



MEMORANDUM

GUIDANCE ON EMERGENCY BUSINESS LICENSE DUE DATES AND PAYMENT OPTIONS

On April 2, 2020, City Council adopted a Resolution instructing the City Manager to issue Temporary Order No. 4B, which authorizes the following:

- Postpones the date for business license renewals and payments so that license taxes coming due on April 30, 2020 will be payable without penalty by June 30, 2020.
- Directs the Chief Financial Officer to develop guidelines for a program of relief for businesses that are “suffering drastic reductions in revenues and cash flows and will be feeling the effects of the consequent economic slowdown throughout much of the license renewal period.”

Per the Resolution and Temporary Order, the following guidelines will apply for the renewal of business licenses for the 2020-2021 license year as well as for franchises renewing while Order No. 4B is in effect.

Temporary deadline for payment without penalty. All business license renewal payments will be due on April 30, 2020 and payable without penalty on or before June 30, 2020.

Payment Plan Options. Businesses that have been closed by official governmental orders, or whose business plan has been disrupted because they were subject to such orders, may request an emergency payment extension for the 2020-21 license year. All such requests must be made in writing on forms provided by the Financial Services Department. Copies of the “Emergency Payment Plan Request” and the “Emergency Payment Extension Agreement” to be used in this connection are attached to this memorandum. In administering this program, the Financial Services Department will observe the following guidelines to determine eligibility and to implement this special program:

- The business must have been closed per the terms of one of the following official governmental orders:
 - Governor’s Executive Order 2020-21, dated April 6, 2020, (the “Governor’s Order”), Sec. 1.D.; or
 - City of Myrtle Beach Temporary Order No. 3, as amended through April 6, 2020 (the “Temporary Order”), Sec. 3;

OR

It must have been subject to the restrictions of:

- Governor’s Order, Sec. 1.E.2. with respect to “online ordering, home delivery, and curbside pick-up and delivery options wherever possible as opposed to in-store shopping;” or
 - The Temporary Order, Sec. 2.
- The business must make complete application for renewal on or before June 30, 2020. “Complete application” means
 - a fully filled-in renewal application form, together with
 - a payment of at least 10.0% of the amount due per the application, and
 - a completed Emergency Payment Plan Request form for the balance due amount.

Once the business' eligibility has been established,

- the City and the business will enter into an Emergency Payment Extension Agreement (the "Agreement"), which will provide for the renewal license tax to be paid in installments for a period of time ending no later than August 30, 2020;
- no penalties on the license tax will apply during the term of the Agreement;
- the Agreement will provide for an interest rate of zero (0.0%) through the August 30, 2020, final payment date.
- If a business does not complete its payments under the Agreement by August 30, 2020, then the business must make written application to the Financial Services Department for other payment arrangements in order to avoid further enforcement actions. The Department will provide forms for that that purpose upon request.
- Beginning on August 31, 2020, penalties will be applied to any balance remaining due and customary interest charges will apply for any additional payment arrangements.

Date: April 9, 2020



Michael W. Shelton
Chief Financial Officer



2020-2021 Business License Renewal Emergency Payment Plan Request

Date	
Business Name as Printed on the Business License Renewal Form	
Business License ID#	
Business Address	
Mailing Address	
Phone Number	
Email	

******* This request will be for a Payment Extension Agreement consisting of four (4) payments.**

Reason for your request. Check one.

- Required to close due to being a non-essential business per State of South Carolina Executive Order 2020-21 section 1 D or the City of Myrtle Beach Temporary Order.
- Required to modify normal business practices to minimize or eliminate in-business activity by the public per South Carolina Executive Order 2020-21 section 1 E (2) or the City of Myrtle Beach Temporary Order.

Instructions:

1. Complete this request and file with your completed and signed business license renewal form.
2. Make sure you have signed this request and business license renewal form.
3. Business License Office **must** receive both the Business License Renewal Form and Payment Plan Request either in the office or postmarked by the US Postal Service on or before **June 30, 2020**. If submitting to the Business License Office during the time period the City Services Building is closed to the public, please use one of our drop boxes located at 921 N Oak Street, Myrtle Beach, SC 29577. If submitting by mail, please mail to: City of Myrtle Beach, Business License Division, PO Box 2468, Myrtle Beach, SC 29578.
4. The Business License Office we will contact you by phone and/or email after we have reviewed your request.

