

DECLARATION OF STATE OF EMERGENCY FOR NORTH MYRTLE BEACH

WHEREAS, a winter storm is predicted to impact much of South Carolina, including North Myrtle Beach, beginning on or about January 21, 2022; and

WHEREAS, the Governor for the State of South Carolina has declared a State of Emergency regarding the above referenced winter storm;

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

AND IT IS SO ORDAINED, ENACTED AND ORDERED

Dated this 20th Day of January 2022

North Myrtle Beach City Council

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

ATTEST:

Allison K. Galbreath
 Allison K. Galbreath, 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 Winter Storm Jasper beginning on or about January 21, 2022, 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 ineffect.
5. **EFFECTIVE DATE:** This Ordinance shall become effective immediately upon passage.

AND IT IS SO ORDAINED, ENACTED AND ORDERED

Dated this 20th Day of January 2022

North Myrtle Beach City Council

Yes	No	Not Present	Signature	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mayor Marilyn Hatley
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	J.O. Baldwin
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Bubba Collins</u>	Bubba Collins
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Nikki Fontana</u>	Nikki Fontana
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trey Skidmore
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Hank Thomas</u>	Hank Thomas

ATTEST:

Allison K. Galbreath
Allison K. Galbreath, City Clerk

ORDINANCE: 22-01