



TOWN OF SURFSIDE BEACH  
115 US Highway 17 North, Surfside Beach, SC 29575  
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☎ (843) 913-6111 📠 (843) 238-5432

## **NOTICE OF PUBLIC HEARING**

Town Council will hold a Public Hearing during the January 10, 2012 meeting to hear public comments on the proposed Land Development Regulations (LDR.)

### **PUBLIC NOTICE**

Candidate Filing for the April 3, 2012 General Municipal Election is open from January 9<sup>th</sup> to January 13<sup>th</sup>, 9:00 a.m. to 4:00 p.m., or by appointment after hours, for the offices of mayor (1 seat) and town council (3 seats.) Call 843.913.6333 or email [dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org) for information.

**TOWN COUNCIL ♦ REGULAR MEETING  
COUNCIL CHAMBERS ♦ TUESDAY, JANUARY 10, 2012 6:30 P.M.**

### **A G E N D A**

1. **CALL TO ORDER** - Mayor K. Allen Deaton
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** - Fr. Gabriel Bullock, St. Nicholas Orthodox Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting December 13, 2011
5. **PUBLIC COMMENTS – AGENDA ITEMS**  
Please address Town Council from the podium; 3-minutes per speaker
6. **PUBLIC HEARING** – Proposed Amendments to Chapter 15, Land Development Regulations
7. **COMMUNICATIONS**
  - A. Department Reports
    - i. Building & Zoning
    - ii. Police
    - iii. Fire
  - B. Administrator's Report - Update on Current Events
8. **BUSINESS**  
First Reading Ordinance #12-0709, Amend Chapter 15, Land Development Regulations
9. **DISCUSSION**
10. **PUBLIC COMMENTS** - Please address Town Council from the podium; 5-minutes per speaker
11. **COUNCIL COMMENTS**
12. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL  
REGULAR COUNCIL MEETING MINUTES  
DECEMBER 13, 2011 ♦ 6:30 P.M.  
TOWN COUNCIL CHAMBERS**

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1. **CALL TO ORDER.**

Mayor Deaton called the meeting to order at 6:30 p.m. Mayor Deaton, Mayor Pro Tempore Childs, and Councilmembers Blair, Dodge, and Smith were in attendance. Councilmembers Johnson and Samples were absent. A quorum was present. Staff present: Administrator Duckett; Deputy Administrator Fellner; Building Director Donevant, and Fire Chief Packard. Others present: Town Attorney Moss and Town Clerk Herrmann.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE.**

Mayor Deaton introduced and welcomed Dr. David Powers who gave the invocation. Mayor Deaton said not only was Dr. Powers the pastor of The Pilgrimage Church, but he owned Ocean Breeze Awnings & More and is one of the town's top businessmen. Ocean Breeze Awnings & More has earned the US Chamber Small Business Award for an unprecedented five consecutive years, in addition to numerous other awards. Mayor Deaton led the Pledge of Allegiance.

3. **AGENDA APPROVAL.**

Mr. Smith moved to approve the agenda as presented. Mr. Childs seconded. **All voted in favor. MOTION CARRIED.**

4. **MINUTES APPROVAL.**

Ms. Dodge moved to approve the minutes for the regular meeting held November 22, 2011 with scrivener's error corrections to line 156, add "and funding has yet to be identified" and Line 183, add "Act" between 'Disabilities' and 'standards.' Mr. Smith seconded. All voted in favor. **MOTION CARRIED.**

5. **PUBLIC COMMENTS – AGENDA ITEMS.**

There were no comments.

6. **COMMUNICATIONS.**

A. 2011 Community Rating System (CRS) Recertification – Building Director Donevant. Ms. Donevant said the town was recertified under the CRS in October, which is done annually. Certification gives town residents a 5-percent reduction in flood insurance policy premiums. There are 1,786 flood policies in force in the town. The average premium is \$811. The savings of \$43 per policy equals about \$76,268 saved that can be spent in the community.

B. Department Reports

i. **Building & Zoning.** Mr. Duckett presented the building and zoning report, a copy of which is on file in the clerk's office.

ii. **Police.** Mr. Duckett presented the police report, a copy of which is on file in the clerk's office. Chief Frederick is in Conway awaiting the jury's decision on a burglary case from about a year ago in which the defendant will receive 30-years to life, if convicted. A special squad was created to investigate the case and about four days after it was created, the perpetrator was arrested. The South Carolina Law

55 Enforcement Officers Association honored the Surfside Beach Police Department by presenting it with the  
56 2011 Santee Cooper Excellence in Law Enforcement Award.  
57

58 iii. Fire. Mr. Duckett presented the fire report, a copy of which is on file in the clerk's office. The  
59 Surfside Beach Fire Station won a national design award, gold level, from Fire Industry Equipment  
60 Research Organization (FIERO) and will be featured on its website and in future publications. Mayor  
61 Deaton congratulated the department and town council for decisions well-made.  
62

63 C. Administrator's Report – Update on Current Events. Mr. Duckett presented his report, which  
64 is on file in the clerk's office. Ms. Dodge asked how long the pier would be closed. Mr. Duckett said  
65 generally until mid-February. Ms. Dodge asked whether a sign could be placed out front to notify the  
66 public that the pier is closed until a certain date; the only notice now is posted on Pier Outfitters. Mr.  
67 Duckett said that could be done. Ms. Dodge asked if the contract for road paving calls for the road  
68 shoulders to be filled as the edges deteriorate where drivers run off the edge of the road. Mr. Duckett  
69 said he would look into the matter.  
70

71 7. BUSINESS.  
72

73 Membership and Scope of Duties for Ad Hoc Parking Committee. Ms. Blair moved to table this  
74 item, because Mr. Johnson, who moved to create the committee, was absent. Mr. Smith seconded. Ms.  
75 Blair explained that she felt Mr. Johnson should be given the courtesy of waiting until he is present before  
76 planning the committee. All voted in favor. **MOTION CARRIED.**  
77

78 8. DISCUSSION.  
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80 There was no discussion to come before this meeting.  
81

82 9. PUBLIC COMMENTS.  
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84 There were no comments.  
85

86 10. COUNCIL COMMENTS.  
87

88 Mayor Deaton, "I'd like to wish everybody a Merry Christmas and Happy New Year. I think we've  
89 broken a record here (laughter); but, it's the holidays and, you know, everything going pretty smooth as  
90 far as I know. I'll go to Ms. Blair."  
91

92 Ms. Blair, "Thank you. Thank you for coming out, and we didn't have a lot to do, but it still shows  
93 your interest and your concerns when you come out to be with us on these nights and we appreciate it.  
94 It's been an interesting year, and good, and of course, bad, questionable, mistakes, possibly, but I hope  
95 that when you look back over the year not only for Surfside, but in your personal life as well, that you'll  
96 see a lot more good, a lot more things you're happy with; a lot more things you're satisfied with than you'll  
97 see negatives or unhappy things. And sometimes we all wonder if, you know, if we think we've had a bad  
98 year. And if we really sit down and think about it, there's a lot more to be thankful for than there is to be  
99 upset about. So, that being said, as we go into the New Year, things may change. We don't know what's  
100 going to happen, but we have to stay focused and stay aware of the goals that we have set for the town  
101 and for our own lives, as well. So, I wish for you and your family the very merriest of Christmas, a great  
102 New Year, and may we all move forward together as a team to accomplish what we need to accomplish."  
103

104 Ms. Dodge, "Wow! Ms. Blair, that was a good speech. Merry Christmas to everybody, and a very  
105 Happy New Year, and wasn't the parade great. I was so honored to ride in it and I want to thank Beth  
106 Kohlmann for driving me on the back of her beautiful Beamer. And I apologize to everybody; I cannot  
107 throw candy! My arms are aching and I could not get that candy out to the kids (laughter.) I want to wish  
108 y'all a very Merry Christmas and a Happy New Year. Thank you for being here. Thank you for caring  
109 about your town; and thank you for your support to all of us, and also thank you for your comments, good,

110 bad or indifferent. Your good ones moves us, your bad ones tell us what we're doing wrong. Keep it up.  
111 Thank you."

112  
113 Mr. Smith, "I'd like to congratulate the police department on their Excellence in Law Enforcement  
114 award, and the fire department on their national design award for the fire station, and wish everybody a  
115 very Merry Christmas and a Happy New Year."

116  
117 Mr. Childs, "Thank you, Mr. Mayor. (\*\*) [T]he parade worked. I believe we had more people at  
118 this parade this year than I can remember. You can tell, particularly when you get up towards the north  
119 end it really thins out, but it was crowded all the way to the Holiday Inn. So, I think it we had a great turn  
120 out. And the weather, you know, was kind of iffy on the weather for that parade for some reason. But, at  
121 least it didn't rain. And, I'd like to join my colleagues here in wishing everybody a Merry Christmas and a  
122 Happy New Year."

123  
124 Mayor Deaton, "I'd like to reiterate that also. And as I said at the Christmas tree lighting, like my  
125 94-year old grandmother said, count your blessings, not your problems. Everybody have a Merry  
126 Christmas and Happy New Year. Thank you."

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128 **11. ADJOURNMENT.**

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130 Mr. Smith moved to adjourn the meeting at 6:50 p.m. Mr. Childs seconded. All voted in favor.  
131 **MOTION CARRIED.**

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133 Respectfully submitted,

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135 \_\_\_\_\_  
136 Debra E. Herrmann, CMC, Town Clerk  
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138 Approved: January 10, 2012

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142 K. Allen Deaton, Mayor  
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146 Vicki W. Blair, Town Council

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149 Robert F. Childs, III, Mayor Pro Tempore

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151 \_\_\_\_\_  
152 Ann Dodge, Town Council

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154 \_\_\_\_\_  
155 Mark L Johnson, Town Council

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157 \_\_\_\_\_  
158 Douglas F. Samples, Town Council

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160 \_\_\_\_\_  
161 Roderick E. Smith, Town Council

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163 Clerk's Note: This document constitutes minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk Herrmann. In  
164 accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. A complete list is on file in the clerk's  
165 office. The agenda was posted on bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on  
166 the Town marquee. When (\*\*) is used a section of the transcription is inaudible.

## **Planning, Building & Zoning December 2011**

The Building, Planning and Zoning Department issued a total of 66 permits in December. Total inspections performed this month were 79.

The Planning Commission is underway with the update of the Comprehensive Plan, to include new maps for the town. Discussion of the population and economic elements at the December meeting included updated census information. This is a much anticipated project that we look forward to completing. Updated maps are desperately needed to provide accurate information to the public.

The Building and Zoning Director attended a Coastal Code Conference in Hilton Head in December. The Code Enforcement Official received one of the two required certification in becoming a Certified Building Official.

**TOWN OF SURFSIDE BEACH  
BUILDING AND ZONING REPORT  
12/01/2011 to 12/31/2011**

DESCRIPTION	PERMIT NUMBER	SQUARE FEET	VALUATION	PERMIT FEE
ACCESSORY	2		12,500.00	75.00
ADDITION	1	204.00	18,000.00	91.80
BANNER	1			25.00
DRIVEWAY,SIDEWALK,PATIO	1		3,900.00	30.00
ELECTRICAL	3		1,750.00	100.00
GENERAL REPAIRS	8		142,100.00	220.00
OPEN FOR LEAKS	1		-	-
MECHANICAL	2		8,850.00	140.00
NEW RESIDENTIAL CONSTRUCTION	3	6,900.00	797,880.00	4,328.11
NEW COMMERCIAL CONSTRUCTION	1	2,827.00	200,000.00	989.45
OPEN DISPLAY OF MDSE.	1			25.00
PLAN REVIEW RES. SINGLE FAMILY	4	10,428.00		2,346.30
REMODEL PLAN REVIEW	3	357.00		696.50
STORMWATER PLAN REVIEW (RESIDENTIAL)	4			1,400.00
REMODEL	5		402,200.00	2,886.00
ROOF REPLACE OR REPAIR	4		13,645.00	355.00
SAFETY	3			120.00
STORMWATER MANAGEMENT	2			700.00
SUBDIVISION (MINOR)	1			30.00
TENT	1			25.00
TREE REMOVAL	15		6,075.00	115.00
<b>TOTAL ALL:</b>	<b>66</b>	<b>20,716.00</b>	<b>1,606,900.00</b>	<b>14,698.16</b>
<b>CONTRACTOR BUS.LIC./NEW &amp; RENEWALS:</b>	<b>21</b>			<b>5,710.85</b>
<b>PHONE CALLS:</b>	<b>136</b>			
<b>MEETINGS:</b>				
P&Z				
Coastal Code				
<b>INSPECTIONS:</b>				
CERTIFICATE OF OCCUPANCY	4			
DRIVEWAY	5			
FINAL	14			
FINAL ELECTRICAL	2			
FLASHING/BRICK	1			
FLASHING/WINDOW	4			
FOOTING	1			
FOUNDATION	1			
INSULATION	6			
METER SERVICE	1			
PICTURES	1			
POOL GROUNDING	1			
ROUGH ELECTRICAL	5			
ROUGH FRAMING	6			
ROUGH MECHANICAL	3			
ROUGH PLUMBING	5			
SAFETY	1			
SHEATHING NAILING	1			
SLAB/POLYWIRE	5			
STOP WORK ORDER	2			
TEMPORARY SERVICE	2			
TREE	7			
UNDER SLAB PLUMBING	1			
<b>TOTAL INSPECTIONS:</b>	<b>79</b>			
<b>CODE ENFORCEMENT</b>				
CODE COMPLAINT	2			
SIGN REMOVAL	11			
<b>TOTAL:</b>	<b>13</b>			

**December 2011  
PLAN REVIEWS**

<b>PERMIT NO.</b>	<b>ADDRESS</b>	<b>DATE RECVD</b>	<b>DATE COMPLETED</b>	<b>PERMIT ISSUED</b>	<b>CONTRACTOR</b>	<b>TYPE OF PLAN REVIEW</b>
13305	1012 SABAL PALM WAY	11/18/11	12/15/11	NO	C R WALTON	RESIDENTIAL SINGLE FAMILY
13310	813 6TH AVENUE SOUTH	11/18/11	12/16/11	YES	JIMMY EDWARDS CONST	COMMERCIAL BUILDING
13321	105 HARBOR LIGHTS DRIVE	11/23/11	12/16/11	YES	D.R. HORTON	RESIDENTIAL SINGLE FAMILY
13109	421 14TH AVENUE NORTH	11/28/11	12/15/11	YES	PALMER BUILDING CO	RESIDENTIAL SINGLE FAMILY
	1011 MOSS DRIVE	11/22/11	12/01/11	YES	RE-BUILDERS	REMODEL 3 BATHROOMS
13333	221 13TH AVENUE SOUTH	11/29/11	12/01/11	YES	ZIOLKOWSKI CONST	CAROLINA ROOM
	146 HARBOR LIGHTS DRIVE	12/01/11	12/12/11	YES	CAROLINA HOME EXT.	SLAB/HOT TUB
13361	313 OCEAN BLVD. NORTH A	12/06/11	12/15/11	YES	REEDS CONST & PAINT	DECK, SIDING & WINDOWS
13377	125 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	RESIDENTIAL SINGLE FAMILY
13379	121 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	RESIDENTIAL SINGLE FAMILY
13380	121 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	STORMWATER
13381	107 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	RESIDENTIAL SINGLE FAMILY
13394	107 HARBOR LIGHTS DRIVE	12/15/11	12/16/11	YES	D.R. HORTON	STORMWATER
13382	129 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	RESIDENTIAL SINGLE FAMILY
13383	129 HARBOR LIGHTS DRIVE	12/12/11	12/16/11	YES	D.R. HORTON	STORMWATER
13384	612 MELODY LANE	12/13/11	12/15/11	YES	LLT LLC	CAR PORT ENCLOSURE

**Permits Issued: December 2011**

<b>No.</b>	<b>Address</b>	<b>Date</b>	<b>Type</b>	<b>Contractor</b>	<b>Scope of Work</b>
13340	657 3RD AVENUE NORTH	12/01/11	GENERAL REPAIRS	G-WIZ CONSTRUCTION INC	REPLACE 14 WINDOWS WITH DP 50 AND PLYWOOD FOR STORM PROTECTION
13344	910 POPLAR DRIVE NORTH	12/02/11	NEW CONST(RESIDENTIAL)	D R HORTON INC	CONSTRUCT NEW SINGLE FAMILY RESIDENCE
13345	910 POPLAR DRIVE NORTH	12/02/11	STORMWATER MANAGEMENT	D R HORTON INC	STORMWATER
13346	314 14TH AVENUE SOUTH	12/02/11	MECHANICAL	THOMAS INC	HVAC RETROFIT-EQUIPMENT ONLY
13347	1011 MOSS DRIVE	12/02/11	REMODEL	RE-BUILDERS INC	REMODEL 2 EXISTING BATHROOMS. REMOVE ALL FIXTURES & INSTALL NEW.
13348	211 SEASIDE DR. NORTH #101	12/02/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINETY IN	REPLACE 2 EXTERIOR DOORS USING MESH FOR WIND PROTECTION.
13349	414 9TH AVENUE SOUTH	12/02/11	GENERAL REPAIRS	OWNER OF PROPERTY/STRUCTURE	OWNER TO REPAIR AND ENLARGE DECK AND DECK RAILS
13350	723 4TH AVENUE SOUTH A-B	12/02/11	TREE REMOVAL	ACADIA TREE & STUMP	REMOVE 1 PINE TREE
13351	221 13TH AVENUE SOUTH	12/02/11	ADDITION	ZIOLKOWSKI CONSTRUCTION	CONSTRUCT CAROLINA ROOM
13352	513 CYPRESS DRIVE	12/02/11	TREE REMOVAL	OWNER OF PROPERTY/STRUCTURE	OWNER TO REMOVE 1 DEAD TREE
13353	114 HIGHWAY 17 NORTH B	12/02/11	TENT		OPEN DISPLAY OF GOODS 12/05/11 TO 12/25/11
13354	611 14TH AVENUE SOUTH #12	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 PINE TREE
13355	620 15TH AVENUE SOUTH #86	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 2 PINE TREES
13356	614 15TH AVENUE SOUTH #40	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 TREE AND TRIM 1 TREE OVER UNIT
13359	410 HIGHWAY 17 NORTH C	12/05/11	SAFETY INSPECTION		SAFETY INSPECTION FOR H&R BLOCK
13360	616 16TH AVENUE SOUTH A-C	12/06/11	ROOF REPLACE OR REPAIR	ROOF KING INC	REMOVE AND REPLACE ROOF SHINGLES ON UNIT C
13361	313 OCEAN BIVD NORTH A	12/06/11	REMODEL PLAN REVIEW	REEDS CONSTRUCTION & PAINTING	ADD 2ND DECK, REPLACE SIDING AND WINDOW
13362	412 7TH AVENUE SOUTH	12/06/11	ROOF REPLACE OR REPAIR	TURNERS REPAIRS	REMOVE AND REPLACE ROOF SHINGLES
13363	146 HARBOR LIGHTS DRIVE	12/06/11	ACCESSORY BUILDING / USE	CAROLINA HOME EXTERIORS	POUR 4" SLAB AND INSTALL HOT TUB
13365	415 5TH AVENUE SOUTH A-B	12/07/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 2 TREES FROM REAR OF PROPERTY
13368	410 HIGHWAY 17 NORTH C	12/08/11	ELECTRICAL	PRUITT ELECTRICAL CO	REMOVE SUBPANEL
13369	416 WILLOW DRIVE SOUTH	12/08/11	TREE REMOVAL	ALL AMERICAN CLIMBERS	REMOVE DEAD OAK FROM FRONT OF PROPERTY
13370	146 HARBOR LIGHTS DRIVE	12/08/11	ELECTRICAL	LT GRACE ELECTRIC INC	RUN 50 AMP ELECTRICAL LINE FROM PANEL TO BACK OF HOUSE
13372	425 HIGHWAY 17 NORTH	12/09/11	TREE REMOVAL	M C STRICKLAND INC	REMOVE LOCUST TREE FROM REAR ENTRANCE DOOR. ROOTS DAMAGING PARKING AREA AND SIDEWALK
13373	317 OCEAN BLVD SOUTH	12/09/11	MECHANICAL	K & C TECHNOLOGY	REPLACE 4 TON HEAT PUMP, INDOOR AND OUTDOOR UNIT - ELEVATED TO MEET FLOOD ZONE
13374	811 11TH AVENUE NORTH	12/09/11	TREE REMOVAL	ACADIA TREE & STUMP	REMOVE 2 PINE TREES AS APPROVED
13375	23 MYRTLE DRIVE SOUTH	12/12/11	OPEN FOR LEAKS	FOX CHASE BUILDERS LLC	OPEN FOR LEAKS

No.	Address	Date	Type	Contractor	Scope of Work
13376	114 15TH AVENUE SOUTH	12/12/11	REMODEL	HOLT JIMMY	TEAR OUT WALLS IN BATHROOM, TAKE OUT TUB, INSTALL NEW TUB, VANITY, CREATE LINEN CLOSET. INSTALL LAUNDRY ROOM, SHOWER & COMMODE ON GROUND FLOOR
13377	125 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13378	520 HIGHWAY 17 SOUTH	12/12/11	SAFETY INSPECTION		SAFETY INSPECTION FOR CUSTOMER SERVICE SUPPORT
13379	121 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13380	121 HARBOR LIGHTS DRIVE	12/12/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13381	107 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13382	129 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR SINGLE FAMILY RESIDENCE
13383	129 HARBOR LIGHTS DRIVE	12/12/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13384	612 MELODY LANE	12/13/11	REMODEL PLAN REVIEW	LLT LLC	CLOSE IN 21'X17' EXISTING CARPORT
13385	618 JUNIPER DRIVE	12/13/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 DEAD PINE TREE, 1 LIVE PINE AND TRIM GUM TREE
13386	TOWN OF SURFSIDE BEACH	12/13/11	GENERAL REPAIRS	PALMETTO CORP OF CONWAY	RESURFACE DOGWOOD DR. FROM 5TH NORTH TO 8TH SOUTH & 2ND AVE. SOUTH FROM OAK TO OCEAN BLVD.
13390	410 HIGHWAY 17 NORTH A	12/14/11	OPEN DISPLAY OF MDSE		SIDEWALK SALE
13391	114 HIGHWAY 17 NORTH B	12/14/11	BANNER		BANNER PLACEMENT DEC. 14 - DEC. 23, 2011
13392	657 3RD AVENUE NORTH	12/15/11	GENERAL REPAIRS	G-WIZ CONSTRUCTION INC	INSTALL PRIMED HARDI SIDING AND TRIM
13393	214 MYRTLE DRIVE SOUTH	12/15/11	DRIVEWAY,SIDEWALK,PATIO	PALMETTO CONCRETE	INSTALL 20'X44' DRIVEWAY
13394	107 HARBOR LIGHTS DRIVE	12/15/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13395	125 HARBOR LIGHTS DRIVE	12/15/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13396	612 MELODY LANE	12/15/11	REMODEL	LLT LLC	CLOSE IN 21'X17' EXISTING CARPORT
13397	313 OCEAN BOULEVARD NORTH	12/16/11	REMODEL	REEDS CONSTRUCTION & PAINTING	ADD 2ND DECK, REPLACE SIDING AND WINDOWS
13398	618 MAPLE DRIVE	12/16/11	TREE REMOVAL	M C STRICKLAND INC	REMOVE 2 DEAD TREES
13399	910 OCEAN BOULEVARD NORTH	12/16/11	MINOR SUBDIVISION		MINOR SUBDIVISION 191-16-17-001
13401	121 12TH AVENUE SOUTH	12/19/11	ROOF REPLACE OR REPAIR	DAVIS ROOFING OF MURRELLS INLET	REMOVE AND REPLACE ROOF SHINGLES
13402	115 15TH AVENUE NORTH C	12/19/11	TREE REMOVAL	DO-MORE SERVICES	REMOVE 3 BRADFORD TREES
13407	337 14TH AVENUE SOUTH	12/19/11	ROOF REPLACE OR REPAIR	O'LEARY ROOFING INC	REMOVE AND REPLACE ROOF SHINGLES
13408	317 SPARROW DRIVE	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 2 PINE TREES FROM REAR OF PROPERTY
13409	319 13TH AVENUE SOUTH	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 1 TREE ON FRONT LEFT SIDE
13410	319 SPARROW DRIVE	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 6 PINE TREES FROM SIDE YARD
13411	813 6TH AVENUE SOUTH	12/21/11	NEW CONST(COMMERCIAL)	JIMMY EDWARDS CONSTRUCTION	CONSTRUCT NEW COMMERCIAL BUILDING
13412	421 14TH AVENUE NORTH	12/21/11	NEW CONST(RESIDENTIAL)	PALMER BUILDING CO LLC	CONSTRUCT NEW SINGLE FAMILY RESIDENCE

No.	Address	Date	Type	Contractor	Scope of Work
13413	105 HARBOR LIGHTS DRIVE	12/21/11	NEW CONST(RESIDENTIAL)	D R HORTON INC	CONSTRUCT SINGLE FAMILY RESIDENCE
13414	105 HARBOR LIGHTS DRIVE	12/21/11	STORMWATER MANAGEMENT	D R HORTON INC	STORMWATER
13415	1601 OCEAN BOULEVARD NORTH	12/21/11	REMODEL PLAN REVIEW	BULLEY & ANDREWS LLC	PLAN REVIEW FOR BALCONY MAINTENANCE REPAIRS INCLUDING MINOR PATCHING, SEALANT & COATING REPLACEMENT AT THE EXTERIOR.
13416	1601 OCEAN BOULEVARD NORTH	12/22/11	REMODEL	BULLEY & ANDREWS LLC	BALCONY MAINTENANCE REPAIRS INCLUDING MINOR PATCHING, SEALANT AND COATING REPLACEMENT AT THE EXTERIOR.
13419	612 MELODY LANE	12/27/11	ACCESSORY BUILDING / USE	OWNER OF PROPERTY/STRUCTURE	CONSTRUCT 8'X12' SHED
13420	801 HIGHWAY 17 SOUTH	12/27/11	SAFETY INSPECTION		SAFETY INSPECTION FOR RETAIL SHOP
13421	211 SEASIDE DRIVE NORTH #301	12/28/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINETY IN	REPLACE (2) 6'X6'8" PATIO DOORS WITH IMPACT DOORS
13422	211 SEASIDE DRIVE NORTH	12/28/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINETY IN	REPLACE SIDING UNDER WINDOWS, FLASH & PAINT
13423	114 12TH AVENUE SOUTH	12/28/11	ELECTRICAL	GRAHAM ELECTRIC LLC	REWIRE 2 BATHROOMS, RELOCATE DRYER RECEPTICLE, ADD 2 RECESS LIGHTS
13426	515 OCEAN BOULEVARD NORTH	12/30/11	GENERAL REPAIRS	BENNEDUM PHILIP J	REPLACE (2) SLIDING DOORS WITH FABRIC SHUTTERS FOR STORM PROTECTION

**Permits Issued: December 2011**

No.	Address	Date	Type	Contractor	Scope of Work
13340	657 3RD AVENUE NORTH	12/01/11	GENERAL REPAIRS	G-WIZ CONSTRUCTION INC	REPLACE 14 WINDOWS WITH DP 50 AND PLYWOOD FOR STORM PROTECTION
13344	910 POPLAR DRIVE NORTH	12/02/11	NEW CONST(RESIDENTIAL)	D R HORTON INC	CONSTRUCT NEW SINGLE FAMILY RESIDENCE
13345	910 POPLAR DRIVE NORTH	12/02/11	STORMWATER MANAGEMENT	D R HORTON INC	STORMWATER
13346	314 14TH AVENUE SOUTH	12/02/11	MECHANICAL	THOMAS INC	HVAC RETROFIT-EQUIPMENT ONLY
13347	1011 MOSS DRIVE	12/02/11	REMODEL	RE-BUILDERS INC	REMODEL 2 EXISTING BATHROOMS. REMOVE ALL FIXTURES & INSTALL NEW.
13348	211 SEASIDE DR. NORTH #101	12/02/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINERY IN	REPLACE 2 EXTERIOR DOORS USING MESH FOR WIND PROTECTION.
13349	414 9TH AVENUE SOUTH	12/02/11	GENERAL REPAIRS	OWNER OF PROPERTY/STRUCTURE	OWNER TO REPAIR AND ENLARGE DECK AND DECK RAILS
13350	723 4TH AVENUE SOUTH A-B	12/02/11	TREE REMOVAL	ACADIA TREE & STUMP	REMOVE 1 PINE TREE
13351	221 13TH AVENUE SOUTH	12/02/11	ADDITION	ZIOLKOWSKI CONSTRUCTION	CONSTRUCT CAROLINA ROOM
13352	513 CYPRESS DRIVE	12/02/11	TREE REMOVAL	OWNER OF PROPERTY/STRUCTURE	OWNER TO REMOVE 1 DEAD TREE
13353	114 HIGHWAY 17 NORTH B	12/02/11	TENT		OPEN DISPLAY OF GOODS 12/05/11 TO 12/25/11
13354	611 14TH AVENUE SOUTH #12	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 PINE TREE
13355	620 15TH AVENUE SOUTH #86	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 2 PINE TREES
13356	614 15TH AVENUE SOUTH #40	12/05/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 TREE AND TRIM 1 TREE OVER UNIT
13359	410 HIGHWAY 17 NORTH C	12/05/11	SAFETY INSPECTION		SAFETY INSPECTION FOR H&R BLOCK
13360	616 16TH AVENUE SOUTH A-C	12/06/11	ROOF REPLACE OR REPAIR	ROOF KING INC	REMOVE AND REPLACE ROOF SHINGLES ON UNIT C
13361	313 OCEAN BIVD NORTH A	12/06/11	REMODEL PLAN REVIEW	REEDS CONSTRUCTION & PAINTING	ADD 2ND DECK, REPLACE SIDING AND WINDOW
13362	412 7TH AVENUE SOUTH	12/06/11	ROOF REPLACE OR REPAIR	TURNERS REPAIRS	REMOVE AND REPLACE ROOF SHINGLES
13363	146 HARBOR LIGHTS DRIVE	12/06/11	ACCESSORY BUILDING / USE	CAROLINA HOME EXTERIORS	POUR 4" SLAB AND INSTALL HOT TUB
13365	415 5TH AVENUE SOUTH A-B	12/07/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 2 TREES FROM REAR OF PROPERTY
13368	410 HIGHWAY 17 NORTH C	12/08/11	ELECTRICAL	PRUITT ELECTRICAL CO	REMOVE SUBPANEL
13369	416 WILLOW DRIVE SOUTH	12/08/11	TREE REMOVAL	ALL AMERICAN CLIMBERS	REMOVE DEAD OAK FROM FRONT OF PROPERTY
13370	146 HARBOR LIGHTS DRIVE	12/08/11	ELECTRICAL	LT GRACE ELECTRIC INC	RUN 50 AMP ELECTRICAL LINE FROM PANEL TO BACK OF HOUSE
13372	425 HIGHWAY 17 NORTH	12/09/11	TREE REMOVAL	M C STRICKLAND INC	REMOVE LOCUST TREE FROM REAR ENTRANCE DOOR. ROOTS DAMAGING PARKING AREA AND SIDEWALK
13373	317 OCEAN BLVD SOUTH	12/09/11	MECHANICAL	K & C TECHNOLOGY	REPLACE 4 TON HEAT PUMP, INDOOR AND OUTDOOR UNIT - ELEVATED TO MEET FLOOD ZONE
13374	811 11TH AVENUE NORTH	12/09/11	TREE REMOVAL	ACADIA TREE & STUMP	REMOVE 2 PINE TREES AS APPROVED
13375	23 MYRTLE DRIVE SOUTH	12/12/11	OPEN FOR LEAKS	FOX CHASE BUILDERS LLC	OPEN FOR LEAKS

No.	Address	Date	Type	Contractor	Scope of Work
13376	114 15TH AVENUE SOUTH	12/12/11	REMODEL	HOLT JIMMY	TEAR OUT WALLS IN BATHROOM, TAKE OUT TUB, INSTALL NEW TUB, VANITY, CREATE LINEN CLOSET. INSTALL LAUNDRY ROOM, SHOWER & COMMODE ON GROUND FLOOR
13377	125 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13378	520 HIGHWAY 17 SOUTH	12/12/11	SAFETY INSPECTION		SAFETY INSPECTION FOR CUSTOMER SERVICE SUPPORT
13379	121 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13380	121 HARBOR LIGHTS DRIVE	12/12/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13381	107 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR NEW SINGLE FAMILY RESIDENCE
13382	129 HARBOR LIGHTS DRIVE	12/12/11	NEW RESIDENTIAL PLAN REV.	D R HORTON INC	PLAN REVIEW FOR SINGLE FAMILY RESIDENCE
13383	129 HARBOR LIGHTS DRIVE	12/12/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13384	612 MELODY LANE	12/13/11	REMODEL PLAN REVIEW	LLT LLC	CLOSE IN 21'X17' EXISTING CARPORT
13385	618 JUNIPER DRIVE	12/13/11	TREE REMOVAL	CHIPMAN'S TREE SERVICE	REMOVE 1 DEAD PINE TREE, 1 LIVE PINE AND TRIM GUM TREE
13386	TOWN OF SURFSIDE BEACH	12/13/11	GENERAL REPAIRS	PALMETTO CORP OF CONWAY	RESURFACE DOGWOOD DR. FROM 5TH NORTH TO 8TH SOUTH & 2ND AVE. SOUTH FROM OAK TO OCEAN BLVD.
13390	410 HIGHWAY 17 NORTH A	12/14/11	OPEN DISPLAY OF MDSE		SIDEWALK SALE
13391	114 HIGHWAY 17 NORTH B	12/14/11	BANNER		BANNER PLACEMENT DEC. 14 - DEC. 23, 2011
13392	657 3RD AVENUE NORTH	12/15/11	GENERAL REPAIRS	G-WIZ CONSTRUCTION INC	INSTALL PRIMED HARDI SIDING AND TRIM
13393	214 MYRTLE DRIVE SOUTH	12/15/11	DRIVEWAY,SIDEWALK,PATIO	PALMETTO CONCRETE	INSTALL 20'X44' DRIVEWAY
13394	107 HARBOR LIGHTS DRIVE	12/15/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13395	125 HARBOR LIGHTS DRIVE	12/15/11	STORMWATER PLAN REVIEW	D R HORTON INC	STORMWATER PLAN REVIEW
13396	612 MELODY LANE	12/15/11	REMODEL	LLT LLC	CLOSE IN 21'X17' EXISTING CARPORT
13397	313 OCEAN BOULEVARD NORTH	12/16/11	REMODEL	REEDS CONSTRUCTION & PAINTING	ADD 2ND DECK, REPLACE SIDING AND WINDOWS
13398	618 MAPLE DRIVE	12/16/11	TREE REMOVAL	M C STRICKLAND INC	REMOVE 2 DEAD TREES
13399	910 OCEAN BOULEVARD NORTH	12/16/11	MINOR SUBDIVISION		MINOR SUBDIVISION 191-16-17-001
13401	121 12TH AVENUE SOUTH	12/19/11	ROOF REPLACE OR REPAIR	DAVIS ROOFING OF MURRELLS INLET	REMOVE AND REPLACE ROOF SHINGLES
13402	115 15TH AVENUE NORTH C	12/19/11	TREE REMOVAL	DO-MORE SERVICES	REMOVE 3 BRADFORD TREES
13407	337 14TH AVENUE SOUTH	12/19/11	ROOF REPLACE OR REPAIR	O'LEARY ROOFING INC	REMOVE AND REPLACE ROOF SHINGLES
13408	317 SPARROW DRIVE	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 2 PINE TREES FROM REAR OF PROPERTY
13409	319 13TH AVENUE SOUTH	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 1 TREE ON FRONT LEFT SIDE
13410	319 SPARROW DRIVE	12/20/11	TREE REMOVAL	MASTERCARE CONTRACTING INC	REMOVE 6 PINE TREES FROM SIDE YARD
13411	813 6TH AVENUE SOUTH	12/21/11	NEW CONST(COMMERCIAL)	JIMMY EDWARDS CONSTRUCTION	CONSTRUCT NEW COMMERCIAL BUILDING
13412	421 14TH AVENUE NORTH	12/21/11	NEW CONST(RESIDENTIAL)	PALMER BUILDING CO LLC	CONSTRUCT NEW SINGLE FAMILY RESIDENCE

No.	Address	Date	Type	Contractor	Scope of Work
13413	105 HARBOR LIGHTS DRIVE	12/21/11	NEW CONST(RESIDENTIAL)	D R HORTON INC	CONSTRUCT SINGLE FAMILY RESIDENCE
13414	105 HARBOR LIGHTS DRIVE	12/21/11	STORMWATER MANAGEMENT	D R HORTON INC	STORMWATER
13415	1601 OCEAN BOULEVARD NORTH	12/21/11	REMODEL PLAN REVIEW	BULLEY & ANDREWS LLC	PLAN REVIEW FOR BALCONY MAINTENANCE REPAIRS INCLUDING MINOR PATCHING, SEALANT & COATING REPLACEMENT AT THE EXTERIOR.
13416	1601 OCEAN BOULEVARD NORTH	12/22/11	REMODEL	BULLEY & ANDREWS LLC	BALCONY MAINTENANCE REPAIRS INCLUDING MINOR PATCHING, SEALANT AND COATING REPLACEMENT AT THE EXTERIOR.
13419	612 MELODY LANE	12/27/11	ACCESSORY BUILDING / USE	OWNER OF PROPERTY/STRUCTURE	CONSTRUCT 8'X12' SHED
13420	801 HIGHWAY 17 SOUTH	12/27/11	SAFETY INSPECTION		SAFETY INSPECTION FOR RETAIL SHOP
13421	211 SEASIDE DRIVE NORTH #301	12/28/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINETY IN	REPLACE (2) 6'X6'8" PATIO DOORS WITH IMPACT DOORS
13422	211 SEASIDE DRIVE NORTH	12/28/11	GENERAL REPAIRS	ANCHOR MILLWORK AND CABINETY IN	REPLACE SIDING UNDER WINDOWS, FLASH & PAINT
13423	114 12TH AVENUE SOUTH	12/28/11	ELECTRICAL	GRAHAM ELECTRIC LLC	REWIRE 2 BATHROOMS, RELOCATE DRYER RECEPTICLE, ADD 2 RECESS LIGHTS
13426	515 OCEAN BOULEVARD NORTH	12/30/11	GENERAL REPAIRS	BENNEDUM PHILIP J	REPLACE (2) SLIDING DOORS WITH FABRIC SHUTTERS FOR STORM PROTECTION

**TOWN OF SURFSIDE BEACH  
BUILDING AND ZONING REPORT  
2010-2011 YTD**

<b>MONTH/YEAR</b>	<b># OF PERMITS</b>	<b>PERMIT FEES</b>	<b># CONTRACTOR BUS. LIC./ RENEWALS</b>	<b>\$CONTRACTOR BUS.LIC./ RENEWALS</b>	<b>INSPECTIONS</b>
<b>JAN. 2010</b>	85	10,521.08	19	3,656.25	94
<b>2011</b>	64	5,490.05	18	2,656.70	53
<b>DIFFERENCE</b>	<b>-21</b>	<b>-5,031.03</b>	<b>-1</b>	<b>-999.55</b>	<b>-41</b>
<b>Feb. 2010</b>	80	16,306.36	35	3,243.70	145
<b>2011</b>	56	5,847.83	24	4,820.20	58
<b>DIFFERENCE</b>	<b>-24</b>	<b>-10,458.53</b>	<b>-11</b>	<b>1,576.50</b>	<b>-87</b>
<b>MARCH 2010</b>	87	16,206.16	21	3,270.85	142
<b>2011</b>	100	16,209.08	25	6,730.75	60
<b>DIFFERENCE</b>	<b>13</b>	<b>2.92</b>	<b>4</b>	<b>3,459.90</b>	<b>-82</b>
<b>APRIL 2010</b>	89	9,154.80	101	13,163.42	156
<b>2011</b>	129	17,958.75	102	17,991.78	72
<b>DIFFERENCE</b>	<b>40</b>	<b>8,803.95</b>	<b>1</b>	<b>4,828.36</b>	<b>-84</b>
<b>MAY 2010</b>	114	13,296.80	140	24,584.18	159
<b>2011</b>	128	16,719.24	153	26,893.76	122
<b>DIFFERENCE</b>	<b>14</b>	<b>3,422.44</b>	<b>13</b>	<b>2,309.58</b>	<b>-37</b>
<b>JUNE 2010</b>	72	6,801.78	120	17,933.44	126
<b>2011</b>	122	18,917.89	111	17,796.03	139
<b>DIFFERENCE</b>	<b>50</b>	<b>12,116.11</b>	<b>-9</b>	<b>-137.41</b>	<b>13</b>
<b>JULY 2010</b>	55	4,521.78	37	4,861.47	107
<b>2011</b>	87	14,536.50	87	8,086.71	110
<b>DIFFERENCE</b>	<b>32</b>	<b>10,014.72</b>	<b>50</b>	<b>3,225.24</b>	<b>3</b>
<b>AUG. 2010</b>	57	5,829.01	23	2,681.45	92
<b>2011</b>	94	25,497.75	23	5,841.76	148
<b>DIFFERENCE</b>	<b>37</b>	<b>19,668.74</b>	<b>0</b>	<b>3,160.31</b>	<b>56</b>
<b>SEPT. 2010</b>	64	6,333.85	24	8,000.10	93
<b>2011</b>	83	18,361.96	25	3,931.43	111
<b>DIFFERENCE</b>	<b>19</b>	<b>12,028.11</b>	<b>1</b>	<b>-4,068.67</b>	<b>18</b>
<b>OCT. 2010</b>	78	7,206.40	56	7,420.35	76
<b>2011</b>	65	4,051.08	26	3,570.10	158
<b>DIFFERENCE</b>	<b>-13</b>	<b>-3,155.32</b>	<b>-30</b>	<b>-3,850.25</b>	<b>82</b>
<b>NOV. 2010</b>	71	5,492.25	24	3,283.08	91
<b>2011</b>	72	12,287.26	28	7,078.08	141
<b>DIFFERENCE</b>	<b>1</b>	<b>6,795.01</b>	<b>4</b>	<b>3,795.00</b>	<b>50</b>
<b>DEC. 2010</b>	67	4,512.25	24	5,354.95	40
<b>2011</b>	66	14,698.16	21	5,710.85	79
	<b>-1</b>	<b>10,185.91</b>	<b>-3</b>	<b>355.90</b>	<b>39</b>
<b>DIFF TOTALS</b>	<b>147</b>	<b>64,393.03</b>	<b>19</b>	<b>13,654.91</b>	<b>-70</b>

MIKE FREDERICK  
Chief of Police



K. ALLEN DEATON  
Mayor

**SURFSIDE BEACH POLICE DEPARTMENT**  
811 Pine Drive  
Surfside Beach, SC 29575

**Monthly Activity Report  
DEC 2011**

**(7 DEC – 4 JAN 12)**

*Prepared by Mike Frederick*

**INTRODUCTION:**

This month's report contains the usual categories of information and performance metrics, but will also contain a year-end summary of our workload numbers, call for service data, etc. (discussed in more detail below).

Although our service workload remained steady November to December (we had anticipated a small drop), we are now moving toward the lowest service-demand time of the year as we fully enter our off-season.

We continue to receive positive feedback from the public and members of media organizations in regard to our dedication to the concept of governmental and operational transparency. We anticipate no changes to our revised Freedom of Information procedures for 2012, and do not plan to change the format or structure of this report this year. As always, if you have specific requests for information feel free to contact me at any time.

**PERSONNEL ACTIONS:**

SBPD initiated no disciplinary actions, demotions, terminations, or transfers during this reporting period. We received no formal complaints against an officer during this reporting period.

We commended two officers during this reporting period in regard to their performance of duty during two separate incidents

At the very end of the November reporting period, part-time Officer Jim Amundsen disrupted a burglary by accurately predicting the suspects' egress route and concealing himself in the area to cut off their escape.

About a month later, CPL Chris King chose to conduct a field interview on a pedestrian walking in a business district at about 2:00 AM. King's interview led to the suspect's eventual arrest for a commercial burglary committed in Surfside Beach just minutes prior to the contact.

Both commendations are noteworthy (obviously) on their own merits, but also reveal a larger theme: SBPD officers continue to demonstrate their wholehearted adoption of our

community-centered, problem-oriented approach to police work even as they bring a very high level of technical proficiency and tactical ability to bear against criminals (and would-be criminals) here. The behaviors described in the commendations demonstrate this continued focus on preventing serious crime and preserving the quality of life in our neighborhoods.

The commendation memoranda are included for your review.

### **HIGH RISK LAW ENFORCEMENT ACTIVITIES:**

SBPD conducted two vehicle pursuits during this reporting period. One was low-speed in nature, and resulted in no collisions. Neither the officers involved nor the suspects were injured. The pursuit reports are attached for your review.

SBPD officers conducted one foot-pursuit during this reporting period, which terminated in a reportable use of force. An officer pursued (and captured) the operator of a bicycle after he fled the officer's attempts to stop him. He was arrested without injury.

No officers were injured on-duty during this reporting.

We used two reportable levels of force during the reporting period (standard handcuffing, escort holds, etc. do not require additional reporting beyond our Uniform Crime Report). Both reports stemmed from the presentation of duty weapons after pursuits.

The force and pursuit reports are attached for your review.

### **TRAINING:**

As we enter our off-season, the SBPD training continues to produce more in-house training, and officers will be better able to take advantage of off-site training opportunities due to the slightly lower CFS demands. You'll note, therefore, a marked increase in our training activity over the next three months.

As always, officers maintained their Class 1 Law Enforcement licenses via online training provided by the SC Criminal Justice Academy, and continued to receive their mandated in-service hours through our contracted third-party vendor.

All sworn officers completed their recertification ranges and qualified with TASER's, patrol rifles, and shotguns in two sessions conducted on 6 and 8 DEC.

All sworn officers completed their state-mandated Criminal Domestic Violence training online as required by the SC Criminal Justice Academy.

CPL Ken Hofmann attended the SC Training Officers Association quarterly training seminar in Columbia, SC. OFF Al Sanabria completed the three-day Calibre Press "Street Survival" officer safety and tactics seminar hosted by Myrtle Beach PD (we received a discounted slot in this course as part of our continued training partnership with MBPD).

LT Rodney Keziah completed the week-long FBI Law Enforcement Executive Development Association's Command Institute training conducted in Myrtle Beach. The course served as the first segment of an intensive, three-part executive training program

designed to prepare officers for command positions. Keziah will complete the other two segments over the next four months.

### **WORKLOAD / PERFORMANCE METRICS:**

As usual, we've included our Monthly Activity Report (along with the same period last year spreadsheet for comparison purposes). Also included are the usual supplemental reports: the Criminal Investigations log, and the USMS Fugitive Task Force. Because we've shut down our seasonal Beach Services operation, no Beach Services Field Activities log is included.

As referenced in the introduction, we've also included a year-end summary of our 2011 workload metrics (along with a copy of last year's 2010 summary for comparison purposes). You'll see a few basic charts which pull out the call for service (CFS) numbers, criminal charges, and physical arrests, followed by a combined chart to illustrate the interrelated nature of the three metrics. I won't belabor the data with a line-by-line analysis here, but a review of the data demonstrates our shifted emphasis to neighborhood patrols and crime prevention. We've enjoyed decreases in a couple of key areas, and increases where we wanted them. Please let me know if you have specific question regarding the summaries.

SGT Bailey's activity level on the US Marshal Service fugitive task force continues to pick up steam (although he missed half of his assigned task force days during this period due to vacation time). He continues to assist with serious federal cases, but our primary benefit here at SBPD is his effort to clear our backlog of outstanding local warrants. SGT Bailey reports that in the seven months he's served as a Special Deputy US Marshal during the latter half of 2011, he cleared and served 142 warrants. The cash bonds attached to these arrests totaled \$58,176.68 (a significant portion of which is retained by the Town).

This month, SBPD officers issued 108 written warnings in lieu of Uniform Traffic Tickets. Beginning with our next reporting period, these warnings will be included in the Monthly Activity Report.

### **NOTABLE EVENTS / INFORMATION:**

SBPD authorized two Media Information Releases stemming from events and activities during this reporting period (included for your review). One concerned a suspicious device call, while the other detailed the burglary referenced in CPL King's commendation.

Undoubtedly the most unfortunate and unavoidable aspect of the law enforcement profession is the continued (and, over the past year, increasing) level of violence directed at officers. Due in part to our single, consolidated training academy, SC law enforcement officers enjoy a tight-knit



*Officers from across SC and the US pay their respects to Aiken DPS Master Police Officer Scotty Richardson at his funeral on 27 DEC. CPL Chris King and OFF Jim Amundsen (second and third from left, respectively) attended on behalf of SBPD.*

fraternity statewide. This fraternity suffered a blow last month when Aiken police officer Scotty Richardson was killed during a traffic stop. Several SBPD officers have connections to the Aiken Department of Public Safety, and two volunteered to represent us at the funeral in Aiken on 27 DEC. Hundreds of officers from across the country (from as far away as Chicago) attended the Aiken service, and the local paper there happened to catch CPL Chris King and OFF Jim Amundsen in a photograph:

As always, please don't hesitate to call should you desire additional information or clarification regarding the information within this report (or about our operation in general). Thank you for your continued support of our efforts.

**SURFSIDE BEACH POLICE DEPARTMENT**

**Monthly Activity Report  
DEC 2011  
(7 DEC – 4 JAN 12)**

**ATTACHMENTS**

**AND**

**SUPPORTING MATERIALS**

# **SURFSIDE BEACH POLICE DEPARTMENT**

## **MEMORANDUM**

**To:** OFF Jim Amundsen

**From:** Mike Frederick, Chief of Police

**Date:** 5 DEC 2011

**Re:** Suspicious Persons / Burglary Investigation - Outstanding Performance of Duty (27 NOV 11)

**CC:** Jim Duckett, Town Administrator

.....

I would like to commend you in regard to your exemplary performance of duty during a suspicious persons / burglary investigation you initiated. Your proactive approach to patrol work resulted in the recovery of stolen merchandise and the arrest of three burglary suspects.

On 27 NOV 11, you were parked along US 17 monitoring traffic when you observed a suspicious person walking along the rear of a closed beachwear store. You exited your vehicle to investigate, and discovered that three males were attempting to walk away from the area, but you were able to detain the individuals. You (and backup officers) conducted a brief investigation and were able to determine that the individuals had likely committed a burglary at a nearby business in Horry County.

Your initiative resulted in the recovery of the merchandise which had been stolen and the arrest of the three individuals.

Seemingly routine, you may say, but I would disagree. The fact that you were parked along a major thoroughfare in a high visibility position (as opposed to hiding out at the station or elsewhere), combined with your contextual awareness resulted in the location of these individuals.

Your actions obviously contributed greatly to this community's continued safety, and reflect very positively on you and this agency. Further, we were once again able to assist a brother agency in closing one of their cases. Thank you for your continued dedication and efforts.

# **SURFSIDE BEACH POLICE DEPARTMENT**

## **MEMORANDUM**

**To:** CPL Chris King  
**From:** Mike Frederick, Chief of Police  
**Date:** 3 JAN 2012  
**Re:** Field Interview - Outstanding Performance of Duty (29 JAN 11)  
**CC:** Jim Duckett, Town Administrator

.....

I would like to commend you in regard to your exemplary performance of duty during your 28-29 JAN 12 tour of duty. Your actions, once again, demonstrate that you perfectly understand the SBPD philosophy in regard to our approach to patrol procedures.

When you observed a pedestrian wearing dark clothing and walking near closed businesses in one of our commercial districts, you departed the area and approached the suspect surreptitiously to perform a field interview.

By opting to immediately exert the effort to investigate a potentially innocuous person (rather than "checking on him later," as some officers may have chosen to do), you were able to interview the suspicious person before he slipped from the area. Although you also had the foresight to video record the encounter, the interview did not reveal any criminal activity.

Later in the shift, we discovered that a nearby business had been burglarized. Your field interview, combined with evidence obtained at the crime scene, enabled investigators to connect your suspect to the crime within hours. This obvious advantage also led to the suspect's arrest within just a few days.

We say this over and over, primarily because its true: consistency is what separates amateurs from the pros. This is a key tenet within our philosophy, and you obviously understand that. It is boring, tedious, and dangerous to conduct field interview after field interview in the dark hours of the morning, but it is this dogged determination that prevents (and solves) burglaries and other felonies.

Your determination and dedication, combined with the technical and tactical ability you displayed by initially passing the suspect by when he spotted your squad closed what would have been a very low solvability case. More importantly, your performance clearly demonstrates that you have personally adopted our philosophy of professionalism, service, and the protection of this community.

Your focus on proactive patrolling, serious crime, and quality of life issues reflects very positively on you and this agency, and sets an example worthy of following. Individual effort like this by individual officers is why we succeed as a team- thank you.



**SURFSIDE BEACH POLICE DEPARTMENT  
VEHICLE PURSUIT AFTER-ACTION REPORT**

**ORIGINAL**

- ! SUPERVISOR IS TO COMPLETE THIS FORM IN DETAIL
- ! COPY OF COMPLETED INCIDENT REPORT IS TO BE ATTACHED
- ! ORIGINAL (W/ATTACHMENTS) WILL BE FORWARDED TO THE CHIEF'S OFFICE, VIA CHAIN OF COMMAND

CASE NUMBER	DATE/TIME	REPORTING SUPERVISOR
11010774	12/09/2011 2200	Christopher King
PRIMARY OFFICER	SECONDARY OFFICER	SUPERVISOR
Chevis Ridgeway	N/A	Christopher King

REASON FOR PURSUIT (BRIEF EXPLANATION)	
VIOLENT FELONY (DESCRIBE BELOW)	TRAFFIC RELATED PRE-PURSUIT (DESCRIBE BELOW)
	OFFICER BYRD WAS ON A TRAFFIC STOP AT 14 <sup>TH</sup> AVE S WAITING ON A TOW TRUCK. THE SUSPECT'S VEHICLE PULLED UP BEHIND OFFICER BYRD'S PATROL VEHICLE. OFFICER BYRD SIGNALLED THE SUSPECT TO GO AROUND AND THE SUSPECT CONTINUED TO SIT IN THE ROADWAY. OFFICER BYRD APPROACHED THE VEHICLE AND BELIEVED THE SUSPECT WAS UNDER THE INFLUENCE. OFFICER BYRD TOLD THE SUSPECT TO STOP AT WHICH TIME THE SUSPECT DROVE OFF AT A HIGH RATE OF SPEED. OFFICER BYRD ALERTED DISPATCH OF THE SITUATION AND OFFICER RIDGEWAY LOCATED THE SUSPECT TURNING INTO THE BILO PARKING LOT. THE SUSPECT TOOK OFF AT A HIGH RATE OF SPEED BEHIND THE STORE. THE SUSPECT TURNED SHARPLY RIGHT FROM BEHIND THE STORE CAUSING THE VEHICLE'S RIGHT TIRES TO COME OFF THE GROUND. OFFICER RIDGEWAY ACTIVATED HIS BLUE LIGHTS AND THE SUSPECT FAILED TO STOP.

VIDEO/AUDIO REVIEW	
<input checked="" type="checkbox"/> Video Available	<input checked="" type="checkbox"/> Dispatch Tapes Available
<input checked="" type="checkbox"/> Video Reviewed by: C. King / <i>A. Milk</i>	<input type="checkbox"/> Dispatch Tapes Reviewed By
<input checked="" type="checkbox"/> Video Preserved	<input checked="" type="checkbox"/> Dispatch Tapes Preserved

ENVIRONMENTAL FACTORS	
Traffic <input checked="" type="checkbox"/> Light <input type="checkbox"/> Moderate <input type="checkbox"/> Heavy	Road Type <input type="checkbox"/> Freeway <input type="checkbox"/> Divided <input checked="" type="checkbox"/> Highway

<input type="checkbox"/> Pedestrians <input type="checkbox"/> Road Construction	<input checked="" type="checkbox"/> Business Zone <input type="checkbox"/> Residential <input type="checkbox"/> School Zone
<b>Weather</b> <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice	<b>Lighting Condition</b> <input type="checkbox"/> Daylight <input type="checkbox"/> Dusk <input checked="" type="checkbox"/> Night <input checked="" type="checkbox"/> Well-Lit <input type="checkbox"/> Night-No Lighting

VEHICLE FACTORS	
<b>Police Vehicle</b>	Condition: Good <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input checked="" type="checkbox"/> Truck <input type="checkbox"/> SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/>
<b>Suspect Vehicle</b>	Condition: Good <input type="checkbox"/> Moderate <input checked="" type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input type="checkbox"/> Truck <input type="checkbox"/> SUV <input checked="" type="checkbox"/> Motorcycle <input type="checkbox"/>

SUSPECT/OFFENDER ACTIONS			
<input checked="" type="checkbox"/> Speeding	<input checked="" type="checkbox"/> Stop Light/Stop Sign Violation	<input type="checkbox"/> Hit&Run	<input checked="" type="checkbox"/> Lane Change Viol.
<input checked="" type="checkbox"/> DUI	<input type="checkbox"/> Assault/Ramming (with Vehicle)	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Other
MAXIMUM SPEED	50	DURATION IN MINUTES	1

TACTICS EMPLOYED TO TERMINATE PURSUIT (CHECK ALL THAT APPLY)				
<input checked="" type="checkbox"/> Lights/Siren	<input type="checkbox"/> High-Speed Box-In	<input type="checkbox"/> Firearms	<input type="checkbox"/> Stop Sticks	<input type="checkbox"/> Stop Sticks
<input type="checkbox"/> Ramming	<input type="checkbox"/> Low-Speed Box-In	<input type="checkbox"/> Roadblock	<input type="checkbox"/> Other	<input type="checkbox"/> Firearm
DISTANCE/DURATION				
MILES DRIVEN	1	DURATION IN MINUTES	1	<input type="checkbox"/> LEFT JURISDICTION?

TERMINATION	
<input type="checkbox"/> Terminated by Primary Officer	<input checked="" type="checkbox"/> Suspect Crash without Use of Force
<input type="checkbox"/> Terminated by Supervisor	<input type="checkbox"/> Suspect Voluntarily Stopped
<input type="checkbox"/> Suspect Stopped by Force	<input type="checkbox"/> Suspect Evaded Capture

INJURIES (COLLISION)					
Officer 1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Officer 2	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect 1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect (Passenger 1)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect (Passenger 2)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party 1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party (Passenger 2)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party (Passenger 3)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>

INTER-JURISDICTIONAL	
Pursuit originated outside this jurisdiction <input type="checkbox"/> If so, what Agency	
Pursuit originated inside this jurisdiction and entered another <input type="checkbox"/> If so, what jurisdiction	

REVIEWED BY / SIGNATURE / COMMENTS
On-Duty Supervisor: Christopher King
Comments:

Captain:

Asmiller

Comments:

Chief:

M. J. / 593

Comments:

GOOD TACTICS - DRIVER SAFELY FROM ROADWAY.



**SURFSIDE BEACH POLICE DEPARTMENT  
RESPONSE TO RESISTANCE FORM**

**ORIGINAL**

**SUPERVISOR IS TO COMPLETE THIS FORM IN DETAIL**

**COPY OF COMPLETED INCIDENT REPORT IS TO BE ATTACHED**

**ORIGINAL (W/ATTACHMENTS) TO BE FORWARDED TO THE CAPTAIN'S OFFICE, VIA CHAIN OF COMMAND**

ADMINISTRATIVE		
CASE NUMBER: 11010774	DATE: 12/09/2011	TIME: 2200
SUPERVISOR COMPLETING REPORT: CHRISTOPHER KING	# OFFICERS INVOLVED: 2	
NAME(S) OF OFFICERS INVOLVED: BRYAN BYRD AND CHEVIS RIDGEWAY		

OFFICER #1 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)						
NAME: BRYAN BYRD					BADGE#: 591	
MEDICAL TREATMENT REQUIRED	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)		
DESCRIBE INJURY:						
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS
NAME OF MEDICAL FACILITY USED:						
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input checked="" type="checkbox"/>	PULLED FROM DUTY	<input type="checkbox"/>	

OFFICER #2 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)						
NAME: CHEVIS RIDGEWAY					BADGE#: 587	
MEDICAL TREATMENT REQUIRED	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)		
DESCRIBE INJURY:						
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS
NAME OF MEDICAL FACILITY USED:						
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input checked="" type="checkbox"/>	PULLED FROM DUTY	<input type="checkbox"/>	

OFFICER #3 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)						
NAME: N/A					BADGE#:	
MEDICAL TREATMENT REQUIRED	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)		
DESCRIBE INJURY:						
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS
NAME OF MEDICAL FACILITY USED:						
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input type="checkbox"/>	PULLED FROM DUTY	<input type="checkbox"/>	

SUBJECT / SUSPECT #1 INFORMATION	
NAME: HERNANDEZ, DAVID GARCIA	
DOB: 12/04/1982	RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A/I <input type="checkbox"/> OTHER SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F
CRIMINAL CHARGE(S) FAILURE TO STOP BLUE LIGHTS, DUI, AND NO DRIVER'S LICENSE	
<input checked="" type="checkbox"/> NO INJURY <input type="checkbox"/> COMPLAINT OF INJURY <input type="checkbox"/> VISIBLE INJURY <input type="checkbox"/> MEDICAL ATTENTION <input type="checkbox"/> REFUSED	
*DESCRIBE INJURY:	
<input type="checkbox"/> TRANSPORTED <input type="checkbox"/> ADMITTED TO HOSPITAL <input type="checkbox"/> TREATED/RELEASED <input type="checkbox"/> EMS <input type="checkbox"/> OTHER	
<input type="checkbox"/> PHOTOGRAPHS TAKEN	

SUBJECT / SUSPECT #2 INFORMATION	
NAME N\A	
DOB:	RACE <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A/I <input type="checkbox"/> OTHER SEX <input type="checkbox"/> M <input type="checkbox"/> F
CRIMINAL CHARGE(S)	
<input type="checkbox"/> NO INJURY <input type="checkbox"/> COMPLAINT OF INJURY <input type="checkbox"/> VISIBLE INJURY <input type="checkbox"/> MEDICAL ATTENTION <input type="checkbox"/> REFUSED	
*DESCRIBE INJURY:	
<input type="checkbox"/> TRANSPORTED <input type="checkbox"/> ADMITTED TO HOSPITAL <input type="checkbox"/> TREATED/RELEASED <input type="checkbox"/> EMS <input type="checkbox"/> OTHER	
<input type="checkbox"/> PHOTOGRAPHS TAKEN	

SUBJECT / SUSPECT #3 INFORMATION	
NAME: N\A	
DOB:	RACE <input type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A/I <input type="checkbox"/> OTHER SEX <input type="checkbox"/> M <input type="checkbox"/> F
CRIMINAL CHARGE(S)	
<input type="checkbox"/> NO INJURY <input type="checkbox"/> COMPLAINT OF INJURY <input type="checkbox"/> VISIBLE INJURY <input type="checkbox"/> MEDICAL ATTENTION <input type="checkbox"/> REFUSED	
*DESCRIBE INJURY:	
<input type="checkbox"/> TRANSPORTED <input type="checkbox"/> ADMITTED TO HOSPITAL <input type="checkbox"/> TREATED/RELEASED <input type="checkbox"/> EMS <input type="checkbox"/> OTHER	
<input type="checkbox"/> PHOTOGRAPHS TAKEN	

DID ANYONE WITNESS THE RESPONSE TO RESISTANCE	YES		NO	X	
LIST THE NAME, ADDRESS, PHONE NUMBER OF ANY WITNESSES BELOW:					
WITNESS #1:					
WITNESS #2:					
WITNESS#3:					

NARRATIVE: CLEARLY ARTICULATE SERIOUSNESS OF OFFENSE SUSPECTED AT THE TIME FORCE WAS USED, THE PHYSICAL THREAT TO OFFICER(S) OR CITIZEN(S) AND THE SUBJECT'S RESISTANCE OR ATTEMPT TO FLEE

On December 9, 2011 at approximately 10 P.M. Officer Ridgeway was involved in a motor vehicle pursuit. The suspect lost control of his vehicle and struck a telephone pole. Officer Ridgeway and Officer Byrd drew their department issued firearms and approached the vehicle. Officers ordered the suspect from the vehicle and he did not comply. Officers removed the suspect from the vehicle and took him to the ground. The suspect was handcuffed (double-locked) and transported to the jail.

RESPONSE		TO		RESISTANCE	
<input checked="" type="checkbox"/>	Command Presence	List Each Force Response And Each Subject Resistance Class	<input checked="" type="checkbox"/>	Intimidation	
<input checked="" type="checkbox"/>	Verbal Commands		<input checked="" type="checkbox"/>	Verbal Assault/Non-compliance	
<input checked="" type="checkbox"/>	Soft Empty Hand Control/PPCT		<input checked="" type="checkbox"/>	Passive Resistance	
	Taser/OC Spray		<input checked="" type="checkbox"/>	Active Resistance (no assault)	
	Hard Hand Control/Strikes			Active Assault	
	Impact Weapon			Aggravated Assault/ABIK	
	Deadly Force				
SUSPECT FACTORS				SUSPECT WEAPONS	
SEX: M	DRUG	YES		NO	<input checked="" type="checkbox"/>
HEIGHT: 5'8	ALCOHOL	YES	<input checked="" type="checkbox"/>	NO	
WEIGHT: 144	UNKNOWN				
AGE: 29					
				HANDS	
				FEET	
				IMPACT	
				EDGED	
				FIREARM	
				VEHICLE	
				CHEMICAL	
				Other	

OFFICER RESPONSE METHODS											
COMMAND PRESENCE	<input checked="" type="checkbox"/>	VERBAL COMMANDS	<input checked="" type="checkbox"/>	SOFT EMPTY HAND CONTROL	<input checked="" type="checkbox"/>						
ESCORTS:	FIELD ESCORT	TRANSPORT WRIST LOCK		ARM/SHOULDER LOCK							
TAKEDOWNS:	ARM BAR	<input checked="" type="checkbox"/>	THROW	TACKLE	WRIST THROW						
STRIKES:	PALM STRIKE	PUNCH	ELBOW	KICK	KNEE						
BATON	OC SPRAY	BEAN-BAG/PROJECTILE			OTHER						
TASER:	# DEPLOYED	# DRIVE STUNS	EFFECTIVE	NON-EFFECTIVE							
HANDCUFFS:	DOUBLE LOCKED	<input checked="" type="checkbox"/>	CHECK-FOR-FIT	<input checked="" type="checkbox"/>	BELLY/LEG CHAINS						
FIREARM:	PISTOL	<input checked="" type="checkbox"/>	SHOTGUN	RIFLE	REVOLVER						
	POINTED ONLY	<input checked="" type="checkbox"/>	NUMBER OF SHOTS FIRED	NUMBER OF HITS TO TARGET							
	NUMBER OF SHOTS UNACCOUNTED FOR	NUMBER OF HITS NOT TO TARGET									

CIRCLE THE AREA (S) OF IMPACT AND/OR INJURY							
SUSPECT				OFFICER			

COMMAND REVIEW		BADGE#	DATE
On-Duty Supervisor: Cpl Christopher King		584	12/10/2011
On-Duty Supervisor Comments:			
Patrol Commander: <i>[Signature]</i>		561	12 Dec 2011
PATROL COMMANDER COMMENTS:			
CHIEF OF POLICE: <i>[Signature]</i>		593	16 DEC 2011
Chief Comments: PROPER TACTICS - IN COMPLIANCE W/ GUIDELINES AND APPLICABLE LAWS.			

AGENCY I.D.  
SC0260800

INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
11010774

NCIC  
INQ. ENTD.

EVENT	INCIDENT TYPE		COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
	1. NRP - Failure to Stop for Blue Lights		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Ins <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input checked="" type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
	2. NRP - No DL		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		
	3. 90D - Driving Under the Influence		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)					ZIP CODE	WEAPON TYPE	
Hwy 17 S @ 15th Ave S, Surfside Beach, SC					29575-		
INCIDENT DATE		24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK	
12/09/2011		22:00		12/09/2011	23:15	DISP. DATE	DISP. TIME
						12/09/2011	22:00
						TIME ARRIVED	DEPART. TIME
						22:00	23:15
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX
		#1	#2	#3	* J S O U		AGE
							ETH.
							HOME PHONE
							EMPLOYER PHONE
ADDRESS		CITY			STATE	ZIP CODE	LOCATION NO.

VICTIM NO. 1	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE	EMPLOYER PHONE
	State of South Carolina		#1	#2	#3	* J S O U						
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.							
ADDRESS		CITY			STATE	ZIP CODE	LOCATION NO.					

VISIBLE INJURY (VICT. 1)  YES  NO  EXPLAIN - COMPLAINT OF NON-VISIBLE INJURIES:  YES  NO

VICTIM (NO. 1) USING: ALCOHOL  YES  NO  UNK  DRUGS:  YES  NO  UNK  TYPE:

TWO-MAN VEH.  ONE-MAN VEH.  DETECTIVE/SPLASMT.  OTHER  ALONE  ASSISTED  \* J -- This Jurisdiction S -- State O -- Out of State U -- Unknown

SUBJECT NO. 1	<input checked="" type="checkbox"/> SUSPECT	NAME (LAST, FIRST, MIDDLE)		RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	<input type="checkbox"/> RUNAWAY	Hernandez, David Garcia		W	M	29	H	12/04/1982	5'08"	145	BRO - Bro	BRO - Bro
	<input type="checkbox"/> WANTED	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.										
	<input type="checkbox"/> WARRANT	ADDRESS		CITY		STATE	ZIP CODE	LOCATION NO.				
<input checked="" type="checkbox"/> ARREST	618 15th Ave S #70		Surfside Beach		SC	29575-						
<input type="checkbox"/> JAIL	SUBJECT (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input checked="" type="checkbox"/>		ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST					
<input checked="" type="checkbox"/> SUMMONS	DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input checked="" type="checkbox"/>		TOTAL # ARRESTED 1		12/09/2011 22:00		12/09/2011 20:03					

NARRATIVE

On Friday, December 9, 2011, officer Byrd gave a BOLO for a suspicious vehicle that had fled from him on 14th Ave South onto Hwy 17. The vehicle was described as a primer black 2-door GMC Jimmy. I then observed a vehicle matching that description on Hwy 17 South at Melody lane, turning into the Bi-Lo parking lot. At this time I attempted to catch up to the vehicle so that I could run the vehicle information through dispatch. As I turned into the Bi-Lo parking lot, I observed the suspect vehicle was increasing it's speed, and went around the back of the building nearly on two wheels. I then turned behind the building, and observed the suspect vehicle was once again traveling at a high rate of speed, and driving recklessly behind the building. At this time I activated my blue lights while still attempting to catch up to the vehicle. The vehicle then turned around the other side of the building, this time getting the two passenger side wheels completely off the ground, and nearly flipping the vehicle over. The suspect vehicle then crossed over the highway with no regard to the safety of others, and nearly struck two vehicles while

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
---	--	--	--	--	--	--	--

PROPERTY EST.	TYPE (GROUP)						TOTAL VALUE
	STOLEN						
	DAMAGED						
	BURNED						
	RECOVERED						
	SEIZED						
COUNTERFEIT							

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY				
	REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE
587 - Chevis Ridgeway	12/10/2011	587	584 - Corporal Christopher A. King	12/12/2011	
591 - Bryan Byrd			FOLLOW-UP INVESTIGATION OFFICER		
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

AGENCY I.D.  
SC0260800

SUPPLEMENTAL INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
**11010774**

NCIC  
INQ. ENTD.

ORIGINAL REPORT  
 MODIFIES ORIGINAL  
 SUPPLEMENTAL REPORT  
 CASE STATUS CHANGE  
 ADDITIONAL VICTIMS  
 ADDITIONAL OFFENDERS  
 ADDITIONAL STOLEN PROPERTY  
 ADDITIONAL RECOVERED PROPERTY

PAGE **2** of **3** PAGES

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT  
 VICTIM # \_\_\_\_\_  
 SUBJECT # \_\_\_\_\_  
 RUNAWAY  
 WANTED  
 WARRANT  
 ARREST  
 JAIL  
 SUMMONS

NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_

VICTIM RELATIONSHIP TO SUBJECT  
#1 #2 #3 \* J S O U

RESIDENT RACE SEX AGE D.O.B. ETH

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

ADDRESS CITY STATE ZIP CODE LOCATION NO. HOME PHONE EMPLOYER PHONE

VICTIM NO. \_\_\_\_\_ VISIBLE INJURY:  NO  YES  
 COMPLAINT OF NON-VISIBLE INJURIES  NO  YES  
 VICTIM USING ALCOHOL:  NO  YES  UNK  
 TWO-MAN VEHICLE  DETECTIVE/SPLASMT  ALONE  
 ONE-MAN VEHICLE  OTHER  ASSISTED

SUBJECT NO. \_\_\_\_\_ USING ALCOHOL:  NO  YES  
 USING DRUGS:  NO  YES TYPE:  UNK

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT  
 VICTIM # \_\_\_\_\_  
 SUBJECT # \_\_\_\_\_  
 RUNAWAY  
 WANTED  
 WARRANT  
 ARREST  
 JAIL  
 SUMMONS

NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_

VICTIM RELATIONSHIP TO SUBJECT  
#1 #2 #3 \* J S O U

RESIDENT RACE SEX AGE D.O.B. ETH

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

ADDRESS CITY STATE ZIP CODE LOCATION NO. HOME PHONE EMPLOYER PHONE

VICTIM NO. \_\_\_\_\_ VISIBLE INJURY:  NO  YES  
 COMPLAINT OF NON-VISIBLE INJURIES  NO  YES  
 VICTIM USING ALCOHOL:  NO  YES  UNK  
 TWO-MAN VEHICLE  DETECTIVE/SPLASMT  ALONE  
 ONE-MAN VEHICLE  OTHER  ASSISTED

SUBJECT NO. \_\_\_\_\_ USING ALCOHOL:  NO  YES  UNK  
 USING DRUGS:  NO  YES TYPE:  UNK

**NARRATIVE**

crossing. The driver lost control of the vehicle as he was crossing the highway, and struck a utility pole, causing it to break in half. The driver was then removed from the vehicle, and quickly taken to a patrol car to get him and officer's away from the broken utility pole, and the down wires. The driver of the vehicle (suspect) was then transported to the Surfside Police Station, and the Surfside Fire Department was called to the scene. Santee Cooper electric was also called to come repair the utility pole. SCHP was also called to work the accident due to Surfside PD's involvement. A check of the suspect's name and DOB revealed that he did not have a valid DL, and his NCDL was expired.

**VEH./GUNE/ECT**

STATUS TYPE

STOLEN  VEHICLE  
 RECOVERED  GUN  
 FOUND  BOAT  
 TOWED  LICENSE PLATE  
 SUSPECT  SECURITIES/BONDS, STOCKS  
 VICTIM  ARTICLE

VIN AND/OR LICENSE NO. \_\_\_\_\_ BOAT HULL NO. AND/OR REG. NO. \_\_\_\_\_

SERIAL AND/OR OWNER APPLIED NO. \_\_\_\_\_ STATE \_\_\_\_\_

YEAR OF REGISTRATION YEAR OF EXPIRATION YEAR MAKE TYPE

MODEL STYLE COLOR BRAND NAME CALIBER

NIC NO. DENOMINATION ISSUER SECURITIES DATE

MISCELLANEOUS \_\_\_\_\_

**PROPERTY EST.**

TYPE (GROUP)	STOLEN	DAMAGED	BURNED	RECOVERED	SEIZED	COUNTERFEIT	TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							
COUNTERFEIT							

**ADMINISTRATIVE**

SUBJECT IDENTIFIED  
 YES  NO

SUBJECT LOCATED  
 YES  NO

ACTIVE  ADM. CLOSED  
 UNFOUNDED

ARRESTED UNDER 18  
 ARRESTED 18 AND OVER

EX-CLEAR UNDER 18  
 EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1.  OFFENDER DEATH 2.  NO PROSECUTION 3.  EXTRADITION DENIED 4.  VICTIM DECLINES COOPERATION 5.  JUVENILE - NO CUSTODY

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER

587 - Chevis Ridgeway 12/10/2011 587 584 - Corporal Christopher A. King 12/12/2011

591 - Bryan Byrd FOLLOW-UP INVESTIGATION OFFICER  YES  NO

AGENCY I.D.  
SC0260800

**SUPPLEMENTARY INCIDENT REPORT**  
Surfside Beach Police Department

CASE NUMBER  
**11010774**

NCIC  
INQ. ENT.D.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <u>3</u> of <u>3</u> PAGES
<input type="checkbox"/> MODIFIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

NARRATIVE

While speaking with the suspect, a strong odor of an alcoholic beverage was detected coming from the suspect's person. Due to the circumstances, and for the safety of the suspect and officers, no field sobriety was performed on the suspect. Once at the Police Station, the suspect was taken into the Datamaster room where he was offered a BA test. The suspect stated that he would provide a breath sample, was read his Advisement of Implied Consent Rights form, and the observation time was completed. After the observation time was completed, the suspect did provide a breath sample, and registered a .12 BAC. The necessary paperwork was completed and the suspect was booked into the jail for Failure to Stop, DUI, and No SCDL. The suspect was given a court date of January 18, 2012 for the city court offenses.

ADMINISTRATIVE	SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18	
					<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY							
REPORTING OFFICER(S)			DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
587 - Chevis Ridgeway			12/10/2011	587	584 - Corporal Christopher A. King		12/12/2011	
591 - Bryan Byrd					FOLLOW-UP INVESTIGATION OFFICER			
					<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			



**SURFSIDE BEACH POLICE DEPARTMENT  
RESPONSE TO RESISTANCE FORM**

**ORIGINAL**

**SUPERVISOR** IS TO COMPLETE THIS FORM IN DETAIL

**COPY** OF COMPLETED **INCIDENT REPORT** IS TO BE ATTACHED

**ORIGINAL (W/ATTACHMENTS)** TO BE FORWARDED TO THE **CAPTAIN'S OFFICE**, VIA CHAIN OF COMMAND

ADMINISTRATIVE		
CASE NUMBER: 11010870	DATE: 12/12/2011	TIME: 2218
SUPERVISOR COMPLETING REPORT: SGT. T. BAILEY	# OFFICERS INVOLVED: 1	
NAME(S) OF OFFICERS INVOLVED: J. ZIOLKOWSKI		

OFFICER #1 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)								
NAME: OFFICER ZIOLKOWSKI				BADGE#: 592				
MEDICAL TREATMENT REQUIRED		YES	<input checked="" type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)				
DESCRIBE INJURY: N/A								
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS	<input type="checkbox"/>	OTHER
NAME OF MEDICAL FACILITY USED: N/A								
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input type="checkbox"/>	YES	PULLED FROM DUTY	<input type="checkbox"/>	N/A	

OFFICER #2 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)								
NAME: N/A				BADGE#:				
MEDICAL TREATMENT REQUIRED		YES	<input type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)				
DESCRIBE INJURY:								
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS	<input type="checkbox"/>	OTHER
NAME OF MEDICAL FACILITY USED:								
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input type="checkbox"/>	PULLED FROM DUTY	<input type="checkbox"/>			

OFFICER #3 INFORMATION (BOX COMPILED FOR EACH OFFICER USING FORCE)								
NAME: N/A				BADGE#:				
MEDICAL TREATMENT REQUIRED		YES	<input type="checkbox"/>	NO (IF YES, COMPLETE TOWN ACCIDENT REPORT)				
DESCRIBE INJURY:								
TRANSPORTED	<input type="checkbox"/>	ADMITTED TO HOSPITAL	<input type="checkbox"/>	TREATED-RELEASED	<input type="checkbox"/>	EMS	<input type="checkbox"/>	OTHER
NAME OF MEDICAL FACILITY USED:								
PHOTOGRAPHS TAKEN	<input type="checkbox"/>	VIDEO AVAILABLE	<input type="checkbox"/>	PULLED FROM DUTY	<input type="checkbox"/>			

**SUBJECT / SUSPECT #1 INFORMATION**

NAME: JAMES TYLER MCKENNA

DOB: 01/29/1975                      RACE    W    B    A/I    OTHER                      SEX        M    F

CRIMINAL CHARGE(S): INTERFERING WITH POLICE OFFICER, PDC(PI), BELL AND LIGHTS REQUIRED BICYCLE

NO INJURY    COMPLAINT OF INJURY    VISIBLE INJURY    MEDICAL ATTENTION    REFUSED

\*DESCRIBE INJURY:

TRANSPORTED    ADMITTED TO HOSPITAL    TREATED/RELEASED    EMS    OTHER

PHOTOGRAPHS TAKEN

**SUBJECT / SUSPECT #2 INFORMATION**

NAME: N/A

DOB:                                      RACE    W    B    A/I    OTHER                                      SEX        M    F

CRIMINAL CHARGE(S): N/A

NO INJURY    COMPLAINT OF INJURY    VISIBLE INJURY    MEDICAL ATTENTION    REFUSED

\*DESCRIBE INJURY:

TRANSPORTED    ADMITTED TO HOSPITAL    TREATED/RELEASED    EMS    OTHER

PHOTOGRAPHS TAKEN

**SUBJECT / SUSPECT #3 INFORMATION**

NAME: N/A

DOB:                                      RACE    W    B    A/I    OTHER                                      SEX        M    F

CRIMINAL CHARGE(S)

NO INJURY    COMPLAINT OF INJURY    VISIBLE INJURY    MEDICAL ATTENTION    REFUSED

\*DESCRIBE INJURY:

TRANSPORTED    ADMITTED TO HOSPITAL    TREATED/RELEASED    EMS    OTHER

PHOTOGRAPHS TAKEN

DID ANYONE WITNESS THE RESPONSE TO RESISTANCE	YES	NO	
---	-----	----	--

LIST THE NAME, ADDRESS, PHONE NUMBER OF ANY WITNESSES BELOW:

WITNESS #1:

WITNESS #2:

WITNESS #3:

NARRATIVE: CLEARLY ARTICULATE SERIOUSNESS OF OFFENSE SUSPECTED AT THE TIME FORCE WAS USED, THE PHYSICAL THREAT TO OFFICER(S) OR CITIZEN(S), AND THE SUBJECT'S RESISTANCE OR ATTEMPT TO FLEE

On December 12, 2011, at approximately 10:18 P.M., in the woods between Bi-Lo Shopping Center and Hamburger Joes, Ptl Ziolkowski was in a foot pursuit with the defendant James Mckenna. Before the foot pursuit, it appeared to Ptl. Ziolkowski the defendant was trying to conceal an unknown object in his waistband while not stopping on his bicycle for blue lights and siren. Ptl. Ziolkowski found the defendant lying in a dense wooded area with both of his hands concealed around his waistband area. Ptl. Ziolkowski, concerned by the defendant's earlier actions, thought he may be concealing a weapon. Ptl. Ziolkowski unholstered his department issued duty weapon and pointed it at the defendant and gave the verbal command for the defendant to show his hands. The defendant did show his hands and Ptl. Ziolkowski holstered his weapon. Ptl. Ziolkowski gave the verbal command for the defendant to get on the ground and the arrestee refused. At this time Ptl. Ziolkowski used a soft empty hand arm-bar take down to take the defendant to the ground. The defendant was handcuffed behind his back. The defendant had no apparent injuries.

RESPONSE		TO		RESISTANCE					
X	Command Presence	List Each Force Response And Each Subject Resistance Class	X	Intimidation					
X	Verbal Commands		X	Verbal Assault/Non-compliance					
X	Soft Empty Hand Control/PPCT		X	Passive Resistance					
	Taser/OC Spray			Active Resistance (no assault)					
	Hard Hand Control/Strikes			Active Assault					
	Impact Weapon			Aggravated Assault/ABIK					
	Deadly Force								
SUSPECT FACTORS				SUSPECT WEAPONS					
SEX: MALE	DRUG	YES		N O		HANDS		FIREARM	
HEIGHT: 6'01	ALCOHOL	YES	X	N O		FEET		VEHICLE	
WEIGHT: 175	UNKNOWN					IMPACT		CHEMICAL	
AGE: 36						EDGED		Other	

OFFICER RESPONSE METHODS									
COMMAND PRESENCE	X	VERBAL COMMANDS	X	SOFT EMPTY HAND CONTROL	X				
ESCORTS:			TRANSPORT WRIST LOCK		ARM/SHOULDER LOCK				
TAKEDOWNS:	ARM BAR	X	THROW		TACKLE	WRIST THROW			
STRIKES:			PUNCH		ELBOW	KICK		KNEE	
BATON	OC SPRAY		BEAN-BAG/PROJECTILE		OTHER				
TASER:	# DEPLOYED		# DRIVE STUNS		EFFECTIVE		NON-EFFECTIVE		
HANDCUFFS:	DOUBLE LOCKED	X	CHECK-FOR-FIT	X	BELLY/LEG CHAINS				
FIREARM:	PISTOL	X	SHOTGUN		RIFLE		REVOLVER		
	POINTED ONLY	X	NUMBER OF SHOTS FIRED		NUMBER OF HITS TO TARGET				
	NUMBER OF SHOTS UNACCOUNTED FOR			NUMBER OF HITS NOT TO TARGET					

CIRCLE THE AREA (S) OF IMPACT AND/OR INJURY							
SUSPECT				OFFICER			



AGENCY I.D.  
SC0260800

INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
**11010870**

NCIC  
INQ. ENT.D.

EVENT	INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
	1. 90N - Interfering with Police Officer - 2-93	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13;10(Highway/Road/Alley; Field/Woods)		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Ins <input type="checkbox"/> Government <input type="checkbox"/> Relig. Orgn. <input checked="" type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
	2. 90E - Public Disorderly Conduct-Drunkenness - 8-111	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13;10(Highway/Road/Alley; Field/Woods)		
	3. NRP - Bell or like Device Required on Bicycle - 56-5-3480	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)		ZIP CODE		WEAPON TYPE		
10th Ave S and Frontage Rd, Surfside Beach, SC		29575-				

VICTIM NO. 1	INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK				LOCATION NO.				
	12/12/2011	22:18		12/12/2011	22:21	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME					
							12/12/2011	22:18	22:18	22:35				
	COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)						RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE
						#1	#2	#3	J	S	O	U		
ADDRESS						CITY			STATE	ZIP CODE	LOCATION NO.			
									SC	29576-				
VICTIM'S NAME (LAST, FIRST, MIDDLE)						RELATIONSHIP TO SUBJECT		RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE	EMPLOYER PHONE
						#1	#2	#3	J	S	O	U		
HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.										
ADDRESS						CITY			STATE	ZIP CODE	LOCATION NO.			
									SC	29576-				

VISIBLE INJURY (VICT. 1)  YES  NO  EXPLAIN - COMPLAINT OF NON-VISIBLE INJURIES:  YES  NO

VICTIM (NO. 1) USING: ALCOHOL  YES  NO  UNK  DRUGS:  YES  NO  UNK  TYPE:

TWO-MAN VEH.  ONE-MAN VEH.  DETECTIVE/SPLASMT.  OTHER  ALONE  ASSISTED  \* J -- This Jurisdiction S -- State O -- Out of State U -- Unknown

SUBJECT NO. 1	SUSPECT	NAME (LAST, FIRST, MIDDLE)	RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES	
	<input checked="" type="checkbox"/>	MCKENNA, JAMES TYLER	W	M	36	N	01/29/1975	6'01"	175	BRO - Bro	BRO - Bro	
	<input type="checkbox"/> RUNAWAY	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.										
	<input type="checkbox"/> WANTED	dark pants with dark coat and white gloves with blue palms										
<input type="checkbox"/> WARRANT	ADDRESS											
<input checked="" type="checkbox"/> ARREST	736 Oliver Dr						Murrells Inlet		SC	29576-		LOCATION NO.
<input type="checkbox"/> JAIL	SUBJECT (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>						ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST	
<input checked="" type="checkbox"/> SUMMONS	DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>						TOTAL # ARRESTED 1		12/12/2011 22:18		12/12/2011 22:21	

**NARRATIVE**

On 12-12-2011 at approx. 2218hrs Ptl. Ziolkowski observed listed arrestee operating a bicycle at 10th Ave S and the Frontage Rd traveling southbound with out a headlight. Ptl. Ziolkowski who was in a fully marked patrol vehicle initiated a stop on said bicycle on Hwy 17 and the arrestee continued to travel southbound disregarding Ptl. Ziolkowski's blue lights and siren. Ptl. Ziolkowski observed the arrestee while on the bicycle actively conceal an unknown object around the area of his waistband. The arrestee then turned right in the Bi-Lo shopping center and then fled on foot into the woods traveling westbound. Ptl. Ziolkowski who was in a full police uniform commanded the arrestee to stop in a clear loud voice and the arrestee refused. The arrestee interfered with the proper traffic stop procedure by fleeing on foot. A short foot pursuit occurred and Ptl. Ziolkowsk found the arrestee laying down in dense brush. As Ptl. Ziolkowski approached the arrestee it was observed the arrestee had his hands concealed in the area of his waistband. PTL Ziolkowski feared the arrestee was concealing a weapon based on his observations

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
---	--	--	--	--	--	--	--

PROPERTY EST.	TYPE (GROUP)	TOTAL VALUE
STOLEN		
DAMAGED		
BURNED		
RECOVERED		
SEIZED		
COUNTERFEIT		

ADMINISTRATIVE	SUBJECT IDENTIFIED		SUBJECT LOCATED		<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED		<input type="checkbox"/> ARRESTED UNDER 18		<input type="checkbox"/> EX-CLEAR UNDER 18			
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> UNFOUNDED		<input checked="" type="checkbox"/> ARRESTED 18 AND OVER		<input type="checkbox"/> EX-CLEAR 18 AND OVER			
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY											
	REPORTING OFFICER(S)				DATE	UNIT NUMBER	APPROVING OFFICER				DATE	UNIT NUMBER
592 - Officer Julian Ziolkowski				12/13/2011	592	565 - Sergeant Travis Bailey				12/16/2011		
578 - Officer Steven Brode				FOLLOW-UP INVESTIGATION OFFICER								
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO												

AGENCY I.D.  
SC0260800

**SUPPLEMENTAL INCIDENT REPORT**  
Surfside Beach Police Department

CASE NUMBER  
**11010870**

NCIC  
INQ. ENTD.

