

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89130689275?pwd=M3hPMHNBSUVmUVdmN0dsQTJWYnBvUT09>

Passcode: 007271

Meeting ID 891 3068 9275 Phone In 1-929-205-6099



**CITY OF BEAUFORT**  
1911 BOUNDARY STREET  
BEAUFORT MUNICIPAL COMPLEX  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7070  
**CITY COUNCIL SPECIAL REGULAR MEETING AGENDA**  
**March 30, 2021**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

**SPECIAL REGULAR MEETING - Electronic Meeting - 7:00 PM**

**Please note, this meeting will be conducted electronically via Zoom and broadcasted via livestream on Facebook. You can view the meeting live via Facebook at the City's page City Beaufort SC.**

**I. CALL TO ORDER**

A. Stephen D. Murray III, Mayor

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

A. Phil Cromer, Interim Mayor Pro Tem

**III. CITY COUNCIL ORGANIZATION**

A. Mayor Pro Tem Nomination

**IV. PUBLIC COMMENT**

**V. MINUTES**

A. Worksession and Regular Meeting - March 9, 2021

**VI. NEW BUSINESS**

- A. Request for Co-Sponsorship from Lowcountry Wind Symphony for use of Waterfront Park for Spring Concert on Saturday May 1, 2021
- B. Request for Waiver of Alcohol Ordinance from Beaufort Power Squadron for the America's Boating Club District Annual Dinner Meeting, Friday, April 23, 2021 at the Waterfront Pavilion
- C. Request from Beaufort Water Festival for use of the Waterfront Park, street closures, sale of alcohol, use of seawall, day dock, waiver of noise ordinance and Co-Sponsorship for Opening Ceremonies for Water Festival 2021, July 16-25, 2021
- D. Extension of emergency ordinance requiring individuals to wear face coverings in certain circumstances and locations in the Municipal limits of the City of Beaufort.

**VII. REPORTS**

- City Manager's Report
- Mayor Report
- Reports by Council Members

**VIII.ADJOURN**



# City Council Worksession Meeting Minutes – Electronic Meeting

March 9, 2021

## I. CALL TO ORDER

5:00PM

Mayor, Stephen D. Murray III

All members of Council in attendance (Phil Cromer, Neil Lipsitz, Mike McFee, Mitch Mitchell and Mayor Murray)

## II. DISCUSSION ITEMS

### A. Application for Grant to address Stormwater and Rising Sea Level issues - U.S. Army Corps of Engineers.

Bill Prokop, City Manager, gave a brief background about why contact was made with the Army Corps of Engineers, to discuss the issues regarding the Rising Sea Levels, King Tides, and the flooding issues that we have experienced in the past. He pointed out that The Point and the Downtown area will be the most effected by rising sea levels. Permission is being sought from Council to move forward with a letter to the Army Corps of Engineers to see if the City qualifies for one of their programs. Mr. Prokop stated that this organization has been working closely with the City of Charleston regarding their problems with this same issue.

Nancy Parrish, Chief of Planning, U. S. Army Corps of Engineers, stated that in previous talks with Mr. Prokop, and Reece Bertholf, Fire Chief and Assistant City Manager, they feel that the City needs a larger scale solution to address the problems that exist. They recommend a General Investigation Study be done. This is a Feasibility study that is done over a 3-year period to determine the type of solutions that the Federal Government could invest in to help with the problems. The cost of this study is capped at 3 million dollars, in which the Non-Federal Partner is responsible for half. They would look at all the ways that the issues could be addressed and come up with a plan that would provide the most benefit that the Federal Government could get from the investment.

Interim Mayor Pro Tem, Cromer, asked what part of the contributions could be in-kind, or does it have to be all cash.

Nova Robbins, Project Manager, U. S. Army Corps of Engineers, stated yes. Work in-kind payments are allowed in all phases of the project.

Councilman Lipsitz, asked if Stormwater was addressed in the outcome of the study as needing improvement, would that be included in the project. Ms. Parrish replied no, it would not be incorporated in the plan.

Mayor Murray asked about the permitting process and how it might compare to the Mossy Oaks Stormwater Project that took about 3 years to even start the work. He wanted to know if going this route will help expedite that process. In addition, he asked once a plan has been approved, what did they feel was an estimated time frame that work could begin.

**Ms. Parrish** stated that yes, going this route, it would be sooner, since approval has already been granted by the Federal Government as an authorized project through Congress during the permitting process. Regarding the Mayor's second question, she said that a realistic estimate would be anywhere from 5 to 7 years.

**Reece Bertholf, Fire Chief and Assistant City Manager** asked if there was a better route for the City to go given our environment, financial capacity, and the problems that exist from Sea Level Rise and King Tides.

**Ms. Parrish** stated that maybe a smaller plan such as Financial Assistance to States might work, but this would only help with Engineering. There would be no assistance with designing the project or help with construction.

**Interim Mayor Pro Tem, Cromer**, asked if this was a request for sending in a letter of application, and if so, is this something that must be voted on to do so.

**Mr. Prokop** stated that this was to inform them of the application process and inquire if Council is on board for this to be done. A formal vote is not needed to send off the application, but it will be required once a proposal comes back.

The general response from Council was to proceed.

**B. Homeless Proposal - Beaufort County Health and Human Services.**

**Fred Leyda, Beaufort County Health and Human Services Director** stated that homelessness is a broad term and they wanted to give Council a clearer picture and speak about the different types of people that would fall into this category and how the Housing and Urban Development (HUD) refers to the homeless population.

**Ben Boswell, Beaufort County Health and Human Services**, stated that HUD has two different categories. One being sheltered and the other unsheltered. He stated that in Beaufort County, we currently have 100 people that fall in the unsheltered category. He went on to give some statistics in other categories. He stated that this data came from Charity Tracker, which is used by local charities in the community, like Help of Beaufort.

**Mr. Leyda** stated that there needs to be a position created that will work with all the local Municipalities that can reach out to this population and build a relationship with them. Someone that can gain their trust and respect. He stated they have reached out to the Town of Hilton Head, Town of Bluffton, and the Town of Port Royal, and that Beaufort County is considering the employment of a full-time person. Mr. Leyda stated that this position would require someone with a bachelor's degree in Social work. This is a multi-jurisdictional problem, and he hopes all can come together in making this happen.

**Councilman Mitchell**, commended Mr. Leyda and his staff for recognizing this issue and making an effort to work with all the Municipalities to help combat this problem.

**Interim Mayor Pro Tem, Cromer**, reminded Council that one of the recommendations from the Affordable Housing Task Force was that the City work with other agencies in trying to help solve the homeless problem.

**Mayor Murray** stated that he feels it would be better if there was someone who was dedicated to building the one on one personal relationships that it would take to try and coordinate the resources that are available to them based on their personal needs.

C. Text Amendment regarding Demolition Approval Expiration.

Mayor Murray stated that Stacey Applegate and John Dickerson with the Historic District Review Board had brought to his attention that there is no time limit on demolition approvals and reached out to David Prichard, Community and Economic Development Directors, to bring it to his attention.