Signature Printed Name Title Date



**CITY OF MYRTLE BEACH
BUSINESS LICENSE DIVISION**

EMERGENCY PAYMENT EXTENSION AGREEMENT

BUSINESS NAME: _____ LICENSE # _____ CLASS _____
 LICENSEE: _____ PHONE _____ NAICS _____
 LOCATION ADDRESS : _____

License Year	BL Fee Amount
2020-2021	\$ _____

ARRANGEMENTS / EXPLANATION

Due to the financial hardship caused by the COVID-19 Coronavirus Pandemic and in accordance with State of South Carolina Executive Order No. 2020-21 and the City of Myrtle Beach Temporary Order 4B, the Licensee listed above is unable to pay the 2020-2021 Business License Renewal Fee in full by June 30, 2020. A payment extension is hereby granted. An initial payment in the amount of 10% of the total business license renewal fee is due with the remaining balance to be paid as shown below in the Payment Plan. This Payment Plan includes no penalty and no interest charges.

In recognition of the amount owed to the City of Myrtle Beach for the 2020-2021 Business License, I affirm that I am duly authorized to enter into this Payment Agreement with the City of Myrtle Beach and I agree to the Payment Plan shown below. I further agree that if I fail to pay this agreement in full by August 30, 2020, a 5% per month late penalty will be assessed on the remaining balance and the remaining balance with penalty will be due in full. I further understand that for failure to pay this agreement in full by August 30, 2020, the City of Myrtle Beach may issue a Notice of Assessment pursuant to Section 11-32 of the Code of Ordinances and may refuse to grant or consider a Payment Extension Agreement for me or any of my businesses in the future.

PAYMENT PLAN

Business License Renewal Fee	\$ _____
Less: 10% Initial Payment	(\$ _____)
Remaining Balance	\$ _____

PAYMENT AMOUNT	DUE DATE

Authorized By _____
 Business License Division

Date: _____

 Licensee Signature

 Printed Name

 Title

 Date

State of South Carolina

Executive Department



Office of the Governor

EXECUTIVE ORDER NO. 2020-21

WHEREAS, the State of South Carolina has taken, and must continue to take, all necessary and appropriate actions in confronting the unprecedented and evolving public health threat presented by the 2019 Novel Coronavirus (“COVID-19”), cases of which have now been identified and reported in each of the State’s forty-six (46) counties; and

WHEREAS, to this end, the undersigned has, *inter alia*, convened the Public Health Emergency Plan Committee (“PHEPC”); activated the South Carolina Emergency Operations Plan (“Plan”); regularly conferred with state and federal agencies, officials, and experts, to include the South Carolina Department of Health and Environmental Control (“DHEC”), and the South Carolina Emergency Management Division (“EMD”); and requested that the General Assembly take action to make \$45 million from the 2019–2020 Contingency Reserve Fund immediately available to DHEC in coordinating the State’s public health response to COVID-19; and

WHEREAS, in addition to the foregoing, on March 11, 2020, the undersigned issued Executive Order No. 2020-07, suspending certain transportation-related rules and regulations, pursuant to 49 C.F.R. § 390.23 and section 56-5-70 of the South Carolina Code of Laws, as amended, for commercial vehicles and operators of commercial vehicles providing direct assistance to supplement state and local efforts and capabilities to protect public health and safety in connection with COVID-19; and

WHEREAS, on March 13, 2020, the undersigned issued Executive Order No. 2020-08, declaring a State of Emergency based on a determination that COVID-19 posed an imminent public health emergency for the State of South Carolina; and

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 outbreak a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia, pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121–5207 (“Stafford Act”); and

WHEREAS, on March 13, 2020, the President of the United States also declared that the COVID-19 pandemic in the United States constitutes a national emergency, pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. §§ 1601 *et seq.*, and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), retroactive to March 1, 2020; and

WHEREAS, on March 16, 2020, based on updated information and recommendations from the Centers for Disease Control and Prevention (“CDC”), the President of the United States and the White House Coronavirus Task Force issued new guidance—titled, “The President’s Coronavirus Guidelines for America: 15 Days to Slow the Spread of Coronavirus (COVID-19)”—to help protect Americans during the global COVID-19 outbreak; and

WHEREAS, the President’s Coronavirus Guidelines for America recommend, *inter alia*, that the American people “[w]ork or engage in schooling from home whenever possible”; “[a]void social gatherings in groups of more than 10 people”; “[a]void eating or drinking at bars, restaurants, and food courts—use drive-thru, pickup, or delivery options”; and “[a]void discretionary travel, shopping trips, and social visits”; and

