

PUBLICATION

Coronavirus: Identifying Essential Activities and Essential Businesses under Atlanta's Stay at Home Order

March 24, 2020

On March 23, 2020, Atlanta Mayor Keisha Lance Bottoms issued a "Stay at Home" order (the "Order") to curb the spread of COVID-19. The Order states that it "shall be effective at midnight" on Tuesday, March 24, 2020. The Order directs all residents living within the jurisdictional limits of the City of Atlanta to stay at their place of residence and maintain social distancing of at least six feet from any other person when they are outside. However, there are exemptions for Essential Activities, Health Care Operations, Essential Infrastructure, Essential Governmental Functions, and Essential Businesses.

Essential Activities

Residents may leave their residences to perform Essential Activities such as:

- Engaging in activities or performing tasks essential to their health and safety or the health and safety of their family or household members, including pets (e.g. to obtain medications and medical supplies, visit a health care professional, or obtain supplies needed to work from home);
- Obtaining necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (e.g. canned food, dry goods, fresh foods, household consumer products, products necessary to maintain safety, sanitation, and essential operation of residences);
- Engaging in outdoor activities, provided individuals comply with social distancing requirements;
- Performing work providing essential products and services at an Essential Business or to carry out Minimum Basic Operations at a non-essential business (see "Essential Businesses" below).

Healthcare Operations

Residents may also leave their residences to work for or obtain services at any health care operation including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other health care facilities, health care supplies, home health care services providers, mental health providers, ancillary health care services, veterinary care, and all health care services provided to animals. This exemption is to be construed broadly to avoid impacts to the delivery of health care but does not include exercise gyms and similar facilities.

Essential Infrastructure

Residents may leave their residences to provide any services or perform any work necessary to the operations and maintenance of Essential Infrastructure such as public works, construction, airport operations, utility, water, sewer, gas, electrical, oil refining, roads and highways, railroads, public transportation, taxi/rideshare, solid waste collection and removal, internet, and telecommunications systems.

Essential Government Functions

Residents performing or accessing Essential Government Functions may leave their residences. Essential Government Functions are all services needed to ensure the continuing operation of the government agencies and provide for the health, safety, and welfare of the public.

Essential Businesses

Residents may leave their residences if they are first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement, or working for or to support Essential Businesses. The Order directs all businesses to cease all activities at facilities located in the City of Atlanta except for Minimum Basic Operations (maintain business inventory, ensure security, process payroll and benefits, activities necessary to facilitate remote work) unless they are considered an Essential Business. For purposes of the Order, the Essential Businesses are:

- Health Care Operations and Essential Infrastructure;
- Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, establishments engaged in retail sale of canned food, dry goods, fresh foods, pet supplies, and other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- Food cultivation such as farming, livestock, and fishing;
- Businesses that provide food, shelter, and social services, and other necessities of life for the economically disadvantaged or otherwise needy individuals;
- Newspapers, television, radio, and other media services;
- Gas stations and auto supply, auto-repair, and related facilities;
- Banks and related financial institutions;
- Hardware stores, lodging businesses such as hotels and conference centers;
- Plumbers, electricians, exterminators, and other service providers who provide services necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- Businesses providing mailing and shipping services;
- Educational institutions for purposes of facilitating distance learning or performing essential services;
- Laundromats, dry cleaners, laundry service providers;
- Restaurants and other facilities that prepare and serve food, but only for delivery or carryout. Schools and other entities that typically provide food services to students or members of public may continue to do so on a pick-up and takeaway basis only. Cafeterias in hospitals, nursing homes, or similar facilities are not subject to the Order;
- Businesses that supply products needed for people to work from home;

- Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- Businesses that ship or deliver groceries, foods, goods, or services directly to residences;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Professional services, such as legal or accounting services;
- Childcare facilities;
- Utility, water, sewer, gas, electrical, oil refining, roads and highways, railroads, public transportation, taxi/rideshare, solid waste collection and removal, internet, and telecommunications systems.

As of now, there is no mechanism to apply for an exemption.

If you have any questions about whether your business qualifies for an exemption under the Order, please contact [David Gevertz](#), [Linda Klein](#), or [Michelle Williams](#). Also, please visit the [Coronavirus \(COVID-19\): What you Need to Know information page](#) on our website.