

COUNTY OF HORRY )  
 )  
STATE OF SOUTH CAROLINA )

ORDINANCE 108 -2023

**AN EMERGENCY ORDINANCE DECLARING THAT A WEATHER RELATED LOCALIZED STATE OF EMERGENCY EXISTS WITHIN HORRY COUNTY, AND AUTHORIZING THE APPROPRIATE ACTION TO BE TAKEN IN CONNECTION THEREWITH.**

WHEREAS, Horry County Council is empowered by section 4-9-130 of the South Carolina Code of Laws and Section 2-26 of the Horry County Code of Ordinances to adopt emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, pursuant to 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, County Council finds it necessary to enact an emergency ordinance as a result of its determination that an emergency exists within Horry County related to an extraordinary weather event, and directs that certain measures are to be taken to address that emergency.

NOW, THEREFORE, by the power and authority granted to the Horry County 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 and Section 2-26 of the Horry County Code, Horry County Council hereby declares that a localized emergency exists throughout Horry County, effective 3:00 p.m., Tuesday, August 29, 2023, more particularly described in the attached Weather Related Declaration of a State of Emergency for Horry County, 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 County 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, Sub-section 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, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.

**5. EFFECTIVE DATE.** This Ordinance shall become effective immediately.

**WEATHER RELATED DECLARATION OF A STATE OF EMERGENCY FOR HORRY COUNTY**

**WHEREAS**, Hurricane Idalia, currently a Category 1 hurricane with maximum sustained wind speeds near 90 mph with anticipation of becoming a Category 3 with maximum sustained winds of 125 mph, is currently moving north-northeast towards the Fort Myers/Tampa, Florida area. After landfall on Florida's west coast, it is expected to continue through Florida and then turn toward the north, tracking up through Georgia and South Carolina, the effects of which are expected to be experienced in our area by late Wednesday and early Thursday, and continue into the weekend. At this time, Idalia poses the possibility of producing significant impacts to our area to include heavy rains, flash flooding, river flooding, storm surge, beach erosion and rip currents, damaging winds, and tornados, the potential for property destruction and threats to life safety, residents being displaced from their homes, road closures, and power outages; and

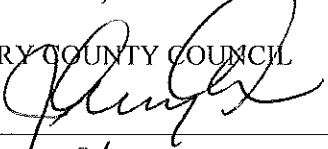
**WHEREAS**, Horry County Council is informed and believes that an emergency has been created by this extraordinary weather event, creating a menace to the preservation of public peace, safety, security, health, welfare, and property, requiring that the County take timely precautions to protect property, critical infrastructure, communities, and the general safety and welfare of the residents of and visitors to the County, and resulting in the resources of the County in contending with the event being taxed to their limit; and

**WHEREAS**, Horry County Council finds that a State of Emergency exists due to the circumstances as described above, specifically declaring this State of Emergency for Horry County, 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**, Horry County Council hereby declares a State of Emergency to exist in Horry County, as set forth hereinabove, and directs that the Horry County Emergency Operations Plan section of the Horry County Comprehensive Emergency Management Plan be activated and implemented, that the most current version of the Solid Waste Authority Debris Management Plan be activated and implemented, that the County Administrator 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**, the County Administrator may determine that it is necessary to amend the budget to identify sources of existing or borrowed funds, and to establish a budget for 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. Horry County Council hereby designates the use of fund balance, authorizing the Administrator to allocate funding to emergency expenditure needs in an amount not to exceed available fund balance, fund balance reserve, and fiscal stabilization reserve, within the general, fire, recreation, stormwater, and waste management recycling funds. Such spending approval shall not require a supplemental budget ordinance or budget ordinance amendment. Any reimbursements for expenditures will reduce the allocated funding. The Administrator shall provide periodic reports to County Council of funds so expended. Additional budgetary transfers, if needed, will be by Resolution of County Council.

HORRY COUNTY COUNCIL

By: 

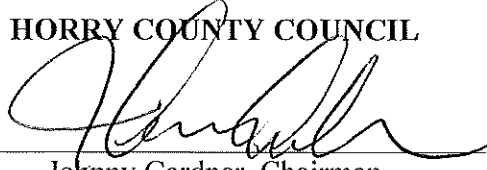
Its: Chairman

Date: 29 August 2023

**AND IT IS SO ORDAINED, ENACTED AND ORDERED.**

Dated this 29th day of August 2023.

**HORRY COUNTY COUNCIL**

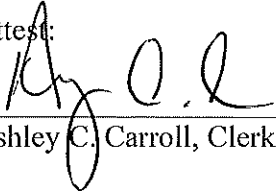


Johnny Gardner, Chairman  
On behalf of the entire County Council

not  
yes no present

- Johnny Gardner, Chairman
- Jenna L. Dukes, District 1
- Bill Howard, District 2
- Dennis DiSabato, District 3
- Gary Loftus, District 4
- Tyler Servant, District 5
- Cam Crawford, District 6
- Tom Anderson, District 7
- Michael Masciarelli, District 8
- R. Mark Causey, District 9
- Danny Hardee, District 10
- Al Allen, District 11

Attest:



Ashley C. Carroll, Clerk to Council