

EMERGENCY ORDINANCE 2020-03

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza;

WHEREAS, in December of 2019, a new and substantial outbreak of COVID-19 emerged in Wuhan, China, and has since spread rapidly to 117 countries and territories throughout the World, including the United States, and more specifically Broward County and 18 other counties in the State of Florida;

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a pandemic;

WHEREAS, the Centers for Disease Control and Prevention (CDC) is predicting that it is likely that widespread transmission of COVID-19 will also occur in the United States;

WHEREAS, no vaccine or drug is currently available to cure or combat COVID-19;

WHEREAS, the City of Isle of Palms is threatened by COVID-19 because of the apparent ability of the virus to spread rapidly among humans, and COVID-19 thereby constitutes a clear and present threat to the health, safety, and welfare of the citizens and visitors of the City of Isle of Palms;

WHEREAS, the CDC has issued guidelines for "community mitigation strategies" to limit the spread of COVID-19, including recommendations for social distancing, which has proven to be an effective method for containing COVID-19;

WHEREAS, the City of Isle of Palms is working with other government agencies in an effort to prevent the spread of disease;

WHEREAS, the City of Isle of Palms Council has adopted an emergency ordinance, 2020-01 on March 20, 2020 initiating vehicular checkpoints to protect its residents and staff, and assist Police personnel with enforcement measures.

WHEREAS, the City of Isle of Palms Council has adopted an emergency ordinance, 2020-02 on March 25, 2020 prohibiting Short Term Rentals of 29 days or less through April 30, 2020 and extending the vehicular checkpoints through April 30, 2020;

WHEREAS, Governor Henry McMaster issued Executive Order 2020-16 on March 30, 2020, as extended by Executive Order No. 2020-23 and 2020-25, closing all public beach access points, public piers, docks, wharfs, boat ramps, and boat landings providing public access to the public waters of this State, to include any adjacent or associated public parking lots or other public facilities.

WHEREAS, Governor Henry McMaster issued Executive Order 2020-28; rescinding the above Executive Orders, but authorizing any agency, department, county, municipality or political subdivision of the State owning, operating, managing, or otherwise having jurisdiction and control over any such public beach access points, public piers, docks, or wharfs providing public access to public waters, to close, in whole or in part, or otherwise restrict the use of any such public facilities, if it is determined that such action is necessary to preserve or protect public health.

WHEREAS, Section 5-7-250 of the South Carolina Code of Laws empowers Council to enact emergency ordinances affecting life, health, or safety; and

WHEREAS, in light of the foregoing, the City of Isle of Palms deems it proper and necessary to adopt this emergency ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Isle of Palms, in Council assembled, that:

1. Access to the City's beaches will be open to residents, property owners and those that meet the entry criteria between 7:00 a.m. and 7:00 p.m. The beach will be open to non-residents before 7:00 a.m. and after 7:00 p.m. Access to the beach will be for exercise only. Permitted exercise includes running, walking, dog-walking, biking, surfing, and other recreational activities consistent with social distancing. Sitting in chairs, sunbathing, loitering and congregations of more than three (3) people are prohibited, with the exception of people with disabilities who can provide a handicap decal.

SECTION 2: This Ordinance shall take effect April 21, 2020 at 12:00PM.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 20th DAY OF April, 2020.

Jimmy Carroll, Mayor

