

UPTOWN

a publication of the Municipal Association of South Carolina

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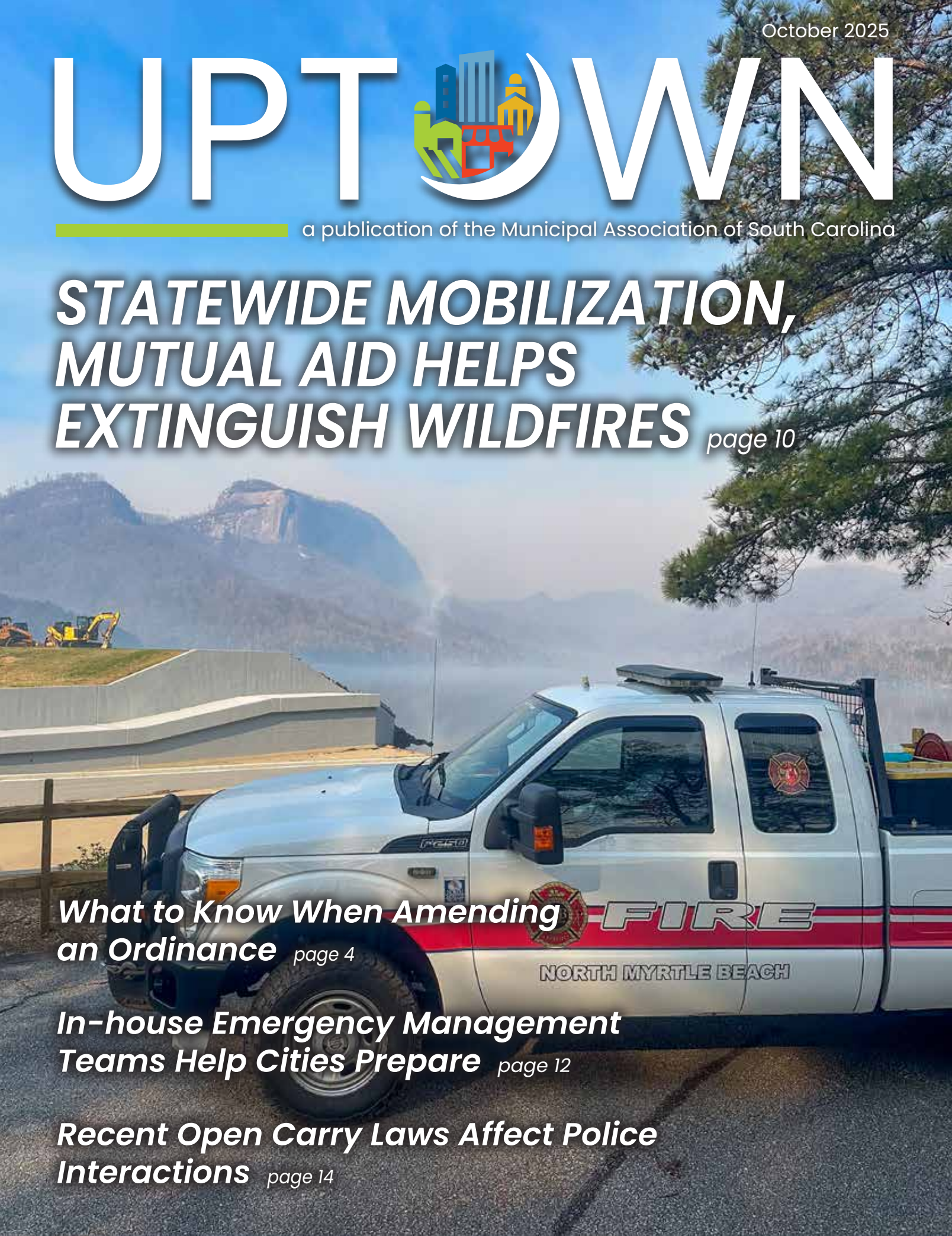
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Cover Photo: The North Myrtle Beach Fire Department was among the agencies from around the state to respond to the Table Rock Complex Fire in early 2025. Photo: City of North Myrtle Beach.

Cities Must Update Business License Class Schedules Before 2026

State law requires cities and towns that issue business licenses to update their business license class schedules every odd-numbered year. As a result, councils must pass an ordinance making the necessary updates by December 31, 2025.

This is a requirement of South Carolina's Business License Tax Standardization Act of 2020, or Act 176. The law established ongoing steps that cities and towns in South Carolina must take to keep their business licensing practices compliant with state law, making business licenses a consistent process for businesses operating in multiple jurisdictions.

The key action for cities and towns in 2025 is updating the class schedule. A standard class schedule for categorizing businesses accurately helps make sure that businesses are placed in the appropriate class based on the most recent statistical profitability data from the Internal Revenue Service.

To make updating the class schedule as simple a process as possible, the Municipal Association of SC developed an amendment to the model business license ordinance that includes the updated standard class schedule, available at www.masc.sc (keyword: business license ordinance updates).

Municipalities must adopt this class schedule by ordinance by December 31, 2025. This adopted class schedule will be used for the business licensing year running from May 1, 2026, to April 30, 2027. It will also be the one used for the license year running from May 1, 2027, to April 30, 2028. Cities will next need to undertake this update process in 2027.

Cities and towns must also remember that adopting the updated class schedule is the first step in the process, followed by making corresponding updates to the schedule within the system and software used to calculate new licenses starting with the 2026 business license year.

