
1 **2020-36 (2ND READING): AMEND THE CODE OF ORDINANCES, ARTICLE VI, SECTIONS**
2 **19-178 & 19-180 TO IDENTIFY CERTAIN EXTRAORDINARY EVENTS & TO PROVIDE**
3 **ADDITIONAL MANAGEMENT AUTHORITY, DURING SUCH EVENTS.**

4 **Applicant/Purpose:** Staff/ to identify certain extraordinary events & to provide additional events
5 management authority during such events when & if necessary.
6

7 **Brief:**

- 8 • Designation as an “Extraordinary Event” currently allows the City Manager to implement certain
9 event management tools as needed to protect lives and property, including:
10 1. Hiring armed registered private security officers.
11 2. Requiring hoteliers and retail stores in designated areas to employ Private Security.
12 3. Utilizing public or private property when public welfare is in jeopardy.
13 4. Contracting for non-consensual towing of vehicles and motorcycles.
14 5. Use temporary signage to enforce the temporary closure of retail sales businesses.
15 6. Temporarily closing, or diverting pedestrian and vehicular traffic.
16 7. Enforcing no cruising zones, and temporarily prohibiting cruising on designated streets.
- 17 • Proposed changes to the list of Extraordinary Event management tools:
 - 18 ▪ #5 applied to all businesses (on Police Chief’s recommendation & Manager’s approval).
 - 19 ▪ Allows the Manager to control an Extraordinary Event by imposing a curfew in the
20 affected area (currently authorized for Civil Emergencies, e.g. hurricanes).
 - 21 ▪ Both actions would require a written report to Council within 12 hours.
- 22 • As proposed, the following would be defined as “Extraordinary Events”:
 - 23 ▪ Debates for political office (no change).
 - 24 ▪ Appearances of a state/national/international political/religious dignitary (designates
25 these automatically as Extraordinary Events rather than just permitting this designation).
 - 26 ▪ Events w/ an estimated attendance >10,000 (now only applies to performances).
 - 27 ▪ The Memorial Day Weekend motorcycle event (proposed for deletion).
 - 28 ▪ Memorial Day, July 4th & Labor Day weekends (replaces & expands on the above).
 - 29 ▪ Car & truck shows w/ a history of disruptive & unlawful behavior (added to current Code).
- 30 • Changes since 1st reading include:
 - 31 ▪ Amending Sec. 19-180 (a)(ii) to require any business w/in the designated area to employ
32 Registered Private Security (rather than just hoteliers and retailers).
 - 33 ▪ Clarifying that guests of overnight accommodations businesses may not be compelled to
34 vacate their rooms except in the most exigent of circumstances. .

35
36 **Issues:**

- 37 • Existing Code authorizes Council to declare an Extraordinary Event, fix boundaries, & establish a
38 timeline for such events. These Declarations expire w/in 96 hours (unless modified by Council).
- 39 • Declaration authorizes the of certain event management tools. It does not prohibit the event.

40
41 **Public Notification:** Normal City Council meeting notification.
42

43 **Alternatives:**

- 44 • Modify the proposed ordinance.
- 45 • Deny the proposed ordinance.

46
47 **Financial Impact:** N/A
48

49 **Manager’s Recommendation:**

- 50 • 1st reading (7/14/2020).
- 51 • I recommend 2nd reading & adoption (7/28/2020).

52
53 **Attachment(s):** Proposed ordinance, supporting materials.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND THE CODE OF
ORDINANCES, ARTICLE VI, SECTIONS 19-178
AND 19-180 TO IDENTIFY CERTAIN
EXTRAORDINARY EVENTS AND TO PROVIDE
ADDITIONAL MANAGEMENT AUTHORITY,
DURING SUCH EVENTS.

