

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: February 16, 2026

Agenda Item: 6D	Prepared by: L. Suzanne Pritchard, PLA, AICP, CFM
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: February 11, 2026
Subject: Amendments to Chapter 12, Health and Sanitation, of the Code of Ordinances of North Myrtle Beach, South Carolina, adding nuisance parties and impeding public passage [O-25-1]	Division: Planning and Development

History:

The proposed ordinance was approved on first reading by City Council on January 5, 2026. Following first reading, staff made minor revisions for clarity which are indicated in red.

Background:

The City of North Myrtle Beach Police Department regularly responds to large gatherings and parties that create safety concerns for surrounding neighborhoods. While the City’s ordinances already address many of the individual behaviors associated with these events, such as excessive noise, disorderly conduct, littering, and illegal parking, those provisions are dispersed across multiple sections of the Code and do not provide a clear mechanism for addressing the gathering itself.

In recent years, officers have reported recurring situations where gatherings spill into public rights-of-way, block streets or driveways, or continue into the early morning hours. These conditions can delay emergency response, create unsafe pedestrian and traffic conditions, and place an undue burden on surrounding residents.

Proposal:

The proposed ordinance establishes clear definitions and enforcement authority for nuisance parties and for impeding public passage, allowing law enforcement to address unsafe gatherings more effectively while remaining consistent with existing City regulations. The ordinance authorizes officers to order the cessation and dispersal of nuisance parties, including the removal of non-residents when the continued presence of a gathering reasonably presents a risk to public safety or neighborhood peace. It also authorizes the immediate removal of obstructions that block streets, sidewalks, or emergency access points.

These provisions clarify and strengthen the City’s ability to respond to situations that already constitute public nuisances under the current definition. The intent is to protect public safety, preserve emergency access, and support neighborhood quality of life while maintaining appropriate enforcement discretion and public protections.

Recommended Action:

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 OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT THE CODE OF ORDINANCES, CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED BY ADDING CHAPTER 12, HEALTH AND SANITATION, ARTICLE I, IN GENERAL, § 12-5, NUISANCE PARTIES, AND § 12-6, IMPEDING PUBLIC PASSAGE OF SAID CODE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
NORTH MYRTLE BEACH, SOUTH CAROLINA, IN COUNCIL DULY
ASSEMBLED, THAT:

Section 1. That *Sec. § 12-5, Nuisance Parties* be created to read as follows (*new matter underlined*).

Sec. 12-5. Nuisance Party.

(1) Definition. A social gathering or party which is conducted on premises within the City where the conduct of persons in attendance results in one or more of the following occurring on the premises or on neighboring public or private property:

(a) Disorderly conduct.

(b) Illegal open container.

(c) Public urination or defecation.

(d) Unlawful sale, furnishing, dispensing or consumption of alcohol.

(e) Furnishing or selling alcohol to an underage person.

(f) Possession or consumption of alcohol by an underage person.

(g) Illegal use of a controlled substance.

(h) Public indecency.

(i) Unlawful littering, dumping, or deposit of refuse.

(j) Damage or destruction of property without the owner's consent.

(k) Obstruction of pedestrian or vehicular traffic.

(l) Parking of vehicles to impede traffic flow or emergency access.

(m) Noise that violates Article V of this chapter.

(n) Any other conduct or condition that threatens injury, inconvenience, or alarm to persons or damage to property, and constitutes a public nuisance under § 12-1.

(2) Duty to Control Premises. Any owner, tenant, occupant, or other person with possession or control of premises who organizes, hosts, allows, or permits a gathering that becomes a nuisance party, ~~and where the nuisance was either intentional or reasonably foreseeable,~~ is in violation of this Section.

(3) Order to Cease and Disperse. Upon determination by the Police Chief or **his/her** designee **from within the Police Department** that a nuisance party exists, the party shall cease immediately. All persons not residing at the premises must leave upon order. Any person who fails or refuses to obey such an order violates this Section.

(4) Penalty. Violation of this Article is a misdemeanor and is punishable as provided in § 1-6 of the Code of Ordinances of the City of North Myrtle Beach. Nothing in this Section prohibits citation for any other applicable violation of this Code or state law.

Section 2. That *Sec. § 12-6, Impeding Public Passage* be created to read as follows (*new matter underlined*).

Sec. 12-6. Impeding Public Passage.

(1) Prohibited conduct. No person shall obstruct or cause the obstruction of any street, sidewalk, public right-of-way, driveway, or access point in a manner that prevents or ~~unreasonably~~ interferes with:

- (a) The passage of vehicles or pedestrians,
- (b) Access by police, fire, EMS, or other emergency responders, or
- (c) Emergency exit from a property during an incident.

(2) Order to remove obstruction. When an emergency responder or law enforcement officer determines that an obstruction exists, the responder or officer may order any person responsible for the obstruction to immediately remove, cease, or relocate the obstruction.

(e3) Failure to comply. A person who fails or refuses to comply with an order issued under subsection (b) violates this Section.

(4) Exemptions. This Section shall not apply to:

- (a) City-sponsored or City-approved events, including but not limited to parades, festivals, and seasonal events;
- (b) Temporary traffic control measures or street closures expressly authorized by the City, including construction, maintenance, or utility work conducted in accordance with an approved traffic control plan; or
- (c) Any other lawful closure or restriction of public passage authorized by the City or required by law.

(d5) Applicability. A violation of this Section may be cited in addition to any other violation arising from the same incident, including a nuisance party under § 12-5.

(e6) Penalty. Violation of this Article is a misdemeanor and is punishable as provided in § 1-6 of the Code of Ordinances of the City of North Myrtle Beach. Nothing in this Section prohibits citation for any other applicable violation of this Code or state law.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2026.

ATTEST:

Mayor James Baldwin

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 1.5.2026
SECOND READING: 2.16.2026

REVIEWED:

City Manager

ORDINANCE: 26-07