

July 8, 2025 - 1st reading
 July 22, 2025 - 2nd reading

2025-044 (2ND READING): TO AMEND ARTICLE X, DIVISION 6 OF CHAPTER 14 OF THE CITY OF MYRTLE BEACH CODE OF ORDINANCES RELATING TO JUVENILE CURFEW.

Applicant/Purpose: Staff / to amend the current juvenile curfew ordinance.

Brief:

- City Code currently imposes a City-wide curfew on minors from midnight to 6:00 a.m.
- The City experienced a significant amount of crime involving minors during the 2025 spring break period, which has continued into the summer season.
- City staff proposes amendments to the existing curfew ordinance to provide law enforcement with more tools to address the issues the City has experienced involving unaccompanied minors.
- Changes since 1st reading:
 - **At first reading, Council amended the proposed ordinance to include a curfew start time of 9:00 p.m. instead of 10:00 p.m. in the Central Business District; and**
 - **To include public parks and City facilities in the 9:00 p.m. curfew.**
 - **Staff has modified the preamble to include updated statistical and other information.**
 - **Staff has modified Section 14-239 related to enforcement to reflect the probable cause standard necessary for citation or arrest and to delete unnecessary language concerning the release of a minor to a parent.**

Issues:

The ordinance contains the following principal substantive amendments:

- Curfew would begin at 9:00 p.m. for public places within the “central business district.” This is defined as the area from 6th Ave. S to 21st Ave. N, between Kings Highway and the Atlantic Ocean, plus the Arts & Innovation District.
- Makes it unlawful for a minor to drive or ride in or upon any motor vehicle or other device having wheels within the City during curfew hours
- Makes it unlawful for the operator of any establishment or its employee to knowingly permit, allow, or encourage a juvenile to remain upon the premises during curfew hours and imposes a responsibility to immediately contact the Myrtle Beach Police Department to advise of the presence of a minor who refuses to leave during curfew hours
- Makes it unlawful for a minor or adult to give a false name, date of birth, address, or telephone number to any officer investigating a possible curfew violation
- Clarifies law enforcement follows state law and department policy for offenses involving minors when taking minors into custody for curfew violations and minors taken into custody for curfew violations may be released to a parent or guardian where appropriate
- Clarifies curfew violations do not preclude officers from taking action to enforce other laws the minor may have violated
- Clarifies the minor’s curfew violation will be adjudicated and disposed of in accordance with the South Carolina Juvenile Justice Code

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- 1 • Adds a specific penalty for adult violators of up to a \$500 fine or jail term not
- 2 exceeding 30 days rather than relying on the City Code's general penalty
- 3 provision
- 4

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

6
7 **Alternatives:**

- 8 • Modify the proposed amendments.
- 9 • Do not amend City Code.
- 10

11 **Financial Impact:** None.

12
13 **Manager's Recommendation:**

- 14 • I recommend 1st reading (7/8/2025)
- 15 • I recommend 2nd reading (7/22/2025).
- 16 • Although a curfew is not a cure-all, it provides the City will an additional tool to
- 17 aid in addressing criminal activity by minors.
- 18

19 **Attachment(s):** Proposed Ordinance and map of the Central Business District

ORDINANCE 2025-44

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

TO AMEND ARTICLE X, DIVISION 6 OF
CHAPTER 14 OF THE CITY OF
MYRTLE BEACH CODE OF
ORDINANCES RELATING TO
JUVENILE CURFEW.

WHEREAS, City Council has determined that violent and other crimes committed by persons under the age of eighteen (18) within the City of Myrtle Beach are a threat to public health, safety and general welfare; and

WHEREAS, over the past several months, the City of Myrtle Beach has experienced an increase in the number of teenagers congregating in the Central Business District at night and has observed unlawful activities among minors; and

WHEREAS, the City experienced a significant amount of crime involving minors during the 2025 spring break period, which has continued into the summer season. From March 15 through June 30, 2025, 137 juvenile arrests have occurred. Of those arrests, 57 involved physical violence, drugs, and/or weapons; and

WHEREAS, during that same timeframe, 59 juvenile arrests have occurred in the Central Business District. Of those arrests, 21 involved physical violence, drugs, and/or weapons; and

WHEREAS, law enforcement had numerous additional interactions with minors, such as verbal warnings and calls for service, that did not result in arrests; and

~~WHEREAS, the juvenile arrests included a murder in the Central Business District and a shooting incident at a beach access. In another instance, a minor approached police while grabbing a firearm in his pocket; and~~

WHEREAS, the juvenile arrests included illegal possession of firearms, a shooting incident at a beach access and another at a business, and drug offenses. In another instance, a minor approached police while grabbing a firearm in his pocket; and

