

STATE OF SOUTH CAROLINA)
)
COUNTY OF ABBEVILLE)

ORDINANCE NO.: 2012-09

AN ORDINANCE TO PROHIBIT ACTIVITIES WHICH INTERFERE WITH EMERGENCY MANAGEMENT SERVICES OR PUBLIC SAFETY OF ABBEVILLE COUNTY

WHEREAS, the County of Abbeville has identified certain activities which interfere with its emergency management and/or public safety services; and

WHEREAS, the County of Abbeville currently lacks any Ordinance prohibiting such activities,

NOW, THEREFORE, BE IT ORDAINED in County Council meeting duly assembled as follows:

SECTION 1

Violations - It shall be unlawful for any person to:

- (A) Interfere with any office of emergency management, enforcement officer, fire marshal, official or employee while conducting official emergency management activities or investigations;
- (B) Communicate over any public safety or other designated emergency communications system any threat; false, harassing call; malicious interference or other non-authorized communications; and attempt to disrupt emergency communications or fail to stop communications when ordered to do so;
- (C) Spill, leak, discharge or release any hazardous substance, chemical or material or have knowledge of such and not report it immediately or not begin cleanup procedures immediately upon authorization by the office of emergency management;
- (D) Fail to report any chemical listed as hazardous and in quantities required to be reported under any state, federal or local regulations;
- (E) Increase prices of essential goods during emergencies or otherwise engage in price gouging; hoard essential supplies; and accept or obtain donated emergency provisions or services for other than the intended use for which it was obtained;
- (F) Falsely represent oneself as an official representative of the county or emergency department or agency, or attempt to obtain access to any emergency scene if not an official representative of the department or agency with jurisdiction;

- (G) Operate any vehicle not belonging to the county or any municipality as an emergency vehicle without the vehicle being registered as such with the office of emergency management. Vehicles used as emergency vehicles of the fire service must be registered with the fire prevention bureau; (It shall be the decision of each emergency organization to allow the use of personal vehicles as emergency vehicles in accordance with the applicable state laws.)
- (H) Withhold information necessary to the protection of lives and property or information beneficial to the allocation of essential services in an emergency or disaster;
- (I) Operate on any county communications device or system not owned by the county without the written permission of the director, or install, program, build or otherwise create a device with the capability to broadcast, transmit or access any county communications system without written permission of the director;
- (J) Participate in any activity which could pose a potential risk to emergency responders while engaged in official emergency activities;
- (K) Respond to any emergency scene unless dispatched or respond without being certified/trained to the required level for the emergency situation; and
- (L) Obtain photographs, recordings, information or other items while conducting official emergency management/response activities or investigations or by being a part of an emergency response or investigation and sell, distribute, share, give or provide, in any way, any portion except as authorized by the Director of Emergency Management Services, Fire Marshall, Sheriff or Coroner, provided that such authorization may only be given by the Coroner at any death scene.

SECTION 2

Penalty

- (A) Where an act or omission is prohibited herein or declared unlawful in this Ordinance, the offender shall be fined not more than \$500 or imprisoned for not more than 30 days. A separate offense shall be deemed committed on each day that a violation occurs or continues.
- (B) In addition to the penalties provided in Section (A) above, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance shall be deemed a public nuisance and may be abated by the County as provided by law.

SECTION 3

The provisions of this Ordinance shall be enforced by the Sheriff of Abbeville County and his duly authorized deputies.

SECTION 4

If any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, and the Ordinance shall remain in full force of effect.

SECTION 5

Nothing in this Ordinance shall be construed to abrogate or impair the powers of the courts or any department of Abbeville County to enforce any provisions of its Ordinances or Regulations, or to prevent or punish violations thereof and the powers conferred by this Ordinance shall be in addition and supplemental to the powers conferred by any other law.

Done in meeting duly assembled this 8th day of October, 2012

ABBEVILLE COUNTY COUNCIL

By:

Robert B. McClain
Robert B. McClain, Chairman

ATTEST:

Lynn Sopolosky
Lynn Sopolosky, Clerk to Council

