

**AGENDA**  
**TOWN OF EDISTO BEACH**  
**April 12, 2018**  
**REGULAR TOWN COUNCIL MEETING**  
**6:00 P.M.**

- I. Call to Order**
  - II. Pledge of Allegiance and Invocation**
  - III. Approval of Minutes**
    - A. Annual Goal Setting Retreat Minutes, March 7, 2018
    - B. Regular Council Meeting Minutes, March 8, 2018
  - IV. Proclamations and Presentations**
    - A. Five Year Service Awards
      - i. George Brothers
      - ii. Daniel Seyle
    - B. Starfish Award
      - i. Pam Berry
    - C. 2018 Municipal Achievement Award for 1-1000 population category
  - V. Old Business**
    - A. Second Reading of Ordinance No. 2018-07 to Amend Article III of Chapter 78 of the Code of Ordinances of the Town of Edisto Beach, entitled "Golf Carts"
    - B. Water System Improvement Project Update
  - VI. New Business**
    - A. FY 2018-2019 Budget (Worksession only)
    - B. Proclamation 2018-P08 Building Safety Month 2018
    - C. Art Guild Request to Use Civic Center
    - D. Bay Creek Park Rental Rates
    - E. Civic Center Alarm Company Quotes
    - F. Edisto Beach Civic Center Fee Schedule
    - G. Janitorial Services Contract, Bay Creek Park and Civic Center
    - H. Recess of the Beachfront Management Committee, Scott Creek Committee, TIDE Committee and Water and Sewer Committee
    - I. Resolution No. 2018-R09, Freedom of Information Act Policy and Request Form
    - J. Special Event Application, Mitch Cherry, Edisto Island Classic – Kayak and Stand Up Paddle Board Race
    - K. Work Authorization No. 9 American Engineering
    - L. First Reading of Ordinance No. 2018-10 To Amend Section 82-33 Of The Town's Code To Adjust The Rates For Water Service
  - VII. Planning Commission**
    - A. First Reading of Ordinance No. 2018-02 An Ordinance to Enact Article IX of the Town's Zoning Ordinance Related to Fences on Private Lots
  - VIII. Committee Vacancies**
    - A. Planning Commission – (Two Vacancies)
    - B. ATAX Board – (One Vacancy)
    - C. Municipal Elections Commission – (One Vacancy)
  - IX. Departmental Reports and Committee Updates**
  - X. Public Comment Period**
  - XI. Executive Session**
    - A. Legal Advice Regarding Per Diem Expense Reimbursement Matter [SC Code 30-4-70(a)(2)]
    - B. Legal Advice Regarding Petition Related to FOIA Requests [SC Code 30-4-70(a)(2)]
    - C. Legal Advice Regarding Southeastern Grocers, LLC Bankruptcy [SC Code 30-4-70(a)(2)]
    - D. Legal Advice Regarding Property Donation from Mark Steedley [SC Code 30-4-70(a)(2)]
    - E. Personnel-Beach Patrol [SC Code 30-4-70(a)(1)]
    - F. Personnel – Administration [SC Code 30-4-70(a)(1)]
- Upon Returning to Open Session, Action May Be Taken By the Council on Items Discussed During the Executive Session**

V. A.

No. 2018- 07

**TOWN OF EDISTO BEACH**

**AN ORDINANCE**

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

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled, that Article III of Chapter 78 of the Town's Code of Ordinances is amended to read as follows:

**CHAPTER 78 TRAFFIC AND VEHICLES**

**ARTICLE III. Golf Carts**

**Sec. 78-50 GOLF CARTS ALLOWED ON CERTAIN STREETS.**

Golf carts, as defined below, are permitted to be driven on most streets in the town subject to the provisions of this article.

**Sec. 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 greater than 20 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 20 miles per hour.

