



TOWN OF
Kiawah Island®

Mayor

Craig E. Weaver

Council Members

Maryanne Connelly

Daniel Prickett

Klaus Said

Chris Widuch

Town Administrator

Stephanie Monroe Tillerson

TOWN OF KIAWAH ISLAND
TOWN COUNCIL MEETING
Municipal Center Council Chambers
June 15, 2020 10:00 AM

Special Call Meeting

AGENDA

- I. **Call to Order:**

- II. **New Business:**
 - A. To Consider Approval of **Ordinance 2020-03** – An Emergency Ordinance of the Town Council of the Town of Kiawah Island Regarding Restrictions on Essential Businesses That Serve Prepared Food

- III. **Adjournment:**

TOWN OF KIAWAH ISLAND

ORDINANCE 2020-03

**AN EMERGENCY ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF KIAWAH ISLAND
REGARDING RESTRICTIONS ON ESSENTIAL BUSINESSES THAT SERVE PREPARED FOOD**

The Town Council of the Town of Kiawah Island, South Carolina, duly assembled, hereby ordains that the following Emergency Ordinance be adopted pursuant to South Carolina Code § 5-7-250:

WHEREAS, the Governor of the State of South Carolina continues to modify and rescind his Executive Orders setting forth restrictions related to the Coronavirus outbreak, including orders regarding social distancing; and

WHEREAS, the Governor has lifted most, but not all, restrictions on businesses or replaced mandatory restrictions with suggestions that businesses follow industry guidelines; and

WHEREAS, mandatory restrictions addressing occupancy limits, social distancing, and sanitation at essential businesses, which were enacted by Governor McMaster's Executive Order No. 2020-21, remain in place and have not been repealed by the Governor; and

WHEREAS, in light of the foregoing, Town Council of the Town of Kiawah Island deems it proper and necessary to amend its prior emergency ordinance and adopt this emergency ordinance in order to address how the Town and Council will proceed in light of the above emergency;

NOW, THEREFORE, BE IT, AND IT HEREBY IS, RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AS FOLLOWS:

1. All directives and procedures adopted by the Town's prior Emergency Ordinances, Ordinance No. 2020-01 and No. 2020-02 are hereby rescinded as of this date with the following exceptions.
2. The Town adopts all Emergency Orders as amended issued by the State of South Carolina Governor Henry McMaster related to the coronavirus.
3. All essential businesses that provide prepared food products must comply with occupancy rate, social distancing practices, and sanitations requirements included in the Governor's Executive Order No. 2020-21, Section 1(1), which includes the following restrictions:
 - A. Emergency Maximum Occupancy Rate. The business shall limit the number of customers allowed to enter and simultaneously occupy the premises so as not to exceed five (5) customers per 1,000 square feet of retail space, or twenty percent (20%) of the occupancy limit as determined by the fire marshal, whichever is less.
 - B. Social Distancing Practices. The business shall not knowingly allow customers, patrons, or other guests to congregate within six (6) feet of one another, exclusive of family units.

- C. Sanitation. The business shall implement all reasonable steps to comply with any applicable sanitation guidelines promulgated by the CDC, DHEC, or any other state or federal public health officials.
4. All essential businesses that provide prepared food products must also limit customers entering the business to a single person per family or group at a time, except for shoppers with small children when no other adult is present, and persons who, for medical reasons, require assistance. At any point, when a business is under a Town or Governor's Order, which limits the maximum occupancy to less than approved by building or fire authorities, the revised occupancy level must be prominently displayed at all entrances. If applicable to the business, the requirement for "a single person per family or group" must be prominently displayed at all entrances.
 5. Violators of any provision contained in this Emergency Ordinance will be subject to a civil fine of up to \$500.00 plus required statutory assessments. Each day of the infraction shall be considered a separate offense. In addition, any violation may be charged as an infraction with any other relevant civil penalties contained in the Kiawah Island Municipal Code, or civil or criminal penalties under state law, or federal law, including violations of S.C. Code Section 16-7-10 (Illegal acts during state of emergency), and penalties authorized pursuant to Executive Orders issued by the South Carolina Governor. In addition, the Governor has authorized cities to seek an injunction, mandamus, or other appropriate legal action in the courts of the State.
 6. All net fines (not including assessments or other payments directed elsewhere under State law) paid to the Town for violations of this Emergency Ordinance will be earmarked and donated to a nonprofit or charitable organization to be chosen at a later date.
 7. The provisions of this Emergency Ordinance will expire on August 8, 2020 unless modified or rescinded earlier by Executive Order of the South Carolina Governor or by vote of Town Council.

MOVED, APPROVED AND ADOPTED THIS 15th DAY OF JUNE, 2020.

Craig Weaver, Mayor

ATTEST:

By: _____
Petra Reynolds, Town Clerk

1st Reading: June 15, 2020

No Second Reading per S.C. Code § 5-7-250