

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 19, 2024

Agenda Item: 6D	Prepared for: Mike Mahaney, City Manager	
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: January 10, 2024	
Subject: Amendment to Chapter 21, Article 2, Section 21-40 (a) (6), of the Code of Ordinances of North Myrtle Beach to increase the total availability of vehicle parking exemptions for Horry County residents	Division: Administration	
<u>Background:</u> Chapter 21, Article 2, Section 21-40 (a) (6) of the North Myrtle Beach Code of Ordinances states that, “Horry County residents are eligible to purchase a vehicle parking exemption for two hundred dollars (\$200.00) (one per household) per parking season (March 1 through October 31). Horry County residents shall not be eligible for golf-cart decals. A maximum of two hundred (200) exemptions will be set aside for issuance to county residents on a first come, first served basis.” The City of North Myrtle Beach continues to grow as people choose to move and live near the coast. The main draw is our beautiful beaches and the many benefits they provide. However, more beachgoers mean higher costs for maintenance and upkeep. It also presents the challenge of ensuring adequate public beach access for residents, tourists, and day visitors alike - a challenge the city takes very seriously. To address this, the city has aggressively pursued new opportunities to expand public beach access and continues to do so. However, these efforts are expensive, and the costs should not fall solely on North Myrtle Beach residents when so many others enjoy the beaches. Therefore, staff proposes that the City Council amend Chapter 21, Article 2, Section 21-40 (a) (6) of the North Myrtle Beach Code of Ordinances to increase the total number of parking exemptions for Horry County residents from 200 to 250. By expanding exemptions for nearby county residents, more people can enjoy the beaches while also contributing to the costs of the upkeep. <u>Recommended Action:</u> Approve or deny the proposed ordinance on second reading		
Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
Council Action: Motion By _____ 2nd By _____ To _____		

ORDINANCE

AN ORDINANCE TO AMEND SECTION 21-40 (a) (6) OF THE CODE OF ORDINANCES FOR THE CITY OF NORTH MYRTLE BEACH AS FOLLOWS:

SECTION 21-40. – Annual parking fee exemption., be amended to read as follows (new matter underlined, deleted matter struck-through):

Sec. 21-40. Annual parking fee exemption.

- (a) City council hereby establishes that a North Myrtle Beach resident or a North Myrtle Beach non-resident property owner who owns a personal vehicle(s) which vehicle(s) has been the subject of payment of ad valorem tax to the city, may apply for and receive an annual exemption for up to two (2) personal vehicles per property address located within North Myrtle Beach regarding the parking fees at any city established paid parking lots and or parking zones subject to the following:

The words "property owner" shall mean: any person who holds legal title to lands lying within the City of North Myrtle Beach, any person who owns a unit/apartment within a horizontal property regime; any person who owns a townhouse or other residential living unit sharing and owning in common the surrounding grounds; any person who holds equitable shares in a housing cooperative situated within the North Myrtle Beach; and any person who owns the land or owns the land in common on which their permanently affixed mobile home sits.

- (1) Regarding the personal vehicle(s) for which the resident or non-resident property owner is seeking an exemption from the parking fee, the resident or non-resident property owner shall present his or her current South Carolina motor vehicle or golf-cart registration and operator's license and the current year's proof of payment for South Carolina vehicle property taxes. A nonresident property owner shall present his or her proof of property ownership, his or her current vehicle or golf-cart registration and his or her operator's license. An Horry County resident shall present his or her current vehicle registration and operator's license. No other exemptions shall be granted, except those authorized by city council in a fully executed developer's agreement.
- (2) All golf-carts must be registered with the SCDMV to either the fulltime resident's North Myrtle Beach address or the nonresident property owner's North Myrtle Beach address, to be eligible to receive a decal.
- (3) Residents may receive two (2) vehicle exemptions and may elect to receive the exemptions in any combination (i.e., two (2) automobile exemptions, or two (2) golf-cart decals, or one (1) automobile exemption and one (1) golf-cart decal). Residents are eligible to purchase one (1) additional exemption for two hundred dollars (\$200.00) per parking season (March 1 through October 31).
- (4) Nonresident property owners, who have paid no vehicle ad valorem tax to the city, may receive one (1) complimentary vehicle exemptions or golf-cart decal. His or her personal vehicle need not be registered within the state with the exception of a golf-cart (i.e., all golf-carts must be registered with the SCDMV to the property owners North Myrtle Beach address). Nonresident property owners are eligible to purchase one (1) additional vehicle exemption or golf-cart decal for two hundred dollars (\$200.00) per parking season (March 1 through October 31).
- (5) Resident property owners (i.e., four (4) percent property tax category) with a personal vehicle provided by, and/or registered to, the employer or business of the resident, may receive up to two (2) parking exemptions upon payment of fifty dollars (\$50.00) per exemption per parking season (March 1 through October 31).
- (6) Horry County residents are eligible to purchase a vehicle parking exemption for two hundred dollars (\$200.00) (one per household) per parking season (March 1 through October 31). Horry County residents shall not be eligible for golf-cart decals. A maximum of two hundred fifty ~~(200 250)~~ exemptions will be set aside for issuance to county residents on a first come, first served basis.

- (7) License plates for all vehicles shall be in the SCDMV prescribed location on the vehicle and shall be unobstructed. Decals for all golf-carts shall be placed and adhered, adhesive side to designated surface and area, as follows:
- i. Golf-carts with windshields shall be affixed to the outside of the front windshield, on the driver's side, in the bottom part of the window.
 - ii. Golf-carts without windshields shall be affixed in the front next to the state decal.
- (b) A personal vehicle is defined as an automobile; motorcycle; pickup truck; golf-cart or low speed vehicle that is subject to registration, licensing and or permit under South Carolina State law and excludes rental vehicles and vehicles for hire. Any vehicle receiving a parking exemption must completely fit into one standard parking space.
- Upon successful registration for the annual parking fee exemption, the license tags or permit number for the personal vehicle registered for the exemption will be used for enforcement purposes.
- It shall be unlawful to park with an expired exemption in any public parking space, which requires payment. A violation of this provision is punishable pursuant to section 21-32, Issuance of parking citations.
- It shall be unlawful for any person to provide false, incomplete or misleading information regarding residency to acquire an exemption from public parking fees. A violation of this provision is punishable pursuant the general penalty, Code Section 1-6.
- (c) Any change in a license plate will require registration of the new plate and deactivation of the old plate prior to use. Golf-cart decals may not be traded, sold or given away, and shall be removed upon expiration or sale of the cart. If a golf-cart is sold or otherwise disposed of, the decal shall be removed and returned to the city to receive a replacement decal. A replacement decal shall not be issued, if the decal is not returned.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA:

Section 1. The amendment to the ordinance is hereby approved.

Section 2. This ordinance becomes effective on the date of passage and supersedes any inconsistent ordinance(s).

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2024.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 1.8.2024
SECOND READING: 2.19.2024

REVIEWED:

City Manager

ORDINANCE: 24-06