

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: January 27, 2021

Agenda Item: 7A	Prepared for: Chris Noury
Agenda Section: New Business: Ordinance. First Reading	Date: January 19, 2021
Subject: Gender-neutral pronoun replacement in the existing Municipal Code for the City of North Myrtle Beach	Division: Legal

Background:

Codes of Ordinances in many cities, including North Myrtle Beach, primarily contain masculine pronouns (he, him, his, etc.) when referencing gender. This is not because cities wish to perpetuate gender bias but because most ordinances precede the strong contemporary awareness of gender bias and a desire to eliminate it.

The North Myrtle Beach Code of Ordinances contains mostly masculine pronouns. The Municipal Code Corporation has authority to substitute gender-inclusive pronouns within the Code, where appropriate, with the permission of City Council. Permission by City Council must be conveyed by ordinance. Below are examples of substitutions to be made. A proposed ordinance and a list showing all proposed substitutions is also attached for Council’s convenience.

- Changing the term “he” to “he/she;”
- Changing the term “his” to “his/her;”
- Changing the term “her” to “his/her;”
- Changing the term “him” to “him/her;”
- Changing the term “himself” to “himself/herself;”
- Changing the term “herself” to “himself/herself;”
- Changing the term “fireman” to “firefighter;”
- Changing the term “firemen” to “firefighters;”
- Changing the term “chairman” to “chairperson;”
- Changing the term "vice-chairman" to "vice-chairperson."

Recommended Action:

Approve the proposed gender-neutral changes to the ordinance on first reading

Reviewed by Department Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH TO AMEND THE CODE OF ORDINANCES OF THE CITY OF NORTH MYRTLE BEACH TO MODIFY ANY AND ALL MASCULINE AND/OR FEMININE LANGUAGE TO GENDER NEUTRAL LANGUAGE

WHEREAS, the Code of Ordinances contains mostly masculine pronouns; and

WHEREAS, all genders are created equal; and

WHEREAS, amending the Code of Ordinances to include gender-neutral pronouns by eliminating any gender preference language within the Code will promote equality.

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

SECTION 1. The recitals and findings contained in the preamble to this ordinance are adopted by reference and incorporated as if fully set forth in this section.

SECTION 2. The language throughout the Code is amended to promote gender-neutral language.

SECTION 3. Subject to final approval by the City Attorney, the Municipal Code Corporation has authority to degenderize the Code of Ordinances of North Myrtle Beach and update pronouns when appropriate, which authority includes the updating of future ordinances, by making changes such as those included herein.

SECTION 4. The Ordinance shall become effective on the date of passage.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2021.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

City Manager

FIRST READING: _____

SECOND READING: _____

ORDINANCE: _____ **21-02** _____

GENDER NEUTRALIZATION TABLE

- Changing the term “he” to “he/she;”
- Changing the term “his” to “his/her;”
- Changing the term “her” to “his/her;”
- Changing the term “him” to “him/her;”
- Changing the term “himself” to “himself/herself;”
- Changing the term “herself” to “himself/herself;”
- Changing the term “fireman” to “firefighter;”
- Changing the term “firemen” to “firefighters;”

*Changing the term “chairman” to “chairperson;”

*Changing the term "vice-chairman" to "vice-chairperson."

Code Section	Text
2-32	The city council shall, by resolution, adopt its own rules and procedures for the conduct of meetings. The city attorney shall act as parliamentarian. A majority of councilmembers serving shall constitute a quorum for the conduct of business at any meeting. The mayor shall preside or, in his absence, the mayor pro tempore shall preside. In the absence of both, the vice-mayor pro tempore shall preside. Except as otherwise required by state law or ordinance, all proceedings of council shall be governed by rules and procedures adopted by resolution.
2-32.5(b)	(b) Every member of the council present shall vote on every question, except when required to refrain from voting by state law. When a conflict is declared, the councilman must state the reason in writing and then excuse himself from council chambers during any discussion or vote on the matter.
2-34.1	The city manager shall attend all meetings of the council unless excused by the council. He shall keep the council advised of the status of matters pending for council consideration, make recommendations and present ordinances and resolutions for council action, participate in discussion of any matter involving the welfare of the city and present items on the council agenda.
2-34.2	The city attorney shall attend all meetings of the council unless excused by the council. He shall act as parliamentarian, propose ordinances and resolutions, review all ordinances, resolutions and documents presented by the council and give opinions upon questions of procedure, form and law to any member of the council and the city manager.
3-10	The city manager shall monitor compliance with the approved plan. In the event the city manager determines that a festival zone permit holder has violated the terms/parameters of the approved festival zone, the city manager, in his sole discretion, is hereby granted the authority to suspend or revoke the festival zone permit.
4-8	When any animal is impounded, the city manager, or his authorized agent, shall immediately notify the owner. If the owner is unknown, the city manager or his

	<p>authorized agent shall maintain a record at the animal shelter. Such record shall have a description of the animal. If the animal is not reclaimed within five (5) days, the animal control officer or the shelter manager shall dispose of the animal in a humane way, except the following:</p>
5-5(d)	<p>(d) The director of public safety or his designee may temporarily prohibit surfing and/or skimboarding in the areas designated above for public safety purposes</p>
5-11(c)	<p>(c) No motorized watercraft, including jet skis and/or similar devices, shall be launched or beached upon the public beaches between the hours of 9:00 a.m. and 5:00 p.m. from May 15 to September 15 of each year. This prohibition shall not apply to governmental and/or other authorized motorized watercraft. Any exception hereto must have been first authorized and licensed by the city manager or his appointed designee.</p>
5-24(c), (d)	<p>(c) No umbrellas or other shading devices may be placed within the emergency vehicle access lane which is the area approximately twenty (20) to twenty-five (25) feet seaward of the dune line and parallel to the shoreline which will be marked by city trash cans, pylons and/or flags. The director of the department of public safety or his designee shall have the authority to establish unobstructed emergency access lanes perpendicular to the shoreline for emergency vehicles, personnel and/or other emergency equipment to access the surf or other areas of the beach in the event of an emergency. Emergency access lanes perpendicular to the shoreline shall remain open and unobstructed until the director of public safety or his designee determines the emergency access lane is no longer necessary.</p> <p>(d) <i>Removal, disposal.</i> Umbrellas or other items/equipment remaining on the beach between the hours of 7:00 pm and 8:00 am will be removed from the beach. All items removed from the beach will be marked with the date of removal and maintained in the city's storage yard for a period of thirty (30) days from the date of removal. If the item has not been reclaimed within thirty (30) days from the date of removal, the item shall be deemed forfeited and shall be disposed of in a manner to be determined by the city manager or his designee, including but not limited to, selling the forfeited item(s) at auction, donating the item(s) for charitable purposes or disposing of the item(s) as refuse. A forty-dollar (\$40.00) administrative fee shall be charged for items claimed from the storage yard.</p>
6-3 note (a)	<p><i>Note:</i> (a) Valuations for new construction shall be determined by the building official or his designee by reference to latest building valuation data as published semiannually in the Southern Building Magazine for the Myrtle Beach area by the Southern Building Code Congress International from data compiled from the Marshall Valuation Service, Marshall and Swift Publication Company, Los Angeles, California. Valuation for applicable permit fees for new construction and new additions shall be determined by reference to average cost of construction</p>

	columns of listed data as compiled by Marshall Valuation Service as published by Southern Building Code Congress International.
6-3(e)	(e) <i>Reinspection fees.</i> If the building official or his duly authorized representative shall, upon his inspection after the completion of the work or apparatus, find the same does not conform to or comply with the provisions of the applicable Standard Codes or ordinances of the city, he shall notify the contractor, indicating the corrections to be made; and then he shall again inspect the work or apparatus without further charge; but when extra inspections are due to the following reasons, a charge of twenty dollars (\$20.00) shall be made for each reinspection:
6-149.1	Failure of any person to appear at the hearing set in accordance with the provisions of this article shall constitute a waiver of his rights to the administrative hearing on the notice.
6-149.2	The hearing shall offer the owner or occupant the opportunity to be heard on only those specified matters or issues raised by the owner or occupant. The owner or occupant may appear at the hearing in person or through his attorney or other designated representative.
6-150	If the owner or occupant is aggrieved by the decision of the board of adjustments and appeals, nothing in this article shall be construed as depriving him of seeking redress in civil or other applicable courts. Said appeal must be filed within thirty (30) days from the effective date of the board's final decision.
7-9(a)	(a) All persons shall display the license issued to them on the original form provided by the license official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used by the business readily available for inspection by any authorized agent of the municipality.
7-23	<i>8E Realtors, Real Estate Agents, Developers.</i> Any person, persons, business or calling, selling property or acting as agent for sales or rental of property, regardless of ownership, with the object of gain. Provision: A realtor may exclude receipts for his personal home, for the purpose of changing residence (limit: one (1) year). Same applies to contractors. Minimum on first \$2,000.00\$80.00
7-27(d)	(d) Mobile food services to businesses will be allowed between the hours of 7:00 a.m. and 5:00 p.m. and will be limited to two hours at each business location. The city manager or his designee must approve of the on site location for mobile food services to businesses
7-54(c)	(c) Either the identification card defined in section 7-53 above or other suitable identification approved by the city manager or his designated representative must be carried by all persons conducting charitable solicitation in the city.
7-62	<i>Inspector</i> shall mean the person so appointed by the city manager, or his designee, who possesses the necessary qualifications, training, technical

	<p>knowledge and experience to enforce the applicable codes and ordinances regulating construction.</p> <p><i>Master tradesman</i> shall mean a person experienced in his trade who possesses the necessary qualifications, training and technical knowledge to plan, lay out and supervise the installation, maintenance and repair of the apparatus and equipment used in his respective trade and who is also qualified under the provisions of this article.</p>
7-64	No person shall be entitled to a license to carry on the business of plumbing, electrical, or mechanical contracting in the city who is not himself or does not at all times have a master tradesman certified in the particular trade or trades in which he engages in his employ
7-65	It shall be unlawful for any master tradesman to permit his name to be used, or to knowingly permit himself to be held out, as an officer or employee of any person holding a plumbing, electrical or mechanical contractor's license unless he is in fact such an officer or employee and does, in fact, supervise the doing or installation or plumbing, electrical or mechanical work performed by such license.
7-68	The inspector shall be the judge of the quality of material and workmanship. He shall construe the provisions of this article and any other related codes and ordinances as to their meaning.
7-70(f)	(f) Fraudulent departure from or disregard of plans or specifications in any material respect, without the consent of the owner or his duly authorized representative;
7-84(a), (a)(9)	<p>(a) <i>Application; contents.</i> Application for a license required by this article shall be made to the city manager or his designee in writing and shall be verified under oath and shall contain the following information:</p> <p>** **</p> <p>(a)(9) A statement by the applicant that, upon receipt of the license, the applicant will voluntarily surrender for cancellation his existing business license for the business for the current year without refund of the fee or any portion thereof paid for the business license.</p>
7-84(b)	<p>(b) <i>Bond.</i> Every person conducting a sale pursuant to a license as required in this article shall, before commencing such sale, file with the city manager or his designee a good and sufficient bond in the sum of one thousand dollars (\$1,000.00) to be approved by the city manager or his designee to the effect that such person conducting such sale will not mislead the public by any false or untrue advertising, or by holding back and not offering for sale any part of the stock in question or by shipping in or bringing in from other sources goods or merchandise in such manner as the public may be led to believe that such additional goods and merchandise so shipped in or brought in were part of the original stock, and to the further effect that such person so conducting such sale will not in any manner mislead, cheat or defraud the public in the conduct of the sale. Such bond shall also be conditioned upon the faithful observance of all provisions of this chapter and also conditioned to reimburse and indemnify any</p>

	purchaser at any such sale, as provided herein, duly held by such licensee for any loss incurred or damage sustained by such purchaser by reason of misrepresentation or fraud in the sale of any such goods, wares or merchandise.
7-100	<i>Pledged goods</i> means tangible personal property other than choses in action, title, securities, or printed evidences of indebtedness, which property is deposited with or otherwise actually delivered into the possession of a pawnbroker in the course of his business in connection with a pawn transaction
7-168(a)	(a) It shall be unlawful for any person to create, establish, operate, maintain or otherwise be engaged in the business of operating an outdoor café, or to place any items upon the sidewalks or public property, in the city unless he shall hold a currently valid permit issued under the terms of this article.
7-171(a)(1)	(a)(1) Place any items for sale or other equipment, tables or chairs on any portion of the public property other than that directly in front of his existing place of business. In no event shall such items be placed in the landscaped areas.
7-173(c)	(c) <i>Appeals.</i> The permittee shall have the right to appeal the decision of the administrator to the city manager within five (5) working days from receipt of notice. An appeal does not stay the denial, suspension, or revocation of the permit. The hearing shall be held within two (2) working days from the date of notice of the request, if the city manager is available or as soon thereafter as the city manager shall be available. The permittee or applicant may be represented by an attorney and may present witnesses, affidavits and any relevant documentary evidence. Formal rules of evidence shall not apply. The city manager shall notify the permittee or applicant of the determination in writing. The city manager shall have the discretion to designate the duties of this section to an experienced hearing officer. The decision of the city manager or his designated hearing officer shall be final.
7-190(d)	<i>Signature.</i> A person who seeks an adult entertainment establishment employee license under this section shall sign the application for a license. If a person who seeks an adult entertainment establishment license under this section is an individual, he shall sign the application for a license as applicant. If a person who seeks an adult entertainment establishment license is other than an individual, each person with an influential interest in the adult entertainment establishment or in a legal entity that controls the adult entertainment establishment shall sign the application for a license as applicant. Each applicant must be qualified under this article and each applicant shall be considered a licensee if a license is granted.
10-32	When the taxes and assessments or any portion of the taxes and assessments charged against any property or person on the duplicate for the current fiscal year are not paid before the sixteenth day of January or thirty (30) days after the mailing of the tax notices, whichever occurs later, the county auditor shall add a penalty of three (3) percent of the county duplicate, and the county treasurer shall collect the penalty. If the taxes, assessments and penalty are not paid

	<p>before the second day of the next February, an additional penalty of seven (7) percent must be added by the county auditor on the county duplicate and collected by the county treasurer. If the taxes, assessments and penalties are not paid before the seventeenth day of the next March, an additional penalty of five (5) percent must be added by the county auditor on the county duplicate and collected by the county treasurer. If the taxes, assessments and penalties are not paid before the seventeenth day of March, the county treasurer shall issue his tax execution to the officer authorized and directed to collect delinquent taxes, assessments, penalties and costs for their collection as provided in Chapter 51 S.C. Code, Title 12, and they must be collected as required by that chapter. The United States postmark is the determining date for mailed payments.</p>
<p>10-33</p>	<p>After the county treasurer issues his execution against a defaulting taxpayer in his jurisdiction, as provided in section 10-32, signed by him or his agent in the official capacity, directed to the officer authorized to collect delinquent taxes, assessments, penalties and costs, requiring him to levy the execution by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes, assessments, penalties and costs, the officer to which the execution is directed shall:</p> <p>(1) On April first or as soon thereafter as practicable, mail a notice of delinquent property taxes, penalties, assessments and costs to the owner of record at the best address available which is either the address shown on the deed conveying the property to him, the property address or such other corrected or forwarding address that the owner of record has filed with the appropriate tax authority and to a known grantee of the delinquent taxpayer of the property on which the delinquency exists. The notice must specify that if the taxes, penalties, assessments and costs are not paid, the property must be advertised and sold to satisfy the delinquency.</p>
<p>10-35</p>	<p>The successful bidder at the delinquent tax sale shall pay legal tender to the person officially charged with the collection of delinquent taxes in full amount of the bid on the day of the sale. Upon payment, the person officially charged with the collection of delinquent taxes shall furnish the purchaser a receipt for the purchase money and attach a copy of the receipt to the execution with the endorsement of his actions which must be retained by him. Expenses of the sale must be paid first, and the balance of all delinquent tax must be turned over to the treasurer. All other monies received, including any excess due the defaulting taxpayer after payment of delinquent taxes, assessments, penalties and cost, must be retained, paid out, and accounted for by the delinquent tax collector.</p>
<p>10-38</p>	<p>The defaulting taxpayer, any grantee from the owner, or any mortgage or judgment creditor may, within twelve (12) months from the date of such delinquent tax sale, redeem each item of real estate by paying, to the person officially charged with the collection of delinquent taxes, taxes, penalties and costs, together with eight (8) percent interest on the whole amount of the</p>

	delinquent tax sale bid. If, prior to the expiration of the redemption period, the purchaser assigns his interest in any real property purchased at a delinquent tax sale, the grantee from the successful bidder shall furnish the person officially charged with the collection of delinquent taxes a conveyance, witnessed and notarized. The person officially charged with the collection of delinquent taxes shall replace the successful bidder's name and address with the grantee's name and address in the delinquent tax sale book.
10-40	For personal property, there shall be no redemption period subsequent to the time that such property is struck off to the successful purchaser at the delinquent tax sale. Upon payment therefor by the successful purchaser and delivery of the duplicate warrant (i.e. tax receipt) with description thereof and notation thereon by the person officially charged with the collection of delinquent taxes, he shall deliver to the successful purchaser the following form properly executed which is his bill of sale and right of possession: "Sold to _____ at Delinquent Tax Sale on _____ (date) _____ who is the successful purchaser of personal property sold for delinquent taxes.
10-46	A county and municipality may contract for the collection of municipal taxes by the county. When by contract a tax due a municipality is to be collected by the county, the provisions of this chapter are exercisable by the county official charged with the collection of the delinquent taxes. He may employ, appoint or designate others to perform or carry out the provisions of this chapter.
10-52(6)	<i>(6) Gifts and rebates.</i> The purchasing agent and every officer and employee of the city are expressly prohibited from accepting any valuable gift, whether in the form of service, loan, thing or promise that may tend to unduly and improperly influence him in the discharge of his duties or grant in the discharge of his duties.
10-54(1)	<i>(1) Bid bonds for sealed bids.</i> When deemed necessary, bid bonds will be prescribed in the public notices inviting sealed bids. Upon entering into a contract, bidders will be entitled to return of the bid bond. A successful bidder shall forfeit any bid deposit required upon failure on his part to enter into a contract within the working days specified after the award; provided, however, that the city, in its sole discretion, may waive this forfeiture.
11-9(6)(b), (d)	<i>(6)(b)</i> The entity seeking to dispose of the debris has obtained a site inspection from the city manager or his designee, site approval from the city manager or his designee and has complied with all safety precautions required by the city manager or his designee. ** ** <i>(d)</i> Burning shall only be conducted when safe to do so as determined by the city manager or his designee.
12-1(b)	<i>(b)</i> Any person who creates a common nuisance shall be guilty of a misdemeanor. The city manager or his designee may cause to be abated any common nuisance. This section shall be cumulative in effect and shall not be construed to repeal any existing ordinances in regard to nuisances.
12-3	<i>(a)</i> Whenever it is made to appear to the city manager or his designee after investigation that any acts, occurrences or conditions constitute a nuisance, the

	<p>city manager or his designee may, by order in writing, direct any nuisance affecting the sanitary condition of the city or the public health of the occupant or person having the care or custody of the particular property involved, if he is found upon the premises or within the city, or may be delivered by mail or posted in a conspicuous place upon the premises.</p> <p>(b) Within ten (10) days after the mailing, serving or posting of notice to him, the owner and/or occupant of the property may make written request to the city council for a hearing before that body to show that the condition does not constitute a public nuisance. The hearing shall be held at the next scheduled meeting of the city council. At the hearing, the city manager or his designee and the property owner and/or occupant may introduce such evidence as deemed necessary.</p> <p>(c) Ten (10) days after mailing, serving or posting of the notice, if no hearing has been requested and the condition described in the notice has not been remedied, the city manager or his designee shall cause the condition to be remedied by the city at the expense of the property owner and/or occupant. If a hearing has been held and has concluded adversely to the property owner and/or occupant, the city manager or his designee may cause the condition to be remedied by the city at the expense of the property owner and/or occupant unless the city council otherwise directs.</p> <p>(d) After causing the condition to be remedied, the city manager or his designee shall certify to the director of finance the expenses incurred in remedying the situation, whereupon the expenses, plus a charge equal to one hundred (100) percent of expenses to cover city administrative expenses, shall become payable within thirty (30) days. Upon failure to make payment within thirty (30) days, a lien shall be placed upon the real value of the property which shall be payable with interest at the rate of ten (10) percent per annum from the date of certification until paid. The lien shall be enforceable in the same manner as a tax lien in favor of the city and may be satisfied at any time by payment thereof, including accrued interest.</p>
12-22	<p>(a) The city manager or his designee, annually or near the commencement of the growing season, shall notify, by general publication in a newspaper of general circulation or by such newsletters as the city may cause to be published, all such owners, persons in control or agents to cut, destroy or remove any such weeds, grass, growth or matter found growing or located on such property and to remove any trash, litter or debris.</p> <p>(b) Upon the failure, neglect or refusal of any such owner, occupant or person having care and custody to cut, destroy or remove any such weeds, grasses, overgrowth, trash, debris, etc., the city manager or his designee may, by order in writing, direct that such condition be abated. The order may be served upon the owner, occupant or person having care and custody of the property</p>

	involved, if such person is found upon the premises or within the city, or may be delivered by certified mail.
12-23	Within fifteen (15) days after serving, mailing or posting of notice to him , and upon the failure, neglect or refusal of any such owner or person having care and custody so notified to cut, destroy or remove any such weeds, grass, growth or other debris, the city or its authorized agent shall cut, destroy or remove any weeds, grass, growth, trash, debris or other matter, and any expense incurred by the city or its authorized agent in doing so shall be charged against the property owner, occupant or person having care and custody so failing, which charge may be recovered
12-24	After causing the condition to be remedied, the city manager or his designee shall certify to the director of finance the expenses incurred in remedying the condition, whereupon such expense, plus a charge equal to one hundred (100) percent of the expense to cover city administrative expenses, plus advertising costs, shall become payable within thirty (30) days, after which a lien will be placed upon the real property which shall be payable with interest at a rate of ten (10) percent per annum from the date of the certification until paid.
12-41(e)	Violation of this section shall be a misdemeanor punishable by fine or imprisonment, or both; provided, however, that no person controlling privately owned property shall be criminally liable for the abandonment of motor vehicles thereupon by others if he shall assist the duly designated officials and agents of the city in disposing of the vehicle in the manner prescribed by this section.
12-43(1)c.	No lienholder shall be subject to any penalty imposed by law in this state for abandonment unless the vehicle is abandoned by the lienholder or his agent or servant. No owner of a vehicle which has been stolen and thereafter abandoned, as defined by this article, shall be liable for any charges or penalties imposed herein. A vehicle shall be deemed to be stolen when the owner notifies a police officer of this state, and such report is accepted and carried on the records of the sheriff or chief of police as a stolen vehicle.
12-50	<i>Owner.</i> Any person, firm, corporation or other legal entity, who individually or jointly or severally with others, holds the legal or beneficial title to any building, facilities, equipment or premises subject to the provisions of this chapter. The term shall include the owner's duly authorized agent, a purchaser, devisee, fiduciary, property holder, or any other person, firm, corporation or legal entity having a vested or contingent interest, or in the case of a leased premise, the legal holder of the lease, or his legal representative. It is intended that this term shall be construed as applicable to the person, firm, corporation, or legal entity responsible for the construction, maintenance and operation of the building, facilities or premises involved
12-94 First para.	A public officer is authorized to determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling that are dangerous or injurious to the health, safety or morals of the occupants of such dwelling or the occupants of neighboring dwellings or other residents of such municipality. Such

	<p>conditions may include, but are not limited to defects therein increasing the hazards of fire, accident or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness; failure to comply with the maintenance and upkeep requirements of the most current applicable codes adopted by the city, or other such state required locally adopted code that shall provide additional standards to guide the public officer, public authority or his agents in determining the fitness of a dwelling for human habitation.</p>
<p>12-95(4), (5)</p>	<p>(4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of the ordinances;</p> <p>(5) To delegate any of his functions and powers under the ordinances to such officers and agents as he may designate under authority of the manager; and</p>
<p>12-96</p>	<p>(a) <i>Investigation.</i> Acting on his inspection and own motion, or whenever a petition is filed with the public officer by at least three residents of the municipality charging that any dwelling is unfit for human habitation, the public officer shall investigate the existence of an unfit dwelling.</p> <p>(b) <i>Complaint and hearing.</i> If his preliminary investigation discloses a basis for such charges, he shall issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges in that respect, and containing a notice that a public hearing will be held before the public officer or his designated agent at a time and place therein fixed, to be held not less than ten (10) days nor more than thirty (30) days after the date of the complaint. The public hearing will be conducted at the time and place therein fixed, unless the owner or parties in interest request a continuance, provided however, only one continuance may be extended upon good cause shown, and the extension may not exceed fifteen (15) days. A copy of the public officer's complaint shall be filed in the Horry County Register of Deeds by the city attorney. Such filing of the complaint or order shall have the same force and effect as other lis pendens or lien notices provided by law</p> <p>(d) <i>Official's order.</i> After the hearing, if the public officer determines that no just cause has been shown as to why the dwelling should remain unfit and in disrepair, and further that the dwelling under consideration is unfit for human habitation due to its unfitness and disrepair, he shall state in writing his findings of fact in support of such determination</p>
<p>12-96(d)</p>	<p>(d) <i>Official's order.</i> After the hearing, if the public officer determines that no just cause has been shown as to why the dwelling should remain unfit and in disrepair, and further that the dwelling under consideration is unfit for human habitation due to its unfitness and disrepair, he shall state in writing his findings of fact in support of such determination.</p> <p>** **</p>

	<p>He shall issue and cause to be served upon the owner thereof an order regarding the property. A copy of the public officer's order shall be filed in the Horry County Register of Deeds by the city attorney.</p>
<p>12-97</p>	<p>(a)(4) There exist facts and circumstances that lead the affiant to believe, based upon his education, training or experience, that code violations exist that could impact fire laws, or could pose imminent danger to the occupant;</p>
<p>12-98(c), (e)</p>	<p>(c) The nuisance appeals board shall at its first meeting elect one of its members to serve as chairman. To the maximum extent possible, the proceedings of the board shall be in accordance with the provisions set forth in this article.</p> <p>**</p> <p>(e) Show cause hearing. At the show cause hearing, the public officer shall present his case to the nuisance appeals board to issue its order to cause such unrepaired dwelling to be removed or demolished; and the owner or parties in interest shall be given the right to present evidence and testimony to show cause why the property should not be demolished or repaired, or other such facts for the board's consideration. Parties have the right to be provided written notice of this hearing, the right to be represented by counsel, the right to present testimony and evidence and the right to cross-examine witnesses. The proceedings will be recorded. These proceedings will not be conducted under the strict application of the rules of evidence. The board may allow a brief introductory statement by both parties. The person seeking the closing and securing, repair or demolition may then present testimony, exhibits or witnesses, who shall then be subject to cross-examination. The person opposing the closing and securing, repair or demolition may then present testimony, exhibits or witnesses, who shall then be subject to cross-examination. All witnesses are to be sworn by the board. Any exhibits for this body to consider must be marked by the clerk. Objections to testimony and evidence may be made to preserve the record. Testimony and exhibits may be accepted either with no objection or over objection. Individual board members may direct questions to any sworn witness. The board may permit the parties to make brief closing remarks.</p>
<p>12-101(b)</p>	<p><i>Appeal of assessment.</i> When served with the notice of assessment, the owner or parties in interest may make a written demand to the manager for a hearing to review the cost of the abatement. This appeal stays the action for foreclosure of the lien until such time as the matter is heard and decided by the manager, or his designee. The appeal of the assessment must be received by the manager within fifteen (15) business days of the date of the notice. The written demand shall include a contact number, either phone or facsimile in order for the person to be informed of the hearing location, date and time. The decision of the manager is final, and shall be delivered orally and in writing to the appellant on the date of the hearing. Failure to timely appeal the assessment constitutes a waiver of the right to appeal the assessment of costs. The manager shall have discretion to waive the administrative fee or the public cost of abating a nuisance, in whole or</p>

	in part, if, in the course of the hearing reviewing the decision, the manager finds that justice and equity require such waiver or that any of the following did not conform to the provisions of this article
12-105	If a dwelling is removed or demolished by a public officer, he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.
12-106	Except as may otherwise be provided by statute or local law or ordinance, no officer, agent or employee of the municipality charged with the enforcement of this article shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this article. No person who institutes, or assists in the prosecution of, a criminal proceeding under this article shall be liable for damages hereunder unless he acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any suit brought against any officer, agent, or employee of the municipality, as a result of any act required or permitted in the discharge of his duties under this article, shall be defended by the legal representative of the municipality until the final determination of proceedings therein.
13-24	<i>Owner:</i> The person in who is vested the fee ownership, dominion, or title of property. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.
13-83(b)	(b) It is unlawful for any person to continue the operation of any such illicit connection regardless of whether the connection was permissible when constructed. Improper connections in violation of this article must be disconnected and redirected, if necessary, to the satisfaction of the city engineer or his designee and any other federal, state, or local agencies or departments regulating the discharge. (e)(1) Unpolluted industrial cooling water, but only under the authorization and direction of the city engineer or his designee and appropriate NPDES permit
13-113	The city council hereby establishes a stormwater management utility (utility) to carry out the purposes, functions and responsibilities herein set forth. The city manager or his designee shall administer the utility, which shall have the powers, and duties hereinafter set out, which powers and duties are not necessarily exclusive to the utility:
13-120	Any utility customer, real property owner or other person aggrieved by the amount of utility fee charged with respect to property, or by any other matter arising out of the operation of the utility, may appeal by filing a written explanation of the grounds of the appeal with the city manager, or his designee, within thirty (30) days of the date of the notification of the fee. A decision shall be rendered in writing within twenty (20) days after receipt of the written appeal.

	Any person aggrieved by an adverse decision may appeal that decision by written request to the city council. Any person aggrieved by, an adverse decision of the city council may appeal that decision to the court of common pleas within thirty (30) days of receipt of such decision.
13-121(a)	(a) The city manager or his designee shall be the enforcement officer(s) for the provisions of this article.
15-25	It shall be unlawful for any person to damage, deface, or tamper with any part of the waterworks system. No person shall connect or turn on any water service or tap or make any alterations to any main or distribution pipe of the city's water system or in any way interfere with or molest any of the wells, reservoirs, basins or water in the same, or permit any connection or tapping to be made to the city's water system or his premises or the premises occupied by him or knowingly use city water from unauthorized connections. It shall be unlawful for any person, except an authorized agent of the city, to remove or undertake to repair the water meters or fixtures of the city. It shall further be unlawful for any person to make any reconnection of service when it has been discontinued for violation of this article. This section shall not apply to disconnections and reconnections of water service by a customer or an authorized agent of the customer for purposes of winterizing the building or in an emergency situation.
15-47	<p>No water service connection to any premises shall be installed or maintained unless the water supply is protected as required by state laws and regulations and this chapter of the City Code of Ordinances as amended. In installation where conditions as prescribed by state laws and regulations required backflow prevention, the city shall require the customer to install at his own expense cross-connection control devices in the category required by state law.</p> <p>Where cross-connection protection devices in the various categories are required, the customer is required to perform or cause to be performed inspections and operational tests on a schedule to be determined by the city. These tests shall be performed by the customer or his agent at the customer's expense at least once per year. These tests and inspections must be performed by a person duly certified in the appropriate category by the South Carolina Department of Health and Environmental Control to perform such tests.</p> <p>The city will notify the customer in writing informing him that within thirty (30) days he must provide proof, on an approved format, that the inspection and testing have been accomplished. The customer is required to notify the city at least three (3) working days in advance of exactly where and when the inspection and testing are to be performed. The city may elect to witness the test.</p>
15-65	All metered accounts will be read monthly and billed monthly to the customer. If a bill is not paid in its entirety within twenty-one (21) days of billing date, a penalty of ten (10) per cent shall be added; (this is to be applied to the sewer portion also) and if any bill shall remain unpaid for more than forty-five (45) days from billing date, all service shall be forthwith discontinued until said customer shall have paid his past-due account and a disconnection and

	reconnection fee of twenty-five dollars (\$25.00) during normal working hours and fifty dollars (\$50.00) on weekends and after hours, plus monthly charges.															
15-72	It is the intent of the adjustment procedure to allow reasonable administrative leeway in order to make fair adjustments and promote good public relations and customer confidence and satisfaction. In the event of unusual circumstances not covered by this section, an appeal can be made to the city manager or his designee for final decision on adjustments															
15-90 table (5)	<ul style="list-style-type: none"> Where: <p>Expand</p> <table border="1" data-bbox="516 632 1414 898"> <tr> <td>EF</td> <td>=</td> <td>Extension fee.</td> </tr> <tr> <td>CE</td> <td>=</td> <td>Cost of extension of water distribution system.</td> </tr> <tr> <td>DERU</td> <td>=</td> <td>Water capacity required by development expressed as ERU's.</td> </tr> <tr> <td>TERU</td> <td>=</td> <td>Total capacity of extended water distribution system as determined by city manager or his designee, expressed in ERU's.</td> </tr> <tr> <td>ERU</td> <td>=</td> <td>Equivalent residential unit. The equivalent number of structures which equal a single-family detached unit.</td> </tr> </table> <p>When an owner or developer desires to have a water extension constructed in accordance with the terms of this section, he/they shall execute an agreement with the city which shall have the following provisions:</p>	EF	=	Extension fee.	CE	=	Cost of extension of water distribution system.	DERU	=	Water capacity required by development expressed as ERU's.	TERU	=	Total capacity of extended water distribution system as determined by city manager or his designee, expressed in ERU's.	ERU	=	Equivalent residential unit. The equivalent number of structures which equal a single-family detached unit.
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15-93(b)	<i>(b) Designation of water system drought response representative.</i> Administrating a drought plan requires the skills needed to undertake a comprehensive public information program and the judgment required to deal with equity issues arising from enforcement of a mandatory program. Someone who has these skills will be selected by the water system to manage the water system's program and serve as the principal contact for the news media as the water system's drought response representative. The drought response representative for the City of North Myrtle Beach shall be city engineer/public works director or his designee. Contact: City Engineer/Public Works Director, City of North Myrtle Beach, 1018 Second Avenue South, North Myrtle Beach, SC 29582; Phone: 843-280-5500, Fax: 843-280-5521															
15-141	All existing boarding houses, cafes, restaurants, hotels, motels or food preparation establishments shall install a grease trap on the kitchen waste line within one hundred twenty (120) days of written notice by the city. New construction shall comply with this ordinance at the time of construction. The grease traps must precede the septic tank on the kitchen waste line if a septic tank is used. The grease trap shall be designed in accordance with current engineering standards and shall be accessible for cleaning. Grease traps will be installed on the outside of buildings and must have a minimum capacity of one thousand (1,000) gallons. For food service establishments with less than fifty (50)															

seats, the utility superintendent or his designee may permit under sink grease traps provided such units are properly designed and sized for the particular application. Grease traps shall be cleaned periodically by the owner or operator of the facility. Failure to make periodic cleaning which results in a stoppage of the city's sewer system shall constitute a misdemeanor. If city employees are required to clean out the city sewer lines as a result of a stoppage due to clogged grease traps, the property owner or operator shall be further required to pay the costs of city labor and materials required to clean out the lines.

15-180 table (5)

- Where:

Expand

EF	=	Extension fee.
CE	=	Cost of extension of sewer distribution system.
DERU	=	Sewer capacity required by development expressed as ERU's.
TERU	=	Total capacity of extended sewer distribution system as determined by city manager or his designee, expressed in ERU's.
ERU	=	Equivalent residential unit. The equivalent number of structures which equal a single-family detached unit.

When an owner or developer desires to have a sewer extension constructed in accordance with the terms of this section, he/they shall execute an agreement with the city which shall have the following provisions:

15-183(d)(1)

(d) For any structure or facility not specified above, the equivalent residential unit factor shall be computed by the city manager or his designee by making an engineering determination of the capacity impact of the connection based upon peak monthly water usage of the type of use divided by nine thousand five hundred (9,500) gallons per month to yield the number of equivalent residential units corresponding to the connection; or by any other method which yields an accurate measure of the capacity impact of the subject connection.

