



EMERGENCY MEETING OF CHARLESTON CITY COUNCIL

9:00 A.M., SEPTEMBER 29, 2022

Conference Call: 1-929-205-6099

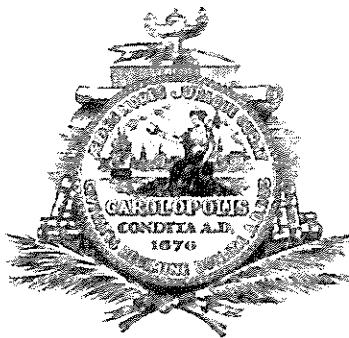
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https://www.youtube.com/channel/UCxDws_o-1voXBNOAZ17gZxw

1. Call to Order
2. Roll Call
3. Invocation
4. Briefing on Hurricane Ian
5. **EMERGENCY ORDINANCE IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE TO AUTHORIZE THE MAYOR TO EXECUTE AN EXECUTIVE ORDER, WHEN NECESSARY, DECLARING THAT A CURFEW BE INSTITUTED IN THE CITY OF CHARLESTON DUE TO THE IMPACTS CAUSED BY HURRICANE IAN.**
6. **EMERGENCY ORDINANCE TO ESTABLISH IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE AN EMERGENCY ORDINANCE PROHIBITING VEHICULAR TRAFFIC FROM UTILIZING CERTAIN STREETS IN THE CITY OF CHARLESTON DETERMINED BY THE CHIEF OF POLICE OR HIS DESIGNEE TO BE UNSAFE AS A RESULT OF CONDITIONS CAUSED BY HURRICANE IAN.**
7. **EMERGENCY ORDINANCE TO ESTABLISH IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE AN EMERGENCY ORDINANCE PROHIBITING VEHICULAR AND PEDESTRIAN TRAFFIC FROM ENTERING A DESIGNATED**

**AREA OF THE CITY OF CHARLESTON AS DETERMINED BY THE MAYOR,
EXCEPT IN THE CASE OF A PERSONAL EMERGENCY.**

8. Adjourn



EMERGENCY ORDINANCE

IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE TO AUTHORIZE THE MAYOR TO EXECUTE AN EXECUTIVE ORDER, WHEN NECESSARY, DECLARING THAT A CURFEW BE INSTITUTED IN THE CITY OF CHARLESTON DUE TO THE IMPACTS CAUSED BY HURRICANE IAN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Findings: On September 28, 2022, Governor Henry McMaster issued an Executive Order declaring a state of emergency in South Carolina due to the threat posed to the public health, safety and welfare by Hurricane Ian, a significant storm near Florida that is forecast to track at or near the South Carolina coast, posing the potential for tropical storm or hurricane force winds, torrential rains and flooding and attendant property damage. The effects of Hurricane Ian on the City may be significant to include a disruption in utility services, wind-blown debris and downed trees along thoroughfares and flooded and otherwise impassable streets. These conditions pose a clear and present danger to the health and wellbeing of the citizens of Charleston and inhibit, if not render impossible, an effective response by the fire, police or other public safety providers. The safety of the citizens of Charleston, to include those visiting, is of paramount importance and in furtherance thereof, City Council deems it necessary and proper for the security and general welfare of the citizenry and for the preservation of peace and order within the City during this time of emergency that reasonable measures be imposed to protect the lives and property of citizens and visitors being impacted by the emergency. To affect this purpose, the City Council of Charleston, in accordance with the authority devolved upon it pursuant to S. C Cons. Art. VIII, §17 and S. C. Ann. §§ 5-7-30 and 5-7- 250 (d) (1976, as amended) does hereby enact this emergency ordinance authorizing the Mayor to execute an Executive Order, when necessary, declaring that a curfew be instituted in the City of Charleston due to conditions caused by Hurricane Ian.

Section 2: The Mayor, in consultation with the Chief of Police and such other safety personnel as he may deem appropriate, is authorized to execute an Executive Order in the form attached hereto, when necessary, declaring that a curfew be instituted in the City due to conditions caused by Hurricane Ian.

