



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
Web: www.surfsidebeach.org
☎ (843) 913-6111 ☎ (843) 238-5432

**TOWN COUNCIL SPECIAL MEETING
COUNCIL CHAMBERS
MONDAY, APRIL 1, 2013 ♦ 6:30 P.M.**

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples

2. **PUBLIC COMMENTS – AGENDA ITEMS**

3. **BUSINESS**

A. **Town Code Of Ordinances Chapter 9, Motor Vehicles and Traffic, Article I**

B. **Report from Town Administrator - Focus Group (Executive Session)**

4. **EXECUTIVE SESSION**

Pursuant to FOIA §30-4-70(a)(1) to discuss employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or the appointment of a person to a public body

5. **ADJOURNMENT**

Chapter 9

MOTOR VEHICLES AND TRAFFIC*

Article I. In General

- Sec. 9-1. Definitions.
- Sec. 9-2. Jurisdiction of municipal court.
- Sec. 9-3. Reckless operation of bicycles.
- Sec. 9-4. Standing, parking beside roadway for certain purposes.
- Sec. 9-5. Blocking streets and alleys.
- Sec. 9-6. Using vehicle for advertising.
- Sec. 9-7. No parking places.
- Sec. 9-8. Definitions.
- Sec. 9-9. Charges.
- Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.
- Sec. 9-11. Parking within marked spaces.
- Sec. 9-12. Overtime parking.
- Sec. 9-13. Use of slugs, etc., prohibited.
- Sec. 9-14. Injuring or tampering with meters.
- Sec. 9-15. Interpretation of chapter.
- Sec. 9-16. Decals and exemptions.
- Sec. 9-17. Penalties.
- Secs. 9-18—9-22. Reserved.

Article II. Moving Traffic Violations

- Sec. 9-23. Driving across private property.
- Sec. 9-24. Prohibited turns.
- Sec. 9-25. Careless operation of a vehicle.
- Secs. 9-26—9-30. Reserved.

***Cross references**—Ordinances prescribing traffic regulations for specific locations saved from repeal, § 1-10(12); vehicles used for refuse collection, § 7-20; junked automobiles on streets, alleys, sidewalks, § 7-61; motor vehicles abandoned on public property, § 7-62; blowing horns, sounding signal devices on motor vehicles as a nuisance, § 7-92; nuisance motor vehicles, § 7-95; unlawful discharge of exhaust from motor vehicles, § 7-97; loudspeakers and amplifiers on motor vehicles for advertisement purposes, § 7-105; miscellaneous offenses, Ch. 8; sleeping in automobiles, § 8-2; municipal court, Ch. 10; police department, § 11-41 et seq.; streets, sidewalks, beaches, other public places, Ch. 12; motor vehicles on beaches, § 12-71; parking of motor vehicles in public parking access areas of beaches overnight, § 12-72; zoning provisions re parking of vehicles, trailers, etc., §§ 17-294, 17-295.

State law references—Uniform Act Regulating Traffic on Highways, S.C. Code 1976, § 56-5-10 et seq.; spilling debris on highway, S.C. Code 1976, § 56-5-4100; placing foreign substances on highways, S.C. Code 1976, § 57-7-20; powers of local authorities, S.C. Code 1976, § 56-5-710; signs giving notice of certain regulations required, S.C. Code 1976, § 56-5-720; local regulations regarding pedestrians, S.C. Code 1976, § 56-5-3120; accident reports, S.C. Code 1976, § 56-5-1360.

SURFSIDE BEACH CODE

Article III. Taxicabs

- Sec. 9-31. Definitions.
- Sec. 9-32. License.
- Sec. 9-33. Liability insurance.
- Sec. 9-34. Qualification of drivers.
- Sec. 9-35. Required equipment.
- Sec. 9-36. Required doors; maintenance.
- Sec. 9-37. Inspection by police department.
- Sec. 9-38. Fares.
- Sec. 9-39. Hawking and solicitation.
- Sec. 9-40. Receiving and discharging passengers.
- Sec. 9-41. Deceiving passengers.
- Sec. 9-42. Engaging taxicab with fraudulent intent.

Article IV. Wrecker and Tow Services

- Sec. 9-43. Generally.
- Sec. 9-44. Wrecker and storage fees.
- Sec. 9-45. Use of police radio prohibited.
- Sec. 9-46. Wreckers to go to accident only when properly called.
- Sec. 9-47. Solicitation of wrecker or towing service.
- Sec. 9-48. Solicitation of business and enticement to solicit prohibited.
- Sec. 9-49. Emergency wrecker service.
- Sec. 9-50. Wrecker and towing services by rotation.
- Sec. 9-51. Eligibility for police requested towing.
- Sec. 9-52. New applications for rotational service.
- Sec. 9-53. Minimum standards for service.
- Sec. 9-54. Agreements.
- Sec. 9-55. Insurance.
- Sec. 9-56. Storage lot requirements.
- Sec. 9-57. Eligibility for police requested towing.
- Sec. 9-58. Declared emergencies by the mayor.

ARTICLE I. IN GENERAL**Sec. 9-1. Definitions.**

For the purposes of this chapter the definitions of the S.C. Code 1976, § 56-5-110 et seq., are hereby adopted and made a part of this Code.

(Code 1969, § 12-1; Ord. No. 09-0675, 7-14-09)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 9-2. Jurisdiction of municipal court.

The municipal court may try and determine criminal cases involving violations of the provisions of this chapter or provisions of the Code of Laws of South Carolina 1976, relating to motor vehicles and traffic occurring within the limits of the town when the penalty prescribed by state law for such violations does not exceed thirty (30) days' imprisonment and/or a fine of five hundred dollars (\$500.00) plus fees and assessments. The municipal court may have trial jurisdiction over such criminal cases the same as magistrates. The municipal court may also have jurisdiction as prescribed by the South Carolina Supreme Court, consistent with state law.

(Code 1969, § 12-2; Ord. No. 93-0338, 10-19-93; Ord. No. 97-0400, 9-9-97; Ord. No. 09-0675, 7-14-09)

Cross reference—Municipal court generally, Ch. 10.

State law reference—Jurisdiction of municipal courts, S.C. Code 1976, § 56-5-6150.

Sec. 9-3. Reckless operation of bicycles.

It shall be unlawful for any person to operate any bicycle in the town in a reckless or dangerous manner.

(Code 1969, § 12-24; Ord. No. 09-0675, 7-14-09)

Sec. 9-4. Standing, parking beside roadway for certain purposes.

No person shall stand or park a vehicle alongside any roadway for the principal purposes of displaying it for sale or washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

(Code 1969, § 12-41; Ord. No. 09-0675, 7-14-09)

Sec. 9-5. Blocking streets and alleys.

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

Cross reference—Streets and sidewalks generally, Ch. 12.

Sec. 9-6. Using vehicle for advertising.

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

Sec. 9-7. No parking places.

It shall be unlawful at any time for a person to permit any vehicle or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.
- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) Within ten (10) feet of any beach access, driveway and entrance or exit to any parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town.

(Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 12-0732, 12-10-12)

Sec. 9-8. Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

Boot means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

Dates and times of enforcement for meters and pay station areas only means March 1st through October 31st annually, from the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday.

Metered area means a designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.

Parking meter means a mechanical device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin therein.

Pay station and *parking pay station* means any mechanical or electronic device, except a parking meter, that requires a monetary payment in exchange for authorized parking in designated, public parking areas.

Pay station area means a designated area where parking is allowed upon payment of U.S. money resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical pay station device.

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Sec. 9-9. Charges.

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.

(a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed, shall immediately deposit a coin of the United States in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of a coin in a meter will permit the parking of that vehicle for a period of time indicated by the meter.

(b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.

(c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin or providing a payment voucher from a

town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Sec. 9-11. Parking within marked spaces.

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-12. Overtime parking.

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-13. Use of slugs, etc., prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin of the United States.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-14. Injuring or tampering with meters.

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-15. Interpretation of chapter.

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-16. Decals and exemptions.

(a) *Resident and nonresident residential property owner parking decals.* Decals issued for full time resident and non-resident residential property owner vehicles including golf carts. All persons residing or owning residential property within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration or verification of proof of residential property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show: (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident and residential property owner to park free of charge in metered or pay station areas when space is available.

(b) *Golf cart registration required.* Registration decals shall be issued for golf carts. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public, shall register golf carts with the town police department. Proof of ownership and liability insurance is required.

- (1) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and "permit only" parking areas and in metered spaces without charge when space is available.
- (2) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "Pay Parking Only," meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.

Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart while being operated. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable golf cart rules.

(c) *Disabled veterans and Purple Heart recipients are exempt from parking fees.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the department of motor vehicles or appropriate authority.

(d) *Handicapped persons are exempt from parking fees.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger, either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.

(e) *Employees.* Every town employee shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10; Ord. No. 12-0717, 06 7-25-12; Ord. No. 12-0727, 12-10-12)

State law reference—Similar provisions, S.C. Code 1976, § 56-5-2585.

Sec. 9-17. Penalties.

(a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the thirtieth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

(b) Violations shall be issued on a uniform ordinance summons.

(c) Violators shall only be cited by police officers or authorized code enforcement officials.

(d) Violators shall appear and be subject to the jurisdiction of the town's municipal court.

(e) Violators shall have a right to a jury trial upon proper request.

(f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.

(g) Violators shall not be subject to incarceration.

(h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety department.

(i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.

(j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.
 (Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Secs. 9-18—9-22. Reserved.

ARTICLE II. MOVING TRAFFIC VIOLATIONS

Sec. 9-23. Driving across private property.

It shall be unlawful for any person driving a vehicle to use the driveway of any filling station or service station in the town as a roadway or thoroughfare.

Sec. 9-24. Prohibited turns.

It shall be unlawful for any person driving a vehicle to make any "U" turn or other turn prohibited at any point where such turn is prohibited, and it shall be unlawful to accomplish a "U" turn by deviously going into or through private property adjoining the street where such turn is prohibited.

(Code 1969, § 12-25)

Sec. 9-25. Careless operation of a vehicle.

It shall be unlawful for any person to operate any vehicle without care and caution and due regard for the safety of persons or property. Any person failing to operate a vehicle with care and caution and due regard for the safety of persons and property shall be guilty of the offense of careless operation of a vehicle. The operation of any vehicle when the same or any of its components is not in proper or safe condition shall be prima facie evidence of careless operation of a vehicle. Careless operation of a vehicle is unlawful and may be a lesser included offense of "reckless driving."

(Ord. No. 90-0291, 2-6-90)

Secs. 9-26—9-30. Reserved.

ARTICLE III. TAXICABS*

Sec. 9-31. Definitions.

As used in this article, the term "taxicab" shall mean any motor driven vehicle, except a vehicle designed to carry over twelve (12) passengers, in which the public is transported from place to place for hire.

(Ord. No. 87-0246, 9-14-87)

*State law reference—Authority to require license, S.C. Code 1976, § 56-1-20

1230 Ms. Dodge: "Second."
1231
1232 Mayor Samples: "There's a motion. There's a second. All in favor say aye."
1233
1234 All Members: "Aye."
1235
1236 Mr. Smith: "Mr. Mayor, I move that we defer second reading of this ordinance until the second
1237 meeting in January."
1238
1239 Mayor Samples: "There's a motion."
1240
1241 Ms. Dodge: "Second."
1242
1243 Mayor Samples: "Any discussion? All in favor say aye."
1244
1245 Unknown Speakers: "Aye."
1246
1247 Mayor Samples: "Opposed."
1248
1249 Unknown Speakers: "No."
1250
1251 Mayor Samples: "Can we get a, a, those who voted in favor raise their hand." *Councilmembers*
1252 *Dodge, Kohlmann, Smith and Stevens raised their hands.*
1253
1254 Mayor Samples: "So be it."
1255
1256 Unknown Speakers: (**multiple comments in background.)
1257
1258 C. Second Reading Ordinance #12-0733 to amend §2-61(b) volunteer Advertising in Daily
1259 Newspaper, and §2-61(j) Annual Committee Reports, Councilmember Dodge.
1260
1261 *Clerk's Note: No action taken because meeting minutes not approved.*
1262
1263 D. First Reading Ordinance #12-0732 to amend §9-7 No Parking Places, Councilmember
1264 Kohlmann.
1265
1266 Mayor Samples: "Alright, moving right along, first reading Ordinance Number 12-0732 to amend
1267 Section 9-7 No Parking Places, Councilmember Kohlmann."
1268
1269 Ms. Kohlmann: "I have to find it. Do you want me to read the, the ordinance or just..."
1270 Mayor Samples: "Well, give us a summary. Tell the public what it's about."
1271
1272 Ms. Kohlmann: "Okay."
1273
1274 Unknown Speaker in Audience: "Grumble, grumble."
1275
1276 Ms. Kohlmann: "I was gonna wait till the grumbling stops. They're entitled. This is a for no parking
1277 places. What it, what it basically is, is, is the safety of the citizens down, that go to the beach, visitors or
1278 people that live in town that pull out of the side streets toward Ocean Boulevard have a limited sight
1279 distance at times, you know, summer time, because people park right up on the curbs. They park right up
1280 to those blue beach access signs. Some of them block them, and a, it's hard to get in and out of driveways
1281 at times. It's very tricky, and keeping that in mind, people crossing the beach [sic] to go to and from the
1282 beach that are renting in the area, they can't, their, their sight is very limited. So, I'm proposing that it be
1283 unlawful at any time for a person in any vehicle or trailer to stop, stand or park in any of the following
1284 places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a
1285 police officer or traffic control device. The ordinance already has in place at any place where official signs

1286 prohibit parking; on any sidewalk; within thirty feet of any intersection not otherwise designated for parking.
1287 The change would be amending where it says at any place where a vehicle would block the use of a
1288 driveway or parking lot. That would be taken out and replaced with within ten feet of any beach access,
1289 driveway and entrance or exit to any parking lot, and then the rest of them remain the same well, fifteen
1290 feet from a fire hydrant or on private property without consent of the owner.”

1291
1292 Mayor Samples: "Thank you."

1293
1294 Ms. Dodge: "Mr. Mayor."

1295
1296 Mayor Samples: "Ms. Dodge, Councilwoman Dodge.”

1297
1298 Ms. Dodge: "I would approve, I would ask that we approve this amendment. It is state law, ten
1299 feet from driveways, 30 feet from parking lots, and street crossings. We should comply with state law.”

1300
1301 Mayor Samples: "Thank you.”

1302
1303 Ms. Mabry: "Mr. Mayor."

1304
1305 Mayor Samples: "Ms. Mabry.”

1306
1307 Ms. Mabry: "I don't have a problem with it as long as we're able to put signs up at every place to
1308 make sure that people know that we, they can't park there, because we're not gonna, hopefully, have
1309 people coming up here every week yelling because they weren't [sic] ticketed when they won't have any
1310 knowledge...”

1311
1312 Mr. Johnson: "Point of order, Mr. Mayor. We need a second.”

1313
1314 Mayor Samples: "Thank you, Mr. Johnson. Can I get a second?"

1315
1316 Mr. Stevens: "I second.”

1317
1318 Mr. Johnson: "Now.”

1319
1320 Mayor Samples: "Thank you, sir. Are you done?"

1321
1322 Ms. Mabry: "No, I (** *laughter*), I just want to know if there's anything in place to take care of that.
1323 To make sure that everyone is aware.”

1324
1325 Ms. Dodge: "Mr. Mayor."

1326
1327 Mayor Samples: "Ms., Councilwoman Dodge.”

1328
1329 Ms. Dodge: "There is something in place. Mr. Adair's men have put yellow markings on Ocean
1330 Boulevard to show the ten foot and the 30 foot markings, and they also have a sign that says no parking in
1331 yellow. It's visible. People should know the laws and they can follow that for sure.”

