



March 31, 2021

CITY OF MYRTLE BEACH
OFFICE OF THE CITY MANAGER

Executive Order 14

**RESCINDING AND REPLACING PREVIOUS EXECUTIVE ORDERS
AND URGING USE OF FACE COVERINGS IN PUBLIC PLACES**

WHEREAS, the Nation, the State and the City of Myrtle Beach remain in a state of emergency due to the COVID-19 pandemic.

WHEREAS, taking preventative measures to control outbreaks minimizes the risk to the public, protects the health and safety of the city's residents, businesses and visitors, limits the spread of infection in our community and reduces the strain on local healthcare providers.

WHEREAS, one year into the global pandemic caused by COVID-19, the public fully understands the importance of health and safety protocols, including the use of face coverings. These health and safety protocols should continue until COVID-19 is contained.

WHEREAS, the City of Myrtle Beach is gravely aware that, here in Horry County, more than 500 people have died in the past year from COVID-19. Individual responsibility – to wear a face covering, to practice good sanitation, to limit contact and to observe health recommendations – is the key to reducing the spread of COVID-19 and to saving lives.

WHEREAS, although the vaccine is becoming more readily available, the CDC's guidelines for persons fully vaccinated recommends the continued use of face coverings in public; the CDC also recommends the use of face coverings for persons who are travelling.

WHEREAS, to protect, preserve, and promote the general health, safety and welfare and the peace and order of the community, the city will continue to monitor key indicators, metrics, and data used to assess the threat and impact from COVID-19 and will continue efforts to protect residents, businesses and visitors of the City from increased risk of exposure to COVID-19.

Now, therefore, be it ordered:

Section 1. Face Covering Required in City Government Buildings and Urged Elsewhere.

Subject to exceptions listed in Section 2, the city will continue to require face coverings in its city offices and governmental buildings.

Further, in recognition of the on-going health emergency, the City of Myrtle Beach strongly urges its residents, businesses and visitors to continue wearing face coverings for everyone's protection when in enclosed indoor spaces with non-family members and where safe social-distancing cannot be accomplished. The city also urges businesses to require face coverings for their staff members and customers if it is believed that the extra safety measure is necessary or if their staff and customers are requesting a continuation of face coverings for health and safety reasons.

Section 2. Exceptions to Face Covering Requirement.

The face covering requirement in Section 1 is not applicable to the following:

- a. Persons who are alone or with family members and are able to maintain six (6) feet separation between themselves and non-family members;
- b. A child who is two (2) years old or younger or a child whose parent, guardian, or responsible adult has been unable to place the face covering safely on the child's face;
- c. A person who is seeking to communicate with someone who is hearing-impaired in a manner that requires the mouth to be visible;
- d. A person with a physical, mental, or behavioral health condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove a face covering without assistance) that prevents wearing a face covering;
- e. A person whose religious beliefs prevent them from wearing a face covering;
- f. A person actively engaged in eating or drinking or obtaining a service that requires access to or visibility of the face;
- g. A person who is engaged in strenuous exercise or physical activity;
- h. A person who is voting or assisting with the administration of an election, although wearing a face covering is strongly encouraged;
- i. A person who must remove a face covering for purposes of identification or security screening or surveillance;
- j. A person who is incarcerated in a correctional institution or short-term detention facility, as governed by the rules and regulations of the applicable agency, institution or facility;
- k. Law Enforcement and other first responders when not practical or when engaged in a public safety matter; and
- l. A person for whom wearing a face covering would create a risk to the health or safety of the person due to their occupation, job function, or work assignment where wearing a face covering would be inconsistent with industry safety standards or protocols or federal, state, or local regulations or guidelines.

Section 3. Additional Temporary Signage Allowed Through April 30.

Notwithstanding other zoning regulations governing signs, additional temporary signage for the purpose of advertising the operational status of the business is allowed until May 1, 2021, with the following conditions:

- Temporary freestanding signage not to exceed thirty-two (32) square feet total, which may include banners, "A" frame signs, and temporary wall signage.
- Businesses offering take-out services may have up to four (4) temporary directional signs not to exceed four (4) square feet each.
- Any temporary signage may only be placed on the property in which the business is located unless such property has a zero front setback.
- Signs may not be placed in a public right of way unless the business has a zero lot line. In such cases the business may submit a site plan showing the placement of signage only on the adjacent sidewalk. The plan must maintain a minimum of 4 feet clear passage so as not to obstruct pedestrian use of the sidewalk. In such instances signage is limited to eight square feet in the public rights-of-way. Such cases must be specifically approved by the City Manager

and shall include an assumption of liability by the business for any claims arising from the placement of signage in the rights-of-way.

- Signage may not be attached to landscaping.
- Balloons are prohibited.
- Signs may not be placed in such a way to cause a sight hazard (subject to the City's sole determination).

Section 4. Modification of License Tax Payments.

The deadline for paying business license taxes is extended to June 30, 2021, so long as a complete application is received by the city's Business License Office on or before April 30, 2021, as well as payment of ten percent (10%) of the amount due. A "complete application" means a fully completed renewal application form and emergency payment plan request form, together with payment of at least ten percent (10%) of the amount due per the application, and signature on the application indicating an understanding that the balance due for the renewal must be paid by June 30, 2021, to avoid penalties.

Section 5. Violations: Civil Infraction.

A person who fails to comply with Sections 1 and 3 of this Order shall be guilty of a civil infraction, punishable by a fine of not more than \$100.00. Each violation of this Ordinance shall be considered a separate and distinct offense.

Section 6. Suspension of Contrary Local Provisions.

During the duration of the Civil Emergency, any City executive order, ordinance, resolution, motion or other provisions of the City Code that conflicts with the provisions of this Order shall be and is hereby suspended and superseded.

Section 7. Previous Executive Orders Rescinded

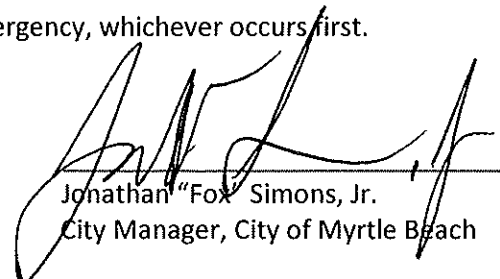
All executive orders issued by the City Manager since the onset of the COVID-19 pandemic, unless previously terminated, expired or rescinded, shall be rescinded upon the effective date of this Order.

Section 8. Severability.

Should any provision, section, paragraph, sentence or word of this Executive Order be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Executive Order shall remain in full force and effect.

Section 9. Effective Date and Time.

This Executive Order shall take effect on April 1, 2021, at 12:00 a.m. and shall remain in effect until rescinded or until the expiration of the Declaration of Civil Emergency, whichever occurs first.



Jonathan "Fox" Simons, Jr.
City Manager, City of Myrtle Beach