Section 3: This ordinance shall become effective immediately, and shall expire sixty (60) days after the date hereof or upon the termination of the state of emergency as declared by the Mayor, whichever is earlier.

Ratified in City Council this 29th day of September in the
Year of Our Lord, 2022, and in the 247th Year of the
Independence of the United States of America.

By:

John J. Tecklenburg
Mayor, City of Charleston

ATTEST:

Jennifer Cook
Clerk of Council

**CITY OF CHARLESTON)
COUNTY OF CHARLESTON)**

**EXECUTIVE ORDER
CURFEW**

RECITALS

WHEREAS, Hurricane Ian approached and impacted the City on the _____ of September ___, 2022, causing extensive flooding and power outages and depositing wind-blown debris throughout the City; and

WHEREAS, these conditions render many streets impassable and dangerous for use by the general public, whether by foot or in a vehicle; and

WHEREAS, these conditions will likely persist throughout the City until _____, 2022; and

WHEREAS, by Executive Order of September 28, 2022, the Mayor declared a state of emergency in the City of Charleston; and

WHEREAS, by Emergency Ordinance enacted by the Charleston City Council, duly assembled telephonically on September 28, 2022, the Mayor is authorized, after consultation with the Chief of Police and other public safety personnel, to impose a curfew in the City of Charleston during the hours of dusk to dawn during the state of emergency, when deemed necessary to protect the public health, safety and general welfare of the citizens and tourists, to protect property, and to protect the peace and order within the City; and

WHEREAS, in light of the dangerous conditions of the streets and public places within in the City caused by Hurricane Ian, it is the interests of the public health, safety and welfare that a curfew be imposed in the City commencing at _____ a.m. / p.m. on _____, 2022 and ending at _____ a.m./ p.m. on _____, 2022.

NOW, THEREFORE, I, John J. Tecklenburg, Mayor and Chief Executive Officer of the City of Charleston, after due consultation with the Chief of Police and other public safety personnel, do hereby declare and impose a curfew in the City of Charleston, commencing at _____ a.m. / p.m. on _____, 2022 and ending at _____ a.m./ p.m. on _____, 2022. During the curfew it shall be unlawful for persons to use, occupy or otherwise be upon the streets or other public spaces controlled or owned by the City. This curfew does not apply to persons requiring the use of streets or public spaces in furtherance of employment or for providing emergency support operations related to Hurricane Ian or in the event of a personal emergency requiring access to medical facilities in the City.

September _____, 2022

John J. Tecklenburg, Mayor



EMERGENCY ORDINANCE

TO ESTABLISH IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE AN EMERGENCY ORDINANCE PROHIBITING VEHICULAR TRAFFIC FROM UTILIZING CERTAIN STREETS IN THE CITY OF CHARLESTON DETERMINED BY THE CHIEF OF POLICE OR HIS DESIGNEE TO BE UNSAFE AS A RESULT OF CONDITIONS CAUSED BY HURRICANE IAN.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Findings: On September 28, 2022, Governor Henry McMaster issued an Executive Order declaring a state of emergency in South Carolina due to the threat posed to the public health, safety and welfare by Hurricane Ian, a significant storm near Florida that is forecast to track at or near the South Carolina coast, posing the potential for tropical storm or hurricane force winds, torrential rains and flooding and attendant property damage. The effects of Hurricane Ian on the City may be significant to include a disruption in utility services, wind-blown debris and downed trees along thoroughfares and flooded and otherwise impassable streets. These conditions pose a clear and present danger to the health and wellbeing of the citizens of Charleston and inhibit, if not render impossible, an effective response by the fire, police or other public safety providers. The safety of the citizens of Charleston, to include those visiting, is of paramount importance and in furtherance thereof, City Council deems it necessary and proper for the security and general welfare of the citizenry and for the preservation of peace and order within the City during this time of emergency that reasonable measures be imposed to restrict access on those streets and rights-of-way rendered dangerous or impassable because of conditions caused by the Hurricane, as determined by the Chief of Police or his designees. To affect this purpose, the City Council of Charleston, in accordance with the authority devolved upon it pursuant to S. C Cons. Art. VIII, §17 and S. C. Ann. §§ 5-7-30 and 5-7- 250 (d) (1976, as amended) does hereby enact this emergency ordinance.

