



**TOWN OF BLUFFTON
BLUFFTON TOWN SPECIAL COUNCIL MEETING
ELECTRONIC MEETING**

Tuesday, April 28, 2020 | 11 AM

This meeting can be viewed on the Town of Bluffton's Facebook page
(<https://www.facebook.com/TownBlufftonSC/>)

- I. Call to Order – Mayor Sulka
- II. Pledge of Allegiance
- III. Invocation
- IV. Adoption of the Agenda
- V. Public Comment
- VI. Formal Items:
 1. [Consideration of an Emergency Ordinance to Decrease the Risk of Exposure to COVID-19 when Shopping or Visiting Retail Stores – Scott Marshall, Deputy Town Manager](#)
 2. [Consideration of an Ordinance to Authorize the Town Manager to Extend the Deadline for Payment of Business License Tax Renewals until August 7, 2020 and to Waive all Late Fees Assessed on Renewals Due but not Paid between April 30, 2020 and August 7, 2020 – First Reading – Chris Forster, Director of Finance and Administration](#)
- VII. Communications from Mayor and Council
- VIII. Adjournment

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. Public comment must not exceed three (3) minutes.

*Public Comments may be submitted electronically via the Town's website at (<https://bit.ly/TOBPublicComment>). Comments will be accepted up to 2 hours prior to the scheduled meeting start time. All comments will be read aloud for the record and will be provided to Town Council.

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Town Clerk. Public comment must not exceed three (3) minutes.

TOWN COUNCIL

STAFF REPORT Executive Office



MEETING DATE:	April 28, 2020
PROJECT:	Consideration of an Emergency Ordinance to Decrease the Risk of Exposure to COVID-19 When Shopping or Visiting Retail Stores
PROJECT MANAGER:	Scott Marshall, Deputy Town Manager

RECOMMENDATION:

Request Town Council's consideration of the Emergency Ordinance at Attachment 1. The intent of the Ordinance is to protect employees and patrons in light of the allowed opening of additional retail establishments under Governor McMaster's Executive Order 2020-28.

BACKGROUND/DISCUSSION:

The City of Charleston, South Carolina, in response to Executive order 2020-28 adopted an Emergency Ordinance on April 20, 2020, titled "Decreasing Risk of Exposure to COVID in Retail Businesses," a copy of which is found at Attachment 2. The ordinance specifies certain requirements for retailers with regard to maximum occupancy signage, social distancing practices, sanitation/cleaning standards and monitoring of employees.

The Town of Hilton Head Island adopted a Resolution on April 21, 2020 "Urging All Citizens to Wear Protective Face Masks When Shopping or Visiting Retail Stores," a copy of which is found at Attachment 3.

The Ordinance presented for your consideration at Attachment 1 captures elements of both the City of Charleston Emergency Ordinance as well as the Town of Hilton Head Island Resolution. This Ordinance becomes effective immediately upon the vote of two-thirds or more of Town Council. No second reading is required, since this is an emergency ordinance.

NEXT STEPS:

Next steps include communicating, through all practical means, the requirements contained within the Ordinance to affected businesses within the Town of Bluffton.

ATTACHMENTS:

1. Emergency Ordinance of the Town of Bluffton, South Carolina, in Furtherance of the Health, Public Safety and Welfare of the Town of Bluffton, South Carolina, to Require Businesses and Citizens to Maintain Necessary and Proper Protective procedures for the Health, Safety and Welfare of the Citizens of the Town of Bluffton.
2. City of Charleston Emergency Ordinance on Decreasing Risk of Exposure to COVID-19 in Retail Businesses.
3. Town of Hilton Head Island Resolution Urging All Citizens to Wear Protective Face Masks When Shopping or Visiting Retail Stores.
4. Language to support a motion for adoption.

EMERGENCY ORDINANCE No. 2020-_____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN EMERGENCY ORDINANCE OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, IN FURTHERANCE OF THE HEALTH, PUBLIC SAFETY AND WELFARE OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, TO REQUIRE BUSINESSES AND CITIZENS TO MAINTAIN NECESSARY AND PROPER PROTECTIVE PROCEDURES FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE TOWN OF BLUFFTON

WHEREAS, the recitals of all prior Emergency Ordinances and Proclamations are incorporated as fully as if repeated verbatim herein; and

WHEREAS, on April 16, 2020, President Donald Trump issued guidelines entitled “Opening Up America Again,” describing criteria that state and local officials should satisfy before proceeding to a phased opening of the economy; and

WHEREAS, on April 20, 2020, Governor McMaster issued an Executive Order (2020-28), reopening retail businesses previously determined to be non-essential including department stores, furniture stores, luggage stores, flower shops, book, craft and music shops subject to certain emergency rules and restrictions, including but not limited to an emergency maximum occupancy rate, social distancing practices, and compliance with certain sanitation guidelines and further ordered any local ordinance that conflicts with the Order is superseded; and

WHEREAS, as of April 24, 2020, the total number of cases of persons infected with COVID-19 in South Carolina is 5,070, with 157 deaths; including 244 cases in Beaufort County with 10 deaths; and

WHEREAS, as of April 24, 2020, the State of South Carolina has not seen a two-week downward trajectory of documented cases; and

WHEREAS, our citizens have observed the Governor's Home or Work Order which has currently led to a flattening of the curve but it is critical that we continue to stay at home unless providing or requiring an essential service and practicing social distancing and other safe practices in public so the Town does not experience a reversal of this trend; and

WHEREAS, with the reopening of retail businesses, the Town of Bluffton finds it is necessary to take steps to try to protect its citizens, employers, and employees from increased risk of exposure to COVID-19; and

WHEREAS, the Town of Bluffton will continue to monitor on a daily basis the number of new cases and deaths and other circumstances related to COVID-19 in the County; and

WHEREAS, the Town Council deems it appropriate to warn people shopping in the retail stores opened under the aforesaid Executive Order that there is a continuing risk of infection which

risk may be increased if citizens fail to wear masks in those stores and continue to practice safety measures recommended by the Centers for Disease Control and others; and

WHEREAS, in the upcoming weeks, as the Town monitors this situation and the evolving medical and scientific information, we are prepared to take additional restrictive measures to limit any increase in the outbreak of COVID-19 in the Town.

NOW THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, as follows:

Article 1. Citizens are encouraged and urged to wear protective face masks and use other recommended safety measures when shopping and visiting retail stores opened by Executive Order of the Governor during the State of Emergency.

Article 2. Effective Wednesday, April 29, 2020, 12:01 a.m., all retail businesses in the Town of Bluffton that are open for access by the public shall follow the following procedures to be modified by the Mayor as necessary for the health, safety and welfare of the citizens of the City, its employers, and employees:

1) 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. The business will have one or more employees who will be tasked with ensuring the occupancy limits are not exceeded.

2) Social Distancing Practices. The business shall not knowingly allow customers, patrons, other guests, employees or contractors to congregate within six (6) feet of one another, exclusive of family units. To facilitate social distancing, businesses shall further implement the following:

- a. Maintain signage and/or mark floors and aisles to remind and help individuals stand at least 6 feet apart, including outside when in line and in store checkout lines.
- b. Designate each aisle as one-way to lessen cross traffic and enable social distancing.
- c. Frequent reminders to customers and staff about distancing and hygiene.

3) 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, as well as:

- a. Operating under heightened hygiene and cleaning standards:
 - 1) Promote etiquette for coughing, sneezing, and handwashing.

- 2) Avoid touching face, especially eyes, nose, and mouth.
- 3) Place posters that encourage hand and respiratory hygiene.
- 4) Ensure adequate air circulation.
- 5) Post tips on how to stop the spread of germs.
- 6) Discourage workers from sharing resources or other work tools and equipment, when possible; avoid handshaking.
- 7) Make a list of high-touch surfaces requiring routine disinfecting and perform routine environmental cleaning (e.g., workstations, countertops, handrails, doorknobs, break rooms, bathrooms, other-common areas), either twice a day or after each use.
- 8) Those cleaning should: Wear gloves; Clean surfaces with soap and water if dirty before disinfecting; Use EPA-registered household disinfectant, diluted bleach, or alcohol solutions; Provide disposable wipes so that commonly used surfaces (e.g., doorknobs, keyboards, remote controls, phones, desks, keypads) can be wiped down by employees before each use; provide no-touch trash bins.
- 9) Make hand sanitizer, soap and water, or effective disinfectant readily available at or near the entrance, at checkout counters, or anywhere else where people have direct interactions.
- 10) Provide additional pop-up handwashing stations or facilities if possible.
- 11) Personal Protection Equipment (PPE) should not be shared and should be disposed of properly.
- 12) After using gloves, employees should wash their hands.

b. Monitoring employees for symptoms:

- 1) Employees who are sick or who appear to have symptoms should be separated from other employees and customers immediately and sent home.
- 2) Immediately clean and disinfect areas the sick employee visited.
- 3) Monitor employee symptoms, especially fever. If employees need to take simple medications acetaminophen, ibuprofen, or aspirin, they should take temperature beforehand.
- 4) Train managers/leadership to spot symptoms of COVID-19 and to be clear on relevant protocols.
- 5) Do not allow employees to come to work if they feel sick.
- 6) Non-punitive leave policies are in place, so employees do not feel pressured to come to work if they are sick. Remind employees to report any illness to manager, especially if sick with fever, cough, muscle aches and pains, sudden changes in smell or taste, sore throat, and/or shortness of breath.
- 7) If an employee is confirmed to have COVID-19, employers should inform fellow employees while maintaining confidentiality unless the

employee consents to having their name released; fellow employees should self-monitor for symptoms for 14 days.

- c. Providing signage at each public entrance to inform all employees and customers that they should:
 - 1) Avoid entering if they have a cough, fever, or feel generally unwell.
 - 2) Maintain a minimum of 6-foot distance.
 - 3) Sneeze/cough into a cloth or tissue.
 - 4) Not shake hands or engage in any unnecessary physical contact.
 - 5) Wear face coverings.
 - 6) Encourage customers to order food and other items online for home delivery or curbside pickup.
- d. Ensuring cleaning wipes are near shopping carts and shopping baskets.
- e. Providing hand sanitizer at checkout counters and entrance/exit.
- f. Having employees wear face coverings.
- g. Assigning employees to disinfect carts and baskets regularly.
- h. Wiping down shared equipment before and after use; ensure disinfectant and paper towels to wipe down equipment is available.

Article 3. Businesses shall not be allowed to remain open unless operating in compliance with the requirements of this Ordinance. The Town will work with employers as they come into compliance with this Ordinance.

Article 4. The Town Police Department, Building Inspections Division, and their designees are hereby authorized to inspect and determine whether retail businesses are in compliance with this Emergency Ordinance. For the duration of this Ordinance, it is unlawful for a person to willfully fail or refuse to comply with any lawful order or direction of these individuals or their designees issued pursuant to this Ordinance.

Article 5. Violation of any section of this Ordinance or any Subsection of this Ordinance shall be punishable with a civil fine of up to \$100.00 per violation.

Article 6. This Ordinance shall become effective upon enactment and shall expire sixty-one (61) days from the date of the State of Emergency declared on March 16, 2020 unless otherwise modified, amended, or rescinded by a subsequent Town Ordinance to protect the health, safety, and welfare of the Town of Bluffton.

DONE, RATIFIED AND ENACTED AS AN EMERGENCY ORDINANCE BY THE TOWN COUNCIL FOR THE TOWN OF BLUFFTON, SOUTH CAROLINA, and approved at a meeting duly assembled by no less than an affirmative vote of two-thirds of the members of the Town Council present, on this ____ day of April, 2020.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Kimberly Chapman, Town Clerk
Town of Bluffton, South Carolina



**EMERGENCY ORDINANCE
ON DECREASING RISK OF EXPOSURE TO COVID-19
IN RETAIL BUSINESSES**

Section 1. Findings. City Council does hereby make the following findings:

WHEREAS, in December 2019, an outbreak respiratory illness due to a novel coronavirus (COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, across the world, including the United States; and,

WHEREAS, it is well recognized that COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and,

WHEREAS, on January 23, 2020, the Center for Disease Control (“CDC”) activated its Emergency Response System to provide ongoing support for the response to COVID-19; and,

WHEREAS, on March 13, 2020, President Donald Trump declared a national emergency to assist with combating the coronavirus, and,

WHEREAS, on March 13, 2020, Governor Henry McMaster (the “Governor”) declared a state of emergency in South Carolina, Executive Order 2020-10, based on a determination that “COVID-19 poses an actual or imminent public health emergency”; and,

WHEREAS, on March 16, 2020, Mayor John J. Tecklenburg declared a local state of emergency in the City of Charleston; and,

WHEREAS, on March 17, 2020, the Governor issued Executive Order 2020-10, ordering and directing that any and all restaurants or other food-service establishments to suspend on-premises or dine-in consumption; and,

WHEREAS, on March 21, 2020, the Governor issued Executive Order 2020-13, authorizing and directing law enforcement officers to prohibit or disburse any congregation or gathering of people, unless authorized or in their homes, in groups of three (3) or more people, if any such law enforcement official determines, in his or her discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health; and,

WHEREAS, on March 24, 2020, City Council passed a Stay at Home Ordinance (Ordinance No. 2020-042) which required individuals to stay in their homes and not travel or congregate in the streets of Charleston except for purposes of working at or conducting business with an essential business or engaging in individual outdoor recreational activities; and,

WHEREAS, on March 27, 2020, the Governor issued Executive Order 2020-14, directing that individuals who enter the State of South Carolina from an area with a substantial community spread of COVID-19 be required isolate or self-quarantine; and,

WHEREAS, on March 28, 2020, the Governor issued Executive Order 2020-15, declaring a separate and distinct state of emergency “due to the evolving nature and scope of the public health threat or other risks posed by COVID-19 and the actual, ongoing, and anticipated impacts associated with the same” and extending certain previous Executive Orders for the duration of the state of emergency; and,

WHEREAS, on March 30, 2020, the Governor issued Executive Order 2020-16, closing any and all public beach access points and public piers, docks, wharfs, boat ramps, and boat landings; and,

WHEREAS, on March 31, 2020, the Governor issued Executive Order 2020-17, closing or restricting access to certain non-essential businesses, venues, facilities, services, and activities; and,

WHEREAS, on April 1, 2020, City Council passed a second Stay at Home Ordinance which modified the March 24, 2020 ordinance to include provisions contained in Governor McMaster’s executive orders regarding dispersing of crowds (2020-13); quarantining of individuals from New York, New Jersey, and Connecticut (2020-14); closing of beaches and boat landings (2020-16) and closing of non-essential businesses (2020-17); and,

WHEREAS, on April 3, 2020, Governor Henry McMaster issued an Executive Order (2020-18) closing additional non-essential businesses; and,

WHEREAS, on April 6, 2020, Governor Henry McMaster, recognizing that public health officials had reported over 2,000 cases of COVID-19 in South Carolina, issued a Work or Home Executive Order (2020-21) which limited individuals from moving outside their homes except to engage in Essential Businesses; Essential Activities, and Critical Infrastructure Operations as defined in the Order; and,

WHEREAS, on April 12, 2020, the Governor issued Executive Order 2020-23, recognizing that public health officials had reported over 3,319 confirmed cases of COVID-19 throughout South Carolina, and stating that “the extraordinary circumstances and conditions that necessitated” the Governor’s “prior emergency declarations have not subsided and have, in fact, evolved and expanded to present different and additional risks and dangers,” and explaining that

the State “has transitioned from the investigation, reporting, and initiation phases of the COVID-19 pandemic to the acceleration phase”; and,

WHEREAS, in Executive Order 2020-23, the Governor declared a separate and distinct state of emergency based on a determination “that the accelerated spread of COVID-19 throughout the State poses an actual, ongoing, and evolving public health threat to the State of South Carolina, which now represents a new and distinct emergency and requires additional proactive action by the [State] and the implementation and enforcement of further extraordinary measures to slow the spread of COVID-19, minimize the strain on healthcare providers, and otherwise respond to and mitigate the expanding public health threat imposed by [the] emergency”; and,

