

DECLARATION OF LOCAL STATE OF EMERGENCY

WHEREAS, Douglas County, Georgia has experienced an event of critical significance as a result of Hurricane Helene on September 25, 2024; and

WHEREAS, in the judgment of the Chairman of the Douglas County Board of Commissioners, with advice from the Douglas Emergency Management Agency, there exist emergency circumstances located in Douglas County requiring extraordinary and immediate corrective actions for the protection of the health, safety and welfare of the citizens of Douglas County, including individuals with household pets and service animals; and

WHEREAS, to prevent or minimize injury to people and damage to property resulting from this event;

NOW, THEREFORE, pursuant to the authority vested in me by local and state law.

IT IS HEREBY DECLARED that a local state of emergency exists and shall continue until the conditions requiring this declaration are abated.

WHEREFORE, IT IS ORDERED:

(1) That the Douglas County Emergency Management Agency activate the Emergency Operations Plan.

(2) That the following sections of the Douglas County Code be implemented:

a. Section 7.7-5; Overcharging Prohibited

1. To preserve, protect or sustain the life, health or safety of persons or property within a designated area upon the declaration of emergency or disaster, it shall be unlawful, during the duration of the emergency or subsequent recovery period, for any person, firm or corporation located or doing business in the unincorporated portions of the county to overcharge for any goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging or houses sold or rented within the county.
2. *Definitions.* The following words, terms and phrases, when used in this section shall have the meanings ascribed, except where the context clearly indicates a different meaning:
3. *Overcharging* means charging prices for goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging or houses, which exceed the customary charges by at least 25 percent, or, in applicable cases, which exceed by at least 25 percent the suppliers' or providers' costs for such goods, materials, foods, equipment, supplies, services, labor, motel rooms, temporary lodging

or houses. The existence of overcharging shall be presumed from a 25 percent or greater increase in the price at which the merchandise or rate, fee or cost/rental of housing was offered in the usual course of business immediately prior to the onset of the emergency or disaster, but shall not include increases in cost to the supplier directly attributable to the higher cost of material, supplies and labor costs resulting from the emergency.

4. *Subsequent recovery period* means that period during which the emergency or disaster continues to cause disruptions in the area designated in the declaration of emergency but shall not exceed six months after the declaration has been terminated, unless extended by action of the board of commissioners.
5. *Effective date*. This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect. Unless otherwise specified in the declaration of emergency or otherwise extended by the board of commissioners, the provisions of this Code section shall remain in effect during the state of emergency and for a subsequent recover period of three months.

b. Section 7.7-6; Registration of Building and Repair Services

1. In accordance with O.C.G.A. § 38-3-56, before building, constructing, repairing, renovating or making improvements to any real property, including dwellings, homes, buildings, structures or fixtures within an area in the unincorporated area of the county designated in a declared emergency or disaster, any person, firm, partnership, corporation or other entity must register with the county development services department and secure a building permit that is posted at the work site. Each day any such entity does business in the unincorporated areas of the county without complying with this ordinance constitutes a separate offense.
2. The cost of registration fees in a declared emergency or disaster is fixed at fifty dollars (\$50.00) per annum. Registration is nontransferable. The cost of the emergency building permit shall be equal to the cost for a building permit under existing regulations. The permit shall only be authorized for repairs.

3. When registering, any person, partnership, corporation or other entity making application must, under oath, complete an application, providing the following information:

Name of applicant.

Permanent address and phone number of applicant;

Applicant's Social Security number or federal employer identification number;

If applicant is a corporation, the state and date of incorporation;

Tag registration information for each vehicle to be used in the business.

List of cities and/or counties where the applicant has conducted business within the past twelve (12) months.

Georgia sales tax number or authorization.

Georgia business license number, if required.

4. *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect. Unless otherwise specified in the declaration of emergency or otherwise extended by the board of commissioners, the provisions of this section shall remain in effect during the state of emergency and for a subsequent recover period of three (3) months.

c. Section 7.7-7; Closed or Restricted Areas

1. To preserve, protect or sustain the life, health, welfare or safety of persons, or their property, within a designated area under a declaration of emergency, it shall be unlawful for any person to travel, loiter, wander or stroll in or upon the public streets, highways, roads, lanes, parks or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any other place during a declared emergency between hours specified by the chairman until the curfew is lifted.
2. To promote order, protect lives, minimize the potential for looting and other crimes, and facilitate recovery operations during an emergency, the chairman shall have discretion to impose reentry restrictions on certain areas. The chairman shall exercise such discretion in accordance with the county emergency operations plan, which shall be followed during emergencies.
3. The provisions of this section shall not apply to persons acting in the following capacities:

Authorized and essential law enforcement personnel.
Authorized and essential health care providers.
Authorized and essential personnel of the county.
Authorized National Guard or federal military personnel.
Authorized and essential firefighters.
Authorized and essential emergency response personnel.
Authorized and essential personnel or volunteers working with
or through the county emergency management agency (DEMA).
Authorized and essential utility repair crews.
Citizens seeking to restore order to their homes or businesses
while on their own property or place of business.
Other authorized and essential persons as designated on a list
compiled by DEMA, the director of public safety, and/or the
sheriff of the county.

4. *Enforceability.* This section shall be enforced by officers of the law enforcement personnel approved to provide aid and assistance during the emergency. Nothing contained in this section shall prohibit a law enforcement officer from bringing other charges under state law.
5. *Effective date.* This section shall become effective only upon the signing of a declaration of emergency, stating this section is in effect.

ENTERED at 6:50 PM on 25th September, 2024.



Romona Jackson-Jones

Chairman, Douglas County Board of Commissioners