

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
) TO DECLARE A LOCALIZED STATE OF EMERGENCY
 COUNTY OF HORRY) IN THE TOWN OF SURFSIDE BEACH, AND TO AUTHORIZE THE
) APPROPRIATE ACTION BE TAKEN IN CONNECTION THEREWITH
 TOWN OF SURFSIDE BEACH) DURING THE HURRICANE MATTHEW STORM EVENT

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled are is empowered by Section 4-9-130 of the South Carolina Code of Laws and Section 30-4-80(A) of the South Carolina Freedom of Information Act allows the town to call emergency meetings without a 24-hour notice to adopt emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, pursuant to South Carolina Code Section 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, Town Council finds it necessary to enact an emergency ordinance as a result of its determination that a localized emergency exists within the Town of Surfside Beach, and directs that certain measures are to be taken to address that emergency.

NOW, THEREFORE, by the power and authority granted to the Surfside Beach Town 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 Surfside Beach Town Council hereby declares that a localized emergency exists throughout the Town of Surfside Beach, effective 6:00 p.m., October 4, 2016, more particularly described in the attached Resolution #16-16-174 Declaration of a State of Emergency for the Town of Surfside Beach, 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 Surfside Beach Town 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 the Town of Surfside 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.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 4th day of October 2016.

Robert F. Childs, III, Mayor

Ron Ott, Mayor Pro Tempore

Timothy T. Courtney, Town Council

Mark L. Johnson, Town Council

David L. Pellegrino, Town Council

Julie M. Samples, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Approved