1332
1333 Mayor Samples: "Thank you.”

1334
1335 Mr. Johnson: "Mr. Mayor."

1336
1337 Mayor Samples: "Councilman Johnson.”

1338
1339 Mr. Johnson: "I appreciate Mrs. Dodge's comments, but that is already in the ordinance. My
1340 concern is the 10 feet of any beach access, driveway and entrance or exit to any parking lot. I believe that
1341 there, there may be some areas that this would not be applicable, and we, we are really restricting some

1342 parking down there, if we do that. We don't have a plan in place to, to move those vehicles except for
1343 down the sides of the end streets and I hate, and I know people say, well, they can go to the parking lots.
1344 Well, we don't have parking lots throughout the Town of Surfside Beach, so as long as, number one, as
1345 long we can regulate it, it's fine. But, I don't see it being regulated on a regular basis based on past history,
1346 and I, I just, you know, I, I, I did a vote to approve this last meeting, but I am not going to support that this
1347 time around simply because I don't think the 10 feet should apply or will apply in all areas, down there on,
1348 on Surfside Drive."

1349
1350 Mayor Samples: "Thank you. Mr. Smith."

1351
1352 Mr. Smith: "Mr. Mayor, thank you. The reason that it hadn't been enforced is because it was so
1353 ambiguous as to what the police should enforce. This states precisely what is to be enforced; ten feet from
1354 the driveway. Ten feet from a parking lot entrance and exit, so this clarifies what needs to be enforced, and
1355 I think once it's passed, then there will be a means of preventing people from parking in those spots, plus
1356 we can a, with bushes, et cetera, plants and so I'm all in favor of, of this a, changes in this ordinance."

1357
1358 Ms. Kohlmann: "Mr. Mayor."

1359
1360 Mayor Samples: "Ms. Kohlmann."

1361
1362 Ms. Kohlmann: "I say we move to vote."

1363
1364 Mr. Johnson: "Mr. Mayor, may I make one last comment?"

1365
1366 Mayor Samples: "Yes, you may and..."

1367
1368 Mr. Johnson: "And I, I appreciate Mr. Smith's comments, but a, I, I know for a fact that a, the
1369 enforcement of the existing ordinances or parts of the existing ordinance have not been done and the, the
1370 continued addition of the 10 feet just adds to the a, the burden and so I, I can't support it."

1371
1372 Mayor Samples: "I, I, if I could, a, the a, we're adding three sections. One a, is the driveway,
1373 which obvi, it's obvious to everybody that..."

1374
1375 Ms. Kohlmann: "Point of Order, Mr. Mayor. I moved to vote."

1376
1377 Mayor Samples: "I haven't had a comment, Ms. Kohlmann."

1378
1379 Ms. Kohlmann: "But when you move to vote, I thought you said by *Robert's Rules*, right?"

1380
1381 Ms. Herrmann: "Unfortunately, she's correct, Mr. Mayor, the vote's been called. Once the vote is
1382 called discussion should end and the vote should be taken."

1383
1384 Mayor Samples: "The chairman challenges that and I would like a vote of council to..."

1385
1386 Ms. Herrmann: "Which is also allowed."

1387
1388 Mayor Samples: "...to prevent me from making comments. The chairman challenges the point of
1389 order so that the chairman may make a comment. All in favor of the chairman being allowed to make a
1390 comment despite the point of order, say aye."

1391
1392 Mayor Samples, Mary Pro Tem Mabry, Councilmember Johnson, and others: "Aye."

1393
1394 Mayor Samples: "Opposed."

1395
1396 One Unknown Speaker: "No."

1397

1398 Mayor Samples: "Thank you."

1399

1400 Ms. Herrmann: "Who opposed? Randle, excuse me, Mr. Stevens."

1401

1402 Mayor Samples: "Parking is certainly a big issue, big issue. We have established a committee to
1403 bring back recommendations to the council. I suspect that this is one of the recommendations that they
1404 would support. Nevertheless, we, we don't start with a blank sheet. We don't have a blank piece of paper
1405 for Ocean Boulevard. Ocean Boulevard was developed building what I call mini-hotels with more
1406 bedrooms than adequate parking. That's a reality. We all know that. I have no doubt that this will have
1407 negative consequences on business operations on Ocean Boulevard. Once people start coming from out
1408 of town and they start getting ticketed, because that is the intent; that is the intent to have an ordinance
1409 which is clear and enforceable by our police department. As Councilman Smith made clear earlier, when
1410 he said 70-percent of the monies are generated by business, let's be clear about where that business
1411 money is generated. It's generated in the R-3 District. It's generated on Ocean Boulevard. Let's not kid
1412 ourselves. Let's now kid ourselves. We're a beach town. We live on tourism. Your taxes reflect the fact
1413 that we have a very desirable beach town in which we live in and recognize that for three months, twelve
1414 weeks, fourteen weeks out of the year we put up with some inconvenience. I think it's a mistake a to, to
1415 have beach accesses, for example, added to this since if memory serves me correctly, we've got I don't
1416 know over thirty, thirty-six beach accesses down there. Thirty-two, thank you. You're taking six hundred
1417 feet that people can't park in. We mark those beach accesses, I presume, for some reason, safety. I
1418 mean, I guess there was a reason that we put the little posts up. The mullions or whatever you call them,
1419 so that people wouldn't park there and that pedestrians could have access, golf carts could have access. I
1420 can't for it as currently written. Now, we'll call for the vote. All in favor say aye."

1421

1422 Multiple Speakers: "Aye."

1423

1424 Mayor Samples: "Opposed?"

1425

1426 Multiple Speakers: "No."

1427

1428 Mayor Samples: "Thank you."

1429

1430 Ms. Herrmann: "Please, to make sure the record is clear...Ms. Dodge, Mr. Smith, Ms. Kohlmann,
1431 and Mr. Smith in favor?"

1432

1433 Ms. Dodge: "Yes."

1434

1435 Mayor Samples: "Okay."

1436

1437 E. First Reading Ordinance #12-0735, to amend Business License Ordinance for the Collection of
1438 Insurance Broker's Tax, and Agreement with MASC for collection of Insurance Broker's Tax, Treasurer
1439 Hursey.

1440

1441 Mayor Samples: "Ms. Hursey, please tell us what this is all about. First reading of Ordinance #12-
1442 0735 to amend the business license ordinance..."

1443

1444 Ms. Hursey: "Yes."

1445

1446 Mayor Samples: "for the collection of insurance broker's tax and agreement with Municipal
1447 Association for collection of insurance broker's tax."

1448

1449 Ms. Hursey: "And we already have an agreement in place with the Municipal Association. This is
1450 just to bring us in compliance with a, a law that recently passed, which was the Dodd-Frank Act, which also
1451 included the individual brokers in these new tax collection guidelines, so it is one to bring us in compliance
1452 with the law, but also to update our agreement with the Municipal Association to include the broker's tax
1453 collections."

669 Mayor Samples: "Right now they don't require proof or verification of property ownership."
670

671 Ms. Kohlmann: "For the parking sticker."
672

673 Mayor Samples: "No."
674

675 Ms. Kohlmann: "For the parking sticker..."
676

677 *(Two speaking at once.)*
678

679 Mayor Samples: "What, what they require, what they require now is, is they require a vehicle
680 registration that shows that the vehicle is registered in the Town of Surfside Beach, which is separate
681 than and different from and distinct from property ownership. I don't have a problem adopting it. I just
682 want when, when staff goes to implement it, I guess they'll know what we mean."
683

684 Mr. Smith: "Mr. Mayor, I'd like to offer a suggestion, then. The verification of proof of residential
685 property ownership would be their tax notice with their names on it, and that should correspond to their
686 vehicle registration, have the same names."
687

688 Mayor Samples: "So, you're adding that to the ordinance, or just..."
689

690 Mr. Smith: "No, sir. That's just a clarification."
691

692 Mayor Samples: "For the record, and we are taking verbatim? We'll decide that later then, okay.
693 For the record, I would like Mr. Smith's comments recorded verbatim. Okay, thank you. All in favor, say
694 aye."
695

696 All Members: "Aye."
697

698 Mayor Samples: "Opposed?"
699

700 **B. Second Reading Ordinance #12-0732 to amend §9-7 No Parking Places,**
701 **Councilmember Kohlmann.**
702

703 Mayor Samples: "Moving right along, this also second reading to amend no parking, this is
704 section, let me get it right, this is Ordinance 12-0732 to amend Section 9-7 no parking spaces. If I could, I
705 would like, would you like to make a motion to suspend the rules so we can have some discussion?"
706

707 Ms. Mabry: "I move we suspend the rules."
708

709 Mayor Samples: "There is a motion."
710

711 Mr. Smith: "Second."
712

713 Mayor Samples: "There is a second. All in, Mr. Smith, all in favor say aye."
714

715 All Members: "Aye."
716

717 Mayor Samples: "Opposed? Will you defer to me? This, this ordinance is also up for second
718 reading, and I'm not certain if, if it's been well thought out. This ordinance, a, is not clear to me what the
719 intent is. The intent is to eliminate parking on Ocean Boulevard. It does that. It eliminates parking on
720 Ocean Boulevard for all practical purposes. The part that bothers me in, in the way the ordinance is
721 written, well, many things bother me in the way it's written. But, it doesn't say R-3. It doesn't say Ocean
722 Boulevard. It doesn't say C-3. So, it's applicable throughout the town. Now, just for the record, and I
723 don't think Ms. Dodge will mind me clarifying, there were comments made at the last meeting and the
724 record will show that it was stated that South Carolina law prohibits parking 10-feet within a driveway.

725 Well, that just isn't so. South Carolina law does not do that. The reason that I bring it up, because if you
726 live in R-1, or you live in R-2, or you live in R-3, wherever you live, you're parked in a right-of-way in front
727 of your own house or a friend of your is, and they're within 10-feet of your driveway, technically, this
728 ordinance passes, it's illegal. Now, we're either gonna enforce the laws as written or we better start
729 writing them as we intend them. That's a technical part. The fact of the matter is this is bad for business
730 in the Town of Surfside Beach. Like it or not, we're a beach town. We're not a gated community. People
731 have been parking on Ocean Boulevard forever, and this is a backdoor attempt... 10 feet of driveways,
732 10-feet or 5-feet of rights-of-way, 10-feet, 10-feet of rights-of-way... I'm sorry, of driveways, beach
733 accesses, which it was determined we have 32 of. I would ask a simple question, how, does anybody
734 know how many parking spaces this is gonna eliminate on Ocean Boulevard?"

735
736 Ms. Kohlmann: "Mr. Mayor."

737
738 Mayor Samples: "Ms. Kohlmann."

739
740 Ms. Kohlmann: "I do believe an extensive report was given by the parking committee. It was
741 very extensive with a whole listing of the 89 spaces that they could free up for additional parking on
742 Ocean Boulevard. In addition to that..."

743
744 Mayor Samples: "(**)... are you answering the question? There're 89."

745
746 *(Two speaking at once.)*

747
748 Ms. Kohlmann: "(**)... exactly how many spots. There's not really technically legal spots as it is
749 now, because there's no parking signs at every single beach walk, and people park there. So there are, it
750 says no parking right on every single beach access."

751
752 Mayor Samples: "It says no parking at the beach access, and I believe that means in front of the
753 beach access. There is no 10-foot requirement at this point in time."

754
755 Ms. Kohlmann: "Okay, then it's within 20-feet of a crosswalk by state law. So, every beach
756 access technically, I mean if you're looking at, I'm, just let me finish, Mr. Mayor, if you're looking at state
757 law, which I believe you're all gonna go there shortly, technically 20-feet from every crosswalk, and if
758 you're telling them to, to apply the rules the way the rules should be, then you're losing even more
759 because 20-feet from each crosswalk. I'm looking at 10-feet."

760
761 Mayor Samples: "But, we're talking about 30-feet from the intersection, and in fact, the way the,
762 in fact the way that the public works department has drawn the yellow line, because of line of sight issues,
763 I get it. I get that, okay. I get that from a safety standpoint. What I don't get, speaking plainly, are these
764 other additional eliminated parking. I just don't get it."

765
766 Ms. Kohlmann: "May I offer a solution, Mr. Mayor?"

767
768 Mayor Samples: "Yes."

769
770 Ms. Kohlmann: "Okay (**)"

771
772 Mayor Samples: "Was that something submitted to the council or is that...?"

773
774 Ms. Kohlmann: "No, it's just pictures that I took..."

775
776 Mayor Samples: "Is that something new tonight?"

777
778 Ms. Kohlmann: "I just did it in the last hour before the meeting. Just pictures for reference just so
779 you can see what I'm trying to explain. I just want to explain myself. If you don't want to accept, fine."

780

781 Mayor Samples: "I want to see them. I'd like to see them in time to consider them. (**) second
782 reading."

783
784 (Two speaking at once.)
785

786 Ms. Kohlmann: "(**)

787 Well, this has been going on forever and ever, and I think that we've all
788 decided compromise is really important in town, and just because there's an issue that nobody can seem
789 to come up with anything doesn't mean that we don't address it, even if it's just a little tiny thing, and if it
790 doesn't work, we go back and we don't do it or we change it again. But, just saying we have a problem
791 and then not doing anything about it over and over each time new people come up here, I don't, I don't
792 think it's really helping, but what this is, is there are locations and I would like, actually like the council to
793 consider a consensus to have staff go along maybe with John Adair or whoever to look at these locations.
794 Now these locations here are all locations along Ocean Boulevard and I, I found 52 parking spaces, and
795 there's no parking signs there, but when I asked who put those no parking signs up, and well logically (**),
796 nobody seems to know. There were put up there by prior administration, even three years ago in the
797 minutes you said you didn't know who put them up there. They were there and you don't know who put
798 them there..."

