

**STATE OF SOUTH CAROLINA )**  
**)**  
**COUNTY OF HORRY )**  
**)**  
**TOWN OF SURFSIDE BEACH )**

**AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH**  
**TO AMEND SECTION 8-111 OF ARTICLE VII OF**  
**CHAPTER 8, DISORDERLY CONDUCT**

**WHEREAS**, Chapter 1, Section 1-12 of the Town of Surfside Beach Code of Ordinances allows for the amendment of the Code of Ordinances from time to time; and

**WHEREAS**, Section 8-111 of Chapter 8, Article VII presently codifies the municipal offense "Disorderly Conduct;" and

**WHEREAS**, the Chief of Police for the Town of Surfside Beach recommends certain changes to the elements of that offense, consistent with state law, constitutional law, and sound police practices; and

**WHEREAS**, the Town Council appreciates the importance of giving its law enforcement officers the tools to maintain order in the Town of Surfside Beach while respecting the rights of citizens and visitors;

**NOW, THEREFORE**, by the power and authority granted to the Surfside Beach Town Council by the State of South Carolina, be it resolved that Section 8-111 of the Surfside Beach Code of Ordinances is amended and replaced as set forth hereinbelow, maintaining state law reference:

**Chapter 8 – MISCELLANEOUS OFFENSES, ART. VII OFFENSES AGAINST PUBLIC POLICY**

**Sec. 8-111 - Disorderly conduct**

It shall be unlawful to conduct oneself in a disorderly manner within the town with the purpose of causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:

- (1) Publicly engaging in fighting or threats, or in violent or disorderly and boisterous behavior, marked or not by gross intoxication;
- (2) Publicly making any unreasonably offensive or profane utterance, gesture, or display, or addressing abusive language to any person present in the public tending to incite action by using fighting words; or
- (3) urinating or defecating on or in any public or private property of others, or within view of a public right of way within the town except in a restroom or other toilet facility designed for the sanitary disposal of human waste.

Any person convicted under this section shall be deemed guilty of a misdemeanor and shall be fined not more than one hundred dollars (\$100.00), plus fees and assessments, or by imprisonment for a period not to exceed thirty (30) days.

(Code 1969, § 14-34; Ord. No. 93-0388, 10-19-93)

*Cross-ref. S.C. Code § 16-15-130*

**State Law reference**— Public *disorderly conduct*, S.C. Code 1976, § 16-17-530.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**EFFECTIVE DATE.** This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

**BE IT ORDAINED** by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly this 10 day of November 2020.

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Bob Hellyer, Mayor

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Debbie Scoles, Pro Tempore

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Bruce H. Dietrich, Town Council

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Michael Drake, Town Council

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Paul Holder, Town Council

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Cindy Keating, Town Council

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David Pellegrino, Town Council

Attest:

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Sheri Medina, Town Clerk