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EMERGENCY ORDINANCE

To temporarily suspend the normal operating procedures of the Summerville Town Council and to authorize the Town Administrator and Mayor to develop and enact a plan to ensure the continuity in the delivery of Government Services during the COVID -19 Emergency

WHEREAS, on March 13, 2020, Governor Henry McMaster issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus ("**COVID-19**") and declared that a State of Emergency exists in South Carolina and it is now necessary to do likewise for the Town of Summerville; and

WHEREAS, our Governor and President are instructing citizens not to gather in groups to the extent possible and limit human interaction to prevent the spread of the Coronavirus and it is now necessary for Town Council to likewise declare this Town in a state of emergency and to take, install and implement measures to limit contact among the citizens and all necessary measures to inhibit the spread of the Coronavirus; and

WHEREAS, South Carolina Code Ann. Section 5-7-250(d) allows for the enactment of emergency ordinances affecting life, health, safety or property of the people which shall be effective immediately without a public hearing, second reading and public notice, and

WHEREAS, the Statutes and Laws of this State allow telephonic and electronic meetings; and,

WHEREAS, it is now necessary for the Town to provide for Meetings to be held telephonically and/or electronically; and

WHEREAS, Town Ordinance Section 2-94 does not provide for a Member of Council to attend a Council Meeting electronically and/or telephonically as permitted by S.C. Code Ann. Section 30-4-20; and

WHEREAS, Town Ordinance Section 2-95 does not specify if a Quorum can be obtained counting a member(s) attending by electronic means; and

WHEREAS, The Town has adopted Roberts Rules of Order to cover matters not addressed by Ordinance; and

WHEREAS, Roberts Rules of Order require the corporal presence of a member to constitute a Quorum; and

WHEREAS, Town Ordinance Section 2-99 allows the public to make comments during a Council Meeting; and

WHEREAS, in light of the state of emergency, it will be necessary to temporarily suspend the normal operating procedures of the Town and authorize the Town Administrator and Mayor to develop and implement plans to ensure continuity in the delivery of services, including but not limited to; closing necessary public buildings to the public and revoking special event permits and facilities rental agreements as needed; and

WHEREAS, the Coronavirus will cause an extreme financial hardship to Town citizens during the period of this Emergency Ordinance and as a result, all deadlines for fees, fines or any sum of

money or deadline for any act required to be done by Town Ordinances within a certain time frame shall be temporarily suspended during the time of this Ordinance; and

WHEREAS, during this state of emergency exigent circumstances will dictate the \$25,000.00 spending limit imposed on the Town Administrator be suspended for emergency purchases, subject to the approval of Council; and

WHEREAS, to ensure the safety and well-being of the Town citizens and to ensure that the purposes of this Ordinance are implemented as intended, if any Town Ordinances are inconsistent with the provisions of this Emergency Ordinance, this Emergency Ordinance shall prevail, and

NOW THEREFORE:

BE IT ORDAINED, by the Mayor and Council Members of the Town of Summerville, in Council assembled that:

1. A State of Emergency is hereby declared for the Town of Summerville; and
2. Electronic and Telephonic Council meetings and other Town Committee, Board or Commission meetings may be held subject to the provisions as stated above; and
3. Said meetings should be live streamed to the public and/or recorded for later viewing and made available to the public; and
4. All notice provisions, public hearings and second readings are suspended. Notice to the public, however, may be given if circumstances permit; and
5. A quorum of Council Meetings may be comprised by telephonic or electronic attendance of all Members; and
6. Public comments during a Council Meeting are hereby temporarily suspended; and
7. During the term of this Emergency Ordinance, as allowed by Town Ordinance, the \$25,000.00 spending limit imposed upon the Town Administrator shall be temporarily suspended for emergency purchases subject to the approval of Council, and,
8. During this State of Emergency, the normal operating procedures of the Town are hereby suspended and the Town Administrator and Mayor are hereby authorized to develop and implement plans to ensure continuity in the delivery of services, including but not limited closing necessary public buildings to the public and to revoking special event permits and facilities rental agreements as needed; and
9. During this state of emergency all deadlines for fines, penalties and fees or the deadline for any other act required by the Town shall be temporarily suspended; and
10. In the event, any provision of this Emergency Ordinance is in conflict with any other Town Ordinance, this Emergency Ordinance shall prevail; and
11. The provisions of this Ordinance shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate; and
12. This Ordinance shall expire at 11:59pm on April 9, 2020 unless sooner revoked or renewed by Council, but in no event later than the sixty-first day following the date of enactment at which time it will automatically expire, and

IT IS SO ORDAINED!

Date: 3/19/20

Attest:

Beth Messervy

Beth Messervy, Town Clerk

Richard G. Waring

Richard G. Waring, Mayor