



ALERTS

Georgia Enters The Next Phase Of Reopening

May 29, 2020 | [Atlanta](#)

Highlights

- Bars and nightclubs in Georgia allowed to reopen June 1
- Gov. Kemp expands permitted group size to 25
- Georgia allows summer camps and summer school to begin

New executive orders for Georgia open up more opportunities for public gatherings beginning June 1, but extend the health state of emergency until July 12.

On May 28, Georgia Gov. Brian Kemp issued [Executive Orders 05.28.20.01](#) and [05.28.20.02](#), which update Georgia's status, protocols and posture on its COVID-19 response and reopening. EO 05.28.20.01 extends the Public Health State of Emergency in Georgia to July 12 at 11:59 p.m. and EO 05.28.20.02 details the next steps in Georgia's reopening:

Social Distancing, Face Masks and Group Gatherings

Effective June 1, groups of up to 25 people are permitted to be physically present at a single location if, to be present, persons are required to stand or be seated within 6 feet of any other person. Groups of more than 25

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people are permitted if their grouping is transitory or incidental, or if their grouping is the result of being spread across more than one single location.

- All residents and visitors of the State of Georgia must practice social distancing whenever possible meaning keeping 6 feet or more between persons when possible
- All residents and visitors of the State of Georgia are strongly encouraged to wear face coverings as practicable while outside their homes or place of residence, except when eating, drinking, or exercising outdoors
- All residents and visitors of the State of Georgia must practice enhanced sanitation in accordance with the guidelines published by the Centers for Disease Control and Prevention

Sheltering in Place

Pursuant to Executive Order 04.30.20.01, sheltering in place is effective until June 12 at 11:59 p.m. for:

- Those persons who are 65 years of age or older
- Those persons who live in a nursing home or long-term care facility, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes
- Those persons who have chronic lung disease
- Those persons who have moderate to severe asthma
- Those persons who have severe heart disease
- Those persons who are immunocompromised. Many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medication.
- Those persons, of any age, with class III or severe obesity
- Those persons diagnosed with the following underlying medical conditions: diabetes, and liver disease, and persons with chronic kidney disease undergoing dialysis

Those sheltering in place may engage in the following activities:

1. Conducting or participating in essential services
2. Performing necessary travel
3. Engaging in gainful employment or the performance of, or travel to and from the performance of, minimum necessary activities to maintain the value of a business, establishment,

corporation, non-profit corporation, or organization not classified as critical infrastructure

4. Working in or for critical infrastructure and being actively engaged in the performance of, or travel to and from, their respective employment

Restaurants, Bars, Dining Services, Live Performance Venues and Retail Shops

- Effective June 1, all bars and nightclubs are permitting to reopen while adhering to [39 sanitation guidelines](#) outlined in EO 05.28.20.02. In addition, all bars must limit the number of total persons inside the bar to 25 patrons or 35 percent of total listed fire capacity occupancy of the entire bar, whichever is greater
- Live performance venues will remain closed
- Amusement rides as defined by Code Section 25-15-51, traveling carnivals, water parks, circuses, and other temporary amusement rides can reopen effective June 12, while adhering to 33 sanitation guidelines
- Wedding venues, event spaces and banquets facilities are now included in the same category as restaurants and dine-in spaces for the purpose of classification
- Restaurants can allow up to 10 patrons per 300 square feet. When calculating the total number of public space square feet, such calculation may include waiting and bar areas as well as patios or any outdoor dining space, if any, but may not include hallways, restrooms, and spaces closed to patrons
- Restaurant inspection timelines may be extended by the Georgia Department of Public Health by 120 days for any permit holder of a food service establishment maintaining an "A" food safety grade for any such food service establishment that was scheduled to have a routine inspection at any time between March 14, 2020, and September 10, 2020
- Restaurants must adhere to the enhanced sanitation and employee screening guidelines laid out in previous executive orders

All retail businesses, including food establishments such as retail and wholesale grocery stores, must implement additional measures to prevent the spread of COVID-19, as practicable. These measures include:

1. Limiting the number of patrons inside the store to 50 percent of fire capacity occupancy of the entire store or eight patrons per 1,000 square feet
2. Encouraging patrons to use hand sanitizer upon entering
3. Encouraging noncash payments when possible
4. Sanitizing entrance and exit doors at least three times per day

