



AN EMERGENCY ORDINANCE

2020-039

TO ESTABLISH IN FURTHERANCE OF HEALTH, PUBLIC SAFETY AND WELFARE, AN EMERGENCY ORDINANCE TEMPORARILY PROHIBITING GATHERINGS OF 50 PEOPLE OR MORE IN PUBLIC INDOOR ESTABLISHMENTS IN THE CITY OF CHARLESTON TO SLOW THE SPREAD OF COVID-19. (AS AMENDED)

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF THE CITY OF CHARLESTON, ASSEMBLED:

Section 1: The City Council of the City of Charleston does hereby make the following findings of fact:

WHEREAS, on March 13, 2020, the President of the United States declared a state of emergency to address the existing public health emergency associated with the coronavirus (COVID-19);

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina declared a state of emergency in South Carolina pertaining to the COVID-19 public health emergency and on March 15, 2020 issued an order closing all schools in the State of South Carolina;

WHEREAS, the CDC has issued guidelines to mitigate the spread of the virus, including recommending on March 15, 2020 that for the next eight (8) weeks, in-person events that consist of 50 people or more throughout the United States be postponed or cancelled.

WHEREAS, Public Health officials and experts including those in the Charleston area have determined that the coronavirus is an imminent threat to the region;

WHEREAS, with 28 positive cases in South Carolina and an additional seven cases being monitored by DHEC as of March 15, 2020 the possible increased threat from COVID-19

constitutes a threat of an imminent disaster to the health and welfare of the citizens of the City of Charleston and surrounding areas;

WHEREAS, the City of Charleston is a popular destination with many venues where the public gather, and therefore for the safety of the community, reasonable temporary restrictions are needed to be placed on the certain establishments within the City of Charleston where large gatherings of persons occur.

WHEREAS, with 60 positive cases in South Carolina as of March 19, 2020 the possible increased threat from COVID-19 continues to constitute a threat of imminent disaster to the health and welfare of citizens of the City of Charleston and surrounding areas;

WHEREAS, the President’s Coronavirus Guidelines for America: 15 Day to Slow the Spread revised March 16, 2020 state that individuals and organizations should cancel or postpone in-person events that consist of 10 or more people.

WHEREAS, Governor McMaster’s Executive Order 2020-10 issued March 17, 2020 includes further restrictions on public gatherings.

WHEREAS, as is necessary to slow the outbreak of COVID-19, the City of Charleston recommends that all persons voluntarily restrict movement only to essential activities and observe social distancing when in public.

Section 2: Effective 12:00 am, March 17, 2020, public indoor establishments within the City of Charleston will be temporarily restricted from permitting large gatherings of 50 or more persons, such establishments include but are not limited to bars and restaurants; movie theatres and live performance venues; bowling alleys and arcades; gyms and fitness centers, and houses of worship.

A) Effective immediately, bars and restaurants which prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption in the City of Charleston shall suspend services for, and may not permit, on-premises or dine-in consumption, either indoors and outdoors.

B) Effective immediately, all indoor and outdoor public gatherings of individuals or community events, including but not limited to establishments such as movie theaters and live performance venues, bowling alleys and arcades, gyms and fitness centers, and houses of worship, shall not exceed 10 persons. This provision is not applicable to medical facilities, pharmacies, grocery stores, and the regular day to day operations of the City of Charleston government.

Section 3: The City of Charleston Fire Department, Office of the Fire Marshal, Police Department, Building Inspections Division, and their designees, and Livability Code

Enforcement Officers are hereby authorized to inspect and determine whether such establishments are in compliance with this Emergency Ordinance. For the duration of this Ordinance, it is unlawful for a person to willfully fail or refuse to comply with any lawful order or direction of these individuals or their designees issued pursuant to this Ordinance.

Section 4: Violation of this Ordinance is punishable by a fine of up to \$500, 30 days in jail or both.

SECTION 4-5: This Ordinance **as amended** shall become effective **as of March 17, 2020 at 12:00 am upon ratification** and shall expire sixty (60) days after the date hereof or upon the termination of the state of emergency as declared by the Mayor, whichever is earlier.

Ratified in City Council this ____ day of March in the Year of our Lord 2020, and in the 245th Year of the Independence of the United States of America.

John J. Tecklenburg Mayor
City of Charleston

Vanessa Turner Maybank, Clerk of Council