

1 STATE OF SOUTH CAROLINA  
2 COUNTY OF HORRY  
3 CITY OF MYRTLE BEACH  
4

ORDINANCE 2008-63

5 IN CHAPTER 14, ARTICLE X, SECTION 14-222, AN ORDINANCE TO  
6 PROHIBIT THE DESTRUCTIVE USE OF THE LANDSCAPING AREAS  
7 REQUIRED BY ZONING LAW, AND TO PROHIBIT PUBLIC NUISANCE USES  
8 OF PARKING AREAS; THE VIOLATION OF WHICH IS AN  
9 ADMINISTRATIVE INFRACTION

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11 **Sec. 14-222** Destructive uses of landscape, and the public nuisance uses of parking  
12 areas, are an infraction and a public nuisance.

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- 14 a. Definitions: For purposes of this ordinance, destructive use includes, but is not  
15 limited to the congregation, loitering or lingering of persons, or the placement of  
16 tents, trailers, structures, cooking devices, chairs, tables, coolers or other objects  
17 on or in a required landscaped area in disturbance or damage of the plants or area;  
18 the required landscaped area is the defined non-grassy and mulched area of  
19 plantings; congregation means an assembly of persons for any purpose other than  
20 immediate passage; and public nuisance use of a parking area means, in the  
21 creation or maintenance of impromptu, unmanaged outdoor events or parties, to  
22 set up, place or use tents, trailers, structures, cooking devices, chairs, tables,  
23 coolers or other objects from which to sell, dispense, cook, prepare, serve,  
24 distribute or consume any food or beverage, object or product; or to broadcast  
25 amplified music from vehicles or other devices; or the use of tents, trailers,  
26 structures, cooking devices, chairs, tables, coolers or other objects for  
27 congregational purposes that prevent the use of the parking area for its intended  
28 purpose.
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30 b. The business license holder shall provide adequate security resources and policies  
31 that will prevent the destructive use in the required landscaped area, and to  
32 prevent the public nuisance use of required parking areas.
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34 c. It shall be an administrative infraction and a public nuisance for any business  
35 license holder to permit, encourage or allow the destructive use of required  
36 landscaped areas.
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38 d. It shall be an administrative infraction and a public nuisance for any person to  
39 engage in the destructive use of a required landscaped area.
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41 e. It shall be an administrative infraction and a public nuisance for the business  
42 license holder to permit, encourage or allow the public nuisance use of its  
43 required parking areas; provided however that such events that are specifically  
44 permitted through legislative or administrative action, or sponsored by the

45 business license holder in compliance with regulations governing such outdoor  
46 events are not included.

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48 f. It shall be an administrative infraction and a public nuisance for any person to  
49 create or maintain a public nuisance use of a required parking area.

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51 This ordinance shall take effect 90 days after adoption.

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56 JOHN RHODES  
57 MAYOR

58 ATTEST:

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60 \_\_\_\_\_  
61 JOAN GROVE, CITY CLERK

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63 1<sup>st</sup> Reading: September 9, 2008

64 2<sup>nd</sup> Reading:

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