WHEREAS, on April 16, 2020, the Governor issued Executive Order 2020-25, determining that “the ongoing, evolving, and accelerating public health threat imposed by COVID-19 requires additional proactive action by the [State] and the implementation, extension, or modification of additional extraordinary measures to cope with the existing or anticipated situation, to include mitigating the significant economic and other impacts and burdens on individuals, families and businesses,” while generally reopening public boat ramps or boat landings, as well as adjacent or associated public parking lots, for the purpose of launching and retrieving boats; and,

WHEREAS, on April 16, 2020, President Donald Trump issued guidelines entitled “Opening Up America Again,” describing criteria that state and local officials should satisfy before proceeding to a phased opening of the economy; and,

WHEREAS, on April 20, 2020, Governor McMaster issued an Executive Order (2020-28), reopening retail businesses previously determined to be non-essential including department stores, furniture stores, luggage stores, flower shops, book, craft and music shops subject to certain emergency rules and restrictions, including but not limited to an emergency maximum occupancy rate, social distancing practices, and compliance with certain sanitation guidelines and further ordered any local ordinance that conflicts with the Order is superseded; and,

WHEREAS, as of April 22, 2020, the total number of cases of persons infected with COVID-19 in South Carolina is 4,608, with 135 deaths; including 403 cases in Charleston County with 5 deaths and 142 cases in Berkeley County with 5 deaths; and,

WHEREAS, as of April 21, 2020, the State of South Carolina has not seen a two-week downward trajectory of documented cases; and,

WHEREAS, our citizens have observed the Governor’s Home or Work Order and the City’s Stay at Home Ordinance which has currently led to a flattening of the curve but it is critical that we continue to stay at home unless providing or requiring an essential service and practicing social distancing and other safe practices in public so the City does not experience a reversal of this trend; and,

,

WHEREAS, with the reopening of retail businesses, the City of Charleston finds it is necessary to take steps to try to protect its citizens, employers, and employees from increased risk of exposure to COVID-19; and,

WHEREAS, the City of Charleston will continue to monitor on a daily basis the number of new cases and deaths and other circumstances related to COVID-19 in the City, including the impact of the coronavirus on our vulnerable and minority populations; and,

WHEREAS, in the upcoming weeks, as the City monitors this situation and the evolving medical and scientific information, we are prepared to take additional restrictive measures to limit any increase in the outbreak of COVID-19 in the City.

Section 2. Effective Thursday, April 23, 2020, 12:01 a.m., all retail businesses in the City of Charleston that are open for access by the public shall follow the following procedures to be modified by the Mayor as necessary for the health, safety and welfare of the citizens of the City, its employers, and employees:

- 1) **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. The business shall post the maximum occupancy as calculated herein on the public entrances of the business and shall have at least one employee on site at all times the business is open who is responsible for ensuring that the number of customers on the premises does not exceed the maximum occupancy.
- 2) **Social Distancing Practices.** The business shall not knowingly allow customers, patrons, other guests, employees or contractors to congregate within six (6) feet of one another, exclusive of family units. To facilitate social distancing, businesses shall further implement the following:
 - a. Maintain signage and/or mark floors and aisles to remind and help individuals stand at least 6 feet apart, including outside when in line and in store check-out lines.
 - b. Designate each aisle as one-way to lessen cross traffic and enable social distancing.
 - c. Frequent reminders to customers and staff about distancing and hygiene.
- 3) **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, as well as:
 - a. Operating under heightened hygiene and cleaning standards:
 - 1) Promote etiquette for coughing, sneezing, and handwashing.
 - 2) Avoid touching face, especially eyes, nose, and mouth.
 - 3) Place posters that encourage hand and respiratory hygiene.
 - 4) Ensure adequate air circulation and post tips on how to stop the spread of germs.

