

## 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 future storm Imelda beginning on or about September 26, 2025, and directed that certain measures 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 by 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 26<sup>th</sup> Day of September 2025**

**North Myrtle Beach City Council**

<b>Yes</b>	<b>No</b>	<b>Not Present</b>	<b>Signature</b>
_____	_____	_____	_____ <b>Mayor Marilyn Hatley</b>
_____	_____	_____	_____ <b>J.O. Baldwin</b>
_____	_____	_____	_____ <b>Bubba Collins</b>
_____	_____	_____	_____ <b>Fred Coyne</b>
_____	_____	_____	_____ <b>Nicole Fontana</b>
_____	_____	_____	_____ <b>Trey Skidmore</b>
_____	_____	_____	_____ <b>Hank Thomas</b>

**ATTEST:**

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**Allison K. Galbreath, City Clerk**

**ORDINANCE:**     25-40