

WHEREAS, in order to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the City is taking steps to try to protect the citizens and employees of the City from increased risk of exposure; and

WHEREAS, in light of the foregoing, City Council deems it proper and necessary to adopt this Emergency Ordinance to require (a) persons entering buildings or structures open to the public as described below to wear face coverings while inside the building or structure, and (b) all employees of restaurants, retail stores and other establishments as described below, to wear face coverings at any time there is face to face interaction with the public and in other circumstances,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

1. All persons over the age of the (10) years entering a building or structure in the City open to the general public, including but not limited to, restaurants, retail stores, salons, barber shops, grocery stores, convenience stores, medical and dental offices, and pharmacies, and including fitness centers and studios while such persons are not engaging in exercise, must wear a Face Covering while inside the building or structure, excluding restaurants while seated. The business shall have responsibility for posting conspicuous signage at all entrances informing its patrons of the requirements of this section.
2. All restaurants, retail stores, salons, barber shops, grocery stores, medical and dental offices, fitness centers and studios, and pharmacies, and all businesses engaged in food preparation, in the City must require their employees to wear a Face Covering at all times while having face to face interaction with the public, or with other staff, when social distancing of at least six (6) feet cannot be observed. Alternatively, they may provide a separating barrier between the employee and the public.
3. Any person who is unable to safely wear a face covering due to age, an underlying health condition, religious reasons, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
4. For purposes of this Ordinance, “Face Covering” shall be defined to mean masks of a uniform piece of cloth, fabric, synthetic or other permeable material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands or plastic face shield. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, gaiters, and face shields worn to cover the person’s nose and mouth.
5. A person who fails to comply with Section 1 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$25.00. Each day of violation of this Ordinance shall be considered a separate and distinct offense.
6. A person who fails to comply with Section 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each day of violation of this Ordinance shall be considered a separate and distinct offense. In addition to the fines established by this section, repeated violations of this Ordinance by a person who owns, manages, operates or otherwise controls a business subject to this Ordinance may, subject to all procedural protections set forth in the City Code, result in the suspension or revocation of any occupancy permit or business license issued to the business in which the repeated violations occurred. Repeated violations of this Ordinance are additionally hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing

notwithstanding, reasonable effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation. For the purposes of this section of this Ordinance, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the social distancing requirements of the Ordinance within the business, such as an owner, manager or supervisor. "Person" may also include an employee or other designee that is present at the business who does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

- 7. Should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
- 8. This Emergency Ordinance shall be terminated by the issuance of another ordinance or shall automatically expire on the sixty-first day after enactment of this Ordinance, whichever date is earlier.

This Ordinance shall become effective at 6:00 a.m. on Friday, July 10, 2020, to continue until the earlier of repeal of this Ordinance or the automatic expiration of this Ordinance on the 61st day after enactment of this Ordinance.

DONE IN MEETING DULY ASSEMBLED, this 7th day of July 2020.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney