
1 **2020-36 (1ST 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.
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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. Using temporary signage to enforce the temporary closure of retail sales businesses
15 within event boundaries between 11 PM and 6 AM (unless circumstances compel).
 - 16 6. Temporarily closing, or diverting pedestrian and vehicular traffic.
 - 17 7. Enforcing no cruising zones, and temporarily prohibiting cruising on designated streets.
 - 18 • Proposed changes to the list of Extraordinary Event management tools:
 - 19 ▪ Upon Police Chief’s recommendation & Manager’s concurrence, #5 is broadened by
20 applying this authority to businesses other than retail (providing at least 1 previous
21 attempt has been made to advise the businesses of the necessary corrective actions).
 - 22 ▪ Allows the Manager to control an Extraordinary Event by imposing a curfew in the
23 affected area (currently authorized for Civil Emergencies, e.g. hurricanes).
 - 24 ▪ Both actions would require a written report to Council within 12 hours.
 - 25 • As proposed, the following would be defined as “Extraordinary Events”:
 - 26 ▪ Debates for political office (no change).
 - 27 ▪ Appearances of a state/national/international political/religious dignitary (designates
28 these automatically as Extraordinary Events rather than just permitting this designation).
 - 29 ▪ Events w/ an estimated attendance >10,000 (now only applies to performances).
 - 30 ▪ The Memorial Day Weekend motorcycle event (proposed for deletion).
 - 31 ▪ Memorial Day, July 4th & Labor Day weekends (replaces & expands on the above).
 - 32 ▪ Car & truck shows w/ a history of disruptive & unlawful behavior (added to current Code).
- 33

34 **Issues:**

- 35 • Existing Code authorizes Council to declare an Extraordinary Event, fix the boundaries, &
36 establish a timeline for such events.
- 37 • These Declarations expire w/in 96 hours (unless modified by Council).
- 38 • Declaration does not prohibit the event, but allows the Manager to use 5 of 7 Extraordinary Event
39 management tools.
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41 **Public Notification:** Normal City Council meeting notification.
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43 **Alternatives:**

- 44 • Modify the proposed ordinance.
- 45 • Deny the proposed ordinance.
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47 **Financial Impact:**

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49 **Manager’s Recommendation:** I recommend 1st reading (7/14/2020).
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51 **Attachment(s):** Proposed ordinance, supporting materials.

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**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

1 WHEREAS, such extraordinary events are causing the city to involuntarily and
2 unnecessarily expend valuable public resources to cope with crime, injuries,
3 complaints, excessive noise, traffic congestion, reckless driving, litter, trespassing and
4 other harms to people, as well as to private and public property; and
5

6 WHEREAS, in unpermitted and unplanned extraordinary events, there is no responsible
7 promoter, and that the responsibility for managing the events and protecting the
8 public, including event attendees, falls to the City of Myrtle Beach and other local
9 jurisdictions; and
10

11 WHEREAS, in responding to such extraordinary events, the city's emergency personnel,
12 including Police, Fire, EMS, Parks and Public Works staff, are put in actual harm's way
13 due to the event's size and the participants' behaviors; and
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15 WHEREAS, at no time does the City of Myrtle Beach welcome or condone public disorder,
16 lawlessness, reckless driving or a general disregard of the laws of this state, community
17 and nation;
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19 NOW, THEREFORE, BE IT RESOLVED THAT the City of Myrtle Beach, when faced with
20 such extraordinary events, will protect the public by requesting and employing the
21 resources needed to halt activities and behaviors that overwhelm the community, that
22 interfere with the provision of law enforcement and emergency medical services, that
23 create extreme pedestrian and traffic congestion, that attract crime and criminal
24 behavior and that threaten the general safety, welfare and civil order of the city and
25 its environs.
26

27 NOW, THEREFORE, IT IS HEREBY ORDAINED THAT IN THE CODE OF ORDINANCES OF THE
28 CITY OF MYRTLE BEACH, IN CHAPTER 19, ARTICLE VI, SECTIONS 19-178 AND 19-180
29 SHALL BE AMENDED AS SET FORTH BELOW:
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32 Sec. 19-178. City Council may declare an extraordinary event; certain events are
33 declared.

