



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

## TOWN COUNCIL SPECIAL MEETING SURFSIDE BEACH FIRE STATION WEDNESDAY, APRIL 17, 2013 ♦ 6:30 P.M.

### A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **PUBLIC COMMENTS – AGENDA ITEMS**
3. **BUSINESS**
  - A. A-Tax Funding Recommendations, Finance Director King
  - B. First Reading Ordinance #13-0747, FY2012-2013 Budget Amendments, Finance Director King
  - C. Second Reading Ordinance #13-0744 §9-16, ¶(a) Decals and Exemptions, Administrator Fellner
  - D. First Reading Ordinance #13-0745, amend Chapter 9, Motor Vehicles and Traffic (*Except §9-16, ¶(a), which is addressed in Ordinance #12-0727, Item B above*), Councilmember Smith
  - E. First Reading Ordinance 13-0746 to amend §8-36 Fireworks, ¶(f), Administrator Fellner
  - F. Workshop – C-3 Zoning District §17-395 and §17-420, Parking Requirements, Director Morris
  - G. Meeting Minutes Preparation, Councilmember Kohlmann
4. **ADJOURNMENT**

State of South Carolina )  
County of Horry )  
Town of Surfside Beach )

*Resolution of the  
Accommodations Tax Advisory Committee*

*WHEREAS*, the Accommodations Tax Advisory Committee met on April 10, 2013 in a duly called meeting where a quorum of its members were present, after due deliberation approved by motions recommendations to the Town Council of the Town of Surfside Beach for the following:

<b>Departmental Funding Requests</b>	<b>FY2012-2013 Funds Description</b>	<b>Funding Amount</b>
Public Works	2 Shower Towers	\$2,700
Police	2 John Deere Gators	\$20,000
Police	1 Used 4-wheel Drive Sports Utility Vehicle	\$20,000
Police	Ruggedized 2-way Radio	\$3,100

*NOW, THEREFORE, BE IT RESOLVED*, that the Accommodations Tax Committee for the Town of Surfside Beach hereby recommends approving the above stated expenditures to the Town Council of the Town of Surfside Beach.

*BE IT FURTHER RESOLVED*, that the Accommodations Tax Committee hereby recommends that said funds be expended from the Fiscal Year 2012-2013 budget.

*BE IT SO RESOLVED*. Signed, sealed and adopted this \_\_\_\_\_ day of April 2013.

\_\_\_\_\_  
*s/*  
Bruxanne Hein, Vice Chairman

Attest:

\_\_\_\_\_  
*s/*  
Debra E. Herrmann, CMC, Town Clerk

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ISSUE PAPER FOR A-TAX COMMITTEE CONSIDERATION

Meeting Date: April 10, 2013

Prepared by: John Adair, DPW

Agenda Item: A-Tax Public Works/FY12-13

Date: April 4, 2013

Subject: Current year budget amendment \$2,700.00

**Background:**

I had planned to install two shower towers this current budget year (12-13), however material costs for other necessary repairs/construction ran higher than expected, and a budget amendment is needed to cover the cost of the second one. They are to be installed at 6<sup>th</sup> Ave. North, and 6<sup>th</sup> Ave. South beach accesses.

**Recommendation:**

I recommend the approval of this request, given the availability of funds, and the expressed desires of the public. There currently exists no shower at the 6<sup>th</sup> South access, and the 6<sup>th</sup> North access just has a galvanized pipe coming out of the ground that is adequate only for one person at a time. Both sites have parking lots and 6th North has a new large crossover, and these 4-station towers would be a benefit.

**Action:**

Approve budget amendment, or delay purchase.

Submitted by

Reviewed by

\_\_\_\_\_  
Director, Public Works

\_\_\_\_\_  
Town Administrator

# Decision Paper

**Written By:** Rodney L. Keziah, Chief of Police

**SUBJECT:** John Deere Gator Utility Vehicles (\$20,000)

1. **FOR:** Authorization to purchase 2 John Deere Gator's from existing Accommodation Tax funding.
2. **PURPOSE:** To deploy Beach Service Safety Officers on the beach during tourist season.
3. **ASSUMPTIONS:**
  - a. It is assumed that the safety of residents and visitors of Surfside Beach are an upmost priority and concern.
4. **FACTS:**
  - a. Surfside Beach Police Department has deployed Beach Safety Officers on the beach during tourist season for the past 5 seasons. The Beach Safety Officers serve as ambassador's for the Town by answering questions, providing assistance, and enforcing beach ordinances.
  - b. In 2011, Surfside Beach purchased 2 Kawasaki Mules for use on the beach. The Kawasaki Mule is a 4 wheel drive utility vehicle. The Mule is equipped with a bed on the back for transportation of equipment if needed, a roof to eliminate excessive sun exposure to the officers, and the ability to transport a passenger.
  - c. During the peak season, the Mules are driven approximately 10 hours each on a daily basis. One Mule is also deployed on the beach at night during the season for approximately 3.5 hours for fireworks patrol. During their deployment, the mules are exposed to sand, salt air, and water.
  - d. Surfside Beach Fleet Maintenance workers have taken precautionary and preventative measures to insure the life span of these units to include protective undercoating, pressure washing, routine required maintenance, and winterizing at the end of each season.
  - e. Beach Service Officers also complete a multi-part inspection and cleaning of the units at the end of each day and night of deployment on the beach.
  - f. During the last year maintenance costs have risen drastically due to rust and corrosion on the units despite all efforts of preventative maintenance. Since the original purchase, over \$7000.00 in maintenance costs have been encumbered on these units. One of the units is currently inoperable and may have a major powertrain issue.
  - g. John Deere Gators have an additional wheel base span that allows for more intrusive underbody cleaning and pressure washing.
5. **RECOMMENDATION:** Approval to purchase 2 John Deere Gator utility vehicles from existing Accommodation Tax funds.
6. **RATIONALE FOR RECOMMENDATION:** The purchase of these units will allow us to deploy the John Deere Gator's on the beach during the day, and keep one of the Kawasaki Mule's for night-time deployment on the beach for fireworks patrol. The additional inoperable Kawasaki Mule would be cannibalized and used for parts to keep operational and maintenance costs at a minimum.

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## Decision Paper

**Written By:** Rodney L. Keziah, Chief of Police

**SUBJECT:** Used 4 wheel drive Sport Utility Vehicle (SUV) for Beach Supervisor (\$20,000)

1. **FOR:** Authorization to purchase a used 4 wheel drive SUV from existing Accommodation Tax funding.
2. **PURPOSE:** To be utilized by full-time SBPD officer assigned as the supervisor over Beach Patrol and the Beach Service Safety Officers.
3. **ASSUMPTIONS:**
  - a. It is assumed that the safety of residents and visitors of Surfside Beach are an utmost priority and concern.
4. **FACTS:**
  - a. Surfside Beach Police Department has deployed Beach Safety Officers on the beach during tourist season for the past 5 seasons. The Beach Safety Officers serve as ambassador's for the town by answering questions, providing assistance, and enforcing beach ordinances.
  - b. SBPD deploys a Beach Patrol Officer assigned to the beach district during peak season. This officer mainly covers a district that consists from Dogwood Drive to the Ocean and from Melody Lane to 17<sup>th</sup> Ave North.
  - c. SBPD Operations Lieutenant serves as the Beach Supervisor during peak season. He is responsible for oversight of Beach Service and Beach Patrol Operations.
  - d. It is often necessary for the Beach Supervisor to respond to the beach for incidents that may need an on-scene supervisor for assistance or management. This may include the towing of emergency equipment in the event that SBPD Beach Patrol Officers enter the water for an ocean rescue.
  - e. SBPD currently has a fleet of three Sport Utility Vehicles. Only one of these three are 4 wheel drive and capable of entering and operating on the beach for emergency situations. This vehicle is a Chevy Trailblazer that was obtained through grant funding for a Victim's Advocate.
5. **RECOMMENDATION:** Approval to purchase a used 4 wheel drive SUV from existing Accommodation Tax funds.
6. **RATIONALE FOR RECOMMENDATION:** The purchase of this unit will equip the full-time SBPD Operations Lieutenant and Beach Supervisor with a 4 wheel drive SUV capable of entering and operating on the beach in emergency situations.

# Decision Paper

**Written By:** Rodney L. Keziah, Chief of Police

**SUBJECT:** Ruggedized portable two-way police radio (\$3100.00)

1. **FOR:** Authorization to purchase a ruggedized two-way radio from existing Accommodation Tax funding.
2. **PURPOSE:** To be utilized by full-time SBPD Beach Patrol and Beach Service Safety Officers.
3. **ASSUMPTIONS:**
  - a. It is assumed that the safety of residents and visitors of Surfside Beach are an upmost priority and concern. This equipment is an integral part of maintaining beach safety and security.
4. **FACTS:**
  - a. Surfside Beach Police Department has deployed Beach Safety Officers on the beach during tourist season for the past 5 seasons. The Beach Safety Officers serve as ambassador's for the town by answering questions, providing assistance, and enforcing beach ordinances.
  - b. SBPD deploys a Beach Patrol Officer assigned to the beach district during peak season. This officer mainly covers a district that consists from Dogwood Drive to the Ocean and from Melody Lane to 17<sup>th</sup> Ave North.
  - c. SBPD currently has 4 ruggedized beach radios in inventory. One radio is broken and is not able to be repaired.
  - d. Ruggedized radios are waterproof and are required for officers on the beach due to the intense conditions.
5. **RECOMMENDATION:** Approval to purchase a ruggedized beach two-way radio from existing Accommodation Tax funds.
6. **RATIONALE FOR RECOMMENDATION:** The purchase of this unit will rebuild the inventory of workable ruggedized radios to allow all officers deployed on the beach to have emergency radio communications.

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

**AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH  
 TO AMEND THE FISCAL YEAR 2012-2013 MUNICIPAL  
 BUDGET FOR MID-YEAR APPROPRIATIONS**

**WHEREAS**, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled, desire to amend the Fiscal Year 2012-2013 Municipal Budget for expenditures, and other financing uses,

**NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS**, that the Fiscal Year 2011-2012 Municipal Budget is hereby amended as follows:

<u>GOVERNMENTAL FUNDS EXPENDITURES</u>	<u>FY 2012-2013 ADOPTED BUDGET</u>	<u>CHANGE</u>	<u>FY 2012-2013 AMENDED BUDGET</u>
GENERAL FUND	\$6,010,200	\$1,106,500	\$7,116,700
HOSPITALITY TAX FUND	\$ 803,074	\$ 180,250	\$ 983,324
ACCOMMODATIONS TAX FUND	\$ 472,409	\$ 45,800	\$ 518,209
PIER FUND	\$ 135,193	\$ 15,000	\$ 150,193

Repeal and Effective Date. All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval by the Town Council of the Town of Surfside Beach, South Carolina.

**BE IT ORDERED AND ORDAINED** by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this \_\_\_\_\_ day of May 2013.

\_\_\_\_\_  
 Douglas F. Samples, Mayor

\_\_\_\_\_  
 Vicki W. Blair, Town Council

\_\_\_\_\_  
 Robert F. Childs, III, Mayor Pro Tempore

\_\_\_\_\_  
 Ann Dodge, Town Council

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 Mark L Johnson, Town Council

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 Douglas F. Samples, Town Council

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

Attest:

\_\_\_\_\_  
 Debra E. Herrmann, CMC, Town Clerk

Town of Surfside Beach  
Mid-Year FY 2012-2013  
Proposed Budget Amendments

April 12, 2013

General Fund	FY 2012-2013 Budget	FY 2012-2013 Expected Expenditures	Additional Budget Approval Needed	Explanation
<u>Operating Expenditures</u>				
Administration Newsletter Postage	\$ 1,000	\$ 3,600	\$ 2,600	Newsletter postage and printing
Coyotes Police	-	3,600	3,600	Professional services to capture Coyotes
Uniforms Fire		5,500	5,500	Turn out Gear for Fire
Workers Compensation Fire, Police and Street		25,100	25,100	Claims paid for injured employees
Workers Compensation All Departments		12,000	12,000	Increase in premiums \$ 12,000
Health Insurance Facilities	800	7,500	6,700	Insurance not budgeted
<b>Total Operating Expenditures</b>	<b>\$ 1,800</b>	<b>\$ 57,300</b>	<b>\$ 55,500</b>	
<u>Capital, Project Expenditures &amp; Transfers</u>				
Paving	-	113,000	113,000	Paving - \$113,000
Paving		101,000	101,000	Paving - \$101,000
SC DOT Advance	-	780,000	780,000	Hwy 17 repair \$ 780,000
Council Chambers Mold	-	57,000	57,000	Refurbish Council Chambers Mold, HVAC,
<b>Total Capital, Projects, &amp; Transfers</b>	<b>\$ -</b>	<b>\$ 1,051,000</b>	<b>\$ 1,051,000</b>	
<b>Total Amendments General Fund</b>	<b>\$ 1,800</b>	<b>\$ 1,108,300</b>	<b>\$ 1,106,500</b>	
Budgeted Expenditures in 2012-2013 Budget			\$ 6,010,200	
Amended Budget General Fund			\$ 7,116,700	

Hospitality Tax	FY 2012-2013 Budget	FY 2012-2013 Expected Expenditures	Variance	Explanation
<u>Operating Expenditures</u>				
Police Radios	\$ 2,000	\$ 7,250	\$ 5,250	Three Radios For Police
Meters	25,000	190,000	165,000	Additional Meters/Pay stations
Landscaping	15,500	25,500	10,000	Additional signs and landscaping for Parking
	-	-	-	
<b>Total Operating Expenditures</b>	<b>\$ 42,500</b>	<b>\$ 222,750</b>	<b>\$ 180,250</b>	
<b>Total Amendments Hospitality Fund</b>	<b>\$ 42,500</b>	<b>\$ 222,750</b>	<b>\$ 180,250</b>	
Budgeted Expenditures in 2012-2013 Budget			\$ 803,074	
Amended Budget Hospitality Fund			\$ 983,324	

Town of Surfside Beach  
Mid-Year FY 2012-2013  
Proposed Budget Amendments

Accommodations Tax	FY 2012-2013 Budget	FY 2012-2013 Expected Expenditures	Variance	Explanation
<u>Operating Expenditures</u>				
Public Works Materials and Supplies	\$ -	\$ 2,700	\$ 2,700	Shower tower for Street end
Public Safety Equipment	-	40,000	40,000	2 Gators for Beach Patrol \$20,000, 1 SUV for Beach Patrol
Public Safety Equipment		3,100	3,100	Beach Radio
			-	
Total Operating Expenditures	\$ -	\$ 45,800	\$ 45,800	Partial use of 2011-2012 A-Tax Carryover \$61,000
Total Amendments Accommodations Tax Fund	\$ -	\$ 45,800	\$ 45,800	
Budgeted Expenditures in 2012-2013 Budget			\$ 472,409	
Amended Budget Accommodations Fund			\$ 518,209	

Pier Fund	FY 2012-2013 Budget	FY 2012-2013 Expected Expenses	Variance	Explanation
<u>Operating Expenses</u>				
Depreciation	\$ 66,125	\$ 81,125	\$ 15,000	Capitalized Assets: Pilings/Wrap, Deck Expansion, \$ 220,000,
			-	Pay stations \$ 30,000
Total Operating Expenditures	\$ 66,125	\$ 81,125	\$ 15,000	Depreciation increase \$15,000
Total Amendments Pier Fund	\$ 66,125	\$ 81,125	\$ 15,000	
Budgeted Expenditures in 2012-2013 Budget			\$ 135,193	
Amended Budget Pier Fund			\$ 150,193	



registration is registered in the corporate limits of the town. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.

(ii) **NON-RESIDENT RESIDENTIAL PROPERTY OWNER VEHICLES INCLUDING GOLF CARTS.** All non-resident residential property owners within the corporate limits of the town shall be entitled to one (1) free decal for one (1) vehicle per property, to be issued by the town, only upon verification of proof of property ownership. A name on the vehicle registration must be the same as a name on the property tax record to show proof of property ownership. Additional decals may be purchased for the sum of forty dollars (\$40.00) for each additional vehicle upon verification of proof of property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.

(iii) **LIMITED ISSUED SPECIAL PARKING.** With the approval of town council, the town administrator may issue special parking decals. These special decals are limited to parking in the Yaupon Dr. Parking lot when space is available. These decals will be a different color than the full time resident and non-residential property owner parking decals. An example: special parking decals are issued to purchasers of annual fishing passes.

(iv) **BEACH ACCESS PARKING.** All golf carts, registered, unregistered, and commercial, may park free of charge at beach accesses when space is available , *except when prohibited by a sign.*

All other portions of Section 9-16 are unchanged and shall remain in full force and effect.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the

other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**EFFECT OF SECTION HEADINGS.** The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