- 5) Discourage workers from sharing resources or other work tools and equipment, when possible; avoid handshaking.
 - 6) Make a list of high-touch surfaces requiring routine disinfecting and perform routine environmental cleaning (e.g., workstations, countertops, handrails, doorknobs, break rooms, bathrooms, other common areas), either twice a day or after each use.
 - 7) Keep a logbook of cleaning regimen.
 - 8) Those cleaning should: Wear gloves; Clean surfaces with soap and water if dirty before disinfecting; Use EPA-registered household disinfectant, diluted bleach, or alcohol solutions; Provide disposable wipes so that commonly used surfaces (e.g., doorknobs, keyboards, remote controls, phones, desks, keypads) can be wiped down by employees before each use; provide no-touch trash bins.
 - 9) Make hand sanitizer, soap and water, or effective disinfectant readily available at or near the entrance, at checkout counters, or anywhere else where people have direct interactions.
 - 10) Provide additional pop-up handwashing stations or facilities if possible.
 - 11) Personal Protection Equipment (PPE) should not be shared and should be disposed of properly.
 - 12) After using gloves, employees should wash their hands.
- b. Monitoring employees for symptoms:
- 1) Employees who are sick or who appear to have symptoms should be separated from other employees and customers immediately and sent home.
 - 2) Immediately clean and disinfect areas the sick employee visited.
 - 3) Monitor employee symptoms, especially fever. If employees need to take simple medications acetaminophen, ibuprofen, or aspirin, they should take temperature beforehand.
 - 4) Train managers/leadership to spot symptoms of COVID-19 and to be clear on relevant protocols.
 - 5) Do not allow employees to come to work if they feel sick.
 - 6) Non-punitive leave policies are in place, so employees do not feel pressured to come to work if they are sick. Remind employees to report any illness to manager, especially if sick with fever, cough, muscle aches and pains, sudden changes in smell or taste, sore throat, and/or shortness of breath.
 - 7) If an employee is confirmed to have COVID-19, employers should inform fellow employees while maintaining confidentiality; fellow employees should self-monitor for symptoms for 14 days.
- c. Providing signage at each public entrance to inform all employees and customers that they should:
- 1) Avoid entering if they have a cough, fever, or feel generally unwell.

- 2) Maintain a minimum of 6-foot distance.
- 3) Sneeze/cough into a cloth or tissue.
- 4) Not shake hands or engage in any unnecessary physical contact.
- 5) Wear face coverings.
- 6) Encourage customers to order food and other items online for home delivery or curbside pickup.
- d. Ensuring cleaning wipes are near shopping carts and shopping baskets.
- e. Providing hand sanitizer at checkout counters and entrance/exit.
- f. Having employees wear face coverings.
- g. Assigning employees to disinfect carts and baskets regularly.
- h. Wiping down shared equipment before and after use; ensure disinfectant and paper towels to wipe down equipment is available.

Section 3. Businesses shall not be allowed to remain open unless operating in compliance with the requirements of Section 2. The City will work with employers as they come into compliance with this Ordinance.

Section 4. The City of Charleston Fire Department, Office of the Fire Marshal, Police Department, Building Inspections Division, and their designees, and Livability Code Enforcement Officers are hereby authorized to inspect and determine whether retail businesses are in compliance with this Emergency Ordinance. For the duration of this Ordinance, it is unlawful for a person to willfully fail or refuse to comply with any lawful order or direction of these individuals or their designees issued pursuant to this Ordinance.

Section 5. Violation of any section of this Ordinance or any Subsection of this Ordinance shall be punishable with a fine of up to \$100.00 and/or thirty (30) days in jail.

Section 6. This Ordinance shall become effective upon enactment and shall expire sixty (60) days from the date of the State of Emergency declared on March 16, 2020 unless otherwise modified, amended, or rescinded by a subsequent City Ordinance to protect the health, safety, and welfare of the City of Charleston.

Ratified in City Council this ____ day of _____ in the Year of Our Lord, 2020, and in the ____th Year of the Independence of the United States of America.