799 Mayor Samples: "That's right. I still don't."
800

801 Ms. Kohlmann: "...Okay..."
802

803 Mayor Samples: "I still don't know who authorized them."
804

805 Ms. Kohlmann: "And if you look there's even one that stands out a lot between 8th and 9th
806 Avenue South right on Ocean Boulevard. It's the safest place on Ocean Boulevard for our beach goers to
807 park. There's at least seven spots there, and there's no parking signs there, and on the west side of
808 Ocean Boulevard it's safe and I think that when you're looking at the 10-feet from driveways, this isn't
809 about eliminating parking because Ocean Boulevard has plenty of parking on both sides, even when you
810 incorporate this, and Ocean Boulevard has never been to the point that there's not a spot to be had on
811 Ocean Boulevard from beach goers except during 4th of July. So you're not really telling people they can't
812 park there. It's a safety issue."
813

814 Mayor Samples: "How many parking spaces will remain on Ocean Boulevard if this ordinance is
815 adopted as is? Do you know?"
816

817 Ms. Kohlmann: "Well, if you re [sic,] if you would have staff review these 52 spots that are now
818 taking with no parking signs that were just put up there by somebody and arbitrarily posted, then I don't
819 think we're having a problem. We're giving you more than we're taking away. I don't know the exact
820 number of the beach access, because I don't believe that it is anything, because it's already 20-feet from
821 a crosswalk. I don't think we're taking anything away from the beach accesses."
822

823 Mayor Samples: "Any other comments?"
824

825 Ms. Mabry: "Alright, I'm not gonna get emotional, because it's just about the facts. State law
826 states you cannot park within 30-feet of a signal light, stop sign, flashing beacon, or (**) the roadway. It
827 does not say within 30-feet of all intersections, and we're gonna have to be very careful about
828 implementing laws that are only good for the Town of Surfside Beach. Nobody else in South Carolina has
829 these rules. How are they possibly gonna know, and how is the police department gonna enforce this
830 when we are making up laws that don't even apply to South Carolina? I think that could be ambiguous at
831 best. Then on number 4 it says in front of a driveway. Well, this is what the law says. You cannot park in
832 front of a driveway or near enough to hinder the driveway use by others. It has no other meaning. That's
833 state law. So, if you and I decide that that's what we know, that's what we've been taught, and I did talk
834 to Columbia, they told me where to get this in writing. How are we gonna enforce it if it's, in fact, 10-feet
835 from the driveway? Who's gonna know? Nobody, and then we have on number 5, who determines
836 property owner? It says that any private property without consent of owner. That is, and I think the intent

837 was a good intent the way I read it, so that if you push people off of the Ocean Boulevard you don't want
838 them parking into the residential area. However, how are our policemen possibly gonna know who's a
839 property owner, who's a renter, who's a visitor, who came into town? My brothers come here from
840 Virginia, Florida, and North Carolina. I park in their yard. I have permission. If you rent, you have implied
841 permission from the owner, so it is impossible to enforce the biggest part of this ordinance. If you want to
842 remove parking from Ocean Boulevard, the best thing to simply say is we want to remove it. It's gonna
843 be plain and simple. It's gonna be easily enforced. We just put up the right signage. I'm not for it. I
844 probably would never vote for it, because of our parking situation, although I do love the idea in my heart.
845 I just don't know that it's a practical idea. We have to go by, we cannot just arbitrarily come up here and
846 make laws that are not enforceable, and this goes throughout the entire town. It does not address Ocean
847 Boulevard separately. It is through the entire town, and there you're gonna spot, well, really didn't mean it
848 for R-1, but I kind a mean it for R-3, but we're not gonna enforce it there. When you make an ordinance,
849 you better be ready to enforce that whole ordinance to the full extent of the law. I think it needs to go
850 back. I think the intent needs to come back to council exactly what you mean to do. Do it openly, do it
851 honestly, and let's just get it done, and I think as a, a, talk to the police department. Talk to the attorneys,
852 and let's get it done the proper way."

853
854 Mayor Samples: "Mr. Smith,"
855

856 Mr. Smith: "I think that this wording is okay the way it is. Item 1, 2, 3, 5, and 6 were in the
857 ordinance. The change was made, this was the previous wording: any place where vehicles would block
858 the use of a driveway or parking lot. These are the words that were added in place of that sentence:
859 within 10-feet of a beach access, driveway, or entrance and exit to a parking lot. Now the reason we did
860 that, at least we want to do that, is because that's the safety issue. When you're coming out of a beach
861 access or a driveway and somebody is parked close to the driveway, the visibility is reduced. It's
862 impossible to get it precise like some folks want it, but this is a good attempt. You know, a lot of people in
863 town who would like no parking on Ocean Boulevard, but if we did that, those spaces mentioned by
864 Councilman [sic] Kohlmann would not be available. So where there is availability, I think we should allow
865 them to park on Ocean Boulevard, and where there is not availability, like within 10-feet of a driveway, we
866 need to stop them, and as far all over town, I know next to my driveway, I wouldn't want somebody being
867 within 10-feet of my driveway, if they're parked on the right-of-way, and so, I think it's, will be applied
868 evenly by our police. I think that they are intelligent, and responsible. They do a good job of protecting
869 our town, and I think that they'll have the where with all to enforce this ordinance properly. This is a good
870 change to the ordinance. A lot of people have been working a long time, not just this council, but
871 previous council's have been trying to do something. Fortunately now we have people that are interested
872 in moving forward on this. We've got the parking committee that made the recommendation, and I think
873 it's time to move forward."

874
875 Mayor Samples: "Thank you."
876

877 Ms. Dodge: "Mr. Mayor."
878

879 Mayor Samples: "Ms. Dodge."
880

881 Ms. Dodge: "First of all, I made the comment at a meeting that there was a state law which said
882 there was, there was a prohibition of 10-feet from a driveway. I was mistaken. I told the mayor I was
883 mistaken, but the 10-feet is a safety issue for somebody backing out of a driveway. You cannot see.
884 Ocean Boulevard is an absolute mess. I was gonna say something really awful, cluster, but it's a mess.
885 In the summertime and people are at risk, and if we pass this ordinance and it is applicable all over town,
886 that's a good thing. We want people to come here to go to our parking lots. That's why we built them,
887 and if we're going to skirt the issue, then we're going to continue to have empty parking lots except on the
888 4th of July, maybe, unless somebody can find somebody's yard to park in, but I think this is a good
889 regulation. I think it's well written, and I certainly would be for it."
890

891 Mayor Samples: "I, I have one last comment, because it is a bad, in my judgment, and we'll just
892 have to agree to disagree. I think it's inappropriate to apply this throughout the town. I don't think, I think

893 what we're doing is, a, we're using a hammer to solve a particular issue that a small group of people
894 have. The fact of the matter is that for 12 weeks out of the year we want Ocean Boulevard full. It's what
895 keeps your taxes low. It's what brings people to town. I, I see people shaking their head. They don't
896 know the numbers. I asked the, the question I asked a little while ago, how many parking spaces will
897 remain on Ocean Boulevard. No one knows the answer to that. No one wants to know the answer to
898 that, because in fact it is a back door attempt to eliminate parking on Ocean Boulevard."
899

900 Ms. Mabry: "I just have one question, and if the interim chief can answer this, how can you ticket
901 someone that does not have any knowledge of that law, and since it's not South Carolina law, how can
902 we go up and ticket someone that has no idea that they're parking illegally, unless we're willing to put no
903 parking signs every 10-feet of every single driveway. Now, if you're willing to do that, and I think that'd
904 look a little bit worse than the cars do, but if you're willing to do that, fine, but nobody knows this law
905 exists except the people in this room tonight, and we expect all of our visitors, and I know what's gonna
906 happen, somebody's gonna stand right up at the podium and say, well I drove down Surfside Drive or I
907 rode down Ocean Boulevard and there're cars parked everywhere, and they're not being ticketed, and
908 they won't have a clue that they're even parking illegally, and I just want to know how we can burden our
909 police department and ask them to do something that's really and truly a made-up law here tonight."
910

911 Ms. Kohlmann: "Mr. Mayor."

912 Mayor Samples: "Ms. Kohlmann."

913 Ms. Kohlmann: "Well, I had discussion with Chief Keziah, and a, I, first I'm offended that you
914 think it's a back door deal. I don't think that's a fair thing to say, because a lot of work was done on this
915 by other people and myself, so I take offense to that. But, we'll just move along, and it is done in many
916 places, some places are 5-feet from driveways, some are 10, and some are 15 depending upon what
917 state you look at or town, and (**) the fact that you saying it would be a selected enforcement, well, Town
918 of Surfside Beach already does selective enforcement. They do it with fireworks, they do it with smoking
919 on the beach, they do with golf carts. This is falling right into the line of what Surfside Beach does, and
920 it's not, it should not be looked at the way you're looking at it. It should be a tool. It's just simply another
921 tool for the police officers, because there are people in this town that have a problem getting in and out of
922 driveways, and they're, and it's, and it's a constant battle for some of them. I don't think that this is gonna
923 be the police officers are gonna go out there and start ticketing everybody. They don't do that now with
924 the regulations. We don't want to run tourists off. That's not what this is about. This is about an older
925 person has a car parked there every single day, the same car, and all he can say is call the police and
926 ask them to send the officer and just ask the people to move the car. If they don't move the car, then they
927 have a tool now, the tool is they ticket it. I don't see anything wrong with this. I think people are reading
928 way too much into it and it's safety more than it is anything else."
929

930 Ms. Dodge: "Mr. Mayor."

931 Mayor Samples: "Ms. Dodge."

932 Ms. Dodge: "I agree with Ms. Kohlmann, and I resent this being called a backdoor effort to do
933 anything. I don't go in the backdoor. I go to the front door and I speak out, and that's what we are doing
934 with this."
935

936 Mayor Samples: "Well, I appreciate the way you feel, and, and I understand you feeling that way.
937 Rest assured, I really believe what I'm saying also, because the fact is, is that there's been talk about
938 eliminating parking on Ocean Boulevard for a number of administrations. I, I know, I served. I was
939 against it then. I'm against it now. I still believe this is a backdoor attempt to eliminate parking on Ocean
940 Boulevard. But, we'll find out, folks, understand, we're gonna vote, understand. In the peak of the
941 season, we will have the opportunity to review what it is we have done. Any other discussion?"
942

943 Mr. Stevens: "Mr. Mayor."
944
945
946
947
948

949 Mayor Samples: "Mr. Stevens."

950

951 Mr. Stevens: "I support this law. I think it's a good thing. I have been in the Myrtle Beach, and
952 Myrtle Beach is basically eliminated parking on Ocean Boulevard from 27th Avenue or 29th Avenue South
953 all the way up to about 29th Avenue North. So, they have done it. It didn't hurt their business. They still
954 have plenty of people, plenty of tourists. I don't think it's gonna affect anybody. Riding back from church
955 on Sunday, I did notice that there was a fire hydrant right next to a beach access. Rode down next to one
956 of the other, our fellow councilmen asked me to look at the area down on 1st Avenue and 2nd Avenue at
957 the fire hyd [sic,] hydrant right next to the beach access. I saw a lot of beach accesses within 5- to 6-feet
958 of a driveway. So if you park there, you're gone [sic] block a driveway. I rode all the way down the
959 boulevard to Melody Lane and I saw many places where cars just can't park, and if they're parking there,
960 then they're also parking on the sidewalk as well. I would say also that I, I noticed that the fellows
961 working and putting trees out, and they're blocking the part where parking would be. If we do something
962 like put bushes and trees up and down the Ocean Boulevard that will, we don't have to put signs, and I
963 was looking at the pictures here, and I've walked by, this picture right here, 1st Avenue North between
964 Ocean and Dogwood at least two to three hundred times since I've been in, in town, and it says no
965 parking between signs, and I also often wondered why, where these signs came from, but it says at any
966 place where official signs prohibit parking, you can't park there. Got to do something about parking, and I
967 think this is the right step in the right direction. Thank you."

968

969 Mayor Samples: "All in favor say aye."

970

971 Unknown Speakers: "Aye."

972

973 Mayor Samples: "Oh, I'm sorry, we have a motion, you're right. Good, good. There is a motion
974 to come in under the rules?" (*Not audibly recorded*: Ms. Mabry indicated she moved to reconvene
975 regular session. Mr. Smith seconded.) "There's a motion, there's a second. All in favor say aye."

976

977 All Members: "Aye."

978

979 Mayor Samples: "Alright. I need a motion. We need a motion to adopt the ordinance. Mr.
980 Smith."

981

982 Mr. Smith: "Mr. Mayor, I move that we adopt second reading of Ordinance 12-0732, to amend
983 Article 9-7, No Parking Places."

984

985 Mayor Samples: "There is a motion."

986

987 Mr. Stevens: "Second."

988

989 Mayor Samples: "Mr. Stevens seconds. Any discussion? All in favor say aye."

990

991 Unknown Speakers: "Aye."

992

993 Mayor Samples: "Opposed."

994

995 Mayor Samples: "No."

996

997 (*Not audibly recorded*. Clerk asked for clarification on vote. Councilmembers Dodge, Kohlmann,
998 Smith and Stevens voted in favor. Mayor Samples and Mayor Pro Tempore Mabry voted against.)

999

1000 **C. Second Reading Ordinance #12-0733 to amend §2-61(b) Volunteer Advertising in Daily**
1001 **Newspaper and §2-61(j) Annual Committee Reports, Councilmember Dodge.**

1002

invalid, that invalidity shall not affect the other provisions of this article, 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.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. 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 and by the authority thereof, this ____ day of _____ 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

111 There will be a Town Council workshop meeting on December 4th at 10:00 a.m. to hear a parking
112 presentation by Lanier Parking Solutions.
113

114 Due to the high volume of responses for the police chief positions, a focus group consisting of
115 Mayor Pro Tem Mabry, Councilmembers Kohlmann and Smith, and herself was formed to consider the
116 applications. **COUNCIL CONCURRED**
117

118 The South Carolina Department of Transportation (DOT) revised its estimate for repaving US
119 Highway 17 Business in the town's limits to \$1.560 million. The town's 50-percent match will be
120 \$780,000. A letter was submitted to DOT on October 2nd to keep the town in consideration for the grant.
121 Mayor Samples asked if any councilmember wished to express opposition. **COUNCIL CONCURRED**
122 that the letter was proper and supports the initiative.
123

124 Additional information on pier signage will be presented at the December council meeting. Local
125 vendors are being sought, because attempts to contact out of town vendors have been unsuccessful.
126 Mayor Samples said it would be nice to have a town map at the pier that delineated amenities like the
127 parks, library and lakes. There are many opportunities for directional signage, for example a sign on
128 Highway 17 directing visitors to the pier and the library. He suggested involving the Keep Surfside Beach
129 Beautiful and the Recreation/Special Events committees. Mr. Smith encouraged using a local vendor.
130 Ms. Fellner said local vendors are encouraged to participate. Every local vendor qualified to do riold
131 remediation was contacted, and the bid was awarded to FSA, a local company.
132

133 Mr. Moss explained that the articles of incorporation for the Surfside Youth Association were
134 signed this afternoon and would be sent to the Secretary of State tomorrow. The tax identification
135 number has already been received, and he hoped that by Friday the corporation would exist. A contract
136 was drafted for the town to enter into with the association; comments were received from Ms. Fellner, and
137 he is awaiting comments from Mr. Seman. The corporation directors are meeting tonight to discuss
138 policies and regulations concerning coaches. He expected to receive that information soon. He expected
139 that the corporation would be formed and ready to negotiate with council by the end of the week.
140

141 7. **BUSINESS.**
142

143 A. Second Reading Ordinance #12-0731 to amend FY2011-2012 Municipal Budget, Treasurer
144 Hursey. Mayor Samples explained that the budget amendment was to adjust for the underground wiring
145 project along Ocean Boulevard.
146

147 Mr. Smith moved to adopt second reading of Ordinance #12-0731. Ms. Mabry seconded.
148

149 Mr. Stevens asked when the underground wiring project would be completed. Mr. Adair said the
150 works should be completed soon, but paving would not be completed until March when all the larger
151 trucks would be finished using the roads.
152

153 All voted in favor. **MOTION CARRIED**
154

155 B. First Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions, Councilmember
156 Kohlmann.
157

158 Ms. Kohlmann moved to amended the third line in the preamble first paragraph by adding
159 "residents and" after "decals allowing." Mr. Stevens seconded. All voted in favor. **MOTION TO AMEND**
160 **CARRIED.**
161

162 Mr. Stevens moved to adopt first reading of Ordinance #12-0727 as amended. Ms. Kohlmann
163 seconded. Mayor Samples noted that the change was only to the preamble; not the terms of the
164 ordinance. All voted in favor. **MOTION CARRIED.**
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Mayor Samples: "Any other comments? I guess you gotta do what you gotta do."

Ms. Fellner: "Thank you, Mr. Mayor."

Mayor Samples: "But, please get that warranty in writing, ten year warranty, one year parts, and make sure it gets locked up..."

Mr. Johnson: "One year labor."

Ms. Fellner: "One year labor."

Mayor Samples: "Yeah. Make sure it gets locked up in the archives and the clerk knows where to lay her hands on it. Okay, Ms. Herrmann? Thank you."

Clerk's Note: A copy of the written report is on file.

7. **BUSINESS.**

Mayor Samples: "Moving to our business section, we are doing second reading of 7.B., 7.A.?"

Mr. Smith: "7.B."

Mayor Samples: "7.B. Thank you."