David Prichard, Community and Economic Development Director, stated that most development approvals are given a 24-month period with the ability to extend the permit 5 more times. He went on to state that there was no time limit for demolitions. Mr. Prichard suggests that the chart for Permit/Process Type Table 9.1.4 be modified by removing the words (no expiration for demolitions) under Certificate of Appropriateness, Major, under the Historic Preservation section.

Councilman McFee asked if there was any way of knowing if there are any outstanding permits that have been issued.

Mr. Prichard stated that since there was no deadline, they have not been tracked. He stated that there is a spreadsheet that they might be able to pull this information from.

Mayor Murray inquired about the extension periods and how those are handled.

Mr. Prichard stated that if the Code, or circumstances have not changed, then the extension is granted.

Attached, please find a letter from the Historic Beaufort Foundation regarding their feedback on this item.

### III. EXECUTIVE SESSION

---

Interim Mayor Pro Tem, Cromer made a motion to go into Executive Session and seconded by Councilman McFee.

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Receipt of Legal Advice regarding the Burton Fire District.

No actions from Executive Session.

### IV. ADJOURN

6:35 PM

---

Disclaimer: All City Council Worksession and Regular Meeting minutes are recorded. Live stream can be found on the City's website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org) (Agenda section). Audio recordings are available upon request by contacting the City Clerk, Traci Guldner at 843-525-7024 or by email at [tguldner@cityofbeaufort.org](mailto:tguldner@cityofbeaufort.org).



February 23, 2021

**The Honorable Stephen Murray, Mayor  
& Members of City Council  
City of Beaufort  
1911 Boundary Street  
Beaufort, SC 29902**

**Dear Mayor Murray and Members of Council,**

**Historic Beaufort Foundation is appreciative of the time and effort the city commits to continuing the legacy of historic preservation in our community. Maintaining the architectural and historic character of the National Historic Landmark District requires careful and deliberate consideration.**

**Currently, demolition permits as included in the City's Code of Ordinances have no end date. We believe this must have been an oversight as this is practically unheard of in historic district zoning codes. HBF raised this concern with city staff early last year and believes action should be taken immediately. In February, the City's Historic Review Board (HRB) deferred action due to the late hour on a request from that board to City Council to address this issue among others with the Demolition Ordinance.**

**We respectfully request City Council take action to issue a moratorium on demolition requesters anywhere with the boundaries of the 304-acre National Historic Landmark District until a text amendment can be adopted.**

**Once a demolition permit is issued it should have a maximum time frame of 12 months and not be eligible for automatic extension. Re-application to the HRB for demolition in whole or in part would be limited to one 12-month period only. The owner should also have approved plans for new construction to ensure the streetscape is maintained and that vacant lots do not mar the cohesiveness of the historic district.**

**The language of the text amendment should also address the following:**

- **Demolition approval or permit shall not be transferable to another owner.**
- **Requests for demolition of contributing and non-contributing structures within the NHL District will include photographic documentation as well as historic, architectural and structural assessments.**
- **In any case involving the demolition or partial demotion or removal of a structure, before granting approval the HRB may call on the chief building official to provide a report on the state of repair and structural stability of the structure under consideration.**
- **In all applications involving the demolition or partial demolition or removal of a structure, provision shall be made for a public hearing as set forth in this Code.**
- **The HRB shall have the right to delay a request for demolition, partial demolition or removal of any structure, and shall take steps to ascertain what the City Council can or may do to preserve such structure, including consultation with private civic groups, interested private citizens and**

**PRESERVING BEAUFORT'S PAST FOR THE FUTURE**

**Post Office Box 11 | Beaufort, South Carolina 29901 | Phone 843.379.3331 | [www.historicbeaufort.org](http://www.historicbeaufort.org)**

other public boards or agencies and including investigation of the potential use of the power of eminent domain when the preservation of a given structure is clearly in the interest of the general welfare of the community and of certain historic and architectural significance.

- The HRB shall have the power to deny outright the demolition, partial demolition or removal of a structure over 50 years old within the City's National Register listed historic district, and or listed on the 1998 Beaufort County Above Ground Resources Survey, whichever is greater.

I will be happy to answer any questions regarding this request look forward to working with you in the continued protection and preservation of our National Historic Landmark District.

Thank you in advance for your consideration.

Sincerely,



Cynthia C. Jenkins  
Executive Director

cc: William Prokop, City Manager

---

HISTORIC BEAUFORT FOUNDATION

Post Office Box 11 | Beaufort, South Carolina 29901 | Phone 843.379.3331 | [www.historicbeaufort.org](http://www.historicbeaufort.org)



# City Council Regular Meeting Meeting Minutes – Electronic Meeting

March 9, 2021

## I. CALL TO ORDER

---

7:11PM

Mayor, Stephen D, Murray III

All of Council members in attendance - Phil Cromer, Neil Lipsitz, Mike McFee, Mitch Mitchell and Mayor Murray.

## II. INVOCATION AND PLEDGE OF ALLEGIANCE

---

Interim Mayor Pro Tem, Phil Cromer

## III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

---

### A. Proclamation proclaiming March 2021 as Red Cross Month

Motion to approve was made by Interim Mayor Pro Tem, Cromer and seconded by Councilman McFee.

Approval was unanimous.

### B. Proclamation proclaiming March 2021 as Disabilities Awareness Month

Motion to approve was made by Interim Mayor Pro Tem, Cromer and seconded by Councilman McFee.

Approval was unanimous.

## IV. PUBLIC COMMENT

---

Kathy Todd, Finance Director, reported that the City of Beaufort received the Government Finance Officers Association Distinguished Budget Presentation Award. Mrs. Todd commended Alan Eisenman from the Finance Department for his outstanding work.

Email from Mr. George Trask regarding Downtown concerns is attached.

## V. MINUTES

---

- A. Worksession and Regular Meeting - November 10, 2020
- B. Worksession - November 17, 2020
- C. Worksession and Regular Meeting - November 24, 2020
- D. Worksession and Regular Meeting - January 26, 2021
- E. Worksession and Regular Meeting - February 9, 2021
- F. Worksession and Regular Meeting - February 23, 2021

Motion to approve was made by Councilman McFee and seconded by Councilman Mitchell.

Minutes approved as presented.

## **VI. OLD BUSINESS**

---

- A. Ordinance amendment of Part 5, Chapter 4, of the City Code of Ordinances, Sections 5-4001 through 5-4051, Flood Damage Prevention, to comport with the SC Department of Natural Resources model Flood Damage Prevention Ordinance in order to meet the National Flood Insurance program's updated requirements - 2nd Reading.

Motion to approve was made by Councilman McFee, and seconded by Interim Mayor Pro Tem, Cromer.

David Prichard, Community and Economic Development Director, gave a recap of the Ordinance with minor changes that were made since last reading.

A letter sent to City Council from Jessie White, Coastal Conservation League Director, has been attached.