**REPEAL AND EFFECTIVE DATE.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

**BE IT ORDERED AND ORDAINED** by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this 17th day of April 2013.

\_\_\_\_\_  
Douglas F. Samples, Mayor

\_\_\_\_\_  
Mary Beth Mabry, Mayor Pro Tempore

\_\_\_\_\_  
Ann Dodge, Town Council

\_\_\_\_\_  
Mark L. Johnson, Town Council

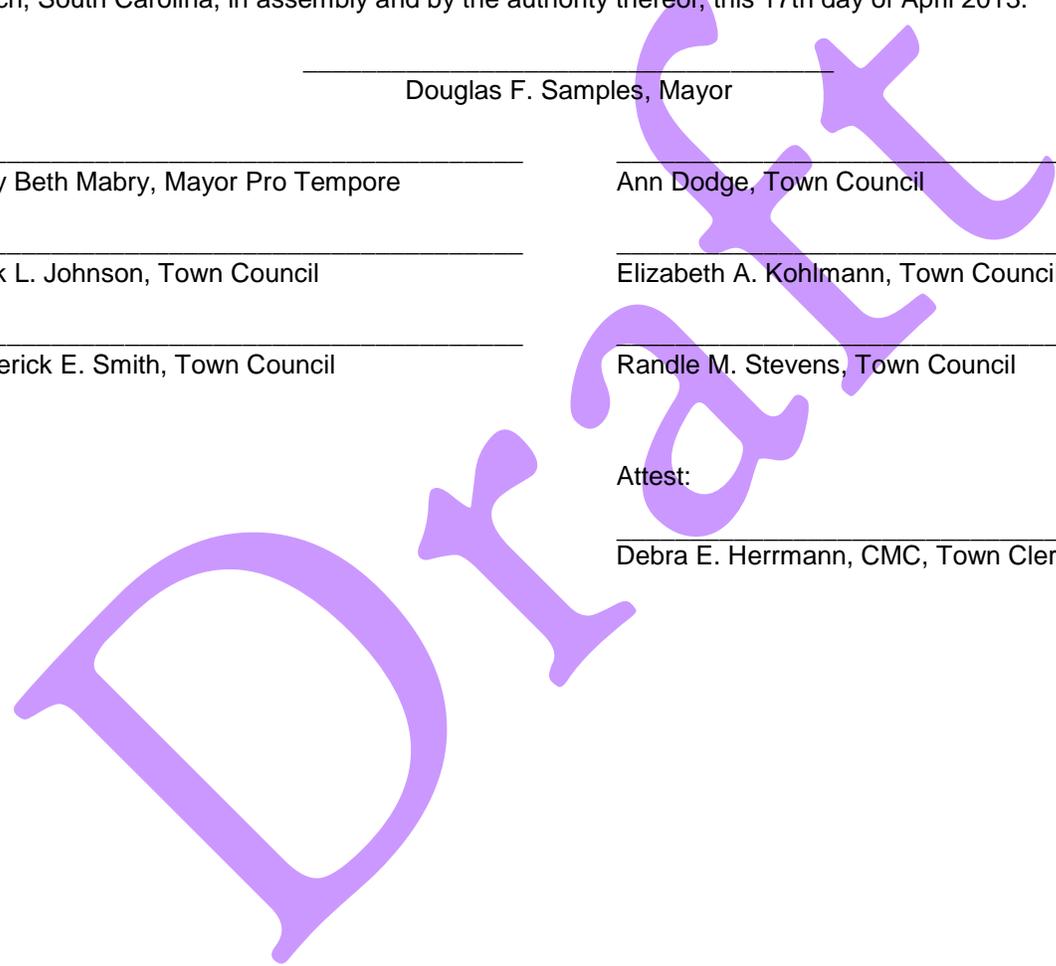
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Elizabeth A. Kohlmann, Town Council

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

\_\_\_\_\_  
Randle M. Stevens, Town Council

Attest:

\_\_\_\_\_  
Debra E. Herrmann, CMC, Town Clerk





ARTICLE I. - IN GENERAL

**ARTICLE I. - IN GENERAL**

Sec. 9-1. - Definitions.

Sec. 9-2. - Jurisdiction of municipal court.

Sec. 9-3. - Reckless operation of bicycles.

Sec. 9-4. - Standing, parking beside roadway for certain purposes.

Sec. 9-5. - Blocking streets and alleys.

Sec. 9-6. - Using vehicle for advertising.

Sec. 9-7. - No parking places.

Sec. 9-8. - Definitions.

Sec. 9-9. - Charges.

Sec. 9-10. - Method of using; failure to deposit coins or pay at pay station.

Sec. 9-11. - Parking within marked spaces.

Sec. 9-12. - Overtime parking.

Sec. 9-13. - Use of slugs, etc., prohibited.

Sec. 9-14. - Injuring or tampering with meters.

Sec. 9-15. - Interpretation of chapter.

Sec. 9-16. - Decals and exemptions.

Sec. 9-17. - Penalties.

Secs. 9-18—9-22. - Reserved.

Sec. 9-1. - Definitions.

For the purposes of this chapter the definitions of the S.C. Code 1976, § 56-5-110 et seq., are hereby adopted and made a part of this Code.

(Code 1969, § 12-1; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Definitions and rules of construction generally, § 1-2.

**Sec. 9-2. - Jurisdiction of municipal court.**

The municipal court may try and determine criminal cases involving violations of the provisions of this chapter or provisions of the Code of Laws of South Carolina 1976, relating to motor vehicles and traffic occurring within the limits of the town when the penalty prescribed by state law for such violations does not exceed thirty (30) days' imprisonment and/or a fine of five hundred dollars (\$500.00) plus fees and assessments. The municipal court may have trial jurisdiction over such criminal cases the same as magistrates. The municipal court may also have jurisdiction as prescribed by the South Carolina Supreme Court, consistent with state law.

(Code 1969, § 12-2; Ord. No. 93-0338, 10-19-93; Ord. No. 97-0400, 9-9-97; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Municipal court generally, Ch. 10.

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ARTICLE I. - IN GENERAL

**State law reference**— Jurisdiction of municipal courts, S.C. Code 1976, § 56-5-6150.

**Sec. 9-3. - Reckless operation of bicycles.**

It shall be unlawful for any person to operate any bicycle in the town in a reckless or dangerous manner.

(Code 1969, § 12-24; Ord. No. 09-0675, 7-14-09)

**Sec. 9-4. - Standing, parking beside roadway for certain purposes.**

No person shall stand or park a vehicle alongside any roadway for the principal purposes of displaying it for sale or washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

(Code 1969, § 12-41; Ord. No. 09-0675, 7-14-09)

**Sec. 9-5. - Blocking streets and alleys.**

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Streets and sidewalks generally, Ch. 12.

**Sec. 9-6. - Using vehicle for advertising.**

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

**Sec. 9-7. - No parking places.**

It shall be unlawful at any time for a person to permit any vehicle, golf cart, or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.

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ARTICLE I. - IN GENERAL

- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) Within ten (10) feet of any beach access, driveway and entrance or exit to any parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town.

(Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 12-0732, 12-10-12)

**Sec. 9-8. - Definitions.**

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

*Boot* means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

*Dates and times of enforcement for meters and pay station areas only* means March 1st through October 31st annually, from the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday.

*Metered area* means a designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.

*Parking meter* means a mechanical or electronic device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin or electronic payment therein.

*Pay station and parking pay station* means any mechanical or electronic device, except a parking meter, that requires a monetary or electronic payment in exchange for authorized parking in designated, public parking areas.

*Pay station area* means a designated area where parking is allowed upon payment of U.S. currency or electronic payment resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical or electronic pay station device.

*Vehicles* also include golf carts.

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ARTICLE I. - IN GENERAL

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

**Sec. 9-9. - Charges.**

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, plus various transaction fees and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-10. - Method of using; failure to deposit U.S. currency, electronic payment or pay at pay station.**

- (a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed, shall immediately deposit a coin of the appropriate United States currency or make an electronic payment in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of the appropriate United States currency or an electronic payment in a meter will permit the parking of that vehicle for a period of time indicated by the meter.
- (b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card electronic payment into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.
- (c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin the appropriate United States currency or making an electronic payment or providing a payment voucher from a town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

**Sec. 9-11. - Parking within marked spaces.**

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

ARTICLE I. - IN GENERAL

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-12. - Overtime parking.**

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-13. - Use of slugs, etc., prohibited.**

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin or currency of the United States or any fraudulent electronic payment.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-14. - Injuring or tampering with meters or pay stations.**

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-15. - Interpretation of chapter.**

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-16. - Decals and exemptions. PARAGRAPH A WAS ADDRESSED IN ORDINANCE # 13-0727.**

(a) *Parking decals.* In this paragraph (a), the word vehicle includes golf carts.

1. *Full time resident vehicles including golf carts.* All persons residing within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification that current vehicle registration is registered in the corporate limits of the town. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be

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valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.

2. *Non-resident residential property owner vehicles including golf carts.* All non-resident residential property owners within the corporate limits of the town shall be entitled to one (1) free decal for one (1) vehicle per property, to be issued by the town, only upon verification of proof of property ownership. A name on the vehicle registration must be the same as a name on the property tax record to show proof of property ownership. Additional decals may be purchased for the sum of forty dollars (\$40.00) for each additional vehicle upon verification of proof of property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.
  3. *Limited issued special parking.* With the approval of town council, the town administrator may issue special parking decals. These special decals are limited to parking in the Yaupon Dr. Parking lot when space is available. These decals will be a different color than the full time resident and non-residential property owner parking decals. An example: special parking decals are issued to purchasers of annual fishing passes.
  4. *Beach access parking.* All golf carts, registered, unregistered, and commercial, may park free of charge at beach accesses when space is available, except when prohibited by a sign.
- (b) *Golf cart registration required.* Registration decals shall be issued for golf carts. This decal is for identification and informational purposes only. This is not a parking decal. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow or purchase golf carts for the purpose of renting to the public, shall register their golf carts with the town police department. Proof of ownership and liability insurance is required. Golf cart decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf

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cart while being operated. The issued decal will show: (1) registration number, (2) years for which decal is valid, and (3) all applicable golf cart rules.