**Sec. 78-52 RULES GOVERNING THE OPERATION OF GOLF CARTS.**

- (A) During daylight hours only, a permitted golf cart may be operated within four miles of the address on the SCDMV registration certificate, and only on a secondary highway or street for which the posted speed limit is 35 miles per hour or less. (See S.C. Code § 56-2-105(C).)
- (B) Golf carts may cross Palmetto Boulevard, but shall not drive on Palmetto Boulevard. (See S.C. Code § 56-2-105(C).)

- (C) A person operating a golf cart must be at least 16 years of age and hold a valid driver's license. The operator of a permitted golf cart being operated on a highway or street must have in his or her possession:
- a. The SCDMV registration certificate issued by the State of South Carolina;
  - b. Proof of liability insurance for the golf cart; and
  - c. His or her driver's license. (See S.C. Code § 56-2-105(C).)
- (D) Golf carts shall not be operated at any time when windshield wipers are 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. (S.C. Code §§ 56-5-5000).
- (E) Golf carts shall only operate during daylight hours. (S.C. Code § 56-2-105.)
- (F) A golf cart shall be equipped with a rear vision mirror.
- (G) 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, and no part of the body of the operator or any occupant shall extend outside the perimeter of the golf cart while it is in motion.
- (H) The driver of a golf cart shall use hand signals when turning or stopping unless the golf cart is equipped with turn signals.
- (I) Golf carts are subject to all traffic rules and regulations and parking laws governing the operation of motor vehicles.
- (J) Golf carts shall not be operated on private property without the permission and consent of the property owner.
- (K) The provisions of this article that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties.

Sec. 78-53 SCDMV DECAL 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) Current liability insurance in an amount not less than required by state law for motor vehicles operated on public highways. (SC Code 56-2-105)

Sec. 78-54 TOWN GOLF CART DECALS.

- (A) Application for a town decal shall be made to Town Hall before a golf cart may be parked on a street, right-of-way, or other public property in the town. The decals shall be valid for three years and shall expire on December 31 of the year punched on the decal. There is no fee for the decal.
- (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) 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) It shall be unlawful for a golf cart to be parked on a street, right-of-way, or other public property without a valid town golf cart decal. (Penalty in accordance with Town Ordinance 78-36) 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. (See S.C. Code § 56-5-710(A)(1).)

- (E) The Town decal requirement is for identification 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.

Sec. 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 article 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 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 article 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 at least three years.
- (F) All golf cart rental companies shall have a local contact who can physically respond to the site within 30 minutes in case of emergency or other need by the town.
- (G) All rented golf carts must display a label in plain sight of the operator with the following content:
  - (1) Operate during day light hours only;
  - (2) Do not drive on Palmetto Boulevard, can cross Palmetto Boulevard;
  - (3) Must be 16 years of age, with a valid driver's license;
  - (4) Must use hand signals when turning and stopping;
  - (5) Subject to all traffic and parking laws; and
  - (6) Occupants not to exceed number of seats.

Sec. 78-56 VIOLATION; MISDEMEANOR.

Violation of any of the provisions of Article III of Chapter 78 for which another penalty is not provided shall constitute a misdemeanor and be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

This ordinance shall take effect upon adoption.

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Jane Darby, Mayor

First Reading: 03/08/2018

Second Reading: 04/12/2018

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

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Deborah Hargis, Municipal Clerk

**BUILDING SAFETY MONTH 2018  
TOWN OF EDISTO BEACH**

**WHEREAS**, the Town of Edisto Beach’s continuing efforts to address the critical issues of safety, energy efficiency, and resilience in the built environment that affect or citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound, and;

**WHEREAS**, our confidence is achieved through the devotion of vigilant guardians – building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry – who work year-round to ensure the safe construction of buildings, and;

**WHEREAS**, these guardians – dedicated members of the International Code Council – use a governmental consensus process that brings together local, state and federal officials with expertise in the building environment to create and implement the highest-quality codes to protect Americans and the buildings where we live, learn, work, worship, play, and;

**WHEREAS**, the International Codes, the most widely adopted building safety, energy and fire prevention codes in the nation, are used by most U.S. cities, counties and states; these modern building codes also include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires and earthquakes, and;

