

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH  
) TO AMEND CHAPTER 17, ARTICLE IV TO ADD SECTION 17-418  
COUNTY OF HORRY ) SALE OF PERSONAL PROPERTY IN YARD AREAS OF  
) RESIDENTIAL ZONED AREAS  
TOWN OF SURFSIDE BEACH )

**WHEREAS**, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled June 13, 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 Mayor and Town Council of the Town of Surfside Beach hereby invokes the Pending Ordinance Doctrine, which shall apply to this ordinance after first reading is approved by a majority of council; and

**WHEREAS**, the Planning Commission has recommended the amendments after holding a public hearing which was advertised at least fifteen (15) days prior to the Public Hearing scheduled for the Planning Commission meeting and allowed public input on the proposed amendments

**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 by adding subsection 17-418 as follows:

**SECTION 17-418. Sale of Personal Property in Yard Areas of Residential Zoning Areas.**

A no charge permit shall be required from the Planning, Building & Zoning Department for the sale of personal property in yard areas of residential zoned areas.

Only personal property collected over time by members of the residence, family members or immediate neighbors (meaning nearest, adjacent or contiguous) shall be offered for sale.

The sale of merchandise by a business entity, items purchased for resale or consignment items may not be sold. The sale of bulk items (four or more identical items not in a set) is prohibited.

1. Yard sales/sale of personal property in yard areas of residential zoned areas shall be limited to three (3) per calendar year. No more than 2 consecutive days per yard sale.
2. Hours – merchandise and any tables, shelving or racks used to display merchandise must be removed from the yard space by sundown.
3. Only one motor vehicle or boat/trailer per residence may display indications that it is "for sale."

Permit Applications can be obtained from the Planning, Building & Zoning Department and on-line.

**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 26th day of June 2017.

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Robert F. Childs, III, Mayor

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Ron Ott, Mayor Pro Tempore

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Timothy T. Courtney, Town Council

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Mark L. Johnson, Town Council

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David L. Pellegrino, Town Council

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Julie M. Samples, Town Council

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Randle M. Stevens, Town Council

Attest: \_\_\_\_\_

Debra E. Herrmann, CMC, Town Clerk

Approved