By: _____
 John J. Tecklenburg
 Mayor, City of Charleston

ATTEST: _____
Vanessa Turner Maybank
Clerk of Council

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, URGING ALL CITIZENS TO WEAR PROTECTIVE FACE MASKS WHEN SHOPPING OR VISITING RETAIL STORES

WHEREAS, On March 16, 2020, our Mayor, under the authority of § 7-7-20, *Municipal Code of the Town of Hilton Head Island* (1983), declared that a State of Emergency exists throughout the Town as a result of impacts arising from the COVID-19 pandemic; and

Whereas, the Governor of South Carolina issued an Executive Order on April 20, 2020 which lifted the Executive Order closing certain retail stores and shops, and

Whereas, the Town Council deems it appropriate to warn people shopping in the retail stores opened under the aforesaid Executive Order that there is a continuing risk of infection which risk may be increased if citizens fail to wear masks in those stores and continue to practice safety measures recommended by the Centers for Disease Control and others.

NOW THEREFORE, be it resolved that citizens are encouraged and urged to wear protective face masks and use other recommended safety measures when shopping and visiting retail stores opened by Executive Order of the Governor during the State of Emergency.

MOVED, APPROVED, AND ADOPTED THIS 21st DAY OF APRIL, 2020

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: Glenn Stanford

ATTACHMENT 4

Motion Language

I move to approve the Emergency Ordinance to Decrease the Risk of Exposure to COVID-19 When Shopping or Visiting Retail Stores.

TOWN COUNCIL



STAFF REPORT

Department of Finance & Administration

MEETING DATE:	April 28, 2020
PROJECT:	An ordinance authorizing the Town Manager to extend the deadline for payment of Business License tax renewals until August 7, 2020 and to waive all late fees that may have been assessed on renewals due but not paid between April 30, 2020 and August 7, 2020 - First Reading.
PROJECT MANAGER:	Chris Forster, MPA, CPFO, CGFM, Director of Finance & Administration

RECOMMENDATION: The Town Council approve the proposed ordinance to extend the Business License tax renewal deadline from the current June 14, 2020 deadline until August 7, 2020, and to waive all late penalties for payments received from April 30, 2020 through August 7, 2020.

BACKGROUND: On March 13, 2020, President Donald Trump declared a national emergency to assist with combating the outbreak of respiratory illness due to a novel coronavirus (COVID-10. On March 15, 2020, the Honorable Henry McMaster, Governor of South Carolina, issued Executive Order No. 2020-08 related to 2019 Novel Coronavirus (COVID-19) and declared that a State of Emergency exists in South Carolina. On March 16, 2020, Mayor Lisa Sulka and the Town of Bluffton declared a local state of emergency in the Town of Bluffton. On April 14, 2020 the Council passed an ordinance to extend the deadline for Hospitality Tax remittance, Local Accommodations tax remittance and the Business License renewal deadline until June 14, 2020.

DISCUSSION: The deferral of outstanding Business License renewal fees will delay the collection of an estimated \$1.0 million until August 7, 2020. The Town currently has sufficient cash balances in the corresponding funds to sustain us until the revised tax due date of August 7, 2020.

ATTACHMENTS:

1. Ordinance
2. Council Motion Recommendation

ORDINANCE No. 2020-_____

TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, IN FURTHERANCE OF THE HEALTH, PUBLIC SAFETY AND WELFARE OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, TO FURTHER TEMPORARILY SUSPEND THE ACCRUAL OF THE TOWN'S BUSINESS LICENSE PENALTIES AND INTEREST FOR LATE PAYMENTS; MATTERS RELATED THERETO; AND SEVERABILITY

WHEREAS, on March 31, 2020, the Town passed Ordinance 2020-4 which extended the deadlines for the payment of business license fees through June 14, 2020, which Ordinance 2020-4 is hereby incorporated fully herein as if repeated verbatim; and,

WHEREAS, the Town of Bluffton Town Council believes that it is in the best interest of the citizens and business community of the Town of Bluffton to take decisive action in mitigating the negative fiscal impact of the pandemic to the small business community; and,

