

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: March 6, 2023

Agenda Item: 6C	Prepared by: Chris Noury, City Attorney
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: March 1, 2023
Subject: Amendments to Chapter 5, Beaches and Waterways, of the Code of Ordinances of North Myrtle Beach, South Carolina revising Section 5-18, Return of sand from coastal critical areas to beach and to add Section 5-19, Oceanfront walkways and decks	Division: Legal

The revision to Section 5-18 is as follows to update the language of the Section from “Coastal Council” to “Ocean and Coastal Resource Management Agency”:

Sec. 5-18. Return of sand from coastal critical areas to beach.

- (a) All persons wishing to relocate sand which has drifted onto their property from coastal critical areas must spread the sand on the beach near the base of the primary dunes. No sand placed on the beach shall be construed as altering a critical area line as it existed prior to the work.
- (b) The relocation of sand shall comply with all other requirements of the South Carolina DHEC – Coastal Council Ocean and Coastal Resource Management agency.

(Ord. of 12-13-82, §§ 1, 2)

Editor's note(s)—At the discretion of the editor, an ordinance of Dec. 13, 1983, has been codified as § 5-18.

Sec. 5-19. ~~Reserved.~~ Oceanfront walkways and decks.

- (a) Oceanfront Walkways, decks and dune crossovers may be allowed in accordance with South Carolina DHEC - Ocean and Coastal Resource Management (OCRM) guidelines, with the following additional requirements:
 - (1) All portions of a walkway or dune crossover shall be set back at least 5 (five) feet from all side property lines. Walkways shall not extend onto the active beach or beyond the seaward toe of the primary dune.
 - (2) Walkways and dune crossovers shall only be allowed to be constructed perpendicular to the shoreline at a 90-degree angle to the oceanfront property line, with the exception of required handicap access ramps .
 - (3) Decks, walkways, steps, seating areas, may be allowed seaward of the SCDHEC-OCRM baseline and shall be integrated into the walkway or dune crossover. No permanent roofed structures shall be allowed seaward of the SCDHEC-OCRM baseline.

Recommended Action:

Approve or deny the proposed ordinance on second reading

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, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED BY REVISING SECTION 5-18 AND SECTION 5-19 OF SAID CODE.

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

Sections 5-18 and 5-19. – Codes adopted by reference, be amended to read as follows (new matter underlined, deleted matter struck-through):

Sec. 5-18. Return of sand from coastal critical areas to beach.

- (a) All persons wishing to relocate sand which has drifted onto their property from coastal critical areas must spread the sand on the beach near the base of the primary dunes. No sand placed on the beach shall be construed as altering a critical area line as it existed prior to the work.
- (b) The relocation of sand shall comply with all other requirements of the South Carolina DHEC – Coastal Council Ocean and Coastal Resource Management agency.

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DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2023

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: 2.20.2023
SECOND READING: 3.06.2023

REVIEWED:

City Manager

ORDINANCE: 23-25