

City of Charleston, SC issues Emergency Stay at Home Ordinance

Practices

Employment & Labor Law

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On Tuesday, March 24th, the City of Charleston became the first city in South Carolina to enact an emergency “stay-at-home” ordinance that goes into effect on Thursday, March 26, 2020, at 12:01 a.m. and scheduled to remain in place for two weeks. The ordinance is an effort to decrease proliferation of the COVID-19 virus. It applies only to the City and not to other unincorporated areas in Charleston County. A copy of the ordinance can be found here: <https://www.scribd.com/document/453080699/Charleston-Shelter-in-Place-Ordinance-March-24>.

The ordinance provides that individuals shall stay in their homes and not travel through or congregate in the streets, sidewalks, waterways or public places, including business establishments, except for the purpose of working at or conducting business with “essential services” businesses. Social gatherings of 10 or more people for any reason, other than working at or receiving “essential services” are prohibited. The ordinance urges individuals to limit outdoor recreational activities to those that allow for social distancing of at least six feet between people.

Under the ordinance, a broad spectrum of businesses are deemed to provide “essential services,” based on U.S. Homeland Security requirements. Mayor John Tecklenburg has the authority to modify the list, as may be necessary for the health, safety and welfare of the City. Currently, the list of essential services businesses that can remain open includes:

- Certain Healthcare Operation, such as hospitals and emergency dental clinics
- Key Infrastructure Operations
- Essential Manufacturing
- Retail Operations, such as grocery and other food stores
- News Media
- Financial Institutions and Professional Services

- Providers of Essential Services to Economically Dis-advantaged
- Construction
- Defense Operations
- Services Necessary to Maintain Sanitation and Safety

For a complete list of businesses providing essential services, refer to the ordinance. Businesses conducting essential services must take all reasonable measures, including limiting the number of individuals in their businesses, to facilitate and ensure social distancing of at least six (6) feet. City police, fire department employees and Livability Code enforcement officers, among others, have authority to inspect and determine whether essential operations are in compliance with the emergency ordinance.

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