The Municipal Association has created a business licensing resources webpage, offering materials explaining the law, the model ordinance and class schedule, as well as sample documents that business license administrators need. Find it at www.masc.sc (keyword: business licensing in South Carolina).



State Treasurer Offers Outstanding Check Search

Hundreds of municipal governments in South Carolina have outstanding checks from various state agencies, and the SC Office of the State Treasurer has a way for officials to track down the source of those payments.

The Outstanding Check Search can be found at <https://applications.sc.gov/STOOCInquiry>. While the state classifies all checks that remain uncashed within 90 days as outstanding, the search draws only from those checks that are more than two years old.

Users can search by a payee name, which can be a city or town government, and have the option of further narrowing the search by the state agency that issued the check. The search provides the dollar amount of the check, the issuing agency, the payee name and a check number.

Those payees who have identified an outstanding check would then need to contact the state agency to reissue a particular check.



NEWS BRIEFS

At the SC Association of Municipal Power Systems Annual Meeting, members voted to change the organization's name to Palmetto Power Cities. They also elected a new board: President **Wade Holmes**, Orangeburg Department of Public Utilities; Vice President **Tim Hall**, City of Abbeville, and Members at Large **Joey Meadors**, City of Clinton; **William Medlin**, Town of Winnsboro; **Scott Motsinger**, City of Newberry; **Ryan Courtemanche**, City of Georgetown; and **John Young**, Laurens Commission of Public Works.

Numerous business licensing officials around the state received their Accreditation in Business Licensing designation from the Business Licensing Officials Training Institute. These include **Alisha Belk**, City of Hartsville; **Haverlean Bradshaw**, Charleston County; **Brandon Brown**, City of Hartsville; **Michael Burgess**, City of North Charleston; **Nicole Calvert-Daniels**, City of Greenwood; **Kristy Carge**, Town of Bluffton; **Audrey Evans**, Town of Winnsboro; **Tonya G. Evans**, City of Manning; **Kimberly Floyd**, Horry County; **Stacey Freeman**, City of Folly Beach; **Dana Ball Grant**, City of North Charleston; **Morgan Hunt**, City of Clinton; **Ralph Johnson**, Horry County; **Nichole Nettles**, Town of Seabrook Island; **Walter Ashley Peeples**, Beaufort County; **Valerie Puntillo**, Town of Mount Pleasant; **Tynice Pusha**, Charleston County; and **Lori Puckett**, City of Sumter; **Ashley Putnam**, City of York; and **Angela N. Varnadoe**, City of Walterboro, **Kelly Smith**, City of Columbia, earned both the ABL and the Master in Business Licensing designation.

Stephen Selestino of the Town of Prosperity graduated from the Municipal Court Administration Association 101 program. This program provides municipal court professionals with the knowledge and skills needed to ensure fair, accurate and effective court operations.

What to Know When Amending an Ordinance



Even the most carefully drafted ordinance will eventually become outdated. A water rate schedule might no longer reflect the actual costs to the municipality, a zoning ordinance might become out of step with current development patterns, or the legislative priorities of a future city or town council might differ from those of its predecessors.

It might seem easy to amend an ordinance by simply tweaking a word here or there, but municipalities should remember that even the simplest ordinance amendment is a legislative act and is subject to the same legal requirements as the original enactment. Here are some things to keep in mind when amending an ordinance.

Scrivener's errors

Generally, amending an ordinance means passing an additional ordinance. A limited exception to this rule is the correction of scrivener's errors.

In pre-modern times, a scrivener was a professional scribe who prepared wills, deeds, contracts and other formal writings. The legal concept of a scrivener's error recognizes the fact that sometimes, when legislative bodies are passing laws, the person writing things down will make a mistake.

For example, an adopted ordinance might inadvertently contain incorrect cross-references, misnumbered sections, or even outright typos. If these errors are truly simple transcription errors, the council may correct the ordinance administratively or through a brief clarifying resolution, depending on local procedure.

Because it's hard to reliably distinguish between mere typographical errors and substantive changes, councils should use this tool only rarely. When a scrivener's error is corrected, the council must document the correction clearly and ensure that the original legislative intent is indisputable from the record.

Strike-and-replace vs. amend-and-restate

Councils generally use one of two drafting methods to amend prior ordinances. The first approach is to precisely amend specific provisions of the prior ordinance.

For example, a strike-and-replace amendment might provide: "Section 3.7 of Ordinance No. 2024-29 is hereby amended by deleting the word 'willful' and replacing it with the word 'intentional.'"

In contrast, an amend-and-restate amendment effectively supersedes the prior ordinance in its entirety or in part. It then provides the full text of the new, amended provision or ordinance.

Councils may use this approach to correct sections or articles within an existing ordinance, for example: "Article III of Ordinance No. 2024-29 is hereby amended and restated in its entirety to read as follows ..."

They may also use this approach to correct an entire ordinance, for example: "Ordinance No. 2024-29 is hereby amended and restated in its entirety to read as follows ..."

As councils draft ordinances, it's not always apparent which drafting method will be the easiest and most straightforward to use. As a general guide, a strike-and-replace method is preferable when

- the changes are limited and easily described,
- council wants to preserve the historical context and legislative history of the original ordinance, or
- council wants to ensure that the specific changes are fully transparent.

An amend-and-restate approach may be preferable when

- the changes are extensive,
- the original ordinance is outdated or poorly organized, or
- council is consolidating multiple past amendments into one clean version.

Equal dignity rule

South Carolina courts have adopted the so-called equal dignity rule, which is referred to in other states as the legislative equivalency rule. By whatever name, the rule provides that amending a legislative act requires the same formality, or “dignity,” as the original act. In other words, if the act to be amended is an ordinance, then the amendment itself also requires an ordinance.

The equal dignity rule seems straightforward, but there are difficult applications. For example, South Carolina courts have ruled that imposing a development moratorium amends the zoning ordinance by temporarily suspending it. Therefore, council may impose a development moratorium only by

ordinance. But must council also comply with the public notice and public hearing requirements applicable to amending the zoning ordinance?

Similarly, SC Code Section 6-1-80 requires a detailed notice and public hearing before adopting the annual budget. If council amends the budget during the fiscal year, is another full notice and public hearing required, or just an ordinary ordinance process? The courts have not resolved this question.

The Municipal Association thus advises that, for permanent laws or controversial matters, such as budget amendments, the safer course is to follow the full process required to originally enact the ordinance.

Choose the right method for the context

Amending an ordinance may seem like a routine task, but it's governed by the same legal framework as passing one from scratch. Whether correcting a typo, updating a fee, or reworking an entire chapter, councils should follow proper procedures, select the right drafting method, and respect the formalities that give ordinances the force of law.

Regional Advocacy Meetings Continue in October

The second half of the 2025 – 26 legislative session is fast approaching, and the Municipal Association’s advocacy team has been on the road this fall to connect city and town leaders with their legislative delegation, and to explain municipalities’ positions on proposed legislation.

There are two remaining dates for the Regional Advocacy Meetings:

- **Wednesday, October 1**, 5:30 – 7:30 p.m.: Operations Center, 757 S. Anderson Road, Rock Hill
- **Tuesday, October 14**, 11 a.m. – 1 p.m.: North Charleston Coliseum and Performing Arts Center, 5001 Coliseum Drive, North Charleston

The meetings are free, but registration for the meetings is necessary for the meal and handouts. Find registration details at www.masc.sc (keyword: Association events).

During the legislative session, subscribe to the weekly legislative email *From the Dome to Your Home* and listen to the *From the Dome to Your Home* podcast for more updates. Both are available through the website (keyword: Dome).



Municipal Association Executive Director Todd Glover, standing, and the Association’s advocacy team presented at the Regional Advocacy Meeting in North Augusta in September.

TRUE OR FALSE:

Once a city council has prepared and adopted a strategic plan, its planning for the city's future operations is complete.

FALSE Developing a strategic plan is a collaborative process that the council undertakes with community stakeholders to develop a roadmap for the city's future, as well as the specific goals, priorities and actions that will be necessary for the council to achieve that vision.

Steps in the process include community input, plan development, implementation and monitoring. The council should be involved throughout the process, and use the plan on an ongoing basis to guide its policy decisions and allocation of resources.

The Municipal Elected Officials Institute of Government offers in-person and online courses. On January 21, 2026, the day after Hometown Legislative Action Day, it will offer in-person versions of MEO sessions A and B. Session A covers the city as an employer, conducting public meetings, ethics and public accountability, and vision, strategic planning and goal setting. Session B covers business license tax administration, intergovernmental relations, the liability of municipalities and their elected officials, and municipal courts. Learn more at www.masc.sc (keyword: MEOI).

Association Highlight:

Municipal Court Administration Association of SC

Many municipal job positions have specific training and networking needs, and the Municipal Association of South Carolina's affiliate associations offer opportunities to meet those needs.

The Municipal Court Administration Association of SC promotes the professional and sound administration of courts for cities and towns. It disseminates up-to-date information about the field and encourages court officials to make the best possible use of new technologies.

The group created its own training program, MCAA 101, which is designed to provide court staff with the skills critical to running a municipal court. Its three

sessions cover such areas as charges, bonds, records retention, reporting and court financials. MCAA 101 Session B, which covers dispositions and finalization, will take place October 21 and 22 at the Municipal Association of SC office in Columbia.

Learn more at www.masc.sc (keyword: MCAA).



Employees' Ears Need Protection From Dangerous Noise Levels



Hearing loss caused by excessive exposure to noise poses a serious medical problem in itself — it is generally irreversible, research has linked it to hypertension, and it has been identified by a Lancet Commission study as a potential risk for developing dementia.

The National Institute for Occupational Safety and Health highlights the problems it creates in the workplace, as it not only hurts people's ability to communicate, understand others and concentrate, but it can also easily contribute to workplace accidents by reducing workers' ability to hear warnings of dangerous conditions.

Noise-based hearing loss can come from many sources in a workplace. Heavy machinery or engine noise can cause it, as can power tools, or even crowd noise and amplified music at a sports venue or concert. NIOSH reports that about 25% of all workers in the U.S. have been exposed to hazardous noise levels.

The Occupational Safety and Health Administration considers noise of 85 decibels, or 85 dBA, to be a threshold beyond which hearing may be damaged. A noisy environment where a person would have to raise their voice to be heard by someone 3 feet away is likely this loud. Other key warning signs, according to OSHA, include workers experiencing ringing in their ears, or even temporary hearing loss, when leaving work.

NIOSH offers a Sound Level Meter app to detect dangerous noise levels, available at <https://www.cdc.gov/niosh/noise>.

Reducing noise

The most important step in protecting employee hearing is to find ways to reduce noise, either at its source or before it reaches workers. Some of the most cost-effective ways to reduce noise through engineering controls, according to OSHA, include

- selecting low-noise tools or machinery,
- keeping machinery maintained and well-lubricated, and
- physically creating barriers between machinery and employees, such as by placing it in other rooms or beyond sound walls, or simply by placing it at a greater distance from workers.

Supervisors can also use scheduling to reduce noise exposure, such as by operating noisy machinery during times when fewer people are present.

PPE for noise

Personal protective equipment for excessive noise can take the form of earmuffs, earplugs or canal caps, which are similar to earplugs but connected by a flexible band on the back of the head. Wearing earmuffs on top of earplugs can provide the protection of both in extremely loud circumstances.

While valuable, PPE for noise reduction is not as effective as finding ways to reduce noise, especially when it is not worn correctly or consistently. In addition to finding protection that will reduce noise exposure below 85 dBA, it's also important to find gear that is comfortable and does not get in a worker's way, and to provide training for its use.



Avoid Using Public Resources to Influence Elections

Public officials and staff must not use any public resources in a way that would influence an election, according to the SC Ethics, Government Accountability, and Campaign Reform Act.

The law has two provisions that address this issue:

- Elections – Under SC Code Section 8-13-1346(A), a “person may not use or authorize the use of public funds, property, or time to influence the outcome of an election.” This covers all general elections, as well as special, primary and runoff elections. It also applies to all conventions and caucuses that a political party holds to nominate a candidate.
- Ballot measures – A ballot measure can include any referendum, proposition, or measure otherwise submitted to voters. SC Code Section 8-13-1346(C) prohibits any governmental entity from using “public funds, property, or time in an attempt to influence the outcome of a ballot measure.”

Actions to avoid

One clear way to follow the law is for incumbent mayors and councilmembers to not use any official municipal letterhead, merchandise or facilities when they campaign for reelection.

The law also extends well beyond this application. For example, municipalities must not use any public funds, property

or time to endorse or support referenda on any issue, whether it be a proposed capital project sales tax, bond issue or a change in the form of government.

The SC State Ethics Commission has strictly read the prohibition on using public funds, property or time. In an opinion issued July 20, 2005, it found that “public employees who place campaign signs on school grounds, in their car windows or on their cars parked on school grounds during school hours are using public property to influence the outcome of an election.”

Another opinion from July 19, 2018, opined that “a Council Member’s expression of a personal opinion on a ballot measure during a Council meeting constitutes a use of public resources.”

Allowable private actions

Despite these prohibitions, elected officials and municipal staff do not lose their First Amendment right to freedom of speech because of their public service. Another SC State Ethics Commission opinion from May 25, 2018, listed specific actions that would not violate the law, so long as the official or employee is acting in a private capacity and without using public time or resources:

- “writing letters to the editor of a local newspaper advocating for or against a referendum;”
- “making public speeches before private groups (such as Rotary

Clubs) advocating for or against a referendum;”

- “organizing a public meeting on his or her own time and own expense to discuss the pros and cons of a referendum without any restrictions on what can be discussed at this meeting; or”
- “(meeting to discuss or promote the referendum in a public building such as a public library, so long as the official’s position is not used to access the public building, and the building is available on equal terms and at the same cost to all members of the general public.”

Prohibitions for federal and state election events

State Ethics Commission staff informed the Municipal Association of SC that these provisions of state law apply to all elections, not just local races. For example, if a municipality were to provide free public safety support or other “funds, property, or time” in connection with a federal or state campaign event, it would likely be found to have violated the law.

Especially in general election years, municipalities can expect to be asked to host or allow campaign events for federal and state elected offices. In hosting or permitting those events, municipalities should take great care to avoid using public funds, property or time to support or oppose any candidate or party in the election.



Proactive Strategies Drive Down Gun Violence

Columbia Police Chief Skip Holbrook presents on the capabilities of the Columbia Police Department's ShotSpotter technology. Photo: City of Columbia.

Columbia's commitment to addressing gun violence came from many places — its elected officials, city manager, and the leadership of the Columbia Police Department.

"With so many of the things we deal with today, we can't police our way out of the problem," Police Chief Skip Holbrook said. "We had to rethink everything: priorities, strategy, technology, partnerships — and making sure it's all aligned."

In 2024, Columbia recorded a 40% decrease in both fatal and non-fatal shootings. At the Municipal Association of SC 2025 Annual Meeting, Holbrook presented on how this drop came about, joined by Deputy Chief Melron Kelly, as well as Cannon Fulmer, a crime analyst with the department.

The department emphasizes evidence-based strategies, Holbrook said, and Fulmer had plenty of data to back up their efforts. He said the City of Columbia comprises about 67 square miles, excluding Fort Jackson, which the department does not police. The "hot spots" where shootings are concentrated amount to just 1.8 square miles — about 3% of the total.

"It's very concentrated among just a small number of people. It's very concentrated to just a small number of places, and it's associated with a small number of behaviors," Fulmer said.

The department's gun crime interventions have taken many forms. It developed a Real-Time Crime Center, which takes in information from a security camera network and automated license plate readers. Perhaps the most discussed technology, ShotSpotter, uses acoustic sensors to listen for gunfire and immediately dispatch police to the identified locations.

"Where we deployed ShotSpotter was in some of our most challenged areas, areas that were arguably underserved, that certainly lacked trust in law enforcement and government in general. Before ShotSpotter, gunfire was going unreported 75% to 80% of the time," Holbrook said.

Other efforts have included hiring a Special Assistant U.S. Attorney within the U.S. Attorney's Office to prioritize prolific offenders involved in gun crime, as well as a ballistics canine. The department also established a Murder and Non-Fatal Shooting

Unit, which cleared 100% of its 2024 murder investigations, compared to a national average of about 60%.

"When you solve a crime, it elevates public trust, it brings closure to families and victims. It's all for a purpose," Holbrook said.

Columbia police created the Ceasefire Columbia program, which identifies high-risk probationers, and emphasizes to them the consequences of reoffending. It connects participants with many service providers providing social and employment assistance — all ahead of a prolonged follow-up period.

Kelly said that's it's important to bring together all stakeholders, even those that don't like the police, for conversation and to demonstrate that the police want to help.

"You can't lead people unless you love people," he said. "You have to have the right dosage of enforcement versus intervention. We know that we can't jail our way out of any crime issue that we're facing."

Fulmer highlighted features of a city's "built environment" that are known from research to increase the likelihood of gun violence: vacant lots, impromptu paths, also known as desire paths, which pedestrians form across a property, or concentrations of abandoned buildings. Columbia placed codes enforcement under the police department to help remediate these issues, but also the police have identified specific areas to target with high-visibility, proactive police patrolling.

The results in the targeted areas include a 54% reduction in shooting incidents, a 34% reduction in ShotSpotter alerts, 27% reduction in property crimes and 40% decline in arrests.

In all forms of proactive police work, Kelly said, it's critical to build community relationships well ahead of any crisis.

"Invite [community members] into your organization, be it by a citizen's police academy or an Explorers Program. We have a Young Ambassadors program where we invite high school kids to a roundtable to explain to them what law enforcement does, the same way we do with our citizen review panel. Make them a part of this. This is their police department, this is their city," he said.

Statewide Mobilization, Mutual Aid Helps Extinguish Wildfires

As the Greenville City Fire Department contributed to the firefighting efforts at the Table Rock Complex Fire, Greenville also provided a public information officer to provide ongoing information on the wildfire's status. Photo: City of Greenville.

In the annals of South Carolina wildfires, the early months of 2025 made history.

In Horry County, a fire in the Carolina Forest area located between Myrtle Beach and Conway, burned more than 2,000 acres over a period of months. The Table Rock Complex Fire, made up of a fire on Table Rock Mountain and another on Persimmon Ridge, burned in excess of 15,000 acres, becoming the largest mountain wildfire recorded in South Carolina, and even crossing into North Carolina.

Through carefully planned mobilization, firefighters from many departments came together to put them out.

"We have a very organized system in South Carolina, and it's been in place a little over 20 years now; we call it the South Carolina Firefighters Mobilization Plan," said Chief Billy Floyd of the North Myrtle Beach Fire Department. "It allows any fire department who wants to participate [to do so] — we keep an updated database of what resources we have, what's available to be able to respond out. It's on a voluntary basis, so obviously there are smaller departments or smaller communities around the state that may not be able to afford to send people or

send a piece of fire apparatus several counties away that can be out of place for several days or weeks at a time."

The system works particularly well during major events, Floyd said. For mutual aid, the City of North Myrtle Beach routinely works in partnership with Horry County, the City of Myrtle Beach, and the City of Conway, to name a few.

"If we end up with something that's large-scale, there is a very high probability that the other municipalities, or the counties around us, are also dealing with something. So we're not depleting our local resources and we're able to pull resources from a part of the state that may not be impacted," he said.

The mobilization efforts, especially for large scale events like forest fires and wildfires, require the focus of several different participants across multiple departments. The state-level mobilization plan divides the state into regions, each with its own coordinator.

"We'll get an email or a text alert that there is an incident ongoing somewhere in the state and they made a specific request for what they need and if we are able to assist in filling that, we respond back with what we have to offer," Floyd said.

Once the department accepts a request, the coordinator documents it with a tasking order, or work order.

As fire chief, he said, "I make that decision on what needs to go; I ensure that our city manager is aware of that, that we're going to be sending a resource outside of the city limits, or outside of the county to be able to provide that assistance."

In March 2025, the City of North Myrtle Beach fought two fires in the Carolina Forest area that required mobilization efforts from around the state. Floyd said that many Upstate fire agencies came to help, and were in the area for more than a week.

"Then a couple weeks later, they had the fire up there [in Greenville County], so we were able to return the favor back to them, by our agencies here on the coast being able to go up and provide that assistance," he said. "That month really showed the power and reach of our mobilization, because we went from one end of the state to the other and were able to get enough resources on both of those scenes."

The experience allowed for many lessons learned, Floyd said, both in coordination efforts and in addressing



The fires on Table Rock Mountain and Persimmon Ridge became the largest mountain wildfire to ever occur in South Carolina. Photo: City of Greenville.

different types of terrain and the way fire will spread on them. North Myrtle Beach firefighters, for example, do not handle foothills and mountainous topography when fighting local fires.