**WHEREAS**, Building Safety Month is sponsored by the International Code Council, to remind the public about the critical role of our communities’ largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and new technologies in the construction industry. Building Safety Month 2018 encourages appropriate steps everyone can take to ensure that places where we live, learn, work, worship and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and;

**WHEREAS**, each year, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

**NOW THEREFORE, WE**, Council of the Town of Edisto Beach, South Carolina, do hereby proclaim the month of May 2018 as

**Building Safety Month**

Accordingly, we encourage our citizens to join with our community in participation in Building Safety Month activities.

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

\_\_\_\_\_  
Mayor Pro Tem Crawford Moore

\_\_\_\_\_  
Susan Hornsby

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

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

VI. I.

No. 2018-R09

**TOWN OF EDISTO BEACH**

**A RESOLUTION TO REVISE THE FREEDOM OF INFORMATION ACT POLICY AND REQUEST FORM**

WHEREAS, the Town Council believes it is in the best interest of the Town to revise the Freedom of Information Act Policy and Request Form to better account for fees, record keeping, time spent responding to requests, and conformity with law; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that the attached Freedom of Information Act Policy and Request Form of the same date is hereby adopted effective immediately, and further, all previous versions of the Freedom of Information Act Policy are hereby repealed.

This resolution shall take effect upon adoption.

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

ATTEST:

Adopted: April 12, 2018

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



**TOWN OF EDISTO BEACH**  
**Freedom of Information Act Policy and Request Form**

(Adopted April 12, 2018)

The purpose of this policy is to set forth the procedures to be followed for persons seeking access to public records which are subject to the disclosure requirements of Section 30-4-30 of the South Carolina Code of Laws.

**RULES AND PROCEDURES:**

**1. Verbal Freedom of Information Act Requests; Limitations**

Certain records of the Town of Edisto Beach will be made available for public inspection and copying without the requestor being required to make a written request to inspect or copy the records when the requestor appears in person. Verbal FOIA requests shall be limited by section 30-4-30(d) to only the following public documents:

- 1) Minutes of meetings of the public body for the preceding six months;
- 2) All reports identified in section 30-4-50(A)(8) for at least the fourteen-day period before the current day "which disclose the nature, substance, and location of any crime or alleged crime reported as having been committed. Where the report contains information exempt as otherwise provided by law, the law enforcement agency exempt as otherwise provided by law, the law enforcement agency may delete that information from the "report"; and
- 3) Documents identifying persons confined for the three months prior to the current date in jail.

Verbal FOIA requests for the aforementioned information may only be made to the Town Administrator or designee between the hours of 9:30 am and 4:00 pm from Monday to Friday, excepting public holidays in accordance with sections 30-4-30(a) and (d) of the Act. Copies of any such documents that are requested shall be charged based on the fee schedule contained herein.

**2. Written Freedom of Information Requests**

All written FOIA requests shall be completed and signed with the attached Request Form and shall either be hand-delivered or sent by first class mail addressed to the Town Administrator or designee. The Town will accept Request Forms via facsimiles and emails. Requests which are estimated to cost \$200.00 or more shall be accompanied by a deposit of \$50.00, in the form of cash, cashier's check, or money order to defray costs in the event the person making the request fails to pay for copies and prorated wages of the staff collecting and copying the documents. If the actual total cost exceeds the

\$50.00 deposit, no documents shall be released until such time as the difference is remitted. All minor requests which are estimated to take less than three hours of staff time shall not be required to be accompanied by a deposit and shall be charged based on the fee schedule herein. No FOIA request shall be honored for any person who has failed to reimburse the Town for the costs associated with prior FOIA requests until such time as they remit the fees that are in arrears.

The Town Administrator or designee shall, within ten business days of receipt of the written request, notify the person making such request of his/her determination of the availability of the specific record(s) or documents(s) requested, and the estimated cost of assembling and copying the specific record(s).

### **3. Fees**

If the requested public records or documents are available and are not exempt from disclosure pursuant to the provisions of section 30-4-40, the fee charged for assembling and copying the records or documents shall be as follows:

- 1) Copies- \$0.25 per letter size copy, \$0.50 per legal size copy, \$0.50 per color copy, and \$0.75 per ledger size copy. Oversized copies shall be charged at the outsourced cost, including the prorated hourly wage of the staff calculated at half-hour increments, and mileage to and from the copying center. Copies of tapes, CD's, DVD's, or other electronic, optical, or magnetic media shall be charged at the rate of \$5.00 per item.
- 2) Research- the cost for researching and recovering records for copying shall be charged at the prorated hourly wage of the staff conducting the research calculated at half-hour increments. The fee for the search, retrieval, or redaction of records shall not exceed the prorated hourly salary of the lowest paid employee who, in the reasonable discretion of the custodian of the records, has the necessary skill and training to perform the request.
- 3) Review- the cost for making records available for review shall be the prorated hourly rate of the staff in attendance during the review and the staff time devoted to researching and recovering those records for review calculated at half-hour increments.

NOTE: Information of a personal nature where the disclosure thereof would constitute unreasonable invasion of personal privacy is exempt from disclosure pursuant to section 30-4-40(a)(2) of the Code.

**NOTICE: Pursuant to Chapter 2 of Title of the S.C. Code of Laws obtaining or using public records for commercial solicitation directed to any person in this State is prohibited.**

## TOWN OF EDISTO BEACH

AN ORDINANCE TO ENACT ARTICLE IX OF THE TOWN'S ZONING ORDINANCE  
RELATED TO FENCES ON PRIVATE LOTS

WHEREAS, the Town Council desires to enact fence regulations in the zoning ordinance to maintain visual harmony within zoning districts throughout the Town, to provide for flow of stormwater, and to protect adjacent properties from the indiscriminate placement and unsightliness of fences; and

WHEREAS, prior to adoption of this ordinance it was presented to the planning commission and a public hearing was duly held.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled, that Article IX of Chapter 86 of the Town's Zoning Ordinance is enacted to read as follows:

## ARTICLE IX. FENCES

**Sec. 86-300. Purpose.**

This article establishes standards for fences on private lots.

**Sec. 86-301. Applicability.**

The provisions of this article shall apply to all new construction, redevelopment, or replacement of fences or walls not required for support of a primary or accessory structure, or any other linear barrier intended to delineate different portions of a lot. For purposes of this article "Fence" shall be defined as structure and/or materials, other than plant material, erected to provide a barrier or enclosure within or around a lot or any portion thereof and its component parts, including, but not limited to, gates, posts, columns, and associated components of entry gates.

**Sec. 86-302. General Requirements for Fences.**

(A) *Location.* Fences are permitted on the property line between two or more parcels of land held in private ownership. No fence shall extend seaward beyond a dune.

(B) *Temporary fences.* Temporary fences for construction sites or a similar purpose shall comply with the requirements of the Building Code adopted by the town.

(C) *No fences in easements.* Fences shall be prohibited within utility easements and right of way easements and the town shall not be responsible for damage to, or the repair or replacement of fences that must be removed to access such easements. In no instance shall

this provision be construed to prevent fencing around stormwater retention or detention facilities.

(D) *Blocking natural drainage flow.* No fence shall be installed so as to block or divert a natural drainage flow of water onto or off of any other land. Fences shall not be constructed which impede the free flow of water.

(E) *Fences on retaining walls or berms.* If a fence is constructed on top of a wall or berm, the combined height of the fence and wall or berm shall not exceed the maximum height that would apply to a fence or wall alone.

(F) *Fences within buffers.* Fences shall be installed so as not to disturb or damage existing vegetation or installed plant material. The perimeter fencing for a single subdivision or development shall be of a uniform, approved style that meets the standards of this section in order to provide visual interest in an orderly manner.

(G) *Permits.* For fences seven (7) feet tall or taller, a building permit is required to construct a fence, replace a fence, or repair a fence that has been damaged more than 48% of its value. A zoning permit is required for all fences, regardless of height, to construct a fence, replace a fence, or repair a fence that has been damaged more than 50% of its value. All proposed fences are subject to review by the Building Official and require a sketch or drawing plan for approval.

(H) *Within Flood V-Zone.* Within flood V-Zone as determined by the most recent FIRM, no part of a fence shall be constructed with masonry material or heavy lumber. For purposes of this section, the term "heavy lumber" means any piece of wood with a nominal cross section dimension greater than 4 inches by 4 inches.

(I) *Within Flood A-Zone.* Fences constructed with masonry and/or heavy lumber shall incorporate hydrostatic openings below the flood elevation to allow for the unimpeded flow of floodwaters. Flood elevations shall be determined by the most recent FIRM. Hydrostatic openings shall be a minimum of 1 square foot in area each with the bottom edge of the opening no more than 1 foot above grade and shall not be spaced more than 20 feet apart. The total required area of hydrostatic openings shall equal 1 square foot for every 50 square feet of fence area.

### **Sec. 86-303. Height Requirements for Fences.**

All fences and walls shall conform to the following standards. In all cases, heights are measured from existing grade.

(A) *Residential districts.* In the residential districts, fences shall not exceed a height of six (6) feet along common side property lines. Fences along front property lines, streets, beaches, and regulated wetland areas shall not exceed a height of four (4) feet. If a fence is constructed on top of a retaining wall or other wall, the combined height of the fence and wall shall not exceed the maximum height that would apply to a fence or wall alone.

(B) *Nonresidential districts.* In the nonresidential districts, fences and walls shall not be permitted in front setback areas. Fences and walls shall not exceed eight (8) feet in height in all other areas. If a fence is constructed on top of a retaining or other wall, the combined height of the fence and wall shall not exceed the maximum height that would apply to a fence or wall alone.

(C) *Exemption for required screening.* Fencing provided to meet the standards of screening is exempted from the height standards of this subsection, subject to approval by the Building Official, but in no case shall the fencing exceed the maximum height limits of the screening requirement.

(D) *Exemption for recreational fencing.* Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this subsection, subject to approval by the Building Official.

(E) *Exemption for safety.* Major utilities, government facilities, and other public safety uses shall be exempted from these standards as needed for public safety, subject to approval by the Building Official.

**Sec. 86-304. Perimeter Fences Abutting Public Rights-of-Way.**

Perimeter fences abutting a public right-of-way shall:

- (A) Be of a uniform style;
- (B) Be located outside the right-of-way associated with a public street; and
- (C) Include breaks in the fence plane at least every 200 feet.

**Sec. 86-305. Visibility Clearance.**

Fences, walls, and plantings shall be placed in accordance with the sight line visibility standards in the Zoning Ordinance and applicable state and federal law.

### **Sec. 86-306. Prohibited Fences.**

(A) *Chain link and metal-slat fencing.* Fences and walls constructed of chain link or metal slats are prohibited along front property lines, streets, and beaches in all residential zoning districts.

(B) *Certain barbed wire and electrified fences prohibited; warning signs.* Except as needed for major utilities, government facilities, and other public safety uses, (1) barbed, razor, concertina, or similar wire fences located anywhere on property and (2) electrified fences located within ten (10) feet of a public sidewalk, public right of way, or adjoining property line, are prohibited in all zoning districts. In addition, above ground electrified fences not meeting any or more of the following criteria are prohibited: (1) be powered by 12 volts or less; (2) be operated by a system listed by a national testing agency such as UL or ETL; and (3) meet the height limitations set forth in this Article, subject to the exception for major utilities, government facilities, and other public safety uses. Above ground electrified fences shall be clearly identified with warning signs that read: "**Warning-Electric Fence**" at intervals of not less than 20 feet. Underground electrified fences designed for control of domestic animals are exempt from this division.

