



## Town of Seabrook Island

Office of the Mayor

### Executive Order No. 2020-06

**Whereas**, on March 13, 2020 the Governor of South Carolina declared a State of Emergency to enable appropriate actions in preparing for and promptly responding to the threat posed by the 2019 Novel Coronavirus ("COVID-19"); and

**WHEREAS**, on March 17, 2020, the Governor of South Carolina issued Executive Order No. 2020-10, temporarily prohibiting Restaurants, as defined in accordance with that Executive Order, from providing certain food services for on-premises consumption; and

**WHEREAS**, on March 28, 2020, the Governor of South Carolina issued Executive Order No. 2020-15, declaring a new, separate, and distinct State of Emergency based on a determination that COVID-19 posed an actual, ongoing, and evolving public health threat to the State of South Carolina; and

**WHEREAS**, on April 3, 2020, the Governor of South Carolina issued Executive Order No. 2020-18, requiring that certain "non-essential" businesses identified in Executive Order No. 2020-18, and including certain "non-essential" business Retail Stores, as specified in Executive Order 2020-18, be closed to non-employees and not open to access or use by the public; and

**Whereas**, on April 6, 2020 the Governor of South Carolina issued Executive Order 2020-21 ("Executive Order 2020-21") requiring that, commencing on Tuesday, April 7, 2020 at 5:00 pm any and all residents and visitors of the State of South Carolina shall limit social interaction, practice "social distancing" in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and shall limit their movements outside of their home, place of residence, or current place of abode, including single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of occupancy (collectively, "Residence"), except as allowed by that Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations, each as defined by Executive Order 2020-21, and subject to such exceptions, limitations and clarifications as specified by Executive Order 2020-21 and,

**WHEREAS**, on April 12, 2020, the Governor of South Carolina issued Executive Order No. 2020-23, declaring a new State of Emergency to exist within the State of South Carolina and confirming the continued effectiveness of certain provisions of his previously issued Executive Orders including his Executive Orders 2020-10 , 2020-18 and 2020-21; and

**WHEREAS**, on April 20, 2020, the Governor of South Carolina issued Executive Order No. 2020-28, allowing certain "non-essential" business Retail Stores, as identified in that Executive Order to re-open to non-employees and for access and use by the public subject to certain emergency rules and restrictions set forth in that Executive Order; and

**WHEREAS**, on April 27, 2020, the Governor of South Carolina issued Executive Order No. 2020-29 ("Executive Order 2020-29"), declaring a State of Emergency in response to the ongoing COVID-19 pandemic and different, additional and intensifying threats attributed thereto and confirming the continued effectiveness of certain provisions of his previously issued Executive Orders including his Executive Orders 2020-10, 2020-18, 2020-21 and 2020-28; and

**Whereas**, on March 17, 2020 the undersigned declared a State of Emergency to exist within the Town of Seabrook Island, South Carolina ("Town") to enable actions required to alleviate effects of the COVID-19 public health emergency; and

**Whereas**, under the State of Emergency declared by the Mayor, the Town is empowered to take any lawful emergency response or action deemed necessary to protect the public health, safety and welfare of the Town of Seabrook Island; and

**Whereas**, on April 1, 2020 the Town Council of the Town of Seabrook Island enacted Emergency Ordinance 2020-01 ("Emergency Ordinance 2020-01") effecting, among other things, closure of certain "non-essential" businesses, venues, facilities, services, and activities to non-employees and prohibited access or use thereof by the public; and

**Whereas**, on April 22, 2020 the Town Council of the Town of Seabrook Island enacted an Amended Emergency Ordinance 2020-01 ("Amended Emergency Ordinance 2020-01") effecting, among other things, re-opening of certain "non-essential" business Retail Stores to non-employees and for access or use thereof by the public all subject to certain emergency rules and restrictions; and

**Whereas**, pursuant to Section 2-27 of the Town Code for the Town of Seabrook Island, the undersigned is vested with the power to take such action as appears necessary to protect life and property and maintain peace and good order; and

**Whereas**, on April 7, 2020 the undersigned issued Executive Order 2020-04 in furtherance of Executive Order 2020-21 issued by the Governor of South Carolina and providing for enforcement of Executive Order 2020-04 within the Town of Seabrook Island by Town Code Enforcement Officers and for cooperation by Town Code Enforcement Officers with enforcement of Executive Order 2020-21 by state law enforcement officers; and

**Whereas**, on April 14, 2020 the undersigned issued Executive Order 2020-05 in furtherance of Executive Order 2020-23 issued by the Governor of South Carolina and confirming the continued effect of the undersigned's Executive Order 2020-04;

**Now, Therefore**, by virtue of the authority vested in me as Mayor of the Town of Seabrook Island and in furtherance of Executive Order 2020-29 of the Governor of South Carolina, I hereby order and direct as follows:

**Section 1.** I hereby direct that, for the duration of the State of Emergency declared by the Governor on April 27, 2020, any and all residents and visitors of the Town of Seabrook Island, South

Carolina are required to limit social interaction, practice “social distancing” in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and shall limit their movements outside of their home, place of residence, or current place of abode, including single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of occupancy (collectively, “Residence”), except as allowed by this Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations as those terms are defined in the following.

