ORDINANCE NO. 2670

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, the current coronavirus pandemic has created an emergency for our City, our State, and our Nation, 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, 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 11:00 p.m. on Wednesday, April 8, 2020, and restricting the travel of individuals every day from 11:00 p.m. until 5:00 a.m. with the exception of individuals traveling to and from work and 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, 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 to carry out their duties: law enforcement officers, firefighters, EMS personnel, active duty military, 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 shall become effective upon adoption, with the daily curfew to begin at 11:00 p.m. on Wednesday, April 8, 2020, to continue until the earlier of repeal of this Ordinance or 11:00 p.m. on the 14th day after the day of enactment of this Ordinance. 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 7TH DAY OF APRIL 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: April 7, 2020

City Council Meeting – April 7, 2020
This Regular City Council meeting was held as a virtual (electronic) meeting in order to abide by social distancing requirements related to the Coronavirus Pandemic. All Members of Council attended the meeting. Although this Ordinance or Resolution was signed by the Mayor only, the vote was unanimous by the full Council.