
1 **2019-33 (2ND READING): AN ORDINANCE TO AMEND CHAPTER 12, MOTOR VEHICLES**
2 **AND TRAFFIC, ARTICLE III, STOPPING, STANDING AND PARKING, DIVISION 1,**
3 **GENERALLY TO ADD PUBLIC UTILITIES TO THE LIST OF EXEMPTIONS FROM**
4 **METERED PAYMENT.**

5 **Applicant/Purpose:** Staff / to amend the Code to add public utilities to the list of exemptions from
6 metered payment.

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8 **Brief:**

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- 10 • This ordinance adds public utilities to the list of exemptions from metered parking.
 - 11 • Already exempted from meter parking are:
 - 12 ○ All commercial trucks while actually loading and unloading.
 - 13 ○ Vehicles bearing license plates or hang tags, or other publicly displaced permit issued
 - 14 by appropriate state authority indicating the operator is a disabled veteran, Purple
 - 15 Heart/Medal of Honor recipient or disabled person.
 - 16 ○ Jurors & witnesses who testify or are subpoenaed to testify in criminal cases in any
 - 17 court, while in attendance at court.
 - 18 ○ Emergency, fire law enforcement personnel & public employees in the performance
 - 19 of their duty.
 - 20 ○ Vehicles bearing a properly issued city decal pursuant to payment of ad-valorem
 - 21 taxes on the vehicle.
 - 22 ○ Vehicles that are actively being used in media or news coverage, gathering or
 - 23 reporting and display a press parking placard issued by the parking authority
 - 24 • “Public utilities” is defined as a publicly owned utility or private corporation subject to
 - 25 oversight by the SC Public Service Commission, & engaged in providing essential services to
 - 26 the public, such as electricity, natural gas, water, sewer, telephone, transportation, cable
 - 27 & data delivery.
 - 28 • No changes since 1st reading.

29 **Issues:**

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- 31 • Heretofore, public utilities have not been exempt from metered public parking.
 - 32 • Public utilities play an important role in the community, & allowing them parking access in
 - 33 performing their tasks is vital for the betterment of the community.
 - 34 • Access to parking allows these providers to respond quickly to maintenance issues, allows
 - 35 repairs to be more timely, & will provide a better overall level of service to the community
 - 36 if these providers are exempt from meter parking.

37 **Public Notification:** Normal meeting notification.

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39 **Alternatives:**

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- 41 • To modify the ordinance.
 - 42 • To deny the ordinance.

43 **Financial Impact:** A nominal loss in revenue from utilities not having to pay to park.

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45 **City Manager’s Recommendation:**

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- 47 • I recommend 1st reading (7/9/19).
 - 48 • I recommend approval (7/23/19).

49 **Attachment(s):** Proposed ordinance.

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND CHAPTER 12,
MOTOR VEHICLES AND TRAFFIC, ARTICLE
III, STOPPING, STANDING AND PARKING,
DIVISION 1, GENERALLY TO ADD PUBLIC
UTILITIES TO THE LIST OF EXEMPTIONS
FROM METERED PAYMENT

IT IS HEREBY ORDAINED THAT SECTION 12-134 IS AMENDED AS SHOWN BY
LANGUAGE BEING UNDERLINED.

Sec. 12-134. - Exemptions from metered payment.

- (a) All commercial trucks while actually loading and unloading are required to pull in to the curb without charge in metered spaces. Any commercial truck parked in a meter space longer than while actually loading and unloading will be in violation of the law. Provided however, where a center lane is available for temporary commercial parking for unloading or loading, commercial trucks shall utilize the center lane rather than the curb side.
- (b) Vehicles bearing license plates or hang tags, or other publicly displaced permit issued by appropriate state authority indicating that the operator is a disabled veteran, Purple Heart/Medal of Honor recipient or disabled person shall be exempt from the requirements of this division pertaining to tendering payment for parking. All other parking and meter regulations, including overtime parking prohibitions, shall apply to such operators.
- (c) Jurors and witnesses who testify or are subpoenaed to testify in criminal cases in any court, while in attendance at court, shall not be subject to parking meter requirements for deposit of coins or overtime parking, and parking meter citations certified by the municipal clerk of court, or municipal judge as exempt under this subsection shall be cancelled.
- (d) Emergency, fire law enforcement personnel and public employees in the performance of their duty and while in the course and scope of their employment.
- (e) Vehicles bearing a properly issued city decal pursuant to payment of ad-valorem taxes on the vehicle.
- (f) Vehicles that are actively being used in media or news coverage, gathering or reporting and display a press parking placard issued by the parking authority, subject to the following conditions:
 - (1) A conspicuously displayed press parking placard allows a member of the media to park in metered spaces while engaged in the course and scope of media coverage or event. The permit may be used at parking meters in lieu of depositing coins for the duration of the news coverage or event. A press parking placard does not exempt a member of the media from other parking restrictions such as yellow curbing, fire lanes, red zones, hydrants, crosswalks, bus zones, disabled parking zones or access ramps, commercial loading zones, taxi cab zones, no stopping or no parking zones, transit lanes and other tow-away zones under state or local law. The parking permit does not entitle the member of the media to enter a restricted area if such entry interferes with the duties of law enforcement or emergency personnel.

- 1 (2) In order to qualify, the media outlet must have the present ability to publicly broadcast
2 under the licensure and regulation of the Federal Communications Commission; or
3 have the ability to publish legal notices sufficient under state;
- 4 (3) The editor, news director, or other person of managerial or directorial status of the
5 media outlet shall submit of application to receive up to four placards;
- 6 (4) The application shall contain a copy of the vehicle registration expected to be exempt
7 from meter payment, whether as part of a fleet or a personal vehicle used in the course
8 and scope of media work;
- 9 (5) Should the placard permit be lost or stolen, the media outlet shall file a report with the
10 police department. Only upon the filing of a report and the payment of the fee, a
11 replacement placard be issued.
- 12 (6) The editor, news director, or other person of managerial or directorial status of the
13 media outlet shall be required to retain possession of the placards, when the user is not
14 actively on assignment, and the user shall be required to return the placard to the
15 editor, news director, or other person of managerial or directorial status of the media
16 outlet after the use of each day.

17 (g) Public utility vehicles that are being used in their official business capacity.

- 18
19 (1) In order to qualify, a public utility or private corporate entity must be subject to oversight
20 by the South Carolina Public Service Commission, and be engaged in the provision of
21 essential services to the public at large, such as electricity, natural gas, water, sewer,
22 telephone, transportation, cable and data delivery.
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24 This ordinance is effective upon second reading.
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29 _____
30 BRENDA BETHUNE, MAYOR

31 ATTEST:
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35 _____
36 JENNIFER STANFORD, CITY CLERK

37 1ST READING: 7-9-19

38 2ND READING: 7-23-19