

# PUTNAM COUNTY BOARD OF COMMISSIONERS

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117 Putnam Drive, Suite A ♦ Eatonton, GA 31024

## **Called Meeting**

### **Agenda**

**Monday, March 23, 2020 ♦ 3:30 PM**

*Putnam County Administration Building – Room 203*

### **Opening**

1. Call to Order

### **Called Meeting**

2. Update from Sheriff Sills (BW)
3. Public Health Discussion (BS)
4. Authorization for Chairman to sign Resolution Under a State of Local Emergency for: (BW)
  - a. Postpone All Public Hearings Until Further Notice
  - b. Disorderly Conduct

### **Closing**

5. Adjournment

The Board of Commissioners reserves the right to continue the meeting to another time and place in the event the number of people in attendance at the meeting, including the Board of Commissioners, staff, and members of the public exceeds the legal limits. The meeting cannot be closed to the public except by a majority vote of a quorum present for the meeting. The board can vote to go into an executive session on a legally exempt matter during a public meeting even if not advertised or listed on the agenda. Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the ADA Compliance Officer, at least three business days in advance of the meeting at 706-485-2776 to allow the County to make reasonable accommodations for those persons.

**Item Attachment Documents:**

4. Authorization for Chairman to sign Resolution Under a State of Local Emergency for: (BW)
  - a. Postpone All Public Hearings Until Further Notice
  - b. Disorderly Conduct

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**Item #4.**



**RESOLUTION UNDER A STATE OF LOCAL EMERGENCY**

**WHEREAS**, on March 13, 2020, the President of the United States declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207; and

**WHEREAS**, on March 14, 2020, Georgia Governor Brian Kemp declared a public health emergency for the State of Georgia, which was ratified by the Georgia General Assembly on March 16, 2020; and

**WHEREAS**, on March 17, 2020 the Board of Commissioners of Putnam County adopted a resolution declaring a state of local emergency.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. For the duration of the local state of emergency, no Public Hearings shall be held by the Putnam County Board of Commissioners, Putnam County Planning & Zoning Commission, or any other county entity.
2. For the duration of the local state of emergency, any person who fails to abide by the prohibitions, prescriptions, and/or procedures of any resolutions adopted by the Board of Commissioners to be applicable during a time of a declared state of local emergency, as defined in Section 31-2 of Putnam County Code of Ordinances (“Code”), shall be guilty of disorderly conduct as contemplated in Section 29-1 of the Code.

These actions are specifically taken in accordance with O.C.G.A. §38-3-27(b) in order to provide for the health and safety of persons and property.

IN WITNESS WHEREOF, this resolution has been duly adopted by the governing authority of Putnam County on the 23<sup>rd</sup> day of March 2020.

\_\_\_\_\_  
Chairman Billy Webster

Attest:

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Clerk

(SEAL)

## Putnam County Code of Ordinances

## Sec. 31-2. - Declaration of local emergency or disaster.

- (a) In the event of actual or impending emergency or disaster of natural or human origin, or pandemic influenza emergency, or impending or actual enemy attack, or a public health emergency, within or affecting this county or against the United States, the board of commissioners or a designee may declare that a state of local emergency or disaster exists. The state of local emergency or disaster shall continue until the board of commissioners finds that the threat or danger has passed or the emergency or disaster has been dealt with, to the extent that emergency or disaster conditions no longer exist, and terminates the state of local emergency or disaster. No state of local emergency or disaster may continue for longer than 30 days unless renewed by the board of commissioners.
- (b) A declaration of a state of local emergency or disaster shall activate the emergency and disaster response and recovery aspects of the local emergency or disaster plans applicable to the county and shall be authority for the deployment and use of any forces to which the plan or plans apply and for use or distribution of any supplies, equipment, and materials and facilities assembled, stockpiled, or arranged to be made available.
- (c) As used in this section, the term "state of local emergency or disaster" means the condition declared by the board of commissioners when, in its judgment, the threat or actual occurrence of a disaster, emergency, or energy emergency in any part of the county is of sufficient severity and magnitude to warrant extraordinary assistance by the county to supplement the efforts and available resources of the several localities and relief organizations in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby.

( [Amend. of 3-7-2014](#) )

Putnam County Code of Ordinances

Sec. 29-1. - Disorderly conduct—Defined.

Any of the following behaviors or activities shall constitute the offense of disorderly conduct:

- (a) Any person who shall act in a violent or tumultuous manner toward another whereby any person is placed in reasonable fear of the safety of such person's life, limb or health;
- (b) Any person who shall act in a violent or tumultuous manner toward another whereby the property of any person is placed in danger of being damaged or destroyed;
- (c) Any person who shall, without provocation, use to or of another, in such other person's presence, opprobrious or abusive words which by their very utterance tend to incite an immediate breach of the peace, that is to say, words which, as a matter of common knowledge and under ordinary circumstances, will, when used to or of another person in his or her presence, naturally tend to provoke violent resentment, that is, words commonly called "fighting words;"
- (d) Any person who, without provocation, uses obscene and vulgar or profane language in the presence of or by telephone, email, text message, internet or any other digital or electronic communication to a person under the age of 14 years which threatens an immediate breach of the peace;
- (e) Any person who shall, by acts of violence or threats thereof, interfere with another's pursuit of a lawful occupation;
- (f) Any person who shall cause, provoke or engage in any fight, brawl or riotous conduct so as to endanger the life, limb, health or property of another or shall assemble or congregate with another or others for such prohibited purpose;
- (g) Any person who assembles or congregates with another or others for the purpose of engaging in any fraudulent scheme, device or trick to obtain any valuable thing in any place or from any person, or who shall aid or abet therein;
- (h) Any person who is in or about any place where gaming or the illegal sale or possession of alcoholic beverages or narcotics or dangerous drugs is practiced, allowed or tolerated, for the purpose of or intent to engage in gaming or the purchase, use, possession or consumption of such illegal drugs, narcotics or alcoholic beverages;
- (i) Any person who aids or abets or encourages a minor to do any act which constitutes disorderly conduct or a breach of the peace;
- (j) Any person who shall be found jostling or roughly crowding or pushing any person in any public place;
- (k) Any person who appears in public in an intoxicated state or condition, whether said intoxication is manifested by consumption of an alcoholic beverage and/or drugs;
- (l) Any person who exposes any part of his or her body in an indecent or rude manner;

- (m) Any person who by and in any manner, creates loud noises which disrupt, disturb or otherwise interfere with the peace and tranquility of the public;
- (n) Any person who keeps and maintains, either by himself or others, a common, ill-governed, and disorderly house, to the encouragement of gaming, drinking, or other misbehavior, or to the common disturbance of the neighborhood or orderly citizens;
- (o) Any person who loiters along public sidewalks, streets or public ways of the county;
- (p) Any person who fails or refuses to remove himself or herself from the private property of another when requested to do so by the owner, an authorized representative of the owner, or the occupant(s) thereof;
- (q) Any person who congregates with another or others in or on any public way so as to halt the flow of vehicular or pedestrian traffic, and fails to clear that public way after being ordered to do so by a law enforcement officer or other lawful authority;
- (r) Any person who commits the offense of disorderly conduct at a youth sports event on publicly owned property shall be punished as follows:
  - (1) As provided in section 1-13; and
  - (2) A mandatory minimum period of probation of 60 days, less any days served in jail. The judge shall ban the defendant from all youth sports events on publicly owned property as a term and condition of probation;
- (s) For the purposes of this section, "youth sports event" means any sports competition or sports practice involving one or more teams of persons under the age of 19 years.

(Amend. of 10-18-2011(2))