WHEREAS, in proactively preparing for and promptly responding to the aforementioned emergency, the undersigned initiated and implemented various measures to address the significant public health, economic, and other impacts associated with COVID-19 and to mitigate the resulting burdens on healthcare providers, individuals, and businesses in the State of South Carolina; and

WHEREAS, on March 15, 2020, the undersigned issued Executive Order No. 2020-09, directing, *inter alia*, the closure of all public schools in the State of South Carolina for students and non-essential employees beginning Monday, March 16, 2020, and through Tuesday, March 31, 2020, and the postponement or rescheduling of any election scheduled to be held in this State on or before May 1, 2020, as well as urging that indoor and outdoor public gatherings be cancelled, postponed, or rescheduled, to the extent possible, or limited so as not to exceed one hundred (100) people; and

WHEREAS, on March 17, 2020, based on updated information and recommendations from the CDC, the President of the United States, and the White House Coronavirus Task Force, the undersigned issued Executive Order No. 2020-10, directing additional emergency measures in response to the threat posed by COVID-19, to include temporarily prohibiting restaurants from providing certain food services for on-premises consumption and prohibiting events at government facilities that would convene fifty (50) or more people in a single room, area, or other confined indoor or outdoor space; and

WHEREAS, in addition to the foregoing directives, Executive Order No. 2020-10 also “authorize[d] and direct[ed] any agency within the undersigned’s Cabinet or any other department within the Executive Branch, as defined by section 1-30-10 of the South Carolina Code of Laws, as amended, through its respective director or secretary, to waive or ‘suspend provisions of existing regulations prescribing procedures for conduct of state business if strict compliance with the provisions thereof would in any way prevent, hinder, or delay necessary action in coping with the

emergency,' in accordance with section 25-1-440 of the South Carolina Code of Laws and other applicable law"; and

WHEREAS, on March 19, 2020, the undersigned issued Executive Order No. 2020-11, initiating further emergency measures and suspending certain regulations to ensure the proper function and continuity of state government operations and the uninterrupted performance and provision of emergency, essential, or otherwise mission-critical state government services, while simultaneously undertaking additional measures to safeguard the health and safety of state employees, mitigate significant economic impacts and burdens on affected individuals and employers, and provide regulatory relief to expedite emergency response initiatives and enhance the availability of critical healthcare services; and

WHEREAS, on March 21, 2020, the undersigned issued Executive Order No. 2020-12, initiating additional actions to provide regulatory relief to facilitate "social distancing" practices and to mitigate the significant economic impacts of COVID-19 on individuals and businesses throughout the State, particularly restaurants and other food-service establishments; and

WHEREAS, on March 23, 2020, the undersigned issued Executive Order No. 2020-13, authorizing and directing law enforcement officers of the State, or any political subdivision thereof, to, *inter alia*, prohibit or disperse any congregation or gathering of people, unless authorized or in their homes, in groups of three (3) or more people, if any such law enforcement official determines, in their discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health; and

WHEREAS, on March 24, 2020, the undersigned requested that the President of the United States declare that a major disaster exists in the State of South Carolina pursuant to Section 401 of the Stafford Act; and

WHEREAS, on March 27, 2020, the President of the United States granted the undersigned's aforementioned request and declared that a major disaster exists in the State of South Carolina and ordered federal assistance to supplement state, tribal, and local recovery efforts in the areas affected by the COVID-19 pandemic, with an effective date retroactive to January 20, 2020, and continuing; and

WHEREAS, on March 27, 2020, the undersigned issued Executive Order No. 2020-14, directing that individuals who enter the State of South Carolina from an area with substantial community spread of COVID-19 shall be required to isolate or self-quarantine for a period of fourteen (14) days from the time of entry into the State of South Carolina or the duration of the individual's presence in South Carolina, whichever period is shorter; and

WHEREAS, on March 28, 2020, the undersigned issued Executive Order No. 2020-15, declaring a new, separate, and distinct State of Emergency based on a determination that COVID-19 posed an actual, ongoing, and evolving public health threat to the State of South Carolina; and

WHEREAS, on March 29, 2020, the President of the United States extended and expanded the provisions of his Coronavirus Guidelines for America until April 30, 2020, based on the ongoing nature and evolving scope of the global COVID-19 pandemic; and

WHEREAS, on March 30, 2020, the undersigned issued Executive Order No. 2020-16, directing that any and all public beach access points and public piers, docks, wharfs, boat ramps, and boat landings that provide public access to the public waters of this State shall be closed to public access for recreational purposes for the duration of the State of Emergency; and

