

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

ORDINANCE 75-2020

AN EMERGENCY ORDINANCE DECLARING THAT A WEATHER RELATED LOCALIZED STATE OF EMERGENCY EXISTS WITHIN HORRY COUNTY, AND AUTHORIZING THE APPROPRIATE ACTION TO BE TAKEN IN CONNECTION THEREWITH.

WHEREAS, Horry County Council is empowered by section 4-9-130 of the South Carolina Code of Laws and Section 2-26 of the Horry County Code of Ordinances to adopt emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, pursuant to 4-9-130, such emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present, is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements, and shall expire automatically as of the sixty-first day following the date of enactment; and

WHEREAS, currently Horry County is under a localized state of emergency related to the COVID-19 pandemic; and

WHEREAS, County Council finds it necessary to enact an emergency ordinance as a result of its determination that an additional emergency exists within Horry County related to an extraordinary weather event, and directs that certain measures are to be taken to address that emergency.

NOW, THEREFORE, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

1. DECLARATION OF STATE OF EMERGENCY: In accordance with Section 4-9-130 of the South Carolina Code and Section 2-26 of the Horry County Code, Horry County Council hereby declares that a localized emergency exists throughout Horry County, effective 6:00 p.m., July 31, 2020, more particularly described in the attached Weather Related Declaration of a State of Emergency for Horry County, and hereby directs that appropriate action be taken as set forth in such Declaration.

2. TERMINATION/EXPIRATION. This Ordinance will remain in effect for sixty (60) days unless sooner terminated by Resolution of County Council.

3. SEVERABILITY. If any Section, Subsection, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

4. CONFLICT WITH PRECEDING ORDINANCES. If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a

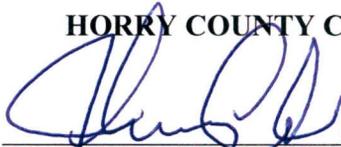
preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.

5. EFFECTIVE DATE. This Ordinance shall become effective immediately.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this 31st day of July, 2020.

HORRY COUNTY COUNCIL



Johnny Gardner, Chairman
On behalf of the entire County Council

not
yes no present

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Johnny Gardner, Chairman |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Harold G. Worley, District 1 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Bill Howard, District 2 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Dennis DiSabato, District 3 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Gary Loftus, District 4 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Tyler Servant, District 5 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Cam Crawford, District 6 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Orton Bellamy, District 7 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Johnny Vaught, District 8 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | W. Paul Prince, District 9 |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Danny Hardee, District 10 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Al Allen, District 11 |

Attest:



Patricia S. Hartley, Clerk to Council

WEATHER RELATED DECLARATION OF A STATE OF EMERGENCY FOR HORRY COUNTY

WHEREAS, Hurricane Isaias, currently a Category 1 hurricane with maximum sustained wind speeds near 75 mph, is making its way northwestward through the Bahamas. It is forecasted to move near the east coast of the Florida peninsula Saturday and Sunday, thereafter moving up the coast with the center of circulation projected to pass just off of the coast of South Carolina. At this time Isaias poses the possibility of producing significant impacts to our area to include heavy rains, flash flooding, storm surge, beach erosion and rip currents, and damaging winds, with the potential for property destruction and threats to life safety, residents being displaced from their homes, road closures, and widespread power outages; and

WHEREAS, Horry County Council is informed and believes that an emergency has been created by this extraordinary weather event, creating a menace to the preservation of public peace, safety, security, health, welfare, and property, requiring that the County take timely precautions to protect property, critical infrastructure, communities, and the general safety and welfare of the residents of and visitors to the County, and resulting in the resources of the County in contending with the event being taxed to their limit; and

WHEREAS, Horry County Council finds that a State of Emergency exists due to the circumstances as described above, specifically declaring this State of Emergency for Horry County, under the authority granted to it under State and local law, authorizing whatever measures necessary to respond appropriately to the emergency, and requests that State and Federal resources be mobilized in response to this hazardous weather event and resulting losses and damages sustained.

NOW, THEREFORE, Horry County Council hereby declares a State of Emergency to exist in Horry County, as set forth hereinabove, and directs that the Horry County Emergency Operations Plan section of the Horry County Comprehensive Emergency Management Plan be activated and implemented, that the most current version of the Solid Waste Authority Debris Management Plan be activated and implemented, that the County Administrator take the measures necessary to mobilize the necessary life safety mechanisms and responses, that all reasonable actions and precautions be taken as is necessary to ensure the fullest possible protection and preservation of life and property and, in addition, that this Declaration be transmitted to the Governor for the State of South Carolina requesting that the Governor make the appropriate declarations and take whatever other actions necessary to address this emergency.

FURTHER, the County Administrator may determine that it is necessary to amend the budget to identify the sources of existing or borrowed funds, and to establish a budget for the emergency expenditures, resulting from the need to borrow monies for the purpose of making allowance for expenditures which have arisen as a result of such emergency. In that event, approval of additional expenditure appropriation for debt incurred or use of Fund Balance, Fund Balance Reserve, or transfers from other funds, will be by Resolution of County Council through a telephone vote. This spending approval shall not require a supplemental budget ordinance or budget ordinance amendment.

HORRY COUNTY COUNCIL

By: 

Its: Chairman

Date: 7/31/20