1. *Full time residents and non-resident residential property owners* shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on a white background. The South Carolina State golf cart registration must have an address within the corporate limits of the town.
  2. *Commercially owned* golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "PAID PARKING ONLY", meaning that operators of commercial golf carts must pay applicable fees while parking at meters and in pay station areas.
- (c) *Disabled veterans and Purple Heart recipients are exempt from parking fees.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the department of motor vehicles or appropriate authority.
- (d) *Handicapped persons are exempt from parking fees.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger, either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.
- (e) *Employees.* Every town employee shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10; Ord. No. 12-0717, 7-06-25-12; Ord. No. 12-0727, 12-10-12)

**State law reference**— Similar provisions, S.C. Code 1976, § 56-5-2585.

**Sec. 9-17. - Penalties.**

- (a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent,

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makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the thirtieth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

- (b) Violations shall be issued on a uniform traffic ticket or on a uniform ordinance summons used by the town's parking contractor, Lanier Parking Solutions for parking violations occurring east of Dogwood Drive.
- (c) Violators shall only be cited by police officers or authorized code enforcement officials.
- (d) Violators shall appear and be subject to the jurisdiction of the town's municipal court or the adjudication process set forth by the town's parking contractor, Lanier Parking Solutions in accordance with the contract between the town and Lanier Parking Solutions for parking violations occurring east of Dogwood Drive.
- (e) When citations involve technical issues (e.g., broken meter, etc.), violators shall have the right to appeal to the parking management firm. All violators not prevailing at this level shall also have a right to request a ~~jury trial~~ hearing before an independent hearing officer provided that the request to schedule a hearing is received within 15 days of notification of the denial of the manager's technical appeal and sufficient bond is posted. Bond shall be equal to the amount of the parking citation, including any penalties accrued. The hearing shall be scheduled within 15 days of the request, unless a request for an extended scheduling is made; at no time shall the hearing be scheduled more than 60 days after the request for an appeal. If the violator is not able to attend the hearing in person, the hearing can be held by telephone. Such requests must be included on the original hearing request form. ~~upon proper request.~~ Violators shall be notified of the hearing officer's decision within 7 business days after the hearing concludes. If the hearing officer dismisses the fine, a refund of the bond shall be included in the notification.
- (f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.
- (g) Violators shall not be subject to incarceration.
- (h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety police department.
- (i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.
- (j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

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(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10) Secs. 9-18—9-22. - Reserved.



ISSUE PAPER FOR PLANNING COMMISSION CONSIDERATION

**Meeting Date:** April 2, 2013

**Prepared by:** Sabrina Morris

**Agenda Item:** Public Hearing and Business Item

**Date Prepared:** March 26, 2013

**Subject:** Proposed Ordinance to amend Chapter 17, Article IV, §17-395 and §17-420 regarding parking requirements in the C3 (Amusement Commercial District).

**BACKGROUND:**

The current requirements in the C3 district in regards to restaurants, retail shops stifle any future expansions or rebuilding efforts, which in turn would prevent growth and economic development within the district. By eliminating the required number of on-site parking for certain commercial establishments within the C3 district and allowing those uses to utilize the public parking areas with overflow would promote good development. These features would encourage visitors to stop and shop while enjoying the pier and beach area as well.

Parking requirements for restaurants and retail make for a sea of pavement and prevents any and all expansions and or redevelopment efforts. This in not only unattractive; it doesn't promote clear water (stormwater run-off). Attractive landscaping would promote clean water and welcome visitors as well as locals to the beach. It would develop the area as a destination place.

Generally, people will visit restaurants in the evening hours, while retail shops have daytime hours. Shared parking in a public parking area would be feasible in allowing both within the district.

After additional research and meeting with the Parking Committee, staff has developed an option that we hope will be suitable for the commission and council. The Parking Committee has reviewed the proposal and has voted unanimously to recommend it to the Planning Commission and Town Council.

The proposal would allow for the redevelopment of properties with the condition that the existing number of parking spaces is retained and additional on-site parking (where available) be added. All properties in the C3 district is located within a flood zone, which requires elevation of structures. On-site parking would be required beneath the structure where habitable rooms are not allowed by FEMA or the Towns Flood Ordinance.

**ATTACHMENTS:**

Existing text and requirements for the C3 District  
Proposed changes to the C3 District

## Existing Use Chart with Parking Requirements

Table 17-395 USE CHART										
USE CLASSIFICATIONS	Districts								SPECIAL STANDARDS	PARKING CODE
	R-1	R-2	R-3	C-1	C-2	C-3	MU	MP		
<b>Residential Uses</b>										
Single-family, detached	P	P	P	C		C	P		<a href="#">§17-396.32</a>	E
Single-family, semi-attached		C	C	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-396.37</a>	E
Single-family, attached			C	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-396.36</a>	E
Two-Family (duplex), accessory dwellings, efficiency units		P	P	C		C	P		<a href="#">§17-396.32</a>	D, E
Multifamily			P	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-367(2)</a>	E
Dwelling Group			C	S		S			<a href="#">§17-396.20</a> <a href="#">§17-201(c)</a>	D, E
Manufactured Home								C	<a href="#">§17-391</a>	P
Manufactured Home Park								P		P
Mobile Homes									PROHIBITED	N/A
<b>Residential Related Uses</b>										
Agriculture and Horticulture (noncommercial), excluding the keeping of poultry and livestock	P	P	P	P		P	P			N/A
Home Occupations	P	P	P	P		P	P	P		
<b>Accommodation Uses</b>										
Hotels, motels, tourist courts			C	P		P			<a href="#">§17-396.23</a>	H
Resort accommodations, 25 or more units			C	C		C			<a href="#">§17-396.33</a>	H
Transient short term rental units and boarding houses			P	P		P				D, E
<b>Civic, Governmental, and Institutional Uses</b>										
Assembly halls, gymnasiums, and similar uses				P						B
Churches and other religious uses	S	C	C	P	P		P		<a href="#">§17-396.12</a>	B
Hospitals	S	S	S	P					<a href="#">§17-396.22</a>	G
Libraries	S	C	C	P	P		P		<a href="#">§17-396.24</a>	B
Lodges, fraternal organizations				P	P					C

Museums and similar cultural activities	S	C	C	P	P		P		<a href="#">§17-396.24</a>	B
Parks, neighborhood and community (public)	S	P	P	P	P		P			B
Public Buildings and uses	S	S	C	P	P		P		<a href="#">§17-396.26</a>	B
Public buildings and uses including courts of law, correctional institutions or jails, parole or probation offices, rehabilitation centers				S					<a href="#">§17-396.1</a>	R
Public, private, trade, and vocational schools	S	C		P	C				<a href="#">§17-396.30</a>	O
Entertainment, Recreation, and Dining Uses										
Amusement Parks									PD ONLY	L
Arcades							P			L
Billiard parlors					P		P			R
Bowling alleys, skating rinks, water slides, and similar forms of indoor recreation				C			P		<a href="#">§17-396.1</a>	L
Golf driving range, par-3, tennis courts and similar outdoor recreation				P						L
Health clubs, gyms, fitness centers, dance studios				P	P					L
Restaurants with drive-in or drive-up facilities				P						M
Restaurants and other dining establishments without lounges (indoor only)				P	P		P	C	<a href="#">§17-367</a>	M
Restaurants and other dining establishments with open or outdoor dining				C	C		C	S	<a href="#">§17-396.34</a> <a href="#">§17-367</a> <a href="#">§17-396.1</a>	M
Restaurants, taverns, bars, nightclubs or other places where alcohol is consumed (Indoor only, excluding restaurants. See note*)				C	P		P		<a href="#">§17-396.1</a> <a href="#">§17-396.35</a>	M
Shooting galleries							P			L
Theaters				C	C		C		<a href="#">§17-396.39</a>	B
Theaters, drive-in				C					<a href="#">§17-396.1</a> <a href="#">§17-396.39</a>	R

Note\*: Restaurants where alcohol is consumed may include outdoor dining facilities, permitted as conditional uses, only in the C-1, C-2, and C-3 districts subject to the requirements of this and the preceding use classification to include [§17-396.34](#)

Commercial, Office, and Professional Uses										
Animal hospitals, veterinarian clinics, pet boarding facilities, retail pet shops					C				<a href="#">§17-396.1</a> <a href="#">§17-396.2</a>	J or L (pet shops and boarding)
Auto/truck sales, service, repair and/or washing					C				<a href="#">§17-396.1</a>	A
Auto Service Station					C				<a href="#">§17-396.1</a> <a href="#">§17-396.3</a>	F
Banks, loan agencies, and other financial institutions					P	P				K
Barber or Beauty Shops	S	S	C	P	P	C	C		<a href="#">§17-396.4</a> <a href="#">§17-367</a>	K
Boat sales and service					C				<a href="#">§17-396.1</a>	N
Body Piercing					C				<a href="#">§17-396.1</a> <a href="#">§17-396.11</a>	
Building supplies and equipment sales					P					Q
Cold storage, freezer locker					P					R
Communication towers					C				<a href="#">§17-396.1</a> <a href="#">§17-396.13</a>	R
Day care centers					C		C	C	<a href="#">§17-396.1</a> <a href="#">§17-396.19</a> <a href="#">§17-367</a>	See §17-238.19
Dressmaker, seamstress, tailor					P			C	<a href="#">§17-367</a>	K
Electrical appliances and equipment, sales and repair					P	P	P			N
Fabricating shops, e.g. cabinet or upholstery					C				<a href="#">§17-396.1</a>	I
Fuel or chemical storage, excluding incidental or accessory storage					S				<a href="#">§17-396.21</a>	R
Funeral Homes and mortuaries					P					B
Laundry and dry cleaning pick up stations					P	P				L
Laundromats					P	P				L
Lawn and garden equipment sales and service					C				<a href="#">§17-396.1</a>	N
Liquor sales					P	P	P			I
Lumber yards and sales					C				<a href="#">§17-396.1</a> <a href="#">§17-396.25</a>	Q
Medical and dental offices (clinics)					P	P	P	C	<a href="#">§17-367</a>	J

Offices; business, professional, and governmental			P	P	P	C		<a href="#">§17-367</a>	K
Parking lots			P	P	P				
Piers					P				L
Plumbing shops			P						Q
Produce markets and stands			P			S			L
Radio/Television station			C	C				<a href="#">§17-396.1</a> <a href="#">§17-396.31</a>	K
Repair shops, excluding auto			P	P					A
Retail Businesses (low traffic) including specialty establishments selling primarily one (1) product line, including stores selling appliances, radios, televisions, floor coverings, furniture, home furnishings, antiques, automobiles and accessories, motorcycles, auction houses, business machines, computers, pawn shops, office equipment, restaurant equipment, secondhand items, bicycles, guns, light fixtures, tackle shops, and other similar uses.			P	P	P				N
Retail Businesses (high traffic) and establishments selling commodities in small quantities to the consumer, usually low bulk comparison items, including department stores, supermarkets, discount stores and stores selling general merchandise, variety merchandise, foods including bakeries where products are consumed onsite, shoes, millery, clothing, jewelry, books, flowers, gifts, music, cameras, stationary, watches, art supplies, hobby supplies, stamps and coins, furs, leather goods, records, savings stores, and similar uses.			P	P	P	C		<a href="#">§17-367</a>	L
Sexually oriented businesses			C					Article IV, Division 3	<a href="#">§17-435(a)</a>
Sheet metal/machine shop			C					<a href="#">§17-396.1</a>	I
Shopping center			C	P	P			<a href="#">§17-396.1</a>	L
Taxi stands				P					R

Truck or bus terminal				C					<a href="#">§17-396.1</a> <a href="#">§17-396.40</a>	R
Water tower/public utilities	C	C	C	C	C	C	C	C	<a href="#">§17-396.41</a>	N/A
Warehouse/storage facility				C					<a href="#">§17-396.42</a>	R
<p>Table Notes: The "Special Standards" column of this table is a cross-reference to use specific standards that apply to conditional and special exception uses. The "Parking Code" column establishes the parking requirement (key) for specific uses and is to be used with Table 17-420 in Article IV of this chapter.</p>										

### **Parking Codes:**

- L** = One (1) space for each two hundred (200) square feet of floor area devoted to patron use.
- R** = One (1) space for each employee, plus one (1) space for each two hundred fifty (250) square feet of floor space.
- M** = One (1) space for each two (2) employees, plus one and one-half (1½) spaces for each one hundred (100) square feet of floor area devoted to patron use.
- K** = One (1) space for each four hundred (400) square feet of floor space.
- N** = One (1) space for each five hundred (500) square feet of floor area.
- I** = One (1) space for each three (3) employees computed on the largest number of employees at any period of time.

## Proposed Use Chart with Parking Requirements

<b>Table 17-395 USE CHART</b>										
USE CLASSIFICATIONS	Districts								SPECIAL STANDARDS	PARKING CODE
	R-1	R-2	R-3	C-1	C-2	C-3	MU	MP		
<b>Residential Uses</b>										
Single-family, detached	P	P	P	C		C	P		<a href="#">§17-396.32</a>	E
Single-family, semi-attached		C	C	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-396.37</a>	E
Single-family, attached			C	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-396.36</a>	E
Two-Family (duplex), accessory dwellings, efficiency units		P	P	C		C	P		<a href="#">§17-396.32</a>	D, E
Multifamily			P	C		C	C		<a href="#">§17-396.32</a> <a href="#">§17-367(2)</a>	E
Dwelling Group			C	S		S			<a href="#">§17-396.20</a> <a href="#">§17-201(c)</a>	D, E
Manufactured Home							C		<a href="#">§17-391</a>	P
Manufactured Home Park							P			P
Mobile Homes									PROHIBITED	N/A
<b>Residential Related Uses</b>										
Agriculture and Horticulture (noncommercial), excluding the keeping of poultry and livestock	P	P	P	P		P	P			N/A
Home Occupations	P	P	P	P		P	P	P		
<b>Accommodation Uses</b>										
Hotels, motels, tourist courts			C	P		P			<a href="#">§17-396.23</a>	H
Resort accommodations, 25 or more units			C	C		C			<a href="#">§17-396.33</a>	H
Transient short term rental units and boarding houses			P	P		P				D, E
<b>Civic, Governmental, and Institutional Uses</b>										
Assembly halls, gymnasiums, and similar uses				P						B
Churches and other religious uses	S	C	C	P	P		P		<a href="#">§17-396.12</a>	B
Hospitals	S	S	S	P					<a href="#">§17-396.22</a>	G
Libraries	S	C	C	P	P		P		<a href="#">§17-396.24</a>	B
Lodges, fraternal organizations				P	P					C

Museums and similar cultural activities	S	C	C	P	P		P		<a href="#">§17-396.24</a>	B
Parks, neighborhood and community (public)	S	P	P	P	P		P			B
Public Buildings and uses	S	S	C	P	P		P		<a href="#">§17-396.26</a>	B
Public buildings and uses including courts of law, correctional institutions or jails, parole or probation offices, rehabilitation centers				S					<a href="#">§17-396.1</a>	R
Public, private, trade, and vocational schools	S	C		P	C				<a href="#">§17-396.30</a>	O
<b>Entertainment, Recreation, and Dining Uses</b>										
Amusement Parks									PD ONLY	L
Arcades							P			S
Billiard parlors					P		P			S
Bowling alleys, skating rinks, water slides, and similar forms of indoor recreation				C			P		<a href="#">§17-396.1</a>	L
Golf driving range, par-3, tennis courts and similar outdoor recreation				P						L
Health clubs, gyms, fitness centers, dance studios				P	P					L
Restaurants with drive-in or drive-up facilities				P						M
Restaurants and other dining establishments without lounges (indoor only)				P	P		P	C	<a href="#">§17-367</a>	S
Restaurants and other dining establishments with open or outdoor dining				C	C		C	S	<a href="#">§17-396.34</a> <a href="#">§17-367</a> <a href="#">§17-396.1</a>	S
Restaurants, taverns, bars, nightclubs or other places where alcohol is consumed (Indoor only, excluding restaurants. See note*)				C	P				<a href="#">§17-396.1</a> <a href="#">§17-396.35</a>	S
Shooting galleries							P			I
Theaters				C	C		C		<a href="#">§17-396.39</a>	B
Theaters, drive-in				C					<a href="#">§17-396.1</a> <a href="#">§17-396.39</a>	R

Note\*: Restaurants where alcohol is consumed may include outdoor dining facilities, permitted as conditional uses, only in the C-1, C-2, and C-3 districts subject to the requirements of this and the preceding use classification to include [§17-396.34](#)

Commercial, Office, and Professional Uses									
Animal hospitals, veterinarian clinics, pet boarding facilities, retail pet shops				C				<a href="#">§17-396.1</a> <a href="#">§17-396.2</a>	J or L (pet shops and boarding)
Auto/truck sales, service, repair and/or washing				C				<a href="#">§17-396.1</a>	A
Auto Service Station				C				<a href="#">§17-396.1</a> <a href="#">§17-396.3</a>	F
Banks, loan agencies, and other financial institutions				P	P				K
Barber or Beauty Shops	S	S	C	P	P	P	C	<a href="#">§17-396.4</a> <a href="#">§17-367</a>	S
Boat sales and service				C				<a href="#">§17-396.1</a>	N
Body Piercing				C				<a href="#">§17-396.1</a> <a href="#">§17-396.11</a>	
Building supplies and equipment sales				P					Q
Cold storage, freezer locker				P					R
Communication towers				C				<a href="#">§17-396.1</a> <a href="#">§17-396.13</a>	R
Day care centers				C		C	C	<a href="#">§17-396.1</a> <a href="#">§17-396.19</a> <a href="#">§17-367</a>	See §17-238.19
Dressmaker, seamstress, tailor				P			C	<a href="#">§17-367</a>	K
Electrical appliances and equipment, sales and repair				P	P	P			S
Fabricating shops, e.g. cabinet or upholstery				C				<a href="#">§17-396.1</a>	I
Fuel or chemical storage, excluding incidental or accessory storage				S				<a href="#">§17-396.21</a>	R
Funeral Homes and mortuaries				P					B
Laundry and dry cleaning pick up stations				P	P				L
Laundromats				P	P				L
Lawn and garden equipment sales and service				C				<a href="#">§17-396.1</a>	N
Liquor sales				P	P	P			S
Lumber yards and sales				C				<a href="#">§17-396.1</a> <a href="#">§17-396.25</a>	Q
Medical and dental offices (clinics)				P	P	P	C	<a href="#">§17-367</a>	J

