

SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING

Civic Center, 89 Pine Drive, Surfside Beach, SC 29575

www.surfsidebeach.org - ? (843) 913-6111 ? (843) 238-5432

TOWN COUNCIL MEETING AGENDA

Wednesday, June 29, 2022, ? 6:30 PM.

Please join the meeting from your computer, tablet, or smartphone.

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1. Agenda

Documents:

[9-28-2021-AGENDA-FINAL.PDF](#)

2. Meeting Materials

Documents:

[9-14-2021-MINUTES-EDITED.PDF](#)

[141-ARPA-RESOLUTION---AUTHORIZED-REPRESENTATIVE-AND-CONTACT-
PERSON-00000002.PDF](#)

[ARTICLE-VII-LANDSCAPING-AND-TREE-PROTECTION-PC-09072021-TO-
COUNCIL-09282021-XXX.PDF](#)

[FINANCE-COUNCIL-AUGUST-2021.PDF](#)

[PW-MONTHLY-REPORT-AUGUST-21.DOCX1.PDF](#)

[TOWN-COUNCIL-ISSUE-PAPER-TREE-ORDINANCE-21-093.PDF](#)

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E).

The public is invited to attend all meetings and events.



**SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING Civic Center, 115 US Highway
17 North, Surfside Beach, SC 29575 www.surfsidebeach.org - ☎ (843) 913-6111
📞 (843) 238-5432**

**TOWN COUNCIL MEETING AGENDA
TUESDAY, September 28, 2021, • 6:30 PM.**

Please join my meeting from your computer, tablet or smartphone.

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United States (Toll-Free): [1 866 899 4679](tel:18668994679)

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Access Code: 120-934-997

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

- a. Invocation: Tom Cox, Surfside Christian Church
- b. Pledge of Allegiance: Mayor Hellyer

3. PUBLIC HEARING - None

4. MOTIONS RELATING TO AGENDA

5. MINUTES APPROVAL [September 14, 2021, Regular Meeting](#)

6. PUBLIC COMMENTS – Agenda Items Only (5 minutes per speaker)

7. COMMUNICATIONS

- a. **PUBLIC WORKS MONTHLY REPORT** – Director Adair
- b. **FINANCE REPORT** -Director King
- c. **DISCUSSION – UPDATE ON NEW TOWN HALL PROPERTY.**

8. BUSINESS

- a. **1ST READING ORDINANCE 21-0933, CHAPTER 17, ARTICLE VII LANDSCAPING AND TREE PROTECTION, DIVISION 2 TREE PROTECTION – Carol Coleman**
- b. **3RD ANNUAL BEST OF THE BEACH BALLS MEATBALL CHALLENGE - Becky Large**
- c. **RESOLUTION 21-0141 DESIGNATING AN AUTHORIZED REPRESENTATIVE AND CONTACT PERSON FOR PURPOSES OF THE AMERICAN RESCUE PLAN ACT OF 2021**

9. PUBLIC COMMENTS – Town Services or Business Conducted (5 minutes per speaker)

10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

11. EXECUTIVE SESSION pursuant to the Freedom of information Act §30-4-70(a)(1), Discussion of employment, appointment, compensation, promotion, discipline, or release of an employee. Act §30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements.

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E). The public is invited to attend all meetings and events.

12. Council may take action related to matters discussed in Executive Session

13. ADJOURNMENT

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17 North, Surfside Beach, SC 29575 www.surfsidebeach.org - ☎ (843) 913-6111
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TOWN COUNCIL MEETING MINUTES TUESDAY, September 14, 2021, • 6:30 PM.

- 1. CALL TO ORDER** Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, Councilmembers Drake, Holder, Keating, Pellegrino, and Mayor Pro Tempore Scoles were in attendance. Others present were Town Administrator Shanahan, Town Attorney Crosby and Town Clerk Sheri Medina. Absent was Councilmember Dietrich.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE**
 - a. Invocation:** Kirk Lawton, Ocean Lakes Campground Ministries, gave the invocation.
 - b. Pledge of Allegiance:** Mayor Hellyer led in the Pledge of Allegiance
- 3. PUBLIC HEARING – None**
- 4. MOTIONS RELATING TO AGENDA** Councilmember Holder made a motion to add the Oath of Office for the new Fire Chief as a new item under Communications. Councilmember Drake second. All voted in favor. **Motion Carried.**
- 5. MINUTES APPROVAL** Councilmember Keating made a motion to approve the minutes from the August 24, 2021, Regular Meeting. Councilmember Holder second. All voted in favor. **Motion Carried.**
- 6. PUBLIC COMMENTS**
 - a. Lynn Livesay, 520 10th Ave.,** stated I was caught off guard by this temporarily suspending enforcement of an ordinance on the agenda tonight. My feeling on it is that I don't think we should take it upon ourselves to suspend ordinances anytime. We should consider the businesses that pay fees and licenses. I think they should be protected. Regarding the Waccamaw Market, I believe it will be set somewhere else. I think it should remain in the park, and I don't think it should take away from our downtown businesses.
 - b. Judy Henion, 11th Ave North,** I like to address the Waccamaw Market, a cooperative Holiday Market. It seems that we have different rules for different sites. I have discovered that people don't want to come to Surfside because they have different rules for different people. The rules continually change, and no one is treated the same. We have Discover Surfside Market in the park, and they pay the Town. Now we have the market cooperative who wants to come into Town and wants us to pay them. They want us to pay them a thousand dollars that someone else is doing for free. Also, the other market pays the Town, but all the vendors also purchase a town business license. It's my understanding that we're going to be doing a holiday market as well. So, why do we want to go out and seek ways to pay others.
 - c. Robert Bernhardt 119 N Ocean Blvd,** Mr. Bernhart spoke about an incident on September 11, 2021. I had a convertible top slashed. Nothing in the car was stolen. But that's an expensive repair. As we all know, we all probably have a large deductible on our comprehensive insurance. I want to compliment Chief Hofmann for doing a great job. But I would like to suggest cameras. They do not have to be active; they need to go back and look at the footage. Thank you very much; I appreciate it.
- 7. COMMUNICATIONS**
 - a. Oath of Office for the Surfside Beach Fire Chief, Robert Clemons.** Mayor Hellyer stated we had an interview panel that consisted of fire chief from Conway, staff, HR, and our firefighters. So, it was rather extensive process. Chief

Clemons is the gentleman we picked, and we are glad to have him. Mayor Hellyer asked Chief Clemons to step forward and administered the Oath of Office.

At the conclusion, Chief Clemons stated Thanks to all of you for sharing this moment with me, and I am so appreciative! I stand before you this evening feeling both HONORED and BLESSED to have been chosen as the next Fire Chief for the Surfside Beach Fire Department. The American Fire Service has a long and proud history, and the Surfside Beach Fire Department is no different. The high level of service delivery to the citizens and visitors of Surfside Beach through our combination career and volunteer members. This did not just happen. There have been extraordinary efforts and sacrifices of those who came before me. Because of these sacrifices – I feel HUMBLLED to wear this patch and badge. Mayor Hellyer, members of Council, and Mr. Shanahan - THANK YOU for the confidence you have in me, and I accept this position fully comprehending the responsibility that comes with it. I will not let you down.

Chief Clemon further addressed the members of the Surfside Beach Community and his department. To the Community – While I take direction from the Mayor, Town Council and Mr. Shanahan; I, the members of the Department, and our volunteer members also understand that we have a commitment to all of you in delivering the best service possible each and every day. I will work tirelessly in continuing to build strong relationships with community members, our business community, and especially our volunteer members because COLLABORATION and TOGETHERNESS will ensure my goal of extraordinary service delivery. There is NOTHING that we cannot accomplish together.

To the members of the Department and our Volunteers – As with any organization, we will face challenges. Some will be easy to overcome, and some will take much more effort. But, with HONEST and OPEN COMMUNICATION coupled with an OPEN MIND, I have no doubt that we will come up with creative solutions to those challenges. The dangers of your chosen profession are many. Your SAFETY and WELL BEING is paramount to me and will be considered in EVERY decision I make. That is my PROMISE to all of you and your families. As an officer, I learned many years ago the ONLY way I will be successful is to SUPPORT, MENTOR, TRUST, and to be PRESENT for all of you.

One a personal note, Chief Clemon stated that one of my heroes is John Wooten. He was the former basketball coach for UCLA, and during his tenure as a coach, he won 10 NCAA basketball championships, with 7 of those championships being consecutive. For him, it was not about the number of wins and losses – it was about how his players played the game and how they were as people. He developed the PYRAMID of SUCCESS that talked about leadership and how people and organizations can achieve success beyond their wildest dreams. Poise, Alertness, Enthusiasm, Friendship, Skill, Confidence and Loyalty are just some of the traits that are part of the pyramid. The Surfside Beach Fire Department will continue to build upon its existing Pyramid of Success. It starts with the phenomenal people that already work and volunteer for this Department. We have amazing members that do extraordinary things every day for the citizens and visitors of Surfside Beach. Having the right people is followed up by our Mission Statement and our guiding principles of HONOR, SACRIFICE, COURAGE, and BRAVERY. We are a small fire department made up of 7 career members and numerous volunteers. We are a small team, but we can be successful. Look at the success of the UCLA basketball team, a small team with just 12 to 15 team members all working together and toward the common goal of EXCELLENCE! I (we) are not going to let the number of members keep us from being looked upon as one of the best well-trained, committed, and progressive fire departments in this country.

To my Family and Friends – I would not have had this opportunity if not for all of you. I am a very lucky man to have a phenomenal support system both professionally and personally. To my wife Melissa – THANK YOU for your support throughout my professional career and in my life. You have been the stabilizing person in our family, and none of this would have been possible without you!! I love you very much and sorry for the curveball in our retirement plans!! To my sons Logan and Jordan, I am so proud of each of you, and you guys are the greatest gifts in my life.

In closing – I would be remiss if I did not recognize Acting Fire Chief Larry Carter. Larry – you should be very proud of the work you accomplished while leading and managing this Department and protecting this community. You are a valued member of this Department, and I am going to need you (and everyone) as I transition into this position. I have a lot to learn, and I feel fortunate to have someone like you to lean on. THANK YOU, Larry, and would everyone please oin me in a round of applause.

We all welcome Chief Clemon to the team.

b. Mayor Hellyer introduced the candidates running for Town Council.

1. Judy Henion
2. William Kinken
3. LaVerne Kreklau
4. Laurence Kinken
5. Alex Samsel
6. Chris Stamey

Shawn Shoemaker was not able to attend. Mayor Hellyer wished all the candidates good luck.

c. POLICE DEPARTMENT MONTHLY REPORT – Chief Hofmann gave the Police Department monthly report.

Councilmember holder asked if there has been a difference in the numbers from this year and last year. Chief Hofmann said yes, we have been very busy. We have been understaffed, but I feel it was a success.

8. BUSINESS

a. DECISION PAPER – LETTER OF COMMITMENT TO PURCHASE REFUSE TRUCK – Director Adair. Director Adair stated the need to request authorization for the administrator to sign a letter of intent to purchase the refuse truck in the next fiscal year to get us into the production with the manufacturer. The production turnaround time is about 500 days. This price increases next week, we thought this would be the best time to come to the Council for this Letter of Intent. This will not be an additional truck, just a replacement. The life span of a trash truck is approximately twelve years.

