

**REQUEST FOR CITY COUNCIL CONSIDERATION**

Meeting Date: March 6, 2023

Agenda Item: 6E	Prepared for: Chris Noury, City Attorney
Agenda Section: Unfinished Business: Ordinance. Second Reading	Date: March 1, 2023
Subject: Amendment to Chapter 4, Animals and Fowl, of the North Myrtle Beach Code of Ordinances, South Carolina, revising Section 4-2 (b)	Division: Legal

**Background:**

These amendments are proposed to make the dates in Chapter 4 – Animals and Fowl, consistent with those in Chapter 5, Beaches and Waterways of the North Myrtle Beach Code of Ordinances. They extend public usage dates and times on the beach for dogs and are also for the sake of uniformity and ease to the public, in general.

Chapter 4, Section 4-2 (b) reads, “Allow any dog to be on the public beaches, whether leashed and under control or running at large from 9:00 a.m. to 5:00 p.m. during the period from May 15<sup>th</sup> through September 15<sup>th</sup> of each year.”

The proposed amendment would read, “Allow any dog to be on the public beaches, whether leashed and under control or running at large from ~~9:00~~ 10:00 a.m. to ~~5:00~~ 4:00 p.m. during the period from May 15<sup>th</sup> through ~~September 15<sup>th</sup>~~ Labor Day of each year.”

**Recommended Action:**

Approve or deny the proposed ordinance on second reading

Reviewed by City Manager		Reviewed by City Attorney
--------------------------	--	---------------------------

Council Action:  
Motion By \_\_\_\_\_ 2<sup>nd</sup> 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 4-2 OF SAID CODE.**

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

*Section 4-2. – Code adopted by reference, be amended to read as follows (new matter underlined, deleted matter struck-through):*

**Sec. 4-2. Animals running at large; removal of excretion from public property.**

It shall be unlawful for any person having charge, care, ownership, or control of any animal to:

- (a) Allow any animal to run at large and beyond the limits of the property or lots owned, leased, or occupied by such person.
- (b) Allow any dog to be on the public beaches, whether leashed and under control or running at large from ~~9:00~~ 10:00 a.m. to ~~5:00~~ 4:00 p.m. during the period from May 15~~th~~ through ~~September 15<sup>th</sup>~~ Labor Day of each year.
- (c) Fail to remove any of the animals' excretion deposited on the beach, boardwalk, dune crossover, public ways, recreational parks, or other public property.

All animals found unlawfully running at large within the city shall be taken into custody and impounded at the animal shelter.

(Code 1970, §§ 5-2, 5-20, 6-14; Ord. of 6-17-75; Ord. of 3-19-80; Ord. No. 88-29, 7-19-88; Ord. No. 98-05, § 1, 2-2-98)

State law reference(s)—Livestock at large, S.C. Code 1976, § 47-7-110.

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: 23-27