WHEREAS, on March 31, 2020, the undersigned issued Executive Order No. 2020-17, directing that certain “non-essential” businesses, venues, facilities, services, and activities in the following categories be closed to non-employees and the public, effective Wednesday, April 1, 2020, at 5:00 p.m.: entertainment venues and facilities, recreational and athletic facilities and activities, and close-contact service providers; and

WHEREAS, on April 3, 2020, the undersigned issued Executive Order No. 2020-18, directing that certain additional “non-essential” businesses, venues, facilities, services, and activities in the general category of retail stores be closed to non-employees and the public, effective Monday, April 6, 2020, at 5:00 p.m.; and

WHEREAS, on April 3, 2020, the undersigned issued Executive Order No. 2020-19, directing that effective Friday, April 3, 2020, at 5:00 p.m., any and all individuals, entities, or establishments engaged in the provision of short-term rentals, vacation rentals, or other lodging accommodations or operations in exchange for consideration in the State of South Carolina are prohibited from making or accepting new reservations or bookings from or for individuals residing in or travelling from any country, state, municipality, or other geographic area subject to or identified in a CDC travel advisory or other CDC notice as a location with extensive community transmission of COVID-19, to include the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut); and

WHEREAS, in light of the continued spread of COVID-19 and the resulting strain on healthcare resources, after consulting with numerous state and federal agencies, officials, and experts, the undersigned has determined that it is necessary and prudent to take additional proactive action and implement further extraordinary measures to prepare for and respond to the actual, ongoing, and evolving public health threat posed by COVID-19; and

WHEREAS, section 1-3-430 of the South Carolina Code of Laws, as amended, provides that when a state of emergency has been declared, the undersigned “may further, cope with such threats and danger, order and direct any person or group of persons to do any act which would in his opinion prevent or minimize danger to life, limb or property, or prevent a breach of the peace; and he may order any person or group of persons to refrain from doing any act or thing which would, in his opinion, endanger life, limb or property, or cause, or tend to cause, a breach of the peace, or endanger the peace and good order of the State or any section or community thereof, and he shall have full power by use of all appropriate available means to enforce such order or proclamation”; and

WHEREAS, pursuant to section 1-3-460 of the South Carolina Code of Laws, as amended, the foregoing and other emergency authority is “supplemental to and in aid of powers now vested in the Governor under the Constitution, statutory laws[,] and police powers of the State”; and

WHEREAS, in accordance with section 25-1-440 of the South Carolina Code of Laws, as amended, when an emergency has been declared, the undersigned is “responsible for the safety, security, and welfare of the State and is empowered with [certain] additional authority to adequately discharge this responsibility,” to include issuing, amending, and rescinding “emergency proclamations and regulations,” which shall “have the force and effect of law as long as the emergency exists”; and

WHEREAS, in addition to the foregoing, section 25-1-440 of the South Carolina Code of Laws, authorizes the undersigned, during a declared emergency, to “transfer the direction, personnel, or functions of state departments, agencies, and commissions, or units thereof, for purposes of facilitating or performing emergency services as necessary or desirable,” and to “compel performance by elected and appointed state, county, and municipal officials and employees of the emergency duties and functions assigned them in the State Emergency Plan or by Executive Order”; and

WHEREAS, the undersigned is further authorized, pursuant to section 25-1-440 of the South Carolina Code of Laws, to “direct and compel evacuation of all or part of the populace from any stricken or threatened area if this action is considered necessary for the preservation of life or other emergency mitigation, response, or recovery; to prescribe routes, modes of transportation, and destination in connection with evacuation; and to control ingress and egress at an emergency area, the movement of persons within the area, and the occupancy of premises therein”; and

WHEREAS, pursuant to section 25-1-440 of the South Carolina Code of Laws, the undersigned may authorize a party to exceed the terms of any curfew imposed if “the party is a business that sells emergency commodities, an employee of a business that sells emergency commodities, or a local official,” and “exceeding the terms of the curfew is necessary to ensure emergency commodities are available to the public”; and

WHEREAS, in accordance with section 16-7-10(A) of the South Carolina Code of Laws, as amended, “[i]n any area designated by the Governor in his proclamation that a state of emergency exists, and during the duration of the proclamation, it is unlawful for a person to: violate a provision in the proclamation including, but not limited to, any curfew set forth by the proclamation; congregate, unless authorized or in their homes, in groups of three or more and to refuse to disperse upon order of a law enforcement officer; or wilfully fail or refuse to comply with any lawful order or direction of any law enforcement officer”; and