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

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

- 1 (c) The appearance of a state-wide elected official, national or international
 2 political or religious dignitary is declared to be an extraordinary event.
- 3 (d) Events of any description ~~The permitted performance of any person, group or~~
 4 ~~ensemble~~ with an anticipated or actual estimated attendance of greater than
 5 ten thousand (10,000) attendees is declared to be an extraordinary event.
- 6 ~~(e) The motorcycle event, however named or styled, that occurs immediately~~
 7 ~~preceding Memorial Day by ninety-six (96) hours, and including Memorial Day and~~
 8 ~~the day after, is hereby declared to be an extraordinary event.~~
- 9 (e) Car and/or truck show events with a history of disruptive and unlawful behavior
 10 including but not limited to car and/or truck shows known commonly or formerly
 11 known commonly as NOPI as well as a car show event commonly known as
 12 Mustang Week.
- 13 (f) Memorial Day weekend (Thursday through Monday), July 4 (from July 2nd to July
 14 7th), and Labor Day weekend (Thursday through Monday) are each declared an
 15 extraordinary event.

16
 17 Sec. 19-180. Management of an extraordinary event

- 18 (a) Upon declaration of an extraordinary event, the city manager, or designee(s), in
 19 order to promote public health, safety, welfare and order, ~~and to~~ to protect lives
 20 and property, to minimize criminal activity, and/or to maximize the efficiency
 21 of providing municipal services, may:
- 22 (i) Hire, enlist, contract, employ or appoint temporary armed Registered
 23 Private Security Officers, in addition to law enforcement persons and
 24 agencies, and resolve questions of authority and responsibility that
 25 may arise among them in deployment as part of a County-wide plan;
- 26 (ii) Require hoteliers and retail operation within the designated areas to
 27 employ Registered Private Security Officers, to maintain order and
 28 controlled entry on their property;
- 29 (iii) Utilize public property when there is compelling necessity for the
 30 protection of lives, health and welfare; and/or the property of citizens
 31 where public health, safety and welfare are placed in jeopardy due to
 32 the extraordinary event;
- 33 (iv) Contract with and employ such businesses, human resources and
 34 lease, or otherwise provide for such properties so that non-consensual
 35 towing of vehicles and motorcycles may be efficiently achieved;
- 36 ~~(v) Establish and enforce by way of temporary governmental signage for~~
 37 ~~the temporary cessation of the operation of retail sales businesses~~
 38 ~~within the boundaries of the event, which shall not begin not earlier~~
 39 ~~than eleven (11) p.m. of each night of the event, and shall be lifted~~
 40 ~~not later than six (6) a.m. of each morning of the event, unless~~
 41 ~~circumstances compel otherwise;~~
- 42 (v) Establish and enforce the temporary closing, blocking or diversion of
 43 pedestrian and vehicular traffic of such sidewalks, streets and roads
 44 within the City's police jurisdiction, through deployment of law
 45 enforcement and traffic control devices in order to minimize
 46 congestion and unlawful congregation;

- 1 (vi) Establish and enforce no cruising zones, and enforce a temporary
2 prohibition of cruising on designated streets and roads; provided
3 however, that first responders, governmental vehicles, public
4 transportation vehicles, licensed vehicles for hire and vehicles used in
5 licensed businesses in the delivery of service shall be exempt;
6 (vii) Impose a curfew within the area effected by the extraordinary event.
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- 8 (b) Upon declaration of an extraordinary event, the Myrtle Beach Chief of Police, with the
9 concurrence of the City Manager, in order to promote public health, safety, welfare
10 and order, to protect lives and property, and/or minimize criminal activity, may
11 temporarily close businesses. Such action is to be taken only upon the failure of at least
12 one previous effort to achieve compliance or to eliminate the threat to public health,
13 safety and welfare, and is to be effective only from the moment of such order to close
14 until the business normally reopens but not sooner than four hours.
15 (c) If action is taken under section (a)(vii) or (b) above, the City Manager or Chief of Police
16 shall provide a report to City Council within 12 hours explaining the circumstances under
17 which the action was taken.
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19 This ordinance becomes effective upon adoption.
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23 _____
24 BRENDA BETHUNE, MAYOR

25 ATTEST:
26

27 _____
28 JENNIFER ADKINS, CITY CLERK
29

30 1st Reading: 7-14-2020

31 2nd Reading: