

CITY OF CLEMSON ORDINANCE CC-2020-31

AN EMERGENCY TEMPORARY ORDINANCE OF THE CITY OF CLEMSON, SOUTH CAROLINA, IMPLEMENTING THE GAME DAY PARKING PROGRAM COVID-19 PROTOCOL FOR THE REMAINDER OF THE 2020 CLEMSON UNIVERSITY FOOTBALL SEASON.

WHEREAS, S.C. Code Ann. §5-7-250 authorizes municipalities to enact temporary emergency ordinances to “meet public emergencies affecting life, health, safety or the property of the people;” and,

WHEREAS, it appears that widespread transmission of the COVID-19 virus continues in our City, our State, and the country as a whole; and,

WHEREAS, Governor Henry D. McMaster has continued the public health State of Emergency in South Carolina resulting from the pandemic; and,

WHEREAS, Clemson University is in the process of conducting its fall football season, including home games, subject to a maximum allowable attendance of 19,000, and subject to specific guidelines for on-campus conduct on game days, because of the virus; and,

WHEREAS, after considering the positive manner in which participants in the City’s Game Day Parking program have complied with the provisions of the City’s COVID-19 Protocol, as amended (attached hereto); and,

WHEREAS, it appearing appropriate to maintain the Protocol to allow participants in the City’s Game Day Parking program to continue with the program for the remainder of the University football season, ending with the final home game scheduled for November 28, 2020, and subject to participant compliance with the Protocol; and,

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Clemson, South Carolina, duly assembled and with a legal quorum, as set forth below.

1. Council hereby implements continued application of the COVID-19 Protocol to allow parking on Clemson football game days by participants in the City’s Game Day Parking program.

2. Council urges participants in the program to follow and enforce the Protocol, as well as to take all other legal, common sense measures possible to prevent transmission of the virus.
3. Any provisions of the Game Day Parking ordinances (CC Code ##12-203, et seq.) that conflict with the amended provisions of the Game Day Parking program COVID-19 Protocol are hereby suspended for the duration of this ordinance.
4. Council will continue to monitor compliance with the Protocol to determine whether it needs amendment or whether the Game Day Parking program may need to be suspended for public health and safety reasons.
5. 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; and,
6. This temporary emergency ordinance is effective immediately, and shall remain in effect through November 28, 2020, or until such other time as Council may deem appropriate, but in no event shall this ordinance exceed the 60-day effective period set forth in S.C. Code Ann. §5-7-250(d).

IT IS SO ORDAINED, SIGNED, SEALED AND DELIVERED THIS 2nd DAY OF NOVEMBER 2020.



J.C. Cook, III, Mayor

ATTEST:



Beverly Coleman, City Clerk

The City of Clemson wants to be able to continue to operate its Game Day Parking program on private property for the 2020 Clemson football season. However, to accomplish this will require the help and vigilance of every participant in the program. The City cannot guarantee that the program will continue to be in effect all season long, because no one knows exactly what will result from the influx of students and visitors to our City. The following guidelines are intended to minimize transmission of the COVID-19 virus and to keep the Game Day Parking program available to our property owners.

Game Day Parking Program COVID-19 Protocol

1. Game Day Parking properties may open for parking at 7 a.m. and are to close either at midnight or 90 minutes after the end of the game, whichever is later.
2. All persons present on the parking property, including parking operators/attendants/employees, must comply with all applicable City ordinances, including, but not limited to, the City face coverings ordinance.

Face coverings are required in the City when coming within 6 feet of any person who is not a family or household member, whether indoors or outdoors. Face coverings are also required inside any building open to the public. (A copy of the face coverings ordinance is attached, along with a quick reference sheet. Additional information is located on the City website.)

The City will make available a box of masks to each registrant along with the registration sign/decal. Information regarding the face coverings ordinance and the Game Day Parking COVID-19 Protocol will be affixed to the sign for easy reference.

3. The number of vehicles parked on a participating property should be reduced to 50% of capacity and alternately spaced so that no vehicles are parked within a vehicle's width of another vehicle. The goal is to keep vehicle occupants socially distanced from the occupants of other vehicles at all times.
4. No large gatherings should be permitted. Persons from the same car or household may eat together, but tailgating with others is strongly discouraged. No tents, trailers, communal coolers, or grills should be permitted. The Governor's executive orders allow a law enforcement officer to disperse a group of three or more persons if that officer determines the group poses, or could pose, a threat to health.
5. Overnight parking is not allowed.
6. Parking properties that provide restroom facilities should research and implement cleaning and disinfecting protocols compliant with CDC guidance, provide hand washing/sanitizing options, and consult with their own advisors/insurers regarding any potential liability issues.