Approval was unanimous.

## **VII. NEW BUSINESS**

---

- A. Request for waiver of Open Container for Alcohol for private wedding reception at Henry C. Chambers Waterfront Park on Saturday, April 3, 2021.

Motion to approve was made by Interim Mayor Pro Tem, Cromer and seconded by Councilman McFee.

Approval was unanimous.

- B. Request for waiver of Open Container for Alcohol for private wedding rehearsal dinner at Henry C. Chambers Waterfront Park on Friday, April 9, 2021.

Motion to approve was made by Interim Mayor Pro Tem, Cromer, and seconded by Councilman McFee.

Approval was unanimous.

- C. Request from Open Land Trust for Street Closure, waiver of Open Container for Alcohol and Noise Ordinance for Brunch on the Bluff Event on Saturday, May 1, 2021.

Motion to approve was made by Interim Mayor Pro Tem, Cromer, and seconded by Councilman McFee.

Linda Roper, Downtown Operations and Community Services Director, gave an overview of the event stating that they are requesting that Bay Street be closed from 10:30 am until 2:30 pm between Glebe Street and Hamar Street. They are also requesting a waiver of the Noise Ordinance. There will be Police presence at the event.

Ashley Rhodes, Board Member from the Beaufort County Open Land Trust, stated that this event is in celebration of the 50th Anniversary of the Organization. They are limiting the number of tickets being sold to 250 and will follow all safety guidelines.

Mayor Murray stated that there are not many residences in that area but wants to make sure that notification is given in advance about the street closure.

Approval was unanimous.

**D. Authorization to allow City Manager to enter into Contract for Waterfront Park Swings**

Motion to approve was made by Interim Mayor Pro Tem, Cromer, and seconded by Councilman McFee.

Kathy Todd, Finance Director, gave an overview of the grant process to restore the existing swings at the Waterfront Park for \$26,000. Clinton Contracting, LLC., will be performing the work.

Approval was unanimous.

## **VIII. REPORTS**

---

### **City Manager's Report**

The City Manager recognized Traci Guldner for being promoted to City Clerk after being with the Fire Department for 18 years. Ivette Burgess had been serving in a dual role, City Clerk/Human Resources Director for many years, and this will allow her to focus solely on Human Resources. Tara Hodges, from Downtown Operations, replaced Ms. Guldner at the Fire Department. He wished everyone well in their new roles.

Mr. Prokop reported that the Washington Street Park has now re-opened. The Ribbon Cutting Ceremony held on Friday, March 5th, was very well attended. He thanked all who were involved.

The Southside Park Survey is up on the City's Website, and there have already been over 450 replies. There are 3 more weeks for those that wish to participate and are encouraged to do so.

The Mossy Oaks Stormwater Project is approaching its end. A Ribbon Cutting Ceremony will be held sometime during the last two weeks of April. The last section of the Spanish Moss Trail is being finished up and should be re-opened by the end of the week. No mayor issues have been reported to date.

The City Council Retreat has been set for March 22nd and 23rd at the Sea Island Best Western starting at 9am. This will be live streamed on Social Media and is open to the Public.

### **Mayor's Report**

The Mayor started off by congratulating Ms. Guldner on her promotion to City Clerk and thanked Ms. Burgess for all her hard work during her tenure as Clerk.

Mayor Murray congratulated all those involved with the restoration of the Washington Street Park. He was excited to see everyone there, especially those that grew up playing in that park.

Congratulations were also given to Paul and Heidi Ricard on the grand opening of their new business on Bay Street, The Spice and Tea Exchange of Beaufort.

The Mayor spoke with Lisa Allen, who is on the Citizens Police and Accountability Task Force, and stated great strides have been made on the releasing of data, such as citations, that had been requested and thanked Dale McDorman, Police Chief, and Kathleen Williams, Communications and Marketing Director, for their efforts. You can find this information by going to the Police Department page on the City's website and clicking on the Data and Transparency Link.

He stated that he would like to see more responses on the Southside Park Survey and hopes to see it go over 1,000 responses.

The Mayor reported that there will be no Worksession or Regular Council Meeting on Tuesday, March 23rd. He stated there will be a Special Council Meeting on Tuesday, March 30th, beginning at 7:00 pm.

The Mayor acknowledged the receipt of several emails from citizens concerning development projects along Port Republic Street, and stated that the Council also has concerns, but there are legal processes that must be followed. He encouraged residents to participate in the Historic District Review Board Meetings, as these are live streamed and provide time for Public comment. The Mayor stated they can not speak publicly on these issues while they are in the review process by the Board, but that efforts are made to be very transparent.

**Councilman Lipsitz**

Thanked Kathleen Williams, Communications and Marketing Director and Linda Roper, Downtown Operations and Community Services Director for their work on getting the Southside Park Survey together. He stated that he will be passing out surveys in the Park and talking to the Public.

**Councilman Mitchell**

Nothing to report.

**Councilman McFee**

Thanked the Community for their support in the Special Election and is looking forward to serving the Public.

**Mayor Pro Tem, Cromer**

Nothing to report.

**IX. ADJOURN**

**8:08PM**

---

Motion to adjourn was made by Interim Mayor Pro Tem, Phil Cromer and seconded by Councilman Mitchell.

All in favor.

---

Disclaimer: All City Council Worksession and Regular Meeting minutes are recorded. Live stream can be found on the City's website at [www.cityofbeaufort.org](http://www.cityofbeaufort.org) (Agenda section). Audio recordings are available upon request by contacting the City Clerk, Traci Guldner at 843-525-7024 or by email at [tguldner@cityofbeaufort.org](mailto:tguldner@cityofbeaufort.org).

**From:** George Trask <[ggtrask@fastmail.com](mailto:ggtrask@fastmail.com)>

**Sent:** Monday, March 8, 2021 4:59 PM

**To:** Julie Bachety <[jbachety@cityofbeaufort.org](mailto:jbachety@cityofbeaufort.org)>; Ivette Burgess <[iburgess@cityofbeaufort.org](mailto:iburgess@cityofbeaufort.org)>; Stephen Murray <[smurray@cityofbeaufort.org](mailto:smurray@cityofbeaufort.org)>