Councilmember Keating asked if there is any residual value to the truck being replaced. Director Adair stated we sell it on GovDeals and should receive between \$40,000 to \$50,00 in the sale.

Director Adair went on the state that the overriding reason to replace this truck is manpower. It takes two guys to operate it. Also, this truck has more breakdowns. We've had the busiest year. Even though these trucks may not have a lot of miles, they are always running, which is wear on the motor. Our numbers are up, and the loads are getting heavier. I'm looking to replace our 2013 refuse truck in the 2025-2026 budget.

Councilmember Keating asked if the funds for this truck come out of the Sanitation budget? Director Adair stated yes, it comes from an enterprise fund, not taxpayer dollars, and it's all funded by the revenues that pay for their trash service.

Director Adair stated, we have a fleet of nine. If you have a good 12 year, more or less, replacement schedule, you buy a truck almost every year. Councilmember Keating asked if that schedule could be posted for the residents? Because everybody seems to have the same issue, we are continually purchasing vehicles between Public Works, Fire, and Police. I understand there are valid reasons. I we can publish that kind of schedule that says our capital assets support Public Works, support the Fire Department, and support the Police Department; here's how we maintain them; and our replacement strategy. Director Adair agreed that he has a replacement schedule that can be published. He also noted that the last time we raised the rate for sanitation was in 2013. They will have to be raised eventually.

Councilmember Pellegrino stated, keep in mind that this loader was not budgeted for next year. So, therefore, that's going to be an actual \$345,000.00 addition to next year's budget. So, keep that in mind.

Councilmember Keating motioned to authorize the administrator to issue the letter of intent to procure the refuse truck, sidearm, with the budget value of approximately \$340,000. Councilmember Drake second. All voted in favor. **Motion Carried.**

b. WACCAMAW MARKET COOPERATIVE HOLIDAY MARKET Ms. Samantha Tipton from the Waccamaw Co-Operative stated this would be the third year we've been able to offer the Holiday Market. It is essentially an extension to the market right now, and that system is designed to end the last Tuesday of October. The Holiday Market will start the first Tuesday in November, so there will be no disruption. We had a great turnout and success at the market.

Councilmember Keating stated I think from a perspective of all the events we now have going on in Town - we've got one arrangement with My Olive Shack that sponsors a market every Thursday and will do so through December. They are also doing the same craft market one Sunday a month. We've also instituted a Town-sponsored arts and crafts and music event in the park every Sunday. So, we already have two weekly events for arts and crafts product in the park. I don't feel it beneficial to spend \$1,000 to add a third similar in the park. It seems most of the vendors are the same.

Councilmember Drake stated I agree with Mrs. Keating. We would have to pay the Co-Op, and also, their vendors do not purchase a business license.

Ms. Tipton stated we would like to continue to offer the Holiday market on Tuesdays for your residents.

Councilmember Holder made a motion to approve the Waccamaw Holiday Market. Councilmember Scoles second. Councilmembers Scoles, Holder and Pellegrino voted in favor. Councilmembers Keating, Drake and Mayor Hellyer voted against. **Motion failed.**

c. RESOLUTION 21-0140 -TEMPORARILY SUSPENDING ENFORCEMENT OF CERTAIN ORDINANCES THAT PROHIBIT THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY.

Lee from Benjamin's Bakery stated that they started this event as Rally in the Alley on 3rd Ave South. This was to celebrate the new 3rd Ave S promenade and the downtown merchants. So, the purpose of this is a nonprofit event, with all proceeds going to the South Carolina United Turtles Association of Garden City and Surfside Beach (SCUTA). This would be an opportunity for the downtown merchants to participate to highlight what they do every day. The alcohol sales are just being done by Borgota. It is going to be an extremely family-friendly event. There will be food trucks and music. The fee to participate in the event is \$50.00. The entire 3rd Ave S will be closed off from Floral to Poplar. That will be lined with vendors. Ms. Peek, from My Horry News, co-coordinator of the event, stated we would have barriers outlining the premises. Certainly, entryways will have signage posted, no alcohol in or out. Borgota has applied for the proper licenses. They will be using different cups when serving the alcohol, and anything that she sells in the bar will stay in the bar. Lee stated I've mentioned to Chief Hofmann that if there's overtime involved, and if we show any positive money after the event, I'd be happy to kick back towards the overtime costs of the police officers. Most of the policing will be done by our volunteers. Most of the proceeds will come from The Dunk Tank and raffle tickets. Surfside Resort has donated prizes and Malibu also. My goal was not so much profit, but to get some exposure to all the work that went into 3rd Avenue South.

Councilmember Keating stated again, and I think I say this at almost every meeting, my concern is that we have multiple arrangements for the event within our Town. Where is the agreement that you sign with the Town? We need an agreement that states what you're going to do, what you're going to charge, what your insurance coverage is, who's going to be liable if somebody gets hurt, what you pay for the Town for the use of the property, what do you expect the town to provide, etc. All those things need to be addressed in that agreement for the use of public property. We need to have it in place with whoever is the lead sponsor of this event. To be clear, I am not opposed to having an event. I 100% agree that we need to support our local businesses. I have a serious problem with the lack of consistency. We have an agreement with another 3rd party event that pays us a portion of their table fee – why do we not have the same thing for this event? We're treating everybody differently. Do they get special treatment because they're a charity organization that they're proceeds to charity? OK, maybe that's a valid reason to not share the table fees, but it should be written in that agreement that everybody signs. The liability is an even more significant concern. If somebody gets hurt at this event, who's responsible? Is that the Town's insurance (and deductible) that is expected to respond?

Councilmember Pellegrino made a motion to pass Resolution #21-0940 temporality suspending the enforcement of the ordinance governing sale and consumption of alcohol on public property, however, based on liability insurance being obtained. Councilmember Scoles second.

Mayor Hellyer asked Chief Hofmann his opinion of the event. Chief Hofmann stated he does not have a problem with it, and he is short-staffed but can make it work. He mentioned the event on the 4th of July and how there were no incidents there with a similar suspension of enforcement.

Councilmembers Soles, Holder, Pellegrino and Mayor Hellyer voted in favor. Councilmembers Keating and Drake voted against. **Motion carried.**

9. PUBLIC COMMENTS

a. Veronica Collins 713 N Ocean Blvd – Thank you for supporting this event. I have lived here for some time, and Benjamins Bakery has always been such a ray of sunshine, and I have been watching his business grow. I think this is a good thing.

b. Lynn Livesay, 520 10th Ave South – the last meeting, you talked about parking. I think that golf carts do not need to be in front of Neal and Pam's, which is dangerous. Also, code enforcement is very busy, but I don't think the police should enforce tree issues. People seem to ask for forgiveness instead of permission. Also, we need to encourage our code regarding feeding the geese. RVs in the neighborhood is becoming a nuisance. I hope we have a positive campaign. We need to project a positive attitude.

c. Chris Stamey, 720 Cedar Drive – I want to thank you for working with the Town's businesses. I appreciate the ones who voted for the event to move ahead.

10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

a. Councilmember Scoles, stated good evening everyone, we have a great turnout. I stated last time, let's campaign on what you can bring to Surfside. I appreciate all the employees. I hope everyone stays safe and enjoys your evening.

b. Councilmember Holder – Thank you to everyone who came out tonight. Welcome to the new Fire Chief. You had a great introductory letter, and thank you to Larry Carter for all your hard work. Also, thank you to the Police Department for all they do. It seems as though everyone is short-staffed.

c. Councilmember Keating stated, Thank you to everyone who came out. Thank you to our Candidates for stepping up and wanting to help our Town. I look forward to working with the people who are elected. I want to make it clear, and I am 100% behind the business' idea and support this event! I appreciate those that have worked to bring this forward – it shows great support of our local businesses. What I voted against WAS NOT the event, it was the suspension of our ordinance to serve alcohol for such a short period of time between 10 or 11 and 3? I don't think it's necessary. When we had the 4th of July event, it was over the evening hours, and there were no other businesses around it. So, we waived the ordinance for the participants to enjoy and stay there with all vendors. That is not the case on the 3rd Ave S promenade. There are places you can go for an adult beverage should you so choose. So, again, I want to clarify that I am 100% behind the event and will participate; I was against suspending our rules to serve the alcohol. As always, I appreciate all the comments, the private messages, and feedback on Facebook to my posts and all the compliments I receive regarding the information that I share. It's very humbling for me to see how many people follow me, and how so many people take the time to show appreciation for information and have such kind words to say. I appreciate the acknowledgment of the additional effort and hard work I put in to provide that information to you. Please, stay safe and stay healthy, and we'll see you in two weeks, if not before.

d. Councilmember Pellegrino Thanks for coming. I do agree with Zoning Department, and we have a huge opportunity here right now. We are understaffed, so they're doing what they can do. The administrator has a very good, structured plan to fill those positions. We are having an issue with trees. There are so many being taken down. We need to work on our enforcement. Huge trees are being taken down. As far as the candidates, I do appreciate your courage. I'd love to see everything stay positive. I'm not sure everyone is capable of being positive all the time. After eight years, my rap sheet of accusations, it's huge. Anyways, I very appreciate people stepping up. It's a thankless job.

e. Councilmember Drake thanks to everyone who came out. Welcome to the new Fire Chief. We are looking forward to the 3rd Ave event. We need to make sure we protect the Town. To all the candidates, I wish you luck. Thank you for coming out.

f. Mayor Hellyer, we have a lot going on. The event on Sunday with the crafts and music was great. We have the market on Tuesday, the Discover Surfside on Thursday, and the family festival on October 2. To the candidates, we wish you good luck.

11. EXECUTIVE SESSION pursuant to the Freedom of information Act §30-4-70(a)(1), Discussion of employment, appointment, compensation, promotion, discipline, or release of an employee.

Councilmember Keating made a motion to enter into executive session at 8:14 pm pursuant to the Freedom of information Act §30-4-70(a)(1), Discussion of employment, appointment, compensation, promotion, discipline, or release of an employee. Councilmember Drake second. All voted in favor. **Motion Carried.**

Councilmember Keating made a motion to re-enter the regular session for Tuesday, September 14, 2021. Councilmember Drake second. All voted in favor. **Motion Carried.**

Mayor Hellyer stated there are no motions from the executive session.

