

EMERGENCY ORDINANCE 21-03

AN EMERGENCY ORDINANCE OF THE TOWN OF YEMASSEE, SOUTH CAROLINA SUSPENDING NORMAL OPERATING PROCEDURES OF THE TOWN OF YEMASSEE, AND TO AUTHORIZE THE TOWN CLERK TO DEVELOP AND ENACT ANY PLANS OR POLICIES NEEDED TO ENSURE THE CONTINUITY OF GOVERNMENT SERVICES IN LIGHT OF THE ONGOING COVID-19 PANDEMIC, AND SEVERABILITY.

WHEREAS, it is well recognized that SARS-CoV-2, the virus that causes the disease COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina (the "State") issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and

WHEREAS, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15, 2020-23, 2020-29, 2020-35, 2020-38, 2020-40, 2020-42, 2020-44, 2020-48, 2020-53, 2020-56, 2020-59, 2020-62, 2020-63, 2020-65, 2020-67, 2020-70, 2020-72, 2020-75, 2020-77 and 2021-03; and

WHEREAS, COVID-19 continues widespread transmission across the state with the South Carolina Department of Health & Environmental Control ("SCDHEC") confirming that localized person-to-person contact in South Carolina enables a significant risk of exposure, propagates the spread of the COVID-19 infection and creates an extreme public health risk, and

WHEREAS, on March 27, 2020, the Town Council for the Town of Yemassee, South Carolina (the "Town Council") issued a proclamation of a Local State of Emergency and adopted Emergency Ordinance 20-05, which established certain standards for the conducting of electronic meetings for the Town Council, and,

WHEREAS, on July 14, 2020, the Town Council adopted Emergency Ordinance 20-12, which established a requirement for individuals to wear face coverings, in certain circumstances in the Town of Yemassee South Carolina due to the ongoing threat of COVID-19, and

WHEREAS, on September 8, 2020, the Town Council adopted Emergency Ordinance 20-14, which extended the requirement for individuals to wear face coverings, in certain circumstances in the Town of Yemassee, South Carolina, and

WHEREAS, on November 10, 2020, the Town Council adopted Emergency Ordinance 20-23, which extended the requirement for individuals to wear face coverings, in certain circumstances in the Town of Yemassee, South Carolina, and

WHEREAS, on January 12, 2021, the Town Council will re-issue a proclamation of a Local State of Emergency, and vote on extending the requirement for individuals to wear face coverings in certain circumstances in the Town of Yemassee, South Carolina (21-01), and will vote for an Emergency Ordinance Establishing the Standards for Electronic Meetings in the Town of Yemassee, South Carolina (21-02); and,

WHEREAS, while it is imperative for local government to continue to take steps to minimize the significant public health threats and other impacts associated with the COVID-19 pandemic, the Town Council must also regularly review such measures to ensure that any deviations from the standard procedure are narrowly crafted to address continuing and new threats caused by COVID-19; and

WHEREAS, it is well recognized that COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, South Carolina law provides that cities and counties may enact emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people upon a single reading; and,

WHEREAS, it is hereby determined that a public emergency affecting life, health, and safety does exist within the Town of Yemassee, and therefore, it is appropriate and necessary to adopt this Emergency Ordinance.

NOW THEREFORE, BE IT ORDAINED, in regular meeting of the Town Council (the "Governing Body"), as follows;

Section 1. Incorporation of Recitals. The above recitals, and the recitals contained within the Governor of South Carolina's Executive Orders 2020-15, 2020-23, 2020-29, 2020-35, 2020-38, 2020-40, 2020-42, 2020-44, 2020-48, 2020-53, 2020-56, 2020-59, 2020-62, 2020-63, 2020-65, 2020-67, 2020-70, 2020-72, 2020-75, 2020-77 and 2021-03 are hereby incorporated herein and made an integral part hereof.

Section 2. Authorization of Town Clerk. To the fullest extent permitted by law, the Town Clerk is hereby authorized to develop and enact any plans or policies needed to ensure the continuity in the delivery of government services in light of the COVID-19 outbreak and to take necessary action to protect the health, safety, and welfare of Town residents, visitors, employees and staff. Any plans or policies will be consulted and reviewed by the Mayor. These policies, plans and actions may include but are not limited to the following:

- a) Cancelling any Town facility rentals and limiting restricting facility rentals during the term of this Local State of Emergency; and,
- b) Utilizing all available resources of the Town as reasonably necessary to cope with the COVID-19 emergency; and,
- c) Closing all or portions of the Town Hall and other Town facilities to the public; and
- d) Allowing Administrative Staff, when practical and necessary, to work remotely, to ensure the continuity of government operations.

- e) Continue to coordinate with County Emergency Management Officials and the South Carolina Department of Health & Environmental Control to continue to plan and host free COVID-19 testing events in Yemassee, and, if offered and available in the future, vaccination sites.

Section 3. Effective Date; Expiration. The provisions hereof shall be effective upon a single reading and two-thirds vote of the Governing Body, and shall expire on the sixty-first day following the effective date hereof.

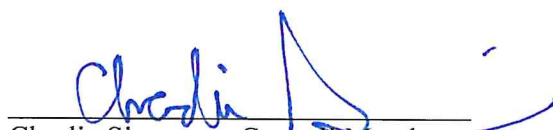
Section 4. Severability. If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

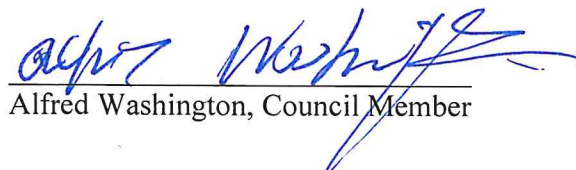
PASSED, APPROVED AND ENACTED AS AN EMERGENCY ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF YEMASSEE, SOUTH CAROLINA, AT ITS REGULAR MEETING, and approved at a meeting duly assembled by no less than an affirmative vote of two-thirds of the members of the Governing Body present, on this 12th day of January, 2021.



Colin J. Moore, Mayor


ATTEST: Matthew E. Garnes, Town Clerk


Peggy Bing O'Banner, Mayor Pro-Tem


Charlie Simmons, Council Member


Alfred Washington, Council Member


Michelle Hagan, Council Member