

COUNTY OF HORRY)
)
STATE OF SOUTH CAROLINA)

ORDINANCE 26-20

AN EMERGENCY ORDINANCE PROVIDING FOR THE PROHIBITION OF SHORTER TERM RENTALS AND AMUSEMENT TYPE ACTIVITIES DURING THIS TIME OF EMERGENCY.

WHEREAS, Horry County Council is empowered by section 4-9-130 of the South Carolina Code of Laws and Section 2-26 of the Horry County Code of Ordinances to adopt emergency ordinances, enacted by the affirmative vote of at least two-thirds of the members of council present, and effective immediately upon enactment without regard to any reading, public hearing, publication requirements, or public notice requirements, to meet public emergencies affecting life, health, safety or the property of the people; and

WHEREAS, due to the recognition that COVID-19 poses a significant public health threat for infectious disease spread to our residents and visitors, Council enacted emergency Ordinance 20-20 on March 14, 2020 declaring a localized State of Emergency for Horry County; and

WHEREAS, on March 25, 2020, Council enacted emergency Ordinance 25-20, providing for the conduct of public meetings by electronic means; and

WHEREAS, the County has taken these steps and others, following the lead of the President of the United States, the Governor of the State of South Carolina, the Centers for Disease Control and Prevention (“CDC”), the South Carolina Department of Health and Environmental Control, and other health agencies and authorities, to stem the tide of the spread of COVID-19 in Horry County; and

WHEREAS, despite those actions, the number of confirmed cases of COVID-19 has increased in Horry County, and Council believes that further steps are necessary in this regard to promote the public health and welfare of our residents and visitors, including suspending the rental and use of short-term rentals, hotels, and other overnight accommodations; and

WHEREAS, it is hereby determined that a public emergency affecting life, health, and safety continues to exist, and therefore, it is appropriate and necessary to conduct an emergency meeting in order to enact this emergency ordinance.

NOW, THEREFORE, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

1. PROHIBITION. All accommodations businesses in the unincorporated area of Horry County, including hotels, motels, condo hotels, rental properties, inclusive of private management companies and HOA’s, Airbnb, VRBO style lodging, public and private campgrounds and other overnight accommodations for 29 days or less, shall not accept new reservations for any period of time from 11:00 a.m., Saturday March 28, 2020 through April 30, 2020 (such time limit is subject to further modification).

Existing reservations made for a period beginning Friday, March 27, 2020 through April 30, 2020 will be rescheduled or canceled. Visitors currently checked in may remain until the end of their existing reservations, but such reservations shall not be extended.

Those units consistently occupied since March 1 are exempt, but rental occupancy may not be increased by others, including friends or family members. Also exempted are short-term rentals extended to Government, Hospital, Health Agency, Law Enforcement, Military and other Critical Personnel actively responding to the COVID-19 emergency.

All amusements designed to attract and accommodate visitors, are hereby ordered to close effective Friday, March 27, 2020, including but not limited to:

- Movie and live performance theaters.
- Miniature golf (not golf courses).
- Moped, and golf cart rental operations.
- Amusement parks and arcades.

Any violation of this Emergency Ordinance shall be punishable as provided in Sec. 1-8 Horry County Code of Ordinances and may result in business license revocation.

2. TERMINATION/EXPIRATION. This Ordinance will remain in effect for sixty (60) days unless sooner terminated by Resolution of County Council.

3. SEVERABILITY. If any Section, Subsection, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

4. CONFLICT WITH PRECEDING ORDINANCES. If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Sub-section or part shall be deemed repealed and no longer in effect.

6. EFFECTIVE DATE. This Ordinance shall become effective immediately.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this 26th day of March, 2020.

HORRY COUNTY COUNCIL

Johnny Gardner, Chairman
On behalf of the entire County Council

not
yes no present

- Johnny Gardner, Chairman
- Harold G. Worley, District 1
- Bill Howard, District 2
- Dennis DiSabato, District 3
- Gary Loftus, District 4
- Tyler Servant, District 5
- Cam Crawford, District 6
- Orton Bellamy, District 7
- Johnny Vaught, District 8
- W. Paul Prince, District 9
- Danny Hardee, District 10
- Al Allen, District 11

Attest:

Patricia S. Hartley, Clerk to Council