5. Encouraging workers to report any safety and health concerns to the employer
6. Installing protective screens or other mitigation measures where worker-patron interactions are likely

Healthcare

During the effective dates of EO 05.28.20.02:

- Any person, service, or entity delivering healthcare must adhere to the guidelines listed for critical infrastructure
- Dental practices and clinics that continue in-person operation must adhere to the American Dental Association's Interim Guidance for Minimizing Risk of COVID-19 Transmission and Interim Mask and Face Shield Guidelines
- Licensed optometrists and their workers that continue in-person operation must adhere to the American Optometric Association's Practice Reactivation Preparedness Guide and the Georgia Optometric Association's COVID-19 guidelines for practices issued March 17, 2020, and updated April 20, 2020
- Licensed opticians and their workers that continue in-person operation must adhere to the Centers for Disease Control and Prevention's Recommendations for Office Disinfection and Recommendations for Employers
- Ambulatory surgical centers that continue in-person operation must implement additional measures to prevent the spread of COVID-19 as practicable

Education, Children and Summer Camps

Overnight summer camps are permitted to host campers overnight beginning May 31. Summer camps and overnight summer camps shall implement additional measures to prevent the spread of COVID-19.

- All campers and workers who stay overnight at a summer camp must remain on the summer camp premises at all times, except in case of emergency or for purposes of participating in an off-site activity that is part of the overnight summer camp's program. Any camper or worker who leaves the premises for any reason shall be required to receive an additional negative test result for COVID-19 prior to reentry.

Nothing in EO 05.28.20.02 prevents any school, technical school, college, or university from requiring faculty and workers to attend meetings or other necessary activities at a school or facility for the purpose of supporting distance learning, research, administration, maintenance, or preparation for the 2020-2021 school year.

- Due to the limited resources of school districts in this state, schools and school districts offering summer school are not required to comply with the ban on gatherings, but during

the effective dates of 05.28.20.02, such schools and school districts must implement additional measures to prevent the spread of COVID-19 among students. These measure include:

1. Screening and evaluating workers and students who exhibit symptoms of COVID-19
2. Requiring workers and students who exhibit symptoms of COVID-19 to not report to school and to seek medical attention
3. Enhancing sanitation of the school as appropriate
4. Disinfecting common surfaces regularly
5. Encouraging handwashing or sanitation by workers and students at appropriate places within the school
6. Prohibiting gatherings of students on the school premises outside of instructional times
7. Permitting students to take breaks and lunch outside, in their personal workspace, or in such other areas where proper social distancing is attainable
8. Holding all meetings and conferences virtually, whenever possible
9. Discouraging students from using other students' phones, desks, offices, or other work tools and equipment
10. Prohibiting handshaking and other unnecessary person-to-person contact
11. Placing notices that encourage hand hygiene at the entrance to the school and in other areas where they are likely to be seen

All childcare facilities must cease transporting children for any purpose other than transporting children between their place of residence and the childcare facility.

All child care learning centers and family child learning homes under the jurisdiction of the Georgia Department of Early Care and Learning must maintain worker-child ratios set forth by the Georgia Department of Early Care and Learning.

Professional and Amateur Sports

The executive order also outlines that professional sports teams and professional sports organizations that engage in practices or other in-person operations must operate solely pursuant to the rules or guidelines that have been promulgated or approved by the respective professional league of the sport.

All amateur sports teams and amateur sports organizations that continue in-person operation must adhere to the guidelines for non-critical infrastructure organizations

Outdoor Workers

Those Georgians who are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape businesses, and agricultural industry services, are required to practice social distancing and implement sanitation processes in accordance with

the guidelines published by the Centers for Disease Control and Prevention.

Gyms, Body Art Studios, Hair Designers, Massage Therapists and Bowling Alleys

All gyms, fitness centers, body art studios, hair designers, massage therapists and bowling alleys must continue additional employee screenings and enhanced sanitation measures to prevent the spread of COVID-19, as practicable, and follow the specific measures outlined in the new and prior executive orders.

To obtain more information, please contact the Barnes & Thornburg attorney with whom you work or Stephen Weizenecker at 404-264-4038 or stephen.weizenecker@btlaw.com, or Zach Johnson at 404-264-4022 or zach.johnson@btlaw.com.

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