A. Second Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions for Parking Decals, Councilmember Kohlmann.

Clerk's Note: No action taken because meeting minutes not approved.

B. Second Reading Ordinance #12-0729 to add Chapter 17, Article IX, Overlay District.

Mayor Samples: "7.B. is the second reading of Ordinance 12-0729 to add Chapter 17, Article IX, Overlay District."

Mr. Smith: "Mr. Mayor, I move that we sus, suspend the rules for discussion on this item."

Mayor Samples: "There is a motion."

Ms. Mabry: "I'll second."

Mayor Samples: "There is a second. All in favor say aye."

All Members: "Aye."

Mayor Samples: "The rules have been suspended."

Mr. Smith: "Mr. Mayor, I, I heard the comments from the a people who support the overlay and having it implemented right away, but I also heard the comments from the business community and I think we need to give them an opportunity to have another meeting where we can go over it in some detail and make some additional changes. I think it's getting close to being approved, but I think that would be wise to defer it until next year so that the business community, business committee can have another meeting to a go over it in detail and then a our building department have time to a update the ordinance."

Mayor Samples: "Thank you. Any other comments?"

613 Mr. Stevens: "The motion is to bring Ordinance 12-0729 to the next council meeting on January
614 8th and put it on in the business section for A and for second reading."

615
616 Mayor Samples: "Thank you. There is a motion."

617
618 Mr. Smith: "Second."

619
620 Mayor Samples: "Any discussion. All in favor say aye."

621
622 All Members: "Aye."

623
624 Mayor Samples: "Opposed? Hearing none the motion is adopted."

625
626 **A. Second Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions for**
627 **Parking Decals, Councilmember Kohlmann.**

628
629 Mayor Samples: "Alright, the first regular business item would be the second reading of
630 Ordinance 12-0727 to amend Section 9-16, decals and exemptions for parking decals. This is second
631 reading. Can I get a motion?"

632
633 Mr. Stevens: "Mr. Mayor, I'd like to make a motion that we adopt second reading of Ordinance
634 12-0727."

635
636 Mayor Samples: "There is a motion."

637
638 Mr. Smith: "Second."

639
640 Mayor Samples: "Any discussion? Clarification, in the ordinance itself it talks about nonresident,
641 section a, we require proof it says verification of proof of residential property ownership. Do we require
642 the same proof with respect to the golf carts, the vehicles? That's a question."

643
644 Ms. Kohlmann: "Ask that again."

645
646 Mayor Samples: "Well, the change to the ordinance, which is in green, it says decals issued for
647 full time residents and non-resident residential property owner vehicles, including golf carts. All persons
648 residing or owning residential property within the corporate limits of the town shall be entitled to one free
649 decal per vehicle to be issued by the town upon verification of current vehicle registration or verification of
650 proof of residential property ownership, and I guess what I want to say is that I presume that that means
651 when we verify their vehicle registration, that in fact that vehicle is registered in the town, but we don't say
652 that."

653
654 Ms. Kohlmann: "Mr. Mayor."

655
656 Mayor Samples: "Ms. Kohlmann,"

657
658 Ms. Kohlmann: "It would be done the same way it's done currently. We give out stickers to, they
659 pay currently for parking stickers, so it would be the same format that's already in place. It's already
660 being done."

661
662 Mayor Samples: "What verification of proof of residential property ownership are you expecting
663 to see?"

664
665 Ms. Kohlmann: "The same one that we are currently using, which that would be up to staff does
666 that I don't know exactly what they do like when you go up to get your anything through the town, you
667 have to present what it is they're asking you for then."
668

669 Mayor Samples: "Right now they don't require proof or verification of property ownership."
670

671 Ms. Kohlmann: "For the parking sticker."
672

673 Mayor Samples: "No."
674

675 Ms. Kohlmann: "For the parking sticker..."
676

677 *(Two speaking at once.)*
678

679 Mayor Samples: "What, what they require, what they require now is, is they require a vehicle
680 registration that shows that the vehicle is registered in the Town of Surfside Beach, which is separate
681 than and different from and distinct from property ownership. I don't have a problem adopting it. I just
682 want when, when staff goes to implement it, I guess they'll know what we mean."
683

684 Mr. Smith: "Mr. Mayor, I'd like to offer a suggestion, then. The verification of proof of residential
685 property ownership would be their tax notice with their names on it, and that should correspond to their
686 vehicle registration, have the same names."
687

688 Mayor Samples: "So, you're adding that to the ordinance, or just..."
689

690 Mr. Smith: "No, sir. That's just a clarification."
691

692 Mayor Samples: "For the record, and we are taking verbatim? We'll decide that later then, okay.
693 For the record, I would like Mr. Smith's comments recorded verbatim. Okay, thank you. All in favor, say
694 aye."
695

696 All Members: "Aye."
697

698 Mayor Samples: "Opposed?"
699

700 **B. Second Reading Ordinance #12-0732 to amend §9-7 No Parking Places,**
701 **Councilmember Kohlmann.**
702

703 Mayor Samples: "Moving right along, this also second reading to amend no parking, this is
704 section, let me get it right, this is Ordinance 12-0732 to amend Section 9-7 no parking spaces. If I could, I
705 would like, would you like to make a motion to suspend the rules so we can have some discussion?"
706

707 Ms. Mabry: "I move we suspend the rules."
708

709 Mayor Samples: "There is a motion."
710

711 Mr. Smith: "Second."
712

713 Mayor Samples: "There is a second. All in, Mr. Smith, all in favor say aye."
714

715 All Members: "Aye."
716

717 Mayor Samples: "Opposed? Will you defer to me? This, this ordinance is also up for second
718 reading, and I'm not certain if, if it's been well thought out. This ordinance, a, is not clear to me what the
719 intent is. The intent is to eliminate parking on Ocean Boulevard. It does that. It eliminates parking on
720 Ocean Boulevard for all practical purposes. The part that bothers me in, in the way the ordinance is
721 written, well, many things bother me in the way it's written. But, it doesn't say R-3. It doesn't say Ocean
722 Boulevard. It doesn't say C-3. So, it's applicable throughout the town. Now, just for the record, and I
723 don't think Ms. Dodge will mind me clarifying, there were comments made at the last meeting and the
724 record will show that it was stated that South Carolina law prohibits parking 10-feet within a driveway."

corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public, shall register golf carts with the town police department. Proof of ownership and liability insurance is required.

(i) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and "permit only" parking areas and in metered spaces without charge when space is available.

(ii) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "Pay Parking Only," meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.

~~This paragraph separated as stated above for clarity. This fee will include a decal, blue lettering on white background for residents and non-resident residential property owners and white lettering on red background for commercially owned, that is valid for two (2) years from the date of issue and will be placed on the golf cart by police staff. The registration decal affixed to commercially owned golf carts shall be clearly marked "Pay Parking Only" for the purposes of parking at municipally owned pay parking lots and will not allow these golf carts to park for free in golf cart only designated parking areas. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas.~~

Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart **while being operated**. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable **G**golf cart rules.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, 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.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. 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 and by the authority thereof, this ____ day of _____ 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

170 Ms. Dodge moved to adopt Ordinance Number 12-0715 as amended. Ms. Mabry seconded. All
171 voted in favor. **MOTION CARRIED as AMENDED.**

172
173 B. First Reading Ordinance #12-0716, §5-16(b) Commission Member Terms; §5-32 Statements
174 of Economic Interest; §5-33 Campaign Disclosure Form, and §5-58 Boundary Line for Precincts. Ms.
175 Herrmann explained that every amendment offered was to comply with South Carolina State Code. She
176 noted that §5-58 creates a third precinct, Surfside Beach #4, which was created when Horry County
177 recently completed redistricting. Town residents living on the north side of 17th Avenue North are in
178 Surfside Beach #4, but for town elections only, those residents will vote at Surfside Beach #2, the
179 Surfside United Methodist Church. Mr. Smith moved to adopt first reading of Ordinance #12-0716 as
180 presented. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.** Ms. Herrmann noted that
181 once second reading was adopted, the ordinance would have to be submitted to the Department of
182 Justice for approval prior to being implemented.

183
184 C. First Reading Ordinance #12-0717, §9-16(a) and (b) Parking Decals & Exemptions. Ms.
185 Herrmann explained that a different company produces the decals, which now are placed on the inside
186 front window. The recommendation is to allow instructions to be given by staff when decals are obtained.
187 Also the verbiage "when space is available," is recommended because a decal does not guarantee a
188 parking space; only that payment is not required when space is available. Mr. Stevens moved to adopt
189 first reading of Ordinance #12-0717 as presented. Mr. Johnson seconded. Mr. Smith noted that
190 paragraph (b) also cites decal placement and asked if that should be changed. Ms. Herrmann thanked
191 Mr. Smith for pointing that out, and said if council agreed, it would be corrected for second reading.
192 Council agreed to the correction. All voted in favor. **MOTION CARRIED.**

193
194 D. First Reading Ordinance #12-0718 §2-26 Boards, Commissions and Committees to add (L)
195 Rules of Order. Ms. Herrmann said the Municipal Association of South Carolina recommends that all
196 boards, commission, and committees have rules of orders. In lieu of specific rules of order, it was
197 suggested that they refer to those adopted by town council and apply them accordingly to the respective
198 needs. Mr. Johnson moved to adopt first reading of Ordinance #17-0718 as presented. Ms. Mabry
199 seconded. Mayor Samples asked whether rules of orders specified *Robert's Rules of Order*. Ms.
200 Herrmann said yes. Mayor Samples asked whether *Robert's* allowed abbreviated minutes. Ms.
201 Herrmann said the main items *Robert's* requires minutes to contain are the meeting type, date, time
202 opening and adjourned, those present, and actions taken. Details provided in town council minutes are at
203 council's direction. Mayor Samples said the question was raised, because he did not want to use
204 essential staff to take minutes for committees that could take their own minutes. Ms. Herrmann said the
205 town code cites that *ad hoc* committees are responsible for choosing a secretary to take their own
206 minutes and to provide copies to the town clerk for the permanent record. Unless town council so directs,
207 the town clerk would not attend *ad hoc* committee meetings. All voted in favor. **MOTION CARRIED.**

208
209 E. First Reading Ordinance #12-0719 §17-603 Definitions – Abandoned Signs. Ms. Morris
210 explained that this ordinance increases the length of time to one year before a sign is abandoned, except
211 for dilapidated signs as identified in (3) which stipulates six months. Mr. Smith moved to adopt first
212 reading of Ordinance #12-0179 as presented. Ms. Dodge seconded. Mr. Johnson asked whether there
213 is sufficient definition of disrepair. Ms. Morris said the code cites specifics that she believes are
214 enforceable. Ms. Mabry asked who was responsible for removing dilapidated signs. Ms. Morris said the
215 ordinance requires a certified letter requesting removal be sent to the owner. The next step would be a
216 summons, and after court proceedings, the town would be allowed to remove the sign. All voted in favor.
217 **MOTION CARRIED.**

218
219 F. Resolution #12-116 to Establish Beautification Committee. Mr. Stevens moved to amend the
220 resolution to strike "flora and fauna" in paragraph three and replace it with "public and private property
221 values," and in paragraph four to add "at least" prior to "seven", and after "volunteers" to add "and a non-
222 voting member of town council," and in paragraph five after "stated" to add "which shall be known as
223 "Keep Surfside Beach Beautiful", and after "shall be made" to add "by town council." Ms. Dodge
224 seconded. Ms. Dodge said she served on the former beautification committee and could not say enough
225 good things about the dedicated people that served on that committee. The ideas presented were
226 overwhelming; she was very happy the committee was being established and expected even greater

167 7. **BUSINESS.**

168
169 Ms. Mabry called for the floor. Mayor Samples recognized Ms. Mabry prior to any business
170 discussions. Ms. Mabry moved to reconsider the budget expenditure of \$15,120 in the Hospitality Fund,
171 Police, Beach Safety, Materials and Supplies/FFE, that is, furniture, fixtures, and equipment, to replace
172 .40 caliber handguns to eliminate the purchase until further information is provided to town council. Mr.
173 Stevens seconded. Ms. Mabry said this is not about the guns, and she wanted to make that perfectly
174 clear. This is an unemotional procurement procedural problem that she has with the budget. Council
175 was never given the opportunity to hear from Chief Frederick regarding the need for this expenditure. Ms.
176 Mabry said she voted hastily to adopt the budget; not to purchase the guns, although they were included.
177 Council received that information at the last minute. Chief Frederick is welcomed to make a presentation
178 to council, if he would like to pursue the expenditure. However, at this time, she reiterated that she acted
179 hastily and needs to have the expenditure omitted. Ms. Dodge supported the motion. It was a surprise to
180 her where the funding was appropriated. She did not expect to see that expenditure where it was placed.
181 Mr. Smith asked whether Chief Frederick could make a presentation now. Mayor Samples said that
182 would not be allowed at this meeting as it was not a simple matter of procurement. There are a number
183 of other issues that he takes very seriously, i.e. requalification of all of the officers. Before council
184 requires the department to go through a requalification process, Mayor Samples believed it should be
185 very clear what was being voted upon. Mayor Samples, Mayor Pro Tem Mabry, and Councilmembers
186 Dodge, Johnson and Stevens voted in favor. Councilmember Smith voted against. **MOTION CARRIED.**
187

188 A. Second Reading Ordinance #12-0716, §5-16(b) Commission Member Terms; §5-32
189 Statements of Economic; §5-33 Campaign Disclosure Form; §5-58 Boundary Lines for Precincts, and §5-
190 59 Places of Election. Ms. Herrmann said that second reading was presented without change other than
191 two scrivener's errors, i.e. to add "§5-59, Places of Election" to the caption, and to capitalize "Board" in
192 the name "State Budget and Control Board" on the second page. Mr. Stevens moved to adopt second
193 reading of Ordinance Number 12-0716. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**
194

195 B. Second Reading Ordinance #12-0717, §9-16(a) and (b) Parking Decals & Exemptions. Mayor
196 Samples noted that decal placement was changed in paragraph (b). Mr. Smith moved to adopt second
197 reading of Ordinance Number 12-0717. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**
198

199 C. Second Reading Ordinance #12-0718, §2-26 Boards, Commissions and Committees to add
200 (L) Rules of Order. Mr. Stevens moved to adopt second reading of Ordinance #12-0718 with an
201 amendment to "Section 2-51 to 2-55" to exclude Section 2-52, Executive Sessions, with the exception of
202 the board of zoning appeals. Mr. Stevens did not think it was proper for citizens committees, with the
203 exception of the board of zoning appeals which handles judicial matters, to enter executive session. In
204 his opinion, there are no legal issues that would require doing so. Mayor Samples asked the clerk if she
205 understood the motion. Ms. Herrmann was not sure what was being offered, and said the town attorney
206 would need to be involved and research done to make sure the amendment is proper. The amendment
207 Mr. Stevens offered was different from the proposed ordinance that strictly applies rules of order to
208 committees. Mayor Samples asked for a second to the motion. No second was offered.
209

210 Mr. Stevens moved to suspend rule to allow discussion. Mr. Smith seconded. All voted in favor.
211 **MOTION CARRIED.** Mayor Samples believed that Mr. Stevens' concern is that committees would or
212 could improperly meet in executive session by following the rules of order. That is certainly something
213 that town council would not want to promote or provide the opportunity for. Because the board of zoning
214 appeals is a quasi-judicial body, it might have the need to meet in executive session. There may be times
215 when the planning and zoning commission might be involved in negotiations over a planned development
216 that should be conducted during executive session. There were no other comments. Mayor Samples
217 reconvened regular session and called on Ms. Dodge.
218

219 Ms. Dodge moved to defer second reading of Ordinance #12-0718. Mr. Stevens seconded. All
220 voted in favor. **MOTION CARRIED.** Mayor Samples said the intent is to prohibit indiscriminate use of
221 executive session by any board, commission, or committee.
222

Changed decal placement in paragraph (b), no other changes. dh

Ordinance No. 12-0717

First Reading: 06/11/2012

Second Reading: 06/25/2012

STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)	
COUNTY OF Horry)	TO AMEND §9-16(a) & (b) PARKING DECAL PLACEMENT,
)	AND TO CLARIFY PARKING IS FREE WHEN SPACE IS
TOWN OF SURFSIDE BEACH)	AVAILABLE

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled in order to clarify the placement of town issued parking decals and to stipulate that parking is free when space is available for vehicles with a decal,

NOW, THEREFORE, §9-16 Decals and exemptions is hereby amended to read as follows:

§9-16. Decals and exemptions.

