

STATE OF SOUTH CAROLINA
COUNTY OF JASPER
ORDINANCE NUMBER 2025 O- _____

**AN EMERGENCY ORDINANCE DECLARING A STATE OF EMERGENCY IN JASPER
COUNTY, SOUTH CAROLAIN DUE TO TROPICAL DISTURBANCE INVEST 94L;
AND OTHER EMERGENT MATTERS RELATING THERETO**

WHEREAS, the Jasper County, South Carolina (the “*County*”), acting through the Jasper County Council as its governing body (the “*County Council*”), is a political subdivision of the State of South Carolina (the “*State*”), and as such possesses all general powers granted by the Constitution and statutes of the State to such public entities.

WHEREAS, Section 9-55 of the County’s code of ordinances grants the County Council the power to declare a state of emergency when an emergency or disaster has occurred, or the threat thereof is imminent.

WHEREAS, Section 4-9-130 of the Code of Laws of South Carolina 1976, as amended (the “*SC Code*”), gives County Council the authority to enact emergency ordinances to meet public emergencies affecting life, health, safety or the property of the people in the County. Any emergency ordinance is effective immediately upon enactment, without regard to ordinary reading, public hearing, publication requirements, or public notice requirements.

WHEREAS, such emergency ordinances are valid for sixty days, after single reading, when a public emergency exists that affects the life, health, safety, or property of the citizens of the County.

WHEREAS, on September 26, 2025, Henry D. McMaster, Governor of the State of South Carolina, issued Executive Order 2025-33 (“*Order 2025-33*”) declaring that a State of Emergency exists in South Carolina, including the County, as a result of Tropical Disturbance Invest 94L, which has the potential to strengthen into Hurricane Imelda (the “*Tropical Disturbance*”). Order 2025-33 directed that all prudent preparations be taken at the individual, local and state levels to protect against the possible effects of the Tropical Disturbance.¹

WHEREAS, consistent with the provisions of Order 2025-33, County Council makes the following findings:

1. The Tropical Disturbance has the potential to become a large hurricane, potentially creating a disaster scenario as envisioned by County’s code of ordinances, including the evacuation of Beaufort and Jasper County Zone A, medical services providers, and other parts of South Carolina;

¹ It is anticipated that if the Tropical Disturbance strengthens into a hurricane, the Governor will issue additional orders and directives, including the possible mandatory or voluntary general population evacuation of areas of coastal South Carolina, including Beaufort and Jasper County Zone A, as well as a mandatory or voluntary medical evacuation in the event the track or intensity of Tropical Disturbance 94L increase the risk of harm.

2. The Tropical Disturbance is expected to move through or near the County and South Carolina beginning on Monday September 29, 2025, bringing high winds, possibility of tornados, substantial rain, flash flooding and other weather related events impacting not only the driving conditions throughout the County, but also the potential for flooding throughout the County;
3. The Tropical Disturbance creates an imminent threat to the life, health, safety and welfare of the entire geographic area of County and its residents;
4. Emergency measures are necessary in order to cope with the existing and anticipated dangers presented by the Tropical Disturbance.
5. It is prudent to authorize the County, acting through its County Administrator and his designated staff, to take appropriate measures to maintain and provide for potential reimbursement from the Federal Emergency Management Agency (“FEMA”) for eligible expenditures should all or a portion of the County be declared a disaster area.

WHEREAS, on the basis of the foregoing, County Council finds it necessary to enact this emergency ordinance for the purpose of declaring a state of emergency in the County due to the negative impact of the Tropical Disturbance, and further authorizes the directives recited below.

NOW, THEREFORE, BE IT ORDAINED by the Jasper County County, the governing body of Jasper County, South Carolina as follows:

Section 1. *Findings of Fact; Areas of Coverage.* The findings of fact set forth in the above recitals are incorporated by reference as if restated verbatim. The areas of the County affected by this emergency Ordinance include all portions of Jasper County, including those municipalities where the Jasper County Sheriff Deputies are providing police protection at the request of the municipal governing body.

Section 2. *Emergency Declaration and Authorization.* The County Council hereby declares a state of emergency due to the Tropical Disturbance, and further authorizes and approves the following:

(1) Affirming the duties, obligations, and responsibilities of the Jasper County Emergency Services Director (also referred to as the Deputy Administrator for Emergency Services under Section 9-3 of the code of ordinances) to take all actions and use all authority granted to such person and his staff under Chapter 9 of the County’s code of ordinances.

(2) The County Administrator or his designated assigns may execute and deliver any all documents that permit or allow the County to seek reimbursement from FEMA for damages related to the Tropical Disturbance and any after effects thereof, as well as seeking reimbursement from other agencies, state or federal, that are available for storm damage mitigation, reimbursement or other cost recovery.

(3) The County Administrator and Emergency Services Director shall issue all such orders as they deem necessary to protect public life, health, and safety by carrying out the procedures set forth in County’s emergency operations plan, including:

A. Utilize all available resources of County government as reasonably necessary to cope with any disaster or emergent need related to the Tropical Disturbance.

B. Transfer the direction, personnel, or functions of County departments and agencies or units thereof for purposes of facilitating or performing emergency services as necessary or desirable.

C. Compel performance by elected and appointed County government officials and employees of the duties and functions assigned in the county emergency operations plan.

D. Contract, requisition and compensate for goods and services from private sources.

E. Direct and compel evacuation under future executive orders from the Governor of South Carolina, of all or part of the population from any stricken or threatened area within the County if such action is deemed necessary for preservation of life or other disaster mitigation, response or recovery.

F. Prescribe routes, nodes of transportation, and destination in connection with any evacuation.

G. Control ingress and egress to and from a disaster area, the movement of persons within the area and the occupancy of premises therein.

H. Suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

I. Suspend or limit non-emergency activities and prohibit public assemblies.

Section 3. *Failure to Convene; Immediate Action.* If the County Council cannot meet or communicate during the State of Emergency, whether in person, by phone, electronically, or by any other means, and urgent action is required, then emergency declarations or proclamations may still be issued. The authority to issue such declarations follows the order set out in Section 9-55(c)(2) of the County's code of ordinances:

1. Chairman of County Council
2. Vice-Chairman of County Council
3. Next senior member of County Council
4. County Administrator
5. Emergency Services Director

Any action or signature by these individuals, in that order of succession, will carry the same legal force as if issued by the full County Council, due to the emergency circumstances.

Section 4. *Procedures for Boards, Commissions, and Committees.* The normal operating procedures of all boards, commissions, and committees are temporarily suspended in

order to allow the meetings thereof to be conducted using electronic means; provided that such electronic means conforms to the standards set forth in this Ordinance, and as may be further amended by County Council.

Section 5. Suspension of Contrary Local Provisions. During the pendency of this Ordinance, any ordinance, resolution, policy, or bylaw of the County that conflicts with the provisions hereof shall be and is hereby suspended and superseded as necessary to avoid delays in coping with any emergency caused by the Tropical Disturbance.

Section 6. Effective Date; Expiration. The provisions hereof shall be effective upon a single reading and two-thirds vote of County Council and shall expire on the earlier of the (i) sixty-first day following the effective date hereof, (ii) the suspension, lapse or termination of Order 2025-33, or (iii) the repeal of this Ordinance by County Council.

DONE AS AN EMERGENCY ORDINANCE and approved at a meeting duly assembled by no less than an affirmative vote of two-thirds of the members of the County Council present, this 27th day of September 2025.

JASPER COUNTY, SOUTH CAROLINA

John A. Kemp
Chairman, Jasper County Council

ATTEST:

Wanda Simmons, Clerk to Council

APPROVED AS TO FORM:



Lawrence Flynn
Interim County Attorney