**Cc:** Tony & Christine Kameen <[ajkameen@gmail.com](mailto:ajkameen@gmail.com)>; Douglas Storrs <[douglas@cornishlp.com](mailto:douglas@cornishlp.com)>; Bob & Jan Clouse <[jclouse@carolinialanterns.com](mailto:jclouse@carolinialanterns.com)>; Catherine Ceips Scarborough <[1207ccs@gmail.com](mailto:1207ccs@gmail.com)>; Chuck & Gloria Dalvini <[cgdalvini@gmail.com](mailto:cgdalvini@gmail.com)>; Diane & Geri Kenny <[kennysrock@aol.com](mailto:kennysrock@aol.com)>; George Trask <[ggtrask@yahoo.com](mailto:ggtrask@yahoo.com)>; Lyn McNeil <[lynmcneil@live.com](mailto:lynmcneil@live.com)>; Marjorie Trask <[marjorietrask@me.com](mailto:marjorietrask@me.com)>; Mary Helen Niemeyer <[mhniemeyer@gmail.com](mailto:mhniemeyer@gmail.com)>; Pam & Drew Scallan <[pbs3018@gmail.com](mailto:pbs3018@gmail.com)>; Westley Byrne <[wapwb1@gmail.com](mailto:wapwb1@gmail.com)>; Paul Trask Jr <[ptrask@hargray.com](mailto:ptrask@hargray.com)>; Graham Trask <[grahamtrask@gmail.com](mailto:grahamtrask@gmail.com)>; Cynthia Jenkins <[ccjenkins111@gmail.com](mailto:ccjenkins111@gmail.com)>; Wallace Scarborough <[wbs224488@gmail.com](mailto:wbs224488@gmail.com)>

**Subject:** Downtown concerns

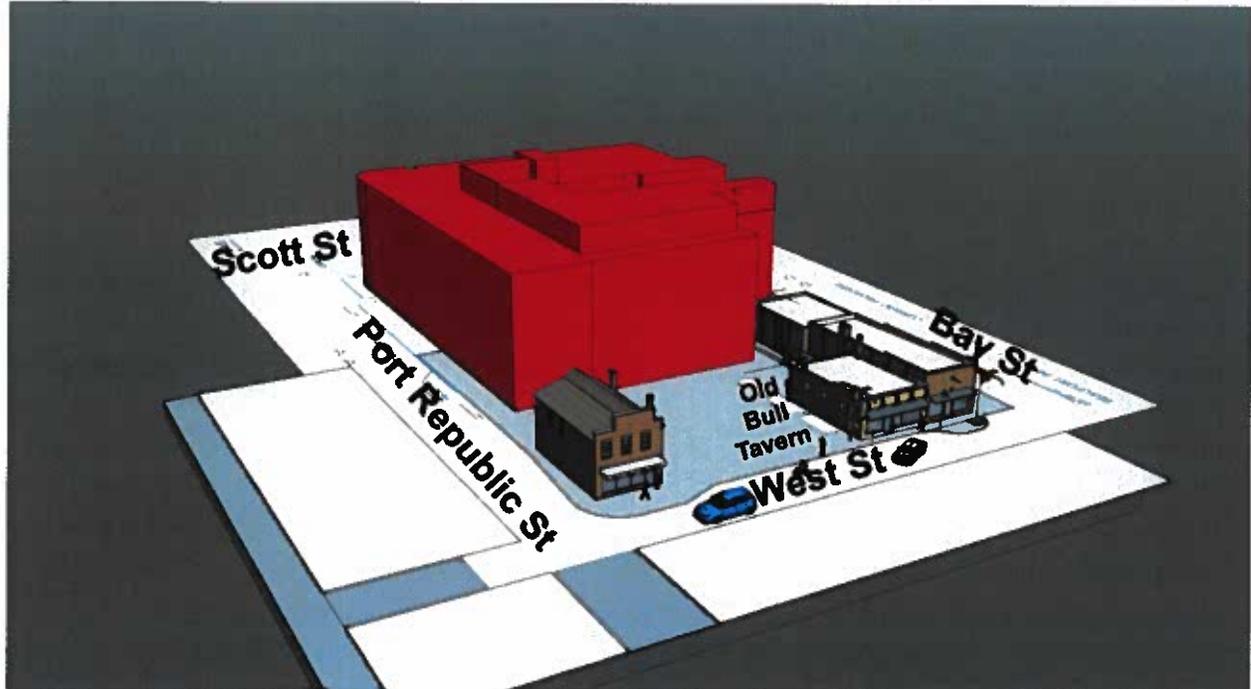
**CAUTION:** This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Chairman Dickerson, Members of the Historic District Review Board, and Mayor Steve Murray,

Important local public policy issues affecting Beaufort's Historic District

1. Proposed massive downtown hotel, apartment building, and parking garage on Port Republic Street in downtown Historic District
2. Proposed Sheriff's Department move to Bay Street location in residential Historic District (old courthouse at corner of Bay and Bladen Streets) including parking lot on North Street to accommodate deputy sheriff's cars
3. Current massive cutting of oak trees in Historic District by Dominion Power, opportunity to get funds to bury the cables
4. Proposed widening of Sea Island Parkway on Lady's Island immediately across Woods Memorial Bridge, which will bring even more through traffic into the downtown Historic District via Bay and Carteret Streets
5. Proposed County anti-fill proposal, which will prevent shoring up of land against predicted sea-level rise
6. City currently allows demolition permits without expiration date or requirement to get approval for replacement plans.
7. Proposed updating of Milner Report of guidelines for review of impact of proposed developments on the Historic District
8. Need for a moratorium on development until new Milner Report is produced, accepted, and implemented by the City with new ordinances to correct existing deficiencies

Here is the mass of the hotel at same scale as nearby existing buildings in the same city block. Further perspectives are being created to show impact on the Verdier House, Bay Street stores, and downtown skyline including obstruction of views of church steeples when approaching downtown from Woods Bridge.



I hereby request that this email including the above scale-model rendering be presented to all members of City Council as soon as possible and placed in the minutes of the next meeting of City Council and of the Historic District Review Board.

George Graham Trask  
1211 Bay Street  
Beaufort SC 29902 USA  
+1.843.471.0075  
[ggtrask@yahoo.com](mailto:ggtrask@yahoo.com)



March 9, 2021

Beaufort City Council  
1911 Boundary Street  
Beaufort, SC 29902

Dear Beaufort City Council,

Thank you for the opportunity to comment on behalf of the Coastal Conservation League regarding Agenda Item VI.A, amendment to the City's Flood Damage Prevention ordinance in compliance with the FEMA National Flood Insurance Program's updated requirements.

We applaud the City for retaining important protections for the safety and well-being of people and property within our natural Lowcountry landscape. While FEMA's base flood elevation will be lowered under the new maps, the City is wisely retaining the 13-foot design elevation requirement from its current ordinance and incorporating that standard into the proposed updated ordinance.

We further commend the City for incorporating the Lady's Island Plan recommendation for fill limitations into its updated ordinance. These are important and proactive steps toward enhancing community resilience in a changing environment that is experiencing both increases in growth and development alongside increases in flooding, storm events, and rising sea levels.

Thank you for your time and dedication to the long-term health and vibrancy of our community.

Respectfully,

Jessie A. White

**SOUTH COAST OFFICE DIRECTOR**  
843.522.1800 | [jessiew@scccl.org](mailto:jessiew@scccl.org)



---

**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/24/2021  
**FROM:** Linda Roper, Downtown Operations and Community Services Director  
**AGENDA ITEM TITLE:** Request for Co-Sponsorship from Lowcountry Wind Symphony for use of Waterfront Park for Spring Concert on Saturday May 1, 2021  
**MEETING DATE:** 3/30/2021  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

---

***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Request	Backup Material	3/26/2021



## LWS Pops Spring Concert May 1, 2021

March 23, 2021

To the Beaufort City Council,

The Lowcountry Wind Symphony directed by Donald Jemella, was established in the Lowcountry areas of Beaufort, Bluffton and Hilton Head Island (HHI) in the fall of 2014 and began rehearsing in Beaufort that year. Our first performance was a joint concert with the Beaufort High School Band and the Parris Island Marine Band in May 2015 at the Beaufort High School Performing Arts Center.

