

ORDINANCE NO. 347.2020

AN EMERGENCY ORDINANCE TO ESTABLISH SAFETY MEASURES, VIRTUAL MEETING ATTENDANCE, AND OPERATING PROCEDURES REGARDING POSTPONING AND/OR RESCHEDULING KERSHAW COUNTY COUNCIL MEETINGS

WHEREAS, on March 19, 2020 Kershaw County Council enacted Ordinance No. 345.2020;

AN EMERGENCY ORDINANCE TO ESTABLISH SAFETY MEASURES, VIRTUAL MEETING ATTENDANCE, AND OPERATING PROCEDURES REGARDING POSTPONING AND/OR RESCHEDULING KERSHAW COUNTY COUNCIL MEETINGS

WHEREAS, as provided for in the S.C. Code of Laws Section 4-9-130 Ordinance No. 345.2020 expires “automatically as of the sixty-first day following the date of enactment”;

WHEREAS, the finding contained in Ordinance No. 345.2020 are still in effect and operative and the dates applicable as to the declarations of the Governor of South Carolina have been extended and the number of cases of COVID-19 has increased exponentially;

WHEREAS, Ordinance No. 345.2020 is referenced herein in its entirety and as modified and extended is incorporated herein and a public emergency affecting life, health, safety, and the property of people is hereby established and declared:

WHEREAS, Kershaw County Council, in an effort to protect and preserve the general welfare of its citizenry while promoting and enacting the will of the people, believes this world health event requires the Council to take all necessary actions to ensure the safety, welfare, and health of its residents , visitors, and County staff; and

NOW, THEREFORE, Kershaw County Council, by the power granted to it by the South Carolina Constitution and General Assembly through the Home Rule Act, hereby declares, enacts, ordains, and orders a State of Emergency provisioned as below:

1. That all protection measures available to Kershaw County for health and safety response be utilized and made available in order to preserve life and property.
2. That the County work closely with Federal, State, Local, School District and Utility officials to ensure a concerted effort of response during this public health crisis and earliest return to normalcy as to sustain our businesses and way of life.
3. Council Chair and Administrator are granted operational authority to respond to existing or anticipated contingencies within context of the emergency, specifically the use of funds, transfer of personnel and functions and to suspend regulations that would hinder a prompt response. Reports shall be faithfully rendered to the full Council at first opportunity where full consultation is not feasible otherwise. That the Administrator or his designated representative continuously dialogue with officials to establish reasonable and amenable plans of action for their statutory functions and service and serve as the single coordinating officer for Kershaw County.

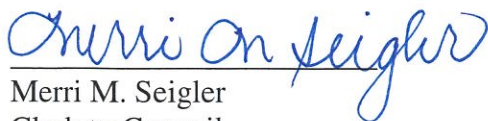
4. That the Chairman of Kershaw County Council will have the authority to provide for remote or virtual attendance at meetings of Council, as well as virtual public access, both audio and visual, to meetings during the declared state of emergency in accordance with the South Carolina Home Rule Act and the South Carolina Freedom of Information Act, with the County continuing to make Council meetings accessible via the County's Facebook page and YouTube.
5. That the Chairman of Kershaw County Council will have the authority to postpone and/or reschedule meetings of Kershaw County Council during the declared state of emergency but only after consultation with members of County Council and the Clerk to Council. Said postponement or rescheduling will be in accordance with the provisions of the South Carolina Home Rule Act and the South Carolina Freedom of Information Act.
6. It is further authorized by this emergency ordinance that the Kershaw County Council Agenda may be trimmed to address the ongoing health emergency itself and those matters of business of immediate nature. Public attendance and comments may be eliminated in the interest of public safety and to reduce public exposure to COVID-19 virus.
7. This ordinance will remain in effect for the duration of the herein declared emergency and as provided for in the South Carolina Code of Laws Section 4-9-130 unless sooner terminated by Kershaw County Council.
8. If any section of this ordinance is declared invalid by a court or found to be in conflict with sound legal principle or law, then the remaining portions of the ordinance will remain in effect.
9. This ordinance expressly takes precedence over and supersedes any other Kershaw County ordinance for the duration of the term provided herein.
10. This emergency ordinance is effective immediately.

ORDAINED, ENACTED, AND ORDERED THIS 12th DAY OF MAY, 2020



Kershaw County Council

ATTEST:



Merri M. Seigler
Clerk to Council