12. ADJOURNMENT – Councilmember Keating made a motion to adjourn at 9:11 pm. Councilmember Drake second. All voted in favor. **Motion Carried.**

Surfside Beach Town Council

Robert Hellyer, Mayor

David L. Pellegrino

Bruce H. Dietrich, Town Council

Cindy Keating, Town Council

Michael Drake, Town Council

Debbie Scoles, Mayor Pro Tempore

Paul Holder, Town Council

Attest: _____

Sheri L Medina, Town Clerk

Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded, and is not intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you, provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(A) and (E), meeting notice and the agenda were distributed to local media and interested parties via the Town's email subscription list. The agenda was posted on the entry door at

RESOLUTION

**STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
SURFSIDE BEACH)** **DESIGNATING AN AUTHORIZED REPRESENTATIVE AND
CONTACT PERSON FOR PURPOSES OF THE TOWN OF
AMERICAN RESCUE PLAN ACT OF 2021**

WHEREAS, the American Rescue Plan Act of 2021 (ARPA) appropriates \$19.53 billion to States for distribution to nonentitlement units of local government (NEUs), which are local governments typically serving a population under 50,000;

WHEREAS, the Town of Surfside Beach, South Carolina (the Municipality), is an NEU for purposes of ARPA and expects to receive funding pursuant to the ARPA appropriation;

WHEREAS, ARPA requires that the Municipality designate an Authorized Representative to approve and sign documents, make certifications required by ARPA, and otherwise act as the Municipality’s designated and lawfully appointed agent for purposes of ARPA; and

WHEREAS, ARPA further requires that the Municipality designate a Contact Person to receive official communications and notice related to ARPA;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. William Shanahan Jr, the Town Administrator of the Municipality, is hereby designated as the Municipality’s Authorized Representative pursuant to ARPA. The Authorized Representative is hereby authorized and directed to do all things necessary (including without limitation to sign documents, make certifications, make regular reports to council and otherwise act on behalf of the Municipality) to receive and expend funds pursuant to an appropriation by council and ARPA rules. The Authorized Representative’s contact information is:

William Shanahan Jr
Town Administrator Town of Surfside Beach
115 Hwy 17 N, Surfside Beach, Cc 29575
[843-913-6111
wshanahan@surfsidebeach.org

Section 2. Diana King, the Finance Director of the Municipality, is hereby designated as the Municipality’s Contact Person pursuant to ARPA. The Contact Person’s contact information is:

Diana H. King
Finance Director Town of Surfside Beach
115 Hwy 17 N, Surfside Beach, SC 29575
843-913-6336
dking@surfsidebeach.org

DONE IN MEETING duly assembled this 28 day of September 28, 2021.

Surfside Beach Town Council

Bob Hellyer, Mayor

Debbie Scoles, Pro Tempore

Bruce H. Dietrich, Town Council

Michael Drake, Town Council

Paul Holder, Town Council

Cindy Keating, Town Council

David Pellegrino, Town Council

Attest:

Sheri Medina, Town Clerk

STATE OF SOUTH CAROLINA) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
COUNTY OF Horry) CHAPTER 17, ARTICLE VII LANDSCAPING AND TREE PROTECTION,
TOWN OF SURFSIDE BEACH) DIVISION 2 TREE PROTECTION

ARTICLE VII. - LANDSCAPING AND TREE PROTECTION

Sec. 17-700. - Intent. This article is to establish requirements for landscaping and afford protection to all trees, especially those defined as protected, specimen, or landmark trees on developed and undeveloped residential and commercial property. A zoning permit indicating approval by town staff may be required before tree pruning or removal is undertaken.

DIVISION 2. - TREE PROTECTION

Sec. 17-720. - Exemptions from this article.

Electric utilities are exempt from the permitting process for the pruning and/or removal of a tree when necessary to correct a hazardous situation or to eliminate tree or wire conflicts that have the potential to interfere with power reliability upon notification and approval of the town's code enforcement official.

Sec. 17-721. - Contractor/property owner affidavit required.

The removal of trees requiring a zoning permit shall be performed by a licensed, bonded, and insured tree removal company. In the event a property owner chooses to remove the tree(s) by himself, a hold harmless agreement shall be executed and filed with the town.

Sec. 17-722. - Regulations and classifications.

The regulations of Division 2 Tree Protection are divided into three (3) classifications:

- (1) Owner of existing residence;
- (2) Owner of existing commercial property (with primary structure);
- (3) Development of vacant property (residential or commercial), redevelopment, major addition, or pool; **or,**
- (4) In all cases, the code enforcement official shall determine if conditions are met.

Sec. 17-723. - Owner of existing residence.

(a) Tree and measurement requirements for residentially zoned properties.

Table 17-723.1 MINIMUM NUMBER OF REQUIRED TREES AND DIAMETER & CIRCUMFERENCE BY ZONING DISTRICT*			
Zoning District	Number of Required Trees (minimum)	Minimum Diameter measured 2' from ground (all trees)	Minimum Diameter per lot (all trees)
R-1	5 trees per lot	3 inches	60 inches
R-2	5 trees per lot	3 inches	40 inches
R-3	3 trees per lot	3 inches	30 inches

The intent of requiring a minimum number of diameter inches per lot is not to force additional new trees to be planted, but to encourage existing trees to be preserved. Mature trees are already beneficial to the town and can be counted towards the required 60", 40", and 30", respectively.

(b) **Applicability.** Nonconforming lots that do not contain the number of trees or cumulative measurement requirements may continue pursuant to the provisions of this chapter. Any change shall immediately require compliance with the minimum number of trees listed in Table 17-723.1.

(c) **Reduction authorized.** A reduction is limited to one (1) tree or twenty (20) percent of the number of trees required for a lot, whichever is greater. The code enforcement official may, consistent with the requirements of this section, authorize a reduction in the number of required trees from the terms of section 17-723.1 if:

- (1) The lot is nonconforming in area; or
- (2) The lot contains a landmark tree and the placement of the required tree would interfere with its healthy growth; or
- (3) The replacement tree would interfere with a public street, sidewalk, drainage or utility easement.

(d) **Appeals.** Appeals regarding code enforcement decisions shall be made to the board of zoning appeals pursuant to section 17-223. The board of zoning appeals may grant a variance to provide additional relief from the terms of this article, subject to the requirements imposed by section 17-222.

Sec. 17-723.2. - Zoning permit required for EXISTING RESIDENCE.

No permit. A zoning permit is not required for the removal of trees under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, or for the pruning of limbs under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Permit required. Issuance of a no-fee zoning permit is required prior to removal of trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, and for the pruning of limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Sec. 17-723.3. - Guidelines for pruning limbs or removal of common trees for an existing residence.

Trees or limbs over eight (8) inches. When trees or limbs exceed eight (8) inches in diameter or twenty-five (25) inches in circumference a no-fee permit is required and will be issued as long as one (1) of the following conditions is met:

- (1) The property owner wishes to thin or remove existing common trees from the property to allow for the proper growth of remaining trees or to enhance the overall appearance of the landscaped area.
- (2) The tree(s) poses a safety hazard to pedestrians or vehicle traffic;
- (3) The tree poses a hazard to building or utilities, including foundations or driveways in the near future; or
- (4) The tree is any variety of pine other than a long leaf; or
- (5) The tree is within ten (10) feet of the primary structure, foundation or driveway; or
- (6) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, buildings or other improvements.

Tree replacement. If the removal does not maintain the required number of trees, common trees may be replaced with another common tree.

Sec. 17-723.4. - Guidelines for pruning or removal of protected and specimen trees for an existing residence.

Trees or limbs over eight (8) inches. With the issuance of a no-fee permit, protected or specimen trees or limbs exceed eight (8) inches in diameter or twenty-five (25) inches in circumference a no-fee permit is required and will be issued as long as one (1) of the following conditions are met:

- (1) Tree(s) pose a safety hazard to pedestrians or vehicle traffic;
- (2) Tree(s) can be expected to pose a hazard to building or utilities, including trees within ten (10) feet of the primary structural foundation;
- (3) The tree is diseased, dead, or weakened by age, storm, fire, or other injury, which is a source of hazard to people, buildings, or other improvements on a lot.

Replacement trees. If the removal does not maintain the required number of trees, only trees listed in Table 17-750 shall be authorized for planting to replace protected and specimen trees.

Sec. 17-723.5. - Guidelines for pruning or removal of landmark trees for an existing residence.

- (a) **Trimming or pruning.** Issuance of a no-fee permit shall be required before any trimming or pruning of landmark limbs. Landmark tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet inches from the trunk shall not be removed unless one (1) or more of the following conditions is met:
- (1) Limb(s) pose a safety hazard to pedestrians or vehicle traffic;
 - (2) Limbs pose or can be expected to pose a hazard to building or utilities,
 - (3) The tree limb is diseased, dead or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.
- (b) **Removal.** Prior to the removal of a landmark tree a letter from an ISA certified arborist, South Carolina registered forester, landscape architect, architect, or engineer must be submitted to the planning, building and zoning department stating one (1) or more of the reasons listed below that require(s) the tree(s) be removed.
- (1) Tree(s) pose a safety hazard to pedestrians or vehicle traffic;
 - (2) Tree poses or can be expected to pose a hazard to primary structure, including foundation or utilities, or
 - (3) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, or primary building.
 - (4) Foundation damage caused or likely. When a landmark tree is within ten (10) feet of a primary residence foundation, and can be expected to cause foundation damage the code enforcement official may approve the removal without requiring an arborist letter.

Replacement trees. If the removal does not maintain the required number of trees, only those trees listed in Table 17-750 shall be authorized for planting to replace a landmark tree.

Other requests. Requests for the removal of a landmark tree in order to place a pool, accessory structure, or any other type use other than primary residence shall require approval from the board of zoning appeals. The planning, building and zoning department will expedite the appeal process as much as state law allows.

Sec. 17-724. – COMMERCIAL PROPERTY with primary structure.

- (a) Tree and measurement requirements for commercially zoned properties.

Table 17-724.1			
MINIMUM NUMBER OF REQUIRED TREES & DIAMETER / CIRCUMFERENCE BY ZONING DISTRICT*			
Zoning District	Number of Required Trees (minimum)	Minimum Diameter measured 2' from ground (all trees)	Minimum Circumference measured 2' from ground (all trees)
MU	4 trees per lot	40 inches	125 inches

LLI	4 trees per lot	40 inches	125 inches
C1	Shall meet the requirements of Article IX (Design Overlay District)		
C2	No Planting Required	N/A	
C3	3 trees per lot	30 inches	94 inches

(b) **Applicability.** Nonconforming lots that do not contain the number of trees or cumulative measurement requirements may continue pursuant to the provisions of this chapter. Any change shall immediately require compliance with the minimum number of trees requirement of Table 17-724.1.

(c) **Reduction authorized.** A reduction is limited to one (1) tree or twenty (20) percent of the number of trees required for a lot, whichever is greater. The code enforcement official may, consistent with the requirements of this section, authorize a reduction in the number of required trees from the terms of section 17-723.1 if:

- (1) The lot is nonconforming in area; or
- (2) The lot contains a landmark tree and the placement of the required tree would interfere with its healthy growth; or
- (3) The replacement tree would interfere with a public street, sidewalk, drainage or utility easement.

(d) **Appeals.** Appeals regarding code enforcement decisions shall be made to the board of zoning appeals pursuant to section 17-223. The board of zoning appeals may grant a variance to provide additional relief from the terms of this article, subject to the requirements imposed by section 17-222.

Sec. 17-724.2. - Zoning permit required for commercial property with primary structure.

No permit. A zoning permit is not required for the removal of trees under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, or for the pruning of limbs under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Permit required. Issuance of a no-fee zoning permit is required prior to removal of trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, and for the pruning of limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Sec. 17-724.3. - Guidelines for pruning or removal of common trees for a commercial property with primary structure.

With issuance of a no-fee permit before any trimming or pruning is done common trees limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk and common trees eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed from properties when one or more of the following conditions exist:

- (1) The tree(s) or limb pose a safety hazard to pedestrians or vehicle traffic;
- (2) The tree(s) pose or can be expected to pose a hazard to building or utilities, including foundations; or
- (3) The tree is any variety of pine other than a long leaf; or
- (4) The tree is within ten (10) feet of the primary structure, foundation or driveway; or
- (5) The tree or tree limb is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, buildings or other improvements on a lot.

Replacement trees. If the removal does not maintain the required number of trees, tree replacement shall be required in accordance with article IX of this section or the applicable zoning district. Common trees may be replaced with another common tree.

Sec. 17-724.4. - Guidelines for pruning or removal of protected or specimen trees for a commercial property with a primary structure.

Trees or limbs over eight (8) inches. With the issuance of a no-fee permit, protected or specimen trees or limbs that exceed eight (8) inches in diameter or twenty-five (25) inches in circumference may be removed as long as one (1) of the following conditions is met:

- (1) Tree(s) pose a safety hazard to pedestrians or vehicle traffic;
- (2) Tree(s) can be expected to pose a hazard to building or utilities, including trees within ten (10) feet of the primary structural foundation;
- (3) The tree is diseased, dead or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.

Replacement trees. If the removal does not maintain the required number of trees, only trees listed in Table 17-750 shall be authorized for planting to replace protected and specimen trees.

Sec. 17-724.5. - Guidelines for pruning or removal of landmark trees for a commercial business with a primary structure.

- (a) **Trimming or pruning.** Issuance of a no-fee permit shall be required before any trimming or pruning of landmark limbs. Landmark tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet inches from the trunk shall not be removed unless one (1) (or more) of the following conditions is met:

- (1) Limb(s) pose a safety hazard to pedestrians or vehicle traffic;
 - (2) Limbs pose or can be expected to pose a hazard to building or utilities,
 - (3) The tree limb is diseased, dead or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.
- (b) **Removal.** Prior to the removal of a landmark tree a letter from an ISA certified arborist, South Carolina registered forester, landscape architect, architect or engineer must be submitted to the planning, building and zoning department stating one (1) or more of the reasons listed below that require the tree(s) be removed.
- (1) Tree(s) pose a safety hazard to pedestrians or vehicle traffic;
 - (2) Tree poses or can be expected to pose a hazard to primary structure, including foundation or utilities, or
 - (3) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, or primary building.
 - (4) Foundation damage caused or likely. When a landmark tree is within ten (10) feet of a primary residence foundation, and can be expected to cause foundation damage the code enforcement official may approve the removal without requiring an arborist letter.

Replacement trees. If the removal does not maintain the required number of trees, only those trees listed in Table 17-750 shall be authorized for planting to replace a landmark tree.

Other request. Requests for the removal of a landmark tree in order to place a pool, accessory structure, or any other type use other than primary residence shall be submitted to the planning, building and zoning department for a permit. When there is a dispute, the applicant may appeal to the board of zoning appeals for a variance. The planning, building and zoning department will expedite the appeal process as much as state law allows.

Sec. 17-725. – DEVELOPMENT OF VACANT PROPERTY, redevelopment, or major addition (residential or commercial).

- (a) Tree and measurement requirements for vacant property, redevelopment, or major addition.

Table 17-725.1 MINIMUM NUMBER OF REQUIRED TREES & DIAMETER/CIRCUMFERENCE BY ZONING DISTRICT*			
Zoning District	Number of Required Trees (minimum)	Minimum Diameter measured 2 feet from ground (total of all trees)	Minimum Circumference measured 2 feet from ground (total of all trees)
R-1	5 trees per lot	3 inches 60 inches	188 inches

R-2	5 trees per lot	3 inches 40 inches	125 inches
R-3	3 trees per lot	3 inches 30 inches	94 inches
MU	4 trees per lot	40 inches	125 inches
LLI	4 trees per lot	40 inches	125 inches
C1	Shall meet the requirements of Article IX (Design Overlay District)		
C2	No Planting Required	N/A	
C3	3 trees per lot	30 inches	94 inches
PD	Specified in the Planned Development Document		
<p>NOTE: *For the purposes of administering this section, no tree less than seven three inches (7 3") in diameter (dbh) shall be counted in order to satisfy the minimum number of trees per lot, nor shall the diameter of such tree be counted to satisfy the cumulative inches dbh required per lot. **The minimum inches dbh per lot is the sum of all qualifying trees on the lot. All measurements are made two (2) feet from the ground.</p>			

(b) **Applicability.** Nonconforming lots that do not contain the number of trees or cumulative measurement requirements may continue pursuant to the provisions of this chapter. Any change shall immediately require compliance with the minimum number of trees requirement of Table 17-725.1.

(c) **Reduction authorized.** A reduction is limited to one (1) tree or twenty (20) percent of the number of trees required for a lot, whichever is greater. The code enforcement official may, consistent with the requirements of this section, authorize a reduction in the number of required trees from the terms of section 17-723.1 if:

- (1) The lot is nonconforming in area; or
- (2) The lot contains a landmark tree and the placement of the required tree would interfere with its healthy growth; or
- (3) The replacement tree would interfere with a public street, sidewalk, drainage or utility easement.

- (d) **Appeals.** Appeals regarding code enforcement decisions shall be made to the board of zoning appeals pursuant to section 17-223. The board of zoning appeals may grant a variance to provide additional relief from the terms of this article, subject to the requirements imposed by section 17-222.

Sec. 17-725.2. - Zoning permit required for vacant, development, or major addition (residential or commercial).

No permit. A zoning permit is not required for the removal of trees under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, or for the pruning of limbs under eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Permit required. Issuance of a no-fee zoning permit is required prior to removal of trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground, and for the pruning of limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the tree trunk.

Sec. 17-725.3. - Guidelines for pruning or removal of common trees for vacant, development, redevelopment, or major addition (residential or commercial).

- (a) **Vacant property not for development.** With the approval of the code enforcement official common tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk and common trees eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed from properties if one (1) or more of the following conditions exist:

- (1) The tree or limb pose a safety hazard to pedestrians or vehicle traffic;
- (2) Tree or limb poses or can be expected to pose a hazard to utilities;
- (3) The tree is any variety of pine other than a long leaf;
- (4) The tree is within ten (10) feet of the primary structure, foundation or driveway;
- (5) Tree or limb is diseased, dead or weakened by age, storm, fire or other injury, which is a source of hazard to people;
- (6) The property owner wishes to thin or remove existing common trees from the property to allow for the proper growth of remaining trees or to enhance the overall appearance of the landscaped area. Thinning may be authorized provided thinning is limited to forty (40) percent of existing common trees. No protected or landmark tree shall be removed.

- (b) **Development, redevelopment, major addition, pool.** Removal of trees for development purposes, including redevelopment, major addition, or pool installation requires a tree protection plan. A building permit must be issued prior to the removal of any tree located on a lot to be developed, redeveloped or adding a major addition.

With the approval of the code enforcement official common tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk and common trees

eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed from properties if one (1) or more of the following conditions exist:

- (1) The tree or limb poses a safety hazard to pedestrians or vehicle traffic;
- (2) The tree or limb poses or can be expected to pose a hazard to utilities or primary structure, including foundation; or
- (3) The tree or limb is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people; tree is located within ten (10) feet of the proposed foundation of the proposed primary building, major addition or pool.

Replacement trees. If the removal does not maintain the required number of trees, common trees may be replaced with another common tree, except Palmetto trees shall be allowed replacement trees in R2 and R3 districts.

Sec. 17-725.4. - Guidelines for pruning or removal of protected or specimen trees for vacant, redevelopment or major addition (residential or commercial).

(a) **Vacant property not for development.** With the issuance of a no-fee permit, protected or specimen limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk or protected or specimen trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed if one or more of the following conditions exist:

- (1) Tree or limb poses a safety hazard to pedestrians or vehicle traffic; or
- (2) The tree or limb is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people.

(b) **Development, redevelopment, major addition, pool.** Removal of trees for development purposes, including redevelopment, major addition or pool requires a tree protection plan. A building permit must be issued prior to the removal of any tree located on a lot to be developed, redeveloped, adding a major addition or installing a pool.

Contractors: Upon payment set forth in Table 13-61a, and with the issuance of a permit, protected or specimen limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk or protected or specimen trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed if one (1) or more of the following conditions exist: and

Property owners: With the issuance of a "no fee permit" protected or specimen limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk or protected or specimen trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from the ground may be removed if one (1) or more of the following conditions exist:

- (1) Tree or limb pose a safety hazard to pedestrians or vehicle traffic;
- (2) Tree or limb poses or most likely can be expected to pose a hazard to primary structure, including foundation or utilities, or

- (3) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, or primary building.
- (4) If it is determined by a South Carolina licensed surveyor or a South Carolina licensed engineer that the following conditions are present and these conditions are presented to the director of planning, building and zoning as documented:
 - a. Tree being protected or landmark tree cannot in anyway escape the building footprint of a residential or commercial building by movement of the building in any direction.
 - b. The landmark tree would prevent the land from being used either residentially or commercially by the owner, builder or contractor then the following would take place:
 - i. The director of planning, building and zoning and the building official shall verify that the survey data by the South Carolina licensed surveyor or the South Carolina licensed engineer is factual.
 - ii. The owner, builder or contractor shall not be required to appear before the board of zoning appeals and the director of planning, building and zoning and code enforcement shall issue a release excusing the owner, builder or contractor from the board of zoning appeals hearing.
 - iii. The owner, builder or contractor shall plant a minimum of four (4) trees with at least two (2) being of the same species as the landmark tree removed. The trees planted as replacement trees shall meet the guidelines set forth in section 17-750. Tree replacement for permitted tree removal shall be planted prior to final inspection and certificate of occupancy is issued.

Replacement trees. If the removal does not maintain the required number of trees, only those trees listed in Table 17-750 shall be authorized for planting to replace protected, or specimen trees, except Palmetto trees shall be allowed replacement trees in R2 and R3 districts.

Sec. 17-725.5. - Guidelines for pruning or removal of landmark trees for vacant, redevelopment, or major addition (residential or commercial).

- (a) **Vacant property not for development.** Trimming or pruning. With the approval of the code enforcement official landmark tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk may be removed if one (1) or more of the following conditions exist:
 - (1) Limb(s) poses a safety hazard to pedestrians or vehicle traffic;
 - (2) Limb(s) poses or can be expected to pose a hazard to utilities; or
 - (3) The limb is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people.

Removal. Prior to the removal of a landmark tree a letter from an ISA certified arborist, South Carolina registered forester, landscape architect, architect or engineer must be submitted to the planning, building and zoning department stating one or more of the reasons listed below that require the tree(s) be removed.

- (1) Tree(s) poses a safety hazard to pedestrians or vehicle traffic;

- (2) Tree(s) poses or can be expected to pose a hazard to utilities, or
 - (3) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people.
- (b) **Development, redevelopment, major addition, pool.** Trimming or pruning. With the approval of the code enforcement official and issuance of a no-fee permit, landmark tree limbs over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) inches from the trunk may be removed if one (1) or more of the following conditions exist:
- (1) Limb(s) poses a safety hazard to pedestrians or vehicle traffic;
 - (2) Limb(s) poses or can be expected to pose a hazard to utilities; or
 - (3) The limb is diseased, dead or weakened by age, storm, fire or other injury, which is a source of hazard to people, buildings or other improvements on a lot.

Removal. Removal of trees for development purposes, including redevelopment, major addition or pool requires a tree protection plan. A building permit must be issued prior to the removal of any tree located on a lot to be developed, redeveloped, adding a major addition or installation of a pool.