Our 60 musicians are from Beaufort, Bluffton and the HHI area and come from all professions, as well as age groups. We are professionals still working, retirees, as well as youth from the area. All of our staff and musicians are not paid. We rely solely on the generous contributions from our donors and audience to sustain our operations.

Our organization is registered as a 501 (c) 3 nonprofit corporation with the federal government and we are registered with the state of South Carolina as a non-profit corporation.

In 2020 we started a LWS music scholarship award program for Beaufort and Jasper County high school students aspiring to study music as a college major. We are proud to have awarded (2) scholarships for the 2020-2021 academic year to a senior from Beaufort High School and a senior from the Governor's School, from the Bluffton area.

Since our initial concert in May of 2015 in Beaufort, we have performed a total of 28 concerts in the Beaufort, Bluffton and Hilton Head areas in the years 2015-2020. We are proud of our Beaufort home and consider Beaufort our 'home field'.

In March 2020, our performance season ended early when the Covid-19 Pandemic came upon us. Our musicians have not been able to rehearse together due to Covid - 19 restrictions until recently.

We would like to give back to the community by presenting a 'Pops' concert, free to the public at the Chambers Park pavilion and green on May 1<sup>st</sup> at 4 PM. The music selections will include the performance of 4 ensembles, including a Brass ensemble, Woodwind ensemble, Mixed ensemble and a Dixieland Jazz Ensemble.

We humbly ask the Beaufort City Council support in co-sponsoring this free public concert through the waiving of rental fees for the pavilion, green #1 and electronic hook up for May 1<sup>st</sup> from 2 PM to 6 PM.

Cordially,

George A. Smedley

Lowcountry Wind Symphony

Treasurer, LWS Board Member

Trumpet Section Lead

## REQUEST FOR CO-SPONSORSHIP Henry C. Chambers Waterfront Park

Name of Event Lowcountry Wind Symphony 2021 Spring Concert

Date of Event: 5/1/2021

Contact person: George Smedley  
Telephone: (843)-271-1653

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>	<input type="checkbox"/>	** <input checked="" type="checkbox"/>
<i>Is this a fund raising event?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Is this event open to the public?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Is there a required fee / donation to attend this event?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Are you requesting more than two (2) park areas for this event?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Will there be any type of "sales" for this event?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Will this event require more than four (4) hours (includes setup &amp; take down)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Will alcohol be sold / served?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

\*\*If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))? 501 (c) (3)

**Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.**

-----  
Events Coordinator Recommendation:    Approved: \_\_\_\_\_    Denied: \_\_\_\_\_

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Forward for Council Deliberation: \_\_\_\_\_  
Date of Council Meeting

Council:    Approved: \_\_\_\_\_    Denied: \_\_\_\_\_

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CITY OF BEAUFORT**  
**Waterfront Park Rental Reservation Application**  
**Downtown Operations & Community Services Department 500**  
**Carteret St Ste. B2 Beaufort, SC 29902**

Phone: 843-379-7063

Fax: 843-986-5606

Name of Event: <u>Lowcountry Wind Symphony</u> <u>Spring 2021 Concert</u>	Date(s) of Event: <u>5/1/2021</u> Setup start/end time: <u>2:00pm-4:00pm</u> Actual event start/end time: <u>4:00pm-5:15pm</u> Take down start/end time: <u>5:15pm-6:00pm</u>
Organization/Individual Name: <u>Lowcountry Wind Symphony</u>	Address: <u>P.O. Box 1526</u> <u>Bluffton, SC 29910</u> Telephone: <u>(843)-271-1653</u> Email: <u>gsmedley1972@yahoo.com</u>

- Completed application must be received and approved by the Events Coordinator.
- All reservations require the applicable refundable security deposit be remitted upon approval of application in order to secure the requested date(s).
- Deposits are refundable provided the venue is returned in the same condition it was received.

Please mail completed application to:

City of Beaufort, Attn: Rhonda Carey 500 Carteret St. Beaufort, SC 29902,

or scan and email to [rcarey@cityofbeaufort.org](mailto:rcarey@cityofbeaufort.org).

All events must abide and are governed by the City's Special/Private Events Policy. Organizers will receive a copy of the policy for review. To discuss specifics of the policy, contact the Events Coordinator at 843-379-7063.

Is event open to the public? yes

Will admission be charged, or donation required? NO

Will alcoholic beverages be sold? NO Served? NO

Will food be sold? NO Served? NO

Will there be any retail sales? NO

Number of people expected to attend: 300

Areas of the Waterfront Park can be reserved/rented for 4, 6, or 12 hour blocks of time. Please factor time for set up and take down of the event into your chosen block of time. Blocks of time **cannot** be reserved or rented in pro rated increments. **NO exceptions will be made to this policy.**

Security Deposit is due upon approval of application

Fee payment due no less than 30 days prior to event.

Fill out by circling venue area(s) and pricing in blocks of time required for your event. Please indicate need for electrical hookup.

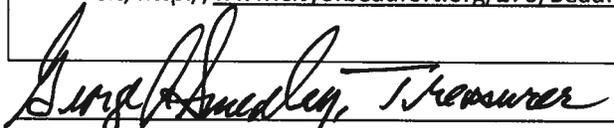
WATERFRONT PARK RENTAL RATES FOR PRIVATE EVENTS			
Park Area	<u>4 HR Block</u>	<u>6 HR Block</u>	<u>12 HR Block</u>
Craft Market Lawn	\$ 200.00	\$ 400.00	
Contemplative Garden	\$ 200.00	\$ 400.00	
Pavilion	\$ 350.00	\$ 500.00	
Green 1	\$ 300.00	\$ 500.00	
Green 2	\$ 450.00	\$ 750.00	
Electric Fee	\$ 50.00	\$ 75.00	
Entire Park			\$2,200.00
Refundable Security Deposit	\$ 500.00	\$ 800.00	\$1,100.00

See this link <http://www.cityofbeaufort.org/group-events-business-license.aspx> to obtain a group business license application for vendors.

**Did you know?**

**BEAUFORT PRIDE OF PLACE** is a community involvement initiative that helps improve and develop quality of life throughout the city. Individuals, organizations, and visitors can get involved by donating money, equipment or time to assist the City with neighborhood improvement projects, youth programs, upgrading infrastructure and beautifying parks.

If you or your organization are interested in learning more about the program, volunteering or making a monetary or in-kind donation, please contact the City Manager's office @ 843-525-7070 or visit, <http://www.cityofbeaufort.org/270/Beaufort-Pride-of-Place> THANK YOU!

