

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 21-02

An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 14 (Civil Emergencies) and Chapter 18 (Emergency Services) To Update Various Sections Within These Chapters

PURPOSE

The purpose of this ordinance is to update various sections in Chapter 15 regarding civil emergencies and Chapter 18 regarding emergency services.

NOW, THEREFORE, BE IT ORDAINED by the governing body of Darlington County, South Carolina, the Darlington County Council, that:

SECTION 1.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-1 (Definitions), *Emergency Preparedness* definition **which currently reads:**

Emergency preparedness has a broad meaning and includes preparations against, and relief from, the effects of attack on the county or any part of the state, by the forces of any enemy nation, and it shall also include any activity in connection with natural or manmade disaster or emergency as defined herein. It shall not include any activity that is the responsibility of the military forces of the United States or the state.

Be amended to read as follows:

Emergency Management has a broad meaning and includes preparations against, and relief from, the effects of attack on the county or any part of the state, by the forces of any enemy nation, and it shall also include any activity in connection with natural or manmade disaster or emergency as defined herein. It shall not include any activity that is the responsibility of the military forces of the United States or the state.

SECTION 2.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-1 (Definitions), *Emergency Services Director* definition **which currently reads:**

Emergency services director means the emergency services director of the county emergency preparedness agency as appointed by the county administrator.

Be deleted in its entirety.

SECTION 3.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-2 (Purpose), **which currently reads:**

Sec. 14-2. - Purpose.

It is the intent and purpose of this chapter to establish an organization, to be known as the county emergency preparedness agency, that will ensure the complete and efficient utilization of all county facilities/agencies to combat disaster from enemy attack, natural or manmade disaster or emergencies. The agency will be the coordinating agency for all activity in connection with civil defense; it will be the instrument through which the county council shall exercise its authority under the laws of this state during an attack against this county or any part of this state. This chapter will not relieve any county department of the normal responsibilities or authority given to it by general law or local resolution or ordinance, nor will it affect the work of the American Red Cross, Salvation Army or other volunteer agencies organized for relief in natural or manmade disasters or emergencies.

Be amended to read as follows:

Sec. 14-2. - Purpose.

It is the intent and purpose of this chapter to establish an organization, to be known as the county emergency **management** agency, that will ensure the complete and efficient utilization of all county facilities/agencies to combat disaster from enemy attack, natural or manmade disaster or emergencies. The agency will be the coordinating agency for all activity in connection with civil defense; it will be the instrument through which the county council shall exercise its authority under the laws of this state during an attack against this county or any part of this state. This chapter will not relieve any county department of the normal responsibilities or authority given to it by general law or local resolution or ordinance, nor will it affect the work of the American Red Cross, Salvation Army or other volunteer agencies organized for relief in natural or manmade disasters or emergencies.

SECTION 4.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-3 (Local emergency planning committee), **which currently reads:**

Sec. 14-3. - Local emergency planning committee (LEPC).

The local emergency planning committee, under the direction of the emergency services director, shall be the coordinating and implementing body of the county in the event of a disaster. Operating under the board shall be those agencies which are represented by its membership. These agencies will follow the course of their usual and legal duties through the board for the most effective utilization of county resources. Also working with the board will be subcommittees, municipalities and any resources of personnel and material brought into the county by the state or federal governments.

Be amended to read as follows:

Sec. 14-3. - Local emergency planning committee (LEPC).

The local emergency planning committee, under the direction of the emergency **management** director, shall be the coordinating and **advising** body of the county in the event of a disaster. Operating under the board shall be those agencies which are represented by its membership. These agencies will follow the course of their usual and legal duties through the board for the most effective utilization of county resources. Also working with the board will be subcommittees, municipalities and any resources of personnel and material brought into the county by the state or federal governments.

SECTION 5.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-4 (Emergency preparedness agency), **which currently reads:**

Sec. 14-4. - Emergency preparedness agency.