ORIGINAL REPORT     SUPPLEMENTAL REPORT     ADDITIONAL VICTIMS     ADDITIONAL STOLEN PROPERTY  
 MODIFIES ORIGINAL     CASE STATUS CHANGE     ADDITIONAL OFFENDERS     ADDITIONAL RECOVERED PROPERTY

PAGE 2 of 4 PAGES

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT    NAME (LAST, FIRST, MIDDLE)    VICTIM RELATIONSHIP TO SUBJECT    RESIDENT    RACE    SEX    AGE    D.O.B.    ETH  
 VICTIM #    #1    #2    #3    \* J S O U  
 SUBJECT #    HEIGHT    WEIGHT    HAIR    EYES    FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.  
 RUNAWAY    ADDRESS    CITY    STATE    ZIP CODE    LOCATION NO.    HOME PHONE    EMPLOYER PHONE  
 WANTED     VICTIM NO.    VISIBLE INJURY:  NO  YES    COMPLAINT OF NON-VISIBLE INJURIES    VICTIM USING ALCOHOL:  NO  YES  UNK     TWO-MAN VEHICLE     DETECTIVE/SPLASMT     ALONE  
 WARRANT    EXPLAIN     NO  YES    DRUGS:  NO  YES     UNK     ONE-MAN VEHICLE     OTHER     ASSISTED  
 ARREST     SUBJECT NO.    USING ALCOHOL:  NO  YES     UNK  
 JAIL    USING DRUGS:  NO  YES    TYPE:     UNK  
 SUMMONS

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT    NAME (LAST, FIRST, MIDDLE)    VICTIM RELATIONSHIP TO SUBJECT    RESIDENT    RACE    SEX    AGE    D.O.B.    ETH  
 VICTIM #    #1    #2    #3    \* J S O U  
 SUBJECT #    HEIGHT    WEIGHT    HAIR    EYES    FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.  
 RUNAWAY    ADDRESS    CITY    STATE    ZIP CODE    LOCATION NO.    HOME PHONE    EMPLOYER PHONE  
 WANTED     VICTIM NO.    VISIBLE INJURY:  NO  YES    COMPLAINT OF NON-VISIBLE INJURIES    VICTIM USING ALCOHOL:  NO  YES  UNK     TWO-MAN VEHICLE     DETECTIVE/SPLASMT     ALONE  
 WARRANT    EXPLAIN     NO  YES    DRUGS:  NO  YES     UNK     ONE-MAN VEHICLE     OTHER     ASSISTED  
 ARREST     SUBJECT NO.    USING ALCOHOL:  NO  YES     UNK  
 JAIL    USING DRUGS:  NO  YES    TYPE:     UNK  
 SUMMONS

**NARRATIVE**

during the stop and the arrestee's refusal to show his hands upon request of a police officer. At this time Ptl. Ziolkowski unholstered his department issued duty weapon and pointed it at the arrestee and gave the verbal command to see the arrestee's hands. The arrestee immediately stood up and placed his in the air. At this time Ptl. Ziolkowski lowered his duty weapon and commanded the arrestee to get on the ground. The arrestee refused to get on the ground. Ptl. Ziolkowski holstered his duty weapon and escorted the arrestee to the ground by a soft empty hand arm-bar take down. On the ground Ptl. Ziolkowski gave the verbal command for the arrestee to place his hands behind his back and the arrestee refused. The arrestee interfered with the proper arrest procedures by actively holding his left hand under his body and not placing it behind his back.

**VEH./GUN/ECT**

STATUS    TYPE    VIN AND/OR LICENSE NO.    BOAT HULL NO. AND/OR REG. NO.  
 STOLEN     VEHICLE  
 RECOVERED     GUN    SERIAL AND/OR OWNER APPLIED NO.    STATE  
 FOUND     BOAT    YEAR OF REGISTRATION    YEAR OF EXPIRATION    YEAR    MAKE    TYPE  
 TOWED     LICENSE PLATE    MODEL    STYLE    COLOR    BRAND NAME    CALIBER  
 SUSPECT     SECURITIES/BONDS, STOCKS    NIC NO.    DENOMINATION    ISSUER    SECURITIES DATE  
 VICTIM     ARTICLE    MISCELLANEOUS

**PROPERTY EST.**

TYPE (GROUP)	TOTAL VALUE
STOLEN	
DAMAGED	
BURNED	
RECOVERED	
SEIZED	
COUNTERFEIT	

**ADMINISTRATIVE**

SUBJECT IDENTIFIED     SUBJECT LOCATED     ACTIVE     ADM. CLOSED     ARRESTED UNDER 18     EX-CLEAR UNDER 18  
 YES     NO     YES     NO     UNFOUNDED     ARRESTED 18 AND OVER     EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1.  OFFENDER DEATH    2.  NO PROSECUTION    3.  EXTRADITION DENIED    4.  VICTIM DECLINES COOPERATION    5.  JUVENILE - NO CUSTODY

REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
592 - Officer Julian Ziolkowski	12/13/2011	592	565 - Sergeant Travis Bailey	12/16/2011	
578 - Officer Steven Brode			FOLLOW-UP INVESTIGATION OFFICER		

YES  NO

AGENCY I.D.  
SC0260800

SUPPLEMENTARY INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
11010870

NCIC  
INQ. ENTD.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <u>3</u> of <u>4</u> PAGES
<input type="checkbox"/> MODIFIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

After a short struggle the arrestee was handcuffed behind his back and the handcuffs were checked for fit and double locked. Ptl. Ziolkowski observed the arrestee to have a high alcoholic beverage smell about his breath and person and the arrestee stated he had been drinking beer. The arrestee with his bicycle was transported to Surfside Beach Police Station for booking procedures. The arrestee was identified by his SC identification card. Upon farther inspection listed bicycle did not have a bell of like device attached to it. Search incident to arrest the arrestee was found to be in possession of six one dollar bills.

The bicycle was ran through NCIC and was clear. The bicycle was a Roadmaster blue in color with the serial number SNFSD08FH7156.

Tickets issued were: 62220FY Lights required on Bicycle, 62221FY Interfering with a Police Officer, 62222FY PDC Drunkenness, 62223FY Bell of like device required on a bicycle for court date 01-18-2012. A use of force packet was completed.

NARRATIVE

ADMINISTRATIVE	SUBJECT IDENTIFIED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		SUBJECT LOCATED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> ACTIVE	<input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
					<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER	
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH				2. <input type="checkbox"/> NO PROSECUTION	3. <input type="checkbox"/> EXTRADITION DENIED	4. <input type="checkbox"/> VICTIM DECLINES COOPERATION	5. <input type="checkbox"/> JUVENILE - NO CUSTODY
	REPORTING OFFICER(S)		DATE	UNIT NUMBER	APPROVING OFFICER		DATE	UNIT NUMBER
592 - Officer Julian Ziolkowski		12/13/2011	592	565 - Sergeant Travis Bailey		12/16/2011		
578 - Officer Steven Brode				FOLLOW-UP INVESTIGATION OFFICER <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				

AGENCY I.D.  
SC0260800

**SUPPLEMENTARY INCIDENT REPORT**  
Surfside Beach Police Department

CASE NUMBER		NCIC	
11010870		INQ.	ENTD.

<input type="checkbox"/> ORIGINAL REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	<input type="checkbox"/> ADDITIONAL VICTIMS	<input type="checkbox"/> ADDITIONAL STOLEN PROPERTY	PAGE <u>4</u> of <u>4</u> PAGES
<input type="checkbox"/> MODIFIES ORIGINAL	<input type="checkbox"/> CASE STATUS CHANGE	<input type="checkbox"/> ADDITIONAL OFFENDERS	<input type="checkbox"/> ADDITIONAL RECOVERED PROPERTY	

**Offense(s)**

INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED
NRP - Lights required on Bicycle - 56-5-3470	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)	

**Property**

SEQ #	OFFENSE	ITEM TYPE	STATUS	VALUE	OJ?	QUANTITY	DESCRIPTION
1	NRP				No		
MAKE	MODEL	SERIAL NUMBER	OWNER APPLIED NUMBER	PRIMARY COLOR	ITEM CATEGORY	DAMAGE AMOUNT	
OWNER	NCIC	REC?	REC. QTY	REC. VALUE	DATE OBTAINED	TIME	OBTAINED FROM
		No					



**SURFSIDE BEACH POLICE DEPARTMENT  
VEHICLE PURSUIT AFTER-ACTION REPORT**

**ORIGINAL**

- ! SUPERVISOR IS TO COMPLETE THIS FORM IN DETAIL
- ! COPY OF COMPLETED INCIDENT REPORT IS TO BE ATTACHED
- ! ORIGINAL (W/ATTACHMENTS) WILL BE FORWARDED TO THE CHIEF'S OFFICE, VIA CHAIN OF COMMAND

CASE NUMBER	DATE/TIME	REPORTING SUPERVISOR
11011376	12/31/2011 0223	Christopher King
PRIMARY OFFICER	SECONDARY OFFICER	SUPERVISOR
Christopher King	David Reyher	David Reyher

REASON FOR PURSUIT (BRIEF EXPLANATION)	
VIOLENT FELONY (DESCRIBE BELOW)	TRAFFIC RELATED PRE-PURSUIT (DESCRIBE BELOW)
	ON DECEMBER 31, 2011 AT APPROXIMATELY 2:23 A.M. I OBSERVED A RED BUICK TRAVELING SOUTH ON HWY 17 NEAR SURFSIDE DR. THE VEHICLE WAS LOCKED IN ON RADAR TRAVELING 59 MPH IN A 45 MPH ZONE. THE VEHICLE ALSO CROSSED THE WHITE FOG LINE AND RAN OFF THE RIGHT SIDE OF THE ROAD. A TRAFFIC STOP WAS ATTEMPTED DUE SUSPICION OF DUI.

VIDEO/AUDIO REVIEW	
<input checked="" type="checkbox"/> Video Available	<input checked="" type="checkbox"/> Dispatch Tapes Available
<input checked="" type="checkbox"/> Video Reviewed by: C. King / <i>A. Miller</i>	<input checked="" type="checkbox"/> Dispatch Tapes Reviewed By <i>Miller</i>
<input checked="" type="checkbox"/> Video Preserved	<input checked="" type="checkbox"/> Dispatch Tapes Preserved

ENVIRONMENTAL FACTORS	
<b>Traffic</b> <input checked="" type="checkbox"/> Light <input type="checkbox"/> Moderate <input type="checkbox"/> Heavy <input type="checkbox"/> Pedestrians <input type="checkbox"/> Road Construction	<b>Road Type</b> <input type="checkbox"/> Freeway <input type="checkbox"/> Divided <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Business Zone <input checked="" type="checkbox"/> Residential <input type="checkbox"/> School Zone
<b>Weather</b> <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice	<b>Lighting Condition</b> <input type="checkbox"/> Daylight <input type="checkbox"/> Dusk <input checked="" type="checkbox"/> Night <input checked="" type="checkbox"/> Well-Lit <input type="checkbox"/> Night-No Lighting

VEHICLE FACTORS	
<b>Police Vehicle</b>	Condition: Good <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input checked="" type="checkbox"/> Truck <input type="checkbox"/> SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/>
<b>Suspect Vehicle</b>	Condition: Good <input type="checkbox"/> Moderate <input checked="" type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input checked="" type="checkbox"/> Truck <input type="checkbox"/> SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/>

**SUSPECT/OFFENDER ACTIONS**

<input checked="" type="checkbox"/> Speeding	<input type="checkbox"/> Stop Light/Stop Sign Violation	<input type="checkbox"/> Hit&Run	<input checked="" type="checkbox"/> Lane Change Viol.
<input checked="" type="checkbox"/> DUI	<input type="checkbox"/> Assault/Ramming (with Vehicle)	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Other
MAXIMUM SPEED	45	DURATION IN MINUTES	6

**TACTICS EMPLOYED TO TERMINATE PURSUIT (CHECK ALL THAT APPLY)**

<input checked="" type="checkbox"/> Lights/Siren	<input type="checkbox"/> High-Speed Box-In	<input type="checkbox"/> Firearms	<input type="checkbox"/> Stop Sticks	<input type="checkbox"/> Stop Sticks
<input type="checkbox"/> Ramming	<input type="checkbox"/> Low-Speed Box-In	<input type="checkbox"/> Roadblock	<input type="checkbox"/> Other	<input type="checkbox"/> Firearm

**DISTANCE/DURATION**

MILES DRIVEN	4	DURATION IN MINUTES	6	<input checked="" type="checkbox"/> LEFT JURISDICTION?
--------------	---	---------------------	---	--

**TERMINATION**

<input type="checkbox"/> Terminated by Primary Officer	<input type="checkbox"/> Suspect Crash without Use of Force
<input type="checkbox"/> Terminated by Supervisor	<input checked="" type="checkbox"/> Suspect Voluntarily Stopped
<input type="checkbox"/> Suspect Stopped by Force	<input type="checkbox"/> Suspect Evaded Capture

**INJURIES (COLLISION)**

	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Officer 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Officer 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suspect 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suspect (Passenger 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Suspect (Passenger 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Party 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Party (Passenger 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Party (Passenger 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**INTER-JURISDICTIONAL**

Pursuit originated outside this jurisdiction <input type="checkbox"/> If so, what Agency	
Pursuit originated inside this jurisdiction and entered another <input checked="" type="checkbox"/> If so, what jurisdiction	Horry County

**REVIEWED BY / SIGNATURE / COMMENTS**

On-Duty Supervisor: Christopher King
Comments:
Captain: 
Comments: all procedures followed; good safe pursuit.
Chief: 
Comments: WELL MANAGED PURSUIT.

AGENCY I.D.  
SC0260800

INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
11011376

NCIC  
INQ. ENT.D.

EVENT	INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
	1. 90D - Driving Unlawful Alcohol Concentration	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Ins <input type="checkbox"/> Government <input checked="" type="checkbox"/> Relig. Orgn. <input type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
	2. 90Z - Failure to Stop for Blue Lights	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		
	3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO			
	INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)		ZIP CODE	WEAPON TYPE		
	Surfside Dr/Hwy 17, Surfside Beach, SC		29575-			

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK			DEPART. TIME	LOCATION NO.
12/31/2011	2:23		12/31/2011	3:48	DISP. DATE	DISP. TIME	TIME ARRIVED	3:48	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)					RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE
King, C.					#1 #2 #3	* J S O U			
ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.			
811 Pine Dr			Surfside Beach	SC	29575-				

VICTIM NO. 1	VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT	RESIDENT	RACE	SEX	AGE	ETH.	HOME PHONE	EMPLOYER PHONE
	State of South Carolina		#1 #2 #3	* J S O U						
	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.					
ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.				
VISIBLE INJURY (VICT. 1) <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> EXPLAIN -										COMPLAINT OF NON-VISIBLE INJURIES: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
VICTIM (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input checked="" type="checkbox"/> DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input checked="" type="checkbox"/> TYPE:										

SUBJECT NO. 1	TWO-MAN VEH. <input type="checkbox"/>	ONE-MAN VEH. <input type="checkbox"/>	DETECTIVE/SPLASMT. <input type="checkbox"/>	OTHER <input type="checkbox"/>	ALONE <input type="checkbox"/>	ASSISTED <input type="checkbox"/>	* J -- This Jurisdiction S -- State O -- Out of State U -- Unknown							
	<input checked="" type="checkbox"/> SUSPECT	NAME (LAST, FIRST, MIDDLE)				RACE	SEX	AGE	ETH.	DATE OF BIRTH	HEIGHT	WEIGHT	HAIR	EYES
	<input type="checkbox"/> RUNAWAY	Deem, Brandon Keith				W	M	28	N		5'08"	150	BRO - Bro	BRO - Bro
	<input type="checkbox"/> WANTED	FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.												
	<input type="checkbox"/> WARRANT	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.						
<input checked="" type="checkbox"/> ARREST	11140 McDowell Shortcut Rd, LOT 49			Murrells Inlet	SC	29576-								
<input type="checkbox"/> JAIL	SUBJECT (NO. 1) USING: ALCOHOL <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>				ARRESTED NEAR OFFENSE SCENE <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		DATE/TIME OF OFFENSE		DATE/TIME OF ARREST					
<input type="checkbox"/> SUMMONS	DRUGS: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/>				TOTAL # ARRESTED 1		12/31/2011 2:23		12/31/2011 2:50					

**NARRATIVE**

On December 31, 2011 at approximately 2:23 A.M. I observed a red Buick traveling south on Hwy 17 near Surfside Dr. The vehicle appeared to be traveling at a high rate of speed. I estimated the vehicle to be traveling 60 MPH in a 45 MPH zone. I activated the radar unit in vehicle 532 and the unit calculated the vehicle to be traveling 59 MPH in a 45 MPH zone. I also observed the vehicle cross the white fog line and run off the roadway. A traffic stop was attempted on the vehicle with SC plate 2112DY at 10th Ave S and Hwy 17. The blue lights and siren were activated and the vehicle continued to drive south on Hwy 17. The vehicle continued south on Hwy 17 until making a right turn (west) on Inlet Square Dr. The vehicle continued west on Inlet Square Dr and crossed Hwy 17 Bypass. The vehicle continued west on Tournament Blvd and crossed McDowell Shortcut Rd. The vehicle turn left (south) on a dirt road into a trailer park. The vehicle stop in front of a trailer and the driver exited the vehicle. The driver had trouble standing up and almost fell down. The driver had a strong odor of an alcoholic beverage emitting from his breath.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY				JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY			
TYPE (GROUP)							TOTAL VALUE
STOLEN							
DAMAGED							
BURNED							
RECOVERED							
SEIZED							
COUNTERFEIT							

ADMINISTRATIVE	SUBJECT IDENTIFIED	SUBJECT LOCATED	<input type="checkbox"/> ACTIVE <input type="checkbox"/> ADM. CLOSED	<input type="checkbox"/> ARRESTED UNDER 18	<input type="checkbox"/> EX-CLEAR UNDER 18
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> UNFOUNDED	<input checked="" type="checkbox"/> ARRESTED 18 AND OVER	<input type="checkbox"/> EX-CLEAR 18 AND OVER
	REASON FOR EXCEPTIONAL CLEARANCE: 1. <input type="checkbox"/> OFFENDER DEATH 2. <input type="checkbox"/> NO PROSECUTION 3. <input type="checkbox"/> EXTRADITION DENIED 4. <input type="checkbox"/> VICTIM DECLINES COOPERATION 5. <input type="checkbox"/> JUVENILE - NO CUSTODY				
REPORTING OFFICER(S)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
584 - Corporal Christopher A. King	01/03/2012	584	584 - Corporal Christopher A. King	01/03/2012	
588 - Corporal David Reyher			FOLLOW-UP INVESTIGATION OFFICER		
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

AGENCY I.D.  
SC0260800

SUPPLEMENTAL INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
11011376

NCIC  
INQ. ENTD.

ORIGINAL REPORT  
 MODIFIES ORIGINAL  
 SUPPLEMENTAL REPORT  
 CASE STATUS CHANGE  
 ADDITIONAL VICTIMS  
 ADDITIONAL OFFENDERS  
 ADDITIONAL STOLEN PROPERTY  
 ADDITIONAL RECOVERED PROPERTY

PAGE 2 of 2 PAGES

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT  
 VICTIM # \_\_\_\_\_  
 SUBJECT # \_\_\_\_\_  
 RUNAWAY  
 WANTED  
 WARRANT  
 ARREST  
 JAIL  
 SUMMONS

NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_

VICTIM RELATIONSHIP TO SUBJECT  
#1 #2 #3 \* J S O U

RESIDENT RACE SEX AGE D.O.B. ETH

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

ADDRESS CITY STATE ZIP CODE LOCATION NO. HOME PHONE D E EMPLOYER PHONE D E

VICTIM NO. \_\_\_\_\_ VISIBLE INJURY:  NO  YES  
 COMPLAINT OF NON-VISIBLE INJURIES  NO  YES  
 VICTIM USING ALCOHOL:  NO  YES  UNK  
 TWO-MAN VEHICLE  DETECTIVE/SPLASMT  ALONE  
 EXPLAIN \_\_\_\_\_ DRUGS:  NO  YES  UNK  ONE-MAN VEHICLE  OTHER  ASSISTED

SUBJECT NO. \_\_\_\_\_ USING ALCOHOL:  NO  YES  
 USING DRUGS:  NO  YES TYPE:  UNK

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT  
 VICTIM # \_\_\_\_\_  
 SUBJECT # \_\_\_\_\_  
 RUNAWAY  
 WANTED  
 WARRANT  
 ARREST  
 JAIL  
 SUMMONS

NAME (LAST, FIRST, MIDDLE) \_\_\_\_\_

VICTIM RELATIONSHIP TO SUBJECT  
#1 #2 #3 \* J S O U

RESIDENT RACE SEX AGE D.O.B. ETH

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

ADDRESS CITY STATE ZIP CODE LOCATION NO. HOME PHONE D E EMPLOYER PHONE D E

VICTIM NO. \_\_\_\_\_ VISIBLE INJURY:  NO  YES  
 COMPLAINT OF NON-VISIBLE INJURIES  NO  YES  
 VICTIM USING ALCOHOL:  NO  YES  UNK  
 TWO-MAN VEHICLE  DETECTIVE/SPLASMT  ALONE  
 EXPLAIN \_\_\_\_\_ DRUGS:  NO  YES  UNK  ONE-MAN VEHICLE  OTHER  ASSISTED

SUBJECT NO. \_\_\_\_\_ USING ALCOHOL:  NO  YES  UNK  
 USING DRUGS:  NO  YES TYPE:  UNK

**NARRATIVE**

The driver was arrested, handcuffed (double-locked), read his Miranda Rights, and transported to the Surfside Beach jail. The driver was not given field sobriety tests due to the risk of flight. The driver was given an opportunity to provide a breath sample and gave a sample of .15%. The driver was issued two citations: DUAC and Failure to Stop for Blue Lights. The driver was given a court date of February 1, 2012 for the city court charge. Case closed with the arrest of one.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY \_\_\_\_\_

JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY \_\_\_\_\_

STOLEN  VEHICLE  
 RECOVERED  GUN  
 FOUND  BOAT  
 TOWED  LICENSE PLATE  
 SUSPECT  SECURITIES/BONDS, STOCKS  
 VICTIM  ARTICLE

VIN AND/OR LICENSE NO. \_\_\_\_\_ BOAT HULL NO. AND/OR REG. NO. \_\_\_\_\_

SERIAL AND/OR OWNER APPLIED NO. \_\_\_\_\_ STATE \_\_\_\_\_

YEAR OF REGISTRATION YEAR OF EXPIRATION YEAR MAKE TYPE

MODEL STYLE COLOR BRAND NAME CALIBER

NIC NO. DENOMINATION ISSUER SECURITIES DATE

MISCELLANEOUS \_\_\_\_\_

**VEH./GUN/ECT**

STATUS	TYPE	VIN AND/OR LICENSE NO.	BOAT HULL NO. AND/OR REG. NO.	TOTAL VALUE
<input type="checkbox"/> STOLEN	<input type="checkbox"/> VEHICLE			
<input type="checkbox"/> RECOVERED	<input type="checkbox"/> GUN			
<input type="checkbox"/> FOUND	<input type="checkbox"/> BOAT			
<input type="checkbox"/> TOWED	<input type="checkbox"/> LICENSE PLATE			
<input type="checkbox"/> SUSPECT	<input type="checkbox"/> SECURITIES/BONDS, STOCKS			
<input type="checkbox"/> VICTIM	<input type="checkbox"/> ARTICLE			

**PROPERTY EST.**

TYPE (GROUP)	DATE	UNIT NUMBER	APPROVING OFFICER	DATE	UNIT NUMBER
STOLEN					
DAMAGED					
BURNED					
RECOVERED					
SEIZED					
COUNTERFEIT					

**ADMINISTRATIVE**

SUBJECT IDENTIFIED YES  NO  
 SUBJECT LOCATED YES  NO  
 ACTIVE  ADM. CLOSED  
 UNFOUNDED  
 ARRESTED UNDER 18  
 ARRESTED 18 AND OVER  
 EX-CLEAR UNDER 18  
 EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1.  OFFENDER DEATH 2.  NO PROSECUTION 3.  EXTRADITION DENIED 4.  VICTIM DECLINES COOPERATION 5.  JUVENILE - NO CUSTODY

REPORTING OFFICER(S) DATE UNIT NUMBER APPROVING OFFICER DATE UNIT NUMBER

584 - Corporal Christopher A. King 01/03/2012 584 584 - Corporal Christopher A. King 01/03/2012

588 - Corporal David Reyher

FOLLOW-UP INVESTIGATION OFFICER  YES  NO



**SURFSIDE BEACH POLICE DEPARTMENT  
VEHICLE PURSUIT AFTER-ACTION REPORT**

**ORIGINAL**

- ! SUPERVISOR IS TO COMPLETE THIS FORM IN DETAIL
- ! COPY OF COMPLETED INCIDENT REPORT IS TO BE ATTACHED
- ! ORIGINAL (W/ATTACHMENTS) WILL BE FORWARDED TO THE CHIEF'S OFFICE, VIA CHAIN OF COMMAND

CASE NUMBER	DATE/TIME	REPORTING SUPERVISOR
11011376	12/31/2011 0223	Christopher King
PRIMARY OFFICER	SECONDARY OFFICER	SUPERVISOR
Christopher King	David Reyher	David Reyher

REASON FOR PURSUIT (BRIEF EXPLANATION)	
VIOLENT FELONY (DESCRIBE BELOW)	TRAFFIC RELATED PRE-PURSUIT (DESCRIBE BELOW)
	ON DECEMBER 31, 2011 AT APPROXIMATELY 2:23 A.M. I OBSERVED A RED BUICK TRAVELING SOUTH ON HWY 17 NEAR SURFSIDE DR. THE VEHICLE WAS LOCKED IN ON RADAR TRAVELING 59 MPH IN A 45 MPH ZONE. THE VEHICLE ALSO CROSSED THE WHITE FOG LINE AND RAN OFF THE RIGHT SIDE OF THE ROAD. A TRAFFIC STOP WAS ATTEMPTED DUE SUSPICION OF DUI.

VIDEO/AUDIO REVIEW	
<input checked="" type="checkbox"/> Video Available	<input checked="" type="checkbox"/> Dispatch Tapes Available
<input checked="" type="checkbox"/> Video Reviewed by: C. King / <i>A. Miller</i>	<input checked="" type="checkbox"/> Dispatch Tapes Reviewed By <i>Miller</i>
<input checked="" type="checkbox"/> Video Preserved	<input checked="" type="checkbox"/> Dispatch Tapes Preserved

ENVIRONMENTAL FACTORS	
<b>Traffic</b> <input checked="" type="checkbox"/> Light <input type="checkbox"/> Moderate <input type="checkbox"/> Heavy <input type="checkbox"/> Pedestrians <input type="checkbox"/> Road Construction	<b>Road Type</b> <input type="checkbox"/> Freeway <input type="checkbox"/> Divided <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Business Zone <input checked="" type="checkbox"/> Residential <input type="checkbox"/> School Zone
<b>Weather</b> <input checked="" type="checkbox"/> Clear <input type="checkbox"/> Rain <input type="checkbox"/> Snow <input type="checkbox"/> Fog <input type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Ice	<b>Lighting Condition</b> <input type="checkbox"/> Daylight <input type="checkbox"/> Dusk <input checked="" type="checkbox"/> Night <input checked="" type="checkbox"/> Well-Lit <input type="checkbox"/> Night-No Lighting

VEHICLE FACTORS	
<b>Police Vehicle</b>	Condition: Good <input checked="" type="checkbox"/> Moderate <input type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input checked="" type="checkbox"/> Truck <input type="checkbox"/> SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/>
<b>Suspect Vehicle</b>	Condition: Good <input type="checkbox"/> Moderate <input checked="" type="checkbox"/> Poor <input type="checkbox"/> / Type: Car <input checked="" type="checkbox"/> Truck <input type="checkbox"/> SUV <input type="checkbox"/> Motorcycle <input type="checkbox"/>

SUSPECT/OFFENDER ACTIONS				
<input checked="" type="checkbox"/> Speeding	<input type="checkbox"/> Stop Light/Stop Sign Violation	<input type="checkbox"/> Hit&Run	<input checked="" type="checkbox"/> Lane Change Viol.	
<input checked="" type="checkbox"/> DUI	<input type="checkbox"/> Assault/Ramming (with Vehicle)	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Other	
MAXIMUM SPEED	45	DURATION IN MINUTES	6	

TACTICS EMPLOYED TO TERMINATE PURSUIT (CHECK ALL THAT APPLY)				
<input checked="" type="checkbox"/> Lights/Siren	<input type="checkbox"/> High-Speed Box-In	<input type="checkbox"/> Firearms	<input type="checkbox"/> Stop Sticks	<input type="checkbox"/> Stop Sticks
<input type="checkbox"/> Ramming	<input type="checkbox"/> Low-Speed Box-In	<input type="checkbox"/> Roadblock	<input type="checkbox"/> Other	<input type="checkbox"/> Firearm
DISTANCE/DURATION				
MILES DRIVEN	4	DURATION IN MINUTES	6	<input checked="" type="checkbox"/> LEFT JURISDICTION?

TERMINATION	
<input type="checkbox"/> Terminated by Primary Officer	<input type="checkbox"/> Suspect Crash without Use of Force
<input type="checkbox"/> Terminated by Supervisor	<input checked="" type="checkbox"/> Suspect Voluntarily Stopped
<input type="checkbox"/> Suspect Stopped by Force	<input type="checkbox"/> Suspect Evaded Capture

INJURIES (COLLISION)					
Officer 1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Officer 2	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect 1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect (Passenger 1)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Suspect (Passenger 2)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party1	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party (Passenger 2)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>
Third Party (Passenger 3)	Complaint <input type="checkbox"/>	Visible <input type="checkbox"/>	Medical Required <input type="checkbox"/>	Serious <input type="checkbox"/>	Fatal <input type="checkbox"/>

INTER-JURISDICTIONAL	
Pursuit originated outside this jurisdiction <input type="checkbox"/> If so, what Agency	
Pursuit originated inside this jurisdiction and entered another <input checked="" type="checkbox"/> If so, what jurisdiction	Horry County

REVIEWED BY / SIGNATURE / COMMENTS	
On-Duty Supervisor: Christopher King	
Comments:	
Captain: 	
Comments: all procedures followed; good safe pursuit.	
Chief: 	
Comments: WELL MANAGED PURSUIT.	

AGENCY I.D.  
SC0260800

INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
11011376

NCIC  
INQ. ENTD.

EVENT	INCIDENT TYPE	COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM
	1. 90D - Driving Unlawful Alcohol Concentration	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		<input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Financial Ins <input type="checkbox"/> Government <input type="checkbox"/> Rel/g. Orgn. <input checked="" type="checkbox"/> Soc./Public <input type="checkbox"/> Other <input type="checkbox"/> Unknown <input type="checkbox"/> Police Off.
	2. 90Z - Failure to Stop for Blue Lights	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	13(Highway/Road/Alley)		
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO				

INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER) **Surfside Dr/Hwy 17, Surfside Beach, SC** ZIP CODE **29575-** WEAPON TYPE

INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK				LOCATION NO.
12/31/2011	2:23		12/31/2011	3:48	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME	
					12/31/2011	2:23	2:23	3:48	

COMPLAINANT'S NAME (LAST, FIRST, MIDDLE) **King, C.** RELATIONSHIP TO SUBJECT #1 #2 #3 RESIDENT \* J S O U RACE SEX AGE ETH. HOME PHONE D E EMPLOYER PHONE D E

ADDRESS **811 Pine Dr** CITY **Surfside Beach** STATE **SC** ZIP CODE **29575-** LOCATION NO.

VICTIM'S NAME (LAST, FIRST, MIDDLE) **State of South Carolina** RELATIONSHIP TO SUBJECT #1 #2 #3 RESIDENT \* J S O U RACE SEX AGE ETH. HOME PHONE D E EMPLOYER PHONE D E

HEIGHT WEIGHT HAIR EYES FACIAL HAIR, SCARS, TATOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

ADDRESS CITY STATE ZIP CODE LOCATION NO.

VISIBLE INJURY (VICT. 1)  YES  NO  EXPLAIN - COMPLAINT OF NON-VISIBLE INJURIES:  YES  NO

VICTIM (NO. 1) USING: ALCOHOL  YES  NO  UNK  DRUGS:  YES  NO  UNK  TYPE:

TWO-MAN VEH.  ONE-MAN VEH.  DETECTIVE/SPLASMT.  OTHER  ALONE  ASSISTED  \* J -- This Jurisdiction S -- State O -- Out of State U -- Unknown

SUSPECT NAME, (LAST, FIRST, MIDDLE) **Deem, Brandon Keith** RACE **W** SEX **M** AGE **28** ETH. **N** DATE OF BIRTH **[REDACTED]** HEIGHT **5'08"** WEIGHT **150** HAIR **BRO - Bro** EYES **BRO - Bro**

RUNAWAY FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.

WANTED ADDRESS CITY STATE ZIP CODE LOCATION NO.

ARREST **11140 McDowell Shortcut Rd, LOT 49** **Murrells Inlet** **SC** **29576-**

JAIL SUBJECT (NO. 1) USING: ALCOHOL  YES  NO  UNK  ARRESTED NEAR OFFENSE SCENE  YES  NO DATE/TIME OF OFFENSE **12/31/2011 2:23** DATE/TIME OF ARREST **12/31/2011 2:50**

SUMMONS DRUGS:  YES  NO  UNK  TOTAL # ARRESTED **1**

**NARRATIVE**  
On December 31, 2011 at approximately 2:23 A.M. I observed a red Buick traveling south on Hwy 17 near Surfside Dr. The vehicle appeared to be traveling at a high rate of speed. I estimated the vehicle to be traveling 60 MPH in a 45 MPH zone. I activated the radar unit in vehicle 532 and the unit calculated the vehicle to be traveling 59 MPH in a 45 MPH zone. I also observed the vehicle cross the white fog line and run off the roadway. A traffic stop was attempted on the vehicle with SC plate 2112DY at 10th Ave S and Hwy 17. The blue lights and siren were activated and the vehicle continued to drive south on Hwy 17. The vehicle continued south on Hwy 17 until making a right turn (west) on Inlet Square Dr. The vehicle continued west on Inlet Square Dr and crossed Hwy 17 Bypass. The vehicle continued west on Tournament Blvd and crossed McDowell Shortcut Rd. The vehicle turn left (south) on a dirt road into a trailer park. The vehicle stop in front of a trailer and the driver exited the vehicle. The driver had trouble standing up and almost fell down. The driver had a strong odor of an alcoholic beverage emitting from his breath.

JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY

PROPERTY EST.	TYPE (GROUP)	TOTAL VALUE
	STOLEN	
	DAMAGED	
	BURNED	
	RECOVERED	
	SEIZED	
	COUNTERFEIT	

SUBJECT IDENTIFIED  YES  NO SUBJECT LOCATED  YES  NO  ACTIVE  ADM. CLOSED  UNFOUNDED  ARRESTED UNDER 18  EX-CLEAR UNDER 18  ARRESTED 18 AND OVER  EX-CLEAR 18 AND OVER

REASON FOR EXCEPTIONAL CLEARANCE: 1.  OFFENDER DEATH 2.  NO PROSECUTION 3.  EXTRADITION DENIED 4.  VICTIM DECLINES COOPERATION 5.  JUVENILE - NO CUSTODY

REPORTING OFFICER(S) **584 - Corporal Christopher A. King** DATE **01/03/2012** UNIT NUMBER **584** APPROVING OFFICER **584 - Corporal Christopher A. King** DATE **01/03/2012** UNIT NUMBER

**588 - Corporal David Reyher** FOLLOW-UP INVESTIGATION OFFICER  YES  NO

AGENCY I.D.  
SC0260800

SUPPLEMENTAL INCIDENT REPORT  
Surfside Beach Police Department

CASE NUMBER  
**11011376**

NCIC  
INQ. ENTD.

ORIGINAL REPORT   
  SUPPLEMENTAL REPORT   
  ADDITIONAL VICTIMS   
  ADDITIONAL STOLEN PROPERTY   
 PAGE 2 of 2 PAGES  
 MODIFIES ORIGINAL   
  CASE STATUS CHANGE   
  ADDITIONAL OFFENDERS   
  ADDITIONAL RECOVERED PROPERTY

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT    NAME (LAST, FIRST, MIDDLE)    VICTIM RELATIONSHIP TO SUBJECT    RESIDENT    RACE    SEX    AGE    D.O.B.    ETH  
 VICTIM #    #1    #2    #3    \* J S O U  
 SUBJECT #    HEIGHT    WEIGHT    HAIR    EYES    FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.  
 RUNAWAY    ADDRESS    CITY    STATE    ZIP CODE    LOCATION NO.    HOME PHONE    EMPLOYER PHONE  
 WANTED     VICTIM NO.    VISIBLE INJURY:  NO  YES    COMPLAINT OF NON-VISIBLE INJURIES    VICTIM USING ALCOHOL:  NO  YES  UNK     TWO-MAN VEHICLE     DETECTIVE/SPLASMT     ALONE  
 WARRANT    EXPLAIN     NO  YES    DRUGS:  NO  YES     UNK     ONE-MAN VEHICLE     OTHER     ASSISTED  
 ARREST     SUBJECT NO.    USING ALCOHOL:  NO  YES    USING DRUGS:  NO  YES    TYPE:     UNK  
 JAIL     SUMMONS

**VICT./SUBJ. I.D. OVERFLOW**

COMPLAINANT    NAME (LAST, FIRST, MIDDLE)    VICTIM RELATIONSHIP TO SUBJECT    RESIDENT    RACE    SEX    AGE    D.O.B.    ETH  
 VICTIM #    #1    #2    #3    \* J S O U  
 SUBJECT #    HEIGHT    WEIGHT    HAIR    EYES    FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARTIES, ECT.  
 RUNAWAY    ADDRESS    CITY    STATE    ZIP CODE    LOCATION NO.    HOME PHONE    EMPLOYER PHONE  
 WANTED     VICTIM NO.    VISIBLE INJURY:  NO  YES    COMPLAINT OF NON-VISIBLE INJURIES    VICTIM USING ALCOHOL:  NO  YES  UNK     TWO-MAN VEHICLE     DETECTIVE/SPLASMT     ALONE  
 WARRANT    EXPLAIN     NO  YES    DRUGS:  NO  YES     UNK     ONE-MAN VEHICLE     OTHER     ASSISTED  
 ARREST     SUBJECT NO.    USING ALCOHOL:  NO  YES    USING DRUGS:  NO  YES    TYPE:     UNK  
 JAIL     SUMMONS

**NARRATIVE**

The driver was arrested, handcuffed (double-locked), read his Miranda Rights, and transported to the Surfside Beach jail. The driver was not given field sobriety tests due to the risk of flight. The driver was given an opportunity to provide a breath sample and gave a sample of .15%. The driver was issued two citations: DUAC and Failure to Stop for Blue Lights. The driver was given a court date of February 1, 2012 for the city court charge. Case closed with the arrest of one.

**VEH./GUN/ECT**

STATUS    TYPE    VIN AND/OR LICENSE NO.    BOAT HULL NO. AND/OR REG. NO.  
 STOLEN     VEHICLE    SERIAL AND/OR OWNER APPLIED NO.    STATE  
 RECOVERED     GUN    YEAR OF REGISTRATION    YEAR OF EXPIRATION    YEAR    MAKE    TYPE  
 FOUND     BOAT    MODEL    STYLE    COLOR    BRAND NAME    CALIBER  
 TOWED     LICENSE PLATE    NIC NO.    DENOMINATION    ISSUER    SECURITIES DATE  
 SUSPECT     SECURITIES/BONDS, STOCKS    MISCELLANEOUS  
 VICTIM     ARTICLE

**PROPERTY EST.**

TYPE (GROUP)	TOTAL VALUE
STOLEN	
DAMAGED	
BURNED	
RECOVERED	
SEIZED	
COUNTERFEIT	

**ADMINISTRATIVE**

SUBJECT IDENTIFIED    SUBJECT LOCATED     ACTIVE     ADM. CLOSED     ARRESTED UNDER 18     EX-CLEAR UNDER 18  
 YES     NO     YES     NO     UNFOUNDED     ARRESTED 18 AND OVER     EX-CLEAR 18 AND OVER  
 REASON FOR EXCEPTIONAL CLEARANCE: 1.  OFFENDER DEATH    2.  NO PROSECUTION    3.  EXTRADITION DENIED    4.  VICTIM DECLINES COOPERATION    5.  JUVENILE - NO CUSTODY  
 REPORTING OFFICER(S)    DATE    UNIT NUMBER    APPROVING OFFICER    DATE    UNIT NUMBER  
 584 - Corporal Christopher A. King    01/03/2012    584    584 - Corporal Christopher A. King    01/03/2012  
 588 - Corporal David Reyher    FOLLOW-UP INVESTIGATION OFFICER  
 YES  NO



**Surfside Beach Police Department - Patrol Division**



**Monthly Activity Report - DECEMBER 2011**

Calls for Service / Field Activities		Charges and Arrests	
911 Hang-Ups	5	Accessory to Felony	
Abandoned Property		Allow Unauthorized Operation of Motor Veh	2
Abandoned Vehicle	1	Animal at Large	
Accident (injuries)		Armed Robbery	
Accident property damage only)	13	Assault / Battery (1st degree)	
Alarm Calls	41	Assault / Battery (2nd degree)	
Alcohol Violation		Assault / Battery (3rd degree)	1
Animal Calls	12	Bank Fraud	
Armed Subject		Bicycle Violations	
Assault	3	Blackmail / Extortion	
Assisting other Agencies	15	Breach of Trust	1
Bomb Threat		Breaking & Entering Motor Vehicle	
Booking (non-SBPD)		Burglary 1st Degree / attempt	
Breach of Trust	2	Burglary 2nd Degree / attempt	
Burglary Attempt	1	Burglary 3rd Degree / attempt	1
Burglary Business/Building	2	Careless Operation	3
Burglary Residence	3	Child Neglect	2
Burglary Vehicle		Child Restraint Violation	
Check Forgery		Criminal Domestic Violence	3
Child Abuse		Criminal Domestic Violence High & Agg.	2
City Ordinance Violation	7	Criminal Sexual Conduct	
Civil Matter	8	Defrauding Cab	
Credit Card Abuse	1	Disorderly Conduct	5
Criminal Sexual Conduct		Driver's License Violations / Restrictions	
Death Investigation	2	Driving Under Suspension	30
Debit Card Abuse		Driving Under the Influence	14
Decoy Car / Operation		Driving Wrong Side of Highway	1
Defraud Check	2	Equipment Violation	2
Defraud Food/Gas Bill		Failure to Stop for Blue Lights	2
Defraud Innkeeper		Failure to Surrender DL	
Defraud Wrecker		Failure to Yield Right of Way	
Disabled Vehicle/Motorist		False Information to Law Enforcement	5
Disorderly Subjects	11	Following Too Closely	
Disturbances	8	Forgery	
Domestic Dispute	11	Fugitive from Justice	1
Embezzlement		Golf Cart Violation	
Escorts	1	Grand Larceny	
Fight	1	Handicap Violation	
Fireworks	1	Helmet Law Violation	
Foot Patrol	12	Hitchhiking	
Found Property / Article	3	Improper Lights	4
Harassment Calls	8	Improper Turn	
Hit and Run Accidents	7	Kidnapping	
Identity Theft	1	Leaving Scene of Accident	3
Improper Parking		Liquor with Broken Seal	
Incorrigible Juvenile		Littering	
Indecent Exposure			
Information	30	Loud Noise	3
Intoxicated Driver	3	Malicious Damage to Property	
Intoxicated Pedestrian	3	Minor Possession Alcohol	4
Kidnapping		Minor Possession Cigarettes	



Surfside Beach Police Department - Patrol Division



Monthly Activity Report - DECEMBER 2011

Calls for Service / Field Activities		Charges and Arrests	
Littering		MOPED Violations	3
Lost/Found Property		Moving Violation (other)	6
Mail Tampering		No DL in Possession	
Malicious Damage to Auto	1	No Motorcycle DL	
Malicious Damage to Business	1	No Proof of Insurance	14
Malicious Damage to Property	3	No SC Driver's License	12
Medical Calls/Assisting Fire Dept	6	Noise violation (animal)	
Mentally Ill Subject		Open Container	6
Message Delivery		Operating Uninsured Vehicle	14
Misc Beach Problems	2	Petit Larceny	2
Open Door Business	1	Possession Cocaine / Crack / Ice	
Open Door Residence		Possession Controlled Substance	4
Open Door Town Property		Possession Criminal Tools or Implements	
Open Door Vehicle		Possession Heroin	
Other	51	Possession of Weapon during Crime	
Premises Check	13	Possession Stolen Goods < \$2000	
Prowler	3	Possession Stolen Goods > \$2000	
Public Assist	19	Possession Stolen Vehicle	
Radar/Traffic Control		Possession with Intent to Dist Marijuana	
Repossessions/Towed Vehicles		Possession with Intent to Dist Other	5
Sanitation Problem		Prostitution	
Sex Crimes/Vice		Reckless Driving	
Shoplifting	2	Registration Violations	43
Smoking Ordinance Violation	1	Resisting Arrest	
Stolen Property	15		
Stolen Tag		Seatbelt Violation	3
Stolen Vehicle		Shoplifting	1
Stolen Vehicle (recovered)		Simple Possession Marijuana	7
Street Department Problem		Smoking Violation	
Strong Armed Robbery		Speeding (17 corridor)	4
Suicide Attempt	2	Speeding (residential)	9
Suspicious Circumstances	17	Stop Sign Violation	3
Suspicious Person(s)/Vehicle(s)	87	Striking Fixtures on Highway	
Towed Vehicle		Strongarm Robbery	
Traffic Complaints/Hazards	5	Supply Alcohol to Minor	
Traffic Stops	295	Trespassing	1
Transport for Bond Hearing	36	Unlawful Carrying of Weapon	
Trespassing	6	Unlawful Use of Telephone	
Unknown Call Type		Vehicle on Beach	
Utility Problem	1	Wipers / No Lights	
Vandalism	5	Check Forgery	
Vehicle Accidents		<b>TOTAL</b>	<b>226</b>
Warrant Service	18		
Water/Street/Utility Problems		<b>USE OF DETENTION FACILITY</b>	
Welfare Concern	10	Horry County Police Department	50
		SC Highway Patrol / other agency	6
		Surfside Beach Police Department	70
<b>TOTAL</b>	<b>818</b>	<b>TOTAL</b>	<b>126</b>

