



ORDINANCE NO. 744

AN EMERGENCY ORDINANCE TO DECLARE A LOCAL STATE OF EMERGENCY IN FAIRFIELD COUNTY

WHEREAS, COVID-19, a novel, highly contagious and deadly virus, has been declared a pandemic by the World Health Organization and now poses a significant threat to County citizens; and

WHEREAS, on March 13, 2020, the President of the United States declared a national state of emergency thereby authorizing emergency federal funding and requesting local emergency action plans be activated; and

WHEREAS, on March 13, 2020, the Governor of South Carolina declared a state of emergency for South Carolina ordering the State's emergency operation plan be activated and requesting the Legislature appropriate funding to combat the effects of the pandemic; and

WHEREAS, on March 15, 2020, in an effort to curb the spread of COVID-19, the Governor of South Carolina ordered all public schools in South Carolina to close until March 31, 2020; and

WHEREAS, as of March 17, 2020, the South Carolina Department of Health and Environmental Control has reported at least 33 cases of COVID-19 in South Carolina, including 14 cases in Kershaw County, a border neighbor with Fairfield County; and

WHEREAS, the World Health Organization currently reports over 174,000 COVID-19 cases globally, of which 6,600 have resulted in death; and

WHEREAS, Fairfield County Council, in an effort to protect and preserve the general welfare of its citizenry, believes an emergency exists due to this world health event requiring the Council to take all necessary actions to ensure the safety, welfare, and health of its residents and visitors; and

WHEREAS, to further the Council's goal of precautionary measures in order to protect its citizens, Fairfield County Council deems a State of Emergency exists and any such measures are to be taken in an effort to minimize the effects of COVID-19, be it health, welfare, public safety, and/or economic effects; and

WHEREAS, pursuant to South Carolina Code of Laws § 4-9-130, Fairfield County Council hereby declares a local State of Emergency and adopts the following emergency ordinance in order to protect life, health, welfare, safety, and property of the people during the COVID-19 pandemic.


NOW, THEREFORE, Fairfield County Council, by the power granted to it by the South Carolina Constitution and General Assembly through Home Rule, hereby declares, enacts, ordains, and orders the following:

1. By the power granted in South Carolina Code of Laws § 4-9-130, Fairfield County Council hereby declares a local state of emergency effective March 18, 2020.
2. That all protection measures available to Fairfield County for health and safety response be utilized and made available in order to preserve life and property.
3. That the County work closely with Federal, State, Local, School District and Utility officials to ensure a concerted effort of response during the state of emergency.
4. That the Administrator continuously dialogue with local elected officials to establish reasonable and amenable plans of action for their statutory functions and service.
5. That the Administrator modify personnel policies during the term of the emergency to ensure essential public services are met but also limiting unnecessary county sponsored travel, protecting personnel by utilizing liberal leave for quarantine and isolation, modifying sick time policies for those individuals who are immune suppressed, infected, otherwise need isolation for suspected infection, or have no other means to care for their K-12 children who are subject to State ordered public school closings, and authorizing remote access to the workplace by employees if the assigned duties allow.
6. That the Administrator temporarily suspend or alter board,

commission, committee, or other similar meetings or authorize remote attendance electronically, temporarily alter open hours or close certain County facilities, and other temporary measures that prohibit the unnecessary congregation of people in keeping with CDC social distancing preventative measures.

7. Designate the use of emergency procurement and the fund balance, if necessary, and authorize the Administrator to allocate funding to emergency expenditures attributable to the departments necessary during the state of emergency. Any emergency allocation will not require an ordinance during the state of emergency and will be reflected in subsequent budget amendments; the Finance Director will report periodically on monies spent during the state of emergency.
8. That the Chairman of Fairfield County Council will have the authority to postpone and/or reschedule meetings and provide for remote or virtual attendance and public access to meetings during the declared state of emergency in accordance with the South Carolina Freedom of Information Act.
9. This ordinance will remain in effect for sixty (60) days unless sooner terminated by Fairfield County Council.
10. 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.
11. This ordinance expressly takes precedence over and supersedes any other Fairfield County ordinance for the duration of the term provided herein.
12. This emergency ordinance is effective immediately.

ORDAINED, ENACTED, AND ORDERED THIS 18TH DAY OF MARCH, 2020.



Cornelius Robinson, Chairman
Fairfield County Council

ATTEST:



Patti Davis, Clerk to Council