



**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA**  
**North Myrtle Beach City Hall**  
**City Council Meeting Agenda**  
**Wednesday, August 19, 2020 – 1:30 PM**

1. Call To Order

A. Roll Call

2. Discussion

Review of proposed amendment to Chapter 7, Business Licenses, Taxes, and Regulations of the Code of Ordinances of North Myrtle Beach, South Carolina, adding Article XIII, Short Term Rentals.

Documents:

[ARTICLE XIII SHORT TERM RENTALS.PDF](#)

**Meeting Attendees**

A social distancing protocol of 6 feet shall be observed at all times in City Hall and Council Chambers.

**Public Comment Period**

- Duration of the Public Comment Period shall not exceed 30 minutes.
- Each speaker is limited to 3 minutes. Each speaker is timed and a 30-second warning light appears.
- Please observe the rules.

**Rules Regarding Video Recording & Photography**

Except during the ceremonial portion of the Council meeting, all video recording and photography shall be conducted from a stationary position either:

- While seated in the back row of the Council Chambers
- While standing behind the last row of seats in Council Chambers

**Anyone Requiring an Auxiliary Aid or Service for Effective Communication or Participation**

- Should contact (843) 280-5555 as soon as possible
- No later than 24 hours before a meeting

## **ARTICLE XIII. – SHORT TERM RENTALS**

### **Sec 7-218. – Short Term Rentals, statement of intent.**

The City of North Myrtle Beach recognizes the vital role that Short Term Rental (STR) properties play in providing tourism accommodation and supplemental income for property owners; while also recognizing the need to responsibly manage such properties to ensure that the quality of life of permanent residents and neighborhoods is not compromised.

### **Sec 7-219. – Short Term Rentals, definitions.**

*Responsible Party:* A person who agrees to be the primary contact person managing the short term rental unit, and is so designated on the permit.

*Short Term Rental:* A dwelling unit offered for overnight accommodations that is rented for a period of less than 30 days, for financial or any other consideration.

- A. *Class 1:* A single family home, duplex unit or single-family attached unit (such as a townhouse) including whole houses or individual rooms within a house.
- B. *Class 2:* A dwelling unit within a multifamily structure.
- C. Hotels, motels, lodging and boarding houses are not included in the definition of Short Term Rentals.

### **Sec 7-220. – Short Term Rentals, permit required.**

It shall be unlawful for any person to create, establish, operate, maintain or otherwise be engaged in the business of advertising or renting a unit for short-term rental for financial or any other consideration, unless a current and valid permit has been issued under the terms of this article.

### **Sec 7-221. – Short Term Rentals, annual application.**

An initial application, and then an annual renewal application must be submitted for each property within sixty (60) days of the permit expiration date. Renewal applications submitted later than 60 days prior to permit expiration will still be processed, but the renewal may be delayed beyond the original renewal date. With the application, a copy of current general liability insurance, proof of property taxes paid, and a property owner acknowledgement form are also required. If previously rented on a short term basis, proof of sales and use, accommodations and hospitality taxes paid are required.

The permit fee shall be \$100.00. Further, the provisions in this ordinance are supplemental to other City ordinances governing building codes (Chapter 6, Buildings; Construction; Related Activities), business licenses (Chapter 7, Business Licenses, Taxes and Regulation), fire codes (Chapter 11, Fire Prevention), garbage collection (Chapter 12, Health and Sanitation), storm water drainage (Chapter 13, Storm Water Management and Erosion Control), and parking, signage and impervious surface ratios (Chapter 23, Zoning).

### **Sec 7-222. – Short Term Rentals, ownership.**

The owner of a rental dwelling already permitted with the City shall re-apply within 60 days after any change occurs in the previously permitted ownership. A new owner of a permitted dwelling shall be required to submit a new application.

Where more than one person has ownership interest, the information shall be required for each owner. In those cases, in which the owner is not a person, the information required for the applicant shall be provided for the organization owning the rental dwelling and for the officers of the organization.