SBPD Prisoners Trans. to County Jail 49



Surfside Beach Police Department - Patrol Division

Monthly Activity Report - DEC 2010

Calls for Service / Field Activities		Charges and Arrests	
911 Hang-Ups	16	Accessory to Felony	
Abandoned Property		Allow Unauthorized Operation of Motor Veh	2
Abandoned Vehicle	1	Animal at Large	
Accident (injuries)		Armed Robbery	
Accident property damage only)	7	Assault / Battery (1st degree)	
Alarm Calls	49	Assault / Battery (2nd degree)	
Alcohol Violation		Assault / Battery (3rd degree)	2
Animal Calls	6	Bank Fraud	
Armed Subject		Bicycle Violations	
Assault	4	Blackmail / Extortion	
Assisting other Agencies	11	Breach of Trust	
Bomb Threat		Breaking & Entering Motor Vehicle	
Booking (non-SBPD)		Burglary 1st Degree / attempt	
Breach of Trust		Burglary 2nd Degree / attempt	
Burglary Attempt	2	Burglary 3rd Degree / attempt	
Burglary Business/Building	5	Careless Operation	
Burglary Residence	9	Child Neglect	1
Burglary Vehicle	5	Child Restraint Violation	
Check Forgery		Criminal Domestic Violence	2
Child Abuse		Criminal Domestic Violence High & Agg.	
City Ordinance Violation	3	Criminal Sexual Conduct	
Civil Matter	6	Defrauding Cab	
Credit Card Abuse	3	Disorderly Conduct	9
Criminal Sexual Conduct		Driver's License Violations / Restrictions	1
Death Investigation		Driving Under Suspension	11
Debit Card Abuse	1	Driving Under the Influence	8
Decoy Car / Operation		Driving Wrong Side of Highway	
Defraud Check		Equipment Violation	2
Defraud Food/Gas Bill	1	Failure to Stop for Blue Lights	
Defraud Innkeeper		Failure to Surrender DL	1
Defraud Wrecker		Failure to Yield Right of Way	1
Disabled Vehicle/Motorist	2	False Information to Law Enforcement	
Disorderly Subjects	4	Following Too Closely	
Disturbances	2	Forgery	
Domestic Dispute	8	Fugitive from Justice	
Embezzlement		Golf Cart Violation	
Escorts	5	Grand Larceny	
Fight	2	Handicap Violation	1
Fireworks	3	Helmet Law Violation	
Foot Patrol	1	Hitchhiking	
Found Property / Article	4	Improper Lights	3
Harassment Calls	7	Improper Turn	2
Hit and Run Accidents	4	Kidnapping	
Identity Theft		Leaving Scene of Accident	2
Improper Parking	4	Liquor with Broken Seal	
Incorrigible Juvenile	5	Littering	
Indecent Exposure		Littering	
Information	26	Loud Noise	
Intoxicated Driver	3	Malicious Damage to Property	1
Intoxicated Pedestrian		Minor Possession Alcohol	2
Kidnapping		Minor Possession Cigarettes	



**Surfside Beach Police Department - Patrol Division**

**Monthly Activity Report - DEC 2010**

Calls for Service / Field Activities		Charges and Arrests	
Littering	2	MOPED Violations	1
Lost/Found Property		Moving Violation (other)	5
Mail Tampering		No DL in Possession	
Malicious Damage to Auto	1	No Motorcycle DL	
Malicious Damage to Business		No Proof of Insurance	10
Malicious Damage to Property	2	No SC Driver's License	13
Medical Calls/Assisting Fire Dept	2	Noise violation (animal)	
Mentally Ill Subject		Open Container	1
Message Delivery		Operating Uninsured Vehicle	7
Misc Beach Problems		Petit Larceny	3
Open Door Business	1	Possession Cocaine / Crack / Ice	
Open Door Residence		Possession Controlled Substance	
Open Door Town Property		Possession Criminal Tools or Implements	
Open Door Vehicle	2	Possession Heroin	
Other	3	Possession of Weapon during Crime	
Premises Check	4	Possession Stolen Goods < \$2000	
Prowler	2	Possession Stolen Goods > \$2000	
Public Assist	15	Possession Stolen Vehicle	
Radar/Traffic Control		Possession with Intent to Dist Marijuana	
Repossessions/Towed Vehicles	1	Possession with Intent to Dist Other	
Sanitation Problem		Prostitution	
Sex Crimes/Vice		Reckless Driving	
Shoplifting	3	Registration Violations	17
Smoking Ordinance Violation		Resisting Arrest	
Stolen Property	9	Resisting Arrest	
Stolen Tag		Seatbelt Violation	6
Stolen Vehicle	6	Shoplifting	3
Stolen Vehicle (recovered)	2	Simple Possession Marijuana	3
Street Department Problem		Smoking Violation	
Strong Armed Robbery		Speeding (17 corridor)	13
Suicide Attempt	1	Speeding (residential)	21
Suspicious Circumstances	19	Stop Sign Violation	5
Suspicious Person(s)/Vehicle(s)	32	Striking Fixtures on Highway	
Towed Vehicle		Strongarm Robbery	
Traffic Complaints/Hazards	2	Supply Alcohol to Minor	
Traffic Stops	199	Trespassing	
Transport for Bond Hearing	17	Unlawful Carrying of Weapon	
Trespassing	3	Unlawful Use of Telephone	
Unknown Call Type		Vehicle on Beach	
Utility Problem	2	Wipers / No Lights	
Vandalism	2	Check Forgery	
Vehicle Accidents		<b>TOTAL</b>	<b>159</b>
Warrant Service	20		
Water/Street/Utility Problems	1	<b>USE OF DETENTION FACILITY</b>	
Welfare Concern	6	Horry County Police Department	38
		SC Highway Patrol / other agency	19
		Surfside Beach Police Department	47
<b>TOTAL</b>	<b>568</b>	<b>TOTAL</b>	<b>104</b>

SBPD Prisoners Trans. to County Jail      24



**Surfside Beach Police Department - Patrol Division**



**Monthly Activity Report - 2011 Totals**

Calls for Service / Field Activities		Charges and Arrests	
911 Hang-Ups	115	Accessory to Felony	2
Abandoned Property		Allow Unauthorized Operation of Motor Veh	6
Abandoned Vehicle	12	Animal at Large	13
Accident (injuries)	34	Armed Robbery	1
Accident property damage only)	204	Assault / Battery (1st degree)	2
Alarm Calls	604	Assault / Battery (2nd degree)	3
Alcohol Violation	1	Assault / Battery (3rd degree)	23
Animal Calls	233	Bank Fraud	14
Armed Subject	8	Bicycle Violations	1
Assault	68	Blackmail / Extortion	
Assisting other Agencies	157	Breach of Trust	11
Bomb Threat		Breaking & Entering Motor Vehicle	18
Booking (non-SBPD)	74	Burglary 1st Degree / attempt	6
Breach of Trust	12	Burglary 2nd Degree / attempt	1
Burglary Attempt	11	Burglary 3rd Degree / attempt	2
Burglary Business/Building	24	Careless Operation	34
Burglary Residence	59	Child Neglect	7
Burglary Vehicle	91	Child Restraint Violation	2
Check Forgery	11	Criminal Domestic Violence	31
Child Abuse	2	Criminal Domestic Violence High & Agg.	7
City Ordinance Violation	58	Criminal Sexual Conduct	2
Civil Matter	155	Defrauding Cab	1
Credit Card Abuse	29	Disorderly Conduct	160
Criminal Sexual Conduct	3	Driver's License Violations / Restrictions	42
Death Investigation	6	Driving Under Suspension	223
Debit Card Abuse	8	Driving Under the Influence	134
Decoy Car / Operation		Driving Wrong Side of Highway	8
Defraud Check	7	Equipment Violation	46
Defraud Food/Gas Bill	10	Failure to Stop for Blue Lights	9
Defraud Innkeeper	3	Failure to Surrender DL	6
Defraud Wrecker		Failure to Yield Right of Way	20
Disabled Vehicle/Motorist	14	False Information to Law Enforcement	22
Disorderly Subjects	128	Following Too Closely	15
Disturbances	150	Forgery	8
Domestic Dispute	173	Fugitive from Justice	6
Embezzlement	1	Golf Cart Violation	6
Escorts	63	Grand Larceny	5
Fight	49	Handicap Violation	6
Fireworks	180	Helmet Law Violation	14
Foot Patrol	106	Hitchhiking	
Found Property / Article	89	Improper Lights	21
Harassment Calls	82	Improper Turn	15
Hit and Run Accidents	36	Kidnapping	4
Identity Theft	6	Leaving Scene of Accident	11
Improper Parking	90	Liquor with Broken Seal	10
Incorrigible Juvenile	37	Littering	11
Indecent Exposure	4		
Information	208	Loud Noise	18
Intoxicated Driver	48	Malicious Damage to Property	14
Intoxicated Pedestrian	88	Minor Possession Alcohol	37
Kidnapping	2	Minor Possession Cigarettes	5



Surfside Beach Police Department - Patrol Division



Monthly Activity Report - 2011 Totals

Calls for Service / Field Activities		Charges and Arrests	
Littering	3	MOPED Violations	25
Lost/Found Property	32	Moving Violation (other)	113
Mail Tampering		No DL in Possession	19
Malicious Damage to Auto	19	No Motorcycle DL	4
Malicious Damage to Business	7	No Proof of Insurance	115
Malicious Damage to Property	36	No SC Driver's License	116
Medical Calls/Assisting Fire Dept	68	Noise violation (animal)	3
Mentally Ill Subject	13	Open Container	58
Message Delivery	1	Operating Uninsured Vehicle	73
Misc Beach Problems	33	Petit Larceny	17
Open Door Business	6	Possession Cocaine / Crack / Ice	10
Open Door Residence	9	Possession Controlled Substance	37
Open Door Town Property		Possession Criminal Tools or Implements	5
Open Door Vehicle	5	Possession Heroin	
Other	266	Possession of Weapon during Crime	3
Premises Check	172	Possession Stolen Goods < \$2000	10
Prowler	14	Possession Stolen Goods > \$2000	
Public Assist	216	Possession Stolen Vehicle	
Radar/Traffic Control	32	Possession with Intent to Dist Marijuana	2
Repossessions/Towed Vehicles	17	Possession with Intent to Dist Other	12
Sanitation Problem	1	Prostitution	
Sex Crimes/Vice	4	Reckless Driving	44
Shoplifting	36	Registration Violations	361
Smoking Ordinance Violation	9	Resisting Arrest	27
Stolen Property	210		
Stolen Tag	15	Seatbelt Violation	110
Stolen Vehicle	24	Shoplifting	21
Stolen Vehicle (recovered)		Simple Possession Marijuana	89
Street Department Problem	7	Smoking Violation	
Strong Armed Robbery		Speeding (17 corridor)	139
Suicide Attempt	13	Speeding (residential)	130
Suspicious Circumstances	294	Stop Sign Violation	67
Suspicious Person(s)/Vehicle(s)	891	Striking Fixtures on Highway	3
Towed Vehicle	45	Strongarm Robbery	
Traffic Complaints/Hazards	181	Supply Alcohol to Minor	1
Traffic Stops	3560	Trespassing	8
Transport for Bond Hearing	269	Unlawful Carrying of Weapon	4
Trespassing	47	Unlawful Use of Telephone	3
Unknown Call Type		Vehicle on Beach	1
Utility Problem	2	Wipers / No Lights	
Vandalism	24	Check Forgery	
Vehicle Accidents	35	<b>TOTAL</b>	<b>2693</b>
Warrant Service	233		
Water/Street/Utility Problems	5	<b>USE OF DETENTION FACILITY</b>	
Welfare Concern	84	Horry County Police Department	533
		SC Highway Patrol / other agency	124
		Surfside Beach Police Department	757
<b>TOTAL</b>	<b>10491</b>	<b>TOTAL</b>	<b>1414</b>

SBPD Prisoners Trans. to County Jail 465



**Surfside Beach Police Department - Patrol Division**

**Monthly Activity Report - TOTAL 2010**

Calls for Service / Field Activities		Charges and Arrests	
911 Hang-Ups	124	Accessory to Felony	1
Abandoned Property	3	Allow Unauthorized Operation of Motor Veh	12
Abandoned Vehicle	7	Animal at Large	4
Accident (injuries)	2	Armed Robbery	
Accident property damage only)	51	Assault / Battery (1st degree)	9
Alarm Calls	560	Assault / Battery (2nd degree)	
Alcohol Violation	19	Assault / Battery (3rd degree)	13
Animal Calls	236	Bank Fraud	13
Armed Subject		Bicycle Violations	
Assault	66	Blackmail / Extortion	1
Assisting other Agencies	180	Breach of Trust	5
Bomb Threat		Breaking & Entering Motor Vehicle	1
Booking (non-SBPD)		Burglary 1st Degree / attempt	23
Breach of Trust	7	Burglary 2nd Degree / attempt	
Burglary Attempt	14	Burglary 3rd Degree / attempt	
Burglary Business/Building	32	Careless Operation	25
Burglary Residence	73	Child Neglect	2
Burglary Vehicle	85	Child Restraint Violation	8
Check Forgery	8	Criminal Domestic Violence	26
Child Abuse	5	Criminal Domestic Violence High & Agg.	
City Ordinance Violation	37	Criminal Sexual Conduct	
Civil Matter	82	Defrauding Cab	
Credit Card Abuse	35	Disorderly Conduct	105
Criminal Sexual Conduct	2	Driver's License Violations / Restrictions	7
Death Investigation	5	Driving Under Suspension	141
Debit Card Abuse	8	Driving Under the Influence	93
Decoy Car / Operation	17	Driving Wrong Side of Highway	5
Defraud Check	14	Equipment Violation	24
Defraud Food/Gas Bill	10	Failure to Stop for Blue Lights	
Defraud Innkeeper	4	Failure to Surrender DL	4
Defraud Wrecker		Failure to Yield Right of Way	29
Disabled Vehicle/Motorist	29	False Information to Law Enforcement	8
Disorderly Subjects	109	Following Too Closely	16
Disturbances	243	Forgery	11
Domestic Dispute	52	Fugitive from Justice	4
Embezzlement	1	Golf Cart Violation	22
Escorts	81	Grand Larceny	10
Fight	48	Handicap Violation	11
Fireworks	157	Helmet Law Violation	1
Foot Patrol	153	Hitchhiking	
Found Property / Article	7	Improper Lights	29
Harassment Calls	77	Improper Turn	9
Hit and Run Accidents	57	Kidnapping	2
Identity Theft	7	Leaving Scene of Accident	19
Improper Parking	87	Liquor with Broken Seal	3
Incorrigible Juvenile	34	Littering	6
Indecent Exposure	4	Littering	1
Information	336	Loud Noise	5
Intoxicated Driver	76	Malicious Damage to Property	22
Intoxicated Pedestrian	50	Minor Possession Alcohol	30
Kidnapping		Minor Possession Cigarettes	7



**Surfside Beach Police Department - Patrol Division**

**Monthly Activity Report - TOTAL 2010**

Calls for Service / Field Activities		Charges and Arrests	
Littering	4	MOPED Violations	5
Lost/Found Property	114	Moving Violation (other)	87
Mail Tampering		No DL in Possession	37
Malicious Damage to Auto	24	No Motorcycle DL	
Malicious Damage to Business	7	No Proof of Insurance	172
Malicious Damage to Property	22	No SC Driver's License	118
Medical Calls/Assisting Fire Dept	63	Noise violation (animal)	
Mentally Ill Subject	3	Open Container	52
Message Delivery	1	Operating Uninsured Vehicle	68
Misc Beach Problems	27	Petit Larceny	16
Open Door Business	10	Possession Cocaine / Crack / Ice	9
Open Door Residence	28	Possession Controlled Substance	26
Open Door Town Property		Possession Criminal Tools or Implements	20
Open Door Vehicle	11	Possession Heroin	
Other	172	Possession of Weapon during Crime	
Premises Check	1452	Possession Stolen Goods < \$2000	7
Prowler	4	Possession Stolen Goods > \$2000	
Public Assist	199	Possession Stolen Vehicle	1
Radar/Traffic Control	91	Possession with Intent to Dist Marijuana	3
Repossessions/Towed Vehicles	20	Possession with Intent to Dist Other	
Sanitation Problem		Prostitution	
Sex Crimes/Vice	1	Reckless Driving	51
Shoplifting	24	Registration Violations	296
Smoking Ordinance Violation	24	Resisting Arrest	18
Stolen Property	210	Resisting Arrest	
Stolen Tag	3	Seatbelt Violation	380
Stolen Vehicle	46	Shoplifting	18
Stolen Vehicle (recovered)	6	Simple Possession Marijuana	40
Street Department Problem	15	Smoking Violation	3
Strong Armed Robbery	3	Speeding (17 corridor)	206
Suicide Attempt	6	Speeding (residential)	293
Suspicious Circumstances	283	Stop Sign Violation	77
Suspicious Person(s)/Vehicle(s)	661	Striking Fixtures on Highway	1
Towed Vehicle	1	Strongarm Robbery	4
Traffic Complaints/Hazards	182	Supply Alcohol to Minor	1
Traffic Stops	3322	Trespassing	14
Transport for Bond Hearing	217	Unlawful Carrying of Weapon	1
Trespassing	62	Unlawful Use of Telephone	12
Unknown Call Type	8	Vehicle on Beach	1
Utility Problem	10	Wipers / No Lights	5
Vandalism	46	Check Forgery	
Vehicle Accidents	203	<b>TOTAL</b>	<b>2809</b>
Warrant Service	149		
Water/Street/Utility Problems	1	<b>USE OF DETENTION FACILITY</b>	
Welfare Concern	71	Horry County Police Department	551
		SC Highway Patrol / other agency	145
		Surfside Beach Police Department	518
<b>TOTAL</b>	<b>11100</b>	<b>TOTAL</b>	<b>1214</b>

SBPD Prisoners Trans. to County Jail      300





### SBPD Call for Service (CFS) Data (2011)



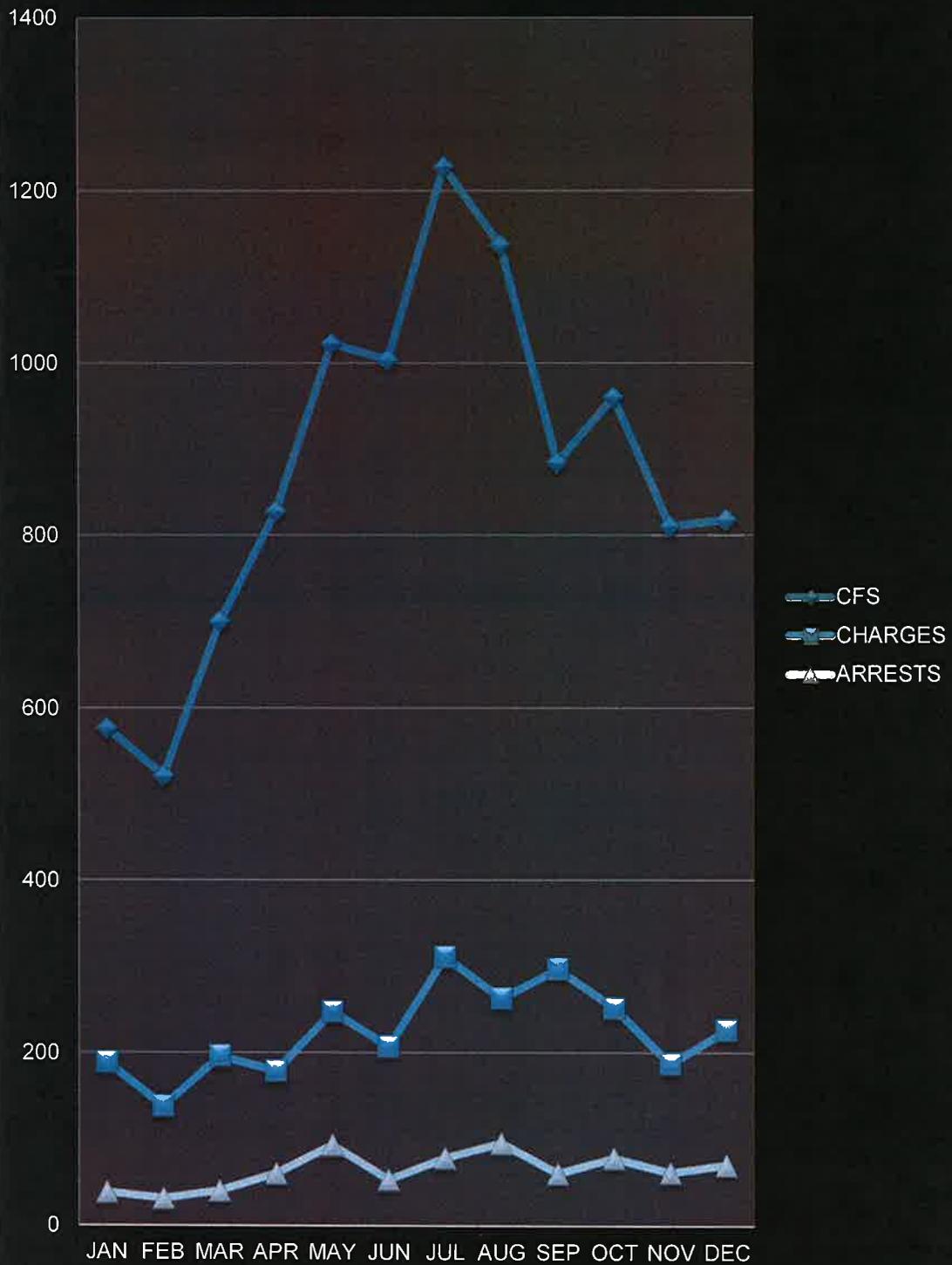
### SBPD Criminal Charges (2011)



### SBPD Physical Arrests (2011)



# SBPD Call for Service / Arrest Data (2011)





## **SURFSIDE BEACH POLICE DEPARTMENT**

811 Pine Drive  
Surfside Beach, SC 29575

# **MEDIA INFORMATION RELEASE**

**To:** Media Outlets (FOR IMMEDIATE RELEASE)

**FROM:** Mike Frederick, Chief of Police

**DATE:** 8 DEC 2011

**RE:** SBPD Responds to Suspicious Device in Roadway

.....

Officers from the Surfside Beach Police Department responded to a citizen call reporting a suspicious device in the roadway in the 700 block of 7<sup>th</sup> Avenue North this morning at approximately 7:00 AM. Initial reports indicated that some type of email threat may have been associated with the placement of the device (although that information was a miscommunication attendant to the early phases of the investigation).

Officers responded, located a partially filled plastic bottle in the roadway, and cordoned off a small area to allow the Horry County Police Department's Bomb Squad to investigate the item. As a precaution, the Surfside Beach Fire Department responded as well.

HCPD's Bomb Squad arrived shortly after the initial investigation, examined the item, and opted to disrupt it in place. They used a robotic device to move to the item and destroy it. Horry County's Hazardous materials Team examined the small amount of debris and determined that the substance in the bottle was neither corrosive nor explosive.

SBPD has closed its investigation; there is no reason to believe that the item was a device of any kind. The scene was completed and closed down by approximately 9:00 AM without further incident.

SBPD Chief of Police Mike Frederick explained that the early information indicating that some type of specific email threat may have been associated with the device initiated safety protocols designed to protect the public.

"Although the initial information turned out to be a little off of the mark," Frederick explained, "the response worked very well. All of the agencies involved showed up, quickly did their thing, and departed with very little disruption to the area."

**###**

### **SBPD Point of Contact:**

Mike Frederick, Chief of Police [mfrederick@surfsidebeach.org](mailto:mfrederick@surfsidebeach.org) 843.913.6351



## **SURFSIDE BEACH POLICE DEPARTMENT**

811 Pine Drive  
Surfside Beach, SC 29575

# **MEDIA INFORMATION RELEASE**

**To:** Media Outlets (FOR IMMEDIATE RELEASE)

**FROM:** Mike Frederick, Chief of Police

**DATE:** 3 JAN 2012

**RE:** SBPD Arrests Suspect after Smoke Shop Break-in

.....

Investigators with the Surfside Beach Police Department arrested a suspect early Tuesday morning and charged him with the 29 JAN Burglary of a smoking paraphernalia shop in Surfside Beach. SBPD arrested and charged Jerry Lee Ward, Jr. (21 yoa, Garden City, SC) with Burglary in the Third Degree. Ward is in the county jail pending a \$5000 bond.

Officials credit the arrest to a field interview conducted shortly after the break-in by an alert patrol officer. Although the burglary had yet to be discovered, SBPD CPL Chris King observed WARD walking in the vicinity wearing dark pants and a camouflage jacket at approximately 2:00 AM. CPL King was unable to determine at that time what WARD was doing in the area, but he videotaped the encounter and submitted the information at the end of his tour. Investigators used that information (despite a minor malfunction with the in-car video equipment), combined with evidence from the crime scene, to charge WARD a few days later.

SBPD Chief of Police Mike Frederick described King's actions as "old fashioned police work," and credited King with breaking the case.

"This is one reason we have so few commercial burglaries," Frederick added. "Our digital video technology is great, but the bottom line is that when these guys see someone wearing dark clothing walking around closed businesses at two in the morning, they're going to stop and talk with them."

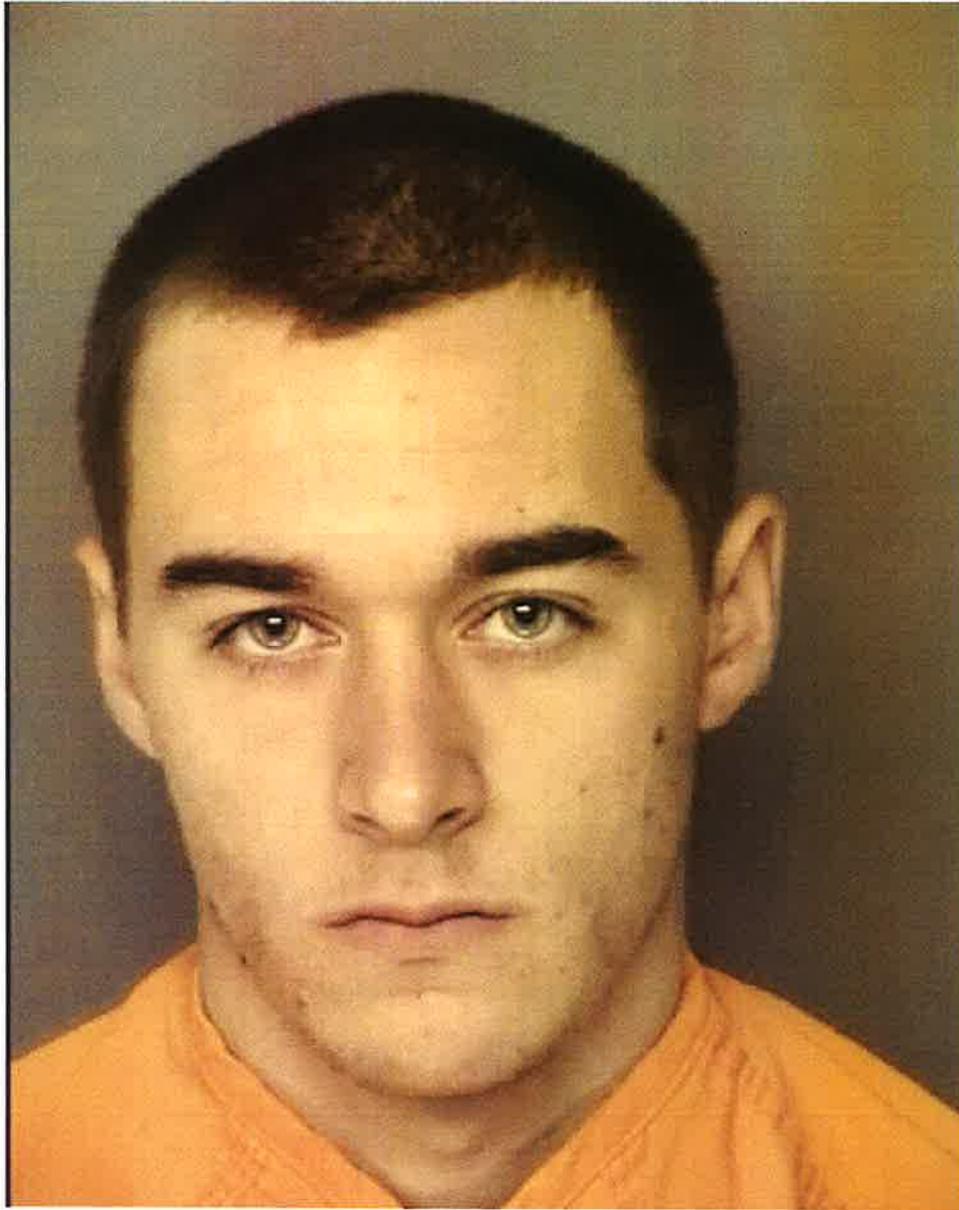
###

**Attachment:**

WARD, Jerry Lee Jr.jpg (booking photo)

**SBPD Point of Contact:**

Mike Frederick [mfrederick@surfsidebeach.org](mailto:mfrederick@surfsidebeach.org) 843.913.6351



# **Surfside Beach Fire**

## **Council Report**

**January 10, 2012**

# Surfside Beach Fire Incident Report

December 2011

Emergency Medical	23
Alarm/No Fire	3
Air Craft Stand By	1
Structure Fire	1
Suspicious Package	1
MVA no Injuries	1
Stand-by	3
Move-up from stand by to assist	2
Assist EMS	2
Mutual Aid	1
Assist the Public	5

Dec. 2011 **43** total calls for service

Dec. 2010 47 total calls for service

Dec. 2009 46 total calls for service

Dec. 2008 54 total calls for service

# Surfside Beach Fire Training Report

December 2011

Chief Packard distributed the new updated version of the Surfside Beach Fire Department (SOG) manual. Each member received a copy so that they would be able to refer to individual SOG's until all become familiar with the updated version of the manual. Discussions followed for the new volunteers so that they are all familiar with the day to day operations of the department.

The original manual was constructed in May of 2005 and was reviewed yearly. Due to some changes in personnel as well as equipment the need for an updated version to address these changes was required.

A critique was held on the operational objectives from the recent structure fire at 1014 South Hollywood Dr. While this operation was a success, all members who were present for the fire were given an opportunity to inform others about what they observed on arrival, what they were assigned to accomplish, if they accomplished their tasks and what they may do differently in the future.

North Greenville Fitness representative were on site to deliver the results of the recent fire department physicals and to answer question from the members about certain portions of the physical results.

Fire Department Operations for several different incident types were discussed. Motor Vehicle accidents, grass and field fires and response to calls for assistance were discussed.

There was no training through the South Carolina Fire Academy during the month of December due to the approach of the holidays. SCFA training will resume in January 2012.

## Surfside Beach Fire Inspections Report

December 2011

During the month of December the inspections, pre fire plans, plan reviews and public education opportunities decrease. This is a good time for reflection on objectives that have been accomplished during the past year as well as the objectives for the upcoming year. Inspections for 2012 will begin in January and start on Ocean Blvd.

Completed Inspections	11
Pending Inspections	1
Pre Fire plans	0
Plan Reviews	2
Public Education	1

### 3. Fire Department

#### a. Calls, Incidents and Inspections

- i. There were 43 calls in the month of December. Over half of these were medical assistance, EMS-related
- ii. There were 11 inspections and 2 plan reviews during this period

#### b. Training

- i. There was no SC Fire Academy training during the month of December.

#### c. Notable Event

- i. The recently updated version of the Standard Operating Guidelines (SOG's) for the SBFD was distributed. The update was required due to departmental restructuring and equipment changes.

### 7B. Administrator's Report

#### a. Update on Current Events

- i. Just a reminder that
  1. Candidate filing is now open and closes Friday, January 13<sup>th</sup> at 4 PM.
  2. Interested parties should make an appointment with the Town Clerk to come in and file.
  3. After hours appointments are available.
- ii. I am, as required, informing Council of an emergency need to purchase fencing during the latter part of December. The details are as follows ...
  1. \$9K was budgeted
  2. \$7,441.98 was spent
  3. Fencing was purchased from Coastal Fence, Inc. in Murrells Inlet
  4. The urgency was of a seasonal nature and involved the inability of the project to be scheduled later in the year.

### 8. Business

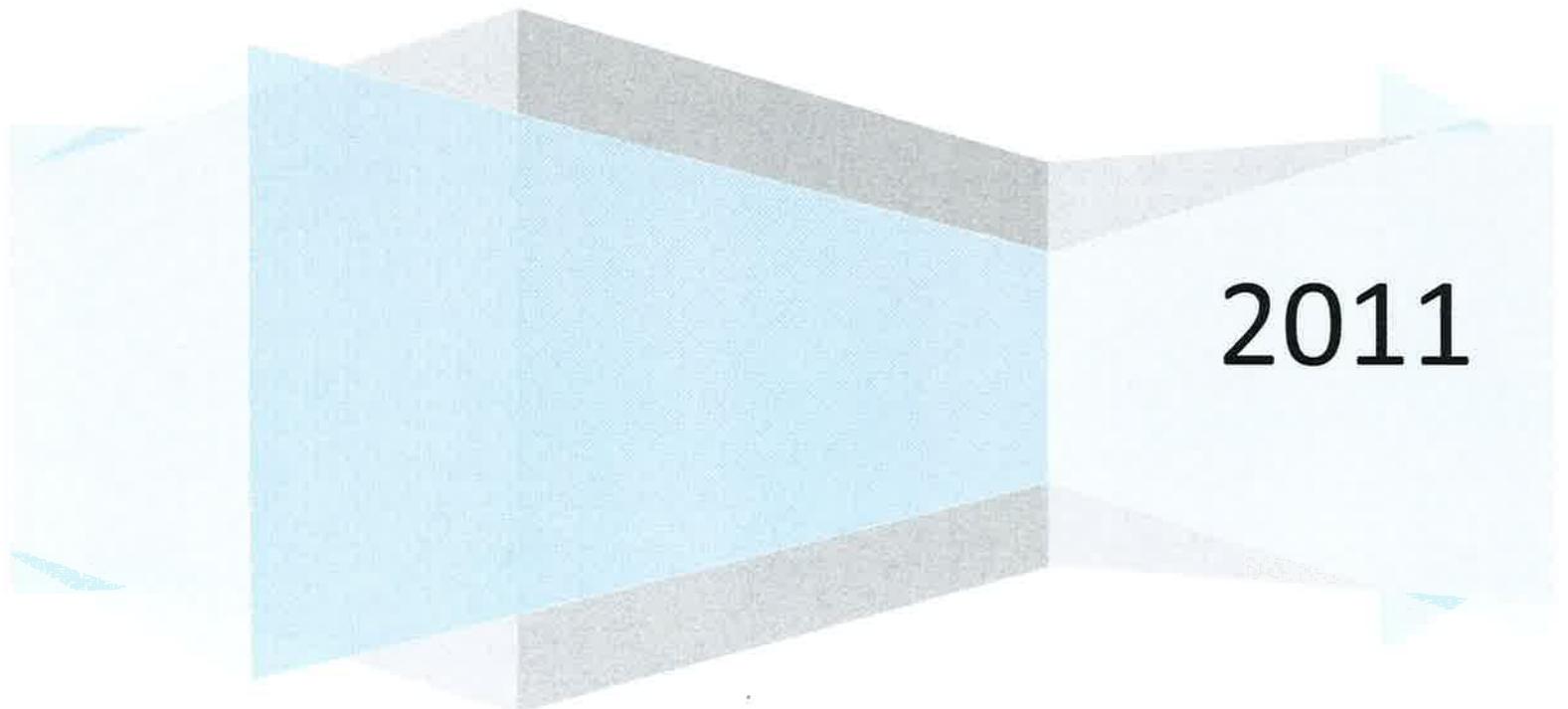
#### a. First Reading Ordinance #12-0709, Amend Chapter 15, Land Development Regulations

- b. Background:** The Planning Commission over the past several months has worked diligently to amend the Land Development Regulations. The commission recommended substantial changes to the existing document in order to establish an updated comprehensive document. On October 4, 2011 the Planning Commission approved a resolution recommending the adoption of the amendments. The Notice of Public Hearing was published in accordance with the law and a copy of the Draft Land Development Document was placed in the reception area of Town Hall on October 5, 2011 for public review.

- c. Action:** Staff requests approval of First Reading of the proposed Land Development Regulations as presented.

# Communication's Report

Council Meeting – December 13



## **6. Public Hearing: Proposed Amendments to Chapter 15**

### **7A. Departmental Reports**

#### **1. Building Report**

##### **a. Permits and Inspections**

- i. The Building, Planning and Zoning Department issued a total of 66 permits in December and 79 inspections were performed.

##### **b. Notable Projects**

- i. The Planning Commission is currently working on new town maps for the Comprehensive Plan. Discussion of the population and economic elements at the December meeting included updated census information.

##### **c. Training**

- i. The Code Enforcement Official earned one of the two required certifications necessary to become a credentialed Building Official.

#### **2. Police Department**

##### **a. Commendations**

- i. Part-time Officer Jim Amundsen disrupted a burglary by accurately predicting the suspects' egress route and concealing himself in the area to cut off their escape.
- ii. CPL Chris King conducted a field interview on a pedestrian walking in a business district at about 2 AM which led to the suspect's eventual arrest for a commercial burglary in town.

##### **b. Training**

- i. Officers maintained their Class 1 Law Enforcement licenses via online training provided by the SC Criminal Justice Academy, and continued to receive their mandated in-service hours through our contracted third-party vendor.
- ii. All sworn officers completed their recertification and qualified with TASER's, patrol rifles, and shotguns.
- iii. All sworn officers completed their state-mandated Criminal Domestic Violence training online as required by the SC Criminal Justice Academy.
- iv. CPL Ken Hofmann attended the SC Training Officers Association quarterly training seminar
- v. OFF Al Sanabria completed the three-day Calibre Press "Street Survival" officer safety and tactics seminar hosted by Myrtle Beach PD
- vi. LT Rodney Keziah completed the week-long FBI Law Enforcement Executive Development Association's Command Institute training conducted in Myrtle Beach. The course served as the first segment of an intensive, three-part executive training program designed to prepare officers for command positions. Keziah will complete the other two segments over the next four months.

##### **c. Notable Events**

- i. SGT Bailey reports that in the seven months he's served as a Special Deputy US Marshal during the latter half of 2011, he cleared and served 142 warrants. The cash bonds attached to these arrests totaled \$58,176.68 (a significant portion of which is retained by the Town).
- ii. This month, SBPD officers issued 108 written warnings in lieu of Uniform Traffic Tickets.

## ISSUE PAPER FOR COUNCIL CONSIDERATION

Meeting Date: January 10, 2012

Prepared by: Sabrina Morris

Agenda Item 8

Department: Planning, Building & Zoning

Date Prepared: January 4, 2012

**Subject:** Request First Reading of Ordinance #12-0709 to Repeal and Replace Chapter 15, Land Development Regulations

### **Background:**

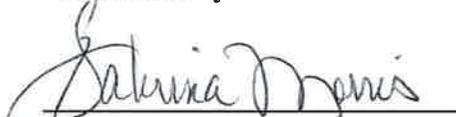
The Planning Commission over the past several months has worked diligently to amend the Land Development Regulations. The commission recommended substantial changes to the existing document in order to establish an updated comprehensive document.

On October 4, 2011 the Planning Commission approved a resolution recommending the adoption of the amendments. The Notice of Public Hearing was published in the Myrtle Beach Sun News on December 2, 2011 and in the Myrtle Beach Herald on December 9, 2011. Notice was also published on December 13, 2011 and on the January 10, 2012 Town Council agendas and posted on the bulletin boards in Town Hall and outside Council Chambers. A copy of the Draft Land Development Document was placed in the reception area of Town Hall on October 5, 2011 for public review and to be readily accessible to the public.

### **Action:**

Staff request approval of First Reading of the proposed Land Development Regulations as presented.

**Submitted By**

  
Sabrina Morris

**Approved**

  
Town Administrator



*Surfside Beach  
Land Development Regulations Amendments*

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**RESOLUTION  
RECOMMENDING ADOPTION OF AMENDMENTS TO THE  
“LAND DEVELOPMENT REGULATIONS OF THE TOWN OF  
SURFSIDE BEACH, SOUTH CAROLINA”**

**WHEREAS**, the General Assembly of South Carolina enacted in 1994 an amendment to the Code of Laws of South Carolina by adding Chapter 29 to Title 6, “South Carolina Local Government Comprehensive Planning Enabling Act of 1994”, as subsequently amended [‘the state code’]; and

**WHEREAS**, the Surfside Beach Planning Commission [‘the commission’] has been created by the Surfside Beach Town Council [‘the council’] pursuant to Section 6-29-320 of the State Code; and

**WHEREAS**, Section 6-29-340 (B)(2) of the state code provides that a planning commission has the power and duty to prepare and recommend for adoption land development regulations and amendments thereto; and

**WHEREAS**, the commission has conducted a review of the “Land Development Regulations of the Town of Surfside Beach, South Carolina”, as codified in Chapter 15 of the Surfside Beach Code of Ordinances, and has concluded that amendments to the regulations are needed; and

**WHEREAS**, the commission has prepared such amendments and finds that said amendments are in agreement with and are in furtherance of the town’s comprehensive plan:

**NOW THEREFORE, THE SURFSIDE BEACH PLANNING COMMISSION, BY RESOLUTION, HEREBY RECOMMENDS FOR ADOPTION BY THE SURFSIDE BEACH TOWN COUNCIL AMENDMENTS TO THE “LAND DEVELOPMENT REGULATIONS OF THE TOWN OF SURFSIDE BEACH, SOUTH CAROLINA” AS CONTAINED IN THE MINUTES OF THE COMMISSION AND AS ATTACHED HERETO, THIS 4<sup>TH</sup> DAY OF OCTOBER, 2011.**

**Charles Seibold, Chairman  
Surfside Beach Planning Commission**

12-09-11  
The Myrtle Beach  
HERALD



## NOTICE OF PUBLIC HEARING

The Surfside Beach Town Council will hold a Public Hearing at 6:30 PM on Tuesday, January 10, 2012 in the Council Chambers of the Surfside Beach Town Hall located at 115 US Highway 17 N, Surfside Beach, SC. The purpose of the hearing is to receive public input on the proposed amendments to the Town of Surfside Beach Land Development Regulations. The Draft document is available for public inspection at the Building and Planning Department located in the Town Hall at 115 US Highway 17 N., Surfside Beach, SC.

12-9-11 M8A

103 at Pub

12-2-11  
5

### NOTICE OF PUBLIC HEARING

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-1275706

12-02-11  
The Sun News

Notice also published on 12/13/11 & 01/10/12 Town Council agendas and posted on bulletin boards in TOWN HALL & outside Council Chambers.





# Memorandum

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To: Town Council  
From:  James W. Duckett, Jr., Town Administrator  
Date: January 5, 2012  
Re: Commission and Committee Reports

Pursuant to Town Code §2-61(j) the 2011 commission and committee reports are attached hereto. No recommendations were made for changes or improvements.