All county and municipal officials and employees of the county, together with those volunteer forces enrolled to aid them during a disaster, and persons who may, by agreement or operation of law, be charged with duties incident to the protection of life and property in the county during times of a disaster or emergency, shall constitute the county emergency preparedness agency.

Be amended to read as follows:

Sec. 14-4. - Emergency preparedness agency.

All county and municipal officials and employees of the county, together with those volunteer forces enrolled to aid them during a disaster, and persons who may, by agreement or operation of law, be charged with duties incident to the protection of life and property in the county during times of a disaster or emergency, shall constitute the county emergency **management** agency.

SECTION 6.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-6 (Cooperation of employees; compliance with instructions), **which currently reads:**

Sec. 14-6. - Cooperation of employees; compliance with instructions.

All employees of departments, commissions, boards, institutions and other agencies of the county designated as civil emergency forces shall cooperate with the county emergency services director in the formulation of the county emergency operations plan and shall comply with the orders or instructions of the county emergency services director when such orders or instructions are issued pursuant to the provisions of this chapter.

Be amended to read as follows:

Sec. 14-6. - Cooperation of employees; compliance with instructions.

All employees of departments, commissions, boards, institutions and other agencies of the county designated as civil emergency forces shall cooperate with the county

administration in the formulation of the county emergency operations plan and shall comply with the orders or instructions of the county **administration** when such orders or instructions are issued pursuant to the provisions of this chapter.

SECTION 7.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-7 (Notification of director when conditions warrant action), **which currently reads:**

Sec. 14-7. - Notification of director when conditions warrant action.

All civil emergency forces shall notify the emergency services director of conditions in the county resulting from enemy attack, manmade or natural disaster or emergency, and they shall inform the emergency services director of any conditions threatening to reach the proportions of a natural or manmade disaster or emergency. Failure to notify the emergency services director, however, shall not prevent the emergency services director from exercising any authority assigned to him by this chapter.

Be amended to read as follows:

Sec. 14-7. - Notification of director when conditions warrant action.

All civil emergency forces shall notify the emergency **management** director of conditions in the county resulting from enemy attack, manmade or natural disaster or emergency, and they shall inform the emergency **management** director of any conditions threatening to reach the proportions of a natural or manmade disaster or emergency. Failure to notify the emergency **management** director, however, shall not prevent the emergency **management** director from exercising any authority assigned to **them** by this chapter.

SECTION 8.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-8 (Appointment of volunteer citizens to augment department personnel), **which currently reads:**

Sec. 14-8. - Appointment of volunteer citizens to augment department personnel.

The emergency services director may at any time appoint or authorize the appointment of volunteer citizens to augment the personnel of a department in time of civil emergency, test or exercise. Such volunteer citizens shall be enrolled as civil emergency volunteers in cooperation with the heads of the county departments affected and they shall be subject to the rules and regulations set forth by the emergency services director for such volunteers.

Be amended to read as follows:

Sec. 14-8. - Appointment of volunteer citizens to augment department personnel.

The emergency **management** director may at any time appoint or authorize the appointment of volunteer citizens to augment the personnel of a department in time of civil emergency, test or exercise. Such volunteer citizens shall be enrolled as civil emergency volunteers in cooperation with the heads of the county departments affected and they shall be subject to

the rules and regulations set forth by the emergency **management** director for such volunteers.

SECTION 9.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article I. (In General), Section 14-9 (Appointment of volunteer citizens to manage public shelters, conduct other emergency activities), **which currently reads:**

Sec. 14-9. - Appointment of volunteer citizens to manage public shelters, conduct other emergency activities.

The emergency services director may appoint volunteer citizens to form and assemble the personnel of a civil emergency service to conduct activities for which the county has no department or organization to conduct. He may also, when necessary, appoint volunteer citizens or citizen groups as public shelter managers who, when directed by the emergency services director, shall open public shelters and take charge of all stocks of food, water and other supplies and equipment stored in the shelter, admit the public according to the community shelter plan and take whatever control measures are necessary for the protection and safety of the occupants.

Be amended to read as follows:

Sec. 14-9. - Appointment of volunteer citizens to manage public shelters, conduct other emergency activities.

The emergency **management** director may appoint volunteer citizens to form and assemble the personnel of a civil emergency service to conduct activities for which the county has no department or organization to conduct. **They** may also, when necessary, appoint volunteer citizens or citizen groups as public shelter managers who, when directed by the emergency **management** director, shall open public shelters and take charge of all stocks of food, water and other supplies and equipment stored in the shelter, admit the public according to the community shelter plan and take whatever control measures are necessary for the protection and safety of the occupants.

SECTION 10.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article II. (Emergency Services Director), **which currently reads:**

ARTICLE II. - EMERGENCY SERVICES DIRECTOR

Be Amended to read as follows:

ARTICLE II. - EMERGENCY **MANAGEMENT** DIRECTOR

SECTION 11.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article II. (Emergency Services Director), Section 14-51 (Office created; responsibilities) **which currently reads:**

Sec. 14-51. - Office created; responsibilities.

There is hereby created the office of emergency services director of the county emergency preparedness agency, who shall be responsible for directing the day-to-day operations of the agency and coordinating the activities of various county and municipal governments during a period of disaster or emergency. The emergency services director shall be appointed by the county administrator. The emergency services director shall be empowered and required to coordinate and render assistance to county and municipal officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the county and municipalities for the purpose of minimizing or preventing damage to persons or property in disaster or emergency situations. Municipal and county personnel shall include in such plans the restoration of governmental services and public utilities necessary for public health, safety and welfare. The emergency services director shall further direct the efforts of the county emergency preparedness agency in the implementation of the provisions of this chapter.

Be amended to read as follows:

Sec. 14-51. - Office created; responsibilities.

There is hereby created the office of emergency **management** director of the county emergency **management** agency, who shall be responsible for directing the day-to-day operations of the agency and coordinating the activities of various county and municipal governments during a period of disaster or emergency. The emergency **management** director shall be **employed** by the county administrator. The emergency **management** director shall be empowered and required to coordinate and render assistance to county and municipal officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the county and municipalities for the purpose of minimizing or preventing damage to persons or property in disaster or emergency situations. Municipal and county personnel shall include in such plans the restoration of governmental services and public utilities necessary for public health, safety and welfare. The emergency **management** director shall further direct the efforts of the county emergency **management** agency in the implementation of the provisions of this chapter.

SECTION 12.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article II. (Emergency Services Director), Section 14-52 (Liaison with state, federal, etc., authorities) **which currently reads:**

Sec. 14-52. - Liaison with state, federal, etc., authorities.

The emergency services director shall maintain liaison with the state and federal authorities and the authorities of other nearby political subdivisions, so as to ensure the most effective operation of the emergency plan.

Be amended to read as follows:

Sec. 14-52. - Liaison with state, federal, etc., authorities.

The emergency **management** director shall maintain liaison with the state and federal authorities and the authorities of other nearby political subdivisions, so as to ensure the most effective operation of the emergency plan.

SECTION 13.

Darlington County Code of Ordinances, Chapter 14 (Civil Emergencies), Article II. (Emergency Services Director), Section 14-53 (Duties) **which currently reads:**

Sec. 14-53. - Duties.

The duties of the emergency services director shall include, but not be limited to, the following:

- (1) Development, updating and publication of emergency plans in conformity with state and federal emergency plans for the immediate use of all the facilities, equipment, manpower and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.
- (2) Control of necessary recordkeeping for emergency preparedness/civil defense funds and property which may be made available from the federal, state, county and municipal governments and from private sources.
- (3) Submission of annual budget requirements to the state and federal government, county council and utility providers.
- (4) Upon approval of the county administrator, signing such documents as are necessary in the administration of the county emergency preparedness program to include project applications and billing for purchase under project applications.
- (5) Coordinating the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the county for emergency preparedness purposes.
- (6) Educating the civil populations as to the actions necessary and required for the protection of their persons and property in case of enemy attack, natural or manmade disaster or emergency.
- (7) Conducting simulated exercises and public practice alerts to ensure efficient operations of the emergency preparedness agency and to familiarize residents of the county with civil defense regulations, procedures and operations.
- (8) Coordinating the activity of all other public and private agencies engaged in any emergency preparedness programs.
- (9) Coordinate, in conjunction with the department of social services, negotiations with owners or persons in control of buildings or other property for the use of such

buildings or property for civil defense purposes and designating suitable buildings as emergency shelters.

