



City Council Meeting MARCH 16, 2020

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
10:00 AM

- I. CALL TO ORDER
- II. ROLL CALL
- III. NEW BUSINESS
 - A. Emergency Ordinance
- IV. PUBLIC COMMENT
- V. REPORTS
- VI. ADJOURNMENT



City Council Meeting STAFF REPORT

Submitting Department: City Clerk

Submitted By: Sam Thomas

Sponsored By:

Meeting Date: March 16, 2020

I. AGENDA ITEM TITLE: EMERGENCY ORDINANCE

II. RECOMMENDATION:

To adopt an emergency ordinance of the Mayor and Council of the City of Alpharetta, Georgia under section 2.23 of the Charter of the City of Alpharetta; to provide for the operation of the City during the public emergency of the novel coronavirus disease global pandemic; to provide for an effective date; and for other purposes.

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

EMERGENCY ORDINANCE (002)

AN EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA UNDER SECTION 2.23 OF THE CHARTER OF THE CITY OF ALPHARETTA, GEORGIA TO PROVIDE FOR THE OPERATION OF THE CITY OF ALPHARETTA, GEORGIA DURING THE PUBLIC EMERGENCY OF THE NOVEL CORONAVIRUS DISEASE 2019 GLOBAL PANDEMIC; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Alpharetta, Georgia are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta, Georgia; and

WHEREAS, Section 2.23 of the Charter of the City of Alpharetta, Georgia empowers the Mayor and City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property, or public peace; and

WHEREAS, the novel coronavirus disease 2019 global pandemic is a public emergency affecting and threatening life, health, property, and public peace; and

BE IT ORDAINED by the Mayor and City Council of the City of Alpharetta, Georgia that an emergency ordinance shall be enacted as follows:

SECTION 1. The Mayor and City Council of the City of Alpharetta, Georgia ("City Council") hereby declare that an emergency affecting life, health, property, and public peace exists within the City of Alpharetta, Georgia ("City") due to the novel coronavirus disease 2019 ("COVID-19") global pandemic;

SECTION 2. The following provisions shall govern the operation of the City during the COVID-19 pandemic:

2.1 The operation of essential services, including, but not limited to, those related to public safety and health, as determined now or hereafter by the City Council, shall continue during the COVID-19 pandemic;

2.2 All and singular public hearings or meetings of the City Council, or any inferior board, committee, or commission of the City shall be and are hereby stayed, tolled, and postponed until this Ordinance, or any re-enaction hereof, is repealed or expires;

2.3 All and singular votes of the City Council permitted, allowed, or required under the Charter of the City of Alpharetta, Georgia or The Code of the City of Alpharetta, Georgia may be conducted in absentia by electronic mail ("email"), without a public meeting, advertisement, or any and singular meeting formalities required by law;

2.4 Four (4) or more members of the City Council voting by email shall constitute a quorum and shall be authorized to transact business of the City Council. Voting on the adoption of ordinances permitted by this Ordinance shall be taken by email vote. The affirmative vote of a majority of the councilmembers voting by email shall be required for the adoption of any ordinance, resolution, or motion, except as where the Charter of the City of Alpharetta, Georgia provides otherwise;

2.5 All and singular such votes under this Ordinance shall be reported to the public via the City of Alpharetta's website within the time required by law;

2.6 The Mayor of the City of Alpharetta, Georgia shall be empowered to effectuate any vote conducted in accordance with this Ordinance;

2.7 On or before the thirtieth (30th) day after the date this Ordinance, or any re-enaction hereof, is adopted, the City Council shall convene on the call of the mayor or two (2) councilmembers to reenact or repeal this Ordinance;

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to a particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained herein.

SECTION 5. This Ordinance shall become effective immediately upon adoption.

SECTION 6. This Ordinance, pursuant to Section 2.23 of the Charter of the City of Alpharetta, Georgia, shall automatically stand repealed thirty (30) days after the date upon which it is adopted.

SECTION 7. This Ordinance may be reenacted for one or more additional periods of thirty (30) days (or repealed) upon a meeting of the City Council called by the Mayor or two (2) councilmembers of the City Council.

SO ORDAINED this _____ day of _____ 2020 by the Mayor and Council of the City of Alpharetta, Georgia.

THE CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCILMEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

Karen Richard

(SEAL)

Attest:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney (by
Steven L. Jones with express
permission)

Adopted: _____