WHEREAS, in the Central Business District, dating back to January 2024, the number of juvenile arrests more than doubles between 8:00 p.m. and 9:00 p.m.; and

WHEREAS, City Council finds persons under the age of eighteen (18) are particularly vulnerable, due to their inexperience and lack of maturity, to participate in gang-related and other unlawful activities and to be victimized by older perpetrators of crime; and

WHEREAS, City Council further finds it is important to provide for the protection of minors from each other and from other persons, to reduce juvenile crime, and to foster and strengthen parental responsibility for children; and

WHEREAS, for the safety of the public in general, and especially for minors unaccompanied by a parent or guardian, City Council finds a curfew for minors is necessary as set forth herein; and

1 WHEREAS, City Council further finds the Central Business District is among the most
2 heavily-traveled areas of the City ~~and with the greatest concentration of persons.~~ It is at
3 the center of the City's tourism-driven economy. City Council finds that imposing a
4 juvenile curfew designed to reduce crime in the Central Business District is an important
5 government interest inasmuch as it protects the City's tourism-driven economy.
6

7 NOW THEREFORE, IT IS HEREBY ORDAINED that Article X, Division 6 of Chapter 14
8 of the City of Myrtle Beach Code of Ordinances is amended as follows, with new text
9 approved at first reading indicated by a single underline; deleted text approved at first
10 reading indicated by a single strike through, new text added after first reading indicated
11 by a double underline, and new text deleted after first reading indicated by a double
12 strike through:
13

14 **DIVISION 6.- JUVENILE CURFEW FOR MINORS**

15 **Sec. 14-236. Definitions.**

16
17
18 *Central Business District* means the area defined as beginning at the intersection of
19 the extension of the southern boundary of the right-of-way of 6th Ave. South and the
20 Atlantic Ocean and running in a westerly direction along the southern boundary of 6th
21 Ave South to the eastern boundary of U.S. Highway 17 Business, then running in a
22 northerly direction to the southern boundary of the right-of-way of 7th Avenue North,
23 then running along the southern boundary of 7th Avenue North and the extension of that
24 boundary line in a westerly direction until it intersects with the western boundary of the
25 right-of-way of Broadway, then running in a northerly direction along the western
26 boundary of the right-of-way of Broadway, then running in a northerly direction along the
27 western boundary of Broadway until it intersects with the northern boundary of the right-
28 of-way of 9th Avenue North, then running in an easterly direction along the northern
29 boundary of 9th Avenue North until it intersects with the eastern boundary of the right-of-
30 way of U.S. Highway 17 (Business), then running along the western boundary of U.S.
31 Highway 17 (Business) until it intersects with the northern boundary of the right-of-way of
32 21st Avenue North, then running along the northern boundary of 21st Avenue North and
33 the extension of that boundary line in an easterly direction until it intersects with the
34 Atlantic Ocean, then running in a southerly direction along the Atlantic Ocean Beach
35 until it reaches the point of beginning.
36

37 ~~*Curfew hours* means the hours from midnight until 6:00 a.m. of the following day.~~
38

39 *Emergency* means unforeseen circumstances, or the resulting situation, calling for
40 immediate action. This includes, but is not limited to, fire, natural disaster, or vehicular
41 accident, as well as any situation requiring action to avert serious injury or the loss of
42 life.
43

44 *Guardian* means a person or a public or private agency who either pursuant to court
45 order or acceptance of testamentary appointment, is the legal guardian of the minor.
46 This definition also includes a person to whom parental powers have been delegated
47 under South Carolina law, or duly identified responsible adult or chaperone acting in loco
48 parentis of a group of minors or an individual minor.
49

50 *Minor* means any person who has not obtained the age of 18 years.
51

1 *Parent* means a person who is the natural parent, adoptive parent, or stepparent of
2 the minor.

3
4 *Public place* means a place located in the City of Myrtle Beach to which the public,
5 or a substantial group of the public, has access, including, but not limited to, streets,
6 highways, sidewalks, parking lots, vacant lots, parks, the Myrtle Beach Boardwalk,
7 beach, beach accesses, and the common areas in and about apartment buildings, office
8 buildings, hospitals, schools, shops and places of entertainment such as movie theaters.

9
10 *Remain* means to linger or stay, as well as to refuse to leave when requested to do
11 so by a police officer or the owner or other person in control of a public place. This term
12 also encompasses activities that may be mobile, such as walking, driving, and riding
13 about in a public place.

