



CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
North Myrtle Beach City Hall
Special Called City Council Meeting Agenda
Monday, August 31, 2020 – 1:30 PM

1. Call To Order
Roll Call
2. Business
 - A. To Extend The Emergency Ordinance Requiring Individuals To Wear Face Coverings In Certain Circumstances, And Matters Related Thereto

Documents:

[EMERGENCY ORDINANCE.PDF](#)

- B. RESOLUTION: A Resolution To Approve, And To Direct The City Manager To Sign, The Settlement Agreement In Principle That Has Been Signed By The City Of Myrtle Beach And By Horry County Regarding The Pending Lawsuit, City Of Myrtle Beach, For Itself And A Class Of Similarly Situated Plaintiffs, V. Horry County, 2019-CP-26-01732.

Documents:

[RESOLUTION.PDF](#)

Meeting Attendees

A social distancing protocol of 6 feet shall be observed at all times in City Hall and Council Chambers.

Public Comment Period

- Duration of the Public Comment Period shall not exceed 30 minutes.
- Each speaker is limited to 3 minutes. Each speaker is timed and a 30-second warning light appears.
- Please observe the rules.

Rules Regarding Video Recording & Photography

Except during the ceremonial portion of the Council meeting, all video recording and photography shall be conducted from a stationary position either:

- While seated in the back row of the Council Chambers
- While standing behind the last row of seats in Council Chambers

Anyone Requiring an Auxiliary Aid or Service for Effective Communication or Participation

- Should contact (843) 280-5555 as soon as possible
- No later than 24 hours before a meeting

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

WHEREAS, according to the Centers for Disease Control (CDC) Novel Coronavirus Disease 2019 (“COVID-19”) is a severe acute respiratory illness that can spread among humans through respiratory transmission; and

WHEREAS, the disease COVID-19 presents a public health concern that requires extraordinary protective measures and vigilance; and

WHEREAS, on March 11, 2020, the World Health Organization declared a world-wide pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency for the United States and its territories in an effort to reduce the spread of the virus; and

WHEREAS, on March 13, 2020, the governor of the State of South Carolina, Henry McMaster, declared a state of emergency for the State of South Carolina; and

WHEREAS, COVID-19 has spread across the state with the South Carolina Department of Health and Environmental Control (“SCDHEC”) confirming the localized person-to-person spread of COVID-19 in South Carolina, which indicates a significant risk of exposure and infection and creating an extreme public health risk; and

WHEREAS, City Council finds that COVID-19 continues to present an increasing danger to the health, safety and welfare of the public; and

WHEREAS, the CDC and SCDHEC advise the use of cloth face coverings to slow the spread of COVID-19, and

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and safety of the City’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, the CDC advises that a significant portion of individuals with coronavirus lack symptoms (“asymptomatic”) and that even those who eventually develop symptoms (“pre-symptomatic”) can transmit the virus to others before showing symptoms. This means that the virus can spread between people interacting in close proximity – for example, speaking, coughing, or sneezing – even if those people are not exhibiting symptoms; and

WHEREAS, the CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain in order to slow the spread of the virus; and

WHEREAS, City Council finds it is in the best interest of public health, safety and the welfare of residents, workers, and visitors to North Myrtle Beach to require suitable face coverings in certain public locations to slow the spread of COVID-19; and

WHEREAS, City Council finds the inconvenience of an ordinance requiring the use of cloth face coverings or other suitable face coverings is minimal compared to the risk to the health, safety and welfare of the community were no such rule imposed; and

WHEREAS, City Council finds implementation of this ordinance is necessary for the preservation of the health, safety and welfare of the community; and

WHEREAS, City Council passed Emergency Ordinance 20-17 on June 30, 2020, requiring face coverings, which is set to expire at midnight on August 31, 2020; and

WHEREAS, City Council finds that the extension of this ordinance is necessary for the preservation of the health, safety and welfare of the community; and

WHEREAS, S.C. Code Ann. 5-7-250 empowers Council to enact emergency ordinances affecting life, health, safety, or property; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA:

SECTION 1. Findings. The above recitals are adopted by City Council as legislative findings.

1. That Emergency Ordinance 20-17 shall be extended for sixty (60) days.
2. That the extension of Emergency Ordinance 20-17 shall take effect immediately upon passage and may be terminated by the issuance of another ordinance or shall automatically expire on the 61st day after enactment, whichever date is earlier.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2020.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

City Manager

ORDINANCE: 20-24

A RESOLUTION

A RESOLUTION TO APPROVE, AND TO DIRECT THE CITY MANAGER TO SIGN, THE SETTLEMENT AGREEMENT IN PRINCIPLE THAT HAS BEEN SIGNED BY THE CITY OF MYRTLE BEACH AND BY HORRY COUNTY REGARDING THE PENDING LAWSUIT, CITY OF MYRTLE BEACH, FOR ITSELF AND A CLASS OF SIMILARLY SITUATED PLAINTIFFS, V. HORRY COUNTY, 2019-CP-26-01732

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH SOUTH CAROLINA:

Section I: The Settlement Agreement in Principle that has been signed by the City of Myrtle Beach and by Horry County regarding the pending lawsuit, City of Myrtle Beach, for itself and a class of similarly situated plaintiffs, v. Horry County, 2019-CP-26-01732 is hereby approved.

Section II: The City Manager is hereby authorized and directed to sign the above referenced document on behalf of the City of North Myrtle Beach.

Section III: This Resolution shall become effective upon the date of passage.

RESOLVED THIS 31ST DAY OF AUGUST, 2020.

MAYOR MARILYN HATLEY

ATTEST:

City Clerk

Resolution # 20-09