WHEREAS, it is axiomatic that “[t]he health, welfare, and safety of the lives and property of the people are beyond question matters of public concern, and reasonable regulations and laws designed to preserve and protect the same are clearly contained in the police power inherent in the sovereign,” 1980 S.C. Op. Att’y Gen. 142 (Sept. 5, 1980); and

WHEREAS, as of April 6, 2020, public health officials have reported over 2,000 cases of COVID-19 in the State of South Carolina; and

WHEREAS, personal liberty comes great responsibility, and it is imperative that the people of the State of South Carolina do their part to slow the spread of COVID-19 and to minimize the resulting strain on healthcare providers and resources by remaining at home whenever possible, which will ultimately facilitate an earlier return to normal operations; and

WHEREAS, for the aforementioned and other reasons, and in recognition and furtherance of the undersigned's authority and responsibility to provide for and ensure the health, safety, security, and welfare of the people of the State of South Carolina, the undersigned has determined that the State of South Carolina must take additional proactive action and implement further extraordinary measures designed to slow the spread of COVID-19 and limit the resulting strain on healthcare resources.

NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, I hereby order and direct as follows:

Section 1. Home or Work Order

To prepare for and respond to the ongoing and potential impacts associated with COVID-19, and the evolving public health threat posed by the same, and to maintain peace and good order during the State of Emergency, pursuant to the cited authorities and other applicable law, I hereby determine, order, and direct as follows:

A. The State of South Carolina must take additional proactive action and implement further extraordinary measures to prepare for and respond to the actual, ongoing, and evolving public health threat posed by COVID-19, minimize the resulting strain on healthcare providers and resources, and otherwise respond to and mitigate the significant impacts associated with the same. In furtherance of the foregoing, and to avoid potential exposure to, and to slow the spread of, COVID-19, additional action is necessary to ensure the health, safety, security, and welfare of the people of the State of South Carolina.

B. I hereby order and direct that effective Tuesday, April 7, 2020, at 5:00 p.m., any and all residents and visitors of the State of South Carolina are required to limit social interaction, practice "social distancing" in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and shall limit their movements outside of their home, place of residence, or current place of abode (collectively, "Residence"), except as allowed by this Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations, as set forth below and as such terms are further defined herein.

C. For purposes of this Order, Residence shall mean and include single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of

occupancy. In the event of an emergency, or if a Residence is or becomes unsafe for any reason, individuals are authorized to leave their Residence and are permitted and encouraged to obtain shelter in a safe and secure alternate location. Individuals experiencing homelessness are urged to contact the appropriate governmental and other entities for assistance in identifying and obtaining safe shelter.

D. For purposes of this Order, Essential Business does not include the following businesses, venues, facilities, services, and activities, which were previously deemed “non-essential” and directed to close to non-employees and not to open for access or use by the public, or not to take place, as applicable, in accordance with Executive Order No. 2020-18, which superseded, rescinded, and replaced Executive Order No. 2020-17:

1. Entertainment venues and facilities as follows:
 - (a) Night clubs
 - (b) Bowling alleys
 - (c) Arcades
 - (d) Concert venues
 - (e) Theaters, auditoriums, and performing arts centers
 - (f) Tourist attractions (including museums, aquariums, and planetariums)
 - (g) Racetracks
 - (h) Indoor children’s play areas, with the exception of licensed childcare facilities
 - (i) Adult entertainment venues
 - (j) Bingo halls
 - (k) Venues operated by social clubs
2. Recreational and athletic facilities and activities as follows:
 - (a) Fitness and exercise centers and commercial gyms
 - (b) Spas and public or commercial swimming pools
 - (c) Group exercise facilities, to include yoga, barre, and spin studios or facilities
 - (d) Spectator sports
 - (e) Sports that involve interaction in close proximity to and within less than six (6) feet of another person
 - (f) Activities that require the use of shared sporting apparatus and equipment
 - (g) Activities on commercial or public playground equipment
3. Close-contact service providers as follows:
 - (a) Barber shops
 - (b) Hair salons
 - (c) Waxing salons
 - (d) Threading salons
 - (e) Nail salons and spas
 - (f) Body-art facilities and tattoo services
 - (g) Tanning salons

- (h) Massage-therapy establishments and massage services
- 4. Retail stores as follows:
 - (a) Furniture and home-furnishings stores
 - (b) Clothing, shoe, and clothing-accessory stores
 - (c) Jewelry, luggage, and leather goods stores
 - (d) Department stores, with the exception of hardware and home-improvement stores
 - (e) Sporting goods stores
 - (f) Book, craft, and music stores
 - (g) Flea markets
 - (h) Florists and flower stores

E. For purposes of this Order, Essential Activities shall mean and include as follows:

1. Caring for or visiting a family member in another Residence or transporting or travelling with a family member, provided that such activity is conducted with appropriate consideration of, and adherence to, guidance issued by state and federal public health and safety officials, to include the CDC, with regard to “social distancing.”

2. Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up and delivery options and services wherever possible as opposed to in-store shopping.

3. Engaging in activities essential for the health and safety of family or household members, such as seeking medical, behavioral health, or emergency services.

4. Caring for pets, provided that such activity is conducted with appropriate consideration of, and adherence to, guidance issued by state and federal public health and safety officials, to include the CDC, with regard to “social distancing.”

5. Engaging in outdoor exercise or recreational activities, provided that a minimum distance of six (6) feet is maintained during such activities between all persons who are not occupants of the same Residence.

6. Attending religious services conducted in churches, synagogues, or other houses of worship.

7. Travelling as required by law, to include attending any court proceedings and transporting children as required by court order or custody agreement.

Any individual leaving his or her Residence as authorized herein shall take reasonable steps to maintain six (6) feet of separation from any other person.

F. For purposes of this Order, Critical Infrastructure Operations shall mean and include as follows:

1. Individuals operating commercial vehicles transporting essential goods and products, such as food, water, medicine, medical supplies and equipment, fuels and petroleum products (to include fuel oil, diesel oil, gasoline, kerosene, propane, and liquid petroleum), livestock, poultry, feed for livestock and poultry, and crops and other agricultural products ready to be harvested (to include timber and wood chips); individuals employed by airlines; and individuals otherwise engaged in commercial transportation activities.

2. Individuals performing or assisting with military, healthcare, public safety, or emergency response operations, as well as any other operations or services identified by the United States Cybersecurity and Infrastructure Security Agency in its March 28, 2020 Memorandum, or any future amendments or supplements thereto, as essential to continued critical infrastructure viability.

G. This Section is subject to any clarification, guidance, rules, regulations, or restrictions issued, provided, or promulgated, or which may be issued, provided, or promulgated, by the South Carolina Department of Commerce (“Department”), as authorized by and in accordance with the Clarification and Provisional Determination Process set forth in Section 2 of Executive Order No. 2020-18.

H. Subject to the emergency rules and restrictions set forth below, this Section does not prohibit the continued operation of retail stores, as set forth above, for the limited purpose of fulfilling online or telephone orders or providing alternate means of purchasing or delivering products or services—to include curbside purchase, pickup, or delivery and home or off-site delivery—provided that such options or measures can be implemented in a manner that facilitates and maintains effective “social distancing” and is consistent with any applicable guidance issued by state and federal public health and safety officials.

I. I hereby order and direct that effective Tuesday, April 7, 2020, at 5:00 p.m., any retail business not identified by general description above, or authorized to continue operations pursuant to any clarification, guidance, rules, regulations, or restrictions issued, provided, or promulgated, or which may be issued, provided, or promulgated, by the Department, as authorized by and in accordance with the Clarification and Provisional Determination Process set forth in Section 2 of Executive Order No. 2020-18, shall be subject to the following emergency rules and restrictions in addition to any other applicable provisions of this Order or any prior Order:

1. Emergency Maximum Occupancy Rate. The business shall limit the number of customers allowed to enter and simultaneously occupy the premises so as not to exceed five (5) customers per 1,000 square feet of retail space, or twenty percent (20%) of the occupancy limit as determined by the fire marshal, whichever is less.

2. Social Distancing Practices. The business shall not knowingly allow customers, patrons, or other guests to congregate within six (6) feet of one another, exclusive of family units.

3. Sanitation. The business shall implement all reasonable steps to comply with any applicable sanitation guidelines promulgated by the CDC, DHEC, or any other state or federal public health officials.

J. This Section shall not be interpreted, applied, implemented, or construed in a manner so as to suspend, restrict, or otherwise limit the sale or transportation of firearms or ammunition or any component thereof.

