

**AMENDED AGENDA  
TOWN OF EDISTO BEACH  
SEPTEMBER 14, 2017  
REGULAR TOWN COUNCIL MEETING  
6:00 P.M.**

- I. Call to Order**
- II. Pledge of Allegiance and Invocation**
- III. Approval of Minutes**
  - A. Regular Council Meeting Minutes, August 10, 2017
  - B. Special Council Meeting Minutes, August 29, 2017
- IV. Proclamations and Presentations**
  - A. Starfish Awards
    - a. Ray Messer
    - b. Mike Kelly
    - c. Westbank Construction
- V. Old Business**
  - A. Second Reading of Ordinance No. 2017-22 Providing for Mobile Vending and Regulations Governing Mobile Vending
  - B. Resolution No. 2017-R12 to Adopt the Local Comprehensive Beachfront Management Plan
  - C. Second Reading of Ordinance No. 2017-25 to Adjust the Rollback Millage Fiscal Year 2017-18
- VI. New Business/Apearances**
  - A. Town Accomplishments Fiscal Year 2016-17
  - B. First Reading of Ordinance No. 2017-24 Division 2-Protection of Sea Turtles
  - C. Special Event Application – Town of Edisto Beach – Hurricane Matthew and Volunteer Appreciation Celebration, October 7, 2017
  - D. Emergency Purchase Order Lift Station A
  - E. Change Order No. 1 Terry Hoff Construction-\$1,036
  - F. First Reading of Ordinance No. 2017-26 to Enact Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach, Entitled “Golf Cart”
  - G. Special Event Application – Edisto Chamber of Commerce – 2017 Fall Festival
  - H. First Reading of Ordinance No. 2017-27 To Amend Sections 14-110(a), 14-114(d), 14-114(h) of the Town of Edisto beach Code of Ordinances, this Ordinance shall take effect December 21, 2017
  - I. Temporary Construction and Permanent Utility Easement Agreement
  - J. First Reading of Ordinance 2017-28 To Amend Sections 14-111 (a), 14-111 (b), 14-111 (c), 14-111 (d), 14-111 (e), 14-113, 14-221 (b)(1), 14-221 (j) of the Town of Edisto Beach Code of Ordinances.
  - K. Emergency Purchase-Generator Well 6
  - L. Agreement between the Town of Edisto Beach and the South Carolina Department of Transportation (First Push and Debris Removal)
  - M. Agreement between the Town of Edisto Beach and West Bank Construction Emergency Berm
  - N. First Reading of Ordinance 2017-29 to Amend the FY 2017-18 Budget
  - O. Emergency Purchase-Lift Station B
- VII. Committee Vacancies**
  - A. Zoning Board of Appeals – 1 vacancy
- VIII. Departmental Reports and Committee Updates**
- IX. Public Comment Period**
- X. Executive Session**
  - A. Contractual – Negotiations related to 3708 Village Court [SC Code 30-4-70a (2)]
  - B. Contractual - Lot 7, block MMM 3002 Lee Street [SC Code 30-4-70a(2)]
- XI. Adjournment**

VIP

No. 2017-26

TOWN OF EDISTO BEACH

AN ORDINANCE

To Enact Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach, entitled "Golf Carts."

CHAPTER 78 TRAFFIC AND VEHICLES

ARTICLE III. Golf Carts

78-50 GOLF CARTS ALLOWED ON STREETS.

Golf carts, as defined below, are permitted to be driven on most streets in the town subject to the provisions of this Article if the golf carts have decals from the town.

78-51 DEFINITIONS.

For the purpose of this Article the following definition shall apply unless the context clearly indicates or requires a different meaning.

"Golf cart" - Four-wheeled vehicle that is built to specific federal standards by licensed manufacturers and can achieve speeds of no more than 19 miles per hour. Golf carts do not include all-terrain vehicles, farm vehicles, low speed vehicles, or any vehicle, including modified golf carts, which can obtain a top speed greater than 19 miles per hour. This includes Polaris, John Deere, and other such vehicles.

Statutory reference:

Similar state law, see S.C. Code §56-1-10(19)

78-52 RULES GOVERNING THE OPERATION OF GOLF CARTS.