Prior to the removal of a landmark tree a letter from an ISA certified arborist, South Carolina registered forester, landscape architect, architect or engineer must be submitted to the planning, building and zoning department stating one (1) or more of the reasons listed below that require the tree(s) be removed:

- (1) Tree(s) poses a safety hazard to pedestrians or vehicle traffic;
- (2) Tree(s) poses or can be expected to pose a hazard to utilities, or
- (3) The tree is diseased, dead or weakened by age, storm, fire or other injury which is a source of hazard to people, buildings or other improvements on a lot.
- (4) If it is determined by a South Carolina licensed surveyor or a South Carolina licensed engineer that the following condition are present and these conditions are presented to the director of planning, building and zoning as documented:
 - a. Tree being protected or landmark tree cannot in anyway escape the building footprint of a residential or commercial building by movement of the building in any direction.
 - b. The landmark tree would prevent the land from being used either residentially or commercially by the owner, builder or contractor then the following would take place:
 - i. The director of planning, building and zoning and the building official shall verify that the survey data by the South Carolina licensed surveyor or the South Carolina licensed engineer is factual.
 - ii. The owner, builder or contractor shall not be required to appear before the board of zoning appeals and the director of planning, building and zoning and code enforcement shall issue a release excusing the owner, builder or contractor from the board of zoning appeals hearing.
 - iii. The owner, builder or contractor shall plant a minimum of four (4) trees with at least two (2) being of the same species as the landmark tree removed. The trees planted as replacement trees shall meet the guidelines set forth in section 17-750. Tree

replacement for permitted tree removal shall be planted prior to final inspection and certificate of occupancy is issued.

Replacement trees. If the removal does not maintain the required number of trees only those trees listed in Table 17-750 shall be authorized for planting to replace landmark trees.

Other requests. Requests for the removal of a landmark tree in order to place a pool, accessory structure, or any use other than the primary structure shall be required to obtain approval from the board of zoning appeals. The planning, building and zoning department will expedite the appeal process as much as state law allows.

Sec. 17-726. - Tree protection during clearing, grubbing, and development.

During development there shall be erected and maintained suitable protective barriers around all trees to be retained to prevent damage thereto. The code enforcement official shall be consulted regarding the specific type(s) of barrier(s) to be used. Protective measures may not be removed until construction is complete. No other types of disturbance or construction shall be allowed under the drip line.

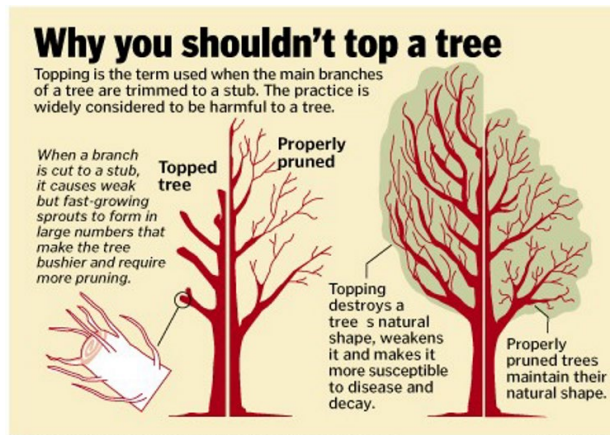
Sec. 17-727. - Public tree care.

The Town of Surfside Beach shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the lines of all streets, alleys, avenues, lanes, squares, boulevards, drives, public rights-of-way, and public grounds as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds.

The code enforcement official or the public works director may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or which is infected with any injurious fungus, insect, or other pest. The installation of trees and/or landscaping shall meet all requirements of other applicable ordinances of the town.

Sec. 17-728. - Tree topping.

It shall be unlawful for any person, firm, or town department to top any tree on public or private property. "Topping" is defined as the severe cutting back of limbs to the stubs larger than eight (8) inches in diameter within the trees crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempted from this article at the determination of the code enforcement official or the public works director. Crepe Myrtles shall be exempt from this section of the article.



Sec. 17-729. - Tree protection plan.

All applications for building permits for development, redevelopment, major additions, or pools shall be accompanied by a tree protection plan. All plans must be approved by the code enforcement official prior to the issuance of a permit. The plan(s) shall be drawn to include all pertinent dimensions and indicate clearly proposed parking, driveways and other vehicular use areas, all proposed buildings and structures, all existing trees eight (8) inches and over in diameter measured two (2) feet from ground and locations of proposed landscaped areas and materials to be used in landscaping. Where more than six (6) inches of soil fill is to be used to bring up lot elevations, the tree protection plan must indicate how existing required trees will be protected.

Secs. 17-730—17-739. - Reserved.

DIVISION 3. - ENFORCEMENT

Sec. 17-740. - Penalties.

The code enforcement officer shall institute appropriate legal action including, but not limited to immediately issuing a stop work order. The stop work shall remain in effect for a minimum of thirty (30) days not to exceed one hundred twenty (120) days. The code enforcement official shall also institute appropriate legal action including imposition of the fines set forth herein.

Fines.

Removing limbs over eight (8) inches in diameter and twenty-five (25) inches in circumference measured two (2) inches from trunk without approval and permit shall be five hundred dollars (\$500.00) per limb.

Removing unprotected trees over eight (8) inches in diameter and twenty-five (25) inches in circumference measured two (2) feet from ground without approval and permit shall be five hundred dollars (\$500.00) per tree.

Removing protected or specimen trees over eight (8) inches in diameter or twenty-five (25) inches in circumference measured two (2) feet from ground without approval and permit two thousand five hundred dollars (\$2,500.00) per tree.

Removing landmark trees without approval and permit shall be ten thousand dollars (\$10,000.00) per tree.

In addition to the fines, violators shall be subject to all of the provisions established in section 1-16, General penalty; continuing violations, of the Town's Code of Ordinances. Issuance of a fine or penalty does not relieve any party of complying with the mitigation requirements set forth in section 17-741.

All fines collected as a result of the enforcement of this article shall be placed in the **proposed tree mitigation** general fund.

Sec. 17-741. - Mitigation required for removal of trees without a permit.

Any tree removed without a permit must be replaced with equal the inches removed, and shall be replaced with species listed in Table 17-750 of this article.

Penalty. When trees cannot be replaced as stated above, a penalty shall be paid that equals the average amount for purchase and planting of replacement trees based on the market rates from three (3) local nurseries. All penalties shall be deposited in the general fund.

Secs. 17-742—17-749. - Reserved.

DIVISION 4. - DEFINITIONS.

[Sec. 17-750. - Definitions.]

In addition to the definitions set forth in section 17-007, the following words, terms, and phrases when used in this article shall have the meanings ascribed to them in this section. All other words, terms, and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

Circumference shall mean the distance around the tree two (2) feet from ground or limb two (2) inches from trunk.

Common tree shall mean any tree not listed in Table 17-750 herein as a protected, specimen or landmark tree.

Drip line shall mean that area at the base of the tree where the rain falls from the canopy.

Major addition shall mean any addition, the cost of which equals or exceeds forty-eight (48) percent of the tax or certified appraised value of the structure before the start of construction of the improvement.

Replacement tree shall mean any tree planted in order to satisfy the requirements of Division 2: Tree protection. A minimum circumference or diameter must be met. A replacement tree shall not be removed due to its size without prior approval by the Board of Zoning Appeals.

***Tree mitigation fund* shall mean an account for any fines associated with the application of Article VII to be deposited into to be used by the Town to plant additional trees and landscaping in the public realm.**

Tree protection plan shall mean a plan that identifies the location, size, and species of existing trees and trees targeted for removal including the identification of any tree protection areas and the means of such protection. When new plantings are proposed or required by this article, the tree protection plan shall state the location, size, and species of all trees to be planted on the site.

Trees: protected, specimen and landmark. The following trees are designated by the Town of Surfside Beach as either protected, specimen or landmark trees when the diameter and circumference is attained as indicated in Table 17-750 below:

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Table 17-750 Protected, Specimen, and Landmark Trees

Tree Name	Protected @	Specimen Tree @	Landmark Tree @
Beech (American)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Birch (River)	6 inches in diameter/19" in circumference but less than	18 inches in diameter/57" in circumference	
Cedar	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Cypress (Bald)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	Greater than 24 inches in diameter/75" in circumference
Dogwood (Flowering)	4 inches in diameter/12" in circumference but less than	12 inches in diameter/38" in circumference	
Elm	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Hickory	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Holly (American)	6 inches in diameter/19" in circumference but less than	12 inches in diameter/38" in circumference	
Magnolia (Southern)	8 inches in diameter/25" in circumference but less than	16 inches in diameter/50" in circumference	
Locust, Thornless (Honey)	8 inches in diameter/25" in circumference but less than	16 inches in diameter/50" in circumference	
Loquat	8 inches in diameter/25" in circumference but less than	16 inches in diameter/50" in circumference	
Maple (Red)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Oak (Live Oak)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	Greater than 24 inches in diameter/75" in circumference

Oak (Laurel)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	Greater than 24 inches in diameter/75" in circumference
Oak (all other types)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Palm, Palmetto*	N/A	N/A	N/A
Pine (Long Leaf)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Poplar (Yellow)	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Sycamore	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Tupelo	8 inches in diameter/25" in circumference but less than	24 inches in diameter/75" in circumference	
Yaupon	8 inches in diameter/25" in circumference but less than	16 inches in diameter/50" in circumference	
Zelkova	8 inches in diameter/25" in circumference but less than	16 inches in diameter/50" in circumference	

*** For residentially zoned properties in the R-3 district, it is recommended palm and palmetto varieties are planted to fill the requirement for the minimum number of trees (3) in order to encourage their survival due to harsh conditions of heat and salt water spray. Due to their inability to thrive if planted during the winter months, a planting plan may be approved with new construction with a delayed planting schedule for palms or palmettos of up to six (6) months. This will allow construction to continue and certificates of occupancy to be issued without delay.**

SEVERABILITY. If any provision, clause, sentence, or paragraph of this amendment or the application thereof shall be held invalid, that invalidity shall not affect the other provisions of this ordinance, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECTIVE DATE. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.

BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly this ___ day of _____ 2021.

Surfside Beach Town Council

Bob Hellyer, Mayor

Debbie Scoles, Pro Tempore

Bruce H. Dietrich, Town Council

Michael Drake, Town Council

Paul Holder, Town Council

Cindy Keating, Town Council

David Pellegrino, Town Council

Attest:

Sheri Medina, Town Clerk

DRAFT

DRAFT

DRAFT



Town of Surfside Beach Finance Report August 31, 2021

General Fund

The General Fund Revenue is \$92k higher than last year. All revenue categories have increased in this fiscal year. However, expenditures have increased \$1.2 million from the prior year due the purchase of capital equipment and the new Town Hall facility.

There were 37 new business license accounts opened in August, 9 new businesses, 4 new rentals, 10 new contractors, and 14 out of town businesses.

Special Revenue Funds- Accommodations, Hospitality and Local A-Tax Funds

Accommodations Funds will be received from the State of SC in mid to late October.

Hospitality collections totaled \$246k from our local collection and \$267k from Horry County.

Local Atax totaled \$69k from local collection and \$65k from Horry County. The 21-22 budget has the funds from Horry County being used for the Pier reconstruction. A reminder that H-Tax and L-Atax collection percentages changed in July 2021 making comparison to prior year difficult.

Capital Projects Fund

Road paving is the only project planned for this fund which is planned for Spring 2022.

Stormwater Utility Fund

Work has resumed on the Dogwood Swash project with \$92k of costs in August. The budget for this project will be moved with the upcoming budget amendments later this year.

Enterprise Funds- Pier and Sanitation Fund

Pier Fund: The Pier received a reimbursement from FEMA this month totaling \$956k. Pier reconstruction is detailed on page 9.

Sanitation Fund: Revenue from sanitation fees totaled \$331K YTD which is in line with the prior year. Operating Expenses total \$218k this year about \$47k higher than prior year.

Lanier Parking

Parking and citation revenue collected by Lanier totaled \$169k YTD. Parking management and other costs total \$48k YTD. The net revenue from parking totals \$120k YTD.

Finance Department

The Finance Department has been working with the Auditors from Greene Finney on the annual audit. We expect the Auditors to present their report to Council in October 2021.

The Finance Department would like to welcome Brian Gray as our Finance Assistant who also serves as the customer service representative at Town Hall. Stop by and say hello to Brian.

Transparency

The Town's accounts payable register has been posted online and a link has been added to the State Comptroller General's office website. Visit the following websites for information: Town of Surfside Beach <https://www.surfsidebeach.org> SC Comptroller General <https://www.cg.sc.gov/fiscaltransparency> If you have any questions regarding this report, please contact the Finance Department at (843)-913-6336.

Town of Surfside Beach
General Fund
Summary Financial Information
August 31, 2021

	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Property Taxes	\$ 33,211	\$ 59,178	\$ 3,327,000	\$ (3,267,822)	\$ 34,288	\$ 58,193
Licenses & Permits	40,219	63,178	1,676,500	(1,613,322)	32,991	55,630
Franchise Fees	19,595	39,189	697,500	(658,311)	19,008	38,016
Fines	15,163	31,055	113,500	(82,445)	10,773	20,211
Interest	317	765	15,000	(14,235)	1,294	2,767
Intergovernmental	2,780	2,780	229,420	(226,640)	678	678
Special Event	(4)	2,579	17,000	(14,421)	-	-
Other Revenue	8,150	13,635	123,000	(109,365)	3,857	6,681
Parking	70,314	168,885	335,000	(166,115)	44,765	106,900
Total Revenue	\$ 189,745	\$ 381,244	\$ 6,533,920	\$ (6,152,676)	\$ 147,654	\$ 289,076
Expenditures						
Administration	\$ 35,107	\$ 69,575	\$ 490,490	\$ (420,915)	\$ 35,927	\$ 63,323
Finance	24,364	62,344	407,235	(344,891)	20,151	59,768
Court	10,949	20,865	167,610	(146,745)	10,842	22,863
Facilities	7,931	13,727	101,945	(88,218)	5,923	12,441
Police	173,080	339,440	2,473,500	(2,134,060)	165,348	336,314
Parking Expenses	23,439	48,396	182,080	(133,684)	13,496	27,947
Fire	61,833	115,767	852,950	(737,183)	55,157	108,344
Building & Codes	19,242	37,739	388,790	(351,051)	16,559	33,458
Grounds	32,744	61,669	428,800	(367,131)	29,827	58,068
Public Works	82,604	158,308	1,069,220	(910,912)	72,475	141,900
Fleet Maintenance	13,754	24,059	178,195	(154,136)	18,138	29,146
Events	13,621	29,867	208,980	(179,113)	10,237	22,896
Non Departmental	10,538	21,885	216,775	(194,890)	5,621	17,193
Total Expenditures	\$ 509,206	\$ 1,003,641	\$ 7,166,570	\$ (6,162,929)	\$ 459,701	\$ 933,661
Net Revenue/(Expenditures) Before Debt & Capital Expenditures	\$ (319,461)	\$ (622,397)	\$ (632,650)	\$ 10,253	\$ (312,047)	\$ (644,585)
Debt and Capital Expenditures						
Capital Other Equipment Admin	\$ -	\$ -	\$ -	-	\$ -	\$ -
Capital Replacement Parking						
Capital Land	450	86,278	-	-	-	-
Capital Building	995,457	995,957	-	995,957	-	-
Capital Other Equipment		2,513		2,513		
Debt Service	-	-	-	-	-	-
Capital Replacement Grounds	-	12,959	13,000	(41)	-	-
Capital Build Imp			15,000	(15,000)		
Capital Other Equipment	5,187	5,187	18,000	(12,813)	-	-
Transfer to Capital Projects	-	-	43,000	(43,000)	-	-
Total Debt and Capital Expenditures	\$ 1,001,094	\$ 1,102,894	\$ 89,000	\$ 927,616	\$ -	\$ -
Total Expenditures	\$ 1,510,300	\$ 2,106,535	\$ 7,255,570	\$ (5,235,313)	\$ 459,701	\$ 933,661
Excess (Deficiency) of Revenues Over (Under) Expenditures	\$ (1,320,555)	\$ (1,725,291)	\$ (721,650)	\$ (917,363)	\$ (312,047)	\$ (644,585)
Other Financing Sources	\$ -	\$ -	\$ 675,650	(675,650)	\$ -	\$ -
Net Change in Fund Balance	\$ (1,320,555)	\$ (1,725,291)	\$ (46,000)	\$ (1,593,013)	\$ (312,047)	\$ (644,585)
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				

Town of Surfside Beach						
General Fund Revenue						
August 31, 2021						
General Fund	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Property Taxes						
Current Property Taxes	\$ 30,809	\$ 46,637	\$ 3,285,000	\$ (3,238,363)	\$ 23,477	\$ 35,593
Penalties & Prior Year Taxes	2,402	10,164	30,000	(19,836)	9,014	19,748
Motor Carrier Taxes	-	2,377	12,000	(9,623)	1,797	2,852
Total Property Taxes	\$ 33,211	\$ 59,178	\$ 3,327,000	\$ (3,267,822)	\$ 34,288	\$ 58,193
Licenses and Permits						
Business Licenses - Local	\$ 23,126	\$ 28,285	\$ 625,000	\$ (596,715)	\$ 20,528	\$ 25,874
Business Licenses - MASC	-	-	850,000	(850,000)	-	-
Animal Licenses	50	110	1,500	(1,390)	60	90
Building Permits and Fines	17,043	34,783	200,000	(165,217)	12,403	29,666
Total Licenses & Permits	\$ 40,219	\$ 63,178	\$ 1,676,500	\$ (1,613,322)	\$ 32,991	\$ 55,630
Franchise Fees						
Santee Cooper (Bi-Annual)	\$ -	\$ -	\$ 290,000	\$ (290,000)	\$ -	\$ -
GSW&SA (Monthly Installments)	19,595	39,189	230,000	(190,811)	-	-
Charter Communications (Quarterly)	-	-	150,000	(150,000)	19,008	38,016
SCANA (Annual)	-	-	10,000	(10,000)	-	-
HTC	-	-	16,000	(16,000)	-	-
Beach Services	-	-	1,500	(1,500)	-	-
Total Franchise Fees	\$ 19,595	\$ 39,189	\$ 697,500	\$ (658,311)	\$ 19,008	\$ 38,016
Fines and Forfeits						
Police Fines	\$ 11,662	\$ 23,738	\$ 90,000	\$ (66,262)	\$ 7,871	\$ 13,848
Victims Assistance	2,151	5,067	18,000	(12,933)	2,002	3,763
Parking Fines	1,350	2,250	5,500	(3,250)	900	2,600
Total Fines Forfeits	\$ 15,163	\$ 31,055	\$ 113,500	\$ (82,445)	\$ 10,773	\$ 20,211
Interest						
	\$ 317	\$ 765	\$ 15,000	\$ (14,235)	\$ 1,294	\$ 2,767
Intergovernmental Revenues						
Aid - Local Government Fund	\$ -	\$ -	\$ 92,000	\$ (92,000)	\$ -	\$ -
Alcohol Permits	-	-	47,600	(47,600)	-	-
Homestead Exemption	-	-	52,000	(52,000)	-	-
Merchants Inventory	2,780	2,780	11,120	(8,340)	678	678
Other Grants	-	-	15,000	(15,000)	-	-
FEMA	-	-	-	-	-	-
PEBA Reimbursement	-	-	-	-	-	-
Law Enforcement	-	-	-	-	-	-
H.C. Recreation Grants	-	-	11,700	(11,700)	-	-
Total Intergovernmental	\$ 2,780	\$ 2,780	\$ 229,420	\$ (226,640)	\$ 678	\$ 678
Rental and Special Events Revenue						
Civic Center Rental	\$ (60)	\$ (60)	\$ 3,000	\$ (3,060)	\$ -	\$ -
Special Events and Donations	56	2,639	14,000	(11,361)	-	-
Total Rental and Special Events	\$ (4)	\$ 2,579	\$ 17,000	\$ (14,421)	\$ -	\$ -
Other Revenue						
Miscellaneous Revenues	\$ 1,301	\$ 1,347	\$ 6,500	\$ (5,153)	\$ 186	\$ 388
Rebates & Reimbursements	920	2,391	32,000	(29,609)	1,243	1,423
False Alarms	230	255	4,500	(4,245)	355	510
Tournament Reimbursements	-	-	4,500	(4,500)	281	425
Fire/Police Department	85	160	500	(340)	60	135
Vehicle Maintenance Reimbursements	2,929	5,393	16,000	(10,607)	1,096	2,158
Parking Violations	320	880	12,000	(11,120)	160	600
Miscellaneous Donations	-	-	-	-	-	-
Town Merchandise	667	1,511	7,000	(5,489)	476	1,042
Cost Recovery	-	-	20,000	(20,000)	-	-
Sale of Fixed Assets	-	-	10,000	(10,000)	-	-
Insurance Proceeds	1,698	1,698	10,000	(8,302)	-	-
Total Other Revenue	\$ 8,150	\$ 13,635	\$ 123,000	\$ (109,365)	\$ 3,857	\$ 6,681
Lanier Revenue						
Parking Fees-Lanier	\$ 65,356	\$ 159,386	\$ 310,000	\$ (150,614)	\$ 42,049	\$ 101,731
Parking Citations-Lanier	4,958	9,499	25,000	(15,501)	2,716	5,169
Total Parking	\$ 70,314	\$ 168,885	\$ 335,000	\$ (166,115)	\$ 44,765	\$ 106,900
Total Revenue before Transfers	\$ 189,745	\$ 381,244	\$ 6,533,920	\$ (6,152,676)	\$ 147,654	\$ 289,076
Other Financing Sources						
Transfer from Sanitation Fund	\$ -	\$ -	\$ 102,000	\$ (102,000)	\$ -	\$ -
Transfer from Accommodations Tax Fund	-	-	55,000	(55,000)	-	-
Transfer from A-Tax Contractual Services	-	-	193,650	(193,650)	-	-
Transfer from Hospitality	-	-	175,000	(175,000)	-	-
Transfer from Local Accommodations Tax	-	-	150,000	(150,000)	-	-
Transfer from Lease Payments	-	-	-	-	-	-
Total Other Financing Sources	\$ -	\$ -	\$ 675,650	\$ (675,650)	\$ -	\$ -
Total Revenues & Other Financing Sources	\$ 189,745	\$ 381,244	\$ 7,209,570	\$ (6,828,326)	\$ 147,654	\$ 289,076

Town of Surfside Beach

Special Revenue Funds

August 31, 2021

Accommodations Fund

	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Accommodations Tax	\$ -	\$ -	\$ 625,000	\$ (625,000)	\$ -	\$ -
Special Events/Donations	-	-	3,000	(3,000)	-	-
Sale of Fixed Assets	-	-	-	-	-	-
Interest Income	13	22	800	(778)	20	37
Total Revenues	\$ 13	\$ 22	\$ 628,800	\$ (628,778)	\$ 20	\$ 37
Expenditures						
Police	\$ 675	\$ 1,519	\$ 50,000	\$ (48,481)	\$ 76	\$ 692
Fire	-	-	-	-	-	-
Utilities	-	-	-	-	-	-
Special Events	-	-	18,000	(18,000)	-	-
Advertising - MB Chamber (30%)	-	-	165,000	(165,000)	-	-
Grants/Materials & Supplies	-	-	12,500	(12,500)	7,500	7,500
Professional Services	-	-	-	-	-	-
Fireworks Display	-	-	-	-	-	-
Advertising & Promotion	-	-	12,000	(12,000)	495	1,080
Capital Equipment	-	-	26,000	(26,000)	-	-
Capital Projects - Restrooms	-	-	-	-	-	-
Transfer to General Fund	-	-	55,000	(55,000)	-	-
Transfer to General Contractual	-	-	193,650	(193,650)	-	-
Transfer to Beach Renourishment	-	-	75,000	-	-	-
Transfer to Pier	-	-	10,000	(10,000)	-	-
Total Expenditures	\$ 675	\$ 1,519	\$ 617,150	\$ (540,631)	\$ 8,071	\$ 9,272
Net Change in Fund Balance	\$ (662)	\$ (1,497)	\$ 11,650	\$ (88,147)	\$ (8,051)	\$ (9,235)
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				

**Town of Surfside Beach
Special Revenue Funds
August 31, 2021**

Hospitality Fund

	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Hospitality Fees	\$ 246,230	\$ 246,230	\$ 880,000	\$ (633,770)	\$ 125,405	\$ 125,405
Hospitality - HC Settlement			380,000			
Hospitality - HC Fee	267,121	267,121	640,000			
Interest Income	88	-	4,000	(4,000)	246	455
Grant/Misc/Veteran's Wall	250	-	17,150	(17,150)	50	100
Total Revenues	\$ 513,689	\$ 513,351	\$ 1,921,150	\$ (654,920)	\$ 125,701	\$ 125,960
Expenditures						
Police	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fire	-	-	3,000	(3,000)	-	-
Grounds	-	-	15,000	(15,000)	-	-
Streets	-	-	16,500	(16,500)	-	-
HC Fee	2,671	2,671	8,000	(5,329)	-	-
Capital Police			55,700			
Capital Grounds			75,000			
Veteran's Memorial	57	226	5,500	(5,274)	50	102
Transfer to General Fund	-	-	175,000	(175,000)	-	-
Transfer to Capital Beach Renourish	-	-	75,000	(75,000)	-	-
Transfer to Pier	-	-	200,000	(200,000)	-	-
Transfer to Pier	-	-	185,000	(185,000)	-	-
Transfer to Pier	-	-	850,000	(850,000)	-	-
Transfer to Pier	-	-	1,020,000	(1,020,000)	-	-
Total Expenditures	\$ 2,728	\$ 2,897	\$ 2,683,700	\$ (2,550,103)	\$ 50	\$ 102
Net Change in Fund Balance	\$ 510,961	\$ 510,454	\$ (762,550)	\$ 1,895,183	\$ 125,651	\$ 125,858
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				

Local Accommodations Fund

	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Local Accommodations Tax	\$ 69,182	\$ 69,182	\$ 195,000	\$ (125,818)	\$ 297,951	\$ 297,951
HC Settlement			95,000	(95,000)		
HC Fee	64,950	64,950	160,000	(95,050)		
Interest Income	108	239	2,000	(1,761)	295	514
Total Revenues	\$ 134,240	\$ 134,371	\$ 452,000	\$ (317,629)	\$ 298,246	\$ 298,465
Expenditures						
HC Fee	\$ 650	\$ 650	\$ 1,750	\$ -	\$ -	\$ -
Transfer to Pier	-	-	1,329,000	(1,329,000)	-	-
Transfer to General Fund	-	-	150,000	-	-	-
	\$ 650	\$ 650	\$ 1,480,750	\$ (1,329,000)	\$ -	\$ -
Net Change in Fund Balance	\$ 133,590	\$ 133,721	\$ (1,028,750)	\$ 1,011,371	\$ 298,246	\$ 298,465
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				

**Town of Surfside Beach
Capital Projects Fund
August 31, 2021**

Capital Projects Fund	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Interest Income	\$ 88	\$ 182	\$ 2,000	\$ (1,818)	\$ 350	\$ 762
Horry County Road Fee	-	-	120,000	(120,000)	-	-
CTC Reimbursement	-	-	300,000	(300,000)	-	-
Misc Income	-	-	-	-	-	-
	-	-	-	-	-	-
Total Revenue	\$ 88	\$ 182	\$ 422,000	\$ (421,818)	\$ 350	\$ 762
Expenditures						
Fire Hydrant	\$ -	\$ -	\$ 43,000	\$ (43,000)	\$ -	\$ -
Grounds	-	-	-	-	-	-
Streets	-	-	-	-	-	-
Capital-Street Improvements	-	-	430,000	(430,000)	-	-
3rd Ave S Streetscape	-	-	-	-	-	-
Total Expenditures	\$ -	\$ -	\$ 473,000	\$ (473,000)	\$ -	\$ -
Other Financing Sources						
Transfer from General Fund	\$ -	\$ -	\$ 43,000	\$ (43,000)	\$ -	\$ -
Beach Renourishment Hospitality	-	-	75,000	(75,000)	-	-
Beach Renourishment A-Tax	-	-	75,000	(75,000)	-	-
	-	-	-	-	-	-
Total Other Financing Sources	\$ -	\$ -	\$ 193,000	\$ (193,000)	\$ -	\$ -
Net Change in Fund Balance	\$ 88	\$ 182	\$ 142,000	\$ (141,818)	\$ 350	\$ 762
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				
	Fund Balances 7/1/2021	Milage, Grants, Interest, Reimbursement	Transfers	Expenditures	Ending Balances	
Beach Renourishment	\$ -	-	-	-	\$ -	
Underground	-	-	-	-	-	
Street Improvements	-	-	-	-	-	
Hydrants	-	-	-	-	-	
	\$ -	\$ -	\$ -	\$ -	\$ -	

Town of Surfside Beach

Stormwater Utility Fund

August 31, 2021

Stormwater Fund	August 2021	YTD 2021-2022	FY 21-22 Budget	Over (Under) Budget	August 2020	YTD 2020-2021
Revenue						
Stormwater Tax	\$ 3,088	\$ 5,468	\$ 462,000	\$ (456,532)	\$ 1,483	\$ 2,497
Interest Income	37	90	2,000	(1,910)	121	247
Other Income Grant SCMIRF	4,000	4,000	-	4,000	-	-
Transfer From Other Funds	-	-	-	-	-	-
Transfer From Capital Projects	-	-	-	-	-	-
Total Revenues	\$ 7,125	\$ 9,558	\$ 464,000	\$ (454,442)	\$ 1,604	\$ 2,744
Expenditures						
Travel & Training	\$ 295	\$ 10,390	\$ 20,000	\$ (9,610)	\$ -	\$ 10,395
Operation of Motor Vehicles	340	1,434	3,000	(1,566)	48	48
Utilities	1,187	2,142	12,000	(9,858)	1,072	2,215
Horry County Processing Fee	9	16	1,860	(1,844)	6	10
Materials & Supplies	6,731	6,781	25,200	(18,419)	1,222	3,969
Professional Services	-	-	51,500	(51,500)	-	-
Vehicle Insurance	15	30	180	(150)	15	30
Capital - Land Improvements	-	-	-	-	-	-
Capital - Drainage Improvements	-	-	825,000	(825,000)	14,000	14,000
Capital - Motor Vehicles	-	-	-	-	-	-
Capital - Infrastructure Swash Bridge	92,350	92,350	-	-	-	-
Capital - Other Equipment	18,135	18,135	-	18,135	-	-
Total Expenditures	\$ 119,062	\$ 131,278	\$ 938,740	\$ (899,812)	\$ 16,363	\$ 30,667
Net Change in Fund Balance	\$ (111,937)	\$ (121,720)	\$ (474,740)	\$ 445,370	\$ (14,759)	\$ (27,923)
Beginning Fund Balance 7/01/2021 Actual		\$ -				
Ending Fund Balance		\$ -				

Town of Surfside Beach						
Pier Fund						
August 31, 2021						
Pier Enterprise Fund						
	August	YTD	FY 21-22	Over (Under)	August	YTD
	2021	2021-2022	Budget	Budget	2020	2020-2021
Revenue						
Income Rents/Leases	\$ -	\$ -	\$ -	\$ -	\$ 5,625	\$ 11,250
Interest Income	247	585	5,000	(4,415)	335	678
FEMA	956,570	956,570	6,657,000	(5,700,430)	-	-
Other Income	-	-	-	-	-	-
Parking Fees Lanier	-	-	-	-	19,880	52,016
Parking Citations Lanier	-	-	-	-	1,462	2,784
Transfer From Hospitality			2,255,000	(2,255,000)		
Transfer From Local A-Tax			1,329,000	(1,329,000)		
Transfer From A-Tax	-	-	10,000	(10,000)	-	-
	-	-	-	-	-	-
Total Revenues	\$ 956,817	\$ 957,155	\$ 10,256,000	\$ (9,298,845)	\$ 27,302	\$ 66,728
Expenses						
Lanier Bank Fees	\$ -	\$ -	\$ -	\$ -	\$ 1,180	\$ 2,300
Property Insurance	-	-	-	-	-	-
Lanier Parking Expenses	-	-	-	-	6,055	12,718
Operating Expenses	-	-	-	-	749	1,120
Professional Services	-	-	100,000	(100,000)	-	3,935
Insurance	-	-	-	-	-	-
Depreciation	-	-	-	-	-	-
Loss on Sale of Fixed Asset	-	-	-	-	-	-
Cost of Issuance	-	-	-	-	-	-
Interest Expense			87,200	(87,200)		
Total Expenses	\$ -	\$ -	\$ 187,200	\$ (187,200)	\$ 7,984	\$ 20,073
Change in Net Position	\$ 956,817	\$ 957,155	\$ 10,068,800	\$ (9,111,645)	\$ 19,318	\$ 46,655
Capital Purchases			\$ 13,100,000			
Total Net Position - Beginning 7/01/2021 Actual		\$ -				
Total Net Position - Ending		\$ -				