K. Notwithstanding the foregoing, any and all businesses, venues, facilities, services, and activities in this State are urged to facilitate effective “social distancing” practices. As applicable and to the maximum extent possible, to further promote “social distancing,” facilitate self-isolation, and otherwise prevent potential exposure to COVID-19, businesses and organizations are also encouraged to utilize telecommuting or work-from-home options for employees and to provide alternate means of purchasing and delivering products and services, to include online or telephone orders and curbside or off-site deliveries, and individuals are encouraged to utilize such options to support businesses in this State during the ongoing public health emergency.

L. For purposes of this Order, the foregoing definitions do not repeal, by implication or otherwise, the terms and provisions of Executive Order No. 2020-10, as extended by Executive Order No. 2020-15, which directed, *inter alia*, that any and all restaurants or other food-service establishments (collectively, “Restaurants”), as defined and set forth therein, that prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption in the State of South Carolina, shall suspend services for, and may not permit, on-premises or dine-in consumption.

M. This Order shall not be interpreted, applied, implemented, or construed in a manner so as to suspend, restrict, or otherwise limit the authority of the undersigned or the Department to issue, provide, or promulgate any necessary and appropriate clarification, guidance, rules, regulations, or restrictions regarding the provisions of this Order or of Executive Order No. 2020-18. To this end, I further authorize and direct the Department, in consultation with the Office of the Attorney General of South Carolina (“Attorney General”), to provide or issue any necessary and appropriate supplemental guidance, rules, regulations, or restrictions regarding the application of this Order and to provide clarification, as necessary and appropriate and in accordance with the process set forth in Section 2 of Executive Order No. 2020-18, regarding whether a specific business, venue, facility, service, or activity is required to close or is prohibited from taking place pursuant to this Order, Executive Order No. 2020-18, or both. I further expressly authorize the Office of the Governor (“Office”) to provide or issue any necessary and appropriate supplemental guidance, rules, regulations, or restrictions regarding the application of this Order or to otherwise to provide clarification regarding the same, through appropriate means, without the need for further Orders.

N. This Section does not apply to essential or emergency meetings of state or local government bodies or gatherings of government officials or employees or other personnel that may be required in connection with the performance of emergency or essential government functions. However, to the extent possible, state or local government bodies should utilize any available technology or other reasonable procedures to conduct such meetings and accommodate public participation via virtual or other remote or alternate means.

Section 2. Enforcement

A. I hereby authorize any and all law enforcement officers of the State, or any political subdivision thereof, to do whatever may be deemed necessary to maintain peace and good order during the State of Emergency and to enforce the provisions of this Order and any prior or future Orders issued by the undersigned in connection with the present State of Emergency.

B. Pursuant to section 16-7-10(A) of the South Carolina Code of Laws, any individual who “refuse[s] to disperse upon order of a law enforcement officer,” “wilfully fail[s] or refuse[s] to comply with any lawful order or direction of any law enforcement officer,” or otherwise violates any provision of any Order issued by the undersigned in connection with the State of Emergency “is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days.”

C. In accordance with section 1-3-440(4) of the South Carolina Code of Laws, I further authorize, order, and direct any State, county, or city official to enforce the provisions of this Order and any prior or future Orders issued in connection with the present State of Emergency, as necessary and appropriate, in the courts of the State by injunction, mandamus, or other appropriate legal action.

D. In addition to the foregoing, I further authorize, order, and direct DHEC to exercise and utilize any and all necessary and appropriate emergency powers, as set forth in the Emergency Health Powers Act, codified as amended in Title 44, Chapter 4 of the South Carolina Code of Laws, to implement and enforce the provisions of this Order. In accordance with section 44-4-500 of the South Carolina Code of Laws, as amended, DHEC shall continue to “use every available means to prevent the transmission of infectious disease and to ensure that all cases of infectious disease are subject to proper control and treatment.”

Section 3. General Provisions

A. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of South Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Order is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this Order, as the undersigned would have issued this Order, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs,

subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

B. If or to the extent that any political subdivision of this State seeks to adopt or enforce a local ordinance, rule, regulation, or other restriction that conflicts with this Order, this Order shall supersede and preempt any such local ordinance, rule, regulation, or other restriction.

C. This Order is effective immediately and shall remain in effect for the duration of the State of Emergency unless otherwise modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued orally by the undersigned and thereafter reduced to writing and published for dissemination within the succeeding 24-hour period.



**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA, THIS 6th DAY OF
APRIL, 2020.**



HENRY MCMASTER
Governor

ATTEST:


MARK HAMMOND
Secretary of State

Consolidated Temporary Order

Notes: This document shows Temporary Order 3 (issued on Thursday, March 26, 2020) as amended by Order 3A (issued on Friday March 27, 2020), and Order 3B (issued on Wednesday, April 1, 2020), and Order 3C (issued April 3, 2020).