## Accommodations Tax Advisory Committee Annual Report For the Calendar Year 2011

<b>Member Name</b>	<b>Term Begin</b>	<b>Term End</b>	<b>05/18/11 Meeting</b>	<b>09/06/11 Meeting</b>
Carolyn Harbin	04/14/09	04/14/13	Present	Present
Randy Harrison (Chairman) (Lodging)	02/22/11	02/22/15	Present	Present
Cecil Chandler (Culture/Arts)	09/09/08	09/09/12	Absent; never received notice	Present
Phil Murdock	04/26/11	04/26/15	Present	Absent; wrote incorrect date on his calendar
Bruxanne Hein (Vice Chairman)	09/09/08	09/09/12	Present	Present
Tony Daniell	04/26/11	04/26/15	Present	Present
E. J. Servant III (Lodging)	02/22/11	02/22/15	Present	Present

<b>Meeting Date</b>	<b>Amount</b>	<b>Applicant</b>	<b>Purpose</b>
09/06/11	\$1,000	Guy Daniels Foundation	Software for 24-hour Web Camera featuring beach/ocean
05/18/11	\$4,000	Guy Daniels Foundation	Expenses related to Annual Surfjoff Competition
05/18/11	\$12,495	Surfside Beach Police Department	Purchase 2 Kawasaki Mules (4-wheel street ready vehicles)

Respectfully submitted,

  
 \_\_\_\_\_  
 Randy Harrison, Chairman

**Board of Zoning Appeals  
2011 Calendar Year Annual Report**

Member Name	Term Begin	Term End	02/24/2011	06/23/11	07/28/11	10/20/11
Holly Watson	10/14/08	10/14/12	P	P	P	P
Ron Ott (Chairman)	02/23/10	02/23/14	P	P	P	P
Guy Lanham	09/09/08	09/09/12	A	P	P	P
Robert Blair	02/23/10	02/23/14	P	A	A	P
Darrell Willm (Vice Chair)	07/22/08	07/22/12	P	P	A	P
Dan Sine	08/09/11	08/09/15	Vacant	Vacant	Vacant	P
Blake Davis	10/11/11	10/11/15	Vacant	Vacant	Vacant	P
Chamberlain, Arthur	02/23/10	02/23/14	P	Resigned	Resigned	Resigned

Meeting Date	Action	Purpose
10/20/11	Public Hearing	Appeal #2011-04 – Sign Variance
10/20/11	Motion	Appeal #2011-04 – Sign Variance – <i>Variance Granted</i>
10/20/11	Public Hearing	Appeal #2011-03 – Rear Setback Variance
10/20/11	Motion	Appeal #2011-03 – Rear Setback Variance - <i>Variance Granted</i>
07/28/11	None	Quorum not present – meeting called for training
06/23/11	Public Hearing	Appeal #2011-01-variance to allow a quadruplex in R-1
06/23/11	Motion	Appeal #2011-01-variance to allow a quadruplex in R-1 – <i>Variance Denied</i>
06/23/11	Public Hearing	Appeal #2011-02 – Sign Variance
06/23/11	Motion	Appeal #2011-02 – Sign Variance – <i>Variance Granted</i>
06/23/11	Motion	Refer signage for multiple businesses on one lot to Planning Commission for review
02/24/11	Officer Election	Ott, Chairman and Willm, Vice Chairman

Respectfully submitted,

  
 \_\_\_\_\_  
 Ron Ott, Chairman

**MUNICIPAL ELECTION COMMISSION  
2011 CALENDAR YEAR ANNUAL REPORT**

<b>Member Name</b>	<b>Term Begin</b>	<b>Term End</b>	<b>Meeting Date 09/13/11</b>	<b>Meeting Date 10/24/11</b>
Peggy Inman	12/08/09	12/08/13	P	P
Evelyn Cockey	6/29/08	06/29/12	P	P
Judy Tuttle	10/11/11	10/11/17	Vacant	P

<b>Meeting Date</b>	<b>Action</b>	<b>Purpose</b>
09/13/2011	Meeting	Initial Planning for April 2012 Election
09/13/2011	Swearing-In	Oaths of Office taken by Ms. Cockey & Ms. Inman
09/13/2011	Motion	Recommend to Town Council to hire the town attorney and court reporter in the event a protest is filed
10/24/2011	Meeting	Review 9/13/2011 meeting with new commissioner
10/24/2011	Swearing-In	Oath of Office taken by Ms. Tuttle
10/24/2011	Officer Election	Ms. Tuttle was elected chairman
10/24/2011	Concurrence	Next meeting to be held January 16, 2012 to discuss candidate filing (January 9 <sup>th</sup> - 13 <sup>th</sup> )

Other:

- Election Commissioners are seeking volunteers to work the polls
- Training is being completed as mandated
- Public Notices - General Municipal Election April 3<sup>rd</sup>, 2012 approved -advertising in *The Sun News* (December 8 and 22) and the *Myrtle Beach Herald* (December 9 and 23), town website, and bulletin boards
- Public Notices - Candidate Filing Open approved - advertising in *The Sun News* (December 26 and January 9) and the *Myrtle Beach Herald* (December 23 and January 6), town website, Facebook, and bulletin boards

Respectfully submitted,

  
 \_\_\_\_\_  
 Judy Tuttle, Chairman

## Stormwater Committee – 2011 Annual Report

Member Name	Term Begin	Term End	01/18/2011	04/19/2011	09/20/2011	10/18/2011
Ken Harbin (Chairman)	11/27/07	11/27/11	P	P	P	P
Dan Sine (Vice Chair)	11/27/07	11/27/11	P	P	P	P
P.L. Mabry (US Mail packages)	11/27/07	11/27/11	P	P	P	P
Melodye Lane-Laveglia	06/09/09	06/09/13	P	P	P	P
Ken Harth	08/10/10	08/10/14	P	A	P	P
Carolyn Ross	03/22/11	03/22/15	A	P	P	P
Harry Kohlmann	03/22/11	03/22/15	Not Appointed	P	P	P

Meeting Date	Action	Purpose
01/18/11	Motion	Request Town Council to appoint two additional committee members
01/18/11	Officer Election	Harbin, Chairman; Sine, Vice Chairman
04/19/11	Motion	Reaffirm purchase of street sweeper; letter will be sent to Town Council
07/19/11	Motion	Require a Hold Harmless agreement and a buffer to be considered a natural wetland for lake front lots as part of the stormwater guidelines
10/18/11	Motion	Recommend to Town Council that the town participate in the Long Bay Hypoxia Monitoring Consortium water quality testing
10/18/11	Consensus	Authorize chairman to approve annual report

The committee held regular meetings on the third Tuesday quarterly as noted above. Education sessions were held the third Tuesday of every other month during which members received in-depth training and performed on-site inspections of the town's and neighboring water bodies.

The Water Monitoring Team has trained are now "Master Samplers."

### 2012 Goals:

- (1) provide education opportunities for town residents about maintaining water bodies effectively; managing fowl, and erosion.
- (2) tour Solid Waste Authority facility



Ken Harbin, Chairman

## PLANNING & ZONING COMMISSION ANNUAL REPORT - CALENDAR YEAR 2011

Member Name	Term Begins	Term Ends	01/04/11	01/07/11 SP	02/01/11	04/05/11	05/03/11	06/07/11	07/05/11	08/02/11	09/06/11	10/04/11	11/01/11	12/06/11
Bob Hanson	06/09/08	06/09/12	A	A	A	P	P	P	P	P	P	P	P	P
Betty Lowery	03/22/11	03/22/15	-	P	P	P	P	P	P	P	P	P	P	A
Marty Rhoades	05/11/10	05/11/14	A	P	P	P	P	P	P	P	P	P	P	P
Lynn W. Livesay	04/14/09	04/14/13	A	P	P	P	A	P	P	P	P	P	A	P
Mikey Pruitt (Vice Chair)	05/11/10	05/11/14	P	P	P	P	P	A	P	P	A	P	P	P
Mary Ellen Abrams	05/11/10	05/11/14	P	P	P	P	P	P	P	P	P	P	P	P
Charles Seibold (Chair)	06/09/08	06/09/12	P	P	P	P	P	P	P	P	P	P	P	P
Carole Cook	?	?	P											

Meeting Date	Action	Purpose
01/04/11	Pub Hearing	Zoning Text Amendments
01/04/11	Motion	Call for special meeting to discuss Zoning Text Amendments
01/04/11	Motion	Discuss Chapter 13, Fee Schedule at special meeting
01/07/11	Motion	Approve Zoning Text Amendments and send to Town Council
01/07/11	Motion	To amend Mixed Use District alcohol rules
01/07/11	Motion	Submit Resolution recommending adoption of amendments to Town Council
01/07/11	Motion	Submit recommended Amendments to Chapter 13 to Town Council
01/07/11	Motion	Submit Resolution to recommend adoption of Chapter 13, Article III to Town Council
04/05/11	Motion	Add Moonwood rezoning to next agenda
04/05/11	Motion	Request detailed briefing on all existing or pending PD in town from staff
05/03/11	Motion	Send copies of Article V, VI and Appendix A to town attorney for review
07/05/11	Pub Hearing	Rezoning of Village at Surfside from PD to C1-Commercial
07/05/11	Motion	Recommend Rezoning of Village at Surfside from PD to C1-Commercial
07/05/11	Concurrence	Review Development Regulations - minor changes
07/05/11	Motion	Send advance copy of Development Regulations to Town Council
07/05/11	Motion	Schedule Public Hearing for September Meeting re: Development Regulations
07/05/11	Motion	Draft verbiage regarding signage for property with multiple business and schedule public hearing
07/05/11	Motion	Office election
08/02/11	Pub Hearing	Zoning Text Amendments (Signs) §17-641 & Chart 17-622C
08/02/11	Motion	Zoning Text Amendments (Signs) §17-641 & Chart 17-622C

## PLANNING & ZONING COMMISSION ANNUAL REPORT - CALENDAR YEAR 2011

08/02/11	Concurrence	Continue Review of Surfside Beach Development Regulations
08/02/11	Motion	Approve Resolution to Recommend Rezoning of Village at Surfside from PD to C1-Commercial
09/06/11	Concurrence	Minor changes to Land Development Regulations
09/06/11	Pub Hearing	Land Development Regulation amendments
09/06/11	Concurrence	Ask PW Director to attend next meeting re a buffer ( $\pm 15'$ ) of undisturbed buffer strip from all properties that abut surface water
10/04/11	Concurrence	Minor corrections to the Land Development Regulations (LDR)
10/04/11	Motion	Add §15-422(b) to the LDR as presented
10/04/11	Motion	Approve August 3, 11 LDR draft as amended
10/04/11	Motion	Approve Resolution to submit LDR as amended to Town Council
11/01/11	Motion	Formally refer PW Director's lakeshore protection concerns to the Stormwater Committee
11/01/11	Motion	2011-2012 Work Plan approved
11/01/11	Concurrence	Comp Plan comments and/or questions to be discussed at next meeting
12/06/11	Review	Initial review of Comprehensive Plan in preparation for rewrite

Respectfully submitted,



Charles Seibold, Chairman

Published in *The SUN NEWS*, Thursday, December 29, 2011.

12-29-11 S



# PUBLIC NOTICE

## TOWN OF SURFSIDE BEACH

### 2012 MEETING SCHEDULES

**Town Council:** Town Council meetings are held the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays monthly, except in December. Meetings are held in Council Chambers at Town Hall, 115 US Highway 17 North, Surfside Beach, SC, and begin at 6:30 p.m. \*The first meeting in February is rescheduled to MONDAY, February 13<sup>th</sup>, to allow Town Council to attend the Municipal Association of SC Elected Officials Institute on February 14<sup>th</sup> and the Hometown Legislative Action Day on February 15<sup>th</sup>.

January 10, 24	April 10, 24	July 10, 24	October 9, 23
February *13, 28	May 8, 22	August 14, 28	November 13, 27
March 13, 27	June 12, 26	September 11, 25	December 11

**Planning & Zoning Commission:** The Planning and Zoning Commission meets the first Tuesday monthly at 6:30 p.m. in Council Chambers at Town Hall. \*Special meeting dates: Monday, April 2<sup>nd</sup>, because Tuesday, April 3<sup>rd</sup> is Municipal Election Day, and Monday, November 5<sup>th</sup>, because Tuesday, November 6<sup>th</sup> is National Election Day.

January 3	*April 2	July 3	October 2
February 7	May 1	August 7	*November 5
March 6	June 5	September 4	December 4

**Accommodations Tax Committee:** January 25<sup>th</sup> and other dates as business dictates, usually on a Wednesday at 4:30 p.m. in Council Chambers.

**Board of Zoning Appeals:** This Board only meets when there are appeals to be heard. Meetings are usually scheduled on the fourth Thursday monthly at 6:30 p.m. in Council Chambers.

**Stormwater Committee:** January 17<sup>th</sup>, April 17<sup>th</sup>, July 17<sup>th</sup>, and October 16<sup>th</sup> at 5:00 p.m. in Council Chambers.

**This notice is published pursuant to FOIA §30-4-80(a) and (c).** The public is invited to attend all meetings during which time is allotted for public comments. To view agendas and meeting minutes, visit [www.surfsidebeach.org](http://www.surfsidebeach.org). To receive agenda notices via email or for more information, call the town clerk at 843.913.6111 or send an email message to [herrmann@surfsidebeach.org](mailto:herrmann@surfsidebeach.org).

Vicki, let me know if you need to be registered

**Debra Herrmann**

**From:** Debra Herrmann [dherrmann@surfsidebeach.org]  
**Sent:** Tuesday, December 20, 2011 9:12 AM  
**To:** The Hon. Allen Deaton; The Hon. Ann Dodge ; The Hon. Bob Childs ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Rod Smith; The Hon. Vicki Blair  
**Subject:** MEO Institute and Legislative Action Day - February 14th and 15th - Fw: Uptown Update: December 19, 2011

& reservations made. *my D.*

The February 14<sup>th</sup> council meeting was moved to Monday, February 13<sup>th</sup> so council could attend the Municipal Elected Officials Institute and the Hometown Legislative Action Day (see article below.)

Please let me know whether you plan to attend either or both of these events, if you would like for me to register you and make hotel reservations.

Thanks,

Debra

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)  
[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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**From:** [mail@masc.sc](mailto:mail@masc.sc) [<mailto:mail@masc.sc>]  
**Sent:** Monday, December 19, 2011 2:45 PM  
**To:** [dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)  
**Subject:** Uptown Update: December 19, 2011



**New Business on the Agenda this Week**

**Register for the Municipal Elected**

Campaigning was the easy part; the hard work begins when you govern. The Municipal Elected Officials Institute of Government is designed to help newly elected officials increase their knowledge and understanding of city government. [Click here](#) for a quick video about MEOI. Register now for MEOI Session A, Tuesday, February 14, 2012 at [www.masc.sc](http://www.masc.sc) (keyword: MEO).

**Register for Hometown Legislative Action Day**

Hometown Legislative Action Day is February 15 at the Marriott in Columbia. [Online registration](#)

is now available. Sessions A and B of the Municipal Elected Officials Institute of Government are offered on February 14 in conjunction with HLAD. You can also register online for MEO A and B. Brochures will be mailed on December 28.

#### Announcements

**The *Uptown Update* will return on Tuesday, January 3, 2012.**

#### Public Comment

Municipal Association of South Carolina  
PO Box 12109  
Columbia, SC 29211  
[www.masc.sc](http://www.masc.sc)  
[mail@masc.sc](mailto:mail@masc.sc)

## Debra Herrmann

---

**From:** Debra Herrmann [dherrmann@surfsidebeach.org]  
**Sent:** Thursday, January 05, 2012 10:48 AM  
**To:** Mike Smith ; 'A. Kelley'; 'Alternatives'; Blomquist, Rob; Brenda Alverson (balverson@surfsidebeach.org); 'C. Perry'; 'C. Perry'; 'CFC News'; 'D. Bryant'; Debbie Ellis (dellis@surfsidebeach.org); Faye Creel (Faye.Creel@VisitMyrtleBeach.com); 'H. Gale'; 'J. Hart'; Jackie Donevant (jdonevant@surfsidebeach.org); Jim Duckett (jduckett@surfsidebeach.org); Joanne Petosa (joannepetosa@wwpemlaw.com); John Adair (jadair@surfsidebeach.org); Kenneth Moss, Esquire (kennethmoss@wwpemlaw.com); Kim Hursey (khursey@surfsidebeach.org); Kurt Knappek; 'L. Anderson'; 'M. Miller'; Mary Beth Mabry; Micki Fellner (mfellner@surfsidebeach.org); Mike Frederick (mfrederick@surfsidebeach.org); 'North Myrtle Beach Times'; Peggy Broach (pbroach@surfsidebeach.org); 'Richard Green'; Robert Packard; 'S. Miles'; 'S. News'; Sabrina Morris (smorris@surfsidebeach.org); 'Sun News Editors'; 'T. O'Dare'; Terry Grady (tgrady@surfsidebeach.org); The Hon. Allen Deaton; The Hon. Ann Dodge ; The Hon. Bob Childs ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Rod Smith; The Hon. Valerie Wentz; The Hon. Vicki Blair; 'V. Spechko'; 'WBTW'; 'WMBF'; 'WNMB'; 'WPDE'; 'WRNN'  
**Subject:** 12-10-11 TC Agenda Package, Supporting Documents, and Public Notices  
**Attachments:** 01\_10\_12\_tc\_agenda\_8\_1st\_reading\_land\_dev\_regs.pdf; 01\_10\_12\_tc\_agenda.pdf; 01\_10\_12\_tc\_agenda\_4\_draft\_12\_13\_11\_meeting\_minutes.pdf; 01\_10\_12\_tc\_agenda\_7ai\_building\_report.pdf; 01\_10\_12\_tc\_agenda\_7aii\_police\_report.pdf; 01\_10\_12\_tc\_agenda\_7aiii\_fire\_report.pdf

The Town Council meeting agenda and supporting documents are attached, except for Exhibit A to agenda item 8, Land Development Regulations, which will follow in a separate message.

**NOTICE OF PUBLIC HEARING:** Town Council will hold a Public Hearing during the January 10, 2012 meeting to hear public comments on the proposed Land Development Regulations (LDR.)

**PUBLIC NOTICE:** Candidate Filing for the April 3, 2012 General Municipal Election is open from January 9<sup>th</sup> to January 13<sup>th</sup>, 9:00 a.m. to 4:00 p.m., or by appointment after hours, for the offices of mayor (1 seat) and town council (3 seats.) Call 843.913.6333 or email [dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org) for information.

The public is invited to attend all meetings, during which time is allotted for comments on agenda items and general comments.

This transmission is pursuant to the Freedom of Information Act §30-4-80.

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)  
[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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## Debra Herrmann

---

**From:** Debra Herrmann [dherrmann@surfsidebeach.org]  
**Sent:** Thursday, January 05, 2012 1:36 PM  
**To:** 'Debra Herrmann'; Mike Smith ; 'A. Kelley'; 'Alternatives'; Blomquist, Rob; Brenda Alverson; 'C. Perry'; 'C. Perry'; 'CFC News'; 'D. Bryant'; Debbie Ellis; Faye Creel; 'H. Gale'; 'J. Hart'; Jackie Donevant; Jim Duckett; Joanne Petosa; John Adair; Kenneth Moss, Esquire; Kim Hursey; Kurt Knapek; 'L. Anderson'; 'M. Miller'; Mary Beth Mabry; Micki Fellner; Mike Frederick; 'North Myrtle Beach Times'; Peggy Broach; 'Richard Green'; Robert Packard; 'S. Miles'; 'S. News'; Sabrina Morris; 'Sun News Editors'; 'T. O'Dare'; Terry Grady; The Hon. Allen Deaton; The Hon. Ann Dodge ; The Hon. Bob Childs ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Rod Smith; The Hon. Valerie Wentz; The Hon. Vicki Blair; 'V. Spechko'; 'WBTW'; 'WMBF'; 'WNMB'; 'WPDE'; 'WRNN'  
**Subject:** RE: 01-10-2012 TC Meeting, Exhibit A WITH ATTACHMENT!  
**Attachments:** 01\_10\_12\_tc\_agenda\_8\_1st\_reading\_land\_dev\_regs\_exhibit\_a.pdf

Sorry for failing to attach the exhibit ☹ Now, it is attached.

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)  
[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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---

**From:** Debra Herrmann [<mailto:dherrmann@surfsidebeach.org>]  
**Sent:** Thursday, January 05, 2012 10:50 AM  
**To:** Mike Smith ; 'A. Kelley'; 'Alternatives'; Blomquist, Rob; Brenda Alverson ([balverson@surfsidebeach.org](mailto:balverson@surfsidebeach.org)); 'C. Perry'; 'C. Perry'; 'CFC News'; 'D. Bryant'; Debbie Ellis ([dellis@surfsidebeach.org](mailto:dellis@surfsidebeach.org)); Faye Creel ([Faye.Creel@VisitMyrtleBeach.com](mailto:Faye.Creel@VisitMyrtleBeach.com)); 'H. Gale'; 'J. Hart'; Jackie Donevant ([jdonevant@surfsidebeach.org](mailto:jdonevant@surfsidebeach.org)); Jim Duckett ([jduckett@surfsidebeach.org](mailto:jduckett@surfsidebeach.org)); Joanne Petosa ([joannepetosa@wwpemlaw.com](mailto:joannepetosa@wwpemlaw.com)); John Adair ([jadair@surfsidebeach.org](mailto:jadair@surfsidebeach.org)); Kenneth Moss, Esquire ([kennethmoss@wwpemlaw.com](mailto:kennethmoss@wwpemlaw.com)); Kim Hursey ([khursey@surfsidebeach.org](mailto:khursey@surfsidebeach.org)); Kurt Knapek; 'L. Anderson'; 'M. Miller'; Mary Beth Mabry; Micki Fellner ([mfellner@surfsidebeach.org](mailto:mfellner@surfsidebeach.org)); Mike Frederick ([mfrederick@surfsidebeach.org](mailto:mfrederick@surfsidebeach.org)); 'North Myrtle Beach Times'; Peggy Broach ([pbroach@surfsidebeach.org](mailto:pbroach@surfsidebeach.org)); 'Richard Green'; Robert Packard; 'S. Miles'; 'S. News'; Sabrina Morris ([smorris@surfsidebeach.org](mailto:smorris@surfsidebeach.org)); 'Sun News Editors'; 'T. O'Dare'; Terry Grady ([tgrady@surfsidebeach.org](mailto:tgrady@surfsidebeach.org)); The Hon. Allen Deaton; The Hon. Ann Dodge ; The Hon. Bob Childs ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Rod Smith; The Hon. Valerie Wentz; The Hon. Vicki Blair; 'V. Spechko'; 'WBTW'; 'WMBF'; 'WNMB'; 'WPDE'; 'WRNN'  
**Subject:** 01-10-2012 TC Meeting, Exhibit A

Exhibit A to Town Council Agenda Item 8, First Reading Land Development Regulations is attached. This exhibit was sent separately due to its size.

This transmission is pursuant to the Freedom of Information Act §30-4-80.

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)

[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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## Debra Herrmann

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**Sent:** Thursday, January 05, 2012 10:50 AM  
**To:** Mike Smith ; 'A. Kelley'; 'Alternatives'; Blomquist, Rob; Brenda Alverson (balverson@surfsidebeach.org); 'C. Perry'; 'C. Perry'; 'CFC News'; 'D. Bryant'; Debbie Ellis (dellis@surfsidebeach.org); Faye Creel (Faye.Creel@VisitMyrtleBeach.com); 'H. Gale'; 'J. Hart'; Jackie Donevant (jdonevant@surfsidebeach.org); Jim Duckett (jduckett@surfsidebeach.org); Joanne Petosa (joannepetosa@wwpemplaw.com); John Adair (jadair@surfsidebeach.org); Kenneth Moss, Esquire (kennethmoss@wwpemplaw.com); Kim Hursey (khursey@surfsidebeach.org); Kurt Knapek; 'L. Anderson'; 'M. Miller'; Mary Beth Mabry; Micki Fellner (mfellner@surfsidebeach.org); Mike Frederick (mfrederick@surfsidebeach.org); 'North Myrtle Beach Times'; Peggy Broach (pbroach@surfsidebeach.org); 'Richard Green'; Robert Packard; 'S. Miles'; 'S. News'; Sabrina Morris (smorris@surfsidebeach.org); 'Sun News Editors'; 'T. O'Dare'; Terry Grady (tgrady@surfsidebeach.org); The Hon. Allen Deaton; The Hon. Ann Dodge ; The Hon. Bob Childs ; The Hon. Doug Samples; The Hon. Mark Johnson; The Hon. Rod Smith; The Hon. Valerie Wentz; The Hon. Vicki Blair; 'V. Spechko'; 'WBTW'; 'WMBF'; 'WNMB'; 'WPDE'; 'WRNN'  
**Subject:** 01-10-2012 TC Meeting, Exhibit A

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This transmission is pursuant to the Freedom of Information Act §30-4-80.

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# Exhibit A

## TEXT AMENDMENT DRAFT



### Land Development Regulations of the Town of Surfside Beach, South Carolina

## **PUBLIC HEARING COPY**

Compilation of Draft Amendments as of August 3, 2011

Note: Text highlighted in yellow denotes an amended section, provision, or clause; however, due to the comprehensive nature of potential amendments, please refer to the existing ordinance (Chapter 15, Surfside Beach Code of Ordinances) for a complete comparison.

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**TOWN OF SURFSIDE BEACH CODE OF ORDINANCES  
CHAPTER 15  
“LAND DEVELOPMENT REGULATIONS OF THE TOWN OF SURFSIDE BEACH,  
SOUTH CAROLINA”**

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**TOWN OF SURFSIDE BEACH CODE OF ORDINANCES**  
**CHAPTER 15**  
**“LAND DEVELOPMENT REGULATIONS OF THE TOWN OF SURFSIDE BEACH,**  
**SOUTH CAROLINA”**

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**TOWN OF SURFSIDE BEACH CODE OF ORDINANCES**  
**CHAPTER 15**  
**“LAND DEVELOPMENT REGULATIONS OF THE TOWN OF SURFSIDE BEACH,**  
**SOUTH CAROLINA”**

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**TOWN OF SURFSIDE BEACH CODE OF ORDINANCES**  
**CHAPTER 15**  
**“LAND DEVELOPMENT REGULATIONS OF THE TOWN OF SURFSIDE BEACH,**  
**SOUTH CAROLINA”**

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### DIVISION ONE: INTRODUCTORY PROVISIONS

#### SECTION 15-001. TITLE

This chapter shall be known as the "Land Development Regulations of the Town of Surfside Beach, South Carolina".

#### SECTION 15-002. AUTHORITY

~~This chapter is adopted pursuant to the authority granted under S.C. Code 1976, § 6-29-1110 et seq.~~

The following articles, divisions, sections, subsections, provisions, paragraphs, and clauses are adopted pursuant to the statutory authority conferred by Title 6, Chapter 29 of the Code of Laws of South Carolina.

#### SECTION 15-003. PURPOSE

~~The purposes of this chapter are to establish procedures and standards for the development and subdivision of real estate within the corporate limits of the town in an effort to, among other things:~~

The land development regulations as set forth in this chapter have been made in accordance with the comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, appearance, prosperity, and the general welfare of the community. They have been designed to:

- (1) Encourage the economically sound and stable development of the town;
- (2) Ensure the timely provision of required streets, utilities, and other facilities and services to new land development;
- (3) Ensure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- (4) Ensure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public or semipublic purposes; and
- (5) Ensure, in general, the wise and timely development of new areas and the redevelopment of previously developed areas, in harmony with the comprehensive plan of the town.

#### SECTION 15-004. JURISDICTION; SCOPE AND APPLICABILITY

~~(a) This chapter shall govern all subdivision of land lying within the corporate limits of the town.  
(b) All subdivisions of property within the town prior to November 1, 1980, shall be allowed provided that all streets within these subdivisions are dedicated to and accepted by the town.  
(c) The subdivision of property after November 1, 1980, will be subject to the requirements of this chapter~~

- (a) These regulations shall apply to all land located within the Town of Surfside Beach.
- (b) These regulations shall apply to land developments which involve or necessitate any of the following:
  - (1) the subdivisions of property as defined by this chapter;
  - (2) the creation, extension, and/or dedication of any street;

## ARTICLE I. IN GENERAL

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- (3) the extension of public infrastructure including water, sewer, and other utilities including the creation of necessary easements;
- (4) the construction, reconstruction, or placement of improvements within any existing or planned rights-of-way, excluding construction initiated and performed within existing rights-of-way by the town, county, or state governments;
- (5) the platting or preparation of plans for the recording of planned developments as provided under the town's zoning ordinance;
- (6) commercial, industrial, and office parks where lots, building sites, or other land divisions are created for lease or rental;
- (7) the recording of any plats or plans affecting or requisite to the transfer, lease, sale, or other conveyance of property or as may be otherwise provided by Title 6, Chapter 29 of the South Carolina Code of Laws;
- (8) the naming or renaming of streets;
- (9) new public projects as defined by this chapter;
- (10) improvements or disturbances to land necessitated by or preparatory to any of the above activities; and/or
- (11) any other activity or improvement specifically regulated herein.

### **SECTION 15-005. INTERPRETATION AND CONFLICT**

The standards and provisions of this chapter shall be interpreted as being the minimum requirements necessary to uphold the purpose of this chapter and for the protection of the health, safety, economy, good order, appearance, convenience and welfare of the general public. Whenever this chapter imposes a higher standard than required by other resolutions, ordinances, rules or regulations, or by easements, covenants, or agreements, the provisions of this chapter shall govern. ~~When the provisions of such statute shall govern.~~

### **SECTION 15-006. ~~SEPARABILITY~~ SEVERABILITY AND VALIDITY**

Should any article, division, section, subsection, provision, paragraph, or clause of this chapter be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this chapter as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

### **SECTION 15-007. REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict therewith are repealed to the extent necessary to give the ordinance full force and effect.

### **SECTION 15-008. EFFECTIVE DATE**

This chapter shall take effect and be in force from and after the date of its adoption by the town council of Surfside Beach, South Carolina.

### **SECTION 15-5. APPLICATION OF CHAPTER**

~~No plat of the subdivision of any land within the territorial jurisdiction of the Town of Surfside Beach shall be filed with or recorded by the Horry County Clerk of Court until such plat shall have been submitted to and approved by the planning and zoning commission according to the procedures set forth~~

## ARTICLE I. IN GENERAL

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~~in this chapter. Plats of land subdivisions, which are recorded prior to the effective date of this chapter and were prepared for the sole purpose of transferring the lot to another person, do not require the approval of the planning and zoning commission.~~

~~No street, public way or public land shall be accepted or maintained, nor shall any water lines, sewer lines, street lighting or similar improvements be extended or connected, nor shall any permit be issued by any department of the town for the construction of any building or other improvement in any subdivision established hereafter which has not been approved by the planning and zoning commission.~~

### ~~SECTION 15-6. APPEALS~~

~~A subdivider may appeal a planning commission action to circuit court. The party must appeal within thirty (30) days after actual notice of the decision.~~

### ~~SECTION 15-8. VIOLATIONS AND PENALTIES~~

~~Unless otherwise provided, any person, firm or corporation who violates the provisions of this chapter, or the owner or agent or the owner of any land to be subdivided within the Town of Surfside Beach who transfers or sells or agrees to sell or negotiates or advertises to sell such land by reference to or exhibition of or by other use of a plat of subdivision of such land before such plat has been approved by the planning and zoning commission and recorded in the office of the clerk of court in and for Horry County, shall be guilty of a misdemeanor. The violator(s) shall be tried in recorder's court as deemed necessary by mayor and town council, and upon conviction, shall be fined as determined by the recorder's court. Each lot or parcel involved constitutes a separate violation and each day such violation(s) occurs shall constitute a separate offense. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. Nothing herein shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violations.~~

### ~~SECTION 15-009. through 15-019. [RESERVED]~~

## DIVISION TWO: CHAPTER TERMS AND THEIR USE

### SECTION 15-020. WORD USAGE

For the purposes of this chapter, words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular. The word "shall" is mandatory. The word "may" is permissive.

### SECTION 15-021. DEFINITIONS

Unless the context clearly indicates a different meaning, the following words and terms shall, for the purposes of this chapter, have the meanings shown in this division. Where terms are not defined in this chapter and are defined in the zoning ordinance or building and mechanical codes, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies:

## ARTICLE I. IN GENERAL

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*Access* shall mean a way or means of approach to provide vehicular or pedestrian entrance to or exit from a property.

*ADA* shall mean the Americans with Disabilities Act.

*Bikeway* shall mean a surfaced pathway designed to be used by non-motorized cycles along the edge of an existing street.

*Block* shall mean a parcel of land or group of lots surrounded by streets or highways, railroad rights-of-way, waterways, corporate boundaries, or by a combination thereof.

*Corner lot* shall mean any lot having at least two contiguous sides abutting one or more streets, provided that the interior angle of such two sides is less than 135 degrees.

*Cul-de-sac* shall mean a local street with only one access point and having the other end designed for the reversal of traffic movement.

*Curb* shall mean a vertical or upward sloping edge of a roadway usually made of concrete or paving materials.

*Design modification* shall mean a lawful variation from the development standards of this chapter, where approved by the planning commission subject to the findings and limitations imposed by Article II.

*Detention basin* shall mean a pond, pool, or basin used for the storage of water runoff with the controlled release of such runoff.

*Development administrator* [‘the administrator’] shall mean the person(s) designated herein to assume certain administrative and enforcement duties as provided by this chapter. The development administrator, when so designated by the town council, may also serve in the capacity of code enforcement official as provided in Chapter 17 of this code.

*Developer* shall mean any person, as defined herein, who undertakes an improvement as regulated by this chapter. The term “subdivider”, “developer”, and “property owner” may be used interchangeably except where the context requires otherwise.

*Double frontage lot* shall mean a lot that fronts upon two parallel streets or that fronts upon two or more streets that do not intersect at the boundaries of the lot. A corner lot shall not be considered as having double frontage unless it has frontage on three (3) or more streets.

*Easement* shall mean a grant to the general public, a corporation, or a certain person of a strip or a parcel of land for use for a specific purpose and not including fee simple ownership.

*Frontage or lot frontage* shall mean the horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abut a street shall be considered frontage. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage.

*Gross acreage* shall mean the overall total area of real property.

## ARTICLE I. IN GENERAL

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*Interior lot* shall mean a lot, other than a corner lot, that fronts on only one street.

*Land development* shall mean the changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, manufactured home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

*Lease parcel* shall mean a parcel created for lease, rental, or contractual purposes, and for which the ownership does not change.

*Lot* shall mean a ~~single parcel or tract of land~~ designated parcel, tract, or area of land established by a plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.

*Lot area* shall mean the total area included within the boundaries of the lot, measured in the horizontal plane.

*Lot depth* shall mean the average distance measured from the front lot line to the rear lot line.

*Lot of record* shall mean a lot, the boundaries of which are filed as a legal record.

*Off-street parking* shall mean a parking space provided outside of a street right-of-way such as a parking lot, parking structure, or private driveway.

*On-street parking space* shall mean a parking space that is located within a street right-of-way.

*Person* shall mean a natural person, heirs, executors, administrators, or assigns, and includes a firm, partnership, or corporation, or their successors or assigns, or the agents of any of the aforesaid.

*Planned development district* shall mean a ~~planned residential, commercial or industrial development, professionally designed as a unit and reviewed by the Surfside Beach planning and zoning commission and approved by the town council~~ zoning district established under the terms of the Surfside Beach Zoning Ordinance.

*Planning commission* [‘the commission’] shall mean the body created by Chapter 2 of this code pursuant to S.C. Code §6-29-310 et seq.

*Plat* shall mean a map or drawing upon which a developer’s plan for the subdivision of property is presented for approval.

*Public improvement* shall mean any drainage ditch, storm sewer, or drainage facility, sanitary sewer, water main, street or roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, square, park, open space, building, lot improvement or other facility for which the government may ultimately assume the responsibility for maintenance and operation or for which the government’s responsibility is already established.

*Public project* shall mean any project by or for a public agency using real property, as owner or tenant that falls within the jurisdiction of the Town of Surfside Beach. These public agencies include: (1) Agencies and departments of the State of South Carolina, (2) Counties, county agencies and departments, and (3) Municipalities, municipal agencies, and departments.

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*Public way* shall mean any street, alley, or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated, or otherwise permanently appropriated to the public for public use.

*Retention basin* shall mean a pond, pool, or basin used for the permanent storage of water runoff.

*Reverse strip* shall mean a strip of land adjacent to a public street or similar right-of-way that has been reserved for the purpose of controlling access to the public way.

*Right-of-way* shall mean land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose. The term "right-of-way" differs from the term "easement"; whereas, except for existing streets located on prescriptive easements, rights-of-way as defined herein are characterized by fee simple ownership.

*Setback line* shall mean a line parallel to a ~~the front~~ property line in front of which no structure shall be erected, extended, or projected over or upon, except as may be provided in the zoning ordinance.

*Street* shall mean a vehicular way which may also serve in part as a way for pedestrian traffic, whether called a street, avenue, boulevard, highway, thoroughfare, parkway, road, lane, or otherwise designated, including the entire area within the right-of-way. Except where the term "private street" is used by this chapter, the word "street" shall mean a "public street". ~~dedicated and accepted public right-of-way for vehicular traffic.~~

*Street, private* shall mean a street which has not been dedicated for public use or maintenance.

*Street, public* shall mean a street which has been dedicated or otherwise established for public use and is maintained by the federal, state, county, or town government. As applied to the term "subdivision" as defined herein, the term "public street" or "street" also includes drainage and utility easements, water and/or sewer mains, ditches, culverts, storm water basins and storm sewers, and similar street or right-of-way appurtenances. Public streets are further classified as:

- (1) *Local street* shall mean a street used primarily for providing direct access to abutting property.
- (2) *Collector street* shall mean a street designed to carry medium volumes of vehicular traffic, provide access to the major street system and collect the traffic from the intersecting local streets.
- (3) *Marginal access street* shall mean a minor (service) street which parallels and is adjacent to a major street, and which provides access to abutting property.
- (4) *Arterial street* shall mean a street designated primarily for the movement of large volumes of traffic from one (1) area to another. Such streets are usually numbered state or federal highways.

*Subdivider* shall mean any person, ~~firm, or corporation~~ who divides or develops any land deemed to be a subdivision. The term "subdivider", "developer", and "property owner" may be used interchangeably except where the context requires otherwise.

## ARTICLE I. IN GENERAL

---

*Subdivision* shall mean all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future; of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record. Subdivisions are further classified by this chapter ~~be categorized~~ as major, minor, or excepted:

- (1) *Major subdivision* shall mean all divisions of a tract or parcel of land into ~~three (3)~~ six (6) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, transfer, or development, and includes all division of land involving a new street or a change in existing streets, and includes resubdivision. All divisions not constituting a minor subdivision or excepted subdivision, as defined by this chapter, are considered major subdivisions. ~~The following exceptions are included within this definition only for the purpose of requiring that the planning and zoning commission be informed and have a record of each subdivision.~~
- (2) *Minor subdivision* shall mean a division of a tract or parcel into no more than ~~two~~ five (5) lots, including the parent parcel, where such division does not create a new street or change an existing street.
- (3) *Excepted subdivision* shall mean a property division, combination, and/or recombination where no formal review or approval is required pursuant to §6-29-1110 of the state code, subject to the notification requirements contained in Article III of this chapter. Excepted subdivisions include:
  - a. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to all applicable ordinance standards;
  - b. The division of land into parcels of five (5) acres or more where no new street is involved; and
  - c. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

*Surety instrument* shall mean a financial guarantee in the form of an irrevocable letter of credit or cash deposit posted in the amount of 125% of the engineer's itemized construction estimate to guarantee the installation and acceptance of improvements required by this chapter.

*Surveyor* shall mean a registered land surveyor in good standing with the South Carolina Board of Registration for Professional Engineers and Land Surveyors.

*Utilities, major* shall mean facilities, structures, and other uses that are necessary for the generation, transmission, and/or distribution of utilities to support principal development, such as electrical generating facilities, electrical and telephone switching facilities, electric substations, pumping stations, sewage collection or disposal facilities, water or sewage treatment plants, water storage tanks, and similar uses.

**ARTICLE I. IN GENERAL**

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*Zoning ordinance* shall mean the “Zoning Ordinance of the Town of Surfside Beach, South Carolina” as codified in Chapter 17 of this code.

**SECTION 15-022. through 15-199. [RESERVED]**

## ARTICLE II. ADMINISTRATION

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### DIVISION ONE: ADMINISTRATION AND ENFORCEMENT AUTHORITY

#### SECTIONS 15-200. PLANNING COMMISSION TO ADMINISTER REGULATIONS

The planning commission shall exercise all powers and duties conferred by this chapter pursuant to Title 6, Chapter 29 of the State of South Carolina Code of Laws.

#### SECTIONS 15-201. DEVELOPMENT ADMINISTRATOR ESTABLISHED; DUTIES

(a) The Director of the Town of Surfside Beach Zoning and Building Department, and/or his designee, shall serve as development administrator. If the director's position becomes vacant, the town council may appoint a staff member(s) to serve as development administrator. The administrator shall assist the planning commission in the administration and enforcement of this chapter. Under this chapter, the administrator shall have the authority and responsibility to:

- (1) Review and, where appropriate, issue administrative approvals for minor subdivisions;
- (2) Receive and, where appropriate, authorize the filing of subdivision plats excepted from the terms of this chapter;
- (3) Maintain records of all plats, plans, applications, and resulting actions related to the administration of this chapter;
- (4) Review, file, and forward to the commission the records and applications related to major subdivisions, appeals, design modifications, and all other matters requiring review and consideration by the commission;
- (5) Provide clerical, technical, and consultative assistance to the commission as may be required in the exercise of duties related to this chapter;
- (6) Investigate and resolve violations of this chapter;
- (7) Conduct inspections of lands and public improvements to determine compliance with this chapter; and
- (8) Perform all other duties as assigned by this chapter or as may be delegated by the commission.

(b) If the position of development administrator should become vacant, and no subsequent appointment is made by town council as provided in subsection (a), the planning commission shall exercise all duties and responsibilities delegated to the administrator by this chapter. All duties and responsibilities not explicitly assigned to the administrator in accordance with this chapter, are retained by the commission as provided by Title 6, Chapter 29 of the State of South Carolina Code of Laws.

#### SECTIONS 15-202. REFERRAL OF MATTERS TO PLANNING COMMISSION

The development administrator may refer any matter, otherwise delegated or as provided in section 15-201(a), to the planning commission for its advisement, review, and/or a final decision.

## ARTICLE II. ADMINISTRATION

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### SECTIONS 15-203. TIME OF REVIEW; FAILURE TO ACT TO CONSTITUTE APPROVAL

- (a) All plats and development plans required by this chapter shall be promptly reviewed by the planning commission or development administrator. Except as otherwise provided by this chapter, the commission or administrator shall have sixty (60) days to render a decision to approve, conditionally approve, or deny a request for subdivision plat approval, development plan approval, or to act on an appeal. The failure to act within the timeline prescribed by this section shall constitute an approval, and the developer shall be issued a letter of approval and authorization to proceed based on the plans or plats and the supporting documentation submitted.
- (b) For all applications that may be approved by the development administrator, the sixty (60) day period as prescribed by subsection (a) shall commence on the day a complete application is received by the administrator. The applicant shall be issued a dated receipt upon submission of the application/review fee. The date contained on that receipt shall be considered the date the application is received by the administrator. For all applications requiring the approval of the planning commission, the sixty (60) day period as prescribed by subsection (a) shall commence on the first available meeting date the complete application was scheduled or eligible to be considered. The first available meeting date shall in no case be less than five (5) days nor exceed thirty-six (36) days from an applicant's delivery of a complete application to the administrator. If the commission fails to meet within this time, the sixty (60) day period as prescribed by this section shall be considered to have commenced on the day a complete application was received by the administrator.
- (c) The sixty (60) day period as prescribed by this section may be extended by the mutual agreement of the applicant and the planning commission or development administrator. All agreed extensions shall be in written form and shall bear the signature of the applicant.
- (d) For development plans or subdivision plats requiring multiple actions (e.g. sketch plan, preliminary plat, and final plat approval) the sixty (60) day period as prescribed by this section shall apply separately to each required action.

### SECTION 15-204. through 15-219. [RESERVED]

## DIVISION TWO: APPEALS

### SECTION 15-220. APPEALS FROM DECISIONS OF THE DEVELOPMENT ADMINISTRATOR

- (a) The planning commission shall hear and decide all appeals arising from any order, requirement, decision, or determination of the development administrator under the terms of this chapter. Any person aggrieved or any officer, department, board, or bureau of town may appeal. Such appeals shall be taken within fifteen (15) calendar days of notification of the order, requirement, decision, or determination from which the appeal is sought. An appeal is perfected by filing a written notice of appeal on a form prescribed by the commission. The notice of appeal shall be filed with the administrator from whom the appeal is taken and with the secretary of the commission, accompanied by the applicable appeal fee in an amount set by the town council. The notice of appeal shall identify the decision of the administrator that is being appealed and state the grounds for the appeal.

## ARTICLE II. ADMINISTRATION

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- (b) Once the applicant has filed a notice of appeal, the planning commission shall hold a duly noticed hearing on the appeal within forty-five (45) days. Public notice of the hearing and meeting shall be provided by publication in a newspaper of general circulation in the town at least fifteen (15) days in advance of the hearing. Notice shall be sent to parties of interest by certified mail no less than fifteen (15) days prior to the hearing. At the hearing, any party may appear in person or by agent or attorney.
- (c) The planning commission shall issue a decision within the time prescribed by section 15-203. Commission members must be present to vote. All final decisions and orders of the commission shall be in writing and filed as a permanent record. Commission decisions shall be delivered to parties of interest by certified mail.

### SECTION 15-221. APPEALS FROM DECISIONS OF THE PLANNING COMMISSION

A person who has a substantial interest in any decision of the planning commission or any officer or agent of the town may appeal a decision of the commission to the Horry County Circuit Court, by filing with the clerk of the court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty (30) days after the decision of the commission is mailed. Appeals from decisions of the commission are to proceed subject to the provision of S.C Code §§6-29-1150 through 6-29-1155.

### SECTION 15-222. through 15-229. [RESERVED]

## DIVISION THREE: AMENDMENTS

### SECTION 15-7. AMENDMENTS

~~This chapter may be amended from time to time provided that the planning and zoning commission shall review and prepare a recommendation on the proposed amendment before the town council takes any action on the request. The planning and zoning commission shall have sixty (60) days within to submit its recommendation on the proposed amendment. If the planning and zoning commission fails to submit a report within the specified time, it shall be deemed to have approved the proposed amendment. Prior to action by town council, a public hearing on the proposed amendment shall be held. The time, place, and date and purpose of the hearing shall be duly advertised in a newspaper of general circulation in the town at least fifteen (15) days prior to the hearing.~~

### SECTION 15-230. AUTHORITY TO AMEND CHAPTER

When the public necessity, convenience, general welfare, or good planning practice justify such action, and after the required review and report by the planning commission, the Surfside Beach Town Council may, from time to time, amend, supplement, or change by ordinance the land development regulations established herein.

