

AGENDA
TOWN OF EDISTO BEACH
August 9, 2018
PUBLIC HEARING
5:55
REGULAR TOWN COUNCIL MEETING
6:00 P.M.

- I. **Call to Order**
- II. **Pledge of Allegiance and Invocation**
- III. **Approval of Minutes**
 - A. Public Hearing Meeting Minutes, July 12, 2018
 - B. Regular Council Meeting Minutes, July 12, 2018
- IV. **Proclamations and Presentations**
 - A. 2018 Municipal Association of South Carolina Achievement Award
 - B. U. S. Army Corps of Engineers Coastal Storm Damage Reduction Project
 - C. Five Year Service Award-Patrick Zemp
 - D. Starfish Award-Jill Deardorff
- V. **Old Business**
 - A. Second Reading of Ordinance No. 2018-18 to Amend Section 86-211 To Add Subsection (c); Amend 86-212 To Add Subsection (a)(15) And Amend Subsection (c) and Restate Subsection (e); To Amend 86-213(b)(5)(13) and (g)(3); Amend 86-214(a)(3), (6), (8), (9), (10), (11), (12), (15), and (16); and 86-214(c)(2); and To Amend 86-218, Of Article 5 Of Chapter 86 Of The Town's Code
- VI. **New Business**
 - A. Recurring Special Event Form, Edisto Beach Shag Festival
 - B. Sponsorship 2018 Edisto Beach Shag Festival- Bay Creek Investments
 - C. Emergency Purchase Order-Flow Meter Wastewater Treatment Pond-\$6,933.60
 - D. Resolution 2018-R19 Southeastern Grocers/Bi Lo
- VII. **Committee Vacancies**
 - A. Municipal Elections Commission
- VIII. **Accommodations Tax Advisory Board**
 - A. Town of Edisto Beach, Hardie Plank Siding, Bay Creek Park Heritage Building
- IX. **Public Comment**
- X. **Executive Session**
 - A. The receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege related to Beach Access 1a. S.C. Code §3-4-70(a)(2)

Upon Returning to Open Session, Action May Be Taken By the Council on Items Discussed During the Executive Session
- XI. **Adjournment**

TOWN OF EDISTO BEACH

AN ORDINANCE

TO AMEND SECTION 86-211 TO ADD SUBSECTION (c); AMEND 86-212 TO ADD SUBSECTION (a)(15) AND AMEND SUBSECTION (c) AND RESTATE SUBSECTION (e); TO AMEND 86-213(b)(5)(13) AND (g)(3); AMEND 86-214(a)(3), (6), (8), (9), (10), (11), (12), (15), AND (16); AND 86-214(c)(2); AND TO AMEND 86-218, OF ARTICLE 5 OF CHAPTER 86 OF THE TOWN'S CODE

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that portions of SECTIONS 86-211; 86-212; 86-213(b)(5)(13) and (g)(3); 86-214(a)(3), (6), (8), (9), (10), (11), (12), (15), and (16); 86-214(c)(2); AND 86-218, of ARTICLE 5 OF CHAPTER 86 of the Town's Code be amended to read as follows:

ARTICLE V. - SIGNS

Sec. 86-211. - Purpose, administration, and enforcement.

(b) Administration

- (1) Building and electrical code standards. All permanent signs must meet the structural and installation standards of the International Building Code and electrical standards of the National Electric Code as enforced by the Town of Edisto Beach building code administrator.
- (2) Permit required. No sign requiring a permit shall be erected unless a sign permit has been issued by the building code administrator or designee in accordance with the procedures of this chapter. Action shall be taken on permit applications within ten business days.
- (3) Fees. An applicant for a sign permit shall pay such fees as determined necessary for application processing. These fees are due upon submission of an application and shall be determined by town council from time to time by resolution.
- (4) Documentation of signs. Upon request, the owner of any existing sign shall provide the town of Edisto Beach town administrator with evidence that documents the size, location and date of construction of all existing signs on the premises.

(c) Enforcement

- (1) The building code administrator and duly authorized staff shall be empowered to enter upon the premises of any person subject to this article for the purpose of enforcing the provisions herein. Any person violating provisions of this

article shall be subject to penalties as specified in section 1-6.

- (2) For signs within any public right-of-way, public beach, public beach access, or other public lands and where the building code administrator or duly authorized staff determine that a sign is illegal, abandoned, not being maintained, or no longer being used for the purposes under which the original permit was issued, the building code administrator or duly authorized staff is authorized to remove and impound the sign without notice to the owner thereof.
- (3) For signs on private property and where it is determined by the building code administrator or duly authorized staff that a sign is illegal, abandoned, not being maintained, or is no longer being used for the purposes under which a permit was issued (if applicable), the building code administrator or duly authorized staff shall notify the owner of the violation. If the violation is not corrected within two (2) business days following notification, the building code administrator or duly authorized staff may have the sign removed and impounded, and the landowner will be charged for the costs incurred by the Town. The Town may place a lien upon such owner's property and foreclose the same to collect the charges.
- (4) The owner of an impounded sign may recover the impounded sign upon request to the Town with sufficient proof of ownership. If the sign is not claimed within ten days after the date of impoundment, the building code administrator shall have authority to dispose of the sign without compensation to the owner.