- (10) Coordinate, in conjunction with the department of social services, local schools, the American Red Cross, the Salvation Army and churches in the development of a community shelter plan which will have as its ultimate goal an assigned emergency shelter space for every citizen of the county.
- (11) Assuming such authority and conducting such activity as may be necessary to promote and implement the emergency operations plan.

Be amended to read as follows:

Sec. 14-53. - Duties.

The duties of the emergency **management** director shall include, but not be limited to, the following:

- (1) Development, updating and publication of emergency plans in conformity with state and federal emergency plans for the immediate use of all the facilities, equipment, manpower and other resources of the county for the purpose of minimizing or preventing damage to persons or property, and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety and welfare.
- (2) Control of necessary recordkeeping for emergency preparedness/civil defense funds and property which may be made available from the federal, state, county and municipal governments and from private sources.
- (3) Submission of annual budget requirements to the **federal, state and county governments** and utility providers.
- (4) Upon approval of the county administrator, signing such documents as are necessary in the administration of the county emergency **management** program to include project applications and billing for purchase under project applications.
- (5) Coordinating the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the county for emergency **management** purposes.
- (6) Educating the civil populations as to the actions necessary and required for the protection of their persons and property in case of enemy attack, natural or manmade disaster or emergency.
- (7) Conducting simulated exercises and public practice alerts to ensure efficient operations of the emergency **management** agency and to familiarize residents of the county with civil defense regulations, procedures and operations.

- (8) Coordinating the activity of all other public and private agencies engaged in any emergency **management** programs.
- (9) Coordinate, in conjunction with the department of social services, negotiations with owners or persons in control of buildings or other property for the use of such buildings or property for civil defense purposes and designating suitable buildings as emergency shelters.
- (10) Coordinate, in conjunction with the department of social services, local schools, the American Red Cross, the Salvation Army and churches in the development of a community shelter plan which will have as its ultimate goal an assigned emergency shelter space for every citizen of the county.

SECTION 14.

Darlington County Code of Ordinances, Chapter 18 (Emergency Services), Article II. (Ambulances), Division 2 (Darlington Ambulance Service District), Section 18-53 (Administration of ambulance service district) **which currently reads:**

Sec. 18-53. - Administration of ambulance service district.

The county administrator shall employ the emergency services director for the county. The emergency services director shall be empowered and required to coordinate operation within the ambulance service district and for the emergency medical services department for the county. The emergency services director shall employ qualified agents, employees and servants, under the direction of the county administrator. Compensation shall be determined by the county council. The county administrator shall determine to what extent they shall be bonded for the faithful performance of their duties.

Be amended to read as follows:

Sec. 18-53. - Administration of ambulance service district.

The county administrator shall employ the emergency **medical** services director for the county. The emergency **medical** services director shall be empowered and required to coordinate operation within the ambulance service district and for the emergency medical services department for the county. The emergency **medical** services director shall employ qualified agents, employees and servants, under the direction of the county administrator. Compensation shall be determined by the county council. The county administrator shall determine to what extent they shall be bonded for the faithful performance of their duties.

SECTION 15.

The provision of this ordinance shall be included and incorporated in the Code of Ordinances for Darlington County.

Section 16.

Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section 17.

This ordinance shall become effective upon third reading.

DARLINGTON COUNTY COUNCIL

ATTEST:

Bobby Hudson, Chairman

J. JaNet Bishop
Clerk to Council

FIRST READING: March 1, 2021
SECOND READING: April 5, 2021
THIRD READING: May 3, 2021
PUBLIC HEARING: April 5, 2021