### SECTION 15-231. INITIATION OF AMENDMENT

An amendment to this chapter's text may be initiated by the town council, planning commission, the town administrator, or by the development administrator.

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### **SECTION 15-232. APPLICATION FOR AMENDMENT**

The authority or person proposing the amendment shall set forth in full, by resolution or application, the proposed text to be considered. Amendments initiated by the town council or town administrator shall be transmitted to the development administrator. The development administrator shall promptly submit all papers and other data tendered by the initiator of the amendment to the planning commission for review and recommendation to the town council.

### **SECTION 15-233. PLANNING COMMISSION RECOMMENDATION**

- (a) Except when an amendment is initiated by the planning commission, the commission shall have sixty (60) days, from the first regular meeting in which the amendment is introduced, to submit its recommendation and report to the town council. The report submitted to the council shall contain a summary of all significant issues. Factors to be considered by the commission in making a recommendation include, but shall not be limited to, the following:
- (1) Whether or not the requested change is consistent with the comprehensive plan or is justified by an error in the original ordinance; and
  - (2) The precedents, and the possible effect of such precedents, which might result from approval or denial of the requested amendment.
- (b) In addition to the public hearing required of council, the planning commission may hold a hearing on the request prior to making a recommendation. When a hearing is conducted, notice shall be provided in a newspaper of general circulation within the town no less than fifteen (15) days prior to the meeting.
- (c) The planning commission shall promptly transmit its recommendation to the town council. If the commission fails to submit a recommendation within the sixty (60) day period, as prescribed by this section, it shall be deemed to have recommended approval of the requested amendment.

### **SECTION 15-234. HEARING BY TOWN COUNCIL**

Before the enactment of an amendment to this chapter, the town council shall hold a public hearing thereon. Notice of the time and place of the hearing shall be published in a newspaper of general circulation in the town at least thirty (30) days in advance of the scheduled public hearing date. Any person(s) or groups that have expressed in writing an interest of being informed of such proceedings shall be mailed notice of such meeting not less than thirty (30) days before the public hearing. All meetings and hearings before the town council shall be open to the public. At the hearing, oral and written comments may be submitted by any interested member of the public. Any party may appear in person or by agent or by attorney.

### **SECTION 15-235. ACTION BY TOWN COUNCIL**

For each amendment request, the town council shall consider the recommendation of the planning commission; however, town council is not bound by the recommendation in making a final decision. All amendments, changes, or supplements to the development regulations' text must be adopted by the town council as an ordinance in accordance with S.C. Code §5-7-270. If a proposed amendment is denied, such action shall be by resolution. If the town council fails to take action on a proposed amendment within 365 days of the public hearing, the proposed amendment shall be deemed to have been rejected and no further

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action by the town council is required.

### **SECTION 15-236 through 15-239. [RESERVED]**

#### **DIVISION FOUR: DESIGN MODIFICATIONS**

### **SECTION 15-240. PLANNING COMMISSION MAY AUTHORIZE DESIGN MODIFICATIONS**

The planning commission may grant, upon written request, design modifications to the requirements found in Articles III, IV, and V of this chapter. Design modifications shall only be granted by the commission in cases where the strict application of the requirements of this chapter would create an unnecessary hardship in the development of land.

### **SECTION 15-241. PROCEDURE FOR GRANTING DESIGN MODIFICATIONS; FINDINGS**

- (a) Requests for design modifications shall be submitted to the development administrator on forms approved by the planning commission. All requests shall be submitted no less than thirty (30) days prior to the regularly scheduled commission meeting at which the request will be considered. The administrator shall, upon receipt, provide public notice of a hearing on the request. The public notice shall be provided by publication in a newspaper of general circulation in the town at least fifteen (15) days in advance of the hearing. Written notice shall be sent to all parties in interest by certified mail no less than fifteen (15) days prior to the hearing.
- (b) In reviewing a request for a design modification, the planning commission shall consider the public interest and endeavor to preserve the general intent and spirit of these regulations. The commission may grant or grant with conditions requests for design modifications upon finding:
  - (1) The strict application of the regulations would create an unnecessary hardship in the development of land;
  - (2) The design modification(s) is justified because of topographical or other special conditions unique to the property; and
  - (3) The design modification(s) would not compromise the intent or purpose of this chapter.
- (c) Determinations of the planning commission to approve, approve with conditions, or deny a request, including all finding requisite thereto, shall be in writing and entered into the minutes of the commission. The commission's determination, with written findings, shall be delivered to the applicant and other parties of interest by certified mail.

### **SECTION 15-242. DESIGN MODIFICATIONS NOT TO VARY CERTAIN STANDARDS**

The planning commission shall not grant any design modification that would:

- (1) Alter any setback, lot size, density, use, or other zoning requirement. Requests that would affect a requirement imposed by the zoning ordinance shall not be granted except in cases where the Surfside Beach Board of Zoning Appeals has approved a variance pursuant to the requirements imposed by Chapter 17 of this code;

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- (2) Alter or otherwise reduce the surety requirements imposed by this chapter;
- (3) Alter, without the consent of the town council, construction standards (composition and materials only) for public streets and other infrastructure to be dedicated or deeded to the town for perpetual maintenance; however, the commission may alter dimensional standards under the terms of this division and may authorize decorative materials as provided in section 15-466; or
- (4) Conflict with any other local, state, or federal law.

### SECTION 15-243. through 15-249. [RESERVED]

## DIVISION FIVE: FEES

### SECTION 15-250. FEES ESTABLISHED

The town council shall establish, by ordinance, a schedule of fees and charges and a collection procedure for all reviews and approvals required by this chapter. Such schedule shall be posted in the office of the development administrator and may be altered or amended only by the town council. No review or other action for which fees or charges are levied shall be commenced until all applicable fees and charges have been paid in full.

### SECTION 15-251. COORDINATION AND PAYMENT OF ALL FEES

Activities regulated by this chapter may require the payment of certain fees pursuant to other chapters of this code or other ordinances adopted by town council. These fees may include, but not be limited to, fees incurred for review and inspections under the building code and zoning ordinance. The development administrator shall coordinate with other departments of the town to ensure compliance and, when practicable, the concurrent payment of fees.

### SECTION 15-252. through 15-259. [RESERVED]

## DIVISION SIX: VIOLATIONS; PENALTIES; REMEDIES

### SECTION 15-260. VIOLATIONS OF CHAPTER ARE MISDEMEANORS

A violation of this chapter or any resolution adopted pursuant to the provisions of this chapter is hereby declared to be a misdemeanor under the laws of the state and, upon conviction thereof, an offender shall be punished at the discretion of the court. Nothing herein shall prevent the town from taking other lawful action as is necessary to prevent or remedy any violation.

### SECTION 15-261. RECORDING OF UNAPPROVED PLAN OR PLAT CONSTITUTES VIOLATION

No subdivision plat or other land development plan within the Town of Surfside Beach may be filed in the Office of the Horry County Register of Deeds nor shall a building permit be issued until the plat or

## ARTICLE II. ADMINISTRATION

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plan bears the stamp of the planning commission and signature of the designated authority as provided within these regulations.

### **SECTION 15-262. TRANSFER OF UNAPPROVED OR UNRECORDED SUB-DIVISION LOTS CONSTITUTES VIOLATION**

The owner or agent of the owner of any property being developed within the Town of Surfside Beach may not transfer title to any lot(s) or part(s) of a land development unless a land development plan or subdivision has been approved by the planning commission or designated authority and such approved plan or plat is recorded in the Office of the Horry County Register of Deeds. A description by metes and bounds in the deed or other document used in the process of transfer does not exempt the transaction from the penalties cited herein. Each lot or parcel involved constitutes a separate violation and each day such violation occurs shall constitute a separate offense.

### **SECTION 15-263. COMPLAINTS ALLEGING VIOLATION**

Wherever a violation of this chapter occurs or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the causes and basis of the complaint and shall be filed with the development administrator. The administrator shall record properly such complaint, immediately investigate, and take whatever lawful action is necessary to ensure compliance with this chapter.

### **SECTION 15-264. OTHER REMEDIES FOR VIOLATION**

The planning commission, development administrator, town administrator, town's attorney or other appropriate administrative officer, or any adjacent or neighboring property owner who would be damaged by a violation of this chapter, may in addition to other remedies, institute an injunction, mandamus, or other appropriate action or proceedings to prevent, correct, or abate a violation.

### **SECTION 15-265 through 15-299. [RESERVED]**

**ARTICLE II. ADMINISTRATION**

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## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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### DIVISION ONE: GENERALLY

#### SECTION 15-300. PURPOSE

The following sections are an outline of the procedure for obtaining approval of a subdivision of land within the territorial jurisdiction of the Town of Surfside Beach Planning and Zoning Commission. These procedures for review and approval of a subdivision will vary based on the size, scope, and type of division being proposed. consists of three (3) separate steps. The initial step is the early informal consultation and sketch plan review by the planning and zoning commission's technical staff. The second step is the preparation and submission to the planning and zoning commission of a preliminary plat of the proposed subdivision. The third step is the preparation and submission to be recorded in the office of the clerk of court when duly signed by the chairman of the planning and zoning commission. This chapter details the review processes and required exhibits for major subdivisions, minor subdivisions, and excepted subdivisions as defined in Article I.

Any owners of land situated within the town limits of Surfside Beach who intends to divide such land into two (2) or more lots for the purpose of either immediate or future sale or building development, or intends to resubdivide for this purpose, shall submit a plan and/or plat of such proposed subdivision to the Surfside Beach Planning and Zoning Commission for approval and shall obtain such approval prior to the filing of his any plat of subdivision of land with the Horry County Clerk of Court Register of Deeds. The plan and/or plat information shall be presented in a manner specified in the following sections of Article H. No plat of the subdivision of land within the Town of Surfside Beach shall be filed or recorded by the clerk of court Office of the Horry County Register of Deeds of Horry County without the approval of the planning and zoning commission or the development administrator as specified herein.

In order to secure review and approval for a proposed subdivision by the planning and zoning commission, the subdivider shall submit a preliminary plat as outlined in section 15-38, prior to the making of any street improvements or installation of utilities. On the approval of the preliminary plat by the planning and zoning commission, the subdivider may proceed with the preparation of the final plat and other required documents as specified in section 15-39.

#### SECTIONS 15-301. through 15-319. [RESERVED]

### DIVISION TWO: MAJOR SUBDIVISION REVIEW AND APPROVAL

#### SECTION 15-320. PROCEDURE IN GENERAL

- (a) The procedure for the review and approval of major subdivisions, as defined herein, shall consist of three separate steps. These are: (1) review and approval of a sketch plan; (2) review and approval of a preliminary plat; and (3) review and approval of a final plat. For all plan or plat considerations, the planning commission may approve, approve with conditions, or disapprove a request consistent with the terms of this chapter. The commission may defer action on a request in cases where additional information would be needed. Decisions of the commission, including a final decision on a previously deferred matter, shall be made in a timely manner, subject to the requirements imposed by section 15-203.
- (b) Approval of a sketch plan and preliminary plat shall be completed prior to making any street improvements, installing any utilities, or making any other public improvement. The approval of the

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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final plat, the signing of a record plat by the chairman of the planning commission or development administrator, and the recording of said plat in the Office of the Horry County Register of Deeds shall occur prior to the sale of any lots in the proposed subdivision.

- (c) Requests for the review and approval of a preliminary or final subdivision plat shall be accompanied by a written application and filing fee. The planning commission shall approve the form of all applications to be considered by it. The administrator shall maintain a copy of all application forms and shall provide such forms to prospective subdividers upon request.

### SECTION 15-321. SKETCH PLAN REQUIRED

- (a) Pre-application consultation. Prior to the preparation of the plans and plats required herein, the subdivider is encouraged to consult with the ~~planning and zoning commission staff~~ development administrator regarding the requirements of this chapter, provisions of the comprehensive plan, and general land subdivision practices. The purpose of the ~~preapplication review of plats~~ consultation is to afford the subdivider an opportunity to avail himself of the advice and assistance of the ~~planning and zoning commission or designated official administrator~~ by first submitting a simple sketch plan of the proposed plat for review. This procedure is designed to facilitate the subsequent preparation and approval of the ~~subdivision plats~~ sketch plan, preliminary plat, and final plat. Pre-application consultation is encouraged; but, it is not mandatory.
- (b) Prior to the filing of a preliminary plat, the subdivider shall submit to the development administrator two (2) copies of a simple sketch plan of the proposed division. The sketch plan may be a simple free hand drawing. The purpose of the sketch plan is to assist the subdivider prior to extensive site planning and preparation of the preliminary plat. It is further the intent of this review process, to enable the subdivider to become familiar with the regulations affecting the land to be subdivided.
- (c) The development administrator shall review and approve, approve with conditions or other modifications, or disapprove the sketch plan within fifteen (15) days from the date the sketch plan was submitted to the administrator. Pertinent comments regarding the sketch plan shall be provided to the subdivider in writing. The failure of the administrator to act within the time prescribed above shall constitute an approval and a letter to that effect shall be issued by the ~~planning and zoning commission~~ administrator upon demand; provided, however, that the subdivider may waive this request requirement and consent in writing to the extension of such period. Upon approval of the sketch plan, the subdivider may prepare and submit a preliminary plat to the planning commission. The disapproval of a sketch plan may be appealed to the Planning Commission as provided in Article II.
- (d) Effect of sketch plan approval. The approval of the sketch plan by the development administrator does not permit the subdivider to undertake or perform public improvements, including streets and utilities, or make any other improvements as regulated herein. The approval of the sketch plan shall be valid for 180 days; thereafter, if no preliminary plat has been submitted such approval shall be considered void.

~~Sec. 15-37. Presubmission consultation and sketch plan review.~~

~~Prior to the preparation of the plans and plats required herein, the subdivider is encouraged to consult with the planning and zoning commission staff regarding the requirements of this chapter, provisions of the comprehensive plan and general land subdivision practices. The subdivider shall submit a sketch plan to the staff of the planning and zoning commission, in accordance with the requirements contained in section~~

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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~~15-41. The staff shall approve or disapprove the sketch plan within five (5) working days and notify the subdivider in writing of such approval or disapproval. If the sketch plan is disapproved by the staff, or the staff requires changes with which the developer does not concur, the subdivider may present the sketch plan to the planning and zoning commission at its next regular meeting. Notice of the time and place of such meeting shall be sent by registered or certified mail to the address specified on the plat not less than five (5) days before the meeting. The planning and zoning commission shall review and approve, disapprove, or approve with modifications the sketch plan at the meeting at which it is presented. Pertinent comments and recommendations shall be noted in the minutes of the meeting. Failure of the planning and zoning commission to act on the sketch plan at the meeting shall be deemed to constitute sketch plan approval, and a letter to that effect shall be issued by the planning and zoning commission upon demand; provided, however, that the subdivider may waive this request and consent in writing to the extension of such period.~~

### SECTION 15-322. PRELIMINARY PLAT REQUIRED; REVIEW BY COMMISSION; TIME LIMITATION; EFFECT

- (a) *Submission.* Following the approval of a sketch plan, the subdivider shall prepare a preliminary plat may proceed with the submission of a preliminary plat for consideration by the planning commission. The subdivider shall submit two (2) copies of a completed application form, such ten (10) black line copies of the plat, one (1) reproducible copy (mylar or similar medium) and any required supplemental data to the planning and zoning commission development administrator to be used for the purpose of determining the adherence of the proposed subdivision to design standards and improvements proposals. An application requesting approval of the preliminary plat, together with copies of the plat and any required supplemental material, shall be submitted to the staff of the planning and zoning commission not less than ten (10) working days prior to the meeting at which it is to be considered.
- (b) *Development administrator's review and report.* Upon receipt, the development administrator shall review the preliminary plat for conformity with this chapter and shall transmit copies of the plat to the planning commission. The administrator shall refer copies of the plat and any attachments to those public officials and agencies which are concerned with new development, including but not limited to the S.C. Department of Health and Environmental Control, Grand Strand Water and Sewer Authority, District Engineer of the S.C. Department of Transportation, telephone company, S.C. Electric and Gas Company, and the cable television company. The administrator shall prepare and distribute a written report on the requested preliminary plat approval to the commission and subdivider. The administrator's report may incorporate comments received from other departments or agencies. The administrator's report shall include an analysis of the proposed subdivision's conformance with these regulations and may include other pertinent information and/or recommendations.
- (c) *Planning and zoning commission's review procedures.* The planning and zoning commission shall review and act upon the preliminary plat within sixty (60) days of the date of its submission by the applicant as prescribed in section 15-203. If no action is taken by the commission within the same this time, the preliminary plat shall be deemed to have been approved; however, the subdivider may waive this requirement and consent to an extension of said time period. Action taken by the commission shall be at a scheduled public meeting and notice of the time and place of said meeting be sent by registered or certified mail to the name and address specified on or accompanying the preliminary plat. Such notice shall be sent not less than five (5) days before the date fixed for the meeting. At the meeting, the planning and zoning commission shall either approve, approve with modification, disapprove, or, where additional information is needed, defer action on the preliminary plat. Notice of

### ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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any action taken by the commission shall be in writing, signed by the chairman, and forwarded to the subdivider. In case of disapproval, the reasons for disapproval shall be addressed in relation to those parts of the comprehensive plan, or ordinance, or this chapter with which the plat does not conform. One (1) copy of the reasons shall be retained in the records of the commission and one (1) copy forwarded to the subdivider. On approval with modifications, the commission may require the subdivider to resubmit the preliminary plat with all recommended modifications to the commission before approval is given to the preliminary plat.

- (d) *Effect of the preliminary plat approval.* Approval of the preliminary plat is a conditional approval and does not constitute approval of the final plat. Preliminary plat approval shall be authorization for the subdivider to proceed with the preparation of the final plat and design the installation of site improvements subject to the requirements imposed by Article IV of this chapter. The approval of a preliminary plat shall not authorize the sale or transfer of lots. Approval of the preliminary plat shall become void unless installation of improvements is submitted for approval within one (1) year of the date of said approval; provided, however, that the planning and zoning commission may waive this requirement and consent to an extension of said time period for one (1) additional year.
- (e) *Expiration of approval.* The subdivider shall have two years from the date on which the preliminary plat was approved or conditionally approved to submit and have approved a final plat for the subdivision. Failure by the subdivider to submit and have approved a final plat within this time period shall void the approval of the preliminary plat. The subdivider may request and the commission may grant an extension to the time limitation subject to the vested rights provisions contained in section 14.5-2 of this code. The failure of the subdivider to request an extension as provided in section 14.5-2 shall constitute a forfeiture of the original approval.
- (f) *Amendments to an approved preliminary plat.* The subdivider may request and the development administrator may authorize minor amendments to an approved preliminary plat. Such amendments, when authorized, shall not require the resubmission or reconsideration of the preliminary plat prior to the review of a final plat. The subdivider's request and the administrator's authorization shall be in writing. Minor amendments do not include a change(s) that would:
  - (1) Result in an increase in the number of lots;
  - (2) Alter the exterior boundary of the subdivision through the addition or removal of land;
  - (3) Alter the proposed right-of-way or alter the extent or location of any improvement to be dedicated to the town;
  - (4) Be contrary to these regulations or require the granting of a design modification as provided in section 15-240 et seq; and/or
  - (5) Be contrary to any condition of approval or, in the opinion of the administrator, exceed the scope of the planning commission's original approval.

Changes or other alterations from an approved preliminary plat, not constituting a "minor amendment", shall require the plat's reconsideration by the commission prior to the submission of a final plat. When minor amendments are authorized, the administrator shall provide a copy of the written determination to the commission at its next regularly scheduled meeting. The written determination shall be entered into the commission's minutes.

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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~~(2) Filing fee.~~

~~(a) Major subdivision. To defray the cost of inspection, processing the plat, and notifying the interested parties, the subdivider shall pay a base fee of one hundred seventy five dollars (\$175.00), plus an additional fee of ten dollars (\$10.00) per lot at the time of filing for preliminary plat approval for major subdivisions or a PDD.~~

~~(b) Minor subdivision. The fee for a minor subdivision, creating two (2) lots from one (1) lot, is thirty dollars (\$30.00).~~

### SECTION 15-323. FINAL PLAT REQUIRED; REVIEW BY COMMISSION; TIME LIMITATION; EFFECT

- (a) *Submission.* Following the approval of a preliminary plat, the subdivider may proceed with the submission of a final plat for consideration by the planning commission. The subdivider shall submit two (2) copies of a completed application form, ~~such~~ ten (10) black line copies of the plat, one (1) digital copy, one (1) reproducible copy (mylar or similar medium), and any required supplemental data to the development administrator not less than ten (10) working days prior to the commission meeting at which it is to be considered. The planning and zoning commission may permit submission of the final plat in sections covering a reasonable portion of the entire proposed subdivision as shown on the approved preliminary plat.

~~The subdivider shall prepare and submit a final plat to the planning and zoning commission accompanied by an application requesting approval of the plat. Copies of the plat shall be submitted to the commission's staff not less than ten (10) working days prior to the meeting at which it is to be considered. One (1) digital copy shall be provided for all subdivisions with ten (10) or more lots. The remaining copies shall be dark line prints. Final plats shall include certification from a town-designated representative(s) that all required site improvements have been installed to the town's satisfaction or that an acceptable technique in lieu of completion of all improvements has been proposed for the subdivision.~~

~~(2) Filing fee.~~

~~(a) Major subdivision. To defray the cost of inspection, processing the plat, and notifying the interested parties, the subdivider shall pay a fee of one hundred seventy five dollars (\$175.00) at the time of filing for final plat approval for major subdivisions or PDD.~~

~~(b) Minor subdivision. The fee for a minor subdivision, creating two (2) lots from one (1) lot, is fifteen dollars (\$15.00).~~

- (b) *Development administrator's review and report.* Upon receipt, the development administrator shall review the final plat for conformity with this chapter and shall transmit copies of the plat to the planning commission. The administrator shall refer copies of the plat and any attachments to those public officials and agencies which are concerned with new development, including but not limited to the S.C. Department of Health and Environmental Control, Grand Strand Water and Sewer Authority, District Engineer of the S.C. Department of Transportation, telephone company, S.C. Electric and Gas Company, and the cable television company. The administrator shall prepare and distribute a written report on the requested final plat approval to the commission and subdivider. The administrator's report may incorporate comments received from other departments or agencies. The administrator's report shall include an analysis of the proposed subdivision's conformance with these regulations and may include other pertinent information and/or recommendations.

### ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- (c) *Planning and zoning commission procedure.* The planning and zoning commission shall review and act upon the final plat within sixty (60) days of the date of its submission by the applicant as prescribed in section 15-203. If no action is taken by the commission within this time, the final plat shall be deemed to have been approved; provided, however, that the applicant may waive this requirement and consent to an extension of said time period. Action taken by the commission shall be at a scheduled public meeting and notice of the time and place of the meeting shall be sent by certified or registered mail to the name and address specified on the plat. Such notice shall be mailed not less than five (5) days before the date of the meeting. At the meeting, the planning commission shall either approve, approve with modification, disapprove, or, where additional information is needed, defer action on the final plat. All decisions and other actions shall be recorded in the minutes of the commission.

The planning commission shall approve a final plat which:

- (1) Meets the requirements of these regulations;
- (2) Conforms to an approved preliminary plat with any modification as granted pursuant to section 15-322; and
- (3) Has all the required improvements installed and approved or a surety instrument will be established in accordance with the terms of this chapter.

If approving, the commission shall indicate approval in writing and shall state the conditions of approval, if any. If disapproving, the commission shall express, in writing, its disapproval and the reasons therefore. The administrator shall promptly provide notice of the commission's decision and shall note the date that written notification was mailed to the subdivider.

- (d) *Signing of final plat.* Prior to the commission chairman or, when delegated, the development administrator signing an approved final plat for recording, the subdivider shall:

- (1) Correct all deficiencies or make any other corrections to the final plat as specified in the commission's approval;
- (2) Satisfy all other conditions specified in the commission's approval. The subdivider shall provide documentation that all conditions have been satisfied;
- (3) Install all subdivision monuments as required in Article IV;
- (4) Install and have accepted all required public improvements or provide an acceptable surety instrument to guarantee the installation and acceptance of improvements;
- (5) Submit documentation of all regulatory approvals as required in sections 15-353 and 15-402; and
- (6) Submit five (5) black line copies of the final (record) plat, one (1) digital copy, and one (1) reproducible copy (mylar or similar medium). All certifications, as required by section 15-353(4) shall be signed upon submission, excluding the "Certificate of Approval for Recording Plat".

Upon the approval of the final plat and the subdivider's compliance with the above, the commission chairman or, when delegated, the administrator shall sign the "Certificate of Approval for Recording" with two (2) signed black line copies returned to the subdivider. This print becomes the instrument

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(record plat) to be recorded in the Office of the Horry County Register of Deeds. The subdivider shall record a signed copy in this office within fifteen (15) days of the date of signature appearing in the "Certificate of Approval for Recording Plat". Failure to meet the fifteen (15) day deadline shall cause the approval of the commission to be null and void, unless an extension of this time is granted in writing by the commission upon written request by the subdivider.

- (e) *Effect of final plat recording.* Recording the final plat shall constitute an irrevocable offer to dedicate all streets and other public ways shown on the plat and to dedicate or reserve, as specified by the commission, all park reservations and other such areas to the public use. Recording of the plat, however, shall not impose any duty by the town concerning acceptance of such dedicated streets or dedicated or reserved areas, until the Surfside Beach Town Council has made the proper acceptance.
- (f) *Expiration of approval.* The subdivider shall have two (2) years from the date on which the final plat was approved or conditionally approved to submit such plat for signature and recording. Failure by the subdivider to submit a final (record) plat to the administrator within this time period shall void the plat's approval. The subdivider may request and the commission may grant an extension to the time limitation subject to the vested rights provisions contained in section 14.5-2 of this code. The failure of the subdivider to request an extension as provided in section 14.5-2 shall constitute a forfeiture of the original approval.

~~The final plat shall conform in all respects to the preliminary plat as previously approved by the commission, but shall incorporate all modifications required by the planning and zoning commission in its review of the preliminary plat. The commission may, however, accept a final plat so modified as to reflect any substantial changes, which have occurred on the site of the proposed subdivision or in its surroundings, since the time of the preliminary plat approval. If the final plat and all supplementary data submitted comply with all the requirements pertaining to the particular subdivision being considered, the planning and zoning commission shall approve said plat and approval shall be noted in writing by the chairman on each copy of the final plat. The mylar and one (1) copy shall be retained by the planning and zoning commission, one (1) copy to the Horry County Tax Assessor and two (2) copies to the subdivider for recording purposes. If the final plat is disapproved, the reasons for such action shall be stated in writing, signed by the chairman and forwarded to the subdivider. If deemed necessary, any modifications required by the planning and zoning commission as prerequisites to approval of the final plat shall be noted on three (3) copies of the plat. The planning and zoning commission shall retain one (1) copy and two (2) copies shall be returned to the subdivider for recording purpose.~~

~~(4) *Recording the final plat.* No subdivision plat shall be recorded unless it bears the endorsement of the planning and zoning commission. After the commission has approved the final plat, two (2) signed copies of the plat shall be returned to the subdivider for filing in the office of the clerk of court of Horry County. The subdivider shall record the two (2) signed copies in this office within fifteen (15) days of the date of final approval. Failure to meet the fifteen day deadline shall cause the approval by the planning and zoning commission be null and void, unless an extension of time is granted in writing by the commission upon written request by the subdivider.~~

**SECTIONS 15-324. through 15-329. [RESERVED]**

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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### DIVISION THREE: MINOR SUBDIVISION REVIEW AND APPROVAL

#### SECTION 15-330. MINOR PLAT APPROVAL PROCEDURE

- (a) *Development administrator to approve.* Minor subdivisions, as defined herein, may be reviewed and approved by the development administrator in conformance with these regulations. Unlike major subdivisions, the review and approval of a minor subdivision shall consist of one step, the final plat. Final plats for minor subdivisions shall conform to the same exhibit standards as required for major subdivisions pursuant to section 15-353.
- (b) *Submission.* The subdivider shall submit a completed application form and three (3) black line copies of the final plat. The “Certificate of Ownership and Dedication” and the “Certificate of Accuracy” must be signed.
- (c) *Development administrator’s review.* Upon receipt, the administrator shall review the final plat for conformity with this chapter. At the discretion of the administrator, copies of the plat may be distributed to other departments or agencies for their review and comment.
- (d) *Action by the development administrator.* The administrator shall act on the final plan within fifteen (15) days of the plat’s receipt. All decisions and other actions shall be in writing. If approving, the administrator shall indicate approval in writing and shall state the conditions of approval, if any. If disapproving, the administrator shall express, in writing, the disapproval and the reasons therefore. The development administrator shall promptly mail notice of the decision and shall note the date that written notification was mailed to the subdivider. The failure of the administrator to act within the time specified by this subsection shall not constitute an approval but shall immediately cause the plat to be referred to the planning commission for a decision, with notice of such referral sent to the subdivider by registered or certified mail. Such notice shall be mailed at least five (5) day prior to the meeting on which the plat is to be considered. In no case shall such referral and decision exceed the time limitation, applicable to the administrator, as provided in section 15-203.
- (e) *Conditions requisite to signing of the final (record) plat.* Prior to the development administrator signing an approved final plat for recording, the subdivider shall:
- (1) Correct all deficiencies or make any other corrections to the final plat as specified in the administrator’s approval;
  - (2) Meet all conditions specified in the administrator’s approval. The subdivider shall provide documentation indicating that all conditions have been satisfied;
  - (3) Install all subdivision monuments as required in Article IV;
  - (4) Submit five (5) signed and stamped black line copies of the final (record) plat, one (1) digital copy, and one (1) reproducible copy (mylar or similar medium) to the development administrator. All certifications, as required by section 15-353, shall be signed upon submission, excluding the “Certificate of Approval for Recording”.
- (f) *Signing and recording of the final (record) plat.* Upon the approval of the final plat and the subdivider’s compliance with the requirements of subsection (e) above, the administrator shall sign the “Certificate of Approval for Recording” with two (2) signed black line copies returned to the subdivider. This print becomes the instrument (record plat) to be recorded in the Office of the Horry

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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County Register of Deeds. The subdivider shall record a signed copy in this office within fifteen (15) days of the date of signature appearing in the "Certificate of Approval for Recording Plat". Failure to meet the fifteen (15) day deadline shall cause the approval of the administrator to be null and void, unless an extension of this time is granted in writing by the administrator upon written request by the subdivider.

- (g) *Expiration of approval.* The subdivider shall have two (2) years from the date on which a final plat was approved or conditionally approved by the development administrator to submit such plat for signature and recording. Failure of the subdivider to submit a final (record) plat within this time period shall void the plat's approval. The subdivider may request and the administrator may grant an extension to this time limitation pursuant to the vested rights provisions contained in section 14.5-2 of this code. When such extensions are granted, they shall be reported to the planning commission at the next regularly scheduled meeting and the nature of such extension shall be recorded in the minutes of the planning commission. The failure of the applicant to formally request an extension as provided in section 14.5-2 shall constitute a forfeiture of approval.
- (h) *Appeal of development administrator's decision(s).* Decisions of the administrator may be appealed to the planning commission following the procedures and time limitations provided in Article II of this chapter.

### SECTION 15-331. REPORT TO PLANNING COMMISSION

The development administrator shall periodically provide a report to the planning commission of all minor subdivision determinations and other actions taken pursuant to this division.

### SECTION 15-332. through 15-339. [RESERVED]

~~Sec. 15-40. Subdivisions exempted from standard procedures:~~

~~(1) In the case of any proposed subdivision which does not involve the provision of new streets for access (i.e., one in which all proposed lots will have frontage on an existing public street or road) the following procedures may, at the subdivider's discretion, be followed to obtain review and approval of the plat by the planning and zoning commission:~~

~~(a) The subdivider shall prepare a sketch plan of the proposed subdivision in accordance with the requirements of this chapter;~~

~~(b) The subdivider shall obtain the approval of the Grand Strand Water and Sewer Authority for water and sewer connections;~~

~~(c) The subdivider shall submit three (3) copies of the sketch plan to the staff of the planning and zoning commission, who, within ten (10) working days thereafter, shall notify the subdivider of any additions or modifications to the plan which may be necessary to comply with the standards of this chapter. Such review by the staff shall constitute an official review by the planning and zoning commission; and~~

~~(d) Following the receipt of such notification from the staff of the planning and zoning commission, the subdivider shall then prepare a final plat in full accordance with section 15-43 of this chapter, and such final plat shall be submitted in accordance with section 15-43 of this chapter.~~

~~(2) The following exception is exempted from the standard plat submission and review procedure:~~

~~(a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter and other regulations of the governing authority, provided that in making such changes:~~

~~(b) No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by these or other town regulations;~~

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- ~~(c) Easements or rights-of-ways reserved for drainage shall not be changed;~~
- ~~(d) Street locations and block sizes shall not be changed; and~~
- ~~(e) No lot shall be created which does not abut a street.~~
- ~~(3) Such lot arrangements as are permitted in the Surfside Beach zoning ordinance, which, by their nature, cannot meet all the requirements included herein.~~
- ~~(4) In case of the above exceptions, the subdivider shall submit to the planning and zoning commission nine (9) copies. One (1) tracing on mylar and five (5) dark line prints of the plat drawn to the requirements of this chapter for a final plat, or in the case of a plat previously submitted, he shall submit five (5) dark line prints of the revised plat, whereupon the staff shall, in writing, advise the subdivider if the proposed subdivision or resubdivision complies with the requirements listed above. When the plat does comply, the planning and zoning commission shall receive the final plat as a matter of information and shall indicate such fact upon each copy of the plat. Distribution of the copies shall be as required in section 15-39.3 of this chapter.~~

### **DIVISION FOUR: EXCEPTED SUBDIVISIONS**

#### **SECTION 15-340. EXCEPTED PLATS NOT SUBJECT TO DEVELOPMENT REGULATIONS**

Excluding the provisions of this division, subdivisions and other plats defined as “excepted” by Article I are not subject to the requirements of this chapter provided:

- (1) No lot or tract of land shall be created or sold that is smaller than the minimum dimensions required by these or other town regulations;
- (2) Easements or rights-of-ways reserved for drainage shall not be changed;
- (3) Street locations and block sizes shall not be changed; and
- (4) No lot shall be created which does not abut a street.

All such subdivisions and other plats shall be submitted to the development administrator for notification and a determination of compliance with this division.

#### **SECTION 15-341. EXCEPTED PLATS TO CONFORM TO FORMATTING STANDARDS**

Excepted subdivisions and other plats shall be prepared consistent with the requirements for final plats as provided in section 15-353. Such plats shall be prepared by a surveyor or engineer licensed by the state to perform land surveying pursuant to the requirements of Chapter 49 of the South Carolina Code of Regulations.

#### **SECTION 15-342. SUBMISSION; ACTION OF THE ADMINISTRATOR; RECORDING**

- (a) The subdivider shall submit three (3) black line copies of the plat to the development administrator. Within seven (7) days of the receipt of such plat, the administrator shall determine:

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- (1) The subdivision or other depiction would constitute an excepted subdivision as defined by this chapter and would conform to the requirements of this division. Upon such determination, the administrator shall place a stamp of the plat, attested by signature, which reads, "This plat constitutes a subdivision or other depiction which is excepted by the terms of the Town of Surfside Beach Development Regulations. No other determination of this plat's compliance with the requirements of said regulation has been made. This plat may be recorded in the Office of the Horry County Register of Deeds." Two (2) stamped copy of the final (record) plat shall be returned to the subdivider and the subdivider may record the plat without further review or action by the administrator; or
- (2) The subdivision or other depiction would constitute an excepted subdivision; however, the form of the plat does not comply with the terms of this division. In such instance, the administrator shall promptly notify the subdivider and shall state in writing the corrections required prior to the recording of the plat. Once corrections have been made, the subdivider shall resubmit the plat to the administrator for a determination; or
- (3) The subdivision or other depiction would not constitute an excepted subdivision and would be subject to review under the terms of this chapter. Upon such a determination, the administrator shall promptly provide written notification to the subdivider and shall specify the process to be followed, i.e. minor subdivision or major subdivision, for the review and approval of the subdivision.

- (b) Appeals from determinations of the development administrator are made to the planning commission as provided in Article II of this chapter.

### SECTION 15-343. REPORT TO PLANNING COMMISSION

The development administrator shall periodically provide a report to the planning commission of all determinations and other actions taken pursuant to this division.

### SECTIONS 15-344. through 15-349. [RESERVED]

## DIVISION FIVE: PLAT CONTENT AND FORM

### SECTION 15-350. GENERAL REQUIREMENTS

- (a) *Purpose.* The purpose of this division is to establish minimum standards for the content and form of subdivision plats and plans to be reviewed by the planning commission or development administrator. The form and content provisions of this division are to be regarded as the minimum standards. Where additional exhibits or depictions would be needed to demonstrate compliance with this chapter, the planning commission or development administrator may require the inclusion of such additional exhibits or depictions on a plat or plan.
- (b) All plats or plans are to be legible and shall present information in a manner that is easily understood. In addition to the other requirements of this division, plats or plans may include "plat notes" and other explanatory information where, in the opinion of the planning commission or development administrator, such information would be necessary to state the purpose of a depiction or provide other pertinent advisements.

### ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- (c) Excluding sketch plans, all subdivision plats and plans shall be prepared by a surveyor or engineer licensed to practice surveying pursuant to Chapter 49 of the State of South Carolina Code of Regulations.
- (d) Plats shall conform to the requirements of the “Standards of Practice Manual for Surveying in South Carolina” [“the manual”] as contained in Chapter 49 of the State of South Carolina Code of Regulations. Where the manual provides a requirement for a plat depiction inconsistent with or in conflict with a requirement of this chapter, the requirements of the manual shall govern. Where this chapter requires a depiction or other plat data, in addition to but not in conflict with or preempted by the requirements contained in the manual, the requirement of this chapter shall govern. Determinations of an alleged conflict and the applicability of this provision shall be made by the development administrator after consultation with the South Carolina State Board of Registration for Professional Engineers and Surveyors.

#### SECTION 15-351. SKETCH PLAN REQUIREMENTS

The sketch plan of a proposed subdivision shall be drawn at a scale not smaller than two hundred (200) feet to one (1) inch and shall be drawn on material not larger than ~~eighteen (18) inches~~ by twenty-four (24) inches by ~~thirty-six (36) inches~~. On large subdivisions, matched sheets shall be used. Sketch plans shall include the following data:

- (1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area;
- (2) Tract boundaries and total acreage;
- (3) Significant topographical and physical features, including the location of any water courses within the tract;
- (4) Location, names, and right-of-way widths of existing streets in the vicinity of the tract;
- (5) Tentative street and lot arrangement showing average lot size and the number of lots;
- (6) Existing and proposed land use and/or structure locations throughout the subdivision;
- (7) Zoning classifications; and
- (8) Time schedule, if only part of the subdivision is to be developed at one (1) time. ~~the subdivider may, and is encouraged to, submit a sketch plan of his entire tract even though his present plans call for the development of only a part of the property.~~ The subdivider shall submit a sketch plan for his entire tract even though his present plans call for the actual development of only a part of the property. The administrator may waive this requirement when the remainder of the tract, post division, would:
  - a. Equal or exceed the cumulative area of the proposed division;
  - b. Conform to zoning and other applicable requirements; and
  - c. The subdivision of the remainder is not, based on information provided by the subdivider, immediate or practical.

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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### SECTION 15-352. PRELIMINARY PLAT REQUIREMENTS

The preliminary plat of a proposed subdivision shall be clearly and legibly drawn at a scale not smaller than ~~two~~ ~~one~~ hundred (200) (100) feet to one (1) inch and shall be drawn on material not larger than ~~eighteen~~ (18) by twenty-four (24) inches by thirty-six (36) inches, or of an approved size to correspond to plat book dimensions used in the Office of the Horry County Register of Deeds. If the preliminary plat requires more than one (1) sheet, a key diagram showing the relative location of the various sections shall be drawn on each sheet. The preliminary plat shall include or be accompanied by the following data:

(1) *General information.*

- a. Proposed name of subdivision (the name shall not duplicate, phonetically or otherwise, the name of any subdivision within the Town of Surfside Beach or its environs);
- b. North arrow, graphic scale, written scale, date that the original drawing was completed, and dates of any revisions to the original drawing;
- c. Name of record owner, subdivider, and surveyor or engineer;
- d. Names and locations of all owners of property abutting the subdivision;
- e. Existing zoning classification; and
- f. A location map showing the relationship between the proposed subdivision and the surrounding area.

(2) *Existing data.*

- a. The distance and bearing of one (1) of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads;
- b. Total tract boundaries of the property being subdivided, showing bearings and distances, and a statement of the total acreage of the property;
- c. Contour lines at vertical intervals of two (2) feet or less. The location and elevation of the benchmark to which the elevations refer should be noted;
- d. All existing town limit lines, property lines, right-of-ways, easements, railroads, sewer lines, fire hydrant, utility transmission lines, culverts, bridges, ditches, water courses, buildings, floodplains (based on 100-year storms), wetlands, wooded areas and all other significant man-made or natural features within the property boundaries of the subdivision; and
- e. All existing streets (including streets that are recorded, but not constructed) on or abutting the tract, including the names, right-of-way, widths, pavement widths, and approximate grades.

(3) *Proposed site data.*

- a. Street right-of-ways, pavement widths, grades, and street names. Street profiles and cross sections shall be provided when required by the planning and zoning commission. The commission may require the developer to provide documentation from the Horry County E911 office or other responsible agency which certifies that the proposed street name(s) would not create duplication with the name of any other street in proximity to the town (see section 15-452);
- b. Lot lines, lot dimensions, lot and block numbers, and minimum setback lines for buildings along streets as well as along rear and side property lines;

## ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- c. Preliminary plans prepared by a registered engineer for sanitary sewers, storm sewers, water, electric, and gas lines. Storm and sanitary sewer profiles, cross-sections and sizes shall be provided when required by the planning and zoning commission;
  - d. Plans for the protection of on-site soils from wash and erosion during the construction period;
  - e. Other easements and right-of-ways, including location, dimension and functions;
  - f. Contour changes to be made by grading;
  - g. Areas, other than streets and easements, designated for public use with any conditions governing their use; and
  - h. Areas to be used for purposes other than residential or public, with the purpose, location, and dimensions located; and
  - i. A tree protection plan as provided in section 17-731 of this code. The tree protection plan may be on a separate sheet.
- (4) *Supplementary data.* Draft of any restriction, including protective covenants proposed to be included in the owner's declaration of plat.
- (5) *Flood zone areas.* If any portion of the proposed subdivision is located within the "A14 flood zone" according to the flood insurance rate map for the Town of Surfside Beach, South Carolina, the preliminary plat shall show all proposed dredging, filling or other alterations to the floodprone areas and shall be accompanied by a report prepared by a registered engineer containing and any other information considered by either the subdivider or the planning and zoning commission to be pertinent to the review of the preliminary plat.

### SECTION 15-353. FINAL PLAT REQUIREMENTS

The final plat of a proposed subdivision shall be clearly and legibly drawn to a scale not smaller than one (1) inch equal to two one hundred (200) (100) feet and shall be eighteen (18) inches by twenty-four (24) inches by thirty-six (36) inches, or of an approved size to correspond to local plat book dimensions to plat book dimensions used in the Office of the Horry County Register of Deeds. If the final plat requires more than one (1) sheet, a key diagram showing relative location of the several sections shall be drawn on each other. The final plat shall contain or be accompanied by the following information:

- (1) *General information.*
  - a. Name of subdivision;
  - b. Name of record owner, subdivider, and surveyor or engineer;
  - c. North point, graphic and written scales, date (including the month, day and year that the original drawing was completed, the month, day, and year for each revision of the original drawing);
  - d. Name and locations of all abutting subdivision, if any, and, location and ownership of adjoining unsubdivided land, drawn at a scale of one (1) inch equals one thousand (1,000) feet and showing the relations of the property, differentiated by tone or pattern, to adjoining property and to all streets, roads, municipal boundaries and recorded subdivision plats existing within four hundred (400) feet of any part of the property.
- (2) *Platting information.*

### ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- a. The total tract boundary lines of the area being subdivided; ~~shall be in accordance with the "Minimum Standards Manual for the Practice of Land Surveying in South Carolina" Code of Regulations, Chapter 49, Article 3;~~
- b. Correct courses and distances to the nearest established street lines of official monument which accurately describe the location of the plat and are accurately tied to the primary control points of the subdivision;
- c. Street designations according to the provisions of the comprehensive plan and this chapter;
- d. Names, widths, and lines of all streets within or on the perimeter of the subdivision, with accurate dimensions in feet and hundredths and showing angles to streets, alleys and lot lines ~~to the nearest thirty (30) seconds;~~
- e. Radii, central angles, tangents, lengths of arcs, and curvatures of all street lines;
- f. Lengths and widths of all easements provided for or owned by public services and utilities, with accurate dimensions in feet and hundredths, including notation of any limitations on such easements;
- g. All water courses, streams, lake shores, wetlands, and flood plains (based on 100-year flood) meander lines with distances and hearings, including the fluctuation distance indicating ordinary high and low marks;
- h. Lot numbers and a statement of the total number of lots. ~~Lot lines shall be defined by distances in hundredths of a foot and in degrees to the nearest one-half (1/2) of a minute, either by magnetic bearings or by angles of deflection from other lot and street lines;~~ and
- i. The location (and elevation, if established) of all existing and proposed street monuments.