(1) For capital recovery fees calculated under this subsection, the person seeking connection may, at his option, execute an agreement to have the fees recalculated after a twenty-four-month period. Such recalculation shall be based upon the peak monthly water usage during that period divided by nine thousand five hundred (9,500) gallons to yield the number of equivalent residential units. If the ERU's are less than the projected calculations, then the person seeking connection shall be entitled to a refund of the difference. If the calculation exceeds the projected calculation, then the difference shall be paid

	to the city. Failure to pay the difference to the city shall result in disconnection of water and sewer service.
16-3	<p>(c) It shall be unlawful for any person to interfere with, or hinder, obstruct, impair or impede any public official, public employee, fireman, law enforcement officer, or law enforcement animal while attempting to act or acting in the course and scope of the discharge of his official duty.</p> <p>(d) It shall be unlawful for any person to threaten violence, reprisal, or any other injurious act to any public official, public employee, fireman or law enforcement officer who is engaged in the performance of his or her official duties, or to make such a threat by reason or on account of the performance or attempted performance of his or her official duties.</p> <p>(e) It shall be unlawful for any person to give an assumed or fictitious name, or a false place of residence or address, or any other than his true name and the true place of his residence or address upon the request of a law enforcement officer during the course of an interview or investigation or when given a written or oral notice by any such officer to appear before any court to answer for an offense against any laws of this state or nation, or any ordinance of the city.</p>
16-10	Except participants engaged in sporting events, entertainment events and/or exhibition events such as boxing, kick boxing, wrestling, karate, etc. who have received any required state or federal permits or licenses and who have received written exemption from the provisions of this section from the city manager or his designee or participants in any school sporting event or class instruction event, it shall be unlawful for any person to engage or offer to engage by challenge or otherwise in mutual combat.
16-34	Any person who, without legal cause or good excuse, enters into the dwelling house, place of business, or on the premises of another person after having been warned not to do so or any person who, having entered into the dwelling house, place of business, or on the premises of another person without having been warned fails and refuses, without good cause or good excuse, to leave immediately upon being ordered or requested to do so by the person in possession or his agent or representative shall, on conviction, be fined not more than two hundred dollars (\$200.00) or imprisoned for not more than thirty (30) days.
16-51(c)	<i>(c) Presumptions from concealment of unpurchased goods.</i> It is permissible to infer that any person willfully concealing unpurchased goods or merchandise of any store or other mercantile establishment either on the premises or outside the premises of the store has concealed the article with the intention of converting it to his own use without paying the purchase price thereof within the meaning of § 16-51(a) . It is also permission to infer that the finding of the unpurchased goods

	<p>or merchandise concealed upon the person or among the belongings of the person is evidence of wilful concealment. If the person conceals or causes to be concealed the unpurchased goods or merchandise upon the person or among the belongings of another, it is also permissible to infer that the person so concealing such goods wilfully concealed them with the intention of converting them to his own use without paying the purchase price thereof within the meaning of § 16-51(a).</p>
16-55(a)(2)	<p>Any distribution, sale or barter of each individual laser pointer or device must be accompanied by the written warnings of use as required herein, and a signed customer receipt that the warnings of use have been provided in conjunction with the distribution, sale or barter. After verifying the adult status of the customer, the merchant shall require the customer to affix his signature under the legible printed name affirming that the warning has been provided and read</p>
18-2(f)	<p><i>(f) Forfeiture of office.</i> Failure to attend three (3) consecutive regular and/or special meetings, or failure to attend four (4) consecutive workshops, shall be considered automatic forfeiture of membership on the planning commission, except if said meetings or workshops occur within a period of thirty (30) days. Upon such forfeiture, forfeiture by other means, or other vacancies occurring in office, the chairman shall inform the city council as promptly as possible, so that the city council may appoint a replacement to fill out the unexpired term.</p>
18-3(a), (b)	<p>(a) The planning commission shall annually, at the first regular meeting in January, elect a chairman and a vice-chairman who shall be acting chairman in the absence of the chairman.</p> <p>(b) The chairman, or in such officer's absence, the vice-chairman, shall preside at all meetings and hearings of the commission and decide all points of order and procedure. The chairman, with the consent of the commission, shall appoint any committees that may be required or be found necessary.</p>
18-4(a), (b)	<p>(a) <i>Regular meetings.</i> The regular meetings of the commission shall be held at the call of the chairman and such times as the chairman or commission may determine. Rules governing the conduct of commission meetings shall be as stated in section 18-5(b).</p> <p>(b) <i>Special meetings.</i> Special meetings may be called by the chairman and at such times as a majority of the commission determines, provided that at least twenty-four (24) hours' notice of such meeting is given each member, news media and general public.</p>
18-6	<p>Neither the secretary nor any member of the commission, shall appear for or represent any person in any matter pending before the commission. No member of the commission shall hear or vote on a matter, which would substantially affect directly his personal financial interest or those of a member of his household, or business with which he is associated</p>

<p>19-58(f)(1)</p>	<p>(f) <i>Officers, regulations, and proceedings.</i> The tree city board shall elect a chairman. The tree city board shall make its own rules and regulations above and beyond those listed herein, shall keep minutes of its meetings, shall keep records of its activities through correspondence, photographs, articles, and written summaries, and shall keep accurate and current financial records.</p> <p>(1) Chairman. The chairman shall be elected by members of the tree city board and shall serve a term of one (1) year. The chairman may serve no more than four (4) consecutive years. The chairman shall be responsible for setting each meeting's agenda and for conducting the meetings. In the absence of the chairman, the chairman shall appoint a member to carry out the responsibilities of chairman.</p>
<p>19-62(e)(1)</p>	<p>(1) <i>Citizen requests.</i> A tree removal permit shall be required for anyone wishing to remove a tree on public property. The removal of trees on public property shall be the responsibility of the public grounds superintendent or his designee. The costs of the removal of trees in response to citizen requests will be charged to the citizen requesting the removal, unless, upon determination of the public grounds superintendent or tree city board, the removal is deemed to be in the best interest of the public.</p>
<p>20-14 definitions</p>	<p><i>Applicant:</i> The owner of land proposed to be subdivided or his representative.</p> <p><i>Easement:</i> Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property</p>
<p>20-30</p>	<p>Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdivider or his authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the following procedures:</p>
<p>21-21.1(b)</p>	<p>(b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.</p>
<p>21-38</p>	<p>No person shall allow, permit or suffer any vehicle registered in his name, or which he has leased or rented from another person, to stand or park in any street in this city in violation of any of the ordinances of this city or this state regulating the standing or parking of vehicles</p>
<p>21-42</p>	<ul style="list-style-type: none"> • Except for violations of state law, all municipal parking violations established under this article shall be subject to a civil fine in the amount of twenty-five dollars (\$25.00) and not subject to criminal penalties, except as otherwise provided herein or as mandated by the general laws of the state. In the event a violator fails to pay the fine within thirty (30) days of the issuance of the citation, the city may

