

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: May 3, 2021

Agenda Item: 5D	Prepared by: Chris Noury, City Attorney
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: April 12, 2021
Subject: An ordinance to amend Section 16-49, Carrying Concealed or Unconcealed Weapons, to be consistent with the Code of Laws of SC Chapter 31- Firearms, Section 23-31-215, Issuance of Permits	Division: Legal

**Background:**

The Code of Laws of South Carolina §23-31-215 authorizes SLED to issue a permit to carry a concealed weapon to persons who qualify for a concealed weapons permit pursuant to the requirements of the above referenced section.

Section 16-49 of the Code of Ordinances for the City of North Myrtle Beach provides:

“It shall be unlawful for any person to carry, either concealed or not, any pistol, dirk, slingshot, metal buckler, razor, or other deadly weapon used for the infliction of injury to the person or property. Upon conviction thereof besides such penalty as may be imposed by the court, the defendant shall forfeit the weapon to the City.”

To make the City’s code section consistent with the aforementioned state code Section 23-31-215, the City’s code section should be amended as follows:

“**Except as authorized by Section 23-31-215 of the Code of Laws of South Carolina**, it shall be unlawful for any person to carry, either concealed or not, any pistol, dirk, slingshot, metal buckler, razor, or other deadly weapon used for the infliction of injury to the person or property. Upon conviction thereof besides such penalty as may be imposed by the court, the defendant shall forfeit the weapon to the City.”

**Recommended Action:**

Approve the ordinance on second reading

Reviewed by Division Head	Reviewed by City Manager	Reviewed by City Attorney
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Council Action:  
Motion By \_\_\_\_\_ 2<sup>nd</sup> By \_\_\_\_\_ To \_\_\_\_\_

AN ORDINANCE

AN ORDINANCE TO AMEND SECTION 16-49 OF THE CODE OF ORDINANCES FOR THE CITY OF NORTH MYRTLE BEACH AS FOLLOWS:

“Except as authorized by Section 23-31-215 of the Code of Laws of South Carolina, it shall be unlawful for any person to carry, either concealed or not, any pistol, dirk, slingshot, metal buckler, razor, or other deadly weapon used for the infliction of injury to the person or property. Upon conviction thereof besides such penalty as may be imposed by the court, the defendant shall forfeit the weapon to the City.”

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

**Section 1:** The ordinance is hereby approved.

**Section 2:** The ordinance shall be effective upon the date of passage.

DONE, RATIFIED AND PASSED, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Mayor Marilyn Hatley

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

FIRST READING: 4-19-2021

SECOND READING: 5-3-2021

REVIEWED:

\_\_\_\_\_  
City Manager

ORDINANCE: 21-16