  
Lessee/Applicant Signature

3/16/2021  
Date

-----This section for City use-----

\_\_\_\_\_  
\_ Events Coordinator - Rhonda Carey

\_\_\_\_\_  
Date Application Received

Deposit Paid: \_\_\_\_\_ Fees Paid: \_\_\_\_\_ Deposit to be Refunded: \_\_\_\_\_



## City of Beaufort Event/Activity Guidelines Acknowledgement & Acceptance

This event/activity is being approved by the City of Beaufort with the understanding that certain policy guidelines and conditions will be met. Please initial where indicated and sign below to acknowledge and agree to the following:

Due to the on-going Covid-19 pandemic, all city, local, state and federal safety and health guidelines, ordinances, mandates, executive orders, currently in place to help slow and reduce the spread of the Corona virus will be practiced, followed, monitored and enforced by me/our organization and participants during the entire time of our gathering. This includes:

- requiring participants to wear a mask at all times during the event/gathering
- requiring participants to remain physically distanced, (6 feet apart), during the event/gathering

GA

initials

- I/We will limit and control the number of participants to **250 people** and ensure close monitoring of the number of participants and adherence to safety and health guidelines and mandates throughout the event.

GA ... it is my understanding that this requirement has been waived.

initials

- I/We understand that at any time, based on the status of the Covid-19 pandemic and related review or consideration of guidelines, mandates, executive orders, prohibitions, or ordinance changes by the City of Beaufort or other local, state, or federal entities, the City of Beaufort and or it's designated representative has the authority to modify the structure, postpone, cancel or prohibit the event accordingly.

GA

initials

Acknowledged and Accepted Name

George Smedley

Signature

George Smedley

3/16/2021

Event/Activity Organizer or designee

Date



---

**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/24/2021  
**FROM:** Linda Roper, Downtown Operations and Community Services Director  
**AGENDA ITEM TITLE:** Request for Waiver of Alcohol Ordinance from Beaufort Power Squadron for the America's Boating Club District Annual Dinner Meeting, Friday, April 23, 2021 at the Waterfront Pavilion  
**MEETING DATE:** 3/30/2021  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

---

***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Request	Backup Material	3/24/2021



# CITY OF BEAUFORT

## MEMORANDUM

TO: William Prokop, City Manager

FROM: Linda Roper, Dir. Downtown Operations & Community Service

DATE: March 24, 2021

SUBJECT: Request for waiver of City's alcohol ordinance— America's Boating Club District meeting dinner event April 23, 2021  
Henry C Chambers Waterfront Park Pavilion

---

On behalf of the Beaufort Sail & Power Squadron, we are requesting the City's open container for alcoholic beverages ordinance be waived so that the contracted caterer for their dinner event can serve beer and wine to participants. The caterer is fully licensed and insured as is the organization hosting the event. Additionally, the organizers will be contracting with Beaufort Police Department for an off-duty officer to be present during the event to ensure all protocols and safety measures are in place and enforced during the event which will run from 5-9pm.

The request is being made with the understanding and agreement that if approved, the City reserves the right to rescind or modify the terms of the request and or approval as they deem necessary due to the on-going Covid-19 pandemic.

ldr



---

**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/24/2021  
**FROM:** Linda Roper, Downtown Operations and Community Services Director  
**AGENDA ITEM TITLE:** Request from Beaufort Water Festival for use of the Waterfront Park, street closures, sale of alcohol, use of seawall, day dock, waiver of noise ordinance and Co-Sponsorship for Opening Ceremonies for Water Festival 2021, July 16-25, 2021  
**MEETING DATE:** 3/30/2021  
**DEPARTMENT:** Downtown Operations

---

*BACKGROUND INFORMATION:*

---

***PLACED ON AGENDA FOR:*** Action

***REMARKS:***

**ATTACHMENTS:**

Description	Type	Upload Date
Request	Backup Material	3/24/2021



# 65th Beaufort Water Festival

*"What A Beautiful Sight"*

July 16-25, 2021

P.O. Box 52, Beaufort, South Carolina 29901

## COMMODORE

Erin "Tank" Morris  
(843) 247-1649

## PROGRAM COORDINATOR

Shawna Doran  
(843) 592-1037

COMMODORES	Year
Brain Patrick	2019
Stacey Canaday	2018
Jason Berry	2017
Chris Canaday	2016
Bill Damude	2015
Brandy Gray	2014
Dan Thompson	2013
John Gentry*	2012
Bob Bible	2011
Sheri Little	2010
Wilmot Schott	2009
Les Brediger	2008
Erin Dean	2007
Keith Cummins*	2006
Richard Norris	2005
Marvin Morrison	2004
G.J. "Geordie" Madlinger, III	2003
Scott Seelhoff	2002
Ed Saxon	2001
Craig McTeer	2000
David Tempel	1999
Michael Yoakum	1998
Charles H. Steinmeyer	1997
Kevin D. Cuppia	1996
Frank O. Plair	1995
Mark A. Buskirk	1994
Lowell Keene	1993
Danny Charpentier	1992
Edward M. Wise	1991
W.K. "Pete" Pillow	1990
H. Ronald Tanner	1989
D.R. "Rusty" Simpson	1988
Hutson "Buster" Davis, Jr.	1987
J. Lee Bollman	1986
George B. Brown	1985
A. Duncan Fordham	1984
"Skeet" Von Harten	1983
William C. Robinson	1982
James D. Williamson*	1981
Claude E. Surface, Jr.*	1980
Owen Hand	1979
Ed Duryea	1978
Fred Kuhn*	1977
George Goldsmith	1976
Curt Copeland*	1975
John M. Finn*	1974
James G. Thomas*	1973
Thomas R. Garrett*	1972
Don Perry	1971
Robert Welden*	1970
Elrid Moody*	1969
Arthur Horne*	1968
W. Henry Jackson	1967
Colden R. Battley, Jr.	1966
C.R. Powell*	1965
R. Ray Kearns*	1964
Henry V. Boyce, Jr.*	1963
Marvin H. Dukes*	1962
Robert G. McDowell*	1961
Roy Smith	1960
Mrs. Mazie Terhune*	1959
Sammy Gray*	1958
Ed Pike*	1957
John M. Bigbee*	1956

\*Deceased

March 24, 2021

City of Beaufort  
Attn: Bill Prokop, City Manager  
1911 Boundary Street  
Beaufort, SC 29902

Dear Mr. Prokop,

The Beaufort Water Festival would like to thank the Mayor and City Council for their continued support of our Annual Festival. We appreciate your support along with your staff to help us with all of the logistics needed to utilize the park and the police services. Our relationship is strong and we continue to be a good partner and engage actively in promoting Beaufort.

We request the utilization of the Henry C. Chambers Waterfront Park for the 65<sup>th</sup> Annual Beaufort Water Festival, from set-up on Tuesday, July 13<sup>th</sup> through close-down on Monday, July 26<sup>th</sup>, 2021. The application (and deposit) for the use of the park on those dates has been submitted.