	<p>invoke any remedy permitted by law for debt collection. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increase in the twenty-five dollar (\$25.00) fine assessed. On the thirtieth day after issuance of the citation for a parking violation and the fine remains unpaid, the fine shall increase to seventy-five dollars (\$75.00). In addition, the vehicle may be subject to impoundment or immobilization as authorized in section 21-33.</p>
<p>22-33</p>	<p><i>Legal repossession</i> means the act of a creditor or his duly authorized agent under contract to take possession of a vehicle under a security agreement by a lienholder</p>
<p>22-35(g), (t)</p>	<p>(g) A separate rotation list shall be maintained for heavy-duty wreckers. Where the services of a heavy-duty wrecker are needed and where the vehicle owner or driver has no preference as to which wrecker service he desires, a heavy-duty wrecker shall be called from the heavy-duty rotation list. All policies, procedures, rules and regulations shall apply to the heavy-duty wrecker rotation list with the exception of the two-mile location requirement.</p> <p>** ** *</p> <p>(t) All towed vehicles will be towed to the impound lot located at the individual wrecker service with the exception of seized vehicles, abandoned vehicles, or vehicles needed for investigative processing. The wrecker service shall maintain a safe storage area for all vehicles towed. This may be a locked building or a secured fenced-in area where the stored vehicles and other property shall not be accessible to the public. The storage facility shall be large enough to accommodate twelve (12) vehicles at any given time. No vehicle shall be towed to another storage area by a wrecker service without the prior knowledge and consent of the vehicle owner or his agent.</p>
<p>22-46(b)</p>	<p>As to nonconsensual towing and towing directed by law enforcement, notwithstanding the above, the tow truck operator will permit the vehicle owner to remove at all times health and human care related devices such as car seats, strollers, walkers, crutches and the like, medications, prescriptions, personal handbags and personal and identity papers from the vehicle without charge and without regard to any towing or storage charge owed on the vehicle. If the tow truck operator has removed this personal property from the vehicle, he will return it to the vehicle owner when requested, without charge and without regard to any towing or storage charge owed on the vehicle.</p>
<p>23-22(5)(a)3.c.</p>	<p>In cases where there is a change of use in an existing building from some other use to restaurant, the zoning administrator shall evaluate the site on a case-by-case basis to determine if there is room to provide on-site parking. If there is he may require any number and combination of vehicular, bicycle, and golf cart</p>

	<p>parking stalls to be provided as a condition for issuance of the permit. For purposes of this section, a bicycle stall shall mean a space in a standard bicycle rack specifically designed for the temporary parking and securing of bicycles. A golf cart space shall have a dimension not less than six (6) feet wide by ten (10) feet deep, and shall be identified as "golf cart parking only" via small informational signage.</p>
<p>23-36(4)(b)11.b., e.</p>	<p>b. The building inspector may order the repair or removal of any such signs that are not maintained in a safe condition and in good repair in accordance with the provisions of this article. If the building inspector shall find that any sign is in violation of this subsection, then he shall give notice to the property owner specifying the location of the hazard or deteriorated sign, what needs to be done to render the sign safe and in good repair, and that in the event the same is not done by the owner that the city will remove the sign at the expense of the owner of the property upon which it is located. Service by registered or certified mail, return receipt requested. Service shall be deemed complete upon delivery; in the event the address of the person to be notified is unknown or the notice which has been mailed is returned, such notice may be served by posting the same on a conspicuous place on the premises on which the nuisance is located and by advertising said notice in the local newspaper, in which event service shall be deemed complete after the preceding is accomplished.</p> <p>** **</p> <p>e. The building inspector may, without notice, cause any unsafe or insecure sign to be immediately removed, if, in his opinion, the sign presents an immediate peril to life and limb.</p>
<p>23-38(j)</p>	<p><i>(j) Compliance guarantee.</i> The applicant shall acknowledge in writing his understanding of the performance standards applicable to his proposed business and shall submit an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this chapter and shall be treated accordingly.</p>
<p>23-67.2 (4)</p>	<p>The building inspector may, without notice, cause any unsafe or insecure sign to be immediately removed, if, in his opinion, the sign presents an immediate peril to life and limb.</p>
<p>23-129.3D(3)</p>	<p><i>Notice to repair.</i> Upon the failure, neglect or refusal of any such owner to correct the deficiencies identified by the zoning administrator, the city manager or his designee may, by order in writing, direct that such condition be abated. The order may be served upon the property owner personally or may be delivered by certified mail</p>
<p>23-145</p>	<p>An administrative official designated by the city manager shall administer and enforce this chapter. He may be provided with the assistance of such other persons as the city manager may direct. If the administrative official shall find that any of the provisions of this chapter are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or illegal additions, alterations or structural changes;</p>

	discontinuance of any illegal work being done; or shall take any other action authorized by this chapter to ensure compliance with or to prevent violation of its provisions
23-146 First para	No building, sign or other structure shall be erected, moved, added to or structurally altered without a permit therefor, issued by the administrative official. No buildings or sign permit shall be issued by the administrative official except in conformity with the provisions of this chapter, unless he receives a written order from the board of zoning appeals in the form of an administrative review, special exception or variance as provided by this chapter.
23-158	The board of zoning appeals shall elect a chairman and vice-chairman from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The board shall appoint the city clerk as the secretary to the board. The board shall adopt rules and by-laws in accordance with section 6-29-790 of the South Carolina Code of Laws. Meetings of the board must be held at the call of the chairman and at such other times as the board may determine. Public notice of all meetings of the board of appeals shall be provided by publication in a newspaper of general circulation in North Myrtle Beach. In cases involving variances or special exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one (1) such notice being visible from each public thoroughfare that abuts the property. The chairman or, in his or her absence, the vice-chairman , may administer oaths and compel the attendance of witness by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the board and must be a public record
23-160	An appeal stays all legal proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board, after the notice of appeal shall have been filed with him , that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.