WHEREAS, in furtherance of its goals to mitigate the damages caused to the general safety, welfare, health and properties of the citizens of the Town of Bluffton by COVID-19, the Bluffton Town Council adopted the Town of Bluffton Small Business Economic Resiliency Plan on April 23, 2020, which is hereby incorporated fully herein as if repeated verbatim; and,

WHEREAS, the Town of Bluffton Small Business Economic Resiliency Plan encouraged Town Council to adopt an ordinance extending the business license payment deadline to August 7, 2020, for calendar year 2020; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has the authority to enact resolutions, ordinances, regulations, and procedures pursuant to Section 5-7-30 of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, the Town of Bluffton Town Council has the power and authority to examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest amendments as Town Council deems appropriate; and,

WHEREAS, the Town Council of the Town of Bluffton has determined that it is in the best interests of the Town and its citizens, residents, guests, and small businesses to extend the deadline for the payment of 2020 business license fees as authorized under Chapter 6, *Business and Business Regulations*, Article II, *Business Licenses and Regulations*, of the Bluffton Code of Ordinances, until August 7, 2020.

NOW THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, as follows:

ARTICLE I. INTENT AND PURPOSE: The COVID-19 pandemic has had a tremendous impact on local economies throughout the nation, the State, our region, and our town. In an effort to minimize the human loss caused by this pandemic, our local businesses have curtailed services and/or shuttered their doors – many voluntarily - at great financial cost to them. These businesses and industries, in particular, our local food and beverage industry, are essential to a thriving Bluffton economy. They help create and solidify the social, business,

political, religious, civic, and familial relationships that make Bluffton unique. A grace period on the payment of local taxes serves a compelling public interest in substantially increasing the ability of these establishments to reopen after the pandemic subsides, to retain or rehire hundreds if not thousands of unemployed individuals, and to reestablish our local financial and cultural economy. Further, this grace period is intended to save our already burdened taxpayers from spending additional time and money on the preparation and filing of reports and the remittance of tax payments, and to encourage individuals to stay at home.

ARTICLE II. FURTHER \ EXTENSION OF APRIL 30TH DEADLINE FOR BUSINESS LICENSE RENEWAL AND SUSPENSION OF LATE FEES: Section 6-22(a) of the Code of Ordinances for the Town of Bluffton, South Carolina, (the “*Town Code*”) sets forth a deadline of April 30th for the renewal of all business licenses within the Town of Bluffton. The deadline contained within Section 6-22(a) of the Town Code is hereby amended from April 30, 2020, to August 7, 2020, for all 2020 business licenses. Moreover, all late penalties or interest imposed under Chapter 6, Article II, of the Town Code for the late payment of business license renewals are hereby suspended from March 16, 2020, through August 7, 2020. This extension shall apply only to 2020 business licenses and not to any prior year’s business licenses or future years’ business licenses.

ARTICLE III. INCORPORATION: The above recitals are hereby incorporated herein as if restated fully and are hereby made an integral part hereof so that their contents are a substantive part of this Ordinance. Moreover, this Ordinance is issued in accordance with, and incorporates by reference, Executive Order No. 2020-08 issued by the Honorable Henry McMaster, Governor of South Carolina, on March 13, 2020, declaring that a State of Emergency exists in South Carolina, as further supplemented by additional Executive Orders from the Governor, including but not limited to Executive Order No. 2020-13, and all emergency ordinances and proclamations of the Town of Bluffton, South Carolina, including but not limited to any Emergency Ordinance passed prior hereto.

ARTICLE IV. SEVERABILITY: If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2020.

This Ordinance was read and passed at First Reading on April ____, 2020.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

Kimberly Chapman, Clerk
Town of Bluffton, South Carolina

This Ordinance was read and passed at Second Reading on _____, 2020.

Lisa Sulka, Mayor
Town of Bluffton, South Carolina

Kimberly Chapman, Clerk
Town of Bluffton, South Carolina

ATTACHMENT 2

Recommended Language For Motion

I move to approve first reading of an Ordinance authorizing the Town Manager to extend the deadline for payment of Business License tax renewals until August 7, 2020 and to waive all late fees that may have been assessed on renewals due but not paid between April 30, 2020 and August 7, 2020