

**AN EMERGENCY ORDINANCE**  
**AUTHORIZING MAYOR IN CONSULTATION WITH POLICE CHIEF TO IMPLEMENT**  
**CURFEW WHEN NECESSARY TO PROTECT PUBLIC HEALTH AND SAFETY, AND**  
**TO LIMIT INGRESS AND EGRESS**  
**IN CITY OF CHARLESTON**

TO ESTABLISH IN FURTHERANCE OF PUBLIC SAFETY AND WELFARE, OF PERSONS AND PROPERTY DELEGATING TO THE MAYOR, IN CONSULTATION WITH THE CHIEF OF POLICE, THE ABILITY TO IMPLEMENT A CURFEW AND DETERMINE THE BOUNDARIES TO WHICH THE CURFEW APPLIES AND THE HOURS AND/OR DAYS IN WHICH SUCH CURFEW SHALL REMAIN IN EFFECT IN ORDER TO RESPOND TO CHANGING CONDITIONS.

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

**Section 1.** The City Council of the City of Charleston does hereby make the following findings of fact:

**WHEREAS**, on this 21st day of April, 2021, as jury deliberations are concluding in the trial of Derek Chauvin for the killing of George Floyd and other high-profile cases and civil unrest and unlawful activity is emerging across the country, the City of Charleston, in order to prevent acts of violence, vandalism, unrest and other unlawful actions which threaten the safety of citizens and the peace and general order of the City, believes it is in the interest of the public to take emergency action, and

**WHEREAS**, S.C. Code § 5-7-30 confers upon municipalities broad powers to enact regulations, resolutions, and ordinances, including the exercise of powers in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for

preserving health, peace, order, and good government in it; and

**WHEREAS**, it is necessary and proper for the security, general welfare, and convenience of the City, as well as for preserving health, peace, order and good government in it, that a curfew may be necessary to establish as circumstances evolve, and that the Mayor be given the power in consultation with the Chief of Police to limit ingress and egress into the city; and

**Section 2.** Pursuant to S.C. Code §§ 5-7-30 and 5-7-250 the streets and public rights-of-ways within the municipal limits of the City of Charleston and any ingress and egress thereto may be closed as determined by the Mayor in consultation with the Chief of Police for the purpose of protecting the health, safety, and general welfare, and for the purpose of protecting persons and property, to include closure to the general public for travel, vehicular, pedestrian and any other means, for designated dates, times and areas within the City.

**Section 3.** In any area located within the City of Charleston, and during the duration of this emergency ordinance, it is unlawful for a person to:

(1)(a) violate a provision in this emergency ordinance including, but not limited to, any curfew set forth by this emergency ordinance;

(b) congregate, unless authorized or in their homes, in groups of three or more and to refuse to disperse upon order of a law enforcement officer; or

(c) willfully fail or refuse to comply with any lawful order or direction of any law enforcement officer.

(2)(a) enter into the property of another, without lawful authority and with criminal intent;

(b) damage the property of another; or

(c) take possession or otherwise disturb the property of another in any manner.

**Section 4.** City Council hereby delegates to the Mayor, in consultation with the Chief of Police, the ability to respond to changing conditions by expanding the application of Sections 2 and 3 of this Ordinance to such hours and/or days and such boundaries within the city of Charleston as may be modified by the Mayor in consultation with the Chief of Police as necessary to respond to changing conditions in any area within the City Charleston.

**Section 5.** This Ordinance shall become effective immediately and shall remain in effect for the duration of this Emergency Ordinance unless otherwise modified, amended or rescinded by subsequent ordinance.

Ratified in City Council this \_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord, 20\_\_\_\_, and in the 2\_\_\_\_ Year of the Independence of the United States of America.

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John J. Tecklenburg, Mayor  
City of Charleston

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Jennifer Cook  
Clerk of Council