### **Sec 7-223. – Short Term Rentals, application fee, initial and follow-up inspections.**

Upon submission of a complete short term rental Class 1 permit application, a City staff person will schedule a visit to the property in the presence of the owner or responsible party to inspect and verify that the information presented in the application is accurate. The permit application fee of \$100.00 shall be paid prior to the inspection taking place. The fee is non-refundable, whether the application is approved or rejected. The permit shall not be approved without the inspection being complete. The City reserves the right to re-inspect the property if circumstances relating to house size, parking, occupancy limits, trash collection or other elements change, or to ascertain if alleged violations warrant the issuance of a warning or strike. Class 2 short term rentals are exempt from the inspection process.

### **Sec 7-224. – Short Term Rentals, maximum occupancy.**

The maximum overnight occupancy for any short term rental shall be based on available parking, per the requirements of Sec. 10-14. A maximum of two point five (2.5) overnight guests per legal parking space shall be permitted. For purposes of this section, overnight shall mean from Midnight to 6:00 A.M.

### **Sec 7-225. – Short Term Rentals, quiet hours.**

All short term rentals shall be required to observe quiet hours between 11:00 P.M. and 7:00 A.M., during which no discernible noise from music, television, media or conversations shall emanate from the unit or grounds thereon.

### **Sec 7-226. – Short Term Rentals, parking and storm drainage.**

All short term rentals shall provide parking spaces equivalent to one (1) space for each two point five (2.5) guests listed in the maximum sleeping occupancy.

- A. “Stacked” parking spaces where one car (maximum) may be parked behind another, shall be permitted, provided each space shall meet the dimensional requirements of the Zoning Ordinance.
- B. No parking shall be permitted on grass or in landscape beds. All spaces shall be paved with concrete, asphalt, or improved with a dust-free surface such as pea gravel, stone, crushed granite, pavers, or similar. For purposes of this section coquina or bare sand or dirt shall not be considered a dust-free surface.
- C. Each short term rental shall designate a maximum number of cars permitted on-site, and instructions for private off-site parking for cars exceeding the maximum permitted on-site. Where off-site parking is provided and included in the maximum occupancy calculation, sufficient evidence shall be provided of the continuing availability of this parking, including but not necessarily limited to valid lease agreements if the off-premise lot is not owned by the unit owner.
- D. Where overnight, on-street public parking within the street right-of-way is permitted, under no circumstances shall the owner or responsible party attempt to reserve those spaces for guests, or inhibit, prevent or discourage in any way the use of those spaces by the general public. All required parking spaces shall be provided within the private property and/or approved off-site lots.

### **Sec 7-227. – Short Term Rentals, trash collection.**

Short term rentals Class 1 shall be serviced by the City using on-site containers as determined by the Sanitation Department. Rates shall be established annually as adopted with the City Budget. The Sanitation Department will assign the appropriate rate schedule for each short term rental Class 1 property based on the level of service required. Short term rentals Class 2 shall utilize the on-site commercial trash collection system provided by the property manager.

## **Sec 7-228. – Short Term Rentals, fire protection.**

All short term rentals shall be required to have operating smoke detectors inside and outside of each sleeping area, and meet all applicable fire codes.

## **Sec 7-229. – Short Term Rentals, signage posting required.**

For Class 1 short term rentals, two signs shall be required on the premises, one outside of the unit, not smaller than 11" x 17" in a prominent location, and another inside the unit, not smaller than 8" x 11", in the kitchen area. The interior sign location must be easily visible by occupants, and must not be obscured or hidden in any way. For such signage, the following is required:

### **A. Exterior Sign: (*Class 1 STR's only*)**

- a. The words "Short Term Rental, Permit # \_\_\_\_" (fill in the blank with City issued number)
- b. The words "Maximum Overnight Occupancy \_\_\_\_\_ Persons" (fill in the blank)
- c. The words "Responsible Party Contact Information" with the current telephone number information on the permit.
- d. Such sign shall be aluminum or vinyl or plastic with permanent lettering and shall be mounted in an easily-visible location within 10 feet of the primary entrance to the building, or to the access area that leads to the primary entrance. The sign shall also be readily visible from a public street, so that emergency responders and City officials can easily find it. The sign may be mounted on an independent support post, or on the building itself, and the bottom edge of the sign shall not be more than 5 feet above ground level.

