

**ORDINANCE NO. 2704**

**AN EMERGENCY ORDINANCE AMENDING AND EXTENDING THE EXPIRATION DATE OF ORDINANCE NO. 2703 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 extended the expiration date of Ordinance No. 2695 by its enactment, on September 1, 2020, of Ordinance 2703; 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:**

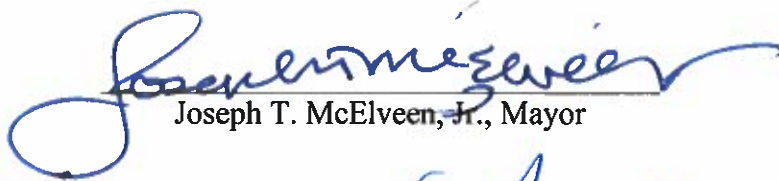
1. Ordinance No. 2703 is hereby amended, and re-enacted to the extent necessary, to provide that it shall expire automatically on the date of November 5, 2020, unless further amended or repealed.
2. Except as amended previously or by this amending ordinance, all remaining provisions of Ordinance No. 2703, and its predecessor Ordinances Nos. 2689, 2687 and 2695, shall continue and remain in full force and effect.

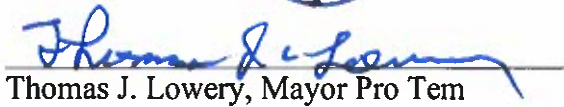
3. In the event of any direct conflict between the requirements of this Ordinance and the requirements of an Executive Order of the Governor in effect, the Executive Order of the Governor shall control.

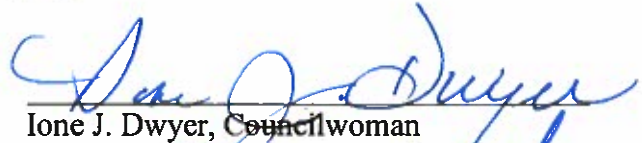
This Ordinance, as an emergency ordinance, shall become effective immediately upon Council approval on one reading. This emergency ordinance also is subject to repeal or extension or amendment by further ordinance.

**DONE, RATIFIED AND ADOPTED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SUMTER, SOUTH CAROLINA, ON THIS 6<sup>TH</sup> DAY OF OCTOBER 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: October 6, 2020

**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 1<sup>ST</sup> DAY OF SEPTEMBER 2020.**

**CITY OF SUMTER, SOUTH CAROLINA**

  
Joseph T. McElveen, Jr., Mayor

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Thomas J. Lowery, Mayor Pro Tem

  
Ione J. Dwyer, Councilwoman

  
Calvin K. Hastie, Sr., Councilman

  
David P. Merchant, Councilman

  
Steven H. Corley, Councilman

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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 18<sup>TH</sup> 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**