

STATE OF SOUTH CAROLINA )  
 )                   ORDINANCE NO. 20-21-17  
COUNTY OF CHESTERFIELD )

**AN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR  
FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND MATTERS  
RELATED THEREO.**

WHEREAS, COVID-19, a novel, highly contagious and deadly virus, has been declared a pandemic by the World Health Organization and continues to pose a significant threat to County citizens; and

WHEREAS, on March 13, 2020 and continuing through the present time, 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 and continuing through the present time, 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, it is now well recognized that COVID-19 (caused by the virus SARS-CoV-2) spreads through localized person-to-person contact which presents a public health risk requiring extraordinary protective measures and vigilance; and

WHEREAS, Chesterfield County Council, in an effort to protect and preserve the general welfare of its citizenry, believes an emergency exists due to the recent increase in COVID-19 confirmed cases in South Carolina, Chesterfield County, and neighboring counties; and

WHEREAS, to further the Council's goal of precautionary measures in order to protect its citizens, Chesterfield County Council deems, in accordance with the advice of the Centers for Disease Control and Preventions, that the use of cloth face coverings is necessary to slow and prevent the spread of COVID-19; and

WHEREAS, pursuant to SC Code of Laws 4-9-130, Chesterfield County Council hereby adopts the following emergency ordinance in order to protect life, health, welfare, safety, and property of the people during the COVID-19 pandemic.

NOW, THEREFORE, Chesterfield County Council, by a minimum of 2/3<sup>rd</sup> majority vote of members present and the power granted to it by the South Carolina Constitution and General Assembly through Home Rule, hereby declares, enacts, ordains, and orders the following:

1. A face covering, or mask, means a cloth, fabric, or other permeable material without holes that covers both the mouth and nose and includes surgical masks, N-95 respirators, face shields, handmade masks, and bandanas.

2. All persons above the age of 10 entering a foodservice establishment, grocery store, retail store, or pharmacy located within the corporate boundaries of Chesterfield County must wear a face covering while inside the establishment. For purposes of this ordinance, a foodservice establishment shall mean an entity that prepares food and/or drinks for consumption. A grocery store shall mean a retail establishment that primarily sells food but may also sell other household goods. A retail store shall mean an establishment wherein persons can purchase wares and goods, regardless of type. A pharmacy shall mean an establishment where compounding, dispensing, and/or the sale of medications occurs.
3. All foodservice establishments, grocery stores, retail stores, and pharmacies within the corporate boundaries of Chesterfield County must require each employee to wear a face covering at all times while having face-to-face interaction with the public.
4. Any individual who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.
5. Any individual who is actively drinking or eating is not required to don a face covering during such acts. Further, any patron of a foodservice establishment is exempt while dining therein.
6. All establishments listed in Section 2 and 3 are required to post a written notification at or near the main entrance of the establishment referencing this ordinance and the requirement for a face covering.
7. Any person who fails to comply with the Emergency Ordinance may be guilty of a misdemeanor offense, punishable by a fine of \$25.00 per occurrence. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.
8. This ordinance will remain in effect for sixty (60) days unless sooner terminated by Chesterfield County Council.
9. If any section of this ordinance is declared invalid by a court of found to be in conflict with sound legal principle or law, then the remaining portions of the ordinance will remain in effect.
10. This ordinance expressly takes precedence over and supersedes any other Chesterfield County ordinance and/or emergency ordinance for the durations of the term provided herein.
11. EFFECTIVE 12:00 A.M. November 18, 2020

Passed and approved this 4<sup>th</sup> day of November, 2020.

**CHESTERFIELD COUNTY,  
SOUTH CAROLINA**

Signature: \_\_\_\_\_

Name: Al Johnson

Title: Council Chairman

ATTEST:

Signature: Betty M. Boswell  
Name: Betty M. Boswell  
Title: Clerk of County Council