Sec. 86-212. - Prohibited signs; signs in disrepair; obsolete signs; signs interfering with vehicular vision.

- (a) The following signs shall be prohibited:
 - (15) Parking lot signage defined as signs that are located in parking lots other than traffic control signs (such as directional signs, private on-site directional signs, such as "Entrance", "Exit", "Drive-through", "Unit Number", "Street Name" and information signs).
- (b) Signs in disrepair. Signs in disrepair shall be repaired, renovated or removed from the premises within 30 days following a notice by the building code administrator. Signs in disrepair that are not repaired, renovated or removed from the premises within 30 days following a notice by the building code administrator shall be deemed prohibited and are subject to enforcement under this article.
- (c) Obsolete Signs. Signs advertising a person, business, service, event or other activity that is no longer available or other signs that contain inaccurate or outdated information shall be considered obsolete, and, within 30 days from the time the activity ceases existence, shall be removed by the owner of the property or shall be

remediated by removing the sign face, painting the sign face a neutral color, or installing a blank face panel. This provision does not apply to seasonal activities during the regular periods in which they are closed. If the sign face is not reused and permitted within one year, the remaining sign structure must be removed in its entirety, unless the building code administrator grants an extension subject to the owner submitting statement of intent and stipulating a reasonable time for reuse and permitting of the sign structure. Remedial action shall be taken within 30 days after a sign becomes obsolete. If no remedial action is taken, the building code administrator or designee shall give notice to the owner of record who shall have 30 days to remove the sign prior to any further enforcement action being pursued.

(d) Signs interfering with vehicular vision. No sign or structure shall be erected so as to interfere with the vision of vehicles operated along any highway, street, road or driveway, or at any intersection of any street or highway. Signs determined by the building code administrator to be in violation shall be removed or relocated immediately upon notice.

(e) Handwritten signs, with the exception of the yard sale signs.

Sec. 86-213. - Signs allowed in individual zoning districts requiring a permit.

(b)

(5)

13. Violation of any one or more of the conditions set forth in this subsection may result in revocation of portable "A" frame sign permit and other enforcement as provided in section 86-211.

(g)

(3) Any sign that is unsafe, insecure, or is a menace to the public health or safety, or has been displayed or is being maintained in violation of the requirements of this item (g), in addition to being a violation of the Town of Edisto Beach Code of Ordinances and subject to enforcement under section 86-211, shall be removed by the owner. Written notice of such finding shall be provided to the contractor, owner, agent or lessee thereof, and a time, not more than 30 days (dependent on the relevant health and safety factors), shall be accorded for removal. Any portable sign may be removed by the building codes administrator without notification if such sign is placed in public rights-of-way. If the contractor, agent, owner or lessee fails to timely remove or correct the violation, the sign may be removed by the building codes administrator at the expense of the contractor, applicant, owner, agent or lessee of the property. The town may immediately remove any sign or advertising structure which is an immediate peril to persons or property, with such costs recoverable in like manner.

Sec. 86-214. - Signs for which a permit is not required.

(a) A permit is not required for the following types of signs in any zoning district:

- (1) Traffic, directional warning or information signs authorized by any public agency.
- (2) Official notices issued by any court, public agency, or officer of any court or public agency.
- (3) One non-illuminated "For Sale" or "For Lease" sign not to exceed nine square feet in areas of residential zoning districts or 20 square feet in other zoning districts, provided all such signs are to be removed 30 days after closing of sale or lease.
- (4) One non-illuminated "For Rent" sign not to exceed six square feet in area attached upon a seasonal residential rental unit.
- (5) One sign for a home occupation or to identify a clubhouse provided it is not illuminated, not larger than four square feet and mounted against a wall of the principal building.
- (6) Church or public building bulletin boards and identification signs, provided there shall be a limit of one such sign which shall not exceed 15 square feet in area.
- (7) Directional signs not exceeding six square feet in area referring to organizations which are non-profit in character and are not erected for more than ten days.
- (8) One sign identifying by name only residential subdivisions or multifamily dwellings, provided such signs do not to exceed 32 square feet in area and must be located on premises.
- (9) Political and campaign signs which do not exceed six square feet in area and are not located within a street or highway right-of-way, provided all such signs are permitted to be displayed 30 days prior to an election and are to be removed within two days after the election at the candidate's expense.
- (10) One sign, not exceeding nine square feet in total area, attached to the building or upon a rod or post not more than five feet high and stating only the street number, cottage name and/or name of the occupants of the cottage, provided any numbers or letters attached to the owner's home shall not be included in calculating sign area.
- (11) Portable signs, sandwich board signs, and banners identifying functions of a non-profit organization which shall not be displayed for more than ten days.
- (12) Community service bulletin boards not to exceed 32 square feet, provided

the business may utilize any wall or accessory surface or combination of not more than three individual surfaces in a cumulative fashion to achieve the required 32 square feet, and that such combination shall be approved by the building code administrator or designee.

- (13) One help wanted banner, not exceeding eight square feet in total area attached to the building of the operating business and not displayed more than 30 consecutive days.
 - (14) Signs and banners associated with special events not to be displayed for more than 15 consecutive days.
 - (15) Fluttering ribbons, pennants, banners and similar devices displayed no more often than once per month on each lot and not for more than 48 hours on each occasion.
 - (16) The American flag, the State of South Carolina flag, college and civic organization flags, each not to exceed five feet by eight feet.
- (b) House numbers. All permanent, free-standing, on-premises signs shall contain house numbers containing number at least four inches in height. The area devoted to required house numbers shall not be included in the calculation of maximum sign area.
- (c) Special signs.
- (1) Temporary signs.
 - a. Contractor/subcontractor on construction sites. One building contractor's or developer's sign, not to exceed nine square feet in total area on a lot where a building is actually under construction. Each subcontractor at such a building, or contractor or subcontractor where solely lot improvements, such as landscaping and irrigation, are being installed, may present one sign not to exceed six square feet in area. All such signs are to be removed from the site by building contractors within 15 days after a certificate of occupancy has been issued on the project, and exterior lot contractors and subcontractors must remove their signs after completion of work.
 - b. Yard sale signs are prohibited from public property and rights-of-way and shall be placed only on private property. Signs shall be posted one day before the day of the sale and shall be removed by the end of the day of the sale. Directional signs for the sale may be placed near street intersections and shall be placed only on private property with the property owner's permission. Signs shall not be placed in the right-of-way, or attached to utility poles, street signs, boxes, trees or anything that would be considered a snipe sign. The area of each yard sale sign face shall not exceed four square feet and shall include the address and

the date of the sale.

- (2) Electronic changeable copy sign. Electronic changeable copy signs are permitted within the office commercial district (C-1), marine commercial district (C-2) and the commercial district (C-3). Such signs are only permitted to be displayed from inside the building. The display area of changeable signs shall be limited to 15 percent of the total allowed sign area.
- (3) Way finder sign program. Way finder signs are signs which are often referred to as "wayfinders" that give orientation, traffic control, or direction to businesses and civic organizations in a commercial district and town owned parks in any zoning district, approved by the authority of the town council. The town will provide and maintain such signs in any zoning district. Such signs shall conform to DOT codes applicable where necessary. Town council shall approve uniform design criteria in keeping with section 86-211.

Sec. 86-218. - Penalties for noncompliance.

Upon adoption of this article, the town will notify in writing the owners of all nonconforming and prohibited signs. The owners shall have 90 days from the date of adoption of this article by the town to bring their signs into compliance with this article or be deemed in noncompliance. Noncompliance shall be considered a misdemeanor and, upon conviction, shall be punished in accordance with section 1-6.

This ordinance shall take effect upon final reading.

Jane Darby, Mayor

First Reading: 07/12/2018
Public hearing: 08/09/2018
Final Reading: 08/09/2018

ATTEST:

Deborah Hargis, Municipal Clerk

Approved as to form: _____

Town of Edisto Beach Resolution

WHEREAS, the Town of Edisto Beach has been without the services provided by a local pharmacy for many years; and

WHEREAS, the establishment of a pharmacy would benefit both residents and visitors of Edisto Beach; and

WHEREAS, the Town has been in discussions with Southeastern Grocers/Bi Lo concerning the establishment of a pharmacy; and

WHEREAS, the nearest pharmacy is located at least thirty minutes from Edisto Beach; and

WHEREAS, Southeastern Grocers, LLC, doing business as Bi Lo, has approved an initial concept plan to establish a pharmacy on Edisto Beach in 2019; and

WHEREAS, the Edisto Beach Town Council supports all efforts to enhance our community.

THEREFORE BE IT Resolved on this 9th day of August, 2018 that the Town Council of Edisto Beach does fully and unequivocally support the initial concept plan for the establishment of a pharmacy on Edisto Beach.

Mayor Jane Darby

Mayor Pro Tem Crawford Moore

Susan Hornsby

Jerome Kizer

Patti Smyer