(3) *Additional information.*

- a. On a separate sheet the correct street names and property numbers for all lots and parcels in accordance with the requirements of the department of public works and the postmaster for the Town of Surfside Beach;
- b. Building setback lines accurately shown with dimensions;
- c. A statement of the intended use of all nonresidential lots, with reference to existing or proposed restrictions, as will exist as covenants in the deed; and
- d. Accurate boundaries of any area to be dedicated or reserved for public use or acquisition, designated as blocks "A", "B", "C", etc., with the purpose indicated thereon and in the dedication. Any area to be reserved by deed covenants or restriction for the common use by owners of land contained within the subdivision shall be indicated.

(4) *Certification.* The following certificates shall be lettered or printed on the face of the final plat in substantially the same form as provided in the appendix:

- a. ~~Surveyor or engineer~~ **Certificate of accuracy.** The signature, seal, and certification of a registered professional land surveyor or engineer to the effect that the final plat accurately reflects a survey made by him, that any changes for the description appearing in the last record transfer of land contained in the final plat are so designated, that all monuments shown thereof actually exist or will be installed and their positions are accurately shown, and that all dimensional and geodetic details are correct. ~~(see Appendix A attached to Ord. No. 03-0496 and available for inspection in the office of the town clerk).~~ Only the engineer's or land surveyor's signature is required on the reproducible copy. Both seal and signature are required on the paper copies.

### ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES

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- b. ~~Owners certification~~ *Certificate of ownership and dedication.* A notarized certification of title showing that the applicants are the owners and statements by such owners acknowledging offers of dedication of land for public use and restricting land by protective covenants. This certification shall also indicate that the title thereof is free and unencumbered (see Appendix A attached to Ord. No. 03-0496 and available for inspection in the office of the town clerk).
  - c. ~~Certification by town designated engineer or representative.~~ *Certificate of approval for streets and other dedications (when applicable).* The signature and approval of the town's designated engineer or representative shall be construed as acceptance by the town of the applicant's offer of dedication of land for public use, unless otherwise noted on the plat. Such approval shall indicate that required improvements have been satisfactorily installed or that adequate financial guarantees have been provided.
  - d. *Certification of water and sewer availability or extension.* The signature of a representative from the applicable water and sewer authority indicating: 1. water and sewer services are presently available to the lot; 2. plans for water and sewer service extensions have been provided to the utility, approved by the SC Department of Health and Environmental Control, and the subdivider has posted a surety instrument to guarantee installation; or 3. any combination of the foregoing that demonstrates that the subdivision will be serviced by public water and sewer.
  - e. ~~Certification by planning and zoning commission~~ *Certificate of approval for recording plat.* The signature of the chairman of the Surfside Beach Planning and Zoning Commission or, when authorized, the development administrator attesting to the plat's approval pursuant to these regulations and authorizing said plat to be recorded in the Office of the Horry County Register of Deeds.
  - f. *Recording notations.* Appropriate notations for transfer and recording by the county clerk of court, indicating date and time of recording, the plat book location thereof, and instrument number.
- (5) *Improvement plans and data.*
- a. The subdivider shall submit construction plans and specifications for all improvements and installations required by Article IV of this chapter. The construction plans and specifications shall consist of all cross-sections, profiles and other engineering data deemed necessary by the ~~town building code official~~ *development administrator* or designated engineer for the proper design and construction of all required improvements and installations.
  - b. No installation work or construction, other than rough grading shall be done on any said improvements and installations until a construction agreement or financial guarantee is posted, and until such plans and specifications have been submitted, approved, and notice has been provided in accordance with Article IV of this chapter. ~~to the planning and zoning commission.~~ The subdivider shall notify the building code official of his intention to begin such work at least twenty-four (24) hours in advance, in order that inspection may be made as the work progresses.

### **ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES**

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- (6) *Financial guarantees.* ~~Financial guarantees~~ A surety instrument in the amount of one hundred ~~ten~~ ~~twenty-five~~ ~~(110)~~ (125) percent of the cost of all required improvements and installations shall be submitted in a form and for an amount acceptable to the commission, or when delegated, the administrator as provided in Article VI of this chapter. ~~to the planning and zoning commission along with the final plat. Approval shall not be granted in the absence of such guarantee.~~ Where improvements are required but have not been installed or accepted, no final approval shall become effective nor shall any authorization to record a plat be given in the absence of a surety instrument.

**SECTIONS 15-354. through 15-399. [RESERVED]**

**ARTICLE III. SUBDIVISION SUBMISSION AND REVIEW PROCEDURES**

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## **ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS**

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### **DIVISION ONE: GENERALLY**

#### **SECTION 15-400. PURPOSE**

It is the purpose of this article to establish standards for the design and installation of improvements within subdivisions and other land developments. A well designed development means little to prospective lot buyers, tenants, and/or prospective users until raw land is physically transformed into lots or building sites and all necessary improvements are provided. In order for new subdivisions and developments to be a community asset rather than a liability, the developer shall install and/or pay for the improvements required by these regulations.

#### **SECTION 15-401. PROVISIONS OF THIS ARTICLE TO BE CONSTRUED AS MINIMUM STANDARDS**

The design and improvement standards contained herein shall be considered the minimum requirements. The planning commission or development administrator may require design elements or improvements in addition to those outlined herein where deemed necessary to ensure compliance with this chapter or to ensure compliance with other code provisions applicable to a development.

#### **SECTION 15-402. CONFORMANCE WITH APPLICABLE RULES AND REGULATIONS**

In addition to the regulations set forth herein, the design, construction, and/or dedication of improvements shall comply with the following laws, rules, and regulations:

- (1) All applicable federal laws including the administrative regulations promulgated by federal departments and agencies;
- (2) All applicable provisions contained in the South Carolina Code of Laws or South Carolina Code of Regulations;
- (3) All jurisdictional ordinances;
- (4) The requirements of the Horry County Health Department and the South Carolina Department of Health and Environmental Control;
- (5) The rules of the South Carolina Department of Transportation if the subdivision or development abuts a state highway or connecting street;
- (6) The rules of the South Carolina Department of Health and Environmental Control's Office of Coastal Resource Management; and
- (7) The standards and regulations promulgated by all applicable commissions, boards, municipal officials, and agencies, including the standards and regulations of affected utility providers.

Final plat approval or the acceptance of improvements may be withheld if a subdivision or other land development is not in compliance with any of the above and conflicts with the stated purpose(s) of these regulations as provided in section 15-003.

## ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS

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### SECTION 15-403. SITE CONDITIONS PRECLUDING DEVELOPMENT APPROVAL

- (a) *Unsuitable soil conditions.* The planning and zoning commission or, when applicable, the development administrator shall not approve a subdivision where the soil conditions have been determined not suitable for development purposes of the kind proposed.
- (b) *Land subject to flooding.* ~~Land subject to flooding shall not be platted for residential occupancy, nor for such uses as may increase danger to health, life, or property or aggravate erosion or flood hazard.~~ No subdivision or other development plan shall be approved unless adequate provisions for flood damage prevention are made. The planning commission or, when applicable, the development administrator shall not approve any development of land subject to flooding that would increase danger to health, life, or property or aggravate erosions or flood hazard.

### SECTIONS 15-404. through 15-419. [RESERVED]

## DIVISION TWO: SUBDIVISION LOT DESIGN

### SECTION 15-420. LOT ARRANGEMENT

Lot arrangement shall be such that there will be no foreseeable difficulties, for any reasons of topography or other conditions, in securing building and zoning permits. Lot arrangements shall accommodate the future location of driveway access to buildings and lots from an approved street.

### SECTION 15-421. STREET FRONTAGE

All lots created hereafter shall have frontage on and access to a public street. The minimum frontage standards of section 17-401 of this code shall apply to lots designed for residential uses. Except as provided herein, no subdivision affecting a nonresidential use(s) shall be approved unless the lot(s) to be subdivided have a minimum of fifty (50) feet of frontage on a public street. In the Central Business District (C-2), lots created hereafter shall have a minimum of twenty five (25) feet of frontage.

### SECTION 15-422. DOUBLE FRONTAGE LOTS AND ACCESS TO ARTERIALS

- (a) *Double frontage lots.* Double frontage lots shall be avoided except where it is necessary to provide separation of residential development from traffic arterials or overcome specific disadvantages of topography or orientation.
- (b) *Residential buffers for arterial or collector streets.* Where a subdivision abuts or contains an existing or proposed arterial or collector street, the planning and zoning commission may require marginal access streets, double frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service drives, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

### SECTION 15-423. LOT DIMENSIONS AND LOT LINES

- (a) *Conformance with zoning ordinance.* Residential Lots in subdivisions shall meet the lot width, depth, and area requirements of the zoning ordinance, included in this code as Chapter 17.

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- (b) *Corner lot dimensions.* Dimensions of corner lots shall be large enough to allow for the erection of buildings, observing the minimum front yard setback and to meet a side yard requirement no more than ten feet closer to the side street than the front yard setback.
- (c) *Orientation of lot lines.* Side lot lines shall be substantially at right angles or ~~radius~~ radial to street lines unless the planning commission determines that a variation from this rule will give a better street plan.

### SECTION 15-424. BLOCKS

- (a) *Lengths.* Block lengths in subdivisions shall not exceed one thousand eight hundred (1,800) feet nor be less than three hundred (300) feet.
- (b) *Widths.* Blocks in subdivisions shall have sufficient width to allow two (2) tiers of lots of minimum depth. The planning commission may permit blocks ~~may be~~ one (1) lot in depth where single-tier lots are required to separate residential development from through vehicular traffic or nonresidential areas.

### SECTION 15-425. LOT AND SUBDIVISION MONUMENTS

- (a) *Monuments.* Within each block of a subdivision at least two (2) monuments designed and designated as control corners shall be installed. The surveyor shall employ additional monuments if and when required. All monuments shall be constructed of concrete and shall be at least four (4) inches in diameter or square and not less than three (3) feet in length. Each monument shall have imbedded in its top or attached by a suitable means a metal plate of noncorrosive materials and marked plainly with the surveyor's registration number, the month and year it was installed and the words "Monument" or "Corner." A monument shall be set at least thirty (30) inches in the ground with at least six (6) inches exposed above finished grade unless this requirement is impractical.
- (b) *Property markers.* All corners and points within a subdivision shall be marked with monuments in accordance with the most current edition of the "Standards of Practice Manual for Surveying in South Carolina".
- ~~(b) *Property markers.* A steel or wrought iron pipe or the equivalent, not less than three-fourths (3/4) inch in diameter and at least thirty (30) inches in length shall be set at all property corners, except those located by monuments.~~
- ~~(c) *Degree of accuracy.* Monuments and property markers shall be measured and installed to an accuracy of 1:5,000 feet for residential property and 1:10,000 feet for commercial and all other property.~~

### SECTIONS 15-426. through 15-429. [RESERVED]

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### DIVISION THREE: UTILITIES

#### SECTION 15-430. ESSENTIAL UTILITIES REQUIRED

No subdivision or other development shall be approved unless an adequate provision is made for water, sewer, and electric service. Public water, sewer, and electric services shall be extended throughout the development and to each lot therein.

#### SECTION 15-431. UTILITIES TO BE LOCATED UNDERGROUND

All new utility lines to service subdivisions or other developments ~~will~~ shall be underground. In cases involving minor subdivisions, the planning commission may permit above ground placements and/or extensions based on documentation from the utility provider demonstrating adverse subsurface conditions, impediments or impracticalities caused by existing infrastructure, or other related engineering concerns.

#### SECTION 15-432. UTILITY EXTENSIONS TO MEET APPLICABLE REQUIREMENTS

All utility extensions of ~~public water and sanitary sewer systems~~ shall be provided by the subdivider/developer and have the approval of the appropriate town or utility agency involved and shall be constructed according to such agency's standards and under such agency's supervision. Where, in addition to any local approval, the extension of utilities requires the approval of a state agency, e.g. the South Carolina Department of Health and Environmental Control, the requirements of such agency shall also apply.

#### SECTION 15-433. UTILITY LOCATIONS IN RELATION TO STREET

- (a) *Utility location.* Utilities, when practicable, shall be placed in a utility easement to the rear of a lot or adjacent to the street's right-of-way. Where an extension would require placement within the street's right-of-way, the utility lines shall be setback no less than five (5) feet from the back of the street curb or, when no curb is provided, no less than five feet from the paved surface of a street. Utilities shall not be placed within the slope or flow line of any drainage ditch. Except in zoning districts permitting buildings to be located on the front property line, utilities shall not be located under a sidewalk.
- (b) *Exemptions.* Notwithstanding subsection (a) above, laterals to service individual lots and utility crossovers are permitted under street pavement, sidewalks, and within drainage ditches provided the planning commission or, when applicable, the development administrator determines that such placements would not interfere with the use or maintenance of the affected infrastructure. The planning commission or development administrator shall coordinate such approval with the town's public works director in conformance with Chapter 12 of this code.

#### SECTION 15-434. FIRE HYDRANTS REQUIRED

Fire hydrants adequate to meet the needs of the subdivision or other development shall be provided by the developer. Fire hydrant(s) location, spacing, and number shall be in accordance with the requirements of the International Fire Code, latest edition.

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### **SECTION 15-435. UTILITY EASEMENTS**

- (a) Easements having a minimum width of ten (10) feet and located along the side or rear lot lines shall be provided in subdivisions as required for utility lines and underground mains and cables.
- (b) Where a utility line(s), main(s), or cable(s) is placed within or adjacent to a street's right-of-way, an easement(s) having a minimum width of ten (10) feet shall be located on the abutting lot and shall extend parallel with the street's right-of-way line.

### **SECTION 15-436. UTILITY EXTENSIONS TO BE COORDINATED WITH STREET CONSTRUCTION**

- (a) The construction and/or extension of utilities shall be coordinated with street construction as provided in this article. The placement of utilities, with the installation of laterals to service individual lots, shall occur prior to the surfacing of any street to avoid surface cuts. Compacted subgrade or base materials disturbed by the placement of utility lines, cables, and mains shall be re-compacted and tested prior to the surfacing of any street.
- (b) Where the construction and/or extension of utilities require the cutting of an existing street's surface, excavation, or other in-right-of-way disturbance, compliance with the requirements imposed by Chapter 12 of this code shall be required. The planning commission or development administrator shall require the posting of a surety instrument to guarantee the replacement or reconstruction of disturbed infrastructure.
- (c) Where utilities are located within a right-of-way that is pending acceptance by the town, the final approval and acceptance of the utility infrastructure by the applicable service provider is required prior to the town's acceptance of the street for public maintenance.

### **SECTIONS 15-437. through 15-439. [RESERVED]**

## **DIVISION FOUR: STORM DRAINAGE AND FLOODING**

### **SECTION 15-440. GENERAL REQUIREMENTS**

- (a) No subdivision or other development plan shall be approved unless adequate provisions for storm or flood water runoff channels or basins are made. The storm drainage system shall be separate and independent of any sanitary sewer system. The commission and/or administrator shall require the submission of drainage plans and related computations during the subdivision or development review process in accordance with Chapter 14 of this code.
- (b) Where a public storm sewer is accessible, the applicant shall install storm sewer facilities. If no outlets are within a reasonable distance, adequate provisions shall be made for the disposal of storm waters.

### **SECTION 15-441. DEVELOPMENT IN AREAS OF SPECIAL FLOOD HAZARD**

- (a) Infrastructure, to include water, sewer, and/or other utilities, shall be located in a manner as to minimize the potential for flood damage. All above ground utility structures (e.g. pump and lift

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stations, electrical conduit platforms, etc) shall be elevated no less than one (1) foot above the base flood elevation or shall be flood proofed in accordance with the requirements of Chapter 14 of this code.

- (B) The construction of new streets within an area of special flood hazard is discouraged. When a new street is necessary to provide property connectivity, emergency services, or is in the public interest, the planning commission may approve the new street's construction. The commission may require, at the expense of the developer, remediation and accompanying data from a licensed engineer that demonstrates that the proposed encroachment will not result in the adverse displacement of water during a flood event. The commission shall deny any proposals where the displacement of floodwaters, resulting from street construction, cannot be abated.

### SECTION 15-442. DRAINAGE EASEMENTS

- (a) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within the street right-of-way, unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the street line and with satisfactory access to the street. Drainage easements shall be required for all retention or detention basins, drainage channels, ditches, storm pipes or drains, and discharge structures necessary to ensure a development's compliance with Chapter 14 of this code. Easements shall be platted.
- (b) When a proposed drainage system will alter water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat with maintenance standards specified either on or accompanying the final plat.

### SECTIONS 15-443. through 15-449. [RESERVED]

## DIVISION FIVE: STREET AND SIDEWALK DESIGN AND IMPROVEMENT STANDARDS

### SECTION 15-450. PURPOSE AND INTENT OF DIVISION

This division establishes basic design and improvement standards for new streets, sidewalks, and other right-of-way appurtenances. The requirements of this division are to be considered the minimum standards for the design and construction of streets within the Town of Surfside Beach.

The State of South Carolina's Department of Transportation has promulgated a construction standards manual entitled "*SCDOT Standard Specifications for Highway Construction*" [SCDOT's specifications]. The regulations contained in SCDOT's specifications (latest edition) are to be considered supplemental to the requirements of this division. Where this division does not provide a specific standard for construction, material type, inspection, or testing or where this division provides a lesser standard, the requirements as contained in SCDOT's specifications shall apply and shall govern the occurrence. Where this division provides standards in excess of those contained in SCDOT's specifications, the provision of this division shall govern. All questions concerning an alleged conflict between the requirements of this division and those contained within SCDOT's specifications shall be referred to the development administrator for resolution.

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### SECTION 15-451. STREET DESIGN IN GENERAL

- (a) *Conformity to existing maps and plans.* The location and width of all proposed streets in subdivisions shall be in conformity with official plans and maps of the town and with existing or amended plans of the planning and zoning commission. All proposed streets and all requests for transfer of ownership of existing subdivision streets shall be coordinated by town staff the development administrator for presentation to the planning and zoning commission for its review and recommendation to town council where final review for approval shall occur.
- (b) *Continuation of adjoining street system.* The proposed street layout shall be coordinated with the street system of the surrounding area. Where feasible, existing principal streets shall be extended.
- (c) *Access to adjacent properties.* Where it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.
- (d) *Private street.* There shall be no private streets platted in any subdivision.
- (e) *Local streets.* Local streets shall be so laid out that their use by through traffic will be discouraged.
- (f) *Reserved strips prohibited.* Reserved strips at the terminus of a new street shall be prohibited.
- (g) *Alleys.* Service alleys or drives may be required in multiple dwelling, commercial and industrial developments and shall have a minimum surface treatment width of twenty (20) feet, but shall not be provided in one-family and two-family residential developments unless the subdivider provides evidence satisfactory to the planning and zoning commission of the need for alleys.
- (h) *Gutters.* Curb and gutters or valley gutters shall be required on all new streets.
- (i) *Streetlights.* Streetlights shall be provided by the developer at intervals a minimum of every one thousand (1,000) feet. Upon the recommendation of the Surfside Beach Police Department, the planning commission may require additional lighting in cases where increased illumination would be necessary to provide for pedestrian safety.

### SECTION 15-452. STREET NAMES

Proposed streets that are obviously in alignment with other existing and named streets shall bear the assigned name of the existing streets. In no case shall the name of proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffixes street, avenue, boulevard, drive, place, court, etc. It shall be unlawful for any person in laying out any new street or road to name such street or road on any plat, by marking, or in any deed or instrument, without first getting approval of the planning commission.

### SECTION 15-453. INTERSECTIONS AND STREET JOGS

- (a) ~~Street intersections shall be as nearly at right angles as practicable.~~ Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at an angle of less than sixty (60) degrees. Streets crossing natural areas or streams shall cross such features at or near to right angles as is possible within the limits of topographic conditions.

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- (b) Offset intersections shall be avoided. A minimum intersection offset of two-hundred (200) feet shall be maintained.
- (c) Street jogs with centerline offsets of less than two hundred (200) feet shall be avoided.

### SECTION 15-454. CUL-DE-SACS

- (a) Permanent dead-end streets shall not exceed six hundred (600) feet in length and shall be provided with a turnaround having a roadway diameter of at least eighty (80) feet and a right-of-way diameter of at least one hundred (100) feet.
- (b) Temporary dead-end streets shall be provided with a turnaround having a sixty-foot diameter or a "T" type design of sufficient dimensions to allow for adequate turning maneuvers.
- (c) When an internal circle or traffic control island is utilized in a cul-de-sac, the pavement width shall be a minimum of twenty (20) feet as measured from the nearest edge of the turnaround circle to the outside edge of pavement. The planning commission may require a greater pavement width on nonresidential streets, not to exceed thirty (30) feet. The diameter of the internal circle or island shall not be less than twenty (20) feet or more than forty (40) feet. The sum of the diameter of the internal circle or island's diameter and the width of the paved turn around shall not equal less than eighty (80) feet.

### SECTION 15-455. CUL-DE-SAC ISLANDS AND MEDIANS

- (a) *Cul-de-sac islands.* A natural or planted island may be used in the center of a cul-de-sac if the island meets the dimensional requirements of section 15-454. The cul-de-sac island shall be included within the platted right-of-way. Landscaping of such islands shall not interfere with the sight distance requirements of section 15-548. Landscape materials shall require the approval of the public works director prior to planting.
- (b) *Medians.* A landscaped street median may be included as part of a street's design. When used, medians shall be no less than six (6) feet wide for local and marginal access streets, nine (9) feet wide for collector streets, and twelve (12) feet wide for arterial streets. The street median shall be included within the platted right-of-way and the minimum right-of-way width as required by Table 15-546 shall be increased by an amount equal to the width of the median. Landscaping of such islands shall not interfere with the sight distance requirements of section 15-458. Landscape materials shall require the approval of the public works director prior to planting.
- (c) *Maintenance.* Upon dedication and acceptance of the street, the Town of Surfside Beach shall not be responsible for the upkeep or replacement of any specific landscaping element(s) within a cul-de-sac island or street median. The developer or property owner's association may petition the town council and the council may authorize, by revocable permit, the private maintenance of the center island or street median.

### SECTION 15-456. RIGHT-OF-WAY AND PAVEMENT WIDTH

- (a) All street hereafter created or extended shall observe the minimum street right-of-way widths and minimum paving widths as illustrated in Table 15-456:

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<b>Table 15-456</b>			
<b>Minimum Right-of-Way and Pavement Widths (1)</b>			
<b>STREET CLASSIFICATION</b>	<b>Pavement Width (2)(3)(4)(5) (Curb and Gutter Design)</b>	<b>Pavement Width (2)(3)(4)(5) (Valley Gutter Design)</b>	<b>Right-of-Way Width (5)</b>
<b>Local Street</b>	22-20	22-20	60-50
<b>Marginal Access Street</b>	22	22	50
<b>Collector Street</b>			
Two-lane	22	22	50
Three-lane	33	33	60
Four-lane	44	44	70
<b>Arterial Street</b>			
Four-lane	52	52	80
Five-lane	64	64	95
Six-lane	76	76	110

**Table Notes:**

- (1) All values are expressed in feet.
- (2) Pavement width is measured from the edge of pavement to the edge of pavement and does not include the width of the curb or gutter.
- (3) Except for local streets, the pavement widths shown does not provide for on-street parking (see section 15-465). Pavement widths for local and marginal access streets are for two lane streets only. Where additional drive lanes are provided, add ten feet per lane.
- (4) The minimum pavement width as provided in the above table does not include left turn lanes or service lanes. The minimum pavement width required shall be increased by twelve (12) feet where a turn lane is provided and seven (7) feet for each service lane. Service lanes are intended only for the loading and unloading of passengers and goods for disabled vehicles and not for the storage of vehicles.
- (5) Right-of-way widths greater than required are encouraged because they make a safer, more aesthetic, and more comfortable facility and permit future roadway widening without disrupting abutting property. The minimum right-of-way width as provided in the above table does not include medians, left turn lanes, or service lanes. The minimum right-of-way width shall be increased by ten feet (10) where a turn lane is provided and five (5) feet for each service lane. Where a median is provided, the minimum right-of-way width shall be increased in accordance with section 15-455(b).

(b) In cases where a street improvement will extend an existing street, the planning commission may, in addition to the minimum standards established in Table 15-456, require that the extension's pavement and right-of-way width be equal to that of the existing street.

**SECTION 15-457. DESIGN SPEED**

The minimum design speeds for streets shall be as illustrated in Table 15-457:

<b>Table 15-457</b>	
<b>Minimum Design Speed for Streets</b>	
<b>STREET CLASSIFICATION</b>	<b>MINIMUM DESIGN SPEED (mph)</b>
<b>Local Street</b>	30
<b>Marginal Access Street</b>	30
<b>Collector Street</b>	35
<b>Arterial Street</b>	40

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**SECTION 15-458. DESIGN CRITERIA FOR VERTICAL AND HORIZONTAL CURVES**

- (a) Vertical curves shall provide at least the minimum stopping sight distance and horizontal curves shall have at the least the minimum radius as recommended in the American Association of State Highway and Transportation Officials' (AASHTO) *A Policy on Geometric Design of Highways and Streets* (latest edition). The development's engineer shall certify the plan's conformance with AASHTO standards upon the submission of the preliminary plat and accompanying construction documents.
- (b) The planning commission may grant a design modification(s) from the terms of this section in cases where, in addition to the requirements imposed by Article II, the developer's engineer certifies that such deviation would not result in an unsafe or hazardous street condition.
- ~~(a) On any given Vertical curves shall provide at least the minimum stopping sight distance and horizontal curves shall have at least the minimum radius, both as indicated of the applicable design speed in the following table:-~~

DESIGN CRITERIA		Design Speed (mph)				
		30	35	40	45	50
<b>Stopping sight distance (see note 1):</b> —						
	<i>Minimum stopping sight distance (ft.)</i> —	200	240	275	315	350
<b>K value for (see note 2):</b> —						
	<i>1. Crest vertical curve</i> —	30	40	55	70	85
	<i>2. Sag vertical curve</i> —	35	40	55	60	75
<b>Horizontal curves (see note 3):</b> —						
	<i>Minimum centerline radius (ft.)</i> —	250	350	450	600	750
	<i>Maximum degree of curve (D°)</i> —	23.0	16.5	12.5	9.5	7.5
<b>Table Notes:</b> (1) From AASHTO 1965 Geometric Design Policy for Rural Highways, with some rounding and interpolation. (2) K value is a coefficient by which the algebraic difference in grades (see Figure 1) should be multiplied to determine the minimum length in feet of the vertical curve (simple parabolic) which will provide minimum sight distance. (3) See Figure 2 for minimum setback required to provide minimum stopping sight distance for sight obstructions on inside of horizontal curves.						

- ~~(b) Figure 1: Types of Vertical Curves~~
- ~~(c) Figure 2: Stopping Sign Distance on Horizontal Curves-Open Road Conditions~~

Figure 2 is a design chart showing the required middle ordinates for clear sight areas at various degrees of curve to satisfy stopping sight distance requirements. This is an application of simple geometry for the several dimensions, as indicated in the diagrammatic sketch and formulas on the figure. These formulas apply only to circular curves longer than the sight distance for the pertinent design speed. For any design speed the relation of D to m is a straight line. In this chart form, relations of D, m and V can be quickly checked. For example, with a 50 mph design speed and a 5-degree curve, a clear sight area with a middle ordinate of 13.3 feet is required. As another example,

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for a sight obstruction condition with a 20-foot offset on a 10-degree curve, the resulting sight distance is equivalent to a design speed of about 44 mph.

### SECTION 15-459. CURVE TANGENTS

Between reverse curves, there shall be a tangent of not less than one hundred fifty (150) feet for local and marginal access streets, two hundred (200) feet for collector streets, and two hundred fifty (250) feet for arterial streets.

### SECTION 15-460. GRADES AND STREET CROWN

(a) *Grades.* A minimum grade of .5 percent is to be maintained on all streets with curb and gutter, paved valley gutters, or center gutters to insure proper drainage. The maximum permissible grade on a street is ten (10) percent. The planning commission may modify this requirement pursuant to the design modification procedures established in Article II. The planning commission shall not grant a design modification from this provision preceding a referral to the public works director for recommendation.

(b) *Crowns.* Streets are to have a minimum cross slope of ¼ inch per foot.

### SECTION 15-461. CONSTRUCTION STANDARDS AND SURFACING

(a) All new streets are to be constructed and surfaced in accordance with these regulations and, when applicable, the standards as set forth in the "SCDOT Standard Specifications for Highway Construction" (latest edition). In addition to all standards previously listed, the following construction standards are required:

(1) *Clearing and grubbing.* All work is required to conform to the standards as set forth by the SCDOT specifications, latest edition.

(2) *Subgrade.* The street subgrade shall consist of sound, undisturbed natural subsoils compacted to 95% Modified Proctor as specified in Section 208 of the SCDOT's specifications.

(3) *Base courses.* Base course shall consist of one of the following types:

- a. Soil aggregate (coquina) as specified in Section 304, SCDOT specifications;
- b. Stabilized Aggregate as specified in Section 305, SCDOT specifications;
- c. Cement Stabilized Aggregate as specified in Section 308, SCDOT specifications; or
- d. Hot Laid Asphalt Aggregate Base specified in Section 311, SCDOT specifications.

(4) *Surface course.* The surface course shall consist of Hot Laid Asphalt Concrete Surface Course, Type I and Type III, as specified in Section 403, SCDOT specifications.

(5) *Paving tolerances.* The average of the core samples shall be at least the minimum required paving depth. No individual core depth shall be less than 90% of the minimum required depth. Where areas of inadequate depth are found, additional cores shall be taken to define the deficient area. The deficient area shall be removed and replaced in a curb and gutter situation, or overlaid if no curbing is present. Overlay shall be a 1" minimum depth. Paving "birdbaths" shall be no larger

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than twenty (20) square feet and no greater than 3/16” deep when measured with an eight (8) foot straightedge.

- (6) *Traffic control.* Traffic control signs shall be installed in accordance with the *South Carolina Manual of Uniform Traffic Control Devices* as required by state law. Speed limit signs shall be posted at the entrances to developments and at appropriate intervals within the development. All traffic control sign surfaces shall be Type III High Intensity Sheeting. Signs shall be mounted on steel u-channels.
  - (7) *Signs.* Street name signs shall be the standard Town of Surfside Beach size and color and shall be mounted on steel posts with appropriate brackets.
  - (8) *Striping.* Pavement striping of collector roads and arterials shall be required, to include centerlines, edge lines (unless curb and gutter is used) lane dividers, turn arrows, stop bars, and pedestrian crossings. All lane striping shall be latex-based. All stop bars, turn arrows, and pedestrian crossings shall be thermoplastic.
- (b) *Material thickness.* The minimum required materials, base, and pavement thickness are provided in Table 15-461. The values shown are the minimum required for good soil conditions. The planning commission or development administrator may require that a geotechnical report and pavement design be provided if the native soil conditions are considered unsatisfactory or of questionable quality.

Table 15-461 Base and Pavement Table of Materials and Minimum Thickness				
Street Type	Subgrade	BASE	BINDER	SURFACE
Local Street	12"	9" Coquina or 6" SABC	None required	2" Type I
Marginal Access Street	12"	9" Coquina or 6" SABC	None required	2" Type I
Collector (Major)	12"	12" Coquina or 8" SABC	1.5"	1.5" Type I or 3" Type I if Binder is not used
Arterial Streets (Major)	12"	15" Coquina or 10" SABC	2"	2" Type I

**SECTION 15-462. SIDEWALKS**

- (a) When a new street(s) is to be dedicated or in cases where a sidewalk(s) is planned as part of a development proposal, sidewalks shall be constructed in accordance with the requirements of this section and SCDOT’s specifications. The construction and dedication of sidewalks shall be concurrent with the construction and dedication of streets as provided by this division.

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- (b) Sidewalks shall be constructed on both sides of the street for all zoning districts and planned developments, except the R-1 and R-2 Districts. In the R-1 and R-2 Districts, sidewalks shall be constructed, at a minimum, the full length of one street side.
- (c) Sidewalks shall be constructed to a sufficient width, slope, and provide ramping to ensure accessibility as required by the Americans with Disabilities Act (ADA). The minimum width for sidewalks constructed hereafter is provided in Table 15-462 below:

Street Type	Minimum Sidewalk Width
Local Street	5 feet
Marginal Access Street	5 feet
Collector Street	7 feet
Arterial Street	9 feet

Where a new sidewalk will serve as an extension to an existing sidewalk having a greater width than provided in Table 15-462, the planning commission may require that the new sidewalk be constructed at a width equal to the width of the existing sidewalk.

- D. All new sidewalks shall be constructed within the dedicated right-of-way. In residential districts the sidewalk shall be setback a minimum of eighteen (18) inches from the back of the street curb. The area between the sidewalk and the street curb or surface shall be landscaped with grass. Where other plantings are proposed by a developer, the planning commission may approve such plantings subsequent to a recommendation from the public works director.
- E. Except as provided in section 15-466, sidewalks are to be constructed of Portland Cement.

**SECTION 15-463. BICYCLE LANES**

The inclusion of bicycle lanes and paths in development design is optional. Where provided, the design and construction of bicycle lanes shall observe the following:

- (1) Bicycle lanes shall be placed on the outside edge of the street, adjacent to the curb or shoulder. In cases where on-street parking is used, bicycle lanes shall be between the parking lane and the outer lane of moving traffic;
- (2) Bicycle lanes are to be considered part of the street. Pavement widths as provided in Table 15-546 shall be increased by an amount proportional to the area (width) required to accommodate the inclusion of the bicycle lane(s);
- (3) Bicycle lanes shall be delineated by striping. Raised reflectors or curbs shall not be used; and
- (4) Bicycle lanes shall meet the minimum width and other specifications as established by AASHTO standards.

**SECTION 15-464. PEDESTRIAN PATHS**

- (a) The inclusion of pedestrian paths in development design is optional. Where provided, pedestrian paths shall be constructed of durable materials such as concrete, asphalt, pavers, gravel, or similar materials. Pedestrian paths and crossings located within a street right-of-way shall be constructed to

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the same standards and materials applicable to sidewalks. Pedestrian paths located outside of a dedicated right-of-way shall be maintained by the developer or homeowner's association.

- (b) Where pedestrian paths are provided in planned development districts, the planning commission may reduce, through design modification, the requirement for sidewalks as provided in section 15-462. Such reduction shall only be granted in instances where:
- (1) Access to individual lots would be accomplished through pedestrian paths in a manner similar to that accomplished through the provision of sidewalks;
  - (2) The provision of pedestrian paths, in lieu of sidewalks, would facilitate an optimum development design;
  - (3) The pedestrian path is located within an easement of no less than fifteen (15) feet in width and public access to the path is unrestricted;
  - (4) The pedestrian path is improved to a width equal to or greater than would be required for a sidewalk placement. The width, surface materials, and slope are sufficient to accommodate access and the path would comply with the requirements of the Americans with Disabilities Act;
  - (5) The modification would not conflict with the planned development's conceptual plan or text as approved by the town council; and
  - (5) The proposal includes a mechanism for perpetual private maintenance of all improvements outside of the street right-of-way.

### SECTION 15-465. DESIGNATED ON-STREET PARKING

Where designated on-street parking is to be provided in conjunction with a proposed street, pavement width shall be increased to accommodate parking stalls. Excluding local streets, a minimum seven (7) feet of additional surface shall be required for each street side that designated parallel parking is proposed. In such instances, the planning commission may require a right-of-way width in excess of the minimum established by Table 15-456. Designated angled or slanted parking on proposed streets is discouraged and the commission shall deny such proposals except in cases where it can be demonstrated that the parking arrangement is in the public interest and safety concerns can be mitigated.

### SECTION 15-466. DECORATIVE AND SUBSTITUTE MATERIALS

- (a) The planning commission may approve sidewalks and/or street surfaces that incorporate decorative elements or substitute materials provided the request is accompanied by certification from the developer and public works director indicating:
1. The substitute material(s) is of equal or comparable strength and durability;
  2. The substitute material(s) or decorative elements can be maintained by the town without additional public expenditure; and
  3. The substitute material(s) or decorative element(s) will not compromise the accessibility of the sidewalk or the functionality of the street.
- (b) The dedication and subsequent acceptance of streets and sidewalks containing decorative elements or substitute materials shall in no way obligate the town council to repair or replace any damaged or deteriorated section to the original design standard.

### SECTIONS 15-467. through 15-468. [RESERVED]

## ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS

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### DIVISION SIX: IMPROVEMENT CONSTRUCTION AND ACCEPTANCE

#### SECTION 15-469. PURPOSE AND INTENT OF DIVISION

This division establishes the procedures for the dedication, construction, and acceptance of streets and in-right-of-way infrastructure. It is the intent of this division to establish a seamless process for the transfer of streets, sidewalks, and other street features into public ownership and maintenance. Where the dedication, construction, and acceptance of infrastructure, such as utilities, are governed by the rules and procedures of non-municipal agencies or other chapters of this code, the developer shall follow such rules and procedures.

#### SECTION 15-470. STREET CONSTRUCTION PLANS AND OTHER DOCUMENTS

- (a) *Plan required.* Street construction shall not commence until a preliminary plat, illustrating the proposed street, has been approved by the planning commission and street construction plans, consistent with the requirements of this article, have been submitted to and approved by the development administrator. Construction plans shall be prepared by a licensed engineer and shall consist of three (3) blue or black line copies of the proposed construction on sheet sizes of twenty four (24) inches by thirty six (36) inches. The following information shall be shown:
- (1) Street profiles. The final grades of each street shall be shown at a horizontal scale equal to one-tenth of the horizontal scale.
  - (2) Street cross-section. A scale of one (1) inch to ten (10) feet shall be used to show the cross-section of each new street. The cross-section shall include pavement width, curb, gutters, sidewalks, utility locations, and, where applicable, designated on-street parking.
  - (3) Miscellaneous depictions. Drainage easements, rights-of-way improvements including the location of sidewalks, manholes, and catch basins, street signs, street lights, the location, size and invert elevations of existing and proposed sanitary sewers, storm water drains, and all underground utilities including fire hydrant hook ups shall be illustrated.
  - (4) Other materials. When the proposed subdivision or development is only a portion of the owner's holdings and intentions are for future development, a sketch plan illustrating the street layout and proposed lots of the remaining tract is required.
- (b) *Plan approval.* The development administrator shall coordinate the review of construction drawings and other documents with the public works director. The administrator's written determination shall incorporate any comments or conditions of approval as submitted by the public works department. The administrator shall have sixty (60) days following the submission of the street construction plan to approve, approve with conditions or other modifications, or disapprove the plan. The sixty (60) day timeline may be extended with the mutual agreement of the applicant and the administrator. The failure of the administrator to act within sixty (60) days or within any agreed extension shall constitute approval of the plan; however, the failure of the administrator to act on the request shall not bind the town council to accept any street into public maintenance which does not meet the requirements of this chapter.
- (c) *Dedication documents.* Prior to the start of construction, the developer shall submit to the development administrator a Right-of-Way Deed, Warrant Agreement, Joinder and Consent to

## ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS

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Dedicate, and all other pertinent documents required by the planning commission or the town's attorney necessary to convey title to the right-of-way once the street(s) has been constructed and accepted by town council. The final (record) plat shall not be signed until these documents are received and a surety instrument has been posted in accordance with Article VI, Division One (sample documents are included in Appendices A and B).

- (d) *Start of Construction.* Upon plan approval and acceptance of dedication documents, the approval of all other regulatory permits, and following a pre-construction conference attended by the project contractor, the administrator, and the public works director, construction may commence.

### SECTION 15-471. INSPECTIONS

- (a) The development administrator shall coordinate the inspection of improvements with the public works department. Inspections will be required after the following stages of construction and shall meet the minimum requirements of this chapter and, when applicable, the requirements of the *SCDOT Standard Specifications for Highway Construction*:

- (1) Clearing and grubbing;
- (2) Drainage installation;
- (3) Subgrade;
- (4) Base installation;
- (5) Prime coat application;
- (6) Pavement installation;
- (7) Sidewalk installation;
- (8) Grass seeding of shoulders and ditches;
- (9) Sign installation including street name signs and traffic control signs; and
- (10) Final inspection of all completed infrastructure.

- (b) A minimum of two working days notice must be given by the developer for any requested inspection. If subsequent work is done prior to inspection, it is done at the developer's own risk and may, upon a decision of the administrator, be required to be removed and reinstalled or have the quality substantiated by additional tests as determined by the administrator. In the event that weather or construction activities result in changes to approved conditions or in the case of a failed inspection, re-inspection shall be required before proceeding to the next stage of construction. All approved inspections shall be valid for a maximum of thirty (30) days.

### SECTION 15-472. AS BUILT PLAN REQUIRED

Following the completion of the all in-right-of-way construction, the developer shall submit to the administrator three copies of an "as built" plan documenting the condition of the improvements. The plans shall be based on actual field surveys for location and elevation information. The plans shall bear the stamp, seal, and signature of the engineer who prepared the plan and shall contain at a minimum:

- (1) The subdivision or development name and designation;
- (2) The location of lot lines, lot numbers, and phase limits (when applicable);
- (3) Street names and right-of-way width;
- (4) The location, dimension, and material of pavement, curbing, and sidewalks;
- (5) The location, dimension, and material of drainage structures including tops, grates, pipes, and culverts (to include invert elevation);

## **ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS**

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- (6) The location of ditches and swales with depth and bottom elevations at one-hundred (100) feet intervals at the ends;
- (7) The location, size, and extent of any encroachments in the right-of-way including utility boxes, utility lines, structures, and/or fences; and
- (8) Any additional information deemed necessary by the development administrator or public works director to accurately depict improvements or unusual conditions.

In the event the “as-built” plan shows that field changes were made, or significant differences exist from the design plans, the design engineer or another civil engineer shall certify that the changes or differences are not detrimental and that the system will still meet the minimum standards of these regulations.

### **SECTION 15-473. ACCEPTANCE BY TOWN COUNCIL**

The town council shall accept a street and other in-right-of-way improvements into public maintenance, when such improvements are installed in accordance with these regulations. The acceptance by the town council must be preceded by the referral of the acceptance request to the planning commission for a recommendation and the posting of an acceptable warranty instrument as provided in section 15-605(c) of this chapter. The town council shall not be obligated to accept any improvement where the developer has failed to follow the design, construction, or procedural requirements of this chapter.

### **SECTIONS 15-474. through 15-499. [RESERVED]**

**ARTICLE IV. DESIGN AND IMPROVEMENT STANDARDS**

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## ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES

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### DIVISION ONE: STREET NAMES

#### SECTION 15-500. AUTHORITY TO NAME STREETS; CONSULTATION REQUIRED

The planning commission shall, by proper certificate, approve and authorize the naming or renaming of streets within the Town of Surfside Beach. In exercising this authority, the commission shall consult with the appropriate county department(s) responsible for addressing and E911 services and the town's police and fire departments. Notice of pending action and requests for comments from such departments shall be in writing.

#### SECTION 15-501. VIOLATION IS MISDEMEANOR

It is unlawful for a person in laying out a new street to name the street on a plat, by a marking, or in a deed or instrument without first getting the approval of the planning commission. Any person violating this provision is guilty of a misdemeanor and, upon conviction, must be punished in the discretion of the court.

#### SECTION 15-502. INITIATION OF STREET NAME; APPLICATION

- (a) *Naming of new streets.* The proposed name of a new street(s) shall appear on the final subdivision plat in accordance with Article IV of this chapter. The name appearing on the approved final plat and included in the planning commission's subsequent recommendation for street acceptance shall, barring any further action, constitute the official name of the street.
- (b) *Renaming or naming of existing streets.* An application to name or rename an existing street may be initiated by the town council, town administrator, development administrator, or planning commission. The application for renaming or naming shall include the name to be assigned or reassigned to the street and a description of the affected street including its location, length, and the points of beginning and termination for which the new name shall apply.

#### SECTION 15-503. CHANGING STREET NAME; CAUSE

The planning commission may, after consultation as required in section 15-500 and a public hearing with fifteen days notice through a newspaper having general circulation in the town, change the name of a street in the following instances:

- (1) When there is a duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders, or messages;
- (2) When it is found that a change may simplify markings or giving of directions to persons seeking to locate addresses; or
- (3) Upon any other good and just reason that may appear to the commission.

#### SECTION 15-504. RECORDING OF STREET NAME CHANGE

On the street name being changed, after notice and a hearing as required in section 15-503, the planning commission shall issue a certificate designating the change, which must be recorded in the Office of the

## **ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES**

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Horry County Register of Deeds. Thereafter, the name changed and certified is the legal name of the street.

**SECTIONS 15-505. through 15-519. [RESERVED]**

### **DIVISION TWO: PUBLIC PROJECT REVIEW**

#### **SECTION 15-520. PURPOSE AND INTENT**

Section 6-29-540 of the State of South Carolina Code of Laws requires the planning commission to review proposed public projects for conformance with the town's comprehensive plan. These public projects include new streets, structures, utilities, squares, parks, or other public ways, grounds, or open spaces, or public buildings for any use, whether publicly or privately owned. The review specified by this section of the state code is separate and distinct from the regulatory compliance and other reviews required under the town's zoning ordinance and land development regulations.

The purpose of this division is to specify the review procedures to be followed by the planning commission and to establish the plan submittal requirements for entities seeking to locate public facilities within the town. Although this division has been incorporated in the town's land development regulations, the review and requirements specified by this division shall be considered supplemental to all other provisions contained within this chapter.

