

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARLBORO) **EMERGENCY ORDINANCE # 805**

**AN EMERGENCY ORDINANCE TO DECLARE A STATE OF EMERGENCY IN
MARLBORO COUNTY AND OTHER MATTERS RELATED THERETO**

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, the Governor of South Carolina has issued several Executive Orders which provided additional safety measures and protocols to further fight the spread of COVID-19; and

WHEREAS, as of January 6, 2021, the South Carolina Department of Health and Environmental Control reported there were 306,204 confirmed cases of COVID-19 in South Carolina; and

WHEREAS, Marlboro County Council, in an effort to protect and preserve the general welfare of its citizenry, 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.

NOW, THEREFORE, Marlboro 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 Marlboro County Government 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 as well as the earliest return to normalcy as to sustain our businesses and way of life.
3. That the County Administrator is directed and given the authority to suspend existing laws and regulations prescribing the procedures for conduct of county business if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with the emergency, and to utilize all available resources of county government as reasonably necessary to cope with the emergency. In addition to financial resources, these resources include but, are not limited to, equipment, facilities, and personnel.

4. That the County Administrator be authorized to utilize fund balance reserves if necessary to allocate funding to emergency expenditures during the state of emergency. Any emergency allocation will not require Council action during the state of emergency and will be reflected in subsequent budget amendments.
5. That the County Administrator or his designated representative shall serve as the single coordinating officer for Marlboro County and maintain a dialogue with local, state and federal officials to establish, implement and maintain reasonable and amenable plans of action for their statutory functions and service.
6. That the Chairman of Marlboro 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.
7. That the Chairman of Marlboro County Council in consultation with the Sheriff, County Administrator, Emergency Management Director and other local authorities, be authorized to establish, as necessary, a curfew in the unincorporated areas of Marlboro County. Violation of this ordinance shall be punishable by a fine of not more than five hundred dollars and/or 30 days in jail.
8. This ordinance will remain in effect for sixty (60) days unless sooner terminated by Marlboro 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 emergency ordinance is effective immediately.

ORDAINED, ENACTED, AND ORDERED THIS 12th DAY OF JANUARY, 2021.



Jason K. Steen, Chairman
Marlboro County Council



Patricia M. Bundy, Clerk
Marlboro County Council

ATTEST:

