

5 IN CHAPTER 14, ARTICLE X, SECTION 14-232 THROUGH 14-235, AN  
6 ORDINANCE TO REQUIRE SECURITY MEASURES AT CONVENIENCE  
7 BUSINESSES; THE VIOLATION OF WHICH IS AN ADMINISTRATIVE  
8 INFRACTION  
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10 **Convenience Business and Drive Through Security Law**  
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12 **Sec. 14-232 Purpose.** The purpose of this law is to establish required minimum-security  
13 standards for the operation of convenience businesses for the safety and protection of  
14 persons operating and using convenience business. Failure to comply will be an  
15 infraction.  
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17 **Sec. 14-233 Responsibility.** The Police Department is responsible for the enforcement  
18 and training on how to conduct convenience store inspections; inspection of security  
19 standards and devices required by law; and the provision of a model Robbery Deterrence  
20 and Safety Training Program for owners and employees of convenience businesses. The  
21 owner is deemed to have authority and the operator/employee (to the extent of their  
22 authority to implement the measures) are jointly and severally responsible for compliance  
23 with the requirements set forth. It shall be an administrative infraction for any person to  
24 fail to comply with the safety requirements.  
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26 **Sec. 14-234 Definition of convenience business.** For purposes of this section, a  
27 convenience business is defined as having a drive through payment operation that  
28 functions or is capable of functioning, or a business that is primarily engaged in the sale  
29 of groceries, or both groceries and gasoline, and is open for business during any hours  
30 between 11 p.m. and 5 a.m. Excluded are businesses that are solely or primarily in the  
31 restaurant business without drive through capability or have four (4) or more employees  
32 and security personnel on the premises between the hours of 11 p.m. and 5 a.m. or  
33 have more than 10,000 square feet of retail floor space with security personnel.  
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35 **Sec. 14-235 Convenience business security**

- 36 1) Every convenience business shall be equipped with the following security devices  
37 and standards:  
38 a) A security camera system capable of recording and retrieving an image to  
39 assist in offender identification and apprehension, and which actually is  
40 operational.  
41 b) A drop safe or cash management device for restricted access to cash  
42 receipts.  
43 c) A lighted parking lot.  
44 d) Window signage that allows a clear and unobstructed view from outside  
45 the building and, whenever possible, in a normal line of sight of the cash  
46 register and sales transaction area.

- 47 e) Height markers at the entrance of the convenience business which display  
48 height measures.
- 49 f) A cash management policy to limit the cash on hand at all times after 11  
50 p.m.
- 51 g) Posted and enforced No Loitering policy and signage prohibiting  
52 remaining on premises either after hours or during business hours without  
53 commercial activity, as such constitutes a public nuisance.
- 54 2) A convenience business shall not have window tinting that reduces exterior or  
55 interior view in a normal line of sight.
- 56 3) Every convenience business shall be equipped with a silent alarm to a private  
57 security agency, unless application for an exemption is made to and granted by  
58 the Police Department. An application for exemption must be in writing and must  
59 be accompanied by an administrative fee of \$25 for each store for which an  
60 exemption would apply.
- 61 4) **ADDITIONAL SECURITY AS A RESULT OF VIOLENT CRIME.** If an  
62 attempted robbery, robbery, or violent crime arising from an attempted robbery or  
63 robbery as those crimes are identified and defined by South Carolina Statutes,  
64 occurs within any 24 month period after the effective date of this ordinance, and  
65 arises out of the operation of the convenience business, that convenience business  
66 shall implement at least one of the following security measures:
- 67 a) Provide at least two employees on the premises at all times after 11 p.m. and  
68 before 5 a.m.;
- 69 b) Provide a security guard on the premises at all times after 11 p.m. and before  
70 5 a.m.;
- 71 c) Lock the business premises throughout the hours of 11 p.m. to 5 a.m., and  
72 only transact business through an indirect pass-through trough, trapdoor, or  
73 window; or
- 74 d) Close the business at all times after 11 p.m. and before 5 a.m.
- 75
- 76 5) **ADDITIONAL SECURITY MEASURES CAN BE EXEMPTED IF 2 YEARS**  
77 **WITHOUT INCIDENT.**
- 78 For purposes of this section, any convenience business that by law implemented  
79 any of the security measures set forth in paragraphs (4)(a)-(d) and has maintained  
80 said measures as required without any occurrence or incidence of the crimes  
81 identified by subsection (4) for a period of no less than 24 months immediately  
82 preceding the filing of a notice of exemption, may file with the Police Department  
83 a notice of exemption from these enhanced security measures. In no event shall  
84 this exemption be interpreted to preclude full compliance with the security  
85 measures set forth in subsection (4) should any occurrence or incidence of the  
86 crimes identified by subsection (4) cause subsection (4) to be statutorily  
87 applicable. In no event shall the City of Myrtle Beach incur any liability for the  
88 regulation and enforcement of this act.
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90 This ordinance shall take effect 90 days after adoption.

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JOHN RHODES  
MAYOR

ATTEST:

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JOAN GROVE, CITY CLERK

1<sup>st</sup> Reading: September 9, 2008  
2<sup>nd</sup> Reading: