

AGENDA
TOWN OF EDISTO BEACH
September 23, 2019
SPECIAL TOWN COUNCIL MEETING
10:00 A.M.

- I. Call to Order**
- II. New Business**
 - A. Private Property Debris Removal**

TOWN OF EDISTO BEACH

AN ORDINANCE

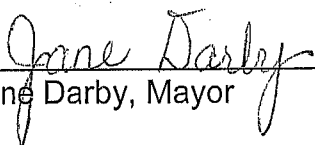
ENACTING SECTION 26-59 RELATED TO POST DISASTER DEBRIS COLLECTION

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that Section 26-59 of the Town Code be enacted to read as follows:

Sec. 26-59 - Post disaster debris collection.

- (a) In the event of a natural or manmade disaster that has been declared a public emergency by the Mayor or other authorized official, the Town may, but is not required to, exercise its authority to implement the measures set forth herein. This section shall not be read to create any private rights nor does it obligate or create an affirmative duty for the Town to remove debris from private property or private roads.
- (b) Town Council shall have the authority and responsibility to protect the public health and safety. The Town Council shall have the authority to remove debris which poses an immediate threat to life, public health and safety, significant damage to improved public and private property, and the economic recovery of the Town.
- (c) The Town is hereby authorized to enter upon and remove debris from public and private roads, rights-of-way, storm drainage easements, and ingress/egress easements within Town limits, including private communities, for the purposes of emergency vehicle travel, stormwater conveyance, protecting public health and safety, facilitating response and recovery operations, and for any other purpose the Town Council determines is necessary to remove an immediate threat to life, public health and safety, significant damage to improved public and private property, and the economic recovery of the Town.

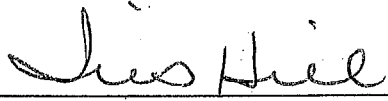
This ordinance shall take effect upon final reading.


Jane Darby, Mayor

First Reading: 11/10/2016

Final Reading: 12/08/2016

ATTEST:



Iris Hill, Administrator

Approved as to form:



TOWN OF EDISTO BEACH
EMERGENCY ORDINANCE

Whereas, the Town of Edisto Beach has suffered widespread damage to vegetation resulting from Hurricane Dorian; and

Whereas, the Town Council of the Town of Edisto Beach has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

Whereas, the Governor of South Carolina declared a state of emergency to exist within the State of South Carolina, including the Town of Edisto Beach, during and immediately after the hurricane; and

Whereas, debris removal in the Ocean Ridge/Wyndham development is necessary to eliminate immediate threats to life, public health, and safety; and

Whereas, it has been reported to Town Council that the post storm debris located in the Ocean Ridge/Wyndham development poses a serious fire threat because it is a high density development and the dry debris poses a fire threat, such that if a fire were to start, it would be difficult to contain in the development; and

Whereas, lanes of traffic are substandard and narrowed by the debris which will delay ambulance, police, and fire response, which also poses a safety threat to residents and visitors who travel these roads in that sight lines are obstructed meaning one misstep could have deadly consequences, and the debris is a traffic hazard; and

Whereas, post storm debris has created a habitat for nuisance species, including rats, snakes, mosquitoes, which pose a significant danger to the health and safety of the citizens; and

Whereas, debris removal will ensure economic recovery of the affected planned unit development to the benefit of the community-at-large; and

Whereas, the Town Council declares the existence of a local state of emergency exists under these circumstances and that the Town Administrator be directed to immediately take such steps that are necessary for the protection of life and property in the affected areas; and

Whereas, S.C. Code of Laws Section 5-7-250(d) gives authority to the Town Council to enact Emergency Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that the following authority shall be granted to the Town of Edisto Beach, South Carolina on an emergency basis:

- (a) Due to Hurricane Dorian, which has been declared a public emergency by the Town Council, and its effects on the Town and its citizens as set forth in the recitals above, the Town may, but is not required to, exercise its authority to implement the measures set forth herein. This ordinance shall not be read to create any private rights nor does it obligate or create an affirmative duty for the Town to remove debris from private property or private roads or future events.
- (b) Town Council shall have the authority and responsibility to protect the public health and safety. The Town of Edisto Beach shall have the authority to remove debris which poses an immediate threat to life, public health and safety, significant damage to improved public and private property, and the economic recovery of the Town.
- (c) The Town is hereby authorized to enter upon and remove debris from public and private roads, rights-of-ways, storm drainage easements, and ingress/egress easements within Town limits, including private communities, for the purposes of emergency vehicle travel, stormwater conveyance, protecting public health and safety, facilitating response and recovery operations, and for any other purpose the Town Council determines is necessary to remove an immediate threat to life, public health and safety, significant damage to improved public and private property, and the economic recovery of the Town.

This ordinance shall take effect immediately.

Jane Darby, Mayor

First Reading: 09/23/2019

ATTEST:

Deborah Hargis, Municipal Clerk

Approved as to form: _____

TOWN OF EDISTO BEACH, SC

RESOLUTION NO. R-24

WHEREAS, the Town of Edisto Beach on the 5th day of September 2019, suffered widespread damage to vegetation resulting from the direct effects of Hurricane Dorian, and

WHEREAS, the Governor of South Carolina at the time declared a state of emergency within the State of South Carolina, including the Town of Edisto Beach; and

WHEREAS, the Mayor of the Town of Edisto Beach at the time declared the existence of a Local State of Emergency for the Town of Edisto Beach, and

WHEREAS, the Town Council has adopted an emergency ordinance to authorize the Town to enter upon and remove post storm debris from public and private roads, rights-of-way, storm drainage easements, and ingress/egress easements within Town limits, including private communities; and

WHEREAS, the Town Council of the Town of Edisto Beach has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property; and

WHEREAS, debris removal in the Ocean Ridge/Wyndham development is necessary to eliminate immediate threats to life, public health, and safety; and

WHEREAS, it has been reported to Town Council that the post storm debris located in the Ocean Ridge/Wyndham development poses a serious fire threat because it is a high density development and the dry debris poses a fire threat, such that if a fire were to start, it would be difficult to contain in the development; and

WHEREAS, lanes of traffic are narrowed by the debris which will delay ambulance, police, and fire response which also poses a safety threat to residents and visitors who

travel these roads in that sight lines are obstructed meaning one misstep could have deadly consequences, and the debris is a traffic hazard; and

Whereas, post storm debris has created a habitat for nuisance species, including rats, snakes, mosquitoes, which pose a significant danger to the health and safety of the citizens; and

WHEREAS, debris removal will ensure economic recovery of the affected planned unit development to the benefit of the community-at-large; and

WHEREAS, the Town Council declares the existence of a local state of emergency exists under these circumstances and that the Town Administrator be directed to immediately take such steps that are necessary for the protection of life and property in the affected areas

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF EDISTO BEACH,

1. That a local state of disaster emergency occurred in the Town of Edisto Beach, South Carolina from the effects of Hurricane Dorian;
2. That the Town Administrator is hereby authorized and instructed to coordinate and oversee all post storm debris removal from public and private roads, rights-of-ways, storm drainage easements, and ingress/egress easements within Town limits, including private communities as provided by Emergency Ordinance No. 2019-23; and
3. That this Resolution shall take effect immediately from and after its issuance and until such time as the post storm debris removal is completed.

RESOLVED this 23rd day of September 2019

Mayor

Town Clerk

Approved as to form: _____