Section 2: The Chief of Police or his designees are hereby authorized to determine which streets and public rights-of-way located within the municipal limits of the City of Charleston are a danger to vehicular travel due to flooding, the presence of debris or other conditions caused by Hurricane Ian, and upon such determination, are authorized to close such streets to the general public for vehicular travel until such time as the dangerous conditions have been remediated.

Section 3: On any street or right-of-way closed per Section 2 hereof, and until such time as the street or right-of-way is reopened, it is unlawful for a person to:

- (1) Go upon any road, street, highway, or other public right-of-way that has been ordered closed pursuant to this ordinance; or,
- (2) Willfully fail or refuse to comply with any lawful order or direction of any law enforcement officer.

Section 4: This ordinance shall become effective immediately, and shall expire sixty (60) days after the date hereof or upon the termination of the state of emergency as declared by the Mayor, whichever is earlier.

Ratified in City Council this 29th day of September in the Year of Our Lord, 2022, and in the 247th Year of the Independence of the United States of America.

By: _____
John J. Tecklenburg

Mayor, City of Charleston

ATTEST:

Jennifer Cook
Clerk of Council



EMERGENCY ORDINANCE

TO ESTABLISH IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE AN EMERGENCY ORDINANCE PROHIBITING VEHICULAR AND PEDESTRIAN TRAFFIC FROM ENTERING A DESIGNATED AREA OF THE CITY OF CHARLESTON AS DETERMINED BY THE MAYOR, EXCEPT IN THE CASE OF A PERSONAL EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Findings: On September 28, 2022, Governor Henry McMaster issued an Executive Order declaring a state of emergency in South Carolina due to the threat posed to the public health, safety and welfare by Hurricane Ian, a significant storm in the Atlantic Ocean that is forecast to track at or near the South Carolina coast, posing the potential for tropical storm or hurricane force winds, torrential rains and flooding and attendant property damage. The effects of Hurricane Ian on the City may be significant to include a disruption in utility services, wind-blown debris and downed trees along thoroughfares and flooded and otherwise impassable streets. These conditions pose a clear and present danger to the health and wellbeing of the citizens of Charleston and inhibit, if not render impossible, an effective response by the fire, police or other public safety providers. The safety of the citizens of Charleston, to include those visiting, is of paramount importance and in furtherance thereof, City Council deems it necessary and proper for the security and general welfare of the citizenry and for the preservation of peace and order within the City during this time of emergency that reasonable measures be imposed to restrict access in and out of designated areas of the City until such time as the dangers posed by the Hurricane have subsided. To affect these purposes, the City Council of Charleston, in accordance with the authority devolved upon it pursuant to S. C Cons. Art. VIII, §17 and S. C. Ann. §§ 5-7-30 and 5-7- 250 (d) (1976, as amended) does hereby enact this emergency ordinance.

Section 2: The Mayor is hereby authorized, in consultation with the Chief of Police and such other safety personnel as he may deem appropriate, to restrict access, both pedestrian and vehicular, to a designated area of the City to only those living in the designated area, being housed in a place of accommodations in the designated area, or providing public safety or emergency operations support until such time the Mayor, in consultation with the Chief of Police, determines that safe passage in, out and around the designated area is safe. Nothing herein shall be construed to limit access into, out of or through the area in the event of a personal emergency.

Section 3: Except as provided in Section 2, it shall be unlawful for any person to enter the designated area of the City until such time as the restriction on access has been lifted as provided for in Section 2, and it shall be unlawful for a person to willfully fail or refuse to comply with any lawful order or direction of any law enforcement officer pertaining to the restriction on access.

Section 4: This ordinance shall become effective immediately, and shall expire sixty (60) days after the date hereof or upon the termination of the state of emergency as declared by the Mayor, whichever is earlier.

Ratified in City Council this 29th day of September in the Year of Our Lord, 2022, and in the 247th Year of the Independence of the United States of America.

By: _____

John J. Tecklenburg
Mayor, City of Charleston

ATTEST: _____

Jennifer Cook
Clerk of Council