

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)
COUNTY OF HORRY) TO AMEND CHAPTER 13, SECTIONS 13-50(b), 13-51(c)(3)
)
TOWN OF SURFSIDE BEACH) 13-60, AND 13-61

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled March 14, 2017; and

WHEREAS, Section 17-202 of the Town's Code of Ordinances allows for amendments from time to time when the a public necessity, convenience, general welfare, or good zoning practice justify such action, and after the review by the Planning Commission; and

WHEREAS, the Planning Commission has recommended the amendments after holding a public hearing and allowing public input on the proposed amendments; and

WHEREAS, second reading of this ordinance was delayed due to Ordinance 17-0839 being sent to a subcommittee.

NOW, THEREFORE, by the power and authority granted to the Surfside Beach Town Council by the State of South Carolina that the Code of Ordinances of the Town of Surfside Beach, South Carolina is hereby amended as follows:

Chapter 13 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE III. - PERMITS AND FEES

DIVISION 2. - BUILDING PERMITS (CHAPTER 13)

Sec. 13-50. - When building permit required; exceptions for minor repair.

- (b) Maintenance repairs may be made on a building with approval of the building official without a permit fee, provided that such repairs do not require an inspection, do not exceed One Thousand and no/100 (\$1,000) in value, do not involve any structural repairs or changes, and do not violate any state mandated or town codes, i.e., stormwater drainage, flood prevention, or zoning regulations. The building official shall have sole discretion to determine what constitutes structural repairs or changes. A no fee permit will be required if property is located within a special flood hazard area. If the property owner contracts with another party to perform the repairs, the contractor is required to have a town business license and permit.

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

(c) *Definitions.*

- (3) *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 two hundred (200) 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.

DIVISION 5. - ZONING ORDINANCE SCHEDULE OF FEES (CHAPTER 17)

Sec. 13-60. - Board and commission review fees.

Pursuant to section 17-212, fees provided in Table 13-60a are established to partially defray costs incurred in the administration of the zoning provisions of this Code:

Table 13-60a Board and Commission Review Fees	
Application or Review Type	Fee
Appeal (other than tree removal/protection)	\$200.00
Appeal for tree removal/protection	No Fee

Sec. 13-61. - Administrative review and zoning permit fees.

Pursuant to section 17-212, fees provided in Table 13-61a are established to partially defray costs incurred in the administration of the zoning provisions of this Code:

Table 13-61a Zoning Permits, Certificates and Other Review Fees	
Zoning Permit (Tree Removal):	
Removal of Required or Regulated Tree	Owner of existing residence : No Fee
	Owner of commercial property or removal involving development of vacant property, redevelopment, pool or a major addition: \$75.00 per tree. In case where a required or regulated tree is determined to be dead or diseased, there is no fee for removal.
Thinning or removal of (7" DBH or greater)	Owner of existing residence : No Fee
	Owner of commercial property or removal involving development of vacant property, redevelopment, pool or a major addition: \$5.00 per tree. In case where a common tree is determined to be dead or diseased, there is no fee for removal. (see note 2)
Pruning (limbs over 7" in diameter)	No fee
Temporary Certificates of Zoning Compliance (See Section 17-208)	
Use of tent, open display, temporary signs	No fee
Modular units used as temporary business establishments during construction of permanent structure	\$100.00

Note 1: The zoning permit (general) fee applies to activities listed in section 17-203. Where a zoning permit fee is provided for a specific activity, the zoning permit (specific) fee shall apply.

Note 2: Where the tree removal is in conjunction with a project requiring a building permit and a building permit has been issued, there is no additional fee for the tree removal permit.

Note 3: Where a zoning permit is required for a project and a zoning permit has been issued, there is no additional fee for the certificate of occupancy.

Note 4: All right of way encroachment permits must be approved by the Public Works Director or his designee prior to issuance.

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 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 22nd day of August 2017.

Robert F. Childs, III, Mayor

Attest: _____

Debra E. Herrmann, CMC, Town Clerk