The following are requests for use, permissions, and waivers necessary to the logistical and safety purposes of the Festival:

1. Request permission to place a mobile home headquarters at the Downtown Marina restroom area and a mobile home on Freedom Park as law enforcement headquarters. Placement will be from 7:00 AM July 9, 2019 and removal by 8:00 AM July 23, 2019. In the event of severe weather (hurricane) these will be removed from the Downtown Marina in Beaufort. (If needed)
2. Request closure of Waterfront Park seawall with exception of safety water event vessels, from July 16-25, 2021.
3. Request permission to erect temporary signage at the intersection of Ribaut and Bay and on Highway 170 pending utility inspection and approval from the Open Land Trust.



# 65th Beaufort Water Festival

*"What A Beautiful Sight"*

July 16-25, 2021

P.O. Box 52, Beaufort, South Carolina 29901

## COMMODORE

Erin "Tank" Morris  
(843) 247-1649

## PROGRAM COORDINATOR

Shawna Doran  
(843) 592-1037

### COMMODORES

Year	Commodore
2019	Brain Patrick
2018	Stacey Canaday
2017	Jason Berry
2016	Chris Canaday
2015	Bill Damude
2014	Brandy Gray
2013	Dan Thompson
2012	John Gentry*
2011	Bob Bible
2010	Sheri Little
2009	Wilmot Schott
2008	Les Brediger
2007	Erin Dean
2006	Keith Cummins*
2005	Richard Norris
2004	Marvin Morrison
2003	G.J. "Geordie" Madlinger, III
2002	Scott Seelhoff
2001	Ed Saxon
2000	Craig McTeer
1999	David Tempel
1998	Michael Yoakum
1997	Charles H. Steinmeyer
1996	Kevin D. Cuppia
1995	Frank O. Plair
1994	Mark A. Buskirk
1993	Lowell Keene
1992	Danny Charpentier
1991	Edward M. Wise
1990	W.K. "Pete" Pillow
1989	H. Ronald Tanner
1988	D.R. "Rusty" Simpson
1987	Hutson "Buster" Davis, Jr.
1986	J. Lee Bollman
1985	George B. Brown
1984	A. Duncan Fordham
1983	"Skeet" Von Harten
1982	William C. Robinson
1981	James D. Williamson*
1980	Claude E. Surface, Jr.*
1979	Owen Hand
1978	Ed Duryea
1977	Fred Kuhn*
1976	George Goldsmith
1975	Curt Copeland*
1974	John M. Finn*
1973	James G. Thomas*
1972	Thomas R. Garrett*
1971	Don Perry
1970	Robert Welden*
1969	Elrid Moody*
1968	Arthur Horne*
1967	W. Henry Jackson
1966	Colden R. Battley, Jr.
1965	C.R. Powell*
1964	R. Ray Kearns*
1963	Henry V. Boyce, Jr.*
1962	Marvin H. Dukes*
1961	Robert G. McDowell*
1960	Roy Smith
1959	Mrs. Mazie Terhune*
1958	Sammy Gray*
1957	Ed Pike*
1956	John M. Bigbee*

\*Deceased

4. Request permission to install temporary power service in several locations subject to building code inspection.
5. Request permission to erect surface mounted and/or electric sign(s) near pavilion to showcase sponsors.
6. Request waiver of noise limitation ordinance from July 16-25, 2021.
7. Request sole permitting authority for concessionaires in the park from July 16-25, 2021. Water Festival will act as the sole agent for concessionaires during this time frame to determine fee amounts, types, and method of sale for all types of concessions to be marketed.
8. Request a waiver of the City Code prohibiting placement of banners, ribbons and similar devices for July 16-25, 2021.
9. Request closure of Charles Street Extension to public traffic for loading, unloading and emergency egress of safety personnel for July 15-25, 2021.
10. Request permission to sell alcoholic beverages during the Beaufort Water Festival. We have applied to the State of SC for a permit and a license for that time frame. Water Festival will not sell alcoholic beverages on either Sunday of the Festival.
11. Request closure of Bay Street from Bladen to Newcastle during the hours of 4:30PM to 6:30PM on Friday, July 23, 2021, to conduct the annual bed races.
12. Request parade permit for Saturday, July 24, 2021. Parade times will be from 10:00AM to 12:00PM. The parade route will follow Boundary to Carteret to Bay and conclude at the corner of Bladen and the old



2021

# 65th Beaufort Water Festival

*"What A Beautiful Sight"*

July 16-25, 2021

P.O. Box 52, Beaufort, South Carolina 29901

## COMMODORE

Erin "Tank" Morris  
(843) 247-1649

## PROGRAM COORDINATOR

Shawna Doran  
(843) 592-1037

### COMMODORES

Year	Commodore
2019	Brain Patrick
2018	Stacey Canaday
2017	Jason Berry
2016	Chris Canaday
2015	Bill Damude
2014	Brandy Gray
2013	Dan Thompson
2012	John Gentry*
2011	Bob Bible
2010	Sheri Little
2009	Wilmot Schott
2008	Les Brediger
2007	Erin Dean
2006	Keith Cummins*
2005	Richard Norris
2004	Marvin Morrison
2003	G.J. "Geordie" Madlinger, III
2002	Scott Seelhoff
2001	Ed Saxon
2000	Craig McTeer
1999	David Tempel
1998	Michael Yoakum
1997	Charles H. Steinmeyer
1996	Kevin D. Cuppia
1995	Frank O. Plair
1994	Mark A. Buskirk
1993	Lowell Keene
1992	Danny Charpentier
1991	Edward M. Wise
1990	W.K. "Pete" Pillow
1989	H. Ronald Tanner
1988	D.R. "Rusty" Simpson
1987	Hutson "Buster" Davis, Jr.
1986	J. Lee Bollman
1985	George B. Brown
1984	A. Duncan Fordham
1983	"Skeet" Von Harten
1982	William C. Robinson
1981	James D. Williamson*
1980	Claude E. Surface, Jr.*
1979	Owen Hand
1978	Ed Duryea
1977	Fred Kuhn*
1976	George Goldsmith
1975	Curt Copeland*
1974	John M. Finn*
1973	James G. Thomas*
1972	Thomas R. Garrett*
1971	Don Perry
1970	Robert Welden*
1969	Elrid Moody*
1968	Arthur Horne*
1967	W. Henry Jackson
1966	Colden R. Batteny, Jr.
1965	C.R. Powell*
1964	R. Ray Kearns*
1963	Henry V. Boyce, Jr.*
1962	Marvin H. Dukes*
1961	Robert G. McDowell*
1960	Roy Smith
1959	Mrs. Mazie Terhune*
1958	Sammy Gray*
1957	Ed Pike*
1956	John M. Bigbee*

\*Deceased

Federal Courthouse.

13. The Water Festival is in negotiations with our safety partners, Police, Fire/Rescue, EMS and SP+ to ensure all of our guests are safe at all times while visiting the Waterfront Park during our events.

