

**EMERGENCY ADMINISTRATIVE ORDER BY THE MAYOR FOR THE TOWN OF  
ALTO, GEORGIA AS TO THE ALTO WATER DISTRIBUTIONS SYSTEM AND  
EXERCISING EMERGENCY POWER REGARDING WATER DISTRIBUTION**

**WHEREAS**, on or about December 26, 2022, the commercial facility at Phoenix Alto Industrial Investors, LLC, suffered two major water leaks, and which has drained the reservoir of water within the Town of Alto Water Distribution System;

**WHEREAS**, the water leaks at the commercial facility at Phoenix Alto Industrial Investors, LLC, has created an emergency situation for the Alto Water Distribution System, in that, the amount of potable water within said system is dangerously low, and it is possible that the system could run out of water, in which would create major disruptions in the operation of the Alto Water System; and

**WHEREAS**, previously, the Alto Town Council, adopted an emergency plan, and which authorizes the mayor in emergency situations that affect the health, life, and safety of the citizens of the Town of Alto, Georgia, to exercise actions on and in an emergency basis to protect the health, safety, and welfare of the citizens of the Town; and

**WHEREAS**, pursuant to O.C.G.A. § 38-3-28, and Sections 1.13 (8) and 1.13 (12) of the Alto Town Charter, the Town Council, acting through its Chief Administrative Officer, being the Mayor, can exercise emergency powers in order to manage current emergencies; and

**WHEREAS**, the Mayor of the Town of Alto, Georgia has determined that the Alto Water Distribution System is running dangerously low of water, and facing the possibility of the system being out of water, qualifies as a public health and safety emergency, and which would authorize the Mayor to promulgate this emergency administrative order; and

**NOW, THEREFORE**, it is hereby promulgated and ordered by the Mayor of the Town of Alto, Georgia, as follows:

**Section 1.** The foregoing recitals are hereby incorporated into this emergency administrative order, as if they are stated verbatim herein, and based upon the emergency circumstances outlined therein, the Mayor declares that a local public health state of emergency exists within Alto, Georgia, and shall continue until the conditions requiring this emergency administrative order are abated.

**Section 2.** The emergency provisions of the charter are hereby invoked, as well as the emergency plan of the Town, and shall be implemented as set forth hereinafter.

**Section 3.** During the public health state of emergency, regarding the Alto Water Distribution System, as identified herein, the Mayor of the Town of Alto, Georgia can limit partially or totally, as needed by the water system, the distribution of potable water to any commercial or industrial customers of said system, and in order to preserve the availability of potable water within said water system for the needs of the residents of the Town of Alto, Georgia that rely upon said system for their

water. Based upon the amount of water usage, by a commercial and/or industrial customer, the Mayor can direct that the Alto Water Distribution System limit or totally restrict the amount of water received by any or all industrial and commercial users of potable water from the Alto Water Distribution System. The Mayor may take any and all such actions as the Mayor deems necessary in this regard to preserve the remaining amount of potable water of Alto Water Distribution System for residential customers. The Mayor can take these actions until the state of emergency no longer exists.

**Section 4.** Due to the current state of emergency, the Mayor does hereby order that no potable water will be provided by the Alto Water Distribution System to major commercial or major industrial users, and until such time as the potable water within the Alto Water Distribution System is restored to normal operating levels. The Mayor shall be authorized to give notice of this emergency order to commercial or industrial users by verbal or written notification. Failure of commercial or industrial users to comply with the emergency order of the Mayor can result in the water supply being shut off to any user who fails to comply with the order of the Mayor.

**Section 5.** The Mayor is further authorized to create and execute any and all such documents, notices, and orders, that may be necessary to carry out the terms of this emergency order.

**Sections 6.** This emergency order shall be effective at 4:30 pm. December 28, 2022, and shall continue in effect until the state of emergency no longer exists.

So ordered this 28<sup>th</sup> day of December, 2022.

**ALTO TOWN COUNCIL**

By: P.J. Huggins  
P.J. Huggins, Mayor

Attest:

Penny Rogers  
Penny Rogers, Town Clerk

