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6 **A RESOLUTION DECLARING A STATE OF EMERGENCY WITHIN THE CITY,**  
7 **PROHIBITING GATHERINGS IN EXCESS OF TEN PERSONS, SETTING A NON-**  
8 **ESSENTIAL ACTIVITY CURFEW AND FOR OTHER LAWFUL PURPOSES**

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10 **(As Sponsored and Requested by Mayor Edwards)**

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

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

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18 **WHEREAS**, the World Health Organization (“WHO”) has declared the COVID-19  
19 Virus, commonly referred to as the Coronavirus, a global pandemic;

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21 **WHEREAS**, local government and for-profit institutions, including schools, airlines,  
22 sports leagues and others, have begun closing facilities and cancelling or limiting  
23 scheduled events to prevent the further spread of COVID-19;

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25 **WHEREAS**, the City is authorized pursuant to Section 1.12(b)(8) of the City  
26 Charter to “establish procedures for determining and proclaiming that an emergency  
27 situation exists inside or outside the City and to make and carry out all reasonable  
28 provisions deemed necessary to deal with or meet such an emergency for the protection,  
29 safety, health, or well-being of the citizens of the City”;

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31 **WHEREAS**, the City Council desires through this Resolution to make and carry  
32 out reasonable provisions deemed necessary to deal with the Coronavirus epidemic for  
the protection, safety, health, or well-being of the citizens of the City; and

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34 **WHEREAS**, this Resolution is in the best interests of the health and general  
welfare of the City, its residents and general public.

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36 **THE MAYOR AND COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA,**  
37 **HEREBY RESOLVES** as follows:

38 **Section 1.**  
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40 a. **Declaration of Emergency.** As of March 17, 2020, the City Council hereby  
41 declares that a state of emergency exists with respect to the Coronavirus  
42 epidemic.

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44 b. **Prohibition of Large Public Gatherings:** All public assemblages, events and  
45 gatherings of ten (10) or more persons are hereby prohibited within the City,  
46 until further notice from the City.

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48 c. **Curfew.** The City hereby restricts public travel within the City within the hours  
49 of 9p.m. from 7a.m., with exceptions for such things as people going to and  
50 from medical facilities/work, responding to emergencies, emergency and  
51 public safety personnel, essential City Personnel, people traveling through the  
52 City to a destination outside the City and/or making deliveries within the City.

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54 d. **Non-essential Activity.** All businesses within the City, with the exception of  
55 medical and pharmaceutical establishments, are hereby ordered to close in-  
56 door access to the general public daily by 9pm.

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58 e. **City Meetings.** All City Meetings, including City boards, agencies and  
59 commissions, with the exception of emergency City Council meetings, are  
60 hereby cancelled through the duration of this Resolution.

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62 f. **Effective Date.** This Resolution shall become effective upon its adoption on  
63 March 17, 2020 and shall remain in effect until further notice from the City.  
64 This Resolution is not intended to, and does not, create any right or benefit,  
65 substantive or procedural, enforceable at law or in equity by any party against  
66 the City and/or the City's departments, agencies, entities, officers, employees,  
67 contractors, agents and/or representatives.

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71 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All  
72 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,  
73 upon their enactment, believed by the City Council to be fully valid, enforceable and  
74 constitutional.

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

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

88 **Section 3.** The city attorney and city clerk are authorized to make non-substantive  
89 editing and renumbering revisions to this Resolution for proofing, codification, and  
90 supplementation purposes. The final version of all resolutions shall be filed with the city  
91 clerk.

92 **Section 4.** The effective date of this Resolution shall be the date of adoption, unless  
93 provided otherwise by the City Charter or state and/or federal law.

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95 THIS RESOLUTION adopted this 17<sup>th</sup> day of Mar 2020.

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98 **CITY OF SOUTH FULTON, GEORGIA**

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

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105  
106 ATTEST:

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108   
109 \_\_\_\_\_  
110 S. DIANE WHITE, CITY CLERK

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112 APPROVED AS TO FORM:

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114 \_\_\_\_\_  
115 EMILIA C. WALKER, CITY ATTORNEY  
116  
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116 The foregoing RESOLUTION No. 2020-008, adopted on March 17, 2020 was offered  
117 by Councilmember khalid, who moved its approval. The motion was seconded by  
118 Councilmember Reeves, and being put to a vote, the result was as follows:  
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	AYE	NAY
William "Bill" Edwards, Mayor	_____	_____
Carmalitha Gumbs, Mayor Pro Tem	_____X_____	_____
Catherine Foster Rowell	_____X_____	_____
Helen Zenobia Willis	_____X_____	_____
Gertrude Naeema Gilyard	_____X_____	_____
Corey Reeves	_____X_____	_____
khalid kamau	_____X_____	_____
Mark Baker	_____	_____X_____