

**Section 6.** The City Council hereby directs the City Manager to cause for this Resolution to be posted on the City Website and circulated on the City social media pages and the City Clerk to email copies of this resolution, upon adoption, to Governor Brian Kemp, United States Representatives Jody Hice, Doug Collins, and Maxine Waters, United States Senators David Perdue and Kelly Loeffler and President Donald Trump.

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**Section 7.** It is hereby declared to be the intention of the City Council that: (a) All sections, paragraphs, sentences, clauses and phrases of this Resolution are or were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

(b) To the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause or phrase of this Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Resolution.

**Section 8.** The city attorney and city clerk are authorized to make non-substantive editing and renumbering revisions to this Resolution for proofing, codification, and supplementation purposes. The final version of all resolutions shall be filed with the city clerk.

**Section 9.** The effective date of this Resolution shall be the date of adoption, unless provided otherwise by the City Charter or state and/or federal law.

THIS RESOLUTION adopted this 28<sup>th</sup> day of April 2020.

**CITY OF SOUTH FULTON, GEORGIA**

\_\_\_\_\_  
WILLIAM "BILL" EDWARDS, MAYOR

ATTEST:

\_\_\_\_\_  
S. DIANE WHITE, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
EMILIA C. WALKER, CITY ATTORNEY

The foregoing RESOLUTION No. 2020-\_\_\_\_\_, adopted on \_\_\_\_\_ was offered by Councilmember \_\_\_\_\_, who moved its approval. The motion was seconded by Councilmember \_\_\_\_\_, and being put to a vote, the result was as follows:

	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Carmalitha Gumbs, Mayor Pro Tem	_____	_____
Catherine Foster Rowell	_____	_____
Helen Zenobia Willis	_____	_____
Gertrude Naeema Gilyard	_____	_____
Corey Reeves	_____	_____
khalid kamau	_____	_____
Mark Baker	_____	_____