Offices; business, professional, and governmental			P	P	P	C		<a href="#">§17-367</a>	K
Parking lots			P	P	P				
Piers					P				L
Plumbing shops			P						Q
Produce markets and stands			P			S			L
Radio/Television station			C	C				<a href="#">§17-396.1</a> <a href="#">§17-396.31</a>	K
Repair shops, excluding auto			P	P					A
Retail Businesses (low traffic) including specialty establishments selling primarily one (1) product line, including stores selling appliances, radios, televisions, floor coverings, furniture, home furnishings, antiques, automobiles and accessories, motorcycles, auction houses, business machines, computers, pawn shops, office equipment, restaurant equipment, secondhand items, bicycles, guns, light fixtures, tackle shops, and other similar uses.			P	P	P				S
Retail Businesses (high traffic) and establishments selling commodities in small quantities to the consumer, usually low bulk comparison items, including department stores, supermarkets, discount stores and stores selling general merchandise, variety merchandise, foods including bakeries where products are consumed onsite, shoes, millery, clothing, jewelry, books, flowers, gifts, music, cameras, stationary, watches, art supplies, hobby supplies, stamps and coins, furs, leather goods, records, savings stores, and similar uses.			P	P	P	C		<a href="#">§17-367</a>	S
Sexually oriented businesses			C					Article IV, Division 3	<a href="#">§17-435(a)</a>
Sheet metal/machine shop			C					<a href="#">§17-396.1</a>	I
Shopping center			C	P	P			<a href="#">§17-396.1</a>	S
Taxi stands				P					R

Truck or bus terminal				C					<a href="#">§17-396.1</a> <a href="#">§17-396.40</a>	R
Water tower/public utilities	C	C	C	C	C	C	C	C	<a href="#">§17-396.41</a>	N/A
Warehouse/storage facility				C					<a href="#">§17-396.42</a>	R
Table Notes: The "Special Standards" column of this table is a cross-reference to use specific standards that apply to conditional and special exception uses. The "Parking Code" column establishes the parking requirement (key) for specific uses and is to be used with Table 17-420 in Article IV of this chapter.										

### **Parking Codes:**

- L** = One (1) space for each two hundred (200) square feet of floor area devoted to patron use.
- R** = One (1) space for each employee, plus one (1) space for each two hundred fifty (250) square feet of floor space.
- M** = One (1) space for each two (2) employees, plus one and one-half (1½) spaces for each one hundred (100) square feet of floor area devoted to patron use.
- K** = One (1) space for each four hundred (400) square feet of floor space.
- N** = One (1) space for each five hundred (500) square feet of floor area.
- I** = One (1) space for each three (3) employees computed on the largest number of employees at any period of time.
- S** = Number of spaces shall be equal to or greater than the existing spaces provided for each business/property existing on each parcel. Any lot(s) containing parking areas for existing businesses relinquish the right to develop the area devoted to parking until such time as parking is provided elsewhere by the business/property owner meeting the requirements of this chapter.

Ms. Johnson, Commission member has requested storage building/accessory structures be added to the agendas a discussion item. Below please find the requirements of such buildings currently found in the Zoning Ordinance.

### Accessory Structure

Sec. 13-51. - General provisions applicable to building permits.

#### *Definitions.*

*New construction.* To construct a building on a vacant lot or to build connecting or additional rooms to existing structures that increase the total square footage, or to construct a detached garage or **accessory structure**. New construction permit fees are based on subsections [13-52\(a\)](#) and (b). **Accessory structures** less than one hundred twenty (120) square feet in area do not require a building permit; however these structures are required to obtain a zoning permit as provided in [section 13-61](#)

Sec. 17-007. - Definitions.

**Accessory structure** shall mean a subordinate structure, the use of which is incidental to and customary in connection with the principal building or use, and which is located on the same lot with such principal building or use.

Sec. 17-408. - Accessory buildings and uses in residential districts.

Customary residential accessory buildings and uses shall include but not be limited to the following:

- (1) Shed or tool room, including prefabricated structures. Shipping containers, tractor-trailer containers, and other structures that have an original intended purpose other than as a residential storage structure are not allowed as an accessory use.
- (2) Children's playhouse and play equipment.
- (3) Private kennel for not more than three (3) dogs, four (4) months of age or older.
- (4) Private bathhouse, cabana, or tennis courts for tenants of principal buildings.
- (5) Noncommercial greenhouse not over eight (8) feet in height.
- (6) Laundromats in multifamily development for the exclusive use of the tenants.
- (7) Accessory dwelling units or garage apartments in designated districts only.

Customary accessory buildings and uses in residential districts are permitted provided they are located in rear yards and not closer than five (5) feet to any property line, as measured from the closest point of the structure. Accessory buildings and uses shall also comply with the setback from the intersecting street and not cover more than twenty (20) percent of any required rear yard.

Accessory buildings in residential districts must be no greater than fifteen (15) feet in height when located less than ten (10) feet from the property line. Accessory buildings shall not exceed a maximum height of twenty-five (25) feet when located a minimum of ten (10) feet from the property line.

#### *Exceptions:*

- (1) Satellite dishes less than thirty-nine (39) inches in diameter may be located on the structure and shall be exempt from this section provided all required setbacks are met.
- (2) Swimming pools may be located in side yards and not closer than five (5) feet to any property line. Residential pools do not count toward lot coverage for zoning purposes.
- (3) Private garages are permitted provided they observe the minimum yard setbacks for the district (see [section 17-303](#)) and they are located no closer to the front yard setback line than the principal structure. The garage is not to exceed eight hundred fifty (850) square

feet or fifty (50) percent of the footprint of the principal residence. A garage area of four hundred (400) square feet is permitted regardless of the living area of the principal residence.

Table **17-303**  
District Dimensional Standards(1)(8)

STANDARDS	DISTRICTS						
	R-1	R-2	R-3	C-1	C-2	C-3	MU
Minimum Lot Area (in square feet)							
Single-family (detached)	9,000	6,000	3,600	3,600/ 10,000(4)	N/A	3,600	5,000
Single-family (semi-attached)	N/A	6,000	3,000	3,000/ 10,000(4)	N/A	3,000	4,000
Single-family (attached)	N/A	N/A	3,000	3,000/ 10,000(4)	N/A	3,000	3,000
Two-Family (Duplex) or Single-family (detached) with Accessory Unit	N/A	6,000	6,000	6,000/ 10,000(4)	N/A	6,000	6,000
Multifamily	N/A	N/A	See <a href="#">§17-332</a>	See §§17-332 & 17-396.32	N/A	See §§17-332 & 17-396.32	See <a href="#">§17-332</a>
Dwelling Group	N/A	N/A	7,200 per lot/ 3,600 per unit(2)	7,200 per lot/ 3,600 per unit(2)	N/A	7,200 per lot/ 3,600 per unit(2)	N/A
Nonresidential Lots or Uses	9,000	6,000	6,000	5,000/ 10,000(4)	0	5,000	6,000
Minimum Lot Width (in feet)	75	60	30	50/75(4)	0	60	50
Minimum Yard Setback (in feet)							
Front Yard	25	25	20	25/75(4)	0	20	25
Rear Yard	20	20	15	20	0	10	20
Side Yard	10	10	5/10(3)	0/20(4)	0	5/10(3)	5/10(7)
Maximum Building Height (in feet)	35	35	55	55	35	55	35
Maximum Impervious Coverage (in percent)	40	45	50	N/A	N/A	N/A	50
Maximum Building Coverage (in percent)	30	30	40	N/A	N/A	N/A	40
Maximum Floor Area Ratio	N/A	0.4(6)	N/A	N/A	N/A	N/A	N/A

Table Notes:

<p>(1) The dimensional standards illustrated in Table 17-303 are the minimum standards for the above districts. Where the text of this chapter provides more restrictive dimensional standards than those summarized above, the more restrictive standard shall apply.</p>
<p>(2) Dwelling groups in the R-3, C-1, and C-3 district are subject to the conditional use standards of <u>§17-396.20</u></p>
<p>(3) The side yard setback is five (5) feet for single-family detached buildings up to fifty-five feet (55) high and ten (10) feet for all other uses.</p>
<p>(4) The greater area and yard requirements apply to those lots fronting on the U.S. 17 Highway Corridor (including frontage roads). Access to the rear of buildings for fire and garbage trucks by a drive aisle or an unobstructed side yard setback of at least twenty (20) feet shall be provided in the C-1 highway commercial district except where the property is strictly developed for single-family and two-family buildings. The code enforcement official may reduce the side yard requirement to ten (10) feet when a combined unobstructed side yard of (20) feet is provided by two abutting property owners.</p>
<p>(5) Corner and double frontage lots are subject to the special setback standards of §§ <u>17-402</u> and <u>17-403</u>. Semi-attached single-family dwelling units are exempt from one (1) side yard setback. Attached single-family dwelling units are exempt from side yard setbacks subject to the provisions of <u>§ 17-396.36</u></p>
<p>(6) Maximum floor area ratio requirements apply only to two-family residential dwelling units (duplex) in the R-2 district.</p>
<p>(7) The side yard setback is five (5) feet for single-family detached buildings and ten (10) feet for all other uses.</p>
<p>(8) The PD and MH districts are subject to the dimensional standards required by Divisions 9 and 10 of this article, respectively.</p>

## Debra Herrmann

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**From:** Surfside Beach Info [mailinglist@surfsidebeach.org]  
**Sent:** Friday, April 12, 2013 6:35 PM  
**To:** dherrmann@surfsidebeach.org  
**Subject:** Public Notice - Special Town Council Meeting  
**Attachments:** 04172013\_tc\_agenda.pdf; 04172013\_tc\_agenda\_3a\_atax\_funding\_recommendations.pdf; 04172013\_tc\_agenda\_3b\_13\_0747\_fy2012\_2013\_budget\_amendments.pdf; 04172013\_tc\_agenda\_3c\_13\_0744\_amend\_decals.pdf; 04172013\_tc\_agenda\_3d\_chapter\_9\_motor\_vehicles.pdf; 04172013\_tc\_agenda\_3e\_13\_0746\_fireworks.pdf; 04172013\_tc\_agenda\_3f\_wkshp\_C\_3\_parking\_requirements.pdf

An agenda is attached for the April 17, 2013 Special Town Council Meeting and Workshop. The meeting begins at 6:30 p.m. and will be held in the Fire Station Conference Room. The agenda is published at <http://www.surfsidebeach.org/agenda-2013.html>. A printed copy is available in the town clerk's office for public inspection prior to the meeting.