(a) *Decals issued for full time resident vehicles not including golf carts.* All persons residing within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle **on the vehicle pursuant to instructions given by town hall staff when obtaining the decal.** The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident to park free of charge in metered or pay station areas **when space is available.**

(b) *Decal issued for nonresident residential owner vehicles not including golf carts.* All nonresident residential property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty (\$40) dollars each, upon verification of proof of property ownership. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle **on the vehicle pursuant to instructions given by town hall staff when obtaining the decal.** The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a nonresident property owner to park free of additional charges in metered or pay station areas **when space is available.**

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this ___ day of _____, 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC, Town Clerk

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Thursday, March 28, 2013 9:48 AM
To: 'Ords Admin'
Subject: Correction to 9-16 statutory changes

Please correct the reference on 9-16(c) "Ord. No. 12-0717, 7-25-12" to "Ord. No. 12-0717, 6-25-12." Thank you.

Debra Herrmann, CMC, Town Clerk

dherrmann@surfsidebeach.org - 843.913.6333

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c. Recreation and Special Events Report

Mr. Booth reported that the town had a good event this past weekend and it was well attended. Mr. Booth stated that the town is currently working on the fields with the sports season coming up. They are building up the mounds and putting in more material and the town will be ready for the softball tournaments coming up. Mr. Booth reported that the next town event coming up is the Taste of the Town. Mr. Booth stated that the town also added a town garage sale which will be held in May. The town will begin advertising it soon.

d. Administrators Report

i. Update on Legislative Day

Mr. Booth stated that during Legislative Day it became apparent that the legislature does not have any money. Mr. Booth stated that is was good for council to let them know what the needs of the town are and remind them of who they represent.

ii. Special Workshop re: Business 17 on March 1, 2010 at 1:00 PM

Mr. Booth reported that he needed a consensus from council to hold a meeting on March 1st. The town invited the COG, the State and it should be a good workshop on how to move forward on Business 17. Mr. Childs made a motion to have a workshop on Monday March 1st at 1:00 PM to discuss the improvements needed on Business 17 in Surfside Beach. Mr. Samples seconded the motion. Mayor Deaton stated that he attended the GSATS meeting this week and it was basically a “rubber stamp” on all of the projects that have moved forward. Mayor Deaton added that they seemed to be open for discussion and the recommendation was to write a letter. The town is going to do something better than that and have a workshop on Business 17 and they invited the Chairman and Vice Chairman of GSATS and some COG members to attend so that the town can express their desires and needs. The 17 projects could cost as much as 30 million dollars a mile; there are other ways to do this and there are other options that can be explored but it is a starting process. **All voted in favor. MOTION CARRIED.**

7. BUSINESS

a. Ordinance #10-0679: Amend Ordinance Chapter 9 Motor Vehicle and Traffic

Mr. Booth stated that the staff is asking for a couple changes. These changes came from the budget workshop. The dates would be changed from March 15th to March 1st and would run to October 31st instead of September 30th. Also there are non-resident property owners who do not have registered cars in town; the town would like to offer these individuals a parking sticker for a cost of \$40.00. Currently a \$30 portion of car registrations for cars registered in town goes to the town. The ordinance also notes times would change to 7:00 AM to 7:00 PM. Mr. Samples made a motion to adopt 1st reading for the proposed ordinance changes. Mr. Childs seconded the motion. Mr. Johnson asked about section 9-16 (a) (1); the current license registration number was deleted and is replaced with decal number issued and asked why this was changed. Mr. Smith stated that

150 this was a staff recommendation. Mr. Johnson stated that this would enable
151 someone to switch decals to other vehicles. Mr. Smith stated that he was not
152 involved on the input regarding this. Mr. Booth stated that decals need to be
153 adhered to the vehicles. Mr. Johnson stated that someone could give their decal
154 to someone else. Ms. Hursey explained that the reason this was changed was that
155 the line states that the said decal shall show this information and the decal never
156 did show the current license or registration number; this information is kept but it
157 is kept at town hall adding that individuals need to provide this as proof when
158 they get their sticker and only one sticker is issued per person. Mr. Johnson
159 asked why it was in there to begin with. Mr. Smith answered that as much
160 information for the town as possible wanted to be kept. Mr. Booth stated that
161 there had been occasions where individuals were issued parking tickets and that
162 sticker was not registered to that vehicle; the town does check this out. **All voted**
163 **in favor. MOTION CARRIED.**

164
165 **b. Decision Paper: Choose Firework Vendor**

166 Mr. Booth reported that the town went out for bids again; the town did not have
167 to but staff decided to try to get more for the town and they did. Mr. Booth
168 stated that the town will also provide bathrooms and this years' event will be
169 even better than last year. Mr. Childs asked to have a discussion item "personal
170 fireworks" added to the next agenda. Mr. Samples made a motion to accept
171 staffs' recommendation. Mr. Truett seconded the motion. Mr. Johnson asked
172 Mr. Booth to describe the recommendation. Mr. Booth stated that the
173 recommendation was to use the same company as the previous year, East Coast
174 Pyrotechnics, and they will provide more for the next event. Mr. Truett stated
175 that the previous year they provided 34 minutes of fireworks and asked how long
176 the show would last for 2010. Mr. Booth stated that it would be longer and he
177 would check on time. **All voted in favor. MOTION CARRIED.**

178
179 **c. Decision Paper: Authorize Purchase of two additional pay stations for the**
180 **pier parking lot**

181 Mr. Booth stated that there is money in this years' budget in the pier enterprise
182 fund and would like to purchase two pay stations that collect both dollars and
183 take credit cards. Mr. Truett made a motion to instruct the administrator to
184 purchase the two new parking stations at a cost of \$27,538.41. Mr. Martin
185 seconded the motion. It was confirmed that the current pay station at the pier
186 parking lot would be moved to other parking areas and the new stations would be
187 located at the pier parking area. Mr. Johnson asked Mr. Booth how he feels the
188 parking stations have performed to date. Mr. Booth stated that tickets have been
189 reduced by 50 percent and the revenue has increased by 30 percent. Mr. Booth
190 added that this is how they should work and with the extended hours and dates,
191 the fund, dedicated to purchase land, would increase. The town is currently
192 looking to purchase land on 3rd and Willow and this will help with that purchase.
193 **All voted in favor. MOTION CARRIED.**

194
195 **d. Decision Paper: Go out for RFP for restaurant at pier**

196 Mr. Booth stated that the current lease is up in December and he has gone to the
197 Charleston Recreation district to find samples. Mr. Booth stated that this is a
198 small community and the public feels that the town is trying to push out the

395 be able to discuss capital improvements in public prior to making a decision. Mr. Smith
396 stated that this evening council will instruct him when the packets should be available to
397 pick up and once sealed bids are received they will be opened for the first time by
398 council in executive session; they will be reviewed and if it is agreed to choose a
399 primary and secondary the council will then return the remaining bids to the bidders.
400 The bid would be awarded then the capital improvements of the primary bid could be
401 announced. Mr. Smith stated that there are things that the council cannot disclose such
402 as financial worth. **There was consensus of council to move this into a packet to be**
403 **submitted to bidders at some future time and date to be discussed shortly.**
404

405 Mr. Samples stated that he had additional questions regarding items he wanted to
406 address to assure a fair procurement. Items such as limiting who could apply, could it be
407 councilmembers? Mayor Deaton stated that unless it violates an established policy it
408 could be considered. Mr. Smith stated that by asking questions related to the 21 item
409 criteria information would be disclosed and if council feels that there is some ethical
410 issue then council should act upon it. Mr. Childs stated that if council felt at that point
411 that a relationship disclosed did not feel right then council could use their best judgment.
412 Mr. Smith confirmed that the criteria were built to address concerns such as the ones
413 addressed by Mr. Samples.
414

415 Mr. Smith recommended council to go out to bid on April 15th and the bidders would
416 have 45 days to submit their bid. Mr. Martin made a motion to accept the
417 recommendation of the town attorney. Ms. Blair seconded the motion. Mr. Samples
418 asked if simple information such as a sketch of the premises and a qualification form
419 would be included. Mr. Smith stated that it would. Mr. Samples asked about the
420 incorrect onsite address. Mr. Smith stated that the address has been corrected. **All voted**
421 **in favor. MOTION CARRIED.**
422

423 The magazine issue was brought back up. Mr. Smith stated that this section could be
424 removed or the words 'if applicable' could be added to address the situation if it ever
425 came up. Mr. Martin stated that from a tenant perspective this is an unknown since there
426 is no current magazine and he would prefer this be removed. **There was consensus**
427 **from council to remove this section.** Mr. Samples asked if the town currently charges
428 for utilities. It was confirmed that it does not. Mr. Samples asked if this could be
429 removed. Mr. Smith stated that he would recommend leaving the utilities in. The town
430 has no control over usage.
431

432 **Other Items**

433 Mr. Booth stated that he will be starting interviews for the Public Works Director on
434 Thursday and Friday. Thursday between 1pm and 3pm the administrator will go over
435 the budget. It was confirmed that this is not a council meeting.
436

437 **8. BUSINESS**

438 **a. Second Reading Ordinance #10-0679: Amend Ordinance Chapter 9 Motor** 439 **Vehicle and Traffic**

440 This ordinance increases the times and the dates. Mr. Childs made a motion to
441 adopt second reading of ordinance 10-0679 to amend chapter 9 motor vehicles
442 and traffic. Mr. Martin seconded the motion. Mr. Booth stated that it would take
443 the town a few days to get the signs up with the new dates and times. Mr.

444 Samples suggested giving the public time and warning tickets. Mr. Booth stated
445 that the town will be fair with the public. **All voted in favor. MOTION**
446 **CARRIED.**

447
448 **b. Proclamation #10-69: Arbor Day**

449 The town clerk read the proclamation.

450
451 **c. Decision Paper: Reappoint Evelyn Cockey to Election Commission**

452 Mr. Samples recused himself from voting since he is running for re-election. Mr.
453 Johnson made a motion to reappoint Evelyn Cockey to the Election Commission.
454 Mr. Martin seconded the motion. **All voted in favor. MOTION CARRIED.**
455

456 **d. Decision Paper: Budget Amendment 10-4300-485 Contractual Services**

457 Mr. Booth explained that the town is looking to amend the budget for \$5,450.
458 The state charges the town \$50 per day for each juvenile housed. Two juveniles
459 were housed for an extended period and the cost came to \$5,450. The town does
460 not anticipate this to be a recurring expense but in order to pay this invoice the
461 town needs to amend the budget. Mr. Samples made a motion to accept staffs'
462 recommendation. Mr. Martin seconded the motion. Mr. Samples stated that in
463 South Carolina the tax payers have to pay for incarceration of youth offenders
464 and he feels that it creates a negative incentive system on local governments.
465 Mr. Booth confirmed that this would come from the general fund. Ms. Blair
466 suggested that the town let the Juvenile Justice Service know that Mr. Ferguson
467 has not been the towns' administrator for years. **All voted in favor. MOTION**
468 **CARRIED.**
469

470 **9. DISCUSSION**

471 *Personal Fireworks: Councilman Childs*

472 Mr. Childs stated that the town is going to spend \$25,000 to put on a fireworks display
473 and added that any town or city he has been in that provides a fireworks display
474 eliminates use of personal fireworks. Mr. Childs stated that he does not feel there is a
475 need for people to light their own fireworks; there is a bodily and structural liability.
476 Mr. Childs stated that he would like to be proactive before something happens and he
477 would like to see fireworks prohibited on July 4th and added that there is also a lot of
478 garbage left on the beach. Mayor Deaton stated that this could be requested to go on a
479 future agenda. Mr. Martin made a motion to bring the fireworks ordinance be brought to
480 council in a draft form that has the exception for the 4th of July removed. Mr. Childs
481 seconded the motion. **Ms. Blair, Mr. Martin, Mayor Deaton and Mr. Childs voted**
482 **for. Mr. Johnson and Mr. Samples voted against. MOTION CARRIED.**
483

484 **10. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**

485 *Ron Ott, 7th Avenue N:* "Let's do away with Christmas too, alright? The 4th of July
486 with public fireworks made this town very unique so we'll do away with Christmas and
487 birthdays, too. Let's get rid of them, too. Two workshops ago I went for a ride here and
488 I've been thinking about it and I got a little confused about this parking plan that you put
489 out. I listened to the, nice guy, riding in a helicopter, I mean, the town ain't that big.
490 This isn't Atlanta, Georgia. We don't need a helicopter. He definitely didn't need a
491 helicopter. He could have walked it but then I found out you paid \$48,000 for that? I
492 don't trust you, no more. I don't trust you. Whoever put that out, I don't trust you no

Sec. 9-5. Blocking streets and alleys.

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

Cross references: Streets and sidewalks generally, Ch. 12.

Sec. 9-6. Using vehicle for advertising.

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.
(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

Sec. 9-7. No parking places.

It shall be unlawful at any time for a person to permit any vehicle or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.
- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) At any place where a vehicle would block the use of a driveway or parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town.
(Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-8. Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

- (1) *Parking meter.* A mechanical device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin therein.
- (2) *Pay station.* "Parking pay station" means any mechanical or electronic device, except a parking meter, that requires a monetary payment in exchange for authorized parking in designated, public parking areas.
- (3) *Metered area.* A designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.
- (4) *Pay station area.* A designated area where parking is allowed upon payment of U.S. money resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical pay station device.
- (5) *Dates and times of enforcement.* March 15th through September 30th annually, from the hours of 9:00 a.m. to 5:00 p.m., 7:00 a.m. to 7:00 p.m., Monday through Sunday.
- (6) *Boot.* The term "Boot" means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-9. Charges.

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.

(a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed ~~or is designated parking controlled by a pay station~~, shall immediately deposit a coin of the United States in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of a coin in a meter will permit the parking of that vehicle for a period of time indicated by the meter.

(b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.

(c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin or providing a payment voucher from a town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-11. Parking within marked spaces.

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-12. Overtime parking.

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-13. Use of slugs, etc., prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin of the United States.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-14. Injuring or tampering with meters.

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.
(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-15. Interpretation of chapter.

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.
(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-16. Decals and exemptions.

(a) *Decal issued for full time resident vehicles not including golf carts.* All persons residing within the corporate limits of the town shall be entitled to a one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration. Such decal will be placed on the ~~windshield or other appropriate location~~ on lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) ~~Current license/registration number.~~ Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a resident to park free of charge in metered or pay station areas.

(b) *Decal issued for non-resident residential owner vehicles not including golf carts.* All non-resident residential property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty dollars (\$40.00) each, upon verification of proof of property ownership. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a non-resident residential property owner to park free of additional charges in metered or pay station areas.

(c) *Decal issued for golf carts only.* All persons owning golf carts within the corporate limits of town shall register their golf cart with the town police department for a fee of two dollars (\$2.00). This fee will include a decal that is valid for two (2) years from the date of issue and will be placed on the golf cart by the police staff. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas. The issued decal will show:

- (1) Registration number.
- (2) Years for which decal is valid.
- (3) Golf cart rules.