**Section 1.1** For purposes of this Order, and notwithstanding any definition included in Amended Emergency Ordinance 2020-01, Essential Business does not include the following businesses, venues, facilities, services, and activities, within the Town which were previously deemed “non-essential” and directed to close to non-employees and not to be open for access or use by the public, or not to take place, as applicable, in accordance with Amended Emergency Ordinance 2020-01:

(1) Entertainment venues and facilities as follows:

- (a) Night clubs
- (b) Bowling alleys
- (c) Arcades
- (d) Concert venues
- (e) Theaters, auditoriums, and performing arts centers
- (f) Tourist attractions (including museums, aquariums, and planetariums)
- (g) Racetracks
- (h) Indoor children’s play areas, with the exception of licensed childcare facilities
- (i) Adult entertainment venues
- (j) Bingo halls
- (k) Venues operated by social clubs

(2) Recreational and athletic facilities and activities as follows:

- (a) Fitness and exercise centers and commercial gyms
- (b) Spas and public or commercial swimming pools
- (c) Group exercise facilities, to include yoga, barre, and spin studios or facilities
- (d) Spectator sports
- (e) Sports that involve interaction in close proximity to and within less than six (6) feet of another person
- (f) Activities that require the use of shared sporting apparatus and equipment
- (g) Activities on commercial or public playground equipment

(3) Close-contact service providers as follows:

- (a) Barber shops
- (b) Hair salons

- (c) Waxing salons
- (d) Threading salons
- (e) Nail salons and spas
- (f) Body-art facilities and tattoo services
- (g) Tanning salons
- (h) Massage-therapy establishments and massage services

**Section 1.2.** For purposes of this Order, Essential Activities shall mean and include as follows:

- (1) Caring for or visiting a family member in another Residence or transporting or travelling with a family member, provided that such activity is conducted with appropriate consideration of, and adherence to, guidance issued by state and federal public health and safety officials, to include the CDC, with regard to "social distancing."
- (2) Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up and delivery options and services wherever possible as opposed to in-store shopping.
- (3) Engaging in activities essential for the health and safety of family or household members, such as seeking medical, behavioral health, or emergency services.
- (4) Caring for pets, provided that such activity is conducted with appropriate consideration of, and adherence to, guidance issued by state and federal public health and safety officials, to include the CDC, with regard to "social distancing."
- (5) Engaging in outdoor exercise or recreational activities, provided that a minimum distance of six (6) feet is maintained during such activities between all persons who are not occupants of the same Residence.
- (6) Attending religious services conducted in churches, synagogues, or other houses of worship.
- (7) Travelling as required by law, to include attending any court proceedings and transporting children as required by court order or custody agreement.

Any individual leaving his or her Residence as authorized herein shall take reasonable steps to maintain six (6) feet of separation from any other person.

**Section 1.3.** For purposes of this Order, Critical Infrastructure Operations shall mean and include as follows:

- (1) Individuals operating commercial vehicles transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips); individuals employed by airlines; and individuals otherwise engaged in commercial transportation activities.
- (2) Individuals performing or assisting with military, healthcare, public safety, or emergency response operations, as well as any other operations or services identified by the United States Cybersecurity and Infrastructure Security Agency in its March 28, 2020 Memorandum, or any future amendments or supplements thereto, as essential to continued critical infrastructure viability.

**Section 2.** I hereby proclaim that, notwithstanding the directives of this Order that permit continued operation of Essential Businesses, Essential Activities and Critical Infrastructure Operations, to the maximum extent possible, to further promote “social distancing,” facilitate self-isolation, and otherwise prevent potential exposure to COVID-19, businesses and organizations are also encouraged to utilize telecommuting or work-from-home options for employees and to provide alternate means of purchasing and delivering products and services, to include online or telephone orders and curbside or off-site deliveries, and individuals are encouraged to utilize such options to support businesses in the Town of Seabrook Island during the ongoing public health emergency.

**Section 3.** Nothing in this Order shall operate to repeal, by implication or otherwise, the terms and provisions of the Governor’s Executive Order No. 2020-10, as extended by the Governor’s Executive Orders Nos. 2020-15, 2020-23 and 2020-29 directing that all restaurants or other food-service establishments that prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption within the State of South Carolina and including the Town of Seabrook Island, shall suspend services for, and may not permit, on-premises or dine-in consumption.

**Section 4.** I hereby direct that violations of this Order shall be punishable in accordance with the provisions of Sections 1-7 and 2-27 of the Town Code for the Town of Seabrook Island.

**Section 5.** I hereby direct that each Code Enforcement Officer of the Town, whether engaged solely as a Code Enforcement Officer or otherwise engaged and duly commissioned by the Town as a Code Enforcement Officer, shall enforce this Order and shall, to the extent permissible under applicable law, cooperate with law enforcement officers of the State of South Carolina, or of any political subdivision thereof, in their enforcement of Executive Orders Nos. 2020-21 and 2020-28.

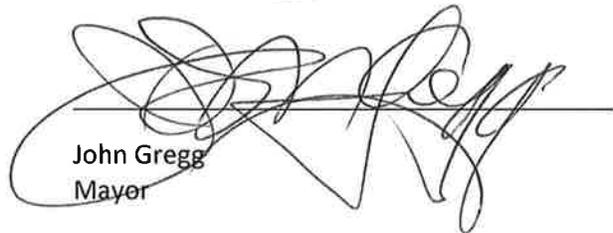
**Section 6.** This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the Town of Seabrook Island, South Carolina, its agencies, departments or other entities, or any officers, employees, or agents thereof, or any other person.

This Order is effective immediately and, with the exception of Section 6, shall remain in effect for the duration of the State of Emergency declared by the Governor on April 27, 2020 to address spread of COVID-19 unless otherwise modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued by the undersigned as deemed appropriate.

**GIVEN UNDER MY HAND AND THE SEAL OF  
THE TOWN OF SEABROOK ISLAND, SOUTH  
CAROLINA, THIS 28<sup>th</sup> DAY OF APRIL, 2020.**

Attest:

  
\_\_\_\_\_  
Faye Allbritton  
Town Clerk

  
\_\_\_\_\_  
John Gregg  
Mayor