#### **SECTION 15-521. PUBLIC PROJECTS SUBJECT TO PLANNING COMMISSION REVIEW**

The following shall be reviewed by the planning commission prior to the construction or authorization of their use within the Town of Surfside Beach:

1. New streets and public squares when proposed by a public entity;
2. New major utilities as defined by this chapter;
3. New public parks; and
4. New public buildings, grounds, and open spaces (whether publicly or privately owned).

Where the planning commission's review and approval is required for new streets and/or utilities, or when a public park is incorporated in a subdivision proposal, the planning commission's review under this division may be concurrent with other reviews and approvals required under the land development regulations.

#### **SECTION 15-522. SUBMISSION REQUIREMENTS; TRANSMITTAL TO PLANNING COMMISSION**

(a) Any public entity proposing to construct or establish any building, structure, or use governed by this division shall submit to the development administrator a complete application and eight (8) copies of a site plan. The application and site plan shall contain, at a minimum, the following information:

(1) Application.

- a. The name of the applicant and property owner (if different);

## ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES

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- b. The current address of the applicant;
  - c. The street address and tax map parcel of the property for which the review is required;
  - d. A written description of the existing and proposed use of the property; and
  - e. The signature of the property owner and a representative of the entity proposing the use (if different).
- (2) Site plan. The site plan shall be prepared by a design professional (engineer, surveyor, or architect) and shall utilize an engineer's scale (1" = 10', 1"=20', 1"=30, 1"=40', or 1"=50'). All site plans shall depict, at a minimum, the following information:
- a. North arrow;
  - b. Scale to be utilized;
  - c. Name of the property owner(s);
  - d. Address of the property;
  - e. Property lines (existing and proposed);
  - f. Street(s) on which the property has frontage and/or street(s) which provide access to the property;
  - g. Size of the property (dimensions and square footage);
  - h. Accurate location and dimensions of proposed and existing building(s);
  - i. Surface water drainage patterns;
  - j. Parking spaces with dimensions provided;
  - k. All existing and/or proposed entrances, exits, and internal driveways which will be utilized by the development;
  - l. Any existing or proposed easements (i.e. utility or drainage) located on the property;
  - m. Location and description of all screening/buffering elements which will be utilized for the development (if required);
  - n. Location of trash and garbage containment areas with the proposed buffer; and
  - o. Location of natural features (such as an area of special flood hazard).

- (b) The administrator shall review the submission for its completeness. If the submission is determined to be incomplete, the administrator shall notify the entity within five (5) working days of the application's receipt, specifying the information needed to constitute a complete application. If no notice is sent within the five working days, the application shall be considered complete. The administrator shall promptly transmit the complete application and site plan to the planning commission for review.

### SECTION 15-523. REVIEW BY PLANNING COMMISSION

- (a) The planning commission shall review and provide comment on the public facilities proposal within sixty (60) days of the receipt of the complete application and site plan as prescribed in section 15-203. The commission shall hold a duly noticed hearing on the proposal within forty-five days of the application's receipt. Public notice of the hearing shall be provided by publication in a newspaper of general circulation within the town at least fifteen (15) days in advance of the hearing. Notice of the hearing shall be mailed to the entity proposing the construction or use and to all parties in interest no less than fifteen days prior to the meeting. Notice of the meeting shall be given by certified mail. At the hearing, any party may appear in person or by agent or attorney.
- (b) Pursuant to the hearing, the planning commission shall consider the location, extent, and character of the proposal. The commission shall review and provide written comment as to the compatibility of the proposal with the comprehensive plan. In the event the commission finds the proposal to be in

## ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES

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conflict with the comprehensive plan, the commission shall transmit its findings and the particulars of the nonconformity to the entity proposing the facility. All findings shall be in writing and shall be sent to the entity and any other parties in interest by certified mail.

### SECTION 15-524. PROJECTS IN CONFLICT WITH COMPREHENSIVE PLAN; NOTICE OF CONSTRUCTION; EXEMPTIONS

- (a) If the entity proposing the facility determines to go forward with the project which conflicts with the comprehensive plan, the governing or policy making body of the entity shall publicly state its intention to proceed and the reasons for the action. A copy of this finding must be sent to the town council, planning commission, and published as a public notice in a newspaper of general circulation in the community at least thirty (30) days prior to awarding a contract or beginning construction.
- (b) Telephone, sewer and gas utilities, or electric suppliers, utilities and providers, whether publicly or privately owned, whose plans have been approved by the town or a state or federal regulatory agency, or electric suppliers, utilities and providers who are acting in accordance with a legislatively delegated right pursuant to Chapter 27 or 21 or Chapter 49 of Title 33 of the State of South Carolina Code of Laws are exempt from the preceding review and notice of construction provisions of this division; however, such entities shall submit construction information as required by section 15-522.

### SECTION 15-525. CONFORMANCE WITH ZONING AND DEVELOPMENT REGULATION PROVISIONS

Public projects, activities, and uses governed by this article shall comply with the requirements of the Surfside Beach Zoning Ordinance (Chapter 17) and this chapter. The procedures and exceptions as provided in this article shall not be construed as alleviating such requirements or to otherwise abridge the authority exercised by the town pursuant to §6-29-770 of the State of South Carolina Code of Laws.

### SECTIONS 15-526. through 15-529. [RESERVED]

## DIVISION THREE: PLANNED DEVELOPMENT DISTRICTS

### SECTION 15-530. INTENT

It is not the intent of these regulations to freeze new developments into any single type of design. It is, however, the intent of these regulations to ensure that all new developments shall contribute to the building of economically sound and desirable living areas within the community with all necessary services and facilities.

### SECTION 15-531. APPLICATION OF DEVELOPMENT REGULATION STANDARDS

- (a) Except as provided herein, the platting and design standards as specified by this chapter shall apply to all planned developments and affected districts.
- (b) In order to provide the developer with maximum flexibility in the design and character of new planned developments, the planning and zoning commission is hereby authorized to recommend to the town council to modify the standards and requirements of these regulations in the case of a plan

## **ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES**

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for a planned development which, in the judgment of the planning ~~and zoning~~ commission, provides adequate public spaces for the circulation, recreation, light, air, and service needs of the tract when fully developed and populated, and which also provides those covenants or other legal provisions as will assure conformity to and achievement of the plan. Any modification to the applicable standards shall constitute an amendment to these regulations. In addition to the zoning amendment requirements specified by Chapter 17 of this code, a planned development proposal permitting deviation from the standards of these regulations shall follow the amendment procedures specified in Article II of this chapter.

### **SECTION 15-532. PLANNED DEVELOPMENTS SUBJECT TO PLATTING STANDARDS**

All planned development districts authorized pursuant to Article III, Division 9 of Chapter 17 of this code shall be platted. Such platting shall follow the approval of the planned development's conceptual plan and text as provided in section 17-374 of this code:

- (1) In cases where a planned development district involves the subdivision of property or the creation of a new street, the preliminary and final platting procedures provided in Article III of this chapter and section 17-375 of this code shall apply.
- (2) In cases where the planned development district does not involve the subdivision of property or the creation of a new street, the planned development shall be platted in accordance with the final plat provisions of Article III of this chapter and section 17-375 of this code.

### **SECTIONS 15-533. through 15-599. [RESERVED]**

**ARTICLE V. SUPPLEMENTAL REVIEW STANDARDS AND PROCEDURES**

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## ARTICLE VI. SUPPLEMENTAL EXHIBITS

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### DIVISION ONE: SURETY INSTRUMENTS

#### SECTION 15-600. PURPOSE

The developer shall bear the cost of all public improvements required by this chapter. It is recognized that the developer's need to receive final plan or plat approval may precede the installation and acceptance of public improvements. It is the purpose of this division to provide reasonable accommodation to a developer while guarding the fiscal interests of the town and its residents. This division provides a mechanism by which a developer can receive final approval prior to the acceptance of improvements, provided sufficient financial guarantees have been established to ensure their timely installation and acceptance.

#### SECTION 15-601. SURETY INSTRUMENTS AUTHORIZED; REFUSAL

- (a) A surety instrument may be posted to allow for the recording of a final plat or to obtain zoning, building, or other required permits prior to the installation and acceptance of required improvements. Acceptable surety instruments shall include irrevocable letters of credit or cash deposits. The form and sufficiency of surety instruments shall be subject to the approval of the planning commission or, where delegated or in cases involving permits, the development administrator.
- (b) Approved surety instruments shall be independent of the developer's project construction loan. The commission or administrator shall not accept any surety instrument that requires draw downs for monthly expenditures. Payment of monthly expenditures does not affect the amount of money held by the town in a surety instrument.
- (c) Acceptance of a surety instrument is discretionary. The planning commission and development administrator reserve the right to refuse, for cause, a surety instrument for any remaining improvements and require that such improvements be completed before the recording of a plat and/or prior to the issuance of a building or zoning permit.

#### SECTION 15-602. COST ESTIMATE REQUIRED; AMOUNT OF SURETY; TIME LIMIT FOR COMPLETION OF IMPROVEMENTS

- (a) *Cost estimate.* The developer shall submit to the development administrator a detailed itemized unit cost estimate for the proposed public improvements to be guaranteed by the surety instrument. The cost estimate shall include material costs and the cost of installation. Such estimates shall bear the original signature of a licensed professional engineer. Cost estimates may include, but are not limited to, the following improvements:
  - (1) Water and sewer systems;
  - (2) Storm water management systems (basins, ditching, drains, etc) and storm sewers;
  - (3) Street improvements including grading, surfacing, curbs, gutters, culverts, temporary cul-de-sacs, street signs, lighting, and grassing or landscaping;
  - (4) Fire hydrants; and/or
  - (5) Underground electric service.

The planning commission shall verify the sufficiency of the estimate with the appropriate department or agency responsible for the inspection and/or acceptance of the required public improvement. Within thirty (30) days of the receipt of the cost estimate, the planning commission shall either

## ARTICLE VI. SUPPLEMENTAL EXHIBITS

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approve or deny the cost estimate. Determinations of the commission shall be in writing. If denied, the commission shall state the reasons for the denial. Where delegated by the commission or in cases not involving major subdivisions, the development administrator is authorized to approve or deny a cost estimate.

- (b) *Amount of surety and form.* Upon approval of the cost estimate, the developer shall submit to the development administrator a surety instrument in an amount not less than 125% of the approved estimate. Surety instruments shall be accompanied by an application form. The administrator may accept a letter of credit that substantially conforms to the format as provided in Appendix A. In cases where a cash deposit is provided, the developer shall submit a cashier's check, payable to the Town of Surfside Beach. Such check shall bear an expiration date of not less than one (1) year. The town clerk shall, after the acceptance of an application and surety agreement by the administrator, cause such funds to be deposited in a special account, separate from other funds of the town, bearing interest at the short term rate prevailing in the market (See Appendix A).
- (c) *Time limit and extension.* All improvements guaranteed by a surety instrument shall be completed and accepted within one (1) year of the posting of such instrument. The planning commission or development administrator may authorize one (1) extension of the surety for a period not to exceed one (1) additional year. The authorization to extend a surety instrument shall only be granted by the commission or administrator in cases where the developer demonstrates good cause, i.e. adverse weather conditions or material shortages.

### SECTION 15-603. REDUCTION

A developer may request and the planning commission or development administrator may grant a reduction in the amount of a letter of credit during the surety's term to reflect work performed. A request to reduce the letter of credit shall be submitted to the administrator and shall include a revised cost estimate. The approval of the cost estimate shall follow the same procedures as specified in section 15-602. The authorization to reduce a letter of credit is discretionary to the commission or administrator. Requests to reduce a surety, where a cash deposit is posted, shall not be granted.

### SECTION 15-604. FAILURE TO PERFORM; UNEXPENDED FUNDS; INSUFFICIENT SURETY

The development administrator, planning commission, or town council may draw a letter of credit or authorize the use of a cash deposit when it has been determined that the improvements for which the surety instrument was posted will not be completed in accordance with this code or within the time frame provided by the surety instrument. Upon such default, the proceeds from a drawn letter of credit or cash deposit shall be used by the town to install the required improvements. The town may assess reasonable administrative costs, not to exceed ten (10) percent of the total value of the surety, incurred in bidding, contract management, and/or oversight of improvements. Any unexpended funds, once construction is complete, shall be released to the financial institution or responsible entity that posted the surety instrument. Where the surety instrument was insufficient to finance the required improvements after the developer defaulted, the town council will assess the developer the cost of the improvements plus any administrative costs over and above the surety amount.

## ARTICLE VI. SUPPLEMENTAL EXHIBITS

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### SECTION 15-605. RELEASE OF SURETY; MAINTENANCE WARRANTY FOR STREET IMPROVEMENTS REQUIRED

- (a) *Release of surety.* Upon completion of the improvements as required by this chapter, written notice thereof shall be given by the developer to the development administrator, who shall cause an inspection of the improvements to be made. The administrator will, within thirty (30) days of the date of notice, authorize in writing the release of the surety instrument, provided improvements have been completed and accepted in accordance with the required specifications.
- (b) *Surety release involving new streets.* Notwithstanding the time limits imposed by subsection (a), a surety instrument involving the construction and dedication of a new street(s) shall not be released by the development administrator until the street has been accepted into public maintenance by the town council and a warranty has been posted by the developer. If within ninety (90) days of a recommendation from the planning commission, the town council fails to accept a street by ordinance or deny acceptance by resolution, with reasons for such denial stated, the administrator may release the surety instrument provided a warranty has been established by the developer.
- (c) *Warranty required.* Streets that are dedicated and accepted by the town council into public maintenance shall be under warranty for all defects and failures for a period of two (2) years, commencing from the date the ordinance to accept the street(s) is adopted. The warranty shall be in an amount of not less than ten (10) percent of construction costs and shall be in the form of a letter of credit or cash deposit. The form and sufficiency of the warranty shall be subject to the approval of the town council.

### SECTIONS 15-606 through 15-619. [RESERVED]

## DIVISION TWO: DIGITAL SUBMISSION

### SECTION 15-620. PURPOSE AND INTENT

The advent of Geographic Information Systems (GIS) has substantially increased the ability to collect, analyze, share, and store parcel information. GIS assists in the accurate depiction of property for tax purposes, assists in the provision of utility and public safety services, and increases the accuracy of mapping products. GIS and similar electronic media also reduce costs associated with the storage and reproduction of paper documents.

The Town of Surfside Beach, like many communities across the country, has begun the process of converting mapping and the storage of parcel information to electronic media. The purpose of this division is to require the submission of GIS compatible digital data for new developments prior to the signing of a final subdivision plat or prior to the issuance of permits. In establishing this requirement, it is recognized that digital data submission may pose difficulties in certain instances. As such, this division provides certain exceptions designed to reduce any hardships imposed on small or minimally intense development proposals.

### SECTION 15-621. DIGITAL SUBMISSION REQUIRED; EXEMPTIONS

- (a) Except as provided in subsection (b), prior to the final approval of a new development, a digital copy of plats or plans shall be submitted to the development administrator. Submissions shall be on two (2)

## ARTICLE VI. SUPPLEMENTAL EXHIBITS

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Compact Disks or DVD media. An alternative media for the submission of this data may be requested by the applicant and agreed to by the administrator prior to the signing of a final plat or the issuance of a zoning permit. Expressly included by this requirement are:

- (1) Major subdivisions;
  - (2) Minor subdivisions;
  - (3) Public facilities;
  - (4) All public improvements to be dedicated and accepted by the town for maintenance;
  - (5) Shopping centers;
  - (6) Planned developments;
  - (7) Multi-family or group developments containing more than ten (10) units; and
  - (8) All other developments not exempted by this section.
- (b) The development administrator may waive the submission of a digital plan copy in instances where, in the opinion of the administrator, the requirement would impose a substantial hardship on a developer and the project is minimal in scope and intensity. Expressly exempted from the digital submission requirement are:
- (1) Excepted subdivisions;
  - (2) New commercial or industrial projects on less than one half (1/2) acre not involving the subdivision of property;
  - (3) Commercial and industrial developments involving building additions of less than ten thousand (10,000) square feet and not involving the subdivision of property; and
  - (4) Residential developments of less than ten units when such units are constructed on an existing lot of record.

### SECTION 15-622. DIGITAL FILE FORMAT

Acceptable file formats include: AutoCAD \*.dwg, AutoCAD \*.dxf, or other GIS compatible file format. The files must be identical to the relevant significant features on the printed plan and contain all factual information included on the written plan. Upon project completion, a digital submission of the "as-built" plan conforming to the above requirements is required for final release of the surety instrument associated with any project.

### SECTION 15-623. DIGITAL DATA STANDARDS

- (a) All digital mapping data must be delivered in the South Carolina State Plane Coordinate System with a horizontal datum of NAD83, units of U.S. survey feet and a vertical datum of NAVD 88. Each plan must include a minimum of one survey-derived (bearings & distances listed) reference to a permanent in-ground feature such as a catch basin, manhole, stone bound, municipal benchmark, or other readily identifiable marker. The permanent in-ground feature should appear on the plan in its as-built location and include sufficient bearings and distances to be able to locate the feature relative to the property parcel(s). The latitude and longitude of the in-ground feature must be provided with survey grade accuracy (generally accepted to an accuracy of plus or minus one foot).
- (b) Each feature type must be organized in the CAD or GIS data structure as a separate layer. These may include but are not limited to separate layers for: parcel boundaries, dimensions, buildings, roads, road centerlines, surface water, areas of special flood hazard, and wetlands. Multiple features represented in a single CAD layer or GIS file will not be accepted. Any features submitted in the electronic plan must be represented in their entirety in an individual layer. All data shall be

## **ARTICLE VI. SUPPLEMENTAL EXHIBITS**

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topologically clean, meaning that polygons are closed (no overshoots or undershoots) and lines connect at nodes.

- (c) Documentation of the data format must be provided with a description of the CAD layers and a list of the types of features placed in each layer. Submission of multiple files must also include a list of the files and a description of their content.
- (d) The data submitted must include documentation, the name of the person(s) responsible for preparing the data, contact information, and an estimation of the horizontal and vertical accuracy. Also included must be:
  - (1) Date of submission;
  - (2) Street address of submitted plan;
  - (3) Map and lot of submitted plan;
  - (4) Type of lot adjustment (new lot, subdivision, lot line correction, lot combination, easement, other – describe); and
  - (5) Name of engineer or surveyor providing the plan or plat.

**SECTIONS 15-624 through 15-998. [RESERVED]**

**ARTICLE VI. SUPPLEMENTAL EXHIBITS**

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## APPENDICES | INTRODUCTION AND GUIDELINES FOR USE

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### SECTION 15-999. APPENDICES

(a) The attached documents are supplemental to the text of the Land Development Regulations of Surfside Beach, South Carolina. These documents include:

**(1) Appendix A: Surety Documents**

- a. Exhibit A1: Application for Posting Letter of Credit
- b. Exhibit A2: Sample Irrevocable Letter of Credit
- c. Exhibit A3: Application and Agreement for Posting Cash Deposit

**(2) Appendix B: Street Dedication and Acceptance Documents**

- a. Exhibit B1: Sample Deed for Right-of-Way Conveyance
- b. Exhibit B2: Sample Drainage Easement Conveyance
- c. Exhibit B3: Certificate of Non-Litigation for Street Dedication
- d. Exhibit B4: General Joinder and Consent to Dedication

**(3) Appendix C: Certifications**

- a. Exhibit C1: Certificate of Accuracy
- b. Exhibit C2: Certificate of Ownership and Dedication
- c. Exhibit C3: Certificate of Approval for Streets and other Dedications
- d. Exhibit C4: Certification of Water and Sewer Availability or Extension
- e. Exhibit C5: Certificate of Approval for Recording Plat

(b) The foregoing document templates are designed to provide guidance to the planning commission, development administrator, and developers. These documents provide the basic information requirements and form related to surety instruments, the exhibits required for the dedication of streets, and certifications required prior to the approval of a plat. The commission and/or administrator may supplement such forms when determined that additional information or exhibits are required to ensure compliance with the provisions of these regulations, to meet the requirements of other applicable statutes, or where the customization of the attached forms would be necessary to address the particulars of a development proposal.

(c) Document templates appearing in Appendix B are related to the dedication of streets and conveyance of real property to the Town of Surfside Beach. The foregoing should be considered sample documents only and do not alleviate any other requirements/exhibits customary to the conveyance of property or as is otherwise mandated by state law. All documents related to the conveyance of property should be referred to the town's attorney prior to formal acceptance.

**APPENDIX A. SURETY DOCUMENTS**

**EXHIBIT A1: APPLICATION FOR POSTING LETTER OF CREDIT**

**Application, Conditions, and Compliance Agreement**  
Posting of Irrevocable Letter of Credit in Lieu of Public Improvement  
Completion/Acceptance

Name of Owner or Developer: \_\_\_\_\_

Name of Project: \_\_\_\_\_

Address of Owner or Developer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

FAX Number (if available): \_\_\_\_\_

Is there anyone in addition to yourself who may be contacted with respect to this Letter of Credit or the improvements required or covered by this surety?

\_\_\_ Yes (please list below) \_\_\_ No

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone Number: \_\_\_\_\_

**Cost Estimate for Improvement**

I hereby certify that to the best of my knowledge and belief that the following estimates are accurate and that they have been prepared by a licensed engineer:

Street Construction (include all design elements) \$ \_\_\_\_\_

Storm Water Management (include design and installation): \$ \_\_\_\_\_

Sidewalks (include design and installation): \$ \_\_\_\_\_

Water/Sewer Improvements: \$ \_\_\_\_\_

Fire Hydrants: \$ \_\_\_\_\_

Other (Specify: \_\_\_\_\_): \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

## **APPENDIX A. SURETY DOCUMENTS**

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Please attach detailed estimates to this form.

I understand and agree that the estimates provided above and attached hereto will be provided to the agency or town department having inspection and/or approval responsibilities for the respective improvements. The agency or town department may require monies to be posted in surety which are in excess of those provided above if it is determined that the estimates provided are insufficient to guarantee installation and acceptance.

### **Conditions for Acceptance of Letters of Credit**

#### **Responsibility of a Developer in Posting Surety**

I, the owner/developer of the project as indicated above, understand and agree as follows:

1. Prior to the establishment of the letter of credit for my project, the cost estimates, as provided above, will be submitted to and approved by Surfside Beach Planning Commission ['commission'] or Development Administrator ['administrator'] as stipulated in the *Land Development Regulations of the Town of Surfside Beach, South Carolina*. The letter of credit will be provided in an amount equal to 125% of the approved cost estimates for design and installation.
2. The letter of credit as issued by the bank must be in a format which is approved by the commission (Please see sample format).
3. The letter of credit's term may not be less than six months nor more than one year. Letters of credit issued by or requiring document presentation at branches or main offices outside of Horry County must contain an automatic extension clause, as provided in the sample format. Letters of credit issued by in-county banks with an in-county place of presentation office may, at the discretion of the lending institution, include the automatic extension clause.

#### **Time Limitation and Responsibility to Notify**

The public improvements as provided herein are to be installed and approved within one year of the posting of the letter of credit. In the event that hardship or unforeseen circumstances prevent the installation of improvements within one year, the commission or administrator may, at its discretion, allow the letter of credit to be extended for an additional term (Please see §15-602).

Prior to the granting of an extension, the developer and/or owner understand and agree as follows:

1. The owner/developer will notify the administrator no less than thirty (30) days prior to the expiration of the letter of credit's term that the public improvements have not been completed and request an extension.
2. The granting of an extension for a term of an additional year may, at the commission's discretion, be granted administratively. The owner/developer may be required to submit a revised cost estimate and a proposed timeline for project completion. If a revised cost estimate is required, the sum of the letter of credit may be increased to guarantee the installation of all remaining improvements.
3. Letters of credit may not be extended cumulatively beyond twenty four (24) months.

## **APPENDIX A. SURETY DOCUMENTS**

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4. When the extension of a letter of credit requires the issuing bank to provide an amended letter of credit, the amended letter of credit must be provided to the administrator no less than ten (10) days prior to the expiration of the original letter of credit's term. In the event that an amendment is provided less than ten (10) days prior to expiration and said delay results in the preparation or delivery of "failure to perform drafts" by the town, the owner/developer is responsible to reimburse the town for all costs associated with the preparation and/or delivery of drafts.

Nothing herein shall be construed as a guarantee or inference that an extension of surety will be automatically granted after a one (1) year period as provided in the land development regulations or limit the ability of the town to declare the surety in default after the completion date specified in the original letter of credit.

### **Request for Surety Reduction**

The commission or administrator may, at its discretion, grant reductions in the amount of a letter of credit to reflect progress by an owner/developer in installing required improvements. The owner/developer must provide requests for reduction no less than thirty (30) days prior to the expiration of a letter of credit. Request for reduction may accompany the notification and request for extension as provided above. The owner/developer must provide cost estimates or documentation justifying the reduction (See §15-603).

### **Notification of Improvement Completion and Request For Release**

Once all improvements covered by the letter of credit are installed and are accepted by the town or responsible agency, the administrator will release the letter of credit. The owner/developer is responsible for notifying the administrator of project completion and requesting acceptance of the improvements. Notification should be provided no less than thirty (30) days prior to the expiration of the letter of credit. The acceptance of streets requires action by the commission and Surfside Beach Town Council. Notification of street completion and requests for acceptance should be submitted no less than ninety (90) days prior to the expiration of the letter of credit. In the event that notification is provided less than ninety (90) days prior to the expiration and said delay results in the preparation or delivery of "failure to perform drafts", the owner/developer is responsible to reimburse the town for all costs associated with the preparation and/or delivery of drafts. The letter of credit may not be released until the improvements are accepted, a warranty has been established for street improvements (where applicable), and the administrator provides written notification of completion and acceptance to the issuing bank.

### **The Letter of Credit is Not a Waiver of Liability**

In the event of a failure to perform, default, or failure to extend a letter of credit, the town reserves the right to take all available legal and administrative actions necessary to compel the completion of the project by the owner/developer, to secure all necessary easements and rights of entry, and/or to recoup any public funds expended by the town or responsible agencies in the fulfillment of the owner/developer's obligation.

## **Compliance Agreement**

I, \_\_\_\_\_, as the owner/developer and the provider of the letter of credit have read, understand, and agree to be bound by the conditions as provided herein. I understand and agree that I have been advised that I may forego the requirement to provide a letter of credit by having the required public

**APPENDIX A. SURETY DOCUMENTS**

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improvements installed and approved prior to the issuance of my building permit and/or the approval of my subdivision plat. I understand and agree that I have been advised that an alternate form of surety, the posting of a cash deposit, is available and that I have voluntarily elected to provide a letter of credit. I understand and agree that my failure to perform the required improvement or comply with the conditions as outlined herein will constitute a violation of *the Land Development Regulations of the Town of Surfside Beach, South Carolina*.

\_\_\_\_\_  
**Developer/Owner Signature**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Witness Signature**

\_\_\_\_\_  
**DATE**

STATE OF SOUTH CAROLINA     )  
COUNTY OF HORRY             )

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**APPENDIX A. SURETY DOCUMENTS**

**EXHIBIT A2: SAMPLE IRREVOCABLE LETTER OF CREDIT**

**Bank Letterhead**

**Date:**

**Letter of Credit No.:**

**Lender:**

**Applicant:**

Name of Financial Institution  
C/O (Contact Person)  
Address

Name of Individual or Corporation  
C/O (Contact Person)  
Address

**Beneficiary:**

**Project Name:**

Town of Surfside Beach  
115 US Highway 17 North  
Surfside Beach, SC 29575

**Amount:**

**Expiration Date:**

Insert Amount of LOC

Insert Expiration Date

Gentlemen:

At the request of (Developer or Developers), d/b/a (Company or Corporation), and for the account of the same, we hereby extend in your favor Irrevocable Letter of Credit No. \_\_\_\_\_ for a sum not to exceed (Amount) (\$ \_\_\_\_\_), available by your draft, payable at sight on us, and accompanied by your statement certifying (Developer or Developers) have defaulted or failed to perform improvements to (Project), as described in the attached estimates, the contents of which are made a part hereof.

Acting through and on behalf of the Town of Surfside Beach, you will provide us with a signed statement certifying either:

1. The improvements have been timely and satisfactorily completed by (Date, must be ten days prior to expiration of Letter of Credit) and the credit may be released; or
2. The developer has failed to perform or is in default as it relates to the attached estimates of improvements.

All drafts drawn under this Letter of Credit must be marked: "Drawn under (Developer or Developers), d/b/a (Company or Corporation), Letter of Credit No. \_\_\_\_\_ dated \_\_\_\_\_".

Except as otherwise stated herein, this Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credit (Insert Latest Edition), International Chamber of Commerce Publication Number (Number).

We engage with you that the draft(s) drawn under and in accordance with the terms of this Letter of Credit will be duly honored upon presentation and delivery of documents as specified if presented at this office on or before (date, usually one year from date of issue).

**APPENDIX A. SURETY DOCUMENTS**

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It is a condition of this credit that it shall be deemed automatically extended, without amendment, for one (1) year from the present or any future expiration date hereof, unless sixty (60) days prior to any such date, we shall send you notice by courier service that we elect not to consider this credit renewed for such additional one (1) year period. {Optional for in-county banks or in-county place of presentation}

(Bank Executive Signature Block)

**APPENDIX A. SURETY DOCUMENTS**

**EXHIBIT A3: APPLICATION AND AGREEMENT FOR POSTING CASH DEPOSIT**

**Application, Conditions, and Compliance Agreement**

**Posting of Cash Deposit in Lieu of Public Improvement Completion/Acceptance**

Name of Owner or Developer: \_\_\_\_\_

Name of Project: \_\_\_\_\_

Address of Owner or Developer: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

FAX Number (if available): \_\_\_\_\_

Is there anyone in addition to yourself who may be contacted with respect to this cash deposit or the improvements required or covered by this surety?

\_\_\_ Yes (please list below) \_\_\_ No

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

**Cost Estimate for Improvement**

I hereby certify that to the best of my knowledge and belief that the following estimates are accurate and that they have been prepared by a licensed engineer:

Street Construction (include all design elements) \$ \_\_\_\_\_

Storm Water Management (include design and installation): \$ \_\_\_\_\_

Sidewalks (include design and installation): \$ \_\_\_\_\_

Water/Sewer Improvements: \$ \_\_\_\_\_

Fire Hydrants: \$ \_\_\_\_\_

Other (Specify: \_\_\_\_\_): \$ \_\_\_\_\_

Total: \$ \_\_\_\_\_

## **APPENDIX A. SURETY DOCUMENTS**

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Please attach detailed estimates to this form.

I understand and agree that the estimates provided above and attached hereto will be provided to the agency or town department having inspection and/or approval responsibilities for the respective improvements. The agency or town department may require monies to be posted in surety which are in excess of those provided above if it is determined that the estimates provided are insufficient to guarantee installation and acceptance.

### **Conditions for Acceptance of Cash Deposit**

#### **General Stipulations**

I, the owner/developer of the project as indicated above, understand and agree as follows:

1. Prior to providing a cash deposit for my project, the cost estimates, as provided above, will be submitted to and approved by The Town of Surfside Beach Planning Commission ['commission'] or Development Administrator ['administrator'] as stipulated in the *Land Development Regulations of the Town of Surfside Beach, South Carolina*. The cash deposit will be provided in an amount equal to 125% of the approved cost estimates for design and installation.
2. The cash deposit to be provided by me (us) will be in the form of a cashier's check, payable to the Town of Surfside Beach, with an expiration of not less than six months from the date of issue.
3. The proceeds from the cash deposit (cashier's check) may be deposited by the town in an interest bearing account in favor of the Town of Surfside Beach (surety account). The proceeds from the cashier's check or subsequent surety account may be used by the town to install required improvements in the event that I (we) fail to install and have accepted the required improvements by (Insert date, not to exceed one year of posting of the surety).
4. Interest accrued on surety account funds will be included in the funds released by the town upon the owner/developer's completion and the town's acceptance of the required improvements covered herein. The owner/developer shall assume any tax liability resulting from any interest accrued on money held under this agreement.

#### **Time Limitation and Responsibility to Notify**

The public improvements as provided herein are to be installed and approved within one year of the posting of the surety. In the event that hardship or unforeseen circumstances prevent the installation of improvements within one year, the commission or administrator may, at its discretion, allow the surety and this agreement to be extended for an additional one year term (Please see §15-602).

Prior to the granting of an extension, the developer and/or owner understand and agree as follows:

1. The owner/developer will notify the administrator no less than thirty (30) days prior to the expiration of this agreement's term that the public improvements have not been completed and request an extension.
2. The granting of an extension for a term of an additional year may, at the commission's discretion, be granted administratively. The owner/developer may be required to submit a revised cost estimate and a proposed timeline for project completion. If a revised cost estimate is required, the sum of the cash deposit may be increased to guarantee the installation of all remaining improvements.

**APPENDIX A. SURETY DOCUMENTS**

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3. The date specified for completion and acceptance of the improvements may not be extended cumulatively beyond twenty four (24) months.

Nothing herein shall be construed as a guarantee or inference that an extension of surety will be automatically granted after an one (1) year period as provided in the land development regulations or limit the ability of the town to declare the surety in default on or after the completion date specified in this agreement.

**Notification of Improvement Completion and Request For Release**

Once all improvements covered by this surety agreement are installed and are accepted by the town or responsible agency, the administrator will release funds held in the surety account or shall return the cashier's check to the owner/developer. The owner/developer is responsible for notifying the administrator of project completion and requesting acceptance of the improvements. Notification should be provided no less than thirty (30) days prior to the completion date contained herein. The acceptance of streets requires action by the commission and the Surfside Beach Town Council. Notification of street completion and requests for acceptance should be submitted no less than ninety (90) days prior to the completion date specified herein. The cash deposit may not be released until the improvements are accepted and, where applicable, a warranty has been established for street improvements.

**The Cash Deposit is Not a Waiver of Liability**

In the event of a failure to perform, default, or failure to extend this agreement, the town reserves the right to take all available legal and administrative actions necessary to compel the completion of the project by the owner/developer, to secure all necessary easements and rights of entry, and/or to recoup any public funds expended by the town or responsible agencies in the fulfillment of the owner/developer's obligation.

**Compliance Agreement**

I, \_\_\_\_\_, as the owner/developer and the provider of the cash deposit have read, understand, and agree to be bound by the conditions as provided herein. I understand and agree that I have been advised that I may forego the requirement to provide a cash deposit by having the required public improvements installed and approved prior to the issuance of my building permit and/or the approval of my subdivision plat. I understand and agree that I have been advised that an alternate form of surety, the posting of a letter of credit, is available and that I have voluntarily elected to provide a cash deposit. I understand and agree that my failure to perform the required improvement or comply with the conditions as outlined herein will constitute a violation of the *Land Development Regulations of the Town of Surfside Beach, South Carolina*.

\_\_\_\_\_  
**Developer/Owner Signature**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Witness Signature**

\_\_\_\_\_  
**DATE**

STATE OF SOUTH CAROLINA     )  
COUNTY OF HORRY             )

**APPENDIX A. SURETY DOCUMENTS**

---

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**APPENDIX B. STREET DEDICATION AND EASMENT DOCUMENTS**

**EXHIBIT B1: SAMPLE DEED OF RIGHT-OF-WAY CONVEYANCE**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

**DEED OF RIGHT-OF-WAY**

KNOW ALL MEN OF THESE PRESENTS, THAT I (or we) \_\_\_\_\_ in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, have granted, bargained, sold, and released, and by these presents do grant, bargain, sell, and release, unto the Town of Surfside Beach, and its successors and assigns, a right-of-way parcel for the following street(s) named \_\_\_\_\_ as shown on a plat prepared by \_\_\_\_\_ titled \_\_\_\_\_ and dated \_\_\_\_\_ said plat being recorded in the Horry County Register of Deeds at \_\_\_\_\_.

Said street right-of-way having been offered for dedication and said dedication being accepted by action of the Surfside Beach Town Council at its meeting on \_\_\_\_\_, 20\_\_.

IN WITNESS WHEREOF, I (or we) have hereunto set my/our hand(s) and seal(s) this day of \_\_\_\_\_ in the year of our Lord Two Thousand and \_\_\_\_\_.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
WITNESS #1

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
WITNESS #2

\_\_\_\_\_  
OWNER

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

**PROBATE**

Personally appeared before me \_\_\_\_\_ and made oath that he/she was present and saw the within named owner(s), \_\_\_\_\_ sign, seal and as their act and deed deliver the within deed of right-of-way; and that \_\_\_\_\_ with \_\_\_\_\_ witnessed the execution thereof.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Witness Signature \_\_\_\_\_

\_\_\_\_\_  
Notary Public of South Carolina  
My Commission Expires: \_\_\_\_\_







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**APPENDIX C. CERTIFICATIONS**

**EXHIBIT C1: CERTIFICATE OF ACCURACY**

I hereby certify that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the "Standards of Practice Manual for Surveying in South Carolina", and meets or exceeds the requirements for a Class \_\_\_\_ survey.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Registered Land Surveyor (Signed)

\_\_\_\_\_  
S.C. Registration No.

**EXHIBIT C2: CERTIFICATE OF OWNERSHIP AND DEDICATION**

The undersigned hereby acknowledge that I am (we are) the owner(s) of the property shown and described hereon and that I (we) adopt this (plan of development/plot) with my (our) free consent and that I (we) hereby dedicate all items as specifically shown or indicated on said plat.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT C3: CERTIFICATE OF APPROVAL FOR STREETS AND OTHER DEDICATIONS**

I hereby certify that to the best of my knowledge, information, and belief the street(s) and other illustrated improvements, to be dedication to the Town of Surfside Beach, have been installed in accordance with the requirements of the Town of Surfside Beach Development Regulations or a financial guarantee has been provided to the Town to guarantee the acceptable and timely installation of the street(s) and/or other public improvements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works Director or Town Designated Engineer

\_\_\_\_\_  
S.C. Registration No. and Seal (when applicable)

**APPENDIX C. CERTIFICATIONS**

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**EXHIBIT C4: CERTIFICATE OF WATER AND SEWER AVAILABILITY OR EXTENSION**

I hereby certify that to the best of my knowledge and belief (1) the (insert water and/or sewer lines) have been installed for the above subdivision or development in an acceptable manner and in accordance with all applicable specifications or (2) a financial guarantee has been provided to the Town to guarantee the acceptable and timely installation of the (water and/or sewer) improvements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
GSWSA or other Applicable Agency

**EXHIBIT C5: CERTIFICATE OF APPROVAL FOR RECORDING PLAT**

I hereby certify that the (development plan/plat) shown hereon has been found to comply with the Land Development Regulations of the Town of Surfside Beach, South Carolina and that it has been approved for recording in the Office of the Register of Deeds.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Commission Chairman or  
Development Administrator

## Debra Herrmann

---

**From:** Debra Herrmann [dherrmann@surfsidebeach.org]  
**Sent:** Monday, January 09, 2012 8:41 AM  
**To:** 'capthg@aol.com'  
**Subject:** 01-10-2012 TC Meeting  
**Attachments:** 01\_10\_12\_tc\_agenda\_8\_1st\_reading\_land\_dev\_regs.pdf; 01\_10\_12\_tc\_agenda.pdf; 01\_10\_12\_tc\_agenda\_4\_draft\_12\_13\_11\_meeting\_minutes.pdf; 01\_10\_12\_tc\_agenda\_7ai\_building\_report.pdf; 01\_10\_12\_tc\_agenda\_7aai\_police\_report.pdf; 01\_10\_12\_tc\_agenda\_7aiii\_fire\_report.pdf

Hey, Howard!

The agenda and supporting documents are attached as we discussed. The Land Development Regulations will be sent next.

D.

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)  
[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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## Debra Herrmann

---

**From:** Debra Herrmann [dherrmann@surfsidebeach.org]  
**Sent:** Monday, January 09, 2012 8:44 AM  
**To:** 'capthg@aol.com'  
**Subject:** Land Development Regulations  
**Attachments:** 01\_10\_12\_tc\_agenda\_8\_1st\_reading\_land\_dev\_regs\_exhibit\_a.pdf

Land Development Regulations...have fun ☺

Debra Herrmann, CMC, Town Clerk  
Town of Surfside Beach  
115 US Highway 17 N  
Surfside Beach, SC 29575  
843.913.6111 (Main) - 843.913.6333 (Direct)  
[dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org)

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TOWN OF SURFSIDE BEACH  
 115 US Highway 17 North, Surfside Beach, SC 29575  
 Web: [www.surfsidebeach.org](http://www.surfsidebeach.org)  
 ☎ (843) 913-6111 📠 (843) 238-5432

**NOTICE OF PUBLIC HEARING**

Town Council will hold a Public Hearing during the January 10, 2012 meeting to hear public comments on the proposed Land Development Regulations (LDR.)

**PUBLIC NOTICE**

Candidate Filing for the April 3, 2012 General Municipal Election is open from January 9<sup>th</sup> to January 13<sup>th</sup>, 9:00 a.m. to 4:00 p.m., or by appointment after hours, for the offices of mayor (1 seat) and town council (3 seats.) Call 843.913.6333 or email [dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org) for information.

**TOWN COUNCIL ♦ REGULAR MEETING  
 COUNCIL CHAMBERS ♦ TUESDAY, JANUARY 10, 2012 6:30 P.M.**

**AGENDA**

1. **CALL TO ORDER** - Mayor K. Allen Deaton
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** - Fr. Gabriel Bullock, St. Nicholas Orthodox Church
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting December 13, 2011 *copied, scanned*
5. **PUBLIC COMMENTS – AGENDA ITEMS**  
 Please address Town Council from the podium; 3-minutes per speaker
6. **PUBLIC HEARING** – Proposed Amendments to Chapter 15, Land Development Regulations
7. **COMMUNICATIONS**
  - A. Department Reports
    - i. ✓ Building & Zoning *copied, scanned*
    - ii. ✓ Police *copied & scanned*
    - iii. ✓ Fire *copied and scanned.*
  - B. Administrator's Report - Update on Current Events
8. ✓ **BUSINESS** *copied scanned*  
 First Reading Ordinance #12-0709, Amend Chapter 15, Land Development Regulations
9. **DISCUSSION**
10. **PUBLIC COMMENTS** - Please address Town Council from the podium; 5-minutes per speaker
11. **COUNCIL COMMENTS**
12. **ADJOURNMENT**

*1-5-2011/8:20am  
 JP approved  
 dh*



TOWN OF SURFSIDE BEACH  
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Web: [www.surfsidebeach.org](http://www.surfsidebeach.org)  
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COPY MAYOR ON AGENDA EMAIL

## **NOTICE OF PUBLIC HEARING**

Town Council will hold a Public Hearing during the January 10, 2012 meeting to hear public comments on the proposed Land Development Regulations (LDR.)

### **PUBLIC NOTICE**

Candidate Filing for the April 3, 2012 General Municipal Election is open from January 9<sup>th</sup> to January 13<sup>th</sup>, 9:00 a.m. to 4:00 p.m., or by appointment after hours, for the offices of mayor (1 seat) and town council (3 seats.) Call 843.913.6333 or email [dherrmann@surfsidebeach.org](mailto:dherrmann@surfsidebeach.org) for information.

**TOWN COUNCIL ♦ REGULAR MEETING**  
**COUNCIL CHAMBERS ♦ TUESDAY, JANUARY 10, 2012 6:30 P.M.**

### **AGENDA**

1. **CALL TO ORDER** - Mayor Deaton
2. **INVOCATION AND PLEDGE OF ALLEGIANCE** –  
Fr. Gabriel Bullock, St. Nicholas Orthodox Church (confirmed 01/03/2012)
3. **AGENDA APPROVAL**
4. **MINUTES APPROVAL** - Regular Meeting December 13, 2011
5. **PUBLIC COMMENTS**  
Agenda items only. Please address Town Council from the podium; 3-minutes per speaker
6. **PUBLIC HEARING** – Proposed Land Development Regulations
7. **COMMUNICATIONS**
  - A.
  - B. Department Reports
    - i. Building & Zoning
    - ii. Police
    - iii. Fire
  - C. Administrator's Report - Update on Current Events – (Pursuant to §2-61(j) 2011 Annual Committee & Board Reports will be included in council packages)
8. **BUSINESS**  
First Reading Ordinance #11-\_\_\_\_\_, Land Development Regulations (P&Z Resolution in file)
9. **DISCUSSION**
10. **PUBLIC COMMENTS** - Please address Town Council from the podium; 5-minutes per speaker
11. **COUNCIL COMMENTS**
12. **ADJOURNMENT**

# Reminders:

## Ordinances

→Section 4, Repeal Board of Fee Appeals - Mr. Duckett-established 04/14/09 -no one appointed and no challenges received

→To correct election codes re member terms (attorney directed at 08/09 meeting - Council concurred to defer to State Code for 6-year term on new appointments)

→11/08/11 Administrator identify issues and permitting fee relating to permitting docks (Concurred)

→get permission from council to request exemption to have a building board of appeals...initially presented 09/27 and 10/11/11, but no action taken)

12-13-2011 Membership and Scope of Duties for Ad Hoc Parking Committee. Ms. Blair moved to table this item, because Mr. Johnson, who moved to create the committee, was absent. Mr. Smith seconded. Ms. Blair explained that she felt Mr. Johnson should be given the courtesy of waiting until he is present before planning the committee. All voted in favor. MOTION CARRIED. (Johnson and Samples absent from meeting.)

(Rotate to next agenda until Mr. Duckett says to delete or a councilmember says to add)

→Decision Paper: Golf Carts

→Dedication plaques and flowers on Surfside Drive - Councilmember Blair - she never confirmed to add