(d) *Disabled veterans and Purple Heart recipients.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the Department of Motor Vehicles or appropriate authority.

(e) *Handicapped persons.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger—~~Further,~~ either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.

(f) *Employees.* Every town employees shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

State law references: Similar provisions, S.C. Code 1976, § 56-5-2585.

Sec. 9-17. Penalties.

(a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within fourteen (14) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the fifteenth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

(b) Violations shall be issued on a uniform ordinance summons.

(c) Violators shall only be cited by police officers or authorized code enforcement officials.

(d) Violators shall appear and be subject to the jurisdiction of the town's municipal court.

(e) Violators shall have a right to a jury trial upon proper request.

(f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.

(g) Violators shall not be subject to incarceration.

(h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety department.

(i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.

(j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Secs. 9-18--9-22. Reserved.

Ordinance No. 10-0679
First Reading: 02/23/10
Second Reading: 03/09/10

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

K. Allen Deaton, Mayor

Vicki W. Blair, Town Council

Joseph P. Martin, Town Council

Robert F. Childs III, Town Council

Douglas F. Samples, Town Council

James S. Truett, Mayor Pro Tem

Mark L. Johnson, Town Council

Attest:

Sharon Pinnell, Town Clerk

1st Reading: 02/23/10
2nd Reading: 03/09/10

South Carolina Law Governing the Use of Golf Carts

TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE, TO PROVIDE FOR THE OPERATION OF A GOLF CART ALONG A SECONDARY HIGHWAY OR STREET ON CERTAIN SEA ISLANDS, TO PROVIDE A DEFINITION FOR THE TERM "GATED COMMUNITY", AND TO PROVIDE THAT A GOLF CART MAY CROSS CERTAIN SECONDARY HIGHWAYS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 2, Title 56 of the 1976 Code is amended by adding:

"Section 56-2-105. (A) For the purposes of this section, 'gated community' means any homeowners' community with at least one controlled access ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance.

(B) An individual or business owner of a vehicle commonly known as a golf cart may obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and financial responsibility for the golf cart and upon payment of a five dollar fee.

(1) During daylight hours only, a permitted golf cart may be operated within four miles of the address on the registration certificate and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

(2) During daylight hours only, a permitted golf cart may be operated within four miles of a point of ingress and egress to a gated community and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

(3) During daylight hours only, within four miles of the registration holder's address, and while traveling along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less, a permitted golf cart may cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty-five miles an hour.

(4) During daylight hours only, a permitted golf cart may be operated along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less on an island not accessible by a bridge designed for use by automobiles.

(D) A person operating a permitted golf cart must be at least sixteen years of age and hold a valid driver's license. The operator of a permitted golf cart being operated on a highway or street must have in his possession:

- (1) the registration certificate issued by the department;
- (2) proof of financial responsibility for the golf cart; and
- (3) his driver's license.

(E)(1) A golf cart permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(2) Golf cart owners holding golf cart permits on or before October 1, 2011, will have until September 30, 2015, to obtain a replacement permit.

(F) A political subdivision may, on designated streets on roads within the political subdivision's jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles. However, a political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

(G) The provisions of this section that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties."

SECTION 2. Section 56-3-115 of the 1976 Code is repealed.

SECTION 3. This act takes effect October 1, 2011.

Chapter 9

MOTOR VEHICLES AND TRAFFIC*

Article I. In General

- Sec. 9-1. Definitions.
- Sec. 9-2. Jurisdiction of municipal court.
- Sec. 9-3. Reckless operation of bicycles.
- Sec. 9-4. Standing, parking beside roadway for certain purposes.
- Sec. 9-5. Blocking streets and alleys.
- Sec. 9-6. Using vehicle for advertising.
- Sec. 9-7. No parking places.
- Sec. 9-8. Definitions.
- Sec. 9-9. Charges.
- Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.
- Sec. 9-11. Parking within marked spaces.
- Sec. 9-12. Overtime parking.
- Sec. 9-13. Use of slugs, etc., prohibited.
- Sec. 9-14. Injuring or tampering with meters.
- Sec. 9-15. Interpretation of chapter.
- Sec. 9-16. Decals and exemptions.
- Sec. 9-17. Penalties.
- Secs. 9-18—9-22. Reserved.

Article II. Moving Traffic Violations

- Sec. 9-23. Driving across private property.
- Sec. 9-24. Prohibited turns.
- Sec. 9-25. Careless operation of a vehicle.
- Secs. 9-26—9-30. Reserved.

***Cross references**—Ordinances prescribing traffic regulations for specific locations saved from repeal, § 1-10(12); vehicles used for refuse collection, § 7-20; junked automobiles on streets, alleys, sidewalks, § 7-61; motor vehicles abandoned on public property, § 7-62; blowing horns, sounding signal devices on motor vehicles as a nuisance, § 7-92; nuisance motor vehicles, § 7-95; unlawful discharge of exhaust from motor vehicles, § 7-97; loudspeakers and amplifiers on motor vehicles for advertisement purposes, § 7-105; miscellaneous offenses, Ch. 8; sleeping in automobiles, § 8-2; municipal court, Ch. 10; police department, § 11-41 et seq.; streets, sidewalks, beaches, other public places, Ch. 12; motor vehicles on beaches, § 12-71; parking of motor vehicles in public parking access areas of beaches overnight, § 12-72; zoning provisions re parking of vehicles, trailers, etc., §§ 17-294, 17-295.

State law references—Uniform Act Regulating Traffic on Highways, S.C. Code 1976, § 56-5-10 et seq.; spilling debris on highway, S.C. Code 1976, § 56-5-4100; placing foreign substances on highways, S.C. Code 1976, § 57-7-20; powers of local authorities, S.C. Code 1976, § 56-5-710; signs giving notice of certain regulations required, S.C. Code 1976, § 56-5-720; local regulations regarding pedestrians, S.C. Code 1976, § 56-5-3120; accident reports, S.C. Code 1976, § 56-5-1360.

SURFSIDE BEACH CODE

Article III. Taxicabs

- Sec. 9-31. Definitions.
- Sec. 9-32. License.
- Sec. 9-33. Liability insurance.
- Sec. 9-34. Qualification of drivers.
- Sec. 9-35. Required equipment.
- Sec. 9-36. Required doors; maintenance.
- Sec. 9-37. Inspection by police department.
- Sec. 9-38. Fares.
- Sec. 9-39. Hawking and solicitation.
- Sec. 9-40. Receiving and discharging passengers.
- Sec. 9-41. Deceiving passengers.
- Sec. 9-42. Engaging taxicab with fraudulent intent.

Article IV. Wrecker and Tow Services

- Sec. 9-43. Generally.
- Sec. 9-44. Wrecker and storage fees.
- Sec. 9-45. Use of police radio prohibited.
- Sec. 9-46. Wreckers to go to accident only when properly called.
- Sec. 9-47. Solicitation of wrecker or towing service.
- Sec. 9-48. Solicitation of business and enticement to solicit prohibited.
- Sec. 9-49. Emergency wrecker service.
- Sec. 9-50. Wrecker and towing services by rotation.
- Sec. 9-51. Eligibility for police requested towing.
- Sec. 9-52. New applications for rotational service.
- Sec. 9-53. Minimum standards for service.
- Sec. 9-54. Agreements.
- Sec. 9-55. Insurance.
- Sec. 9-56. Storage lot requirements.
- Sec. 9-57. Eligibility for police requested towing.
- Sec. 9-58. Declared emergencies by the mayor.

ARTICLE I. IN GENERAL**Sec. 9-1. Definitions.**

For the purposes of this chapter the definitions of the S.C. Code 1976, § 56-5-110 et seq., are hereby adopted and made a part of this Code.

(Code 1969, § 12-1; Ord. No. 09-0675, 7-14-09)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 9-2. Jurisdiction of municipal court.

The municipal court may try and determine criminal cases involving violations of the provisions of this chapter or provisions of the Code of Laws of South Carolina 1976, relating to motor vehicles and traffic occurring within the limits of the town when the penalty prescribed by state law for such violations does not exceed thirty (30) days' imprisonment and/or a fine of five hundred dollars (\$500.00) plus fees and assessments. The municipal court may have trial jurisdiction over such criminal cases the same as magistrates. The municipal court may also have jurisdiction as prescribed by the South Carolina Supreme Court, consistent with state law.

(Code 1969, § 12-2; Ord. No. 93-0338, 10-19-93; Ord. No. 97-0400, 9-9-97; Ord. No. 09-0675, 7-14-09)

Cross reference—Municipal court generally, Ch. 10.

State law reference—Jurisdiction of municipal courts, S.C. Code 1976, § 56-5-6150.

Sec. 9-3. Reckless operation of bicycles.

It shall be unlawful for any person to operate any bicycle in the town in a reckless or dangerous manner.

(Code 1969, § 12-24; Ord. No. 09-0675, 7-14-09)

Sec. 9-4. Standing, parking beside roadway for certain purposes.

No person shall stand or park a vehicle alongside any roadway for the principal purposes of displaying it for sale or washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

(Code 1969, § 12-41; Ord. No. 09-0675, 7-14-09)

Sec. 9-5. Blocking streets and alleys.

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer.

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

Cross reference—Streets and sidewalks generally, Ch. 12.

Sec. 9-6. Using vehicle for advertising.

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

Sec. 9-7. No parking places.

It shall be unlawful at any time for a person to permit any vehicle or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.
- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) Within ten (10) feet of any beach access, driveway and entrance or exit to any parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town.

(Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 12-0732, 12-10-12)

Sec. 9-8. Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

Boot means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

Dates and times of enforcement for meters and pay station areas only means March 1st through October 31st annually, from the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday.

Metered area means a designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.

Parking meter means a mechanical device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin therein.

Pay station and *parking pay station* means any mechanical or electronic device, except a parking meter, that requires a monetary payment in exchange for authorized parking in designated, public parking areas.

Pay station area means a designated area where parking is allowed upon payment of U.S. money resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical pay station device.

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Sec. 9-9. Charges.

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.

(a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed, shall immediately deposit a coin of the United States in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of a coin in a meter will permit the parking of that vehicle for a period of time indicated by the meter.

(b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.

(c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin or providing a payment voucher from a

town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Sec. 9-11. Parking within marked spaces.

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-12. Overtime parking.

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-13. Use of slugs, etc., prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin of the United States.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-14. Injuring or tampering with meters.

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-15. Interpretation of chapter.

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-16. Decals and exemptions.

(a) *Resident and nonresident residential property owner parking decals.* Decals issued for full time resident and non-resident residential property owner vehicles including golf carts. All persons residing or owning residential property within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration or verification of proof of residential property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show: (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident and residential property owner to park free of charge in metered or pay station areas when space is available.

(b) *Golf cart registration required.* Registration decals shall be issued for golf carts. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public, shall register golf carts with the town police department. Proof of ownership and liability insurance is required.

- (1) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and "permit only" parking areas and in metered spaces without charge when space is available.
- (2) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "Pay Parking Only," meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.

Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart while being operated. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable golf cart rules.

(c) *Disabled veterans and Purple Heart recipients are exempt from parking fees.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the department of motor vehicles or appropriate authority.

(d) *Handicapped persons are exempt from parking fees.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger, either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.

(e) *Employees.* Every town employee shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10; Ord. No. 12-0717, 06 7-25-12; Ord. No. 12-0727, 12-10-12)

State law reference—Similar provisions, S.C. Code 1976, § 56-5-2585.

Sec. 9-17. Penalties.

(a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the thirtieth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

(b) Violations shall be issued on a uniform ordinance summons.

(c) Violators shall only be cited by police officers or authorized code enforcement officials.

(d) Violators shall appear and be subject to the jurisdiction of the town's municipal court.

(e) Violators shall have a right to a jury trial upon proper request.

(f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.

(g) Violators shall not be subject to incarceration.

(h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety department.

(i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.

(j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09; Ord. No. 10-0679, 3-9-10)

Secs. 9-18—9-22. Reserved.

ARTICLE II. MOVING TRAFFIC VIOLATIONS

Sec. 9-23. Driving across private property.

It shall be unlawful for any person driving a vehicle to use the driveway of any filling station or service station in the town as a roadway or thoroughfare.

Sec. 9-24. Prohibited turns.

It shall be unlawful for any person driving a vehicle to make any "U" turn or other turn prohibited at any point where such turn is prohibited, and it shall be unlawful to accomplish a "U" turn by deviously going into or through private property adjoining the street where such turn is prohibited.

(Code 1969, § 12-25)

Sec. 9-25. Careless operation of a vehicle.

It shall be unlawful for any person to operate any vehicle without care and caution and due regard for the safety of persons or property. Any person failing to operate a vehicle with care and caution and due regard for the safety of persons and property shall be guilty of the offense of careless operation of a vehicle. The operation of any vehicle when the same or any of its components is not in proper or safe condition shall be prima facie evidence of careless operation of a vehicle. Careless operation of a vehicle is unlawful and may be a lesser included offense of "reckless driving."

(Ord. No. 90-0291, 2-6-90)

Secs. 9-26—9-30. Reserved.

ARTICLE III. TAXICABS*

Sec. 9-31. Definitions.

As used in this article, the term "taxicab" shall mean any motor driven vehicle, except a vehicle designed to carry over twelve (12) passengers, in which the public is transported from place to place for hire.

(Ord. No. 87-0246, 9-14-87)

*State law reference—Authority to require license, S.C. Code 1976, § 56-1-20

Debra Herrmann

From: Ann Messall [amessall@surfsidebeach.org]
Sent: Monday, April 01, 2013 10:47 AM
To: dougsamples@surfsidebeach.org; mfellner@surfsidebeach.org
Cc: dherrmann@surfsidebeach.org
Subject: TOSB - Total of Paid Parking Spots

Importance: High

Good Morning Mayor:

This morning you requested a count on the number of paid parking spaces throughout the Town. After speaking with John Adair, he has reported the below numbers

9 Total Pay Station which cover 250 Parking Spots
254 Metered Parking Spaces

TOTAL = 504 Paid Parking Spots

Ann Messall

Executive Assistant
Town of Surfside Beach
115 U.S. Highway 17 North
Surfside Beach, SC 29575
843-913-6111
amessall@surfsidebeach.org
<http://www.surfsidebeach.org>

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WARNING: All e-mail correspondence to and from this address may be subject to public disclosure under the South Carolina Freedom of Information Act (FOIA), §30-410 SC Code of Laws.

