

AN ORDINANCE
AMENDING CHAPTER 7, EMERGENCY PREPAREDNESS, OF THE CHARLESTON COUNTY
CODE OF ORDINANCES

WHEREAS, Charleston County Council ("County Council") desires to modernize, clarify, and conform to current practice certain provisions of Chapter 7 of the Charleston County Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF CHAPTER 7, EMERGENCY PREPAREDNESS, IN THE COUNTY CODE OF ORDINANCES.

The Charleston County Code of Ordinances, Chapter 7, Emergency Preparedness, is hereby amended to include the text amendment attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

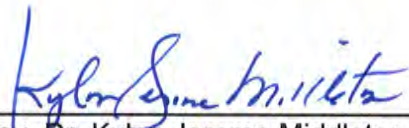
SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

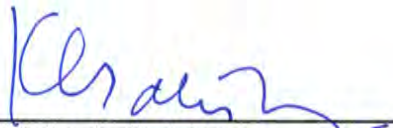
ADOPTED and APPROVED in meeting duly assembled this 28th day of October 2025.



CHARLESTON COUNTY COUNCIL

By: 
Rev. Dr. Kylon Jerome Middleton
Chairman of Charleston County Council

ATTEST:

By: 
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading:	September 30, 2025
Second Reading:	October 14, 2025
Third Reading:	October 28, 2025

Chapter 7 EMERGENCY PREPAREDNESS¹

ARTICLE I. IN GENERAL

Secs. 7-1—7-15. Reserved.

ARTICLE II. AGENCY²

Sec. 7-16. Purpose.

It is the intent and purpose of this article to establish an organization to be known as the county Emergency Management Department and to define its roles and responsibilities. The agency will be the coordinating agency for all activity in connection with emergency preparedness; it will be the instrument through which the county council shall exercise its authority under the laws of this state.

(Ord. No. 485, § 1, 7-5-83)

Sec. 7-17. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Attack shall mean a direct assault against the county, or any part of the state, by forces of a hostile nation, including assault by bombing, chemical or biological warfare or sabotage.

Director shall mean the director of the county Emergency Management Department.

Emergency shall mean any incident, whether natural, technological, or human-caused, that necessitates responsive action to protect life or property.

Disaster shall mean non-routine event that exceeds the capacity of the affected area to respond in such a way as to save lives, preserve property, and maintain social, ecological, economic, and political stability.

Emergency preparedness shall mean the actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the county.

¹Cross reference(s)—Administration generally, Ch. 2; fire prevention and protection, Ch. 8; flood damage prevention and protection, Ch. 9; health and sanitation, Ch. 11; planning, Ch. 15.

State law reference(s)—Emergency preparedness, S.C. Code 1976, § 25-1-420 et seq.

²Cross reference(s)—Enforcement of hazardous substances provisions, § 7.5-38.

State law reference(s)—Authority of county council to establish agencies, departments, boards, and commissions necessary to provide services of local concern for public purposes, S.C. Code 1976, § 4-9-30(6); authority of county council to appoint boards, commissions and committees whose appointment is not provided for by the general law or the state Constitution, S.C. Code 1976, § 4-9-170; local emergency preparedness standards, S.C. Code Reg. 58-1.

Volunteer shall mean contributing service, equipment or facilities to the emergency preparedness organizations without remuneration or without formal agreement or contract or hire. While engaged in such services, they shall have the same immunities as persons and employees of the county performing similar duties.

(Ord. No. 485, § 2, 7-5-83; Ord. No. 641, § 1.01, 4-7-87)

Cross reference(s)—Definitions and rules of construction generally, § 1-2.

Sec. 7-18. Mission.

The Emergency Management Department's mission is to reduce the loss of life and property and protect the county from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting the county in a risk-based, comprehensive homeland security and emergency management system composed of preparedness, protection, response, and recovery, and mitigation programs.

Sec. 7-19. Composition.

All county officials and employees of the county, together with volunteers and non-governmental organizations 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 disaster, shall constitute the county Emergency Management Department.

(Ord. No. 485, § 4, 7-5-83)

Sec. 7-20. Director—Office created; appointment.

There is hereby created the office of director of the Emergency Management Department, who shall be responsible for directing the day-to-day operations of the agency and coordinating the activities of various county resources during a period of disaster. The director shall be appointed by the county administrator. The director is the principal adviser to County Council and the County Administrator regarding emergency management. The director shall be empowered and required to coordinate and render assistance to county and city officials in the development of plans for the use of all facilities, equipment, manpower and other resources of the city and county for the purpose of minimizing or preventing damage to persons or property in disaster or emergency situations. City and county personnel shall include in such plans the restoration and continuity of operations of governmental services and critical infrastructure necessary for the public health, safety and welfare. The director shall further direct the efforts of the Emergency Management Department in the implementation of the provisions of this article.

(Ord. No. 485, § 3, 7-5-83; Ord. No. 641, § 1.01, 4-7-87)

Sec. 7-21. Same—Duties.

- (a) The director of the Emergency Management Department shall maintain liaison with the state and federal authorities, and the authorities of other nearby political subdivisions, so as to ensure the most effective execution of the emergency operations plan. The director shall be accountable for all disaster funds and other resources.
- (b) His duties shall include, but shall not be limited to, the following:
 - (1) Development and publication of an Emergency Operations Plan in preparation for, protection against, response to, and recovery from all types of incidents in conformity with state emergency plans;
 - (2) Control and necessary record keeping for disaster funds which may be made available from the federal, state, county and municipal governments;

- (3) Submit annual budget requirements to the county;
- (4) Sign such documents as are necessary in the administration of the emergency preparedness program to include project applications and billing for purchases under project applications;
- (5) Coordinate the recruitment and training of volunteer personnel and agencies to augment the personnel and facilities of the county for emergency preparedness purposes;
- (6) Educate the civil population through public information programs as to the actions necessary and required for the protection of their persons and property in case of enemy attack, or natural disaster;
- (7) Conduct simulated exercises and public emergency alerts to ensure efficient operations of the emergency preparedness agency and to familiarize residents of the county with civil defense and emergency preparedness regulations, procedures and operations;
- (8) Coordinate the activity of all other public and private agencies engaged in any emergency preparedness programs;
- (9) Negotiate with owners or persons in control of buildings or other property for the use of such buildings or property for civil defense and disaster response purposes, and designating suitable buildings as emergency shelters;
- (10) Develop an emergency shelter plan for the most vulnerable citizens of the county;
- (11) Assume such authority and conduct such activity as may be necessary to promote and execute the emergency operations plan;
- (12) Maintain a critical infrastructure protection program;
- (13) Stockpile disaster supplies and other equipment;
- (14) Develop and entering into mutual aid agreements with other counties, non-governmental organizations, associations, and faith-based groups;
- (15) Accept federal and state grant funds and services;
- (16) Coordinate civil defense and disaster preparedness activities with government and non-governmental organizations, associations, faith-groups, and the private sector;
- (17) Activate and deactivate the Emergency Operations Center and emergency shelters;
- (18) Establish and maintain an Emergency Preparedness Committee to oversee the emergency preparedness activities of county departments and coordinate such activities with state and regional partners.
- (19) Perform other duties as assigned by the County Administrator.

(Ord. No. 485, § 6, 7-5-83; Ord. No. 641, § 1.01, 4-7-87)

Sec. 7-22. Authority of the Director during an emergency and disaster.

Subject to the authority provided for by law and at the direction of the County Administrator, the director of the Emergency Management Department shall have the following authority:

- (a) Command, control, coordinate, and organize county departments to support emergency operations and recovery efforts;

- (a) Utilize equipment, facilities, property, and stockpile supplies of county departments;
- (b) Coordinate and disseminate public information related to the emergency;
- (c) Call back and deploy county employees to provide emergency operation services such as serving in the EOC, emergency shelters, and other incident sites;
- (d) Ensure that all appropriate local resources, including those of municipalities, are being utilized to support the conduct of emergency operations prior to outside assistance from state government.
- (f) Restrict access to areas that are unsafe.

Sec. 7-23. Powers of county council during state of emergency.

- (a) The county council shall be responsible for meeting the problems and dangers to the county and its residents resulting from disasters or emergencies of any origin and may issue proclamations and regulations concerning disaster relief and related matters which during an emergency situation shall have the full force and effect of law.
- (b) A state of disaster emergency may be declared as follows:
 - (1) By county council duly assembled, at a regularly scheduled meeting, special meeting or emergency meeting;
 - (2) By the chairman of the county council (or in his absence the vice-chairman) when the chairman of the county council has issued a call for an emergency meeting of the council for the specific purpose of dealing with a disaster or a threat thereof and, after making a diligent effort to notify the members of county council of such a meeting, finds that a quorum of council members cannot be assembled.

The "state of emergency" shall continue until terminated by proclamation of the county council. All proclamations issued pursuant to this section shall indicate the nature of the disaster, the area or areas affected by the proclamation, the conditions which required the proclamation of the disaster emergency and the conditions under which it will be terminated.

(Ord. No. 485, § 5, 7-3-83; Ord. No. 641, § 1.02, 4-7-87)

Cross reference(s)—County council generally, § 2-16 et seq.

State law reference(s)—Duties and responsibilities of county governments during emergencies, S.C. Code 1976, § 25-1-450.

Sec. 7-24. Cooperation of civil emergency forces, county employees required.

- (a) All employees of departments, commissions, boards, institutions and other agencies of the county, designated as civil forces, shall cooperate with the director of the Emergency Management Department in the formulation of the county Emergency Operations Plan, and shall comply with the orders of the director when such orders are issued pursuant to the provisions of this article.
- (b) All such civil emergency forces shall notify the director of the Emergency Management Department of conditions in the county resulting from enemy attack or natural disaster, and they shall inform the director of any conditions threatening to reach the proportions of a natural disaster as defined herein. Failure to notify the director, however, shall not prevent the director from exercising any authority assigned to him by this article.

(Ord. No. 485, § 7, 7-5-83; Ord. No. 641, § 1.01, 4-7-87)

Sec. 7-25. Volunteers.

- (a) The director of the Emergency Management Department may at any time, appoint or authorize the appointment of volunteer citizens to augment the personnel of a department in time of civil emergency. 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 director for such volunteers.
- (b) The director of the Emergency Management Department may appoint volunteer citizens to form the personnel of a civil emergency service for which the county has no counterpart. The director may also appoint volunteer citizens as public shelter managers who, when directed by the 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 necessary for the protection and safety of the occupants.

(Ord. No. 485, § 8, 7-5-83; Ord. No. 641, § 1.01, 4-7-87)

Sec. 7-26. County employees to retain rights, receive compensation.

County employees assigned to duty as a part of the civil emergency forces pursuant to the provisions of this article shall retain all the rights, privileges and immunities of employees, and shall receive the compensation incident to their employment.

(Ord. No. 485, § 9, 7-5-83)

Cross reference(s)—Personnel regulations, § 2-81 et seq.

Sec. 7-27. Violations; penalties.

It shall be unlawful for any person to violate any of the provisions of this article or the regulations issued pursuant to the authority contained in this article, or to willfully obstruct, hinder or delay any member of the civil emergency organization in the enforcement of the provisions of this article or any regulation issued thereunder. Any violation of this article shall be considered a misdemeanor and shall be punished in accordance with section 1-8.

(Ord. No. 485, § 10, 7-5-83)