

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GEORGETOWN )

**EMERGENCY ORDINANCE 20-33  
(COVID-19, Face Coverings)**

**AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN  
CERTAIN CIRCUMSTANCES, AND MATTERS RELATED THERETO**

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

**WHEREAS**, on March 13, 2020 and continuing through the present time, 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 and continuing through the present time, 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**, it is now well recognized that COVID-19 (caused by the virus SARS-CoV-2) spreads through localized person-to-person contact which presents a public health risk requiring extraordinary protective measures and vigilance; and

**WHEREAS**, Georgetown County Council, in an effort to protect and preserve the general welfare of its citizenry, believes an emergency exists due to the recent increase in COVID-19 confirmed cases in South Carolina, Georgetown County, and neighboring counties; and

**WHEREAS**, to further the Council's goal of precautionary measures in order to protect its citizens, Georgetown County Council deems, in accordance with the advice of the Centers for Disease Control and Prevention, that the use of cloth face coverings is necessary to slow and prevent the spread of COVID-19; and

**WHEREAS**, pursuant to SC Code of Laws 4-9-130 and Section 2-487 of the Georgetown County Code of Ordinances, Georgetown County Council hereby 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**, Georgetown County Council, by a minimum 2/3<sup>rd</sup> majority vote and 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. A face covering, or mask, means a cloth, fabric, or other permeable material without holes that covers both the mouth and nose and includes surgical masks, N-95 respirators, face shields, handmade masks, and bandanas.
2. All persons above the age of 10 entering a foodservice establishment, grocery store, retail store, or pharmacy located within the corporate boundaries of Georgetown County must

wear a face covering while inside the establishment. For purposes of this ordinance, a foodservice establishment shall mean an entity that prepares food and/or drinks for consumption. A grocery store shall mean a retail establishment that primarily sells food but may also sell other household goods. A retail store shall mean an establishment wherein persons can purchase wares and goods, regardless of type. A pharmacy shall mean an establishment where compounding, dispensing, and/or the sale of medications occurs.

3. All foodservice establishments, grocery stores, retail stores, and pharmacies within the corporate boundaries of Georgetown County must require each employee to wear a face covering at all times while having face-to-face interaction with the public.
4. Any individual who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
5. Any individual who is actively drinking or eating is not required to don a face covering during such acts. Further, any patron of a foodservice establishment is exempt while dining therein.
6. All establishments listed in Section 2 and 3 are required to post a written notification at or near the main entrance of the establishment referencing this ordinance and the requirement for a face covering.
7. Any person who fails to comply with this Emergency Ordinance shall be guilty of a misdemeanor offense, punishable by a fine of \$25.00 per occurrence. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
  - a. For purposes of Sections 2 and 3, in addition to employees, a “person” shall also be defined as any citizen or visitor to Georgetown County and/or an individual associated with the business who has control or authority and ability to enforce the employee face covering provisions of this emergency ordinance within the business, such as an owner, manager, supervisor, or other similar position.
  - b. Repeated violations of this Emergency Ordinance is hereby declared to be a public nuisance which may be enforced by other means provided for by the laws of Georgetown County and the State of South Carolina.
8. This ordinance will remain in effect for sixty (60) days unless sooner terminated by Georgetown County Council.
9. 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.
10. This ordinance expressly takes precedence over and supersedes any other Georgetown County ordinance and/or emergency ordinance for the duration of the term provided herein.
11. **EFFECTIVE 12:00AM July 3, 2020.**

**ORDAINED, ENACTED, AND ORDERED THIS 2<sup>ND</sup> DAY OF JULY 2020.**

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John Thomas, Chairman  
Georgetown County Council

ATTEST:

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Theresa E. Floyd  
Clerk to Council