



In recent days, both Georgia Governor Brian Kemp and Atlanta Mayor Keisha Lance Bottoms have issued Executive Orders in response to COVID-19 that have constrained many businesses and industries. However, at this time, the construction industry has not been directly constrained, as public and private projects are allowed to continue to move forward throughout Atlanta and the State of Georgia. Governor Kemp has even suspended statutory waiting periods for contractors to use private firms for code inspections and plan reviews, recognizing that county and municipality resources may be currently unable to meet state mandated timelines.

Atlanta “Stay-At-Home” Order—Public Works and Construction Exempt

On Monday, March 23rd, Mayor Bottoms issued a “stay at home” order requiring all non-essential businesses to cease operations that could not be performed by employees at their own residence. (Atlanta Executive Order 2020-21) Per the terms of the order, both public works and private construction are both included in the industries deemed to be “Essential Infrastructure” and are therefore exempt from the “stay at home” order.

Georgia Reducing Regulations to Assist Order—Private Firms May Be Used for Plan Reviews and Code Inspections

On Friday, March 20th, Governor Kemp issued an order reducing regulatory requirements for certain industries in order to help overcome some of the impacts that COVID-19 is having on those industries. (Georgia Executive Order 03.14.2.01) Under the order, contractors may immediately hire “private professional providers” (as defined by the statute) to review plans for permitting purposes and/or perform code inspections in compliance with state requirements. This order temporarily eliminates the statutory waiting period of 30 days for permit plan review and 2 days for inspections that normally exists under Georgia Code §8-2-26(g).

We are continuing to monitor state, local, and federal executive orders and legislation affecting the construction industry and we are available to answer any questions or provide guidance relating to any contractual or legal issues.

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