

ORDINANCE NO. 2703

AN EMERGENCY ORDINANCE AMENDING AND EXTENDING THE EXPIRATION DATE OF ORDINANCE NO. 2695 CONCERNING FACE COVERINGS IN RETAIL AND FOODSERVICE ESTABLISHMENTS

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, the current coronavirus pandemic has created a public health emergency for our City, our State, and our Nation, such that the Council, in the exercise of its statutory authority and in the public interest, enacted Ordinance No. 2687 on July 1, 2020, as an emergency ordinance to, among other things, require individuals to wear face coverings in retail and foodservice establishments; and

WHEREAS, the Council extended the expiration date of Ordinance No. 2687 on July 21, 2020, by enactment of Ordinance No. 2689; and

WHEREAS, the Council extended the expiration date and further amended the text of Ordinance No. 2689 by its enactment, on August 18, 2020, of Ordinance No. 2695; and

WHEREAS, the Council now believes that, due to the continuation of the public health emergency presented by the pandemic, it is in the public interest to extend further the expiration date of the emergency ordinance previously adopted so that it shall remain in force and effect for an additional temporary time period,

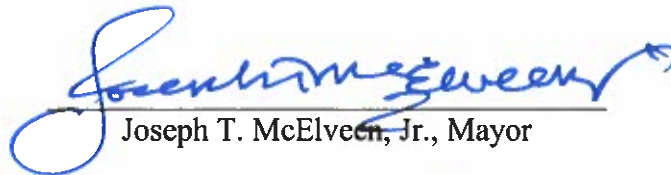
NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

1. Ordinance No. 2695 is hereby amended, and re-enacted to the extent necessary, to provide that it shall expire automatically on the date of October 7, 2020, unless further amended or repealed.
2. Except as amended previously or by this amending ordinance, all remaining provisions of Ordinance No. 2695, and its predecessor Ordinances Nos. 2689 and 2687, shall continue and remain in full force and effect.
3. In the event of any direct conflict between the requirements of this Ordinance and the requirements of an Executive Order of the Governor in effect, the Executive Order of the Governor shall control.

This Ordinance, as an emergency ordinance, shall become effective immediately upon Council approval on one reading. This emergency ordinance also is subject to repeal or extension or amendment by further ordinance.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, ON THIS 1ST DAY OF SEPTEMBER 2020.

CITY OF SUMTER, SOUTH CAROLINA


Joseph T. McElveen, Jr., Mayor

Thomas J. Lowery, Mayor Pro Tem


Ione J. Dwyer, Councilwoman


Calvin K. Hastie, Sr., Councilman


David P. Merchant, Councilman


Steven H. Corley, Councilman

Colin C. Davis, Councilman

ATTEST:


Linda D. Hammett, City Clerk

Date of Reading: September 1, 2020

ORDINANCE NO. 2695

AN EMERGENCY ORDINANCE AMENDING AND EXTENDING THE EXPIRATION DATE OF ORDINANCE NO. 2689 CONCERNING FACE COVERINGS IN RETAIL AND FOODSERVICE ESTABLISHMENTS

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, the current coronavirus pandemic has created a public health emergency for our City, our State, and our Nation, such that the Council, in the exercise of its statutory authority and in the public interest, enacted Ordinance No. 2687 on July 1, 2020, as an emergency ordinance to, among other things, require individuals to wear face coverings in retail and foodservice establishments; and

WHEREAS, the Council extended the expiration date of Ordinance No. 2687 on July 21, 2020, by enactment of Ordinance No. 2689; and

WHEREAS, the Council now believes that, due to the continuation of the public health emergency presented by the pandemic, it is in the public interest to extend further the expiration date of the emergency ordinance previously adopted so that it shall remain in force and effect for an additional temporary time period,

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. Ordinance No. 2689 is hereby amended, and re-enacted to the extent necessary, to provide that it shall expire automatically on the thirty-first day following the date of this amending ordinance, which is the date of September 18, 2020, unless further amended or repealed.
2. To conform to the requirements of the Governor's Executive Order 2020-50, dated August 2, 2020, the following provisions of Ordinance No. 2689, as extended and re-enacted by this Ordinance, are amended:
 - (a) Section 2(3) is amended to read "all Foodservice establishments shall require all employees, customers, patrons, suppliers, vendors, and other visitors to wear Face Coverings."
 - (b) Section 3(a) is amended to delete the words "or Foodservice Establishments".

(c) Section 3(d) is amended to read "except as to Foodservice Establishments, for children under eight years old, provided that adults accompanying children age two through seven shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Retail Establishment;"

(c) Section 3(e) is amended to read "for customers or patrons of Foodservice Establishments while actively eating or drinking;"

3. Except as amended by this amending ordinance, all remaining provisions of Ordinance No. 2689, and its predecessor Ordinance 2687, shall continue and remain in full force and effect.
4. In the event of any direct conflict between the requirements of this Ordinance and the requirements of an Executive Order of the Governor in effect, the Executive Order of the Governor shall control.

This Ordinance shall become effective immediately upon Council approval on one reading.

**DONE, RATIFIED AND ADOPTED BY THE MAYOR AND THE CITY COUNCIL OF
THE CITY OF SUMTER, SOUTH CAROLINA, ON THIS 18TH DAY OF AUGUST 2020.**

CITY OF SUMTER, SOUTH CAROLINA


Joseph T. McElveen, Jr., Mayor


Thomas J. Lowery, Mayor Pro Tem


Ione J. Dwyer, Councilwoman


Calvin K. Hastie, Sr., Councilman


David P. Merchant, Councilman


Steven H. Corley, Councilman

Colin C. Davis, Councilman

ATTEST:


Linda D. Hammett, City Clerk

Date of Reading: August 18, 2020