### **B. Interior Sign (*All classes of STR's*):**

- a. The street address of the unit.
- b. The STR permit number.
- c. The name and contact information for the *responsible party*.
- d. The maximum permissible overnight occupancy.
- e. Contact information for the City of North Myrtle Beach police non-emergency dispatch service, and for the department charged with enforcement of this ordinance.
- f. The maximum number of cars that may be permitted on-site.
- g. Information as to where overflow parking is provided for excess vehicles.
- h. Information specifying that quiet hours are between 11:00 PM and 7:00 AM.

### **Sec 7-230. – Short Term Rentals, *responsible party*.**

All short term rentals shall be required to designate a *responsible party* that can be contacted to remedy complaints or violations of this ordinance. Said party must be someone that can respond to complaints and when necessary, be on-site within 30 minutes of receiving notification of a violation or complaint. Failure to respond within 30 minutes shall be considered a ‘strike’ as set forth in Sec. 10-19. If the responsible party is changed, whether temporarily or permanently, the owner of the short term rental must inform the City immediately.

### **Sec 7-231. – Short Term Rentals, advertising.**

It shall be a violation of this ordinance to advertise a short term rental online, or in any written materials, electronic communications or on rental platforms (such as VRBO, Home Away, etc.) in a manner inconsistent with this ordinance, including but not limited to maximum occupancy, maximum parking limits, or similar. In addition, all advertising shall contain information on the City’s STR permit number.

### **Sec 7-232. – Short Term Rentals, notification to rental agencies and platforms.**

If a short term rental is discovered that either does not have a permit, or is in violation of the advertising requirements in Sec. 10-19, the City may inform the advertising agency, company or rental platform of said violation.

### **Sec 7-233. – Short Term Rentals, violations and ‘strike’ system.**

Any short term rental found to be in violation of the terms of this ordinance shall be subject to a graduated warning and ‘strike’ system, as follows:

- A. Any complaint about violation of the quiet hours, maximum overnight occupancy, signage posting, trash or parking shall be referred to the *responsible party*. If the responsible party responds within 30 minutes and resolves the violation satisfactorily within 30 minutes after responding, a *warning* shall be issued by the City. A maximum of two such warnings within any permit period shall be allowed. Complaints that are not resolved at all, or within the time limits above, shall result in a ‘strike,’ as opposed to a warning. Similarly, additional complaints, whether resolved or not, beyond the two warnings shall result in a ‘strike.’ For purposes of determining the total number of notifications to the owner, all written warnings and violations occurring within a single rental contract period shall be counted as one instance.

- B. Any violation of advertising requirements, or any false information provided on the permit application, or any violation of fire protection requirements shall result in a citation and fine, and a thirty (30) day suspension of the short term rental permit, during which time the unit may not be offered for rent to any guest. A maximum of two (2) suspensions shall be assessed during any permit period. If a third violation occurs, the permit shall be revoked for the remainder of the permit period, or six months, whichever is greater.
- C. Once a third 'strike' is assessed against any short term rental, the permit shall be revoked for the remainder of the permit period or six months, whichever is greater, and must be applied for again at the end of the revocation window. The application fee for a new permit that was previously revoked in the last permit period shall be assessed again at the \$100.00 rate.
- D. A short term rental permit may be temporarily suspended or revoked in cases where building or fire code violations involving possible danger to life and safety become evident, until such time as those issues are satisfactorily resolved.
- E. Appeal procedure. A property owner may appeal a strike, suspension or revocation of a permit, if the appeal is filed within ten (10) days of issuance. The appeal shall be heard by a committee appointed by the City Manager, and shall be heard within fifteen (15) days of receipt of the appeal. Decisions of the appeal committee shall be final.

### **Sec 7-234. – Short Term Rentals, penalty.**

Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with Chapter 1-General Provisions, Section 1-6-General penalty. Each day of any violation of this article shall constitute a separate offense.