The public is invited to attend all meetings. Time is allotted at the beginning of the special meeting for public comments on agenda items.

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

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repeatuntil	2013-04-12 17:31:51
status	sent
userselection	
sent	2013-04-12 18:52:24
htmlformatted	1
sendformat	HTML
template	0
processed	570
as text	526
as html	44
as pdf	0
as text and pdf	0
viewed	0
bounce count	0
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Town of Surfside Council, 4/10/13

To Whom It May Concern:

I would like to register a complaint about the parking meters that you have had installed along Ocean Blvd. I feel it is very unfair to us that live west of 17<sup>th</sup> by ~~business~~ and just like to walk on the beach during beautiful days as today is ~ it upsets me that I am a local taxpayer and yet have to pay to enjoy the beach!!

I live on Plantation Drive which I do realize might not be in your tax jurisdiction but I do pay Harry County taxes. I purchased my house where I did so I would have easy-quick access to the beach & the beautiful site. I also bought here because I have felt that your sign



"Welcome to Surfside Beach -  
a Family Beach"

is very true and have loved for  
the past seven years having  
the opportunity to have my  
family enjoy the beach but  
now I am forced to drive  
to places where I can  
go to a beach that ~~is~~ free - as  
it should be.

I also am upset that  
I understand you have sub contracted  
the service of the parking meters  
to a company in Atlanta. At least  
that is where a friend had to contact  
& pay for a ticket she received on  
the FIRST or SECOND Day of the  
meters being installed. Shame on you -  
At least have the \$'s collected stay  
100% in Surfside.

Are you or have you discussed  
arranging for parking permits

for residents of Surfside ??  
If not I strongly am  
suggesting that —

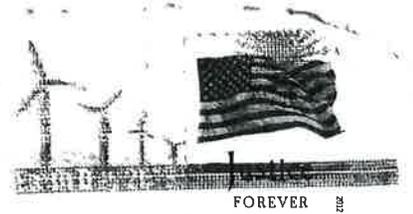
Thank you for reading this  
letter and passing the information  
on to whoever should see  
it.

Sincerely,  
Gae Riddleberger  
914 Plantation Dr.  
Surfside Beach, SC  
29575

914 Plantation Dr.  
Surtside Beach, SC  
29575

COLUMBIA SC 292

10 APR 2013 PM 3 L



Town of Surtside Beach Council  
115 Hwy 17 N  
Surtside Beach, SC  
29575



# Parking decals are sticky subject in Surfside

## Completion of town's pier delayed by five days

BY TOM O'DARE  
THE HERALD

Residents of Surfside Beach can get parking decals that will allow them to park free anywhere in the town.

When word spread that non-resident property owners may have the number of decals available to them limited, a parade of owners hit town hall getting as many as they could.

The town council Tuesday night gave first reading approval that would limit parking decals for non-residential properties to one decal per property with any additional decals costing \$40 each. Currently, property owners can get a decal for any vehicle that has the

same registration name as the property owner.

Town administrator Micki Fellner asked for a special meeting next Wednesday night to give final approval to the change in order to keep from issuing multiple decals under the current ordinance.

Residents can get a free decal for any vehicle registered in South Carolina and Surfside Beach. The term vehicle can also apply to golf carts.

For non-residents, the one decal can be used for either a motor vehicle or a golf cart.

Also Wednesday night, zoning administrator Sabrina Morris will give a slide presentation to the council explaining proposed changes to parking requirements for businesses in the C-3 zone, which is located near the town's pier.

Morris said businesses in that zone

have no room for growth, especially if they have to adhere to current parking requirements.

She added that, according to FEMA regulations, if a business has to undergo more than 50 percent renovation, such as after being damaged by a storm, it must be raised when reconstructed.

This would give more parking spaces under the business, she explained. The proposed new requirements would take that into account and lessen the total spaces currently required.

Wednesday's meeting will be at 6:30 p.m.

In other news, Fellner said because of weather delays and the need to redesign a gate, completion of renovations on the town's pier will be delayed by five days. It was originally slated to be finished today.

Tom O'Dare • 488-7261

MB Herald 4/12/13

## Improved 'gateway' attracting businesses to Surfside Beach

By Tom O'Dare [tom.odare@myhorrynews.com](mailto:tom.odare@myhorrynews.com) | Posted: Monday, April 15, 2013 12:02 pm

It wasn't long ago that visitors and locals heading to the Surfside Pier saw empty buildings and unkempt storefronts when they turned on to Surfside Drive.

The Surfside Beach Town Council realized that first impressions are everything and made a concerted effort to "spruce up" what they call the gateway to Surfside Beach.

Public input from businesses and residents led to some new ordinances that paved the way for an entirely new look to the area just off U.S. 17 Business.

The road was narrowed, landscaping was added to the medians and large speed bumps were installed to slow down traffic. Sidewalks were also widened and cafes were given permission to offer outdoor dining. Businesses were encouraged to enhance their storefronts, adding new paint, signs and, in some cases, flowers.

Today, there are only a few vacant buildings left in the business district on Surfside Drive. Some operations have changed owners while keeping the same type of business. Others are new to the town.

One such business slated to open within a week or two is Opa!, a Greek American restaurant. It is setting up shop in the building formerly occupied by Charleston Café.

Owners Asimakis and Christos Georgakopoulos said the Surfside Drive area offered an ideal location to open their restaurant.

Asimakis said the family had operated a pancake house in the area years ago but moved back to New York to open restaurants there.

"We decided to come back to Surfside and saw what had been improved along Surfside Drive," he said. "The new changes are great and we like the idea of opening our restaurant in a family beach town."

Dad Christos said the restaurant will be an alternative for visitors but will cater to the needs of locals.

For years, Surfside Beach town leaders heard complaint after complaint from people saying the town was a tough place to start a business because of so many requirements and regulations.

Asimakis said nothing could be further from the truth in his experience.

“Surfside Beach is very business-friendly,” he said. “Everyone has been very helpful and nobody gave us a hard time at all about making renovations to the place.”

Next door, Tim Henson of Southern Coast Vacations echoed the sentiments of his new neighbors.

“They have created a great business environment here in town now,” Henson said. “There is great communication between the town and businesses and everyone is always very friendly.”

Henson said he actually opened up his business across the street from his present location about the time the Surfside Drive redevelopment process began.

“I was renting a building and saw the improvements and the potential of what the changes could bring,” he said. “I liked it so much that I bought this building across the street.”

Henson added that the enhanced Surfside Drive business district provides a small town atmosphere, which many people like.

Another new guy on the block is Harry Willoughby, owner of Right at Home, located in the building that Henson had previously occupied.

“I love it here,” Willoughby said. “The area is beautiful and has a ‘mall-like’ feel to it with the slowed traffic and increased pedestrian activity.”

Both Henson and Willoughby said opening a business in town was actually a pretty simple process. Willoughby said the process has become very streamlined as to procedures to follow.

Both men give new building and zoning director Sabrina Morris much of the credit for giving the town its “business friendly” atmosphere.

“Sabrina and her staff do everything in their power to help a business get started here,” Henson said. “She makes it a positive experience when someone wants to open up.”

Tom O’Dare • 488-7261

VOLUME I - CODE OF ORDINANCES  
Chapter 9 - MOTOR VEHICLES AND TRAFFIC

ARTICLE I. - IN GENERAL

**ARTICLE I. - IN GENERAL**

**Changes by Micki and Attorney Battle**

[Sec. 9-1. - Definitions.](#)

[Sec. 9-2. - Jurisdiction of municipal court.](#)

[Sec. 9-3. - Reckless operation of bicycles.](#)

[Sec. 9-4. - Standing, parking beside roadway for certain purposes.](#)

[Sec. 9-5. - Blocking streets and alleys.](#)

[Sec. 9-6. - Using vehicle for advertising.](#)

[Sec. 9-7. - No parking places.](#)

[Sec. 9-8. - Definitions.](#)

[Sec. 9-9. - Charges.](#)

[Sec. 9-10. - Method of using; failure to deposit coins or pay at pay station.](#)

[Sec. 9-11. - Parking within marked spaces.](#)

[Sec. 9-12. - Overtime parking.](#)

[Sec. 9-13. - Use of slugs, etc., prohibited.](#)

[Sec. 9-14. - Injuring or tampering with meters.](#)

[Sec. 9-15. - Interpretation of chapter.](#)

[Sec. 9-16. - Decals and exemptions.](#)

[Sec. 9-17. - Penalties.](#)

[Secs. 9-18—9-22. - Reserved.](#)

Sec. 9-1. - Definitions.