### **Sec. 86-307. Appearance of Fences and Walls.**

(A) *Customary materials.* Fences and walls shall be constructed of customary materials, including solid wood, brick, masonry, stone, brick, wrought iron, decorative metal materials, or products designed to resemble these materials.

(B) *Finished side to outside.* Wherever a fence or wall is installed, if one side of the fence or wall appears more "finished" than the other (i.e., one side has visible support framing and the other does not), then the more "finished" side of the fence shall face the perimeter or outside of the lot, rather than facing the interior of the lot.

(C) *Chain link fencing.* Where allowed, chain link fencing shall be vinyl coated and colored dark green or black.

(D) *Landscape screening.* Fences and walls that exceed two-and-one-half feet in height and are located within 20 feet of a public right-of-way shall meet the following landscaping standards:

(1) *Shrubs required.* One evergreen shrub shall be installed for each five feet of frontage along the public right-of-way. Shrubs may be installed in a staggered, clustered, grouped, or linear fashion, and all plantings shall be installed on the side of the fence that faces the public right-of-way.

(2) *Substitution of understory trees.* One understory or ornamental tree may be substituted for every three evergreen shrubs provided that the tree meets the minimum size standards at the time of planting.

(3) *Integration with other required landscaping.* Required landscape screening for fences or walls may be integrated into the landscaping required for streetscape landscaping, vehicular use area screening, or perimeter buffers provided the standards set forth in the Zoning Ordinance are maintained. In no case shall fencing or required walls be placed between the edge of the right-of-way and any required streetscape landscaping.

(E) *Maintenance required.* All fences and walls shall be maintained by the owner in good repair and in a safe and attractive condition, including but not limited to replacement of missing, decayed, or broken structural and decorative elements. All fences and walls shall receive regular structural maintenance to prevent and address sagging and weathering of surfaces visible from the public right-of-way. Any deteriorated, damaged or decayed fence materials shall be promptly repaired, and any fence or wall post or section that leans more than 20 degrees from vertical shall be promptly repaired to correct that condition.

**Sec. 86-308. Exception for nonconforming fences.**

Any fence lawfully erected as of the adoption of this ordinance from which this article is derived shall be considered a legal, nonconforming structure. Upon any nonconforming fence being physically damaged or destroyed by 48% or more of its value, replacement or repair shall fully comply with all of the terms and requirements of this article.

This ordinance shall take effect upon adoption.

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

First reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Adopted: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Iris Hill, Administrator

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

V.L.

No. 2018-10

**TOWN OF EDISTO BEACH**

**AN ORDINANCE**

**TO AMEND SECTION 82-33 OF THE TOWN'S CODE TO ADJUST THE RATES FOR WATER SERVICE**

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Edisto Beach, South Carolina, in Council duly assembled that Section 82-33 of the Town's Code be amended to read as follows:

Sec. 82-33. Rates and regulations.

(a) Each residence or other building which is located within 100 feet of any water main shall be connected thereto and shall utilize the same for water purposes. Such connection shall be forthwith made; and for the purposes of the penal provisions of this article, each day during which such building shall not be connected to such water main shall be a separate offense and punishable as provided in this article.

(b) Until changed pursuant to appropriate action of the council, the following shall be the schedule of semi-annual rates or charges for the water services afforded by the waterworks system:

**WATER RATES  
RESIDENTIAL AND COMMERCIAL**

TABLE INSET:

	0--24,000	24,000 to 48,000	48,000 to 72,000	72,000 plus
Residential	\$188.42	\$2.10	\$2.35	\$2.62
Business/docks	\$188.42	\$4.17	\$4.69	\$5.23
Outside town limits	\$428.61	\$7.15	\$8.04	\$8.94
State park	\$774.78	\$6.28	\$7.04	\$7.83
Water for irrigation	\$188.42	\$4.17	\$4.69	\$5.23



This ordinance shall take effect upon final reading.

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

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

ATTEST:

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

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

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