



CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
North Myrtle Beach City Hall
City Council Meeting Agenda
July 31st - 3:00 P.M.

EMERGENCY CITY COUNCIL MEETING

1. DECLARATION OF STATE OF EMERGENCY FOR NORTH MYRTLE BEACH

Documents:

[1.PDF](#)

2. 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.

Documents:

[2.PDF](#)

DECLARATION OF STATE OF EMERGENCY FOR NORTH MYRTLE BEACH

WHEREAS, Isaias is now a hurricane; and

WHEREAS, the National Hurricane Center has placed the City of North Myrtle Beach in the cone of uncertainty for the track of Hurricane Isaias; and

WHEREAS, the chance for local impacts continues to gradually increase with respect to winds and rainfall amounts; and

WHEREAS, the North Myrtle Beach City 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, and resulting in the resources of the City in contending with the situation being taxed to their limit; and

WHEREAS, the 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 the City of 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 hazardous weather event and resulting losses and damages sustained.

NOW, THEREFORE, the North Myrtle Beach City Council hereby declares a State of Emergency to exist in the City of North Myrtle Beach, as set forth hereinabove, and directs that the City Manager 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, that the City Manager 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. This budget amendment may be the result of the need to borrow monies for the purpose of making allowance for expenditures which have arisen as a result of such emergency. In the event of a state of emergency or disaster declared, 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

NORTH MYRTLE BEACH CITY COUNCIL

By: _____
Marilyn Hatley

Its: Mayor

Date: July 8, 2020

ATTEST:

Dawn Snider, Acting as City Clerk

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 5-7-250(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 found 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 regarding Hurricane Isaias beginning July 31, 2020 and directed that certain measures be taken to address that emergency; and

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.
- 2. TERMINATION/EXPIRATION:** This Ordinance shall remain in effect for sixty (60) days from passage 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 upon passage.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED
Dated this 31st Day of July 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

ORDINANCE: 20-_____