WHEREAS, the City of Myrtle Beach is responsible for the safety and well-being of its residents and visitors, and the security of its homes and its businesses, especially during extraordinary events, which - as a result of excessive crowds, congestion of the City's streets and rights-of-way, disorderly and sometimes unlawful behavior - threaten the peace and welfare of individuals, businesses and the community at large; and

WHEREAS, an extraordinary event is one which exceeds the capacity of the city to absorb and manage pedestrian and vehicular traffic, by overwhelming the community and its resources, by distressing residents and businesses through noise and traffic congestion, by causing residents and visitors to fear for their safety while driving or walking, and by engendering disorder on the public streets and rights-of-way; and

WHEREAS, extraordinary events such as national political debates, visits by national and international dignitaries and a history of unpermitted and unmanaged rallies involving large gatherings of motorcycles, trucks and sport cars as well as other events of any description that attract an anticipated or actual estimated attendance of more than 10,000 have placed extreme burdens on the city's law enforcement, emergency services, fire protection, traffic management, litter control, code enforcement and other public services, making each an extraordinary event; and

WHEREAS, extraordinary events such as national political debates, visits by national and international dignitaries and unpermitted and unmanaged rallies involving large gatherings of motorcycles, trucks and sport cars as well as other events of any description that attract an anticipated or actual estimated attendance of more than 10,000 far exceed the capacity of the city's resources to manage crowds and traffic congestion, to respond in a timely manner to emergency calls for assistance or injury, to protect the public from crime and harm, and to maintain law and order; and

WHEREAS, the capacity of public spaces, including streets and sidewalks, also is limited, and extraordinary events can exceed that capacity in many locations, preventing a timely response to emergencies where time is of the essence and lives are at stake; and

WHEREAS, such extraordinary events are causing the city to involuntarily and unnecessarily expend valuable public resources to cope with crime, injuries, complaints, excessive noise, traffic congestion, reckless driving, litter, trespassing and other harms to people, as well as to private and public property; and

1 WHEREAS, in unpermitted and unplanned extraordinary events, there is no responsible
2 promoter, and that the responsibility for managing the events and protecting the public,
3 including event attendees, falls to the City of Myrtle Beach and other local jurisdictions; and
4

5 WHEREAS, in responding to such extraordinary events, the city's emergency personnel, including
6 Police, Fire, EMS, Parks and Public Works staff, are put in actual harm's way due to the event's
7 size and the participants' behaviors; and
8

9 WHEREAS, at no time does the City of Myrtle Beach welcome or condone public disorder,
10 lawlessness, reckless driving or a general disregard of the laws of this state, community and
11 nation;
12

13 NOW, THEREFORE, BE IT RESOLVED THAT the City of Myrtle Beach, when faced with such
14 extraordinary events, will protect the public by requesting and employing the resources needed
15 to halt activities and behaviors that overwhelm the community, that interfere with the
16 provision of law enforcement and emergency medical services, that create extreme pedestrian
17 and traffic congestion, that attract crime and criminal behavior and that threaten the general
18 safety, welfare and civil order of the city and its environs.
19

20 NOW, THEREFORE, IT IS HEREBY ORDAINED THAT IN THE CODE OF ORDINANCES OF THE CITY OF
21 MYRTLE BEACH, IN CHAPTER 19, ARTICLE VI, SECTIONS 19-178 AND 19-180 SHALL BE AMENDED
22 AS SET FORTH BELOW:
23
24

25 Sec. 19-178. City Council may declare an extraordinary event; certain events are declared.

26 (a) In the event of an actual or threatened occurrence of an extraordinary event, which
27 may result or has resulted in the immediate past history in loss of life, personal injury,
28 property damage or destruction and in the major disruption of routine community
29 affairs, business or governmental operations in the city and which is of sufficient
30 severity and magnitude to warrant extraordinary assistance by federal, state and local
31 departments and agencies to supplement the efforts of available public and private
32 resources, the city council may declare an extraordinary event, fix the location or
33 boundaries of the extraordinary event, and establish the period of time of the
34 extraordinary event. The declaration of an extraordinary event shall expire within
35 ninety six (96) hours of its issuance, unless it has been shortened or lengthened by
36 Resolution of City Council.

37 (b) Debates for political office are declared to be an extraordinary event.

38 (c) The appearance of a state-wide elected official, national or international political or
39 religious dignitary is declared to be an extraordinary event.

40 (d) Events of any description ~~The permitted performance of any person, group or ensemble~~
41 with an anticipated or actual estimated attendance of greater than ten thousand
42 (10,000) attendees is declared to be an extraordinary event.