- (A) Golf carts may cross Palmetto Boulevard but cannot be driven on Palmetto Boulevard. (Statutory reference, see S.C. Code §56-2-105).
- (B) A golf cart shall only be operated by a person who is at least 16 years old and possesses a valid driver's license. (Statutory reference, see S.C. Code §56-2-105(C).)
- (C) The operator of a golf cart being driven on a street in the town must have in his or her possession:
  - (1) The registration certificate issued by the Department of Motor Vehicles and the Town registration;
  - (2) Proof of liability insurance for the golf cart; and
  - (3) The operator's driver's license. (See S.C. Code §56-2-105(C).)
- (D) Operation of Golf carts is subject to all traffic rules and regulations and parking laws governing the operation of motor vehicles. (See S.C. Code §56-5-820(A).)
- (E) A golf cart may only be driven within four miles of the address on the South Carolina Department of Motor Vehicles registration certificate. (See S.C. Code §56-2-105(B)(1).)

- (F) It shall be unlawful for any person to drive or move any golf cart or for the owner to permit a golf cart to be driven or moved on any street from a half hour after sunset to a half hour before sunrise or at any other time when windshield wipers are required to be in use as a result of rain, sleet, or snow, or when inclement weather or environmental factors severely reduce the ability to clearly discern persons and vehicles on the street or highway at a distance of 500 feet ahead.
- (G) A golf cart shall be equipped with a rear vision mirror.
- (H) The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart while the golf cart is in motion. No part of the body of the operator or any occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion. Under no circumstances shall the operator hold or carry an infant, child, or other person while operating a golf cart.
- (I) The driver of a golf cart shall use hand signals when turning or stopping unless the golf cart is equipped with turn signals.
- (J) Golf carts shall not be operated on private property without the written permission and consent of the property owner.

#### 78-53 DECALS AND INSURANCE REQUIREMENTS.

Golf carts, whether owned or rented, shall have:

- (A) A current registration from the South Carolina Department of Motor Vehicles and Town registration that is displayed in a clearly visible place on the golf cart;
- (B) A current decal from the town that is displayed on the left side of the windshield or left front fender in a clearly visible place on the golf cart; and
- (C) Current liability insurance in an amount not less than required by state law for motor vehicles operated on public highways.

#### 78-54 TOWN GOLF CART DECALS.

- (A) Application for a town decal shall be made to Town Hall before a golf cart may be driven on any street in the town. The decals shall be valid for three years from the date of issue. There is no fee for registration.
- (B) The following must be presented to the town to obtain or renew a decal:
  - (1) Proof of registration with the South Carolina Department of Motor Vehicles;
  - (2) Proof of ownership or long term lease of the property listed on the State registration. Short term rentals will not be issued a Town registration.
  - (3) A certification that the golf cart has a rear view mirror and is otherwise in safe operating condition; and
  - (4) A signed certification;
    - (a) That the owner has read this Article or a town-prepared document that explains the laws related to golf carts; and

(b) That the owner will not allow anyone to operate the golf cart until that person has also reviewed the rules.

(C) A lost or stolen decal may be replaced upon payment of a fee of \$5 and the execution of a sworn statement that the decal was lost or stolen. No decal shall be replaced more than once in any calendar year.

(D) If a golf cart is parked on a street, right-of-way, or other public property without a valid town golf cart decal, the Police Department or anyone who has been approved by the Police Department shall be authorized to issue a parking citation and to impound or immobilize the vehicle.

(E) The Town decal requirement is for identification and statistical purposes. The issuance of a Town decal does not and shall not act as authorization from the Town to the operator to operate the golf cart within the Town limits. The operator and owner must comply with all applicable state and municipal laws related to operation of a golf cart.

78-55 RENTAL OF GOLF CARTS.

(A) A business that rent golf carts shall have all business licenses, state and town permits required by law.

(B) Rental companies should insure that a golf cart is rented at a location that the golf cart can legally be driven.

(C) All sections in this article shall apply to rented golf carts.

(D) Each rented golf cart shall have the rental company's name affixed to the cart in such a manner as to be clearly visible.

(E) A company that rents golf carts shall rent only to an individual who:

(1) Is at least 18 years old;

(2) Has a valid driver's license; and

(3) Signs a certification that all persons who will operate the golf cart have read or will read this chapter or a town-prepared document that explains the laws related to golf carts.

(F) Golf cart rental companies shall keep copies of all rental contracts, certifications, and the renters' drivers' licenses for at least three years.

79-56 Violation; Misdemeanor.

Violation of any of the provisions of Article III of Chapter 78 shall constitute a misdemeanor punishable as set forth in Section 1-6 of this Code of Ordinances.

This ordinance shall take effect upon adoption.

First Reading: \_\_\_\_\_

\_\_\_\_\_  
Jane S. Darby, Mayor

Second Reading: \_\_\_\_\_

\_\_\_\_\_  
Deborah Hargis, Municipal Clerk

Approved as to Form \_\_\_\_\_