

STATE OF SOUTH CAROLINA)) COUNTY OF HORRY)) TOWN OF SURFSIDE BEACH)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH TO AMEND CHAPTER 17, ARTICLES I AND III TO PROHIBIT CERTAIN KINDS OF HOME OCCUPATIONS, SPECIFICALLY BARBER SHOP; BEAUTY PARLOR; COSMETOLOGY, AND NAIL SALONS IN ALL RESIDENTIAL DISTRICTS
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WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled on October 24, 2017; and

WHEREAS, Section 17-202 of the Town's Code of Ordinances allows for amendments from time to time when the 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 have determined that certain home occupations create a nuisance in all residential districts, and are desirous of prohibiting same; and

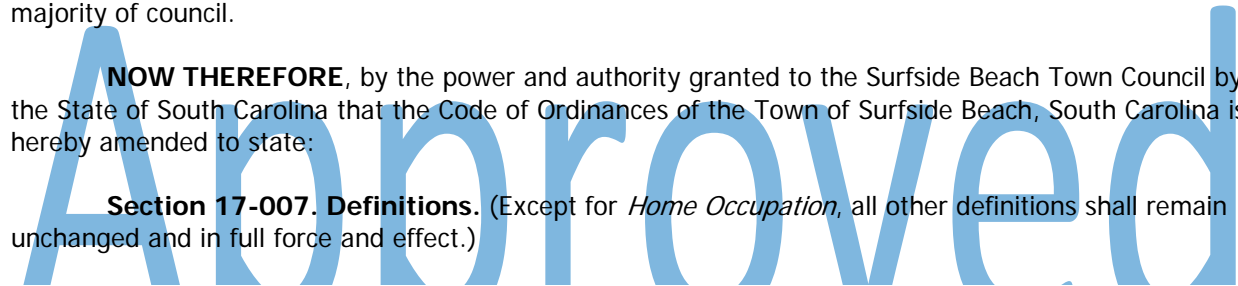
WHEREAS, the Mayor and Town Council of the Town of Surfside Beach hereby invoke the Pending Ordinance Doctrine, which shall apply to this ordinance after first reading is approved by a majority of council.

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 to state:

Section 17-007. Definitions. (Except for *Home Occupation*, all other definitions shall remain unchanged and in full force and effect.)

Home Occupation: Home Occupation shall mean any occupation within a dwelling that meets the following conditions:

1. Such occupation is conducted by no other persons than individuals living in a residential dwelling as defined in the International Residential Code.
2. Such occupation is conducted inside the dwelling, is clearly incidental and secondary to the use of the structure for dwelling purposes, and does not detract from the residential character of the immediate area.
3. No stock in trade is kept or commodities sold or leased on the premises.
4. No mechanical equipment is used except such that is normally used for family, domestic, or household purposes.
5. Such occupation(s) utilize no more than 25 percent of the total floor area of the principal building.
6. Such occupation creates no offensive noise, vibrations, smoke, dust, odors, heat, or glare noticeable at or beyond the property line.
7. Such occupation shall comply with Section 17-623(a) signage in residential districts.
8. Musical instruction is limited to a maximum of two (2) pupils at a time.
9. Child care is limited to a maximum of six (6) children, including the occupants' children.
10. Under no circumstances shall any of the following be considered a home occupation: adult-oriented businesses, aerobic exercise studio, ambulance service, auto repair service, barber shop, beauty parlor, cosmetology, nail salon, body piercing establishment, child care center, chiropractor, dentist, doctor, drug/alcohol counseling services, escort services, firearms manufacturing, group day care home, gym, health salon, kennel, mortuary, musical or dancing instruction involving more than two pupils at one



time, nightclub, nursing home, psychiatrist or psychologist office, restaurant, substance abuse clinics, swimming pool companies, tattoo parlor, trucking company, welding service, wig styling clinic, veterinarian's clinic.

Section 17-395. Use Table: Under the subheading "Commercial, Office, and Professional Uses," in "Barber or Beauty Shops," strike the "S", "S" and "C" from the R-1, R-2 and R-3 columns, respectively.

USE CLASSIFICATIONS	Districts							
	R-1	R-2	R-3	C-1	C-2	C-3	MU	MP
<i>Commercial, Office, and Professional Uses</i>								
<i>Barber or Beauty Shops</i>				P	P	C	C	

Section 17-396.4. Reserved.

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 the 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 first reading under the Pending Ordinance Doctrine with a majority vote of 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 14th day of November 2017.

Surfside Beach Town Council

VOTE:	Yes	No	
	<input type="checkbox"/>	<input type="checkbox"/>	Robert F. Childs, III, Mayor
	<input type="checkbox"/>	<input type="checkbox"/>	Ron Ott, Mayor Pro Tempore
	<input type="checkbox"/>	<input type="checkbox"/>	Timothy T. Courtney, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	Mark L. Johnson, Town Council
	<input type="checkbox"/>	<input type="checkbox"/>	David L. Pellegrino, Town Council

Julie M. Samples, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Approved