

**AGENDA**  
**TOWN OF EDISTO BEACH**  
**March 10, 2016**  
**REGULAR TOWN COUNCIL MEETING**  
**6:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Minutes**
  - A. Regular Council Meeting Minutes, February 11, 2016**
  - B. Annual Goal Setting Retreat Minutes, February 16, 2016**
- IV. Proclamations and Presentations**
  - A. Proclamation No. 2016-P08 Proclaiming April 2016 as Distracted Driver Awareness Month**
  - B. Fire Academy Video**
- V. Old Business**
  - A. Second Reading of Ordinance No. 2016-04 To Amend Section 82-1 Of The Town's Code Of Ordinances To Enact Subsections (d), (e), (f), and (g)**
- VI. New Business/Appeances**
  - A. First Reading of Ordinance No. 2016-07 To Enact Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach, entitled "Golf Carts."**
  - B. FY 2016-17 Council Retreat Goals**
  - C. Town of Edisto Beach Employee Handbook-State of Emergency-Exempt Employees**
  - D. Special Event Application-Edisto Island Ducks Unlimited**
  - E. Special Event Application – 6<sup>th</sup> Annual Edisto Eats Festival and Ultimate Chef Competition**
  - F. Special Event Application – King's Daughters Bazaar**
  - G. Coalition for Sustainable Flood Insurance Fundraising Effort**
  - H. Resolution No. 2016-R09 designating April 2016 as Fair Housing Month**
- VII. Committee Vacancies**
  - A. The Image and Design of Edisto – 1 vacancy**
  - B. Water and Sewer – 1 vacancy**
  - C. Beachfront Management – 1 vacancy**
- VIII. Departmental Reports and Committee Updates**
- IX. Public Comment Period**
- X. Adjournment**

**The Town of Edisto Beach  
A Proclamation**

**WHEREAS**, the United States Department of Transportation launched a national campaign in 2009 to end the dangerous practice of distracted driving; and

**WHEREAS**, the U.S. Department of Transportation's National Highway Traffic Safety Administration reports that 3,154 people were killed in 2013 and an estimated 424,000 were injured in motor vehicle crashes involving distracted drivers; and

**WHEREAS**, distraction from cell phone use while driving extends a driver's reaction as much as having a blood alcohol concentration at the legal limit of .08 percent; and

**WHEREAS**, in June 2014, Governor Nikki Haley signed into law a bill banning texting and driving; and

**WHEREAS**, all drivers need to understand the risk of distracted driving, recognize their own inability to safely multi-task while behind the wheel, and make the right decisions;

**BE IT THEREFORE RESOLVED** that the Council of the Town of Edisto Beach affirms on this day, March 10, 2016, its support of raising awareness of the dangers of distracting driving and proclaims April 2016 as

**DISTRACTED DRIVING AWARENESS MONTH**

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Mayor Jane S. Darby

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Mayor Pro Tem Susan Hornsby

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Councilman Crawford Moore

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Councilman Jerome Kizer

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Councilwoman Patti Smyer

TOWN OF EDISTO BEACH

AN ORDINANCE

TO AMEND SECTION 82-1 OF THE TOWN'S CODE OF ORDINANCES  
TO ENACT SUBSECTIONS (d), (e), (f), AND (g).

WHEREAS, The Town Council of Edisto Beach by this ordinance desires to amend Section 82-1 of the Town's Code of Ordinances to enact subsections that provide for (1) a procedure for customers to request a water meter test, (2) a procedure for a customer to request the relocation of a water meter, (3) establishment of a charge for after-hours service, and (4) a procedure for a customer to request water testing.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that Section 82-1 of the Town's Code of Ordinances be amended to add subsections (d), (e), (f), and (g) which shall read as follows:

**Sec. 82-1. - Utility fees.**

(a) Fees designated by the council to pay for water service, sewer service, garbage and refuse removal, and installation of numbers on structures as required by Code Section 70-71 are hereby designated utility fees.

(b) Utility fees established from time to time by the council shall be billed on a schedule established by the administrator. If any utility fee or part thereof shall become delinquent, all water and sewer service to such users shall be disconnected and shall remain disconnected until such user shall have paid all past due fees, penalties and reconnection charges.

(c) The customer may submit to the town a written challenge to the charges on a utility bill, provided that the challenge is made within 45 days of the date the bill is issued by the town, and further, provided that the customer shall waive his/her right to challenge and be deemed to accept the charges as true and accurate if the customer either pays the bill or does not submit a written challenge within the said 45 days. If it can be determined that the town has overcharged a customer and the customer has not waived his/her right to submit a written challenge as provided herein, the town shall, at the customer's option, credit or refund the excess amount paid by that customer or credit the amount billed.

(d) The customer may request for a test of the water meter upon payment in advance to the Town of a fee of \$150.00. If the water meter shows upon test an error less than 3%, the meter shall not be considered defective. If the water meter is determined to be over-registering by 3% or more on test, the customer's current utility bill shall be adjusted using the customer's annual average usage, or by using the

average of 280 gallons per day (SCDHEC average for residential usage) if the customer does not have a twelve-month history with the Town, and the \$150 fee will be credited to the customer's account.

(e) The customer may request a relocation of the water meter upon payment in advance to the Town of a fee of \$250.00.

(f) An after-hours service charge at the rate of \$75.00 per hour will be assessed to any customer who requests a Town employee to respond to their property after hours for a water/sewer situation not caused by the Town or the responsibility of the Town. After-hours is any time outside of normal business operating hours for the Town, including weekends and Town observed holidays.

(g) The customer may request the Town conduct testing on the customer's water. If the testing results are within the normal range, the cost of the testing and technician time shall be applied to the customer's utility bill.

This ordinance shall take effect upon final reading.

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

First Reading: 2/11/2016

ATTEST:

Final Reading: 03/10/2016

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

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

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 permits 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 at least 20 miles per hour but not more than 25 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 25 miles per hour.

*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;
  - (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 that is not qualified for night-time driving 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 permission and consent of the property owner.

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

Golf carts, whether owned or rented, shall have:

- (A) A current decal from the South Carolina Department of Motor Vehicles that is displayed in a clearly visible place on the golf cart;
- (B) A current decal from the town that is displayed 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 PERMITS.

- (A) Application for a town permit shall be made to Town Hall before a golf cart may be driven on any street in the town. The permits shall be valid from January 1 to December 31 each year. The following fees shall apply:
  - (1) Fee of \$5.
  - (2) No charge for any person 65 years of age or older who is a permanent resident, living full-time at the premise or the premise is a second home for the person for whom the permit is issued.
- (B) The following must be presented to the town to obtain or renew a permit:
  - (1) Proof of registration with the South Carolina Department of Motor Vehicles;
  - (2) A certification that the golf cart has a rear view mirror and is otherwise in safe operating condition; and
  - (3) A 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 \$10 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 permit, the Police Department or anyone who has been approved the Police Department shall be authorized to issue a parking citation and to impound or immobilize the vehicle.

78-55 RENTAL OF GOLF CARTS.

- (A) A business that rents golf carts shall have all licenses required by law.
- (B) All sections in this chapter shall apply to rented golf carts.
- (C) Each rented golf cart shall have the rental company's name affixed to the cart in such a manner as to be clearly visible.
- (D) 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.
- (E) Golf cart rental companies shall keep copies of all rental contracts, certifications, and the renters' drivers' licenses for a least three years.

78-56 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.

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Jane S. Darby, Mayor

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

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

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

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

**Fair Housing Resolution**

**WHEREAS**, April 12, 2016, marks the 47<sup>th</sup> anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights act of 1968, as amended, and the State of South Carolina enacted the South Carolina Fair Housing Law in 1989, that both support the policy of Fair Housing without regard to race, color, creed, national origin, sex, familial status, and handicap, and encourages fair housing opportunities for all citizens; and

**WHEREAS**, the Town of Edisto Beach is committed, to addressing discrimination in our community, to support programs that will educate the public about the right to equal housing opportunities, and to plan partnership efforts with other organizations to help assure every citizen of their right to fair housing; and

**WHEREAS**, the Town of Edisto Beach rejects discrimination on the basis of race, religion, color, sex, national origin, disability and/or familial status in the sale, rental, or provision of other housing services; and

**WHEREAS**, the Town of Edisto Beach desires that all its citizens be afforded the opportunity to attain decent, safe and sound living environment;

**NOW THEREFORE**, be it resolved that the Town of Edisto Beach does hereby designate April 2016 as being Fair Housing Month and, the Town of Edisto Beach recognizes the policy supporting Fair Housing in encouraging all citizens to endorse Fair Housing opportunities for all not only during Fair Housing month but throughout the year.

SIGNED, SEALED AND ADOPTED BY Town Council this 10<sup>th</sup> day of March 2016.

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Mayor Jane S. Darby

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Mayor Pro Tem Susan Hornsby

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Councilman Crawford Moore

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Councilman Jerome Kizer

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Councilwoman Patti Smyer