Town of Surfside Beach						
August 31, 2021						
Pier Reconstruction Costs						
Consensus Payments	Month Paid	Total Cost	Retainage	Net	Paid to Date	
Construction Payment #11	Sep-21	\$ 396,116	\$ 16,287	379,829	\$ 3,774,120	
Construction Payment #10	Aug-21	\$ 651,624	\$ 18,767	632,857	\$ 3,394,290	
Costs to Date						
Preconstruction	\$ 989,076					
Construction (Consensus)	3,774,120					
Retainage	134,490					
Inspections	41,229					
Collins	105,894					
Hagerty	7,654					
Interst & Legal	30,271					
Insurance	315,672					
Total Cost to date	\$ 5,398,406					
Grant From FEMA						
Grant Funds as of 7-15-2021			Interest		\$ 20,347	
FEMA Grant Total	\$ 9,947,221		Total Spent		\$ 5,398,406	
Reimbursed by FEMA to Date	3,176,850					
Pending FEMA	1,479,889					
Remaining Grant Available for Pier	\$ 5,290,482					
Reimbursement from FEMA	\$ 9,947,221					
Estimated Transfer from Other Funds	2,795,000					
Estimated Funds From Horry County	1,000,000					
Bond Proceeds	4,000,000					
PRT Grant Applied 9-2021	500,000					
Funds Available	\$ 18,242,221					
Total Project Projected Costs	Pier	Building	Total			
Consensus	\$ 12,050,000	\$ 2,600,000	\$ 14,650,000			
Alternate	(1,500,000)	-	(1,500,000)			
Accepted Bid	\$ 10,550,000	\$ 2,600,000	\$ 13,150,000			
Change order 01	1,385,231	-	1,385,231			
Change Order 4/13	50,217	68,000	118,217			
Change Order 03 Piles	106,448	-	106,448			
Construction Cost	\$ 12,091,896	\$ 2,668,000	\$ 14,759,896			
Insurance	-	315,672	315,672			
Total Consensus	\$ 12,091,896	\$ 2,983,672	\$ 15,075,568			
Preconstruction	\$ 881,419	\$ 107,657	\$ 989,076			
Anticipated Costs						
Inspectors	\$ 98,450	\$ -	\$ 98,450			
Inspectors	7,500	-	7,500			
Collins	98,460	-	98,460			
Hagerty	10,000	-	10,000			
Contingency	500,000	500,000	1,000,000			
Interest & Principal	-	398,147	398,147			
Anticipated Costs	\$ 714,410	\$ 898,147	\$ 1,612,557			
Total Est. Cost	\$ 13,687,725	\$ 3,989,476	\$ 17,677,201			

Town of Surfside Beach						
Enterprise Funds						
August 30, 2021						
Sanitation Fund						
	August	YTD	FY 21-22	Over (Under)	August	YTD
	2021	2021-2022	Budget	Budget	2020	2020-2021
Revenue						
Sanitation Fees	\$ 165,141	\$ 330,128	\$ 1,470,000	\$ (1,139,872)	\$ 162,513	\$ 326,792
Interest Income	154	347	7,000	(6,653)	625	1,271
Grant & FEMA	-	-	10,000	(10,000)	-	-
PEBA Reimbursement	-	-	-	-	-	-
Sale of Scrap	1,221	1,221	3,000	(1,779)	-	-
Misc Income	-	-	-	-	-	-
Sale of Fixed Assets	-	-	-	-	-	-
Total Revenues	\$ 166,516	\$ 331,696	\$ 1,490,000	\$ (1,158,304)	\$ 163,138	\$ 328,063
Expenses						
Salaries & Operating Expenses	\$ 117,078	\$ 218,240	\$ 1,206,640	\$ (988,400)	\$ 84,422	\$ 171,577
Depreciation Expense	-	-	160,000	(160,000)	-	-
Transfer to General Fund	-	-	102,000	(102,000)	-	-
Total Expenses	\$ 117,078	\$ 218,240	\$ 1,468,640	\$ (1,250,400)	\$ 84,422	\$ 171,577
Change in Net Position	\$ 49,438	\$ 113,456	\$ 21,360	\$ 92,096	\$ 78,716	\$ 156,486
Capital Purchase						
Total Net Position - Beginning 7/01/2020 Actual		\$ -				
Total Net Position - Ending		\$ -				

Town of Surfside Beach
Lanier Parking Revenue & Expenses
August 31, 2021

General & Pier Fund

	August	YTD	FY 21-22	Over (Under)	August	YTD
	2021	2021-2022	Budget	Budget	2020	2020-2021
Revenue						
Meter/Paystations	\$ 65,356	\$ 159,386	\$ 310,000	\$ (150,614)	\$ 61,929	\$ 153,747
Citations	4,958	9,499	25,000	(15,501)	4,178	7,953
Total Revenues	\$ 70,314	\$ 168,885	\$ 335,000	\$ (166,115)	\$ 66,107	\$ 161,700
Expenses						
Contractual Services Lanier	\$ 19,000	\$ 40,347	\$ 165,300	\$ (124,953)	\$ 17,300	\$ 36,337
Other Parking Expenses	4,438	8,049	16,780	(8,731)	3,431	6,628
Total Expenses	\$ 23,438	\$ 48,396	\$ 182,080	\$ (133,684)	\$ 20,731	\$ 42,965
Change in Net Position	\$ 46,876	\$ 120,489	\$ 152,920	\$ (32,431)	\$ 45,376	\$ 118,735
Month	General Fund			Pier Fund		
	Revenue	Expenses	Net	Revenue	Expenses	Net
July-21	98,571	24,958	73,613	-	-	-
August-21	70,314	23,438	46,876	-	-	-
September-21	-	-	-	-	-	-
October-21	-	-	-	-	-	-
November-21	-	-	-	-	-	-
December-21	-	-	-	-	-	-
January-22	-	-	-	-	-	-
February-22	-	-	-	-	-	-
March-22	-	-	-	-	-	-
April-22	-	-	-	-	-	-
May-22	-	-	-	-	-	-
June-22	-	-	-	-	-	-
Totals	\$ 168,885	\$ 48,396	\$ 120,489	\$ -	\$ -	\$ -

PUBLIC WORKS MONTHLY REPORT

AUGUST 2021

SANITATION DIVISION (FTEs-9)

Residential Service – 23 Moby carts were delivered due to overflow, rental property, replacement, or new ownership. Sanitation supervisor responded to 76 calls regarding residential services and/or questions about bulk/yard debris pick up.

Commercial Service – Service routes continue to be updated based on business needs. 31 required an extra pick-up due to overflow.

Yard & Bulk Item Debris – Bulk items are picked up every Monday throughout town. Yard debris is picked up Tuesday through Friday as scheduled. Items/debris must be curbside by 6:00 a.m. on the scheduled collection day. Reminder: Per Ordinance – leaves must be bagged; limbs can be no longer than four feet in length. Bagged yard debris will be picked up in paper bags only, per SWA restrictions.

Recycling News – 17 carts have been delivered per owner request or overflow per Sanitation. Requests to upsize carts will be filled as supplies allow.

In August, we collected 690.54 tons of solid waste, 76.75 tons of mixed debris, 80.19 tons of yard debris, and 58.70 tons of recyclables. Tonnages, particularly in the R3 rental area, continue to exceed previous years.

STREETS & DRAINAGE DIVISION (FTEs-9)

The Beach – On-going/Special Projects:

- Crews continue to inspect and maintain drainage ways throughout town for capacity and function.
- Beach raking (3x) and refuse/recycling services (5x week) are on full summer schedule.
- Construction of the Dogwood Swash Culvert Bridge continues. Pile installation has been progressing throughout August. Once complete, concrete pile caps will be installed, and then the box culverts, which are already fabricated.
- Crews are mowing and maintaining ditch lines, rights of way, and Hwy 17.
- In August, the Public Works assistant answered 300 incoming calls.
129 of those calls dealt with sanitation questions/concerns; 31 calls dealt with street related issues – street/drainage issues, streetlights, and questions about encroachment permits/driveway inspections, hurricane issues and questions; 60 were internal calls dealing with department and/or personnel issues and/or questions; 12 calls were received for the Public Works Director; 12 calls dealt with Grounds; 2 calls dealt with Fleet; 54 calls dealt with vendors, miscellaneous questions, wrong departments and/or telemarketers.

GROUNDSDIVISION(FTEs-5)

- Repairs and maintenance are being performed at public restrooms on town properties.
- Crews continue spraying for vegetation on town lakes.
- Crews have been preparing town flower beds for fall.

FLEETMAINTENANCEDIVISION(FTE-2)

In August, our mechanics completed 97 repairs on town vehicles and equipment. Repairs included electrical, mechanical, and hydraulic issues as well general use repairs. Bi-weekly fleet tires checks were completed on all Public Works vehicles and/or equipment. 4 vehicles needed tires. “Preventive” and “Scheduled” maintenance (consisting of lube, oil & filter changes, brake inspections, tire rotations and fluid checks) were performed on 17 town vehicles and/or equipment.



The trestle ramp, which will be used as a work platform to construct the ocean pier, is substantially complete and ready for the large crane.



Town Council Issue Paper

Proposed Text Amendments to the zoning ordinance to Article VII, Landscaping and Tree Protection

July 13, 2021, September 28, 2021

Following reports from staff that they'd had numerous instances in recent months regarding requests for the removal of trees, and situations where the tree ordinance was "impossible to meet in the redevelopment of residential lots", staff made an attempt at a rewrite of the current language. There were also calls of concern as trees were being removed, and lots clear cut. In an attempt to make the process clearer and easier for the public to understand, the intent of a rewrite was not to reduce the level of protection of trees, nor to diminish the importance of trees in the Town of Surfside Beach. Upon review, it appears the rewrite oversimplified the regulations, so the Planning Commission went back to the beginning to review the history of tree protection in the zoning ordinance.

At the May 4, 2021 Planning Commission meeting, we began discussion of the tree ordinance by looking at those ordinances employed by other coastal communities, including Conway, McClellanville, Seabrook Island, Sullivan's Island, Edisto Beach, Atlantic Beach, Beaufort, James Island, Isle of Palms, and Awendaw. We saw a range of enforcement measures, a variation in tree types, as well as the size trees which are protected and those which can be counted as replacement trees.

In preparing for the June 15th workshop, I went through the digital archives for both Town Council and the Planning Commission, going back to 2003. I printed out the agendas for those meetings along with the corresponding minutes so that the PC could see the details of the discussions which occurred. At the Chairman's request, I also looked at the language of the Tree Ordinance from 2009 (including a copy from our office with suggested edits by Tom Britton in 2010). Planning Commission worked for months on various 2017 drafts, and the version forwarded to Town Council for approval included PC-recommended changes. At first reading, Town Council reviewed and gave 1st reading approval. At 2nd reading, a number of edits occurred resulting in substantial changes to the PC recommended version. Following a long discuss with much debate, PC staff prepared a draft for Planning Commission to consider in July.

At the July 6th Planning Commission meeting, we reviewed the timeline for the development of the tree ordinance, as well as everything staff and PC did leading up to it. The version which was forwarded to Town Council in 2017 was thought to be the best option, and the draft reviewed by the PC more closely reflects that version. The PC discussed the addition of a Tree Mitigation Fund (or a fee in lieu of option) for any fines to be paid into which would be used for the Town to plant trees in the public realm, considered a benefit to all residents of Surfside Beach. New language is shown in **bold**, highlighted in **green**. Changes which represent scriveners' errors are shown in **bold**, highlighted in **yellow**. Strikethroughs are shown for any language intended to be left out. Following another evening of discussion, the Planning Commission voted 5-1 to recommend the attached draft for approval.