Floyd said the coordination system is a source of reassurance for residents and municipalities, “to know that no matter the size of the department that covers your area, if something significant happens, there is a support system that is going to ensure that the citizens are getting the levels of service that they need in what could be a tremendous disaster or situation that is happening for that area that maybe they’ve never dealt with before.”

In the Upstate, Greenville County and the City of Greenville utilized mobilization efforts and mutual aid for the Table Rock Complex Fire, burning over 15,000 acres in March. The word “complex” was added to describe that the multiple, simultaneous fires were managed through a single command center.

“The fire started in Greenville County and spread into other counties, and actually spread in North Carolina at one point as well,” said Chief Brian Horton of Greenville City Fire Department. “The fire was in our county, and our local fire departments in the area were becoming overwhelmed quickly. The initial incident commander on scene called local

Emergency Management and asked for more help.”

Greenville County Emergency Management then requested additional resources from other fire departments in the county through mutual aid agreements, who began sending crews “almost immediately,” Horton said.

“That’s how mutual aid works with our inter-governmental agreements, even before it goes on up to the state level,” Horton said.

Once the fires became identified as a complex fire, firefighting efforts was unified under a single incident commander from the SC Forestry Commission. Horton noted that even early on, this was a fire that needed a designated communication officer, ensuring that all information was coming from one source working in the command post.

“The City of Greenville Communication department actually had one of their public information officers respond to the scene and serve in the role as communication officers for the fire side,” he said. “This individual was sending information out on the City of Greenville social media pages and on Greenville County Emergency Management pages. They also worked with other agencies in conjunction with the public information office from the Forestry Commission to

ensure the same information was being put out to the public.”

Mobilizing for a large event happens almost immediately, Horton said.

“We sent six on-duty personnel and apparatuses straight up to the mountain as soon as we started getting the request for help. Likewise, other fire departments sent crews and apparatus throughout the county, not just us, but all the departments throughout Greenville County. Emergency Management had personnel there already,” he said. “This process began escalating quickly, within the first 15 to 30 minutes – the first crews on the scene started asking for more help, they started calling mutual aid. Within the next 30 minutes to an hour, more crews start arriving.”

Ultimately, firefighters from many parts of the state came to the Table Rock area, and in early April, the SC Forest Commission was able to announce the fires as fully contained.

“When help is needed, we’re going to send the help to ensure that all of our citizens are safe,” Horton said.

With a statewide mobilization plan in place, fire departments across South Carolina can tap into a network of resources, be it from personnel, to apparatus, to support from the local to the state level.

In-house Emergency Management Teams Help Cities Prepare

The Hilton Head Island Emergency Management Division creates the plans and procedures for the town's response to threats to public safety. Photo: Town of Hilton Head Island.

While many emergency management services in South Carolina are handled at the state and county levels, some cities and towns have established their own divisions and departments to bolster their ability to prepare for disasters. Some have added the emergency management functions to their fire and rescue teams, while Mount Pleasant has created its own emergency management program to handle planning, preparing and responding to worst-case scenarios.

For communities along the coast, the biggest threats to prepare for include hurricanes and flooding. But some, including Myrtle Beach, have taken on emergency response planning for large-scale, city-hosted events.

The Myrtle Beach Fire Department has handled the city's emergency management since about 2013, with the fire chief at the time acting as a part-time emergency manager. The business of handling emergencies became its own agency within the fire department in 2017 with a full-time emergency manager, which has been Travis Glatki for the past three years. Glatki is the primary contact for disaster coordination as well as outreach and preparedness.

"A lot of people think all we do is hurricanes," said Glatki, who came up in the fire department before leading emergency management. "But we also handle any of the major special events that take place in the city."

Glatki said he is involved in large-scale event planning, such as the Myrtle Beach Marathon and the Carolina Country Music Festival, which draws in tens of thousands of attendees.

"We head up the entire process from beginning to end — including the whole after-action report to see what we did, what we can improve upon," he said.

The division developed a missing-persons reporting system for beachgoers that enables real-time sharing of photos and information with ocean rescue units, and shares a communications expert with other public safety agencies to help with the essential function of getting quality information to residents during an event.

"Communications is a huge part of what we do," Glatki said.

The city recently used a grant from the Duke Energy Foundation to fund a mass notification system called MB Alerts. Residents and visitors can sign up for the alerts while they are at the beach and can stop receiving them when they leave.

The city's emergency operations center also has a backup amateur radio system in case high-tech communication fails.

"Due to the simplicity of an amateur or ham radio station — if internet, cell towers, if all that went down, we'd still be able to communicate with not only the boots on the ground through

Mount Pleasant public safety staff engage in an emergency exercise. Photo: Town of Mount Pleasant.

the radio, but also our local hospitals and other emergency management and emergency operations centers in the area,” Glatki said.

The benefit of having a dedicated emergency manager, he said, is understanding the local community’s specific hazards and being able to communicate efficiently with county and state emergency teams when the need arises.

For Hilton Head Island, geography was the primary driver for creating its Emergency Management Division, said Thomas Dunn, who has been emergency manager since 2012.

“We’re an island on the Atlantic. I think that’s pretty much the catalyst for having our own local planning and local processes,” Dunn said, adding that the town works very closely with Beaufort County’s Division of Emergency Management as well as with the SC Emergency Management Division and federal offices.

For Dunn, being a part of the town’s largest department — Fire Rescue — is a plus, given its resources and staff capacity.