1230 Ms. Dodge: "Second."
1231
1232 Mayor Samples: "There's a motion. There's a second. All in favor say aye."
1233
1234 All Members: "Aye."
1235
1236 Mr. Smith: "Mr. Mayor, I move that we defer second reading of this ordinance until the second
1237 meeting in January."
1238
1239 Mayor Samples: "There's a motion."
1240
1241 Ms. Dodge: "Second."
1242
1243 Mayor Samples: "Any discussion? All in favor say aye."
1244
1245 Unknown Speakers: "Aye."
1246
1247 Mayor Samples: "Opposed."
1248
1249 Unknown Speakers: "No."
1250
1251 Mayor Samples: "Can we get a, a, those who voted in favor raise their hand." *Councilmembers*
1252 *Dodge, Kohlmann, Smith and Stevens raised their hands.*
1253
1254 Mayor Samples: "So be it."
1255
1256 Unknown Speakers: (***multiple comments in background.*)
1257
1258 C. Second Reading Ordinance #12-0733 to amend §2-61(b) volunteer Advertising in Daily
1259 Newspaper, and §2-61(j) Annual Committee Reports, Councilmember Dodge.
1260
1261 *Clerk's Note: No action taken because meeting minutes not approved.*
1262
1263 D. First Reading Ordinance #12-0732 to amend §9-7 No Parking Places, Councilmember
1264 Kohlmann.
1265
1266 Mayor Samples: "Alright, moving right along, first reading Ordinance Number 12-0732 to amend
1267 Section 9-7 No Parking Places, Councilmember Kohlmann."
1268
1269 Ms. Kohlmann: "I have to find it. Do you want me to read the, the ordinance or just..."
1270 Mayor Samples: "Well, give us a summary. Tell the public what it's about."
1271
1272 Ms. Kohlmann: "Okay."
1273
1274 Unknown Speaker in Audience: "Grumble, grumble."
1275
1276 Ms. Kohlmann: "I was gonna wait till the grumbling stops. They're entitled. This is a for no parking
1277 places. What it, what it basically is, is, is the safety of the citizens down, that go to the beach, visitors or
1278 people that live in town that pull out of the side streets toward Ocean Boulevard have a limited sight
1279 distance at times, you know, summer time, because people park right up on the curbs. They park right up
1280 to those blue beach access signs. Some of them block them, and a, it's hard to get in and out of driveways
1281 at times. It's very tricky, and keeping that in mind, people crossing the beach [sic] to go to and from the
1282 beach that are renting in the area, they can't, their, their sight is very limited. So, I'm proposing that it be
1283 unlawful at any time for a person in any vehicle or trailer to stop, stand or park in any of the following
1284 places, except when necessary to avoid conflict with other traffic or in compliance with the direction of a
1285 police officer or traffic control device. The ordinance already has in place at any place where official signs

1286 prohibit parking; on any sidewalk; within thirty feet of any intersection not otherwise designated for parking.
1287 The change would be amending where it says at any place where a vehicle would block the use of a
1288 driveway or parking lot. That would be taken out and replaced with within ten feet of any beach access,
1289 driveway and entrance or exit to any parking lot, and then the rest of them remain the same well, fifteen
1290 feet from a fire hydrant or on private property without consent of the owner.”

1291
1292 Mayor Samples: "Thank you."

1293
1294 Ms. Dodge: "Mr. Mayor."

1295
1296 Mayor Samples: "Ms. Dodge, Councilwoman Dodge."

1297
1298 Ms. Dodge: "I would approve, I would ask that we approve this amendment. It is state law, ten
1299 feet from driveways, 30 feet from parking lots, and street crossings. We should comply with state law."

1300
1301 Mayor Samples: "Thank you."

1302
1303 Ms. Mabry: "Mr. Mayor."

1304
1305 Mayor Samples: "Ms. Mabry."

1306
1307 Ms. Mabry: "I don't have a problem with it as long as we're able to put signs up at every place to
1308 make sure that people know that we, they can't park there, because we're not gonna, hopefully, have
1309 people coming up here every week yelling because they weren't [sic] ticketed when they won't have any
1310 knowledge..."

1311
1312 Mr. Johnson: "Point of order, Mr. Mayor. We need a second."

1313
1314 Mayor Samples: "Thank you, Mr. Johnson. Can I get a second?"

1315
1316 Mr. Stevens: "I second."

1317
1318 Mr. Johnson: "Now."

1319
1320 Mayor Samples: "Thank you, sir. Are you done?"

1321
1322 Ms. Mabry: "No, I (** *laughter*), I just want to know if there's anything in place to take care of that.
1323 To make sure that everyone is aware."

1324
1325 Ms. Dodge: "Mr. Mayor."

1326
1327 Mayor Samples: "Ms., Councilwoman Dodge."

1328
1329 Ms. Dodge: "There is something in place. Mr. Adair's men have put yellow markings on Ocean
1330 Boulevard to show the ten foot and the 30 foot markings, and they also have a sign that says no parking in
1331 yellow. It's visible. People should know the laws and they can follow that for sure."

1332
1333 Mayor Samples: "Thank you."

1334
1335 Mr. Johnson: "Mr. Mayor."

1336
1337 Mayor Samples: "Councilman Johnson."

1338
1339 Mr. Johnson: "I appreciate Mrs. Dodge's comments, but that is already in the ordinance. My
1340 concern is the 10 feet of any beach access, driveway and entrance or exit to any parking lot. I believe that
1341 there, there may be some areas that this would not be applicable, and we, we are really restricting some

1342 parking down there, if we do that. We don't have a plan in place to, to move those vehicles except for
1343 down the sides of the end streets and I hate, and I know people say, well, they can go to the parking lots.
1344 Well, we don't have parking lots throughout the Town of Surfside Beach, so as long as, number one, as
1345 long we can regulate it, it's fine. But, I don't see it being regulated on a regular basis based on past history,
1346 and I, I just, you know, I, I, I did a vote to approve this last meeting, but I am not going to support that this
1347 time around simply because I don't think the 10 feet should apply or will apply in all areas, down there on,
1348 on Surfside Drive."

1349
1350 Mayor Samples: "Thank you. Mr. Smith."

1351
1352 Mr. Smith: "Mr. Mayor, thank you. The reason that it hadn't been enforced is because it was so
1353 ambiguous as to what the police should enforce. This states precisely what is to be enforced; ten feet from
1354 the driveway. Ten feet from a parking lot entrance and exit, so this clarifies what needs to be enforced, and
1355 I think once it's passed, then there will be a means of preventing people from parking in those spots, plus
1356 we can a, with bushes, et cetera, plants and so I'm all in favor of, of this a, changes in this ordinance."

1357
1358 Ms. Kohlmann: "Mr. Mayor."

1359
1360 Mayor Samples: "Ms. Kohlmann."

1361
1362 Ms. Kohlmann: "I say we move to vote."

1363
1364 Mr. Johnson: "Mr. Mayor, may I make one last comment?"

1365
1366 Mayor Samples: "Yes, you may and..."

1367
1368 Mr. Johnson: "And I, I appreciate Mr. Smith's comments, but a, I, I know for a fact that a, the
1369 enforcement of the existing ordinances or parts of the existing ordinance have not been done and the, the
1370 continued addition of the 10 feet just adds to the a, the burden and so I, I can't support it."

1371
1372 Mayor Samples: "I, I, if I could, a, the a, we're adding three sections. One a, is the driveway,
1373 which obvi, it's obvious to everybody that..."

1374
1375 Ms. Kohlmann: "Point of Order, Mr. Mayor. I moved to vote."

1376
1377 Mayor Samples: "I haven't had a comment, Ms. Kohlmann."

1378
1379 Ms. Kohlmann: "But when you move to vote, I thought you said by *Robert's Rules*, right?"

1380
1381 Ms. Herrmann: "Unfortunately, she's correct, Mr. Mayor, the vote's been called. Once the vote is
1382 called discussion should end and the vote should be taken."

1383
1384 Mayor Samples: "The chairman challenges that and I would like a vote of council to..."

1385
1386 Ms. Herrmann: "Which is also allowed."

1387
1388 Mayor Samples: "...to prevent me from making comments. The chairman challenges the point of
1389 order so that the chairman may make a comment. All in favor of the chairman being allowed to make a
1390 comment despite the point of order, say aye."

1391
1392 Mayor Samples, Mary Pro Tem Mabry, Councilmember Johnson, and others: "Aye."

1393
1394 Mayor Samples: "Opposed."

1395
1396 One Unknown Speaker: "No."

1397

1398 Mayor Samples: "Thank you."

1399

1400 Ms. Herrmann: "Who opposed? Randle, excuse me, Mr. Stevens."

1401

1402 Mayor Samples: "Parking is certainly a big issue, big issue. We have established a committee to
1403 bring back recommendations to the council. I suspect that this is one of the recommendations that they
1404 would support. Nevertheless, we, we don't start with a blank sheet. We don't have a blank piece of paper
1405 for Ocean Boulevard. Ocean Boulevard was developed building what I call mini-hotels with more
1406 bedrooms than adequate parking. That's a reality. We all know that. I have no doubt that this will have
1407 negative consequences on business operations on Ocean Boulevard. Once people start coming from out
1408 of town and they start getting ticketed, because that is the intent; that is the intent to have an ordinance
1409 which is clear and enforceable by our police department. As Councilman Smith made clear earlier, when
1410 he said 70-percent of the monies are generated by business, let's be clear about where that business
1411 money is generated. It's generated in the R-3 District. It's generated on Ocean Boulevard. Let's not kid
1412 ourselves. Let's now kid ourselves. We're a beach town. We live on tourism. Your taxes reflect the fact
1413 that we have a very desirable beach town in which we live in and recognize that for three months, twelve
1414 weeks, fourteen weeks out of the year we put up with some inconvenience. I think it's a mistake a to, to
1415 have beach accesses, for example, added to this since if memory serves me correctly, we've got I don't
1416 know over thirty, thirty-six beach accesses down there. Thirty-two, thank you. You're taking six hundred
1417 feet that people can't park in. We mark those beach accesses, I presume, for some reason, safety. I
1418 mean, I guess there was a reason that we put the little posts up. The mullions or whatever you call them,
1419 so that people wouldn't park there and that pedestrians could have access, golf carts could have access. I
1420 can't for it as currently written. Now, we'll call for the vote. All in favor say aye."

1421

1422 Multiple Speakers: "Aye."

1423

1424 Mayor Samples: "Opposed?"

1425

1426 Multiple Speakers: "No."

1427

1428 Mayor Samples: "Thank you."

1429

1430 Ms. Herrmann: "Please, to make sure the record is clear...Ms. Dodge, Mr. Smith, Ms. Kohlmann,
1431 and Mr. Smith in favor?"

1432

1433 Ms. Dodge: "Yes."

1434

1435 Mayor Samples: "Okay."

1436

1437 E. First Reading Ordinance #12-0735, to amend Business License Ordinance for the Collection of
1438 Insurance Broker's Tax, and Agreement with MASC for collection of Insurance Broker's Tax, Treasurer
1439 Hursey.

1440

1441 Mayor Samples: "Ms. Hursey, please tell us what this is all about. First reading of Ordinance #12-
1442 0735 to amend the business license ordinance..."

1443

1444 Ms. Hursey: "Yes."

1445

1446 Mayor Samples: "for the collection of insurance broker's tax and agreement with Municipal
1447 Association for collection of insurance broker's tax."

1448

1449 Ms. Hursey: "And we already have an agreement in place with the Municipal Association. This is
1450 just to bring us in compliance with a, a law that recently passed, which was the Dodd-Frank Act, which also
1451 included the individual brokers in these new tax collection guidelines, so it is one to bring us in compliance
1452 with the law, but also to update our agreement with the Municipal Association to include the broker's tax
1453 collections."

669 Mayor Samples: "Right now they don't require proof or verification of property ownership."
670

671 Ms. Kohlmann: "For the parking sticker."
672

673 Mayor Samples: "No."
674

675 Ms. Kohlmann: "For the parking sticker..."
676

677 *(Two speaking at once.)*
678

679 Mayor Samples: "What, what they require, what they require now is, is they require a vehicle
680 registration that shows that the vehicle is registered in the Town of Surfside Beach, which is separate
681 than and different from and distinct from property ownership. I don't have a problem adopting it. I just
682 want when, when staff goes to implement it, I guess they'll know what we mean."
683

684 Mr. Smith: "Mr. Mayor, I'd like to offer a suggestion, then. The verification of proof of residential
685 property ownership would be their tax notice with their names on it, and that should correspond to their
686 vehicle registration, have the same names."
687

688 Mayor Samples: "So, you're adding that to the ordinance, or just..."
689

690 Mr. Smith: "No, sir. That's just a clarification."
691

692 Mayor Samples: "For the record, and we are taking verbatim? We'll decide that later then, okay.
693 For the record, I would like Mr. Smith's comments recorded verbatim. Okay, thank you. All in favor, say
694 aye."
695

696 All Members: "Aye."
697

698 Mayor Samples: "Opposed?"
699

700 **B. Second Reading Ordinance #12-0732 to amend §9-7 No Parking Places,**
701 **Councilmember Kohlmann.**
702

703 Mayor Samples: "Moving right along, this also second reading to amend no parking, this is
704 section, let me get it right, this is Ordinance 12-0732 to amend Section 9-7 no parking spaces. If I could, I
705 would like, would you like to make a motion to suspend the rules so we can have some discussion?"
706

707 Ms. Mabry: "I move we suspend the rules."
708

709 Mayor Samples: "There is a motion."
710

711 Mr. Smith: "Second."
712

713 Mayor Samples: "There is a second. All in, Mr. Smith, all in favor say aye."
714

715 All Members: "Aye."
716

717 Mayor Samples: "Opposed? Will you defer to me? This, this ordinance is also up for second
718 reading, and I'm not certain if, if it's been well thought out. This ordinance, a, is not clear to me what the
719 intent is. The intent is to eliminate parking on Ocean Boulevard. It does that. It eliminates parking on
720 Ocean Boulevard for all practical purposes. The part that bothers me in, in the way the ordinance is
721 written, well, many things bother me in the way it's written. But, it doesn't say R-3. It doesn't say Ocean
722 Boulevard. It doesn't say C-3. So, it's applicable throughout the town. Now, just for the record, and I
723 don't think Ms. Dodge will mind me clarifying, there were comments made at the last meeting and the
724 record will show that it was stated that South Carolina law prohibits parking 10-feet within a driveway.

725 Well, that just isn't so. South Carolina law does not do that. The reason that I bring it up, because if you
726 live in R-1, or you live in R-2, or you live in R-3, wherever you live, you're parked in a right-of-way in front
727 of your own house or a friend of your is, and they're within 10-feet of your driveway, technically, this
728 ordinance passes, it's illegal. Now, we're either gonna enforce the laws as written or we better start
729 writing them as we intend them. That's a technical part. The fact of the matter is this is bad for business
730 in the Town of Surfside Beach. Like it or not, we're a beach town. We're not a gated community. People
731 have been parking on Ocean Boulevard forever, and this is a backdoor attempt... 10 feet of driveways,
732 10-feet or 5-feet of rights-of-way, 10-feet, 10-feet of rights-of-way... I'm sorry, of driveways, beach
733 accesses, which it was determined we have 32 of. I would ask a simple question, how, does anybody
734 know how many parking spaces this is gonna eliminate on Ocean Boulevard?"

735
736 Ms. Kohlmann: "Mr. Mayor."

737
738 Mayor Samples: "Ms. Kohlmann."

739
740 Ms. Kohlmann: "I do believe an extensive report was given by the parking committee. It was
741 very extensive with a whole listing of the 89 spaces that they could free up for additional parking on
742 Ocean Boulevard. In addition to that..."

743
744 Mayor Samples: "(**)... are you answering the question? There're 89."

745
746 *(Two speaking at once.)*

747
748 Ms. Kohlmann: "(**)... exactly how many spots. There's not really technically legal spots as it is
749 now, because there's no parking signs at every single beach walk, and people park there. So there are, it
750 says no parking right on every single beach access."

751
752 Mayor Samples: "It says no parking at the beach access, and I believe that means in front of the
753 beach access. There is no 10-foot requirement at this point in time."

754
755 Ms. Kohlmann: "Okay, then it's within 20-feet of a crosswalk by state law. So, every beach
756 access technically, I mean if you're looking at, I'm, just let me finish, Mr. Mayor, if you're looking at state
757 law, which I believe you're all gonna go there shortly, technically 20-feet from every crosswalk, and if
758 you're telling them to, to apply the rules the way the rules should be, then you're losing even more
759 because 20-feet from each crosswalk. I'm looking at 10-feet."

