
1 **2019-37 (2ND READING): AN ORDINANCE TO AMEND ORDINANCE NO. 2019-023**
2 **TO ENSURE CONSISTENCY IN THE AMOUNTS OF PENALTY CHARGES BETWEEN**
3 **THE LOCAL HOSPITALITY TAX AND THE LOCAL ACCOMMODATIONS TAX.**

4 **Applicant/Purpose:** Staff / to amend Ordinance 2019-023 to ensure consistency in the penalty
5 amounts between the Local Hospitality & Local Accommodations Taxes.
6

7 **Brief:**

- 8 • Ordinance 2019-22, adopted on 3/7/19, amended the Accommodations Tax w/ no
9 changes to the penalty provisions section.
- 10 • Ordinance 2019-23, also adopted on 3/7/19, authorized the City to levy a Hospitality
11 Tax, which included penalties that differed from the Accommodations Tax.
- 12 • No changes since 1st reading.
13

14 **Issues:**

- 15 • Current A-Tax Penalty - 2%/month on the amount of taxes which remain unpaid.
- 16 • Current Hospitality Tax Penalty - taxes not timely remitted shall be subject to a penalty
17 of 25%.
- 18 • To ensure consistency in the amounts of penalty charges between these ordinances the
19 penalty provision of the Hospitality Tax Ordinance is proposed to be amended to be
20 consistent w/ the Accommodations Tax penalty.
21

22 **Public Notification:** Normal meeting notification.
23

24 **Alternatives:**

- 25 • To modify the Ordinance
- 26 • To deny the Ordinance
27

28 **Financial Impact:** Negligible. All revenues from the hospitality fee that are not credited out
29 for benefit of the Hospitality Fee fund by ordinance will be new revenue. We estimate the
30 penalties would amount to less than \$10,000 annually.
31

32 **Manager's Recommendation:**

- 33 • 1st reading (7/23/19).
- 34 • I recommend approval (8/13/19).
35

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

CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA

AN ORDINANCE TO AMEND ORDINANCE
No. 2019-023 TO ENSURE
CONSISTENCY IN THE AMOUNTS OF
PENALTY CHARGES BETWEEN THE
LOCAL HOSPITALITY TAX AND THE
LOCAL ACCOMMODATIONS TAX

WHEREAS, on March 7, 2019, the city adopted Ordinance No. 2019-022, amending Chapter 2, Article VI, Division 4, Accommodations Tax, with no changes to the penalty provisions of that section; and

WHEREAS, on that same date, the city adopted Ordinance No. 2019-023, enacting Chapter 2, Article VI, Division 7, Hospitality Tax, which included certain penalty provisions that differed from those of Division 4; and

WHEREAS, it is desirable to ensure consistency in the amounts of penalty charges between these two sections;

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Myrtle Beach, in Council duly assembled and by the authority of the same that Ordinance No. 2019-023 is hereby amended as follows:

Sec. 1. Penalty provision amended. The penalty provision, which appears in the sentence beginning on line 47 and continuing into line 48 of the ordinance, is hereby amended to read in its entirety, "Any taxes not timely remitted shall be subject to a penalty of 2% per month on the amount of taxes which remain unpaid."

Sec. 2. Validity of the ordinance. If, for any reason, any sentence, clause or provision of this ordinance shall be declared invalid, such declaration shall not affect the remaining provisions thereof.

Sec. 3. Conflicts with preceding ordinances. Should conflicts arise between this and any preceding ordinances, this ordinance shall prevail with respect to the conflicting sections.

This ordinance shall become effective upon its adoption.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER STANFORD, CITY CLERK

1st READING: 7-23-19

2nd READING: 8-13-19