14
15 **Sec. 14-237. Offenses~~Violations~~.**

16
17 (a) Except as specifically exempt in Section 14-238, it shall be unlawful a
18 misdemeanor for a minor to remain in a public place within the Central Business
19 District, any public park, or any other City facility, including but not limited to the
20 Myrtle Beach Convention Center, City recreation centers, and all City-owned
21 parking lots, between the hours of 9:00 p.m. and 6:00 a.m. or to remain in a public
22 place throughout the remainder of the City limits between the hours of 12:00 a.m.
23 and 6:00 a.m. during curfew hours, including but not limited to driving or riding in or
24 upon any motor vehicle or other device having wheels.

25
26 (b) Except as specifically exempt in Section 14-238, it shall be unlawful a
27 misdemeanor for a parent or guardian of a minor to knowingly permit or encourage,
28 or to allow by exercising insufficient control, the minor to remain in a public place
29 during curfew hours.

30
31 (c) It shall be unlawful for the operator of any establishment located within the City of
32 Myrtle Beach, or for any person who is an employee thereof, to knowingly permit,
33 allow or encourage a minor to remain upon the premises of the establishment
34 during the applicable curfew hours. It is the establishment's responsibility to
35 immediately contact the Myrtle Beach Police Department to advise that a minor is
36 present at the establishment during applicable curfew hours and is refusing to
37 leave.

38
39 (d) It shall be unlawful for any person, minor or adult, to give a false name, date of birth,
40 address, or telephone number to any officer investigating a possible violation of this
41 ordinance.

42
43 **Sec. 14-238. Exemptions. ~~Defenses~~.**

44
45 Minors are exempt from the curfew provisions of Section 14-237 when the following
46 conditions or circumstances apply: ~~It is a defense to the infraction under this division that~~
47 ~~the minor was:~~

- 48
49 (1) The minor is ~~A~~accompanied by the minor's parent or guardian;

- (2) ~~The minor is involved~~ in an emergency or on an errand necessitated by an emergency;
- (3) ~~The minor is engaged~~ in an employment activity, or on the way to or from an employment activity, without any detour or stop except as necessary to drop off or pick up a co-employee;
- (4) ~~The minor is in~~ a motor vehicle involved in interstate travel;
- (5) Reserved;
- (6) ~~The minor is On~~ the sidewalk abutting the minor's residence ~~home~~;
- (7) ~~The minor is Attending~~ a school, religious, or governmental activity, which is supervised by adults, or traveling to or from such a school, religious, or governmental activity without detour or stop;
- (8) ~~The minor is Attending~~ a recreational or civic activity sponsored by the City of Myrtle Beach, a civic organization, or a similar entity, which is supervised by adults, or traveling to or from such an activity without detour or stop;
- (9) ~~The minor is Exercising~~ rights protected by the First Amendment of the United States Constitution; or
- (10) ~~The minor is Married~~, or otherwise legally emancipated by operation of law.

Sec. 14-239. Enforcement.

Before taking any action to enforce this division, a police officer shall ~~ask the apparent offender's age. make an immediate investigation for the purpose of ascertaining whether or not a curfew violation has occurred. The officer shall ask the apparent offender's age,~~ may ask for proof of the apparent offender's age, and shall be justified in taking action to ascertain the apparent offender's age in the absence of identification, such as contacting his or her parent or guardian, or accompanying the apparent offender to his or her residence or temporary accommodation for the purpose of obtaining identification. If the apparent offender is a minor, or cannot produce identification proving otherwise immediately, the officer shall ask the reason for the apparent offender's being in a public place. The officer shall not issue a citation or make an arrest under take any action to enforce this division section unless the officer has probable cause reasonably believes that an offense has occurred and, based on any response as well as other circumstances, no exemption defense provided herein is applicable. If a police officer determines a minor is committing a curfew violation, the officer shall take the minor into custody as provided in S.C. Code § 63-19-810 and follow department policy. Where appropriate, the minor may be released to a parent or other person as provided therein. Nothing in this division precludes the officer from taking action to enforce other any other statutes, ordinances, or other provisions of law.

Sec. 14-240. Penalties.

- (a) A minor who violates this division shall have their case adjudicated and disposed of in accordance with the South Carolina Juvenile Justice Code.
- (b) An adult who violates this division may be sentenced to pay a fine not exceeding five hundred (\$500.00) or serve a term of imprisonment not exceeding thirty (30) days.

Secs. 14-241—14-299. Reserved.

This ordinance shall take effect immediately upon its adoption.

SIGNED AND SEALED this 22nd day of July, 2025.

BRENDA BETHUNE, MAYOR

ATTEST

JENNIFER ADKINS, CITY CLERK

First reading: 7-8-2025

Second reading: 7-22-2025