

**AGENDA**  
**TOWN OF EDISTO BEACH**  
**OCTOBER 12, 2017**  
**REGULAR TOWN COUNCIL MEETING**  
**6:00 P.M.**

- I. Call to Order**
- II. Pledge of Allegiance and Invocation**
- III. Approval of Minutes**
  - A. Special Emergency Council Meeting Minutes, September 7, 2017
  - B. Regular Council Meeting Minutes, September 14, 2017
- IV. Proclamations and Presentations**
  - A. Starfish Award – Mike Casey
  - B. Five Year Service Award – Deborah Hargis
  - C. Safety Policy Resolution No. 2017-R30
  - D. Earthquake Awareness Proclamation No. 2017-P31
- V. Old Business**
  - A. Resolution No. 2017-R12 to Adopt the Local Comprehensive Beachfront Management Plan
  - B. Second 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
  - C. Second Reading of Ordinance No. 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
  - D. TIDE Recommendations (July 13, 2017)
- VI. New Business**
  - A. Council Recognition of Exemplary Service by Town Employees
  - B. First Reading of Ordinance No. 2017-24 Division 2-Protection of Sea Turtles
  - C. 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 Carts”
  - D. First Reading of Ordinance No. 2017-29 to Amend the FY 2017-18 Budget
  - E. Amendment #2 (Exhibit C) to Agreement for Professional Services, Coastal Science & Engineering, Post Storm and FEMA Coordination
  - F. Amendment #3 (Exhibit D) to Agreement for Professional Services, Coastal Science & Engineering, Engineering Services for Disaster Recovery Efforts
  - G. Emergency Purchase Order-Security Camera Repair
  - H. Emergency Purchase Order-Additional Services-Lyons Contracting
  - I. Emergency Purchase Order-Colleton County
  - J. Emergency Purchase Order-Additional Containers-Republic Services
  - K. Emergency Purchase Order-Emergency Berm-West Bank Construction
  - L. Change Order No. 2 Beach Accesses 17, 19 and 32
- VII. Committee Vacancies**
  - A. TIDE Committee – 2 vacancies
  - B. Beachfront Management Committee – 1 vacancy
  - C. Water and Sewer Committee – 1 vacancy
- VIII. Departmental Reports and Committee Updates**
- IX. Public Comment Period**
- X. Executive Session**

**Upon Returning to Open Session, Action May Be Taken By The Council On The Items Discussed During The Executive Session**

  - A. Contractual – Negotiations related to 3708 Village Court [SC Code 30-4-70a (2)]
- XI. Adjournment**

**Town of Edisto Beach  
Safety Policy Resolution**

**WHEREAS**, the Mayor and Town Council recognize that the prevention of accidental losses affecting employees, property, and the public will enhance the operating efficiency of Town government; and

**WHEREAS**, a pro-active loss control posture requires that sound loss prevention measures are of primary consideration and take precedence over expediency in all operations.

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Edisto Beach provide a work environment free of recognized hazards through the establishment and implementation of loss control policies and procedures, and their subsequent amendments and additions, designed to provide protection to Town employees, public and private property, and members of the public.

**BE IT FURTHER RESOLVED**, that the Town will support compliance with all Federal and State safety regulations; provide and require the use of personal protective equipment by all employees; and insure that all employees are advised of and understand their loss control responsibilities in the performance of their work.

SIGNED, SEALED AND ADOPTED BY Town Council this 12<sup>th</sup> day of October, 2017.

\_\_\_\_\_  
Jane Darby, Mayor

\_\_\_\_\_  
Susan Hornsby, Mayor Pro Tempore

\_\_\_\_\_  
Jerome Kizer, Council Member

\_\_\_\_\_  
Crawford Moore, Council Member

\_\_\_\_\_  
Patti Smyer, Council Member

**TOWN OF EDISTO BEACH PROCLAMATION  
EARTHQUAKE AWARENESS WEEK 2017**

**WHEREAS**, earthquakes pose a potential threat to the citizens of South Carolina and their property; and

**WHEREAS**, South Carolina experiences an average of 15 to 20 small earthquakes each year; and

**WHEREAS**, on February 14, 2014, a 4.1 magnitude earthquake in Edgefield was felt across the entire state; and

**WHEREAS**, an earthquake similar in intensity to the one that occurred in 1886 with an epicenter near Charleston would today be catastrophic in nature and would cause great loss of life, damage to property, and economic loss amounting to billions of dollars; and

**WHEREAS**, despite advances in science and technology, earthquakes remain unpredictable; and

**WHEREAS**, South Carolina has partnered with the states of North Carolina, Georgia, Maryland, Virginia and the District of Columbia for one of the largest earthquake drills in the United States, the Great Southeast ShakeOut; and

**WHEREAS**, the Town of Edisto Beach has taken part in the Great Southeast ShakeOut for the past 4 years; and

**WHEREAS**, because we cannot prevent earthquakes from happening, it is important for the citizens of the Town of Edisto Beach to prepare today for the earthquake that could happen tomorrow.

**THEREFORE, BE IT RESOLVED** that Edisto Beach Town Council formally declares the week of October 16-22 as Earthquake Awareness Week.

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

\_\_\_\_\_  
Mayor Pro Tem Susan Hornsby

\_\_\_\_\_  
Jerome Kizer

\_\_\_\_\_  
Crawford Moore

\_\_\_\_\_  
Patti Smyer

**Town of Edisto Beach**

**Resolution to Adopt a Local Comprehensive Beach Management Plan**

WHEREAS, the Town of Edisto Beach is required to update a Local Comprehensive Beach Management Plan every 5-years;

WHEREAS, based on the Department of Health and Environmental Control-Ocean and Coastal Resource Management (DHEC-OCRM) cross divisional team review the Town's proposed plan satisfies the minimum required elements indicated in the Beachfront Management Act;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Edisto Beach, as duly assembled, adopts the Edisto Beach Local Comprehensive Beach Management Plan dated August 31, 2017, for submittal to the State for final review, comment and acceptance, a copy of which is attached hereto as Exhibit 'A'.

SIGNED, SEALED AND ADOPTED BY Town Council this 12<sup>th</sup> day of October, 2017.

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

\_\_\_\_\_  
Susan I. Hornsby, Mayor Pro Tempore

\_\_\_\_\_  
Jerome Kizer, Council Member

\_\_\_\_\_  
Crawford Moore, Council Member

\_\_\_\_\_  
Patti Smyer, Council Member

V. B.

No. 2017 - 27

**TOWN OF EDISTO BEACH**

**AN ORDINANCE**

**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 on December 21, 2017.**

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that Sections **14-110 (a), 14-114 (d), 14-114 (h)**, of the Town's Code be amended to read as follows:

Sec. 14-110. - Application, purpose, objectives, and warning and disclaimer of liability.

(a) *Lands to which this article applies.* This article shall apply to all areas of special flood hazard within the jurisdiction of the Town of Edisto Beach as identified by the Federal Emergency Management Agency in its flood insurance study, dated December 21, 2017, with accompanying maps and other supporting data that are hereby adopted by reference and declared to be a part of this article. Upon annexation, any special flood hazard areas identified by the Federal Emergency Management Agency in its flood insurance study for the unincorporated areas of Colleton County, with accompanying map and other data are adopted by reference and declared part of this article.

Sec. 14-114. - Required permits and general construction standards.

(d) All construction permitted in the town located in "A" flood zones shall position the lowest floor elevations, including basements, air conditioning and mechanical units, not lower than three (3) feet above the 100-year base flood elevation for the zone in which they are located. Elevations are based upon mean sea level, and the regulated zones of the town are indicated on flood insurance rate maps as follows:

Map Number	Date
45029CO689 G	December 21, 2017
45029CO693 G	December 21, 2017
45029CO776 G	December 21, 2017
45029CO777 G	December 21, 2017

45029CO781 G	December 21, 2017

Sec. 14-114. - Required permits and general construction standards.

(h) Copies of the flood insurance rate maps indicated below with dates as indicated, for the town, prepared by the National Flood Insurance Program and the Federal Emergency Management Agency, copies of which are on file in the Town Hall:

Map Number	Date
45029CO689 G	December 21, 2017
4509CO693 G	December 21, 2017
45029CO776 G	December 21, 2017
45029CO777 G	December 21, 2017
45029CO781 G	December 21, 2017

This ordinance shall take effect upon December 21, 2017.

\_\_\_\_\_  
Jane Darby, Mayor

First Reading: September 14, 2017

ATTEST:

Final Reading: October 12, 2017

\_\_\_\_\_  
Deborah Hargis

Approved as to form: \_\_\_\_\_

TOWN OF EDISTO BEACH

AN ORDINANCE

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.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that 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's Code be amended to read as follows:

Sec. 14-111. - Administrator.

- (a) The building codes administrator is the official designated to administer the provisions of this article.
- (b) The building codes administrator, his or her designee shall advise permittee that additional federal or state permits may be required, and if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the development permit.
- (c) The building codes administrator, his or her designee shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C 1334.
- (d) The Building Codes Administrator, his or her designee shall be responsible for serving Administrative Notices - Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in Section 14-115
- (e) The Building Code Administrator, his or her designee shall ensure; Records Maintenance - Maintain all records pertaining to the administration of this ordinance and make these records available for public inspection.

Definitions 14-113

Recreational vehicle means a vehicle which is:

- (1) Is ready for highway use, built on a single chassis, wheels or a jacking system;
- (2) Four hundred square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a motor vehicle; and,
- (4) Not designed for primary use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

- (5) Attached to the site only by quick-disconnect type utilities and security devices; and
- (6) Has no permanently attached additions
- (7) Recreational vehicles placed on sites shall either be, on site for fewer than 180 consecutive days; or be fully licensed and ready for highway use.

*Accessory structure* means a structure that is located on the same parcel of property as the principal structure and the use of is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

- a) A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirements as outlined in FEMA's Technical Bulletin 7-93 *Wet Floodproofing Requirements or be elevated in accordance with Article IV Section B(1) and B (4) or dry floodproofed in accordance with Article IV B (2).*
- b) If accessory structures of \$3,000 or less are to be placed in the floodplain, the following criteria shall be met:
  - (1) Accessory structures shall not be used for any uses other than the parking of vehicles and storage,
  - (2) Accessory structures shall be designed to have low flood damage potential,
  - (3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
  - (4) Accessory structures shall be firmly anchored to prevent flotation, collapse and lateral movement of the structure,
  - (5) Service facilities such as electrical and heating equipment shall be installed in accordance with Article IV.A.5,
  - (6) Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with Article IV.B.4a, and
  - (7) Accessory structures shall be built with flood resistance materials in accordance with Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, dated 8/08, and available from the Federal Emergency Management Agency.



Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 48 percent of the market value of the structure before the damage occurred. If the repair project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether substantial damage will occur.

*Substantial improvement* means any improvement of a structure, whether it is a repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 48 percent of the market value of the structure, before the start of construction of the improvement. This term includes structures that have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project of improvement to a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include American with Disabilities Act compliance standards); or
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether substantial improvement will occur.

For the purposes of residential structures only, the cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years.

The market values shall be determined by one of the following methods:

1. The current assessed building value as determined by the county's assessor's office or the value of an appraisal performed by a licensed appraiser at the expense of the owner; or
2. One or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less depreciation for functionality and obsolescence and site improvements. The Marshall & Swift Residential Cost handbook shall be used to determine costs for buildings or structures.
3. Real estate purchase contract within 12 months prior to the date of the application for a permit.

*Substantially improved existing manufactured home park or subdivision* means where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 48 percent of the value of the streets, utilities and pads before the repair, reconstruction, rehabilitation or improvement commenced.

**Sec. 14-221. - Generally.**

(b) Residential buildings in "A" flood zones may have limited storage areas, areas used for the parking of vehicles, provided the following conditions are observed:

(1) The floor of an attached or unattached, unfinished enclosed garage or storage area shall not exceed 299 square feet

(j)

In "V" zones and oceanfront building lots, breakaway walls to enclose storage areas or garages shall be permitted below base flood elevation. The attached or unattached, unfinished enclosed area shall be less than 299 square feet. All breakaway walls shall be constructed in accordance with design documents prepared by a structural architect or engineer licensed by the state. A "breakaway V zone pre-construction design certificate" shall accompany the construction documents indicating a safe loading resistance of not less than ten and no more than 20 pounds per square foot. The design documents and certificate shall bear the designer's seal and signature. No plumbing pipes, gas piping, electric wires, or other equipment shall be run or mounted on or in the breakaway wall or in any way impede or prevent breakaway of the wall under the designated load.

This ordinance shall take effect upon final reading.

\_\_\_\_\_  
Jane Darby, Mayor

First Reading: September 14, 2017

ATTEST:

Final Reading: October 12, 2017

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

Approved as to form \_\_\_\_\_

Ordinance 2017-24

Formatted: Right

**TOWN OF EDISTO BEACH**

Formatted: Centered

**AN ORDINANCE**

**To Amend Division 2, Protection of Sea Turtles**

Formatted: Font: Bold

Formatted: Font: Bold

Sec. 10-61. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Artificial light* means any source of light emanating from a manmade device, including but not limited to incandescent mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, streetlights, vehicular lights, construction or security lights.

*Beach* means that area of unconsolidated material that extends landward from the mean low water line to the place where there is a marked change in material or physiographic form, or to the line of permanent vegetation (usually the effective limit of storm waves).

*Bug light* means an incandescent lamp that is tinted yellow in order to attenuate its emission of short wave-length light and thus reduce attractiveness to insects.

*Floodlight* means reflector type light fixture that is attached directly to a building and which is unshielded.

*Low-profile luminaire* means a light fixture set on a base that raises the source of the light no higher than 48 inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

*New development* includes new construction and remodeling of existing structures when such remodeling includes alteration of exterior lighting.

*Person* means any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit of federal, state, county or municipal government.

*Pole lighting* means a light fixture set on a base or pole that raises the source of the light higher than 48 inches off the ground.

~~*Shading coefficient* means a coefficient expressing that percentage of the incident radiation that passes through the window as heat.~~

~~*Tinted or filmed glass* means window glass that has been covered with window tint or film such that the material has:~~

- ~~(1) A shading coefficient of 0.45 or less;~~
- ~~(2) A minimum five-year warranty;~~
- ~~(3) Adhesive as an integral part; and~~
- ~~(4) Performance claims that are supported by approved testing procedures and documentation.~~

(Ord. of 2-13-92, § 1; Ord. of 5-10-01(1), § 1)

**Cross reference**— Definitions generally, § 1-2.

Sec. 10-62. - Purpose.

The purpose of this division is to protect the threatened and endangered sea turtles that nest along the beaches of the town by safeguarding the adult female turtle laying her eggs and the hatchlings from sources of artificial light that cause disorientation and subsequent death. It is the policy of the town that no artificial light shall be visible or illuminate any area of the beaches of the town during the period of May 1 through October 31 of each year from ~~dusk to dawn~~ Official sunset to official sunrise.

(Ord. of 2-13-92, § 2; Ord. of 5-10-01(1), § 2)

Sec. 10-63. - New development.

It is the policy of the town that no artificial light shall be visible or illuminate any area of the beaches in of the town. To meet this intent, if lighting associated with construction or development can be seen from the beach, all building and electrical plans for construction of single family or multi-family dwellings, commercial or other structures, including electrical plans for parking lots, dune walkovers or other outdoor lighting for real property shall be in compliance with the following (this may include any structure whether on front beach or not):

- (1) Floodlights shall be prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.
- (2) Pole lighting shall be shielded in a way that light will be contained within an arc of three to 73 degrees on the seaward side of the pole. Outdoor lighting shall be held to the minimum necessary for security and convenience.
- (3) Low profile luminaries shall be used in parking lots and the lighting shall be positioned so that no light is visible or illuminates the beach.
- (4) Dune crosswalks shall utilize low profile shielded luminaries. Only mushroom type light fixtures, which direct light downward, shall be permitted. Such lighting shall also meet the following requirements:
  - a. Fixtures shall be installed at least 25 feet apart and not more than one foot above the surface of the walkovers.
  - b. Illumination shall be limited to 25 watts through the use of "bug" type bulbs.
- (5) Lights on balconies shall be fitted with hoods so that lights will not be visible or illuminate the beach.
- (6) Window treatments in windows facing the ocean are required so that interior lights cannot be seen and do not illuminate the beach. The use of blackout draperies or shade screens is preferred. The addition of tint or film to windows or awnings is also encouraged, as is turning off unnecessary lights if the lights can be seen or illuminate the beach.
- (7) Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground and illumination from the lights shall not spread beyond the boundary of the property being developed and in no case shall those lights be left on so they are visible on the beach from official sunset to official sunrise illuminate the beach.

(Ord. of 2-13-92, § 3; Ord. of 5-10-01(1), § 3; Ord. of 10-13-05(1), § 1; Ord. No. 2011-11, 4-14-11)

**Cross reference**— Planning, ch. 62; zoning, ch. 86.

Sec. 10-63A. - Construction lighting.

Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground. Illumination for these lights shall be shielded so that they do not illuminate the beach and cannot be seen from the beach.

(Ord. of 5-10-01(1), § 4; Ord. No. 2011-11, 4-14-11)

Sec. 10-64. - Exemptions for new development.

The provisions of section 10-63 shall not apply to any structure for which a building permit has been issued by the town prior to the effective date of the ordinance from which the latest versions of this division have been adopted.

(Ord. of 2-13-92, § 4; Ord. No. 2011-11, 4-14-11)

Sec. 10-65. - Existing development.

It is the policy of the town that no artificial light be visible or illuminate any area of the beaches of the town. This may include light emanating from any structure on the beach whether or not located on the front beach. To meet this intent, lighting of existing structures which can be seen from the beach shall be in compliance with the following:

- (1) Lights illuminating building or associated grounds for decorative, security, or recreational purposes shall be shielded or screened such that they are not visible from the beach and will be turned off from ~~4:00 p.m. until dawn~~ official sunset to official sunrise during the period of May 1 to October 31 of each year.
- (2) Lights illuminating dune crosswalks of any areas oceanward of the dune line shall be turned off from ~~dusk to dawn~~ official sunset to official sunrise during the period of May 1 to October 31 of each year.
- (3) Motion detecting security lights shall be permitted throughout the night so long as low profile luminaries are used and screened in a way that those lights are not visible or do not illuminate the beach.
- (4) Window treatments in windows facing the ocean are required so that interior lights do not illuminate the beach. The use of blackout draperies or shade screens is preferred. The addition of tint or film to windows or awnings is also encouraged, as is turning off unnecessary lights if the lights are visible illuminate on the beach.

(Ord. of 2-13-92, § 5; Ord. of 5-10-01(1), § 5; Ord. No. 2011-11, 4-14-11)

Sec. 10-66. - Publicly owned lighting.

Streetlights and lighting at parks and other publicly owned beach access areas shall be subject to the following:

- (1) Streetlights shall be located so that their illumination shall travel away from the beach. These lights shall be shielded so that backlighting is prevented and they shall not be visible from the beach.
- (2) Lights at parks or other public beach access points shall be shielded so as to prevent any illumination of the beach. If this is not achievable, the Town will make every effort to have these lights turned off by the utility company during critical periods (laying or hatching), only if it does not impact public safety.

(Ord. of 2-13-92, § 6; Ord. of 5-10-01(1), § 6; Ord. No. 2011-11, 4-14-11)

**Cross reference**— Utilities, ch. 82.

Sec. 10-66A. - Individual use of lights.

- (a) Use of unfiltered lights (any color spectrum except red), including but not limited to flashlights, cellular phones, and cameras, by persons are prohibited on the beach from dusk to dawn between May 1 and October 31 each year.
- (b) No unfiltered light shall be shown directly on adult turtles, eggs or hatchlings.

(Ord. of 5-10-01(1), § 6; Ord. No. 2011-11, 4-14-11)

Sec. 10-67. - Enforcement and penalty.

This division shall be enforced in accordance with the provisions of this chapter, with penalties set forth in section 1-6 of this Code. Violation of any provision of this article shall constitute a misdemeanor. Each day of violation shall constitute a separate offense.

(Ord. of 2-13-92, § 7; Ord. of 5-10-01(1), §§ 7, 9; Ord. No. 2011-11, 4-14-11)

Sec. 10-67A. - Periods of enforcement

The provisions of sections 10-63A, 10-65, and 10-67 shall be enforced within the town during the period of May 1 through October 31 of each year between dusk and dawn.

(Ord. of 5-10-01(1), § 8)

This ordinance shall take effect upon final reading.

\_\_\_\_\_  
Jane Darby, Mayor

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

ATTEST:

Final Reading: \_\_\_\_\_

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

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 a 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 a 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 \_\_\_\_\_

**TOWN OF EDISTO BEACH  
AN ORDINANCE**

**TO AMEND THE FY 2017-2018 TOWN BUDGET**

WHEREAS, Town administration has conducted an analysis of the recent storm activity and its effect on the Town and recommends an amendment to the Budget to incorporate line items and contingencies for expenditures related to natural disaster emergencies; and

WHEREAS, Town Council believes it is in the best interests of the Town to amend the 2017-2018 Town Budget per the recommendations.

BE IT ORDAINED by the governing body of the Town of Edisto Beach, in council duly assembled, and by the authority of the same:

1. The FY 2017-2018 Town of Edisto Beach Budget is hereby amended as set forth in the attached Exhibit A.

This ordinance shall be effect upon adoption.

TOWN OF EDISTO BEACH

By: \_\_\_\_\_  
Mayor Jane Darby

ATTEST:

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

First Reading: October 12, 2017  
Final Reading: \_\_\_\_\_

Approved as to form: \_\_\_\_\_