Emergency
An Ordinance

to amend Sec 21-51 of the Code of the City of Charleston by adding thereto a new subsection (13) declaring as a public nuisance the act of the selling or offering for sale any goods, materials or services at prices which exceed the prices of such goods, materials or services sold prior to September 21, 1989. ~~by 10%~~

Be it Ordained by the Mayor and Councilmembers of Charleston, in City Council Assembled:

Section 1. The City Council do hereby make the following findings of fact:

a) On September 21, 1989, the City of Charleston was hit by hurricane Hugo, a category 4 hurricane, packing winds in excess of 135 miles per hour.

b) As a result of this hurricane, the City has experienced one of the worst natural disasters, leaving many homeless and without water and ~~other~~ everyone without electrical power.

c) The citizens of our city are in dire need of household goods, materials and services in order to be able to rehabilitate their homes and operate their businesses and to assist in the rebuilding of ~~our~~ the City.

d) The availability of goods, services and materials to our citizens at reasonable prices is absolutely necessary + required for the health, safety, welfare and comfort of the community

e) The selling or offering for sale any goods, materials or services at prices in excess of those in existence prior to the natural disaster is unconscionable and against public policy and is counterproductive to the

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b) As a result of this hurricane, the City has experienced one of the worst natural disasters, leaving many homeless and without water, everyone and without electrical power.

c) The citizens of our city are in dire need of household goods, materials and services in order to be able to rebuild their homes and operate their businesses and to assist in the rebuilding of the City.

d) The availability of goods, services and materials to our citizens at reasonable prices is absolutely necessary + required for the health, safety, welfare and comfort of the community.

e) The selling or offering for sale any goods, materials or services at prices in excess of those in existence prior to the natural disaster is unconscionable and against public policy and is counterproductive to the rebuilding efforts that are absolutely required for the good order and comfort of the community.

f) The City Council deems such acts of selling goods, materials and services at prices in excess of those in existence prior to September 21, 1989 is a grave threat to the public welfare and pursuant to its the emergency powers enjoyed

upon it by virtue of SC Code § 5-7-250, Council finds it necessary to pass this emergency ordinance

Sec 2. Section 5-21 of the Code of the City of Charleston is hereby amended by adding thereto a subsection (13) to read as follows:

(13) The sale or offering for sale of any goods, service or materials at cost price in excess of other prices for the same or similar goods, service or materials that were in existence prior to September 21, 1989; provided however, that if it can be demonstrated by the seller that his cost of the particular goods, services or materials has increased since September 21, 1989, and that the price at which these goods, services or materials are now being sold or offered for sale is a reasonable reflection of the increased cost to the seller, such sale or offering for sale shall not be affected by this ordinance; and provided further, that any person initially doing business in the City after September 21, 1989, shall be exempt from this ordinance if the price at which he sells or offers for sale the goods, service or materials is no more than the average price of such goods, services or materials offered in the City prior to September 21, 1989.

Section 3. This ordinance shall be effective immediately, and shall expire sixty (60) days after the date hereof.

Ratified this 23rd day of September, 1989.

[illegible]

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~~Attest: [illegible]~~

Joseph P. Riley, Jr., Mayor