1. Purpose: The purpose of the Emergency Order, first established March 26, 2020, (and subsequent amendments thereto) is to comply with guidelines from the President of the United States and the Centers for Disease Control and Prevention as well as Executive Orders from Governor Henry McMaster to promote social distancing practices and to discourage gatherings of three or more persons all for the purpose of slowing the spread of COVID-19.
2. All accommodations businesses in the City of Myrtle Beach, including hotels, motels, condo hotels, rental properties, inclusive of private management companies and Airbnb, VRBO style lodging, plus public and private campgrounds:
 - Shall not accept new reservations or extend current reservations for any period prior to May 1 effective immediately (such time limit is subject to further modification), except as indicated below.
 - Existing reservations made for a period beginning Saturday, March 28, 2020 through April 30, 2020 will be rescheduled or canceled.
 - The following shall be exempted from the restrictions shown above:
 - Those units which have been consistently occupied since March 1, 2020, as long as the occupants of these units are not joined by other occupants including friends and family members.
 - Travelling medical staff.
 - First responders and other governmental employees only to the extent that such governmental employees are engaged in official business.
 - Persons making delivery of food, medical supplies, medicines, gasoline, and other critical supplies as necessary.
 - Myrtle Beach residents displaced by a fire as placed by the American Red Cross or Myrtle Beach Fire Department.
 - Myrtle Beach Residents displaced by act or threat of domestic violence as referred or placed by the Myrtle Beach Police Department.
 - Persons having a valid reservation prior to the effective date of this Order who otherwise would be rendered homeless.
 - With respect to units owned by private individuals:
 - If a property is occupied as a year-round primary residence, the unit may be used exclusively by that owner while the order is in effect.

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- If a property is used exclusively as a second home, and is not used as a rental property in any way, then the unit may be used by that owner while the order is in effect.
 - If, on the other hand, that unit is used for rentals, regardless of frequency, then the unit may not be used by the property owner while the Executive Order is in effect.
 - Note: For the purpose of this section, if a unit is owned by an entity such as an LLC, rather than an individual, then the owner of that LLC or other entity is considered to be the owner of the unit.
- All visitors who do not meet the above exemption must vacate the property by noon, Sunday, March 29, 2020. All persons, other than owners and those meeting one of the above exceptions, who occupy a property qualifying as an accommodation business above between noon on March 29, 2020 and 12:01 a.m. May 1, 2020 will be deemed to be in violation of this Order and subject to the full enforcement authority as allowed in Section 8-23 of the Myrtle Beach Code of Ordinances.
3. All amusements and related services designed primarily to attract and accommodate visitors, are hereby ordered to close effective Friday, March 27, 2020, including but not limited to:
- Movie and live performance theaters.
 - Mini-golf courses.
 - Golf courses are prohibited from allowing non-local play. .
 - Moped and golf cart rental operations.
 - Amusement parks and arcades.
 - Jet ski rentals, beach umbrella and chair rentals; parasailing and banana boats rentals, and all other forms of commercial activity on the beach.
4. As ensuring public health is a shared responsibility:
- Our residents are requested to continue to wash or sanitize hands frequently, to frequently disinfect home and work surfaces that may lead to the spread of the coronavirus, and to practice even more stringent social distancing procedures.
 - Businesses that remain open to the public are requested to:
 - Redouble all CDC and DHEC recommended sanitation and disinfection procedures, and to emphasize such procedures to their employees.
 - Establish safe distancing guidelines for all cashier and payment areas to encourage a separation of customers of at least six feet between customers.
 - Enforce six feet separation requirements whenever possible in waiting rooms, lobby areas, and workstations.

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- Encourage that business be conducted over the telephone or electronically whenever possible.
- Establish special hours for senior citizens whenever possible.

5. Enforcement of Executive Order - Section 8-23 of the Code of Ordinances provides that the Police Department is authorized to enforce these Executive Orders during a declared emergency. In most such cases the Police are directed to seek voluntary compliance. As provided for in Section 8-23, however, failure to comply with such Order shall be construed as a violation of this Chapter 8 of the City Code. Any person who violates any provision in Chapter 8 shall, upon conviction, be punishable by a fine not exceeding \$500, imprisonment for a term not exceeding 30 days, or both, for each violation. Each person assisting in the commission of a violation shall be guilty of separate offenses. Each day during which a violation or failure to comply continues shall constitute a separate violation.