



AGENDA

CITY OF HARTSVILLE, SOUTH CAROLINA
SPECIAL CITY COUNCIL MEETING
TUESDAY, JUNE 30, 2020 - 12:00 PM
CITY COUNCIL CHAMBERS - 100 EAST CAROLINA AVENUE

PURSUANT TO CITY OF HARTSVILLE EMERGENCY ORDINANCE 4389, DURING THE COVID-19 (CORONAVIRUS) PANDEMIC, THE CITY COUNCIL CHAMBERS WILL BE OPEN AND MAINTAINING SOCIAL DISTANCING. PUBLIC COMMENTS SUBMITTED BY 11:00AM ON THE DAY OF THE MEETING TO city.clerk@hartsvillesc.gov WILL BE READ ALOUD FOR THE RECORD.

PURSUANT TO FREEDOM OF INFORMATION ACT SC CODE 30-4-80: WRITTEN NOTICE WAS DELIVERED TO THE PRESS BY EMAIL ON FRIDAY, JUNE 26, 2020 AND DULY POSTED AT CITY HALL LOCATED AT 100 EAST CAROLINA AVENUE AND ON HARTSVILLES.C.GOV. CITY HALL IS AN ACCESSIBLE FACILITY, FOR ASSISTANCE CALL 843-383-3018.

1. CALL TO ORDER - MAYOR
2. INVOCATION AND PLEDGE

NEW BUSINESS

3. RESOLUTION 06-20-05: AN EMERGENCY RESOLUTION TO ENCOURAGE FACE COVERINGS IN CERTAIN CIRCUMSTANCES; AND OTHER MATTERS RELATED THERETO.
4. ORDINANCE 4397: APPROVAL TO EXTEND EMERGENCY ORDINANCE 4389 ENACTED MAY 12, 2020.
 - a. Reading by Title and Presentation - City Manager
 - b. Approval of Reading and Waiving of Complete Reading

ADJOURNMENT



REQUEST FOR
COUNCIL AGENDA
The City of Hartsville

Agenda Date:
6/30/2020

To: City Council
From: City Manager

Ordinance Number: Resolution Number: 06-20-05 - SPECIAL MEETING

ORDINANCE/RESOLUTION CAPTION:

AN EMERGENCY RESOLUTION TO ENCOURAGE FACE COVERINGS IN
CERTAIN CIRCUMSTANCES; AND OTHER MATTERS RELATED
THERETO

BACKGROUND SUMMARY:

It has been determined that the continuation and spread of COVID-19 represents a public emergency affecting life, health, and safety, and therefore, it is proper, necessary, and essential to encourage face coverings in public.

ATTACHMENTS:

Description

- ▣ Resolution 06-20-05

RESOLUTION 06-20-05

AN EMERGENCY RESOLUTION TO ENCOURAGE FACE COVERINGS IN CERTAIN CIRCUMSTANCES; AND OTHER MATTERS RELATED THERE TO.

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08, as extended by Executive Order 2020-40 dated June 11, 2020, related to 2019 Novel Coronavirus (“**COVID-19**”) and declared that a state of emergency exists in the State of South Carolina (the “**State**”); and

WHEREAS, on May 12, 2020, the City Council of the City of Hartsville (the “**City Council**”), as the governing body of the City of Hartsville, South Carolina (the “**City**”) enacted Emergency Ordinance No. 4389 (the “**Prior Emergency Ordinance**”) to temporarily authorize electronic meetings and to suspend other local procedural rules; and

WHEREAS, as the number of COVID-19 cases continues to grow in the State, the South Carolina Department of Health and Environmental Control (“**DHEC**”) continues to warn of the risk of localized person-to-person spread of COVID-19, creating an extreme public health risk; and

WHEREAS, as of June 25, 2020, there were 29,022 confirmed cases of COVID-19 in the State, including 1,037 confirmed cases in Florence County, South Carolina and 395 confirmed cases in Darlington County, South Carolina; and

WHEREAS, the City Council finds it vitally important that individuals work together to decrease the widespread proliferation of COVID-19 among citizens of the City; and

WHEREAS, if COVID-19 continues to spread in the City and surrounding areas at its current rate, the number of persons relying on medical, pharmaceutical, and general cleaning supplies will increase, absenteeism will negatively impact the private and public sector work force, and the demand for medical facilities may exceed locally available resources; and

WHEREAS, the Centers for Disease Control and Prevention, DHEC, and Carolina Pines Regional Medical Center advise the use of face coverings to slow the spread of COVID-19; and

WHEREAS, it is hereby determined that the continuation and spread of COVID-19 represents a public emergency affecting life, health, and safety, and therefore, it is proper, necessary, and essential to enact this Resolution.

NOW THEREFORE, be it hereby resolved in this emergency meeting of the City Council, as follows:

Section 1. Recitals.

Each finding or statement of fact set forth in the recitals hereinabove has been carefully examined and has been found to be in all respects true and correct.

Section 2. Encouragement of Face Coverings.

(a) The use of a Face Covering is encouraged by every Person within the boundaries of the City as detailed below. Every Person is encouraged to wear Face Covering at all times when:

- (1) inside any building which is open to the public;
- (2) waiting to enter any building which open to the public;
- (3) interacting with other people in outdoor spaces, including but not limited to curbside, pickup, delivery, and service calls;
- (4) engaging in business activities in public, commercial, or industrial spaces;
- (5) utilizing public or commercial transportation services; or
- (6) walking or operating in any public, commercial, or industrial area where maintaining a distance of six feet between other Persons at all times is not possible.

(b) These circumstances do not include when a Person is:

- (1) traveling in a private vehicle;
- (2) alone in an enclosed space or able maintain a minimum distance of six feet from other Persons at all times;
- (3) outdoors and able maintain a minimum distance of six feet from other Persons at all times;
- (4) alone or only with other Household members;
- (5) drinking, eating or smoking (where smoking is permitted);
- (6) inside a private residence, including curtilage thereof; or
- (7) complying with a request of law enforcement.

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

DONE AS AN EMERGENCY RESOLUTION and approved at a meeting duly assembled by no less than an affirmative vote of two-thirds of the members of the City Council present, this 30th day of June 2020.

CITY OF HARTSVILLE, SOUTH CAROLINA

(SEAL)

Johnny L. Andrews, Mayor Pro-Tem

ATTEST:

Sherron L. Skipper, City Clerk



**REQUEST FOR
COUNCIL AGENDA**
The City of Hartsville

Agenda Date:
6/30/2020

To: City Council
From: City Manager

Ordinance Number: 4397 Resolution Number: - REGULAR MEETING

ORDINANCE/RESOLUTION CAPTION:

Due to the COVID-19 pandemic and in accordance with orders from Governor McMasters, the emergency ordinance enacted in May will expire on July 11, 2020. This extension will expire in 61 days or such time as the state of emergency expires.

BACKGROUND SUMMARY:

IMPACT IF DENIED:

IMPACT IF APPROVED:

FINANCIAL IMPACT:

ATTACHMENTS:

Description

- Emergency Ordinance 4397

EMERGENCY ORDINANCE

ORDINANCE 4397

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08, as extended by Executive Order 2020-40 dated June 11, 2020, related to 2019 Novel Coronavirus (“**COVID-19**”) and declared that a state of emergency exists in the State of South Carolina (the “**State**”); and

WHEREAS, on March 17, 2020, Governor Henry McMaster issued Executive Order No. 2020-10 directing local governing bodies to “utilize any available technology or other reasonable procedures to conduct such meeting and accommodate public participation via virtual or other remote or alternate means”; and

WHEREAS, on March 17, 2020, the City Council of the City of Hartsville (the “**Governing Body**”), as the governing body of the City of Hartsville, South Carolina (the “**City**”) enacted Emergency Ordinance No. 4387, as amended and extended by Ordinance No. 4389 dated May 12, 2020 (together, the “**Prior Emergency Ordinance**”) to temporarily authorize electronic meetings, authorize electronic public hearings and to suspend other local procedural rules; and

WHEREAS, the South Carolina Freedom of Information Act, which is codified at Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, defines a “Meeting” as “the convening of a quorum of the constituent membership of a public body, whether corporal *or by means of electronic equipment*, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power” (emphasis added); and

WHEREAS, South Carolina law provides that an emergency ordinance shall expire automatically on the sixty-first day following its enactment, therefore, Prior Emergency Ordinance shall expire on July 11, 2020; and

WHEREAS, as the number of COVID-19 cases continues to grow in the State, the South Carolina Department of Health and Environmental Control (“**DHEC**”) continues to warn of the risk of localized person-to-person spread of COVID-19, creating an extreme public health risk; and

WHEREAS, as of June 23, 2020, there were 26,572 confirmed cases of COVID-19 in the State, including 393 confirmed cases in Darlington County, South Carolina; and

WHEREAS, the Governing Body finds it vitally important that individuals work together to decrease the widespread proliferation of COVID-19 among citizens of the City; and

WHEREAS, due to the continuation of the public health threat posed by COVID-19, the Governing Body finds that it is additionally necessary to extend the Prior Emergency Ordinance to continue the authorization to conduct public meetings and hearings using electronic means; and

WHEREAS, it is hereby determined that the continuation and spread of COVID-19 represents a public emergency affecting life, health, and safety, and therefore, it is proper, necessary, and essential to enact this Ordinance as an emergency ordinance.

NOW THEREFORE, be it hereby ordained in this meeting of the Governing Body, as follows:

Section 1. Extension of the Prior Emergency Ordinance. The Governing Body hereby extends the provisions of the Prior Emergency Ordinance during such time as the state of emergency with respect to COVID-19 continues or this Ordinance expires pursuant to Section 3 hereof.

Section 2. Suspension of Local Provisions. During the period of effectiveness of this Ordinance, any ordinance, resolution, policy, or bylaw of the Governing Body that conflicts with the provisions hereof is suspended and shall be superseded hereby.

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

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DONE AS AN EMERGENCY ORDINANCE 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, this 30th day of June 2020.

**CITY OF HARTSVILLE, SOUTH
CAROLINA**

(SEAL)

Carl M. (Mel) Pennington IV, Mayor

ATTEST:

Sherron L. Skipper, City Clerk