

October 13, 2020 – 1st reading.
 October 27, 2020 – Presented for approval.

1 **2020-045 (2nd READING): TO AMEND CHAPTER 8, SECTION 8-9 (DECLARATION**
 2 **OF CIVIL EMERGENCY) OF THE CODE OF ORDINANCES OF THE CITY OF MYRTLE**
 3 **BEACH, TO EXTEND THE DURATION OF A DECLARATION OF CIVIL EMERGENCY**
 4 **FROM 30 DAYS TO 31 DAYS.**

5 **Staff/Purpose:** Staff /to amend Chapter 8, Section 8-9 of the Code & extend the maximum length
 6 of a civil emergency from 30 days to 31 days.

7
 8 **Brief:**

- 9 • City Code allows the Mayor to declare a “Civil Emergency” in the event of a disaster
 10 which results in:
 - 11 ○ Large-scale loss of life, injury, or property damage or destruction.
 - 12 ○ Major disruption of community affairs, business or governmental operations ...
 13 which is of sufficient severity & magnitude to warrant assistance by federal, state
 14 & local agencies in addition to public & private resources.
- 15 • Upon the Declaration:
 - 16 ○ The Mayor or Manager may request the Governor to provide assistance to
 17 supplement local efforts to save lives & protect property, public health & safety,
 18 or to avert or lessen the threat of a disaster.
 - 19 ○ The Manager may take certain emergency actions (Executive Orders) to
 20 mitigate the disaster.
- 21 • The Declaration continues for a maximum of 30 days, unless extended or ended by a
 22 finding of Council that the emergency conditions no longer exist.
- 23 • No changes since 1st reading.

24
 25 **Issues:**

- 26 • The current pandemic is the City's only experience w/ an emergency that extended
 27 beyond 30 days.
- 28 • During that time it has been difficult for the public to track when the Declaration & the
 29 ensuing Executive Orders are in effect.
- 30 • This ordinance changes the maximum length of a civil emergency from 30 to 31 days, so
 31 that in on-going situations the Declarations may be go into effect & subsequently be
 32 renewed on the 1st of each month to assist the public to track the emergency measures.

33
 34 **Public Notification:** Normal meeting notification.

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 36 **Alternatives:**

- 37 • Modify the ordinance.
- 38 • Deny the ordinance.

39
 40 **Financial Impact:** None.

41
 42 **Manager's Recommendation:**

- 43 • I recommend 1st reading (10/13/2020).
- 44 • I recommend approval (10/27/2020).

45
 46 **Attachment(s):** Proposed ordinance.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO AMEND CHAPTER 8, SECTION 8-9
(DECLARATION OF CIVIL EMERGENCY)
OF THE CODE OF ORDINANCES OF THE
CITY OF MYRTLE BEACH, TO EXTEND
THE DURATION OF A DECLARATION OF
CIVIL EMERGENCY FROM 30 DAYS TO 31
DAYS.

Be it ordained by the City Council of the City of Myrtle Beach that the Code of Ordinances is hereby amended as shown below for the purpose of extending the duration of civil emergencies from 30 days to 31 days.

Sec. 8-9. - Declaration of civil emergency.

(a) In the event of an actual or threatened occurrence of a disaster or emergency, which may result in the large-scale loss of life, injury, property damage or destruction or in the major disruption of routine community affairs, business or governmental operations in the city and which is of sufficient severity and magnitude to warrant extraordinary assistance by federal, state and local departments and agencies to supplement the efforts of available public and private resources, the governing authority may declare a civil emergency for the city. The declaration shall be signed by the governing authority and filed in the office of the city clerk and shall be communicated to the citizens of the affected area using the most effective and efficient means available. The declaration shall state the nature of the emergency or disaster, the conditions that require the declaration and any sections of this chapter which shall be in effect.

(b) Consistent with a declaration of civil emergency, the governing authority or manager may request the Governor to provide assistance, provided that the disaster or emergency is beyond the capacity of the city to meet adequately and state assistance is necessary to supplement local efforts to save lives and protect property, public health and safety, or to avert or lessen the threat of a disaster.

(c) The declaration of local emergency shall continue until the convening of the city council finds that emergency conditions no longer exist, at which time, the governing authority shall execute and file with the city clerk an order marking the end of the state of emergency. No state of local emergency shall continue for longer than ~~30~~ 31 days, unless renewed by the governing authority.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

1st Reading: 10-13-2020
2nd Reading: 10-27-2020