

**ORDINANCE NO. 2681**

**AN EMERGENCY ORDINANCE DECLARING AND IMPOSING A DAILY CURFEW**

**WHEREAS**, S.C. Code section 5-7-250(d) authorizes Council to adopt emergency ordinances (with certain limitations not applicable to this Ordinance) for a limited period of up to sixty days; and

**WHEREAS**, peaceful demonstrations protesting the tragic death of George Floyd in Minneapolis have also attracted to our City individuals, including individuals from outside the area and State, who have engaged in or who threaten or appear ready to instigate or engage in unlawful and dangerous activities that threaten the safety of lawful demonstrators, the surrounding community, and our first responders; and

**WHEREAS**, such behavior has created an emergency for our City, such that the Council, in the exercise of its statutory authority, believes it to be in the interests of public safety and public health and public welfare, the maintenance of good public order, the protection of public and private property, and the effective operation of the City government and its public safety resources, to provide, for a temporary period, for a daily curfew with restricted travel and assembly, with certain conditions and exceptions, as provided below,

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:**

1. A daily City-wide curfew is hereby established and imposed beginning at 6:00 p.m. on June 4, 2020 and restricting the travel and assembly of individuals every day from 6:00 p.m. until 6:00 a.m. with the exception of individuals traveling to and from work, for work purposes, or for healthcare. During the hours of curfew, individuals shall stay in their homes and not travel through or congregate in the streets, sidewalks, waterways, alleyways, parking lots, public ways, public rights-of-way, public property, and/or other public spaces in the City of Sumter, including the premises of establishments that hold a City of Sumter business license, except as provided herein.
2. During the curfew, the following persons are exempted and are free to travel and assemble to carry out their duties: law enforcement officers, firefighters, EMS personnel, active duty military, National Guard members, health care providers and professionals, and public works and utility workers employed by any utility serving the public, including any such persons employed by the City of Sumter, the County of Sumter, the State of South Carolina, or the United States of America.


3. Any person violating any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to punishment not to conflict with that set forth in S.C. Code section 16-7-10 or other applicable provisions of State law. Each day of violation, and each violation occurring within a daily period of curfew, shall be considered a separate offense.

This Ordinance enacted by Council, meeting in accord with City of Sumter City Code section 54-2, supplements the Declaration of State of Emergency and Curfew by the Mayor dated June 3, 2020. This Ordinance shall become effective upon adoption, with the daily curfew to begin at 6:00 p.m. on Wednesday, June 4, 2020, to continue until the earlier of repeal of this Ordinance or 6:00 a.m. on Monday, June 8, 2020. This Ordinance is subject to amendment to extend or amend its effective period.

**DONE, RATIFIED AND ADOPTED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, ON THIS 4<sup>TH</sup> DAY OF JUNE 2020.**

**CITY OF SUMTER, SOUTH CAROLINA**

  
Joseph T. McElvee, Jr., Mayor

  
Thomas J. Lowery, Mayor Pro Tem

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Ione J. Dwyer, Councilwoman

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Calvin K. Hastie, Sr., Councilman

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David P. Merchant, Councilman

  
Steven H. Corley, Councilman

  
Colin C. Davis, Councilman

ATTEST:  
  
Linda D. Hammett, City Clerk

Date of Reading: June 4, 2020