For the purposes of this chapter the definitions of the S.C. Code 1976, § 56-5-110 et seq., are hereby adopted and made a part of this Code.

(Code 1969, § 12-1; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Definitions and rules of construction generally, § 1-2.

**Sec. 9-2. - Jurisdiction of municipal court.**

The municipal court may try and determine criminal cases involving violations of the provisions of this chapter or provisions of the Code of Laws of South Carolina 1976, relating to motor vehicles and traffic occurring within the limits of the town when the penalty prescribed by state law for such violations does not exceed thirty (30) days' imprisonment and/or a fine of five hundred dollars (\$500.00) plus fees and assessments. The municipal court may have trial jurisdiction over such criminal cases the same as magistrates. The municipal court may also have jurisdiction as prescribed by the South Carolina Supreme Court, consistent with state law.

(Code 1969, § 12-2; Ord. No. 93-0338, 10-19-93; Ord. No. 97-0400, 9-9-97; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Municipal court generally, Ch. 10.

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Chapter 9 - MOTOR VEHICLES AND TRAFFIC

ARTICLE I. - IN GENERAL

**State law reference**— Jurisdiction of municipal courts, S.C. Code 1976, § 56-5-6150.

**Sec. 9-3. - Reckless operation of bicycles.**

It shall be unlawful for any person to operate any bicycle in the town in a reckless or dangerous manner.

(Code 1969, § 12-24; Ord. No. 09-0675, 7-14-09)

**Sec. 9-4. - Standing, parking beside roadway for certain purposes.**

No person shall stand or park a vehicle alongside any roadway for the principal purposes of displaying it for sale or washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

(Code 1969, § 12-41; Ord. No. 09-0675, 7-14-09)

**Sec. 9-5. - Blocking streets and alleys.**

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

**Cross reference**— Streets and sidewalks generally, Ch. 12.

**Sec. 9-6. - Using vehicle for advertising.**

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

**Sec. 9-7. - No parking places.**

It shall be unlawful at any time for a person to permit any vehicle, **golf cart**, or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.

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ARTICLE I. - IN GENERAL

- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) Within ten (10) feet of any beach access, driveway and entrance or exit to any parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town.

(Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 12-0732, 12-10-12)

**Sec. 9-8. - Definitions.**

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

*Boot* means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

*Dates and times of enforcement for meters and pay station areas only* means March 1st through October 31st annually, from the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday.

*Metered area* means a designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.

*Parking meter* means a mechanical **or electronic** device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin **or electronic payment** therein.

*Pay station and parking pay station* means any mechanical or electronic device, except a parking meter, that requires a monetary **or electronic** payment in exchange for authorized parking in designated, public parking areas.

*Pay station area* means a designated area where parking is allowed upon payment of U.S. **currency or electronic payment** resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical **or electronic** pay station device.

**Vehicles also include golf carts.**

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(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

**Sec. 9-9. - Charges.**

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, plus various transaction fees and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-10. - Method of using; failure to deposit U.S. currency, electronic payment or pay at pay station.**

- (a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed, shall immediately deposit a coin of the appropriate United States currency or make an electronic payment in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of the appropriate United States currency or an electronic payment in a meter will permit the parking of that vehicle for a period of time indicated by the meter.
- (b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card electronic payment into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.
- (c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin the appropriate United States currency or making an electronic payment or providing a payment voucher from a town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

**Sec. 9-11. - Parking within marked spaces.**

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

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(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-12. - Overtime parking.**

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-13. - Use of slugs, etc., prohibited.**

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin **or currency** of the United States **or any fraudulent electronic payment**.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-14. - Injuring or tampering with meters **or pay stations**.**

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-15. - Interpretation of chapter.**

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

**Sec. 9-16. - Decals and exemptions.**

~~(a) Resident and nonresident residential property owner parking decals. Decals issued for full time resident and non-resident residential property owner vehicles including golf carts. All persons residing or owning residential property within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration or verification of proof of residential property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show: (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident and~~

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~~residential property owner to park free of charge in metered or pay station areas when space is available.~~

~~(b) *Golf cart registration required.* Registration decals shall be issued for golf carts. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public, shall register golf carts with the town police department. Proof of ownership and liability insurance is required.~~

~~(1) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and "permit only" parking areas and in metered spaces without charge when space is available.~~

~~(2) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "Pay Parking Only," meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.~~

~~Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart while being operated. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable golf cart rules.~~

~~(a) *Parking decals.* In this paragraph (a), the word vehicle includes golf carts.~~

~~1. *Full time resident vehicles including golf carts.* All persons residing within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification that current vehicle registration is registered in the corporate limits of the town. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.~~

~~2. *Non-resident residential property owner vehicles including golf carts.* All non-resident residential property owners within the corporate limits of the town shall be entitled to one (1) free decal for one (1) vehicle per property, to be issued by the town, only upon verification of proof of property ownership. A name on the vehicle~~

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registration must be the same as a name on the property tax record to show proof of property ownership. Additional decals may be purchased for the sum of forty dollars (\$40.00) for each additional vehicle upon verification of proof of property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued and (2) year for which decal is valid. Such decal shall allow the vehicle to park free of charge at metered and pay station areas when space is available. Such decal shall also allow golf carts to park free of charge in golf cart only designated parking areas when space is available.

3. *Limited issued special parking.* With the approval of town council, the town administrator may issue special parking decals. These special decals are limited to parking in the Yaupon Dr. Parking lot when space is available. These decals will be a different color than the full time resident and non-residential property owner parking decals. An example: special parking decals are issued to purchasers of annual fishing passes.

4. *Beach access parking.* All golf carts, registered, unregistered, and commercial, may park free of charge at beach accesses when space is available, except when prohibited by a sign.

(b) *Golf cart registration required.* Registration decals shall be issued for golf carts. This decal is for identification and informational purposes only. This is not a parking decal. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow or purchase golf carts for the purpose of renting to the public, shall register their golf carts with the town police department. Proof of ownership and liability insurance is required. Golf cart decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart while being operated. The issued decal will show: (1) registration number, (2) years for which decal is valid, and (3) all applicable golf cart rules.

1. *Full time residents and non-resident residential property owners* shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on a white background. The South Carolina State golf cart registration must have an address within the corporate limits of the town.

2. *Commercially owned* golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "PAID PARKING ONLY", meaning that operators of

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commercial golf carts must pay applicable fees while parking at meters and in pay station areas.

- (c) *Disabled veterans and Purple Heart recipients are exempt from parking fees.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the department of motor vehicles or appropriate authority.
- (d) *Handicapped persons are exempt from parking fees.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger, either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.
- (e) *Employees.* Every town employee shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10; Ord. No. 12-0717, 7-06-25-12; Ord. No. 12-0727, 12-10-12)

**State law reference**— Similar provisions, S.C. Code 1976, § 56-5-2585.

**Sec. 9-17. - Penalties.**

- (a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the thirtieth day after issuance, the fine will increase to seventy-five dollars (\$75.00).
- (b) Violations shall be issued on a uniform traffic ticket or on a uniform ordinance summons used by the town's parking contractor, Lanier Parking Solutions for parking violations occurring east of Dogwood Drive.
- (c) Violators shall only be cited by police officers or authorized code enforcement officials.
- (d) Violators shall appear and be subject to the jurisdiction of the town's municipal court or the adjudication process set forth by the town's parking contractor as approved by the town council, Lanier Parking Solutions in accordance with the contract between the town and Lanier Parking Solutions for parking violations occurring east of Dogwood Drive.

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- (e) (i) *Technical Level Adjudication* - When citations involve technical issues (e.g., broken meter, etc.), violators shall have the right to appeal to the parking management firm.
- (ii) *Administrative Level Adjudication* - All violators not prevailing at this level shall also have a right to request a jury trial hearing before an independent hearing officer (approved by the Town) provided that the request to schedule a hearing is received within 15 days of notification of the denial of the manager's technical appeal and sufficient bond is posted. Bond shall be equal to the amount of the parking citation, including any penalties accrued. The hearing shall be scheduled within 15 days of the request, unless a request for an extended scheduling is made; at no time shall the hearing be scheduled more than 60 days after the request for an appeal. If the violator is not able to attend the hearing in person, the hearing can be held by telephone. Such requests must be included on the original hearing request form. upon proper request. Violators shall be notified of the hearing officer's decision within 7 business days after the hearing concludes. If the hearing officer dismisses the fine, a refund of the bond shall be included in the notification.
- (iii) *Request and right to criminal adjudication* - Persons who receive a parking citation and have exhausted the technical and administrative appeal process may elect to invoke the right of trial upon their written request for and acceptance of a warrant in substitution of each parking ticket issued. Upon receiving a request for such trial, a warrant shall be issued and a courtesy copy of that warrant will be mailed to the owner's address listed in the vehicle's registration information along with the date and time of the trial. The original warrant will be served at the time of the trial. Service of a warrant vests the municipal court with jurisdiction to hear and dispose of the charge for which the warrant was issued and served. If convicted, the person shall be punished for each violation in accordance with the local ordinance that governs a misdemeanor charge.
- (f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.
- ~~(g) Violators shall not be subject to incarceration.~~
- (h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety police department.
- (i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.
- (j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

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(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10) Secs. 9-18—9-22. - Reserved.