14. We are requesting the City's continued sponsorship of our fireworks display, in the amount of seven thousand five hundred dollars (\$7500.00) credited towards our invoice from the City. In addition, as part of the sponsorship, we are requesting a waiver of one half (50%) of the park rental fee.

As in the past, we will participate with all of your departments in a cooperative discussion of the requests listed. Any changes and/or modification will be subject to your approval.

Thank you in advance for your support and assistance in putting on another safe and memorable Water Festival.

Sincerely,

Erin "Tank" Morris  
Commodore  
65th Annual Beaufort Water Festival



---

**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

---

**TO:** CITY COUNCIL **DATE:** 3/24/2021  
**FROM:** Bill Prokop, City Manager  
**AGENDA ITEM TITLE:** Extension of emergency ordinance requiring individuals to wear face coverings in certain circumstances and locations in the Municipal limits of the City of Beaufort.  
**MEETING DATE:** 3/30/2021  
**DEPARTMENT:** City Managers Office

---

*BACKGROUND INFORMATION:*

Extension of Mask Ordinance that is in place through April 30, 2021.

---

*PLACED ON AGENDA FOR:* Action

**REMARKS:**

**ATTACHMENTS:**

Description	Type	Upload Date
Mask Extension Ordinance	Backup Material	3/26/2021

**EMERGENCY ORDINANCE 2020-\_\_\_\_\_**

**AN EMERGENCY ORDINANCE TO REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND LOCATIONS IN THE MUNICIPAL LIMITS OF THE CITY OF BEAUFORT, SOUTH CAROLINA, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, it is well recognized the SARS-CoV-2, the virus that causes the disease COVID-19, presents a public health concern that requires extraordinary protective measures and vigilance; 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**, on March 13, 2020, Beaufort Mayor Billy Keyserling , under his authority , declared that a State of Emergency exists throughout the City as a result of impacts arising from the COVID-19 pandemic; and,

**WHEREAS**, reported COVID-19 daily cases are on the rise in both Beaufort County and the State of South Carolina; and

**WHEREAS**, on March 23, 2021 the State of Emergency still exists in State of South Carolina and the City of Beaufort; the Centers for Disease Control and Prevention (“CDC”) and South Carolina Department of Health and Environmental Control (“SCDHEC”) have advised the use of cloth or other types face coverings to slow the spread of COVID-19; and

**WHEREAS**, the CDC and SCDHEC recommend taking measures to control the spread of COVID-19 such as wearing cloth or other types of face coverings, both of which limit the spread of COVID-19 in our communities and reduce the demand on the local the health care delivery system; and

**WHEREAS**, there are currently large numbers of people who patronize grocery stores, pharmacies, restaurants, retail establishments and other businesses open to the public within the municipal limits of the City; and

**WHEREAS**, public reporting and other sources reveal that the advice from the Centers for Disease Control and SCDHEC encouraging the wearing of cloth or other types of face coverings is not being widely followed within the municipal limits of the City; and

**WHEREAS**, in order to protect, preserve, and promote the general health, safety, welfare, and the peace and order of the community, the City has and will continue to take steps to try and protect the citizens, employers, and employees within the City from an increased risk of exposure to and transmission of COVID-19 ; and,

**WHEREAS**, the City has received a strong message from the medical community, that unless citizens curb the rising spread of COVID-19 through wearing facemasks and following social distancing protocol, established by the CDC, community medical facilities could be faced with more patients than any one institution can accommodate, and,

**WHEREAS**, the City Council finds it is necessary and in the best interest of the City and its citizens that an Emergency Ordinance requiring the wearing of cloth or other types of face

coverings in certain circumstances be adopted by the City Council, and that it be put into immediate effect; and

**WHEREAS**, City Council may, by majority vote of those members present, adopt emergency ordinances as are authorized and limited by S. C. Code Ann. §5-7-250(d)(Supp. 2019), during this State of Emergency.

**NOW, THEREFORE, BE IT ORDERED, AND ORDAINED BY THE CITY COUNCIL FOR THE CITY OF BEAUFORT, SOUTH CAROLINA, DULY ASSEMBLED AND BY THE AUTHORITY OF THE SAME, AS FOLLOWS:**

1. For the purpose of this Ordinance, a “Face Covering” is a cloth or other type of masking device that covers the wearer’s nose and mouth.
2. All persons entering any building open to the public in the City must wear a face covering while inside the building.
3. All restaurants, retail establishments of every description, salons, grocery stores, and pharmacies in the municipal limits of the City shall require their employees to wear a Face Covering at all times that the employees are in any area where the general public is allowed or when the employees must be in close proximity to one another. This requirement also applies to all persons providing or utilizing public or commercial transportation, including tours; and all businesses or employees while interacting with people in outdoor spaces, including, but not limited to, curbside pickup, delivery, and service calls.
4. The following individuals are exempt from this Ordinance: any person who is unable to safely wear a Face Covering due to age or an underlying health condition, or who is unable to remove the Face Covering without the assistance of others; and any person traveling in a personal vehicle, or when a person is alone or is in the presence of only household members in an enclosed space, and people who are actively drinking or eating. This Ordinance does not relieve business establishments and restaurants from other social distancing requirements imposed by the Governor’s Executive Orders.
5. Education and voluntary compliance are the desired means of enforcement. However, any person who, after being first duly warned, is found to have violated any mandatory provision of this Ordinance shall be deemed guilty of a civil infraction, and shall be subject to a Civil Summons punishable by a fine of fifty dollars (\$50.00). Police officials, or a City representative appointed by the City Manager, shall be authorized to issue such a Summons for violations personally witnessed.
6. Repeated violations of this Ordinance at any business or establishment that is subject to this Ordinance is hereby declared a nuisance, and the City may seek a restraining order, preliminary injunction, permanent injunction or any other means authorized under the Laws of the State of South Carolina to abate the nuisance. The City may also seek suspension or revocation of the business license issued by the City to any business or establishment where repeated violations of the Ordinance occur, under the authority of the City Code of Ordinances.

- 7, With the exception of their own employees, owners or lease holders of buildings open to the public shall not have responsibility for enforcing the above requirements, but shall post conspicuous signage at all entrances informing its patrons of the requirements of this Ordinance.
8. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.
9. This Ordinance becomes effective at 11:59pm March 30, 2021, upon adoption by City of Beaufort Council, and will be extended through April 30, 2021 (31 days) or expire upon the Thirty First day following adoption or the end of the State of Emergency in the City of Beaufort, whichever occurs first.

**MOVED, APPROVED, AND ADOPTED AS AN EMERGENCY ORDINANCE  
THIS 30<sup>TH</sup> DAY OF MARCH 2021.**

\_\_\_\_\_  
**STEPHEN D. MURRAY III, MAYOR**

**ATTEST:**

By: \_\_\_\_\_  
**TRACI GULDNER, CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**WILLIAM B. HARVEY, CITY ATTORNEY**