



1018 Second Avenue South, North Myrtle Beach, SC 29582

FOR IMMEDIATE RELEASE

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CITY COUNCIL ADOPTS EMERGENCY ORDINANCE AND DECLARATION

North Myrtle Beach, SC – March 16, 2020 – During their regularly scheduled March 16, 7:00 p.m. meeting, City Council members adopted an emergency ordinance and an emergency declaration.

Just as the City adopts emergency ordinances and declarations for hurricanes, this declaration positions the City to be able to respond to COVID-19 related issues as they may arise locally. It also positions the City to qualify for any state and federal reimbursements to help reduce the impact that COVID-19 related expenditures may have on the City's budget.

SCROLL DOWN TO READ THE
ORDINANCE AND DECLARATION

ORDINANCE

AN EMERGENCY ORDINANCE DECLARING THAT A LOCALIZED STATE OF EMERGENCY EXISTS WITHIN THE CITY OF NORTH MYRTLE BEACH, AND AUTHORIZING THE APPROPRIATE ACTION TO BE TAKEN IN CONNECTION THEREWITH.

WHEREAS, North Myrtle Beach City Council is empowered by section 5-1-250(d) of the South Carolina Code of Laws and section 2-36.8 of the Code of Ordinances of the City of North Myrtle Beach to adopt emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, pursuant to section 5-7-250(d), 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, the North Myrtle Beach City Council finds it necessary to enact an emergency ordinance as a result of its determination that a localized emergency exists within the City of North Myrtle Beach, and directs that certain measures are to be taken to address that emergency.

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

1. **DECLARATION OF STATE OF EMERGENCY:** In accordance with sections 5-7-250(d) of the South Carolina Code of Laws and section 2.36.8 of the Code of Ordinances for the City of North Myrtle Beach, North Myrtle Beach City Council hereby declares that a localized emergency exists throughout the City, effective 7:00 p.m. March 16, 2020 more particularly described in the attached Declaration of a State of Emergency for the City of North Myrtle Beach, and hereby directs that appropriate action be taken as set forth in such Declaration.
2. **TERMINATION/EXPIRATION:** This Ordinance shall remain in effect for sixty (60) day unless sooner terminated by Resolution of City 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, subsection 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, subsection or provision of this Ordinance shall conflict with the provisions of a section, subsection or part of a preceding Ordinance of North Myrtle Beach, unless expressly so providing, then the preceding section, subsection 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 16th Day of March, 2020.

North Myrtle Beach City Council



Marilyn Hatley, Mayor

On behalf of the entire North Myrtle Beach City Council.

YES NO NOT PRESENT

 TERRY WHITE

 ROBERT J. CAVANAUGH

 HANK THOMAS

 J.O. BALDWIN

 FRED COYNE

 NIKKI FONTANA

DECLARATION OF STATE OF EMERGENCY FOR NORTH MYRTLE BEACH

WHEREAS, The World Health Organization declared COVID-19 (a novel, serious and highly contagious and deadly respiratory disease) a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and

WHEREAS, globally there have been over a hundred and seventy five thousand confirmed cases to date, to include within almost all states in our country, with a continued increase in new cases anticipated. Currently, there are 28 confirmed cases in the State of South Carolina, three of which are located in Horry County. In addition, due to the ordinary influx of large numbers of visitors to our area, and travel by those who live, work, and/or attend school here, it is anticipated that cases may appear within North Myrtle Beach; and

WHEREAS, several states have declared states of emergency to take proactive steps to prevent and prepare for the spread of this disease; and

WHEREAS, at approximately 3:30 p.m. on March 13, 2020, the President of the United States declared a national state of emergency, opening up access to large amounts of emergency federal funding, requesting states and hospitals to activate their emergency action plans, limiting visitation to nursing homes and assisted living facilities, relaxing certain health laws and rules to facilitate appropriate responses to the emergency, and expanding testing availability; and

WHEREAS, at approximately 5:25 p.m. on March 13, 2020, the Governor of South Carolina announced that he had declared a state of emergency for South Carolina, closing schools in Lancaster and Kershaw counties, directing that State government offices remain open but that visitation at correctional facilities, nursing homes and assisted living facilities (excepting end of life situations) be suspended and ordering the State's Emergency Operations Plan activated; he has requested federal assistance for small businesses, and has asked the Legislature to appropriate additional dollars to address the emergency; and

WHEREAS, COVID-19 poses a significant public health threat for infectious disease spread to our residents and visitors, with detrimental effects on the economy and the provision of public services in North Myrtle Beach; and

WHEREAS, North Myrtle Beach City Council believes that an emergency has been created by this extraordinary health event, creating a menace to the preservation of public peace, safety, security, health and welfare, requiring that the City of North Myrtle Beach take timely precautions to protect people and communities and the general health and welfare of the residents of and visitors to the City of North Myrtle Beach, to mitigate the effects of such an event, and to prepare for and contend with the resources of the City in responding to the event (services, personnel, equipment, facilities) being taxed to their limit; and

WHEREAS, North Myrtle Beach City Council finds that a State of Emergency exists due to the circumstances as described above, specifically declaring this State of Emergency for North Myrtle Beach, 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 extraordinary health event and resulting losses and damages sustained.

NOW, THEREFORE, North Myrtle Beach City Council declares a State of Emergency to exist in North Myrtle Beach, as set forth hereinabove, authorizes the City Manager to take the necessary measures to mobilize the necessary life safety mechanisms and responses, and working together with the State and other health organizations and agencies, schools and other governmental and private partners, assist in the taking of all reasonable actions and precautions as is necessary to ensure the fullest possible protection and preservation of life and property and continuation, restoration and recovery of essential public services to include providing for isolation and quarantine, limiting travel, modifying personnel requirements, practices and procedures, providing for remote access to the workplace by employees, canceling or postponing events, activities, appearances, or functions involving group gatherings, suspending the requirement of payment of transactional fees, transferring budgeted federal or state grant monies as necessary pursuant to federal/state guidelines, temporarily suspending attendance requirements for boards, commissions, committees, and the like, temporarily closing certain City facilities or portions thereof and that, in addition, directs 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.

NORTH MYRTLE BEACH CITY COUNCIL

By: 
Marilyn Hatley

Its: Mayor

Date: March 16, 2020