

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT

CHAPTER 33: EMERGENCY MANAGEMENT

Section

General Provisions

- 33.01 Territorial applicability
- 33.02 Mayor to declare state of emergency
- 33.03 Proclamations; restrictions permitted
- 33.04 Mayor's powers
- 33.05 Proclamation imposing prohibitions and restrictions
- 33.06 Removal of prohibitions and restrictions
- 33.07 Separate and superseding proclamations
- 33.08 Absence or disability of Mayor

Vehicle Registration

- 33.20 Purpose
- 33.21 Registration, fee and display of decal

- 33.99 Penalty

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS

GENERAL PROVISIONS

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.01 TERRITORIAL APPLICABILITY.

§ 33.01 TERRITORIAL APPLICABILITY.

This chapter shall apply only within the corporate limits of the town.
(’85 Code, § 18-6) (Ord. 27, passed - - ; Am. Ord. 5-90, passed 4-2-90)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.02 MAYOR TO DECLARE STATE OF EMERGENCY.

Holden Beach Code of Ordinances

§ 33.02 MAYOR TO DECLARE STATE OF EMERGENCY.

(A) A state of emergency shall be declared to exist whenever deemed appropriate to protect lives, property, or to provide for the public safety in the event a disaster threatens the town.

(B) In the event of an existing or threatening emergency which endangers the lives, safety, health, and/or welfare of the people within the town or any part thereof, or a situation threatening damage to or destruction of property, the Mayor is hereby authorized and empowered under G.S. § 166A-8 and 14-288.12, as amended, to issue a public proclamation declaring to all persons the existence of a local state of emergency, and, in order to more effectively protect the lives and property of people within the town, to place in effect the Brunswick County Civil Preparedness Emergency Operations Plan, and the Town Hurricane Evacuation and Post Disaster and Reconstruction Plan, to activate mutual assistance compacts and to authorize the furnishing of assistance thereunder.

('85 Code, § 18-1.1) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.03 PROCLAMATIONS; RESTRICTIONS PERMITTED.

§ 33.03 PROCLAMATIONS; RESTRICTIONS PERMITTED.

The proclamation may order prohibitions and restrictions:

- (A) Of movements of people in public places;
- (B) Of the operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate;
- (C) Upon the possession, transportation, sale, purchase, and consumption of intoxicating liquors;
- (D) Upon the possession, transportation, sale, purchase, storage, and use of dangerous weapons and substances, and gasoline; and
- (E) Upon other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency.

('85 Code, § 18-1.2) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.04 MAYOR'S POWERS.

Holden Beach Code of Ordinances

§ 33.04 MAYOR'S POWERS.

In the implementation of the Brunswick County Civil Preparedness Emergency Operations Plan, and the Town Hurricane Evacuation and Post Disaster and Reconstruction Plan, the Mayor of the town is authorized to take the following actions:

- (A) Order evacuation of barrier beaches and low-lying areas.
- (B) Insure the provision of shelter for evacuees.
- (C) Insure the security of the evacuated areas.
- (D) Control reentry into evacuated areas.

(E) The Mayor is hereby authorized and empowered to limit by the proclamation the application of all or any part of such restrictions or actions to any area specifically designated or described within the town and to specific hours of the day or night; and to exempt from all or any part of such restrictions or actions, while acting in the line of, and within the scope of, their respective duties, law enforcement officers, firefighters, and other public employees of hospitals and other medical facilities, on-duty military personnel whether state or federal; on-duty employees of public utilities, public transportation companies, and newspapers, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health, and welfare needs of the people within the town.

('85 Code, § 18-1.3) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.05 PROCLAMATION IMPOSING PROHIBITIONS AND RESTRICTIONS.

§ 33.05 PROCLAMATION IMPOSING PROHIBITIONS AND RESTRICTIONS.

The proclamation shall be in writing. The Mayor shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it in Town Hall. The Mayor shall retain a text of the proclamation and furnish upon request certified copies of it for use as evidence.

('85 Code, § 18-2) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.06 REMOVAL OF PROHIBITIONS AND RESTRICTIONS.

Holden Beach Code of Ordinances

§ 33.06 REMOVAL OF PROHIBITIONS AND RESTRICTIONS.

The Mayor shall by proclamation remove the prohibitions and restrictions as the emergency no longer requires them, or when directed to do so by the Board of Commissioners. ('85 Code, § 18-3.1) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.07 SEPARATE AND SUPERSEDING PROCLAMATIONS.

§ 33.07 SEPARATE AND SUPERSEDING PROCLAMATIONS.

The Mayor in his discretion may invoke the restrictions authorized by this section in separate proclamations, and may amend any proclamation by means of a superseding proclamation. ('85 Code, § 18-3.2) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / GENERAL PROVISIONS / § 33.08 ABSENCE OR DISABILITY OF MAYOR.

§ 33.08 ABSENCE OR DISABILITY OF MAYOR.

In case of the absence or disability of the Mayor, the Mayor-Pro Tem, or such other person as may be designated by the Board of Commissioners, shall have and exercise all of the powers herein given the Mayor. A line of succession, at least three deep should be designated by the Board of Commissioners. Recommendations shall include other elected officials and the Police Department. ('85 Code, § 18-3.3) (Ord. 27, passed - -)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / VEHICLE REGISTRATION

VEHICLE REGISTRATION

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / VEHICLE REGISTRATION / § 33.20 PURPOSE.

§ 33.20 PURPOSE.

Holden Beach Code of Ordinances

Residents' and other authorized personnel's motor vehicles operated in the town, during emergency situations, shall be registered with the town. This registration, together with the display of the windshield decal, shall be the basis for allowing early return to the island following a hurricane evacuation or other emergency. Absentee property owners may also register their vehicles and display the windshield decal for this purpose.

('85 Code, § 18-4.1) (Ord. 5-90, passed 4-2-90; Am. Ord. 00-01, passed 1-24-00) Penalty, see § 33.99

Penalty, see § 33.99

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / VEHICLE REGISTRATION / § 33.21 REGISTRATION, FEE AND DISPLAY OF DECAL.

§ 33.21 REGISTRATION, FEE AND DISPLAY OF DECAL.

(A) The period of registration shall include the 12 months beginning with January 1 of the year of registration, or any remaining portion thereof and terminating December 31 of such year.

(B) Each property owner will be allowed four decals at no fee before June 1 of each year. For each additional decal a property owner requires or desires, there will be a fee of \$10 each. For registration after June 1, the fee shall be \$10 for each decal.

(C) Upon satisfactory evidence that any decal has been lost or destroyed, the town shall issue a replacement therefor, at a cost of \$2.

(D) Decals shall not be issued during the 24-hour period prior to an anticipated order of evacuation.

(E) Decals shall be displayed in the lower left-hand corner of the windshield above the vehicle inspection sticker.

(Ord. 00-01, passed 1-24-00)

TITLE III: ADMINISTRATION / CHAPTER 33: EMERGENCY MANAGEMENT / VEHICLE REGISTRATION / § 33.99 PENALTY.

§ 33.99 PENALTY.

(A) Any person violating any prohibition or restriction imposed by a proclamation authorized by this chapter, shall be penalized as follows:

(1) *Criminal.* In accordance with § 10.99(A) of this code of ordinances, the fine not to exceed \$200 per offense.

Holden Beach Code of Ordinances

(2) *Civil.* In accordance with § 10.99(B) of this code of ordinances, the civil fine is \$200 per offense.

(B) Violators of §§ 33.20 through 33.21 of this chapter shall not be permitted in the town limits during a State of Emergency. The criminal and civil penalties of this section shall not apply to such subchapter [that is, to violators of §§ 33.20 through 33.21].

('85 Code, § 18-5) (Ord. 27, passed - - ; Am. Ord. 5-90, passed 4-2-90; Am. Ord. 93-11, passed 9-7-93; Am. Ord. 95-01, passed 2-6-95; Am. Ord. 00-01, passed 1-24-00)

TITLE V: PUBLIC WORKS