43 ~~(e) The motorcycle event, however named or styled, that occurs immediately preceding~~
44 ~~Memorial Day by ninety-six (96) hours, and including Memorial Day and the day after, is~~
45 ~~hereby declared to be an extraordinary event.~~

46 (e) Car and/or truck show events with a history of disruptive and unlawful behavior including
47 but not limited to car and/or truck shows known commonly or formerly known commonly
48 as NOPI as well as a car show event commonly known as Mustang Week.

1 (f) Memorial Day weekend (Thursday through Monday), July 4 (from July 2nd to July 7th),
2 and Labor Day weekend (Thursday through Monday) are each declared an extraordinary
3 event.

4
5 Sec. 19-180. Management of an Extraordinary Event

6 (a) Upon declaration of an Extraordinary Event, the City Manager, or designee(s), in order
7 to promote public health, safety, welfare and order, and to protect lives and property,
8 to minimize criminal activity, and/or to maximize the efficiency of providing municipal
9 services, may:

- 10 (i) Hire, enlist, contract, employ or appoint temporary armed Registered
11 Private Security Officers, in addition to law enforcement persons and
12 agencies, and resolve questions of authority and responsibility that may arise
13 among them in deployment as part of a County-wide plan;
- 14 (ii) Require hoteliers and retail operation any business within the designated
15 areas to employ Registered Private Security Officers, to maintain order and
16 controlled entry on their property;
- 17 (iii) Utilize public property when there is compelling necessity for the protection
18 of lives, health and welfare; and/or the property of citizens where public
19 health, safety and welfare are placed in jeopardy due to the extraordinary
20 event;
- 21 (iv) Contract with and employ such businesses, human resources and lease, or
22 otherwise provide for such properties so that non-consensual towing of
23 vehicles and motorcycles may be efficiently achieved;
- 24 ~~(v) Establish and enforce by way of temporary governmental signage for the~~
25 ~~temporary cessation of the operation of retail sales businesses within the~~
26 ~~boundaries of the event, which shall not begin not earlier than eleven (11)~~
27 ~~p.m. of each night of the event, and shall be lifted not later than six (6) a.m.~~
28 ~~of each morning of the event, unless circumstances compel otherwise;~~
- 29 (v) Establish and enforce the temporary closing, blocking or diversion of
30 pedestrian and vehicular traffic of such sidewalks, streets and roads within
31 the City's police jurisdiction, through deployment of law enforcement and
32 traffic control devices in order to minimize congestion and unlawful
33 congregation;
- 34 (vi) Establish and enforce no cruising zones, and enforce a temporary prohibition
35 of cruising on designated streets and roads; provided however, that first
36 responders, governmental vehicles, public transportation vehicles, licensed
37 vehicles for hire and vehicles used in licensed businesses in the delivery of
38 service shall be exempt;
- 39 (vii) Impose a curfew within the area effected by the extraordinary event.

40
41 (b) Upon declaration of an extraordinary event, the Myrtle Beach Chief of Police, with the
42 concurrence of the City Manager, in order to promote public health, safety, welfare and
43 order, to protect lives and property, and/or minimize criminal activity, may temporarily
44 close businesses. Such action is to be taken only upon the failure of at least one previous
45 effort to achieve compliance or to eliminate the threat to public health, safety and
46 welfare. Such closure action and is to be effective only from the moment of such the
47 order to close until the business normally reopens, but not sooner than four hours. For
48 overnight accommodations businesses such closure actions shall be restricted to the
49 activities deemed to be the underlying threat to public health, safety, welfare and
50 order. Guests in such properties may not be compelled to leave unless they are

1 contributors to the threat, or if circumstances impose a specific threat to their safety
2 and welfare. If action is taken under section (a)(vii) or (b) above, the City Manager or
3 Chief of Police shall provide a report to City Council within 12 hours explaining the
4 circumstances under which the action was taken.

5
6 This ordinance becomes effective upon adoption.
7

8
9
10 _____
11 BRENDA BETHUNE, MAYOR

12 ATTEST:

13
14 _____
15 JENNIFER ADKINS, CITY CLERK

16
17 1st Reading: 7-14-2020

18 2nd Reading: 7-28-2020