“A lot of the operational side of larger events takes place on the Fire Rescue side — with hurricanes, that’s cutting trees and opening roadways, those types of things,” he said.

Hilton Head Island has plans in place for all types of hazards from the typical hurricanes and tornadoes to earthquakes, tsunamis and even the occasional winter storm, Dunn said. The town is one of only three entities in South Carolina accredited by the Emergency Management Accreditation Program.

The island’s most recent evacuation came during Hurricane Matthew in 2016.

“We fully evacuated the island with all our public safety assets,” he said. “We had to shut down our emergency operations center, shut down our fire stations ... We went to our primary fallback point and waited for the storm to pass. Then had to reopen and reestablish everything.”

That total evacuation meant the town had to house and feed about 600 workers, including those from its own staff and well as from other fire departments, law enforcement agencies and public service districts, then get them back into position to help with recovery as quickly as possible. It led to one of the key lessons learned from the storm that wreaked havoc across the state.

“We reevaluated how we evacuate,” he said. “Do we really need to pull everything off like we did for Matthew? We now have a little more comfort to be able to — depending on the storm — leave more resources in place.”

In Mount Pleasant, emergency management doesn’t reside in the fire or police departments. Instead, it stands alone under the town’s executive office, with Shannon Whitehead serving as the emergency management and resilience officer for the past two years.



The Myrtle Beach Emergency Operation Center is a facility serving the city’s Emergency Management Division. Photo: City of Myrtle Beach.

“The emergency management position was established with the town’s strategic five-year plan and was created in the executive office around 2016,” Whitehead said. “It became evident that adding resiliency would benefit the town, because resilience and emergency management are closely interconnected ... We identify the hazards, we learn from events and endeavor to mitigate risks.”

Whitehead’s background includes time in other municipal emergency management offices, as well as working with Federal Emergency Management Agency. She is a team of one, funded through the general operating budget.

“Having it in our executive office, we’re recognizing that the responsibilities of mitigation and preparedness, response and recovery span across the entire municipality,” she said. “It’s not just during an emergency, but through the whole duration and life cycle of a disaster.”

Mount Pleasant recently adopted its own 500-page hazard mitigation plan, separate but supplemental to Charleston County’s plan. Whitehead emphasized the importance of knowing local risks.

“Even though we’re an addendum to Charleston County’s hazard mitigation plan, we also have our own specified hazards and what to do and what not to do,” she said.

Whitehead also oversees community outreach under the motto “Plan, Prepare, Protect.” The town encourages residents to know their evacuation zones, prepare go-kits for people and pets, and sign up for the town’s Notify Me alert system.

On the resilience side, Whitehead helps departments identify at-risk areas and pursue grants for things like stormwater and infrastructure improvements. She works with the city’s flood resilience committee and a green committee on those projects.

She said that other cities can benefit from even a small office dedicated to emergency response that starts with a comprehensive understanding of the community’s specific risks and needs.

“You learn from every storm or situation, and you utilize those to create best practices,” she said. “Building a robust relationship with your local agencies, stakeholders in the community is vital to ensure a cohesive approach and to foster trust and collaboration ... It is crucial to establish a dedicated role that can effectively coordinate preparedness, response and recovery efforts.”



Recent Open Carry Laws Affect Police Interactions

In recent years, the SC General Assembly repeatedly amended the laws on carrying concealable weapons, including through the SC Constitutional Carry/Second Amendment Preservation Act of 2024, or Act 111. The law has implications for how police officers handle situations involving firearms, and specifically indicates that carrying a firearm does not provide justification for detaining a person.

Changes to open-carry law

Before Act 111, state law required that anyone carrying a concealed firearm on their person or in places other than a glove box or closed container must have been at least 21 years of age, completed a Concealed Weapons Permit course, undergone a background check and proved competency with their firearms to receive a Concealed Weapons Permit.

Act 111 changed those requirements and allows anyone over the age of 18 to possess and carry a firearm, so long as they are not otherwise legally prohibited from doing so.

The law allows eligible individuals to

- openly carry a firearm, or carry it concealed;
- carry it on their person or in their vehicle; and
- do so with or without a permit.

Changes for law enforcement

Previous state law created a duty for those carrying firearms to notify law enforcement that they were carrying them during a police encounter, but Act 111 removed this requirement.

Furthermore, SC Code Section 23-31-245 now states that a “person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity.”

Managing law enforcement encounters

When police officers respond to a call, they must weigh all of the facts of a situation when they are determining whether there is reasonable and articulable suspicion that a crime has taken place to justify a detention — even in situations where that detention takes place for only a few moments. Multiple opinions issued by the U.S. Supreme Court have found that a detention is a seizure under the Fourth Amendment, no matter how brief.

Officers can attempt to have a consensual encounter and discussion with a person at any time, something which

does not require reasonable suspicion or probable cause. Similarly, they may offer help or assistance to anyone at any time.

In consensual encounters, those with whom an officer is speaking have no obligation under state or federal law to respond to the officer or answer questions. They may ignore the officer, and even be rude and disrespectful toward the officer — and these facts alone do not justify a detention.

Firearms-prohibited locations

There are still locations where state law indicates that concealable weapons may not be carried, including these:

- A courthouse, courtroom, or public building where court is taking place – SC Code Section 16-23-20(a)(2)
- An office or business meeting of the governing body of a local government – SC Code Section 16-23-20(a)(4)
- The premises of any public or private school, unless expressly authorized – SC Code Section 16-23-420

Municipalities have the ability, under SC Code Section 23-31-520, to temporarily restrict the open carrying of firearms at organized and permitted events. Private employers are authorized under SC Code Section 23-31-220(a)(1) to restrict open carrying or concealed carrying of firearms in their premises and workplaces. In both cases, state law requires signage to be posted of these restrictions.



Response to Resistance Simulator Available to SCMIT, SCMIRF Members

The Municipal Association's Risk Management Services offers Ti Simulator training to member law enforcement agencies.

Law enforcement departments participating in the SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Fund have access to the Ti Training “response to resistance simulator,” which places officers in scenarios where they must decide on an appropriate level of force.

The Municipal Association of SC Risk Management Services has offered this popular training since 2017. Now the training is offered on a regional basis, with one police department hosting others. RMS requires that the hosting agency have a training officer on staff that is certified to provide instruction with the equipment, although RMS will travel to provide Ti Instructor classes when there is interest.

By placing officers into simulated dangerous situations in which use-of-force decisions will test their training — possibly a hostage situation or a police officer ambush — the simulator aims to improve safety for officers and residents alike. It has more than 500 scenarios projected onto a screen in which officers must respond with appropriate levels of force: possibly a stun gun or a baton, along with the firearm.

The purpose of the exercise is to create a real-time environment for officers to experience the tense, critical moments that they can face at any time and help officers understand how they handled the decisions they made. Scenarios can then be played back so officers and trainers can analyze reactions and train on correctly documenting a confrontation after the fact.

The Forest Acres Police Department is among those to have used the simulator.

“The simulator was fantastic and gave us an opportunity to expose our officers with as many scenarios as possible in a short window of time,” Chief of Police Donald Robinson said. “This brings more awareness for them as any situation can rapidly change. It has also broadened their minds as the scenarios created more questions and provided us a chance to discuss legal issues that derive from these scenarios.”

Some police departments have also invited their elected officials, residents or local media to participate in the training, helping to share an understanding of the challenges officers can face. At the Aiken Department of Public Safety, the training was used in its Citizens Academy, which educates residents on how the department operates.

“Once we cover the course material, we give each student the opportunity to perform a scenario,” Lt. Joshua Faulkner said. “This provides the student with the opportunity to make observations and decisions similar to what an officer faces on a daily basis.”

This specific training program is not the only option. The company Axon offers similar training using a virtual reality headset, and some South Carolina technical colleges have this equipment and have invited law enforcement agencies to use it.

To reserve the Ti simulator or to set up instructor training, SCMIT and SCMIRF members may contact Trevor Hall, public safety loss control consultant, at 803.354.4764 or thall@masc.sc.



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Calendar

For a complete listing of the Association's training opportunities, visit www.masc.sc to view the calendar.

OCTOBER

1 SC Utility Billing Association Fall Meeting. Hilton Garden Inn – Columbia Airport, West Columbia. Topics include a customer service workshop, data protection involving multifactor authentication and a roundtable discussion.

1 Regional Advocacy Meeting. Operations Center, Rock Hill.

2 SC Community Development Association Fall Meeting. Hilton Garden Inn – Columbia Airport, West Columbia. Topics include a SC Department of Transportation update, workforce housing strategies, SC Office of Resilience updates, comprehensive planning and updates from the SC Rural Infrastructure Authority.

7 – 10 SC Municipal Finance Officers, Clerks and Treasurers Association and SC Business Licensing Officials Association Joint Academy. Marina Inn at Grande

Dunes, Myrtle Beach. Topics include audit preparation, on-boarding newly elected officials, hospitality and accommodations tax processes and procedures and succession planning. More topics include artificial intelligence and a panel discussion on licensing contractors.

14 Regional Advocacy Meeting. North Charleston Coliseum and Performing Arts Center, North Charleston.

15 Advanced Municipal Elected Officials Institute Fall Training. Hilton Garden Inn, Columbia Downtown. Topics vary depending on the meeting attended. The meetings will cover advanced budgeting and finance, leadership and governance or advanced continuing education information.

16 Managers' and Administrators' Fall Forum. Hilton Garden Inn – Columbia Airport, West Columbia.

21 – 22 Municipal Court Administration Association 101 Session B. Municipal Association of SC, Columbia. Topics include dispositions and finalizations.

28 Communications Workshop. Municipal Association of SC, Columbia. Topics include disaster response, seeking community buy-in and artificial intelligence.

NOVEMBER

5 Risk Management Services: Annual Meeting. Hilton Garden Inn Columbia Downtown. Topics include distracted driving, updates on the Law Enforcement Betterment Bill, changing weather patterns in South Carolina, worker's compensation updates, public works policies and procedures, cybersecurity and performance management.

12 Main Street SC Fourth Quarter Managers' Training. North Augusta Forward, North Augusta.

12 – 14 SC Municipal Human Resources Association Annual Meeting. Sonesta Resort, Hilton Head Island.

12 SC Association of Stormwater Managers Fourth Quarter Meeting. DoubleTree by Hilton Hotel Columbia.

14 SC Municipal Finance Officers, Clerks and Treasurers Association Athenian Dialogue. Virtual.

18 Business Licensing Essentials. Virtual.

DECEMBER

4 SC Municipal Attorneys Association Annual Meeting. Hilton Garden Inn – Columbia Airport, West Columbia.