760
761 Mayor Samples: "But, we're talking about 30-feet from the intersection, and in fact, the way the,
762 in fact the way that the public works department has drawn the yellow line, because of line of sight issues,
763 I get it. I get that, okay. I get that from a safety standpoint. What I don't get, speaking plainly, are these
764 other additional eliminated parking. I just don't get it."

765
766 Ms. Kohlmann: "May I offer a solution, Mr. Mayor?"

767
768 Mayor Samples: "Yes."

769
770 Ms. Kohlmann: "Okay (**)"

771
772 Mayor Samples: "Was that something submitted to the council or is that...?"

773
774 Ms. Kohlmann: "No, it's just pictures that I took..."

775
776 Mayor Samples: "Is that something new tonight?"

777
778 Ms. Kohlmann: "I just did it in the last hour before the meeting. Just pictures for reference just so
779 you can see what I'm trying to explain. I just want to explain myself. If you don't want to accept, fine."

780

781 Mayor Samples: "I want to see them. I'd like to see them in time to consider them. (**) second
782 reading."

783
784 *(Two speaking at once.)*
785

786 Ms. Kohlmann: "(***) Well, this has been going on forever and ever, and I think that we've all
787 decided compromise is really important in town, and just because there's an issue that nobody can seem
788 to come up with anything doesn't mean that we don't address it, even if it's just a little tiny thing, and if it
789 doesn't work, we go back and we don't do it or we change it again. But, just saying we have a problem
790 and then not doing anything about it over and over each time new people come up here, I don't, I don't
791 think it's really helping, but what this is, is there are locations and I would like, actually like the council to
792 consider a consensus to have staff go along maybe with John Adair or whoever to look at these locations.
793 Now these locations here are all locations along Ocean Boulevard and I, I found 52 parking spaces, and
794 there's no parking signs there, but when I asked who put those no parking signs up, and well logically (**),
795 nobody seems to know. There were put up there by prior administration, even three years ago in the
796 minutes you said you didn't know who put them up there. They were there and you don't know who put
797 them there..."

798
799 Mayor Samples: "That's right. I still don't."

800
801 Ms. Kohlmann: "...Okay..."

802
803 Mayor Samples: "I still don't know who authorized them."

804
805 Ms. Kohlmann: "And if you look there's even one that stands out a lot between 8th and 9th
806 Avenue South right on Ocean Boulevard. It's the safest place on Ocean Boulevard for our beach goers to
807 park. There's at least seven spots there, and there's no parking signs there, and on the west side of
808 Ocean Boulevard it's safe and I think that when you're looking at the 10-feet from driveways, this isn't
809 about eliminating parking because Ocean Boulevard has plenty of parking on both sides, even when you
810 incorporate this, and Ocean Boulevard has never been to the point that there's not a spot to be had on
811 Ocean Boulevard from beach goers except during 4th of July. So you're not really telling people they can't
812 park there. It's a safety issue."

813
814 Mayor Samples: "How many parking spaces will remain on Ocean Boulevard if this ordinance is
815 adopted as is? Do you know?"

816
817 Ms. Kohlmann: "Well, if you re [sic,] if you would have staff review these 52 spots that are now
818 taking with no parking signs that were just put up there by somebody and arbitrarily posted, then I don't
819 think we're having a problem. We're giving you more than we're taking away. I don't know the exact
820 number of the beach access, because I don't believe that it is anything, because it's already 20-feet from
821 a crosswalk. I don't think we're taking anything away from the beach accesses."

822
823 Mayor Samples: "Any other comments?"

824
825 Ms. Mabry: "Alright, I'm not gonna get emotional, because it's just about the facts. State law
826 states you cannot park within 30-feet of a signal light, stop sign, flashing beacon, or (***) the roadway. It
827 does not say within 30-feet of all intersections, and we're gonna have to be very careful about
828 implementing laws that are only good for the Town of Surfside Beach. Nobody else in South Carolina has
829 these rules. How are they possibly gonna know, and how is the police department gonna enforce this
830 when we are making up laws that don't even apply to South Carolina? I think that could be ambiguous at
831 best. Then on number 4 it says in front of a driveway. Well, this is what the law says. You cannot park in
832 front of a driveway or near enough to hinder the driveway use by others. It has no other meaning. That's
833 state law. So, if you and I decide that that's what we know, that's what we've been taught, and I did talk
834 to Columbia, they told me where to get this in writing. How are we gonna enforce it if it's, in fact, 10-feet
835 from the driveway? Who's gonna know? Nobody, and then we have on number 5, who determines
836 property owner? It says that any private property without consent of owner. That is, and I think the intent

837 was a good intent the way I read it, so that if you push people off of the Ocean Boulevard you don't want
838 them parking into the residential area. However, how are our policemen possibly gonna know who's a
839 property owner, who's a renter, who's a visitor, who came into town? My brothers come here from
840 Virginia, Florida, and North Carolina. I park in their yard. I have permission. If you rent, you have implied
841 permission from the owner, so it is impossible to enforce the biggest part of this ordinance. If you want to
842 remove parking from Ocean Boulevard, the best thing to simply say is we want to remove it. It's gonna
843 be plain and simple. It's gonna be easily enforced. We just put up the right signage. I'm not for it. I
844 probably would never vote for it, because of our parking situation, although I do love the idea in my heart.
845 I just don't know that it's a practical idea. We have to go by, we cannot just arbitrarily come up here and
846 make laws that are not enforceable, and this goes throughout the entire town. It does not address Ocean
847 Boulevard separately. It is through the entire town, and there you're gonna spot, well, really didn't mean it
848 for R-1, but I kind a mean it for R-3, but we're not gonna enforce it there. When you make an ordinance,
849 you better be ready to enforce that whole ordinance to the full extent of the law. I think it needs to go
850 back. I think the intent needs to come back to council exactly what you mean to do. Do it openly, do it
851 honestly, and let's just get it done, and I think as a, a, talk to the police department. Talk to the attorneys,
852 and let's get it done the proper way."

853
854 Mayor Samples: "Mr. Smith."
855

856 Mr. Smith: "I think that this wording is okay the way it is. Item 1, 2, 3, 5, and 6 were in the
857 ordinance. The change was made, this was the previous wording: any place where vehicles would block
858 the use of a driveway or parking lot. These are the words that were added in place of that sentence:
859 within 10-feet of a beach access, driveway, or entrance and exit to a parking lot. Now the reason we did
860 that, at least we want to do that, is because that's the safety issue. When you're coming out of a beach
861 access or a driveway and somebody is parked close to the driveway, the visibility is reduced. It's
862 impossible to get it precise like some folks want it, but this is a good attempt. You know, a lot of people in
863 town who would like no parking on Ocean Boulevard, but if we did that, those spaces mentioned by
864 Councilman [sic] Kohlmann would not be available. So where there is availability, I think we should allow
865 them to park on Ocean Boulevard, and where there is not availability, like within 10-feet of a driveway, we
866 need to stop them, and as far all over town, I know next to my driveway, I wouldn't want somebody being
867 within 10-feet of my driveway, if they're parked on the right-of-way, and so, I think it's, will be applied
868 evenly by our police. I think that they are intelligent, and responsible. They do a good job of protecting
869 our town, and I think that they'll have the where with all to enforce this ordinance properly. This is a good
870 change to the ordinance. A lot of people have been working a long time, not just this council, but
871 previous council's have been trying to do something. Fortunately now we have people that are interested
872 in moving forward on this. We've got the parking committee that made the recommendation, and I think
873 it's time to move forward."

874
875 Mayor Samples: "Thank you."
876

877 Ms. Dodge: "Mr. Mayor."
878

879 Mayor Samples: "Ms. Dodge."
880

881 Ms. Dodge: "First of all, I made the comment at a meeting that there was a state law which said
882 there was, there was a prohibition of 10-feet from a driveway. I was mistaken. I told the mayor I was
883 mistaken, but the 10-feet is a safety issue for somebody backing out of a driveway. You cannot see.
884 Ocean Boulevard is an absolute mess. I was gonna say something really awful, cluster, but it's a mess.
885 In the summertime and people are at risk, and if we pass this ordinance and it is applicable all over town,
886 that's a good thing. We want people to come here to go to our parking lots. That's why we built them,
887 and if we're going to skirt the issue, then we're going to continue to have empty parking lots except on the
888 4th of July, maybe, unless somebody can find somebody's yard to park in, but I think this is a good
889 regulation. I think it's well written, and I certainly would be for it."
890

891 Mayor Samples: "I, I have one last comment, because it is a bad, in my judgment, and we'll just
892 have to agree to disagree. I think it's inappropriate to apply this throughout the town. I don't think, I think

893 what we're doing is, a, we're using a hammer to solve a particular issue that a small group of people
894 have. The fact of the matter is that for 12 weeks out of the year we want Ocean Boulevard full. It's what
895 keeps your taxes low. It's what brings people to town. I, I see people shaking their head. They don't
896 know the numbers. I asked the, the question I asked a little while ago, how many parking spaces will
897 remain on Ocean Boulevard. No one knows the answer to that. No one wants to know the answer to
898 that, because in fact it is a back door attempt to eliminate parking on Ocean Boulevard."
899

900 Ms. Mabry: "I just have one question, and if the interim chief can answer this, how can you ticket
901 someone that does not have any knowledge of that law, and since it's not South Carolina law, how can
902 we go up and ticket someone that has no idea that they're parking illegally, unless we're willing to put no
903 parking signs every 10-feet of every single driveway. Now, if you're willing to do that, and I think that'd
904 look a little bit worse than the cars do, but if you're willing to do that, fine, but nobody knows this law
905 exists except the people in this room tonight, and we expect all of our visitors, and I know what's gonna
906 happen, somebody's gonna stand right up at the podium and say, well I drove down Surfside Drive or I
907 rode down Ocean Boulevard and there're cars parked everywhere, and they're not being ticketed, and
908 they won't have a clue that they're even parking illegally, and I just want to know how we can burden our
909 police department and ask them to do something that's really and truly a made-up law here tonight."
910

911 Ms. Kohlmann: "Mr. Mayor."

912 Mayor Samples: "Ms. Kohlmann."
913

914 Ms. Kohlmann: "Well, I had discussion with Chief Keziah, and a, I, first I'm offended that you
915 think it's a back door deal. I don't think that's a fair thing to say, because a lot of work was done on this
916 by other people and myself, so I take offense to that. But, we'll just move along, and it is done in many
917 places, some places are 5-feet from driveways, some are 10, and some are 15 depending upon what
918 state you look at or town, and (**) the fact that you saying it would be a selected enforcement, well, Town
919 of Surfside Beach already does selective enforcement. They do it with fireworks, they do it with smoking
920 on the beach, they do with golf carts. This is falling right into the line of what Surfside Beach does, and
921 it's not, it should not be looked at the way you're looking at it. It should be a tool. It's just simply another
922 tool for the police officers, because there are people in this town that have a problem getting in and out of
923 driveways, and they're, and it's, and it's a constant battle for some of them. I don't think that this is gonna
924 be the police officers are gonna go out there and start ticketing everybody. They don't do that now with
925 the regulations. We don't want to run tourists off. That's not what this is about. This is about an older
926 person has a car parked there every single day, the same car, and all he can say is call the police and
927 ask them to send the officer and just ask the people to move the car. If they don't move the car, then they
928 have a tool now, the tool is they ticket it. I don't see anything wrong with this. I think people are reading
929 way too much into it and it's safety more than it is anything else."
930

931 Ms. Dodge: "Mr. Mayor."
932

933 Mayor Samples: "Ms. Dodge."
934

935 Ms. Dodge: "I agree with Ms. Kohlmann, and I resent this being called a backdoor effort to do
936 anything. I don't go in the backdoor. I go to the front door and I speak out, and that's what we are doing
937 with this."
938

939 Mayor Samples: "Well, I appreciate the way you feel, and, and I understand you feeling that way.
940 Rest assured, I really believe what I'm saying also, because the fact is, is that there's been talk about
941 eliminating parking on Ocean Boulevard for a number of administrations. I, I know, I served. I was
942 against it then. I'm against it now. I still believe this is a backdoor attempt to eliminate parking on Ocean
943 Boulevard. But, we'll find out, folks, understand, we're gonna vote, understand. In the peak of the
944 season, we will have the opportunity to review what it is we have done. Any other discussion?"
945

946 Mr. Stevens: "Mr. Mayor."
947
948

949 Mayor Samples: "Mr. Stevens."
950

951 Mr. Stevens: "I support this law. I think it's a good thing. I have been in the Myrtle Beach, and
952 Myrtle Beach is basically eliminated parking on Ocean Boulevard from 27th Avenue or 29th Avenue South
953 all the way up to about 29th Avenue North. So, they have done it. It didn't hurt their business. They still
954 have plenty of people, plenty of tourists. I don't think it's gonna affect anybody. Riding back from church
955 on Sunday, I did notice that there was a fire hydrant right next to a beach access. Rode down next to one
956 of the other, our fellow councilmen asked me to look at the area down on 1st Avenue and 2nd Avenue at
957 the fire hyd [sic,] hydrant right next to the beach access. I saw a lot of beach accesses within 5- to 6-feet
958 of a driveway. So if you park there, you're gone [sic] block a driveway. I rode all the way down the
959 boulevard to Melody Lane and I saw many places where cars just can't park, and if they're parking there,
960 then they're also parking on the sidewalk as well. I would say also that I, I noticed that the fellows
961 working and putting trees out, and they're blocking the part where parking would be. If we do something
962 like put bushes and trees up and down the Ocean Boulevard that will, we don't have to put signs, and I
963 was looking at the pictures here, and I've walked by, this picture right here, 1st Avenue North between
964 Ocean and Dogwood at least two to three hundred times since I've been in, in town, and it says no
965 parking between signs, and I also often wondered why, where these signs came from, but it says at any
966 place where official signs prohibit parking, you can't park there. Got to do something about parking, and I
967 think this is the right step in the right direction. Thank you."
968

969 Mayor Samples: "All in favor say aye."
970

971 Unknown Speakers: "Aye."
972

973 Mayor Samples: "Oh, I'm sorry, we have a motion, you're right. Good, good. There is a motion
974 to come in under the rules?" (*Not audibly recorded*: Ms. Mabry indicated she moved to reconvene
975 regular session. Mr. Smith seconded.) "There's a motion, there's a second. All in favor say aye."
976

977 All Members: "Aye."
978

979 Mayor Samples: "Alright. I need a motion. We need a motion to adopt the ordinance. Mr.
980 Smith."
981

982 Mr. Smith: "Mr. Mayor, I move that we adopt second reading of Ordinance 12-0732, to amend
983 Article 9-7, No Parking Places."
984

985 Mayor Samples: "There is a motion."
986

987 Mr. Stevens: "Second."
988

989 Mayor Samples: "Mr. Stevens seconds. Any discussion? All in favor say aye."
990

991 Unknown Speakers: "Aye."
992

993 Mayor Samples: "Opposed."
994

995 Mayor Samples: "No."
996

997 (*Not audibly recorded*. Clerk asked for clarification on vote. Councilmembers Dodge, Kohlmann,
998 Smith and Stevens voted in favor. Mayor Samples and Mayor Pro Tempore Mabry voted against.)
999

1000 **C. Second Reading Ordinance #12-0733 to amend §2-61(b) Volunteer Advertising in Daily**
1001 **Newspaper and §2-61(j) Annual Committee Reports, Councilmember Dodge.**
1002

invalid, that invalidity shall not affect the other provisions of this article, 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.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. 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 and by the authority thereof, this ____ day of _____ 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

111 There will be a Town Council workshop meeting on December 4th at 10:00 a.m. to hear a parking
112 presentation by Lanier Parking Solutions.
113

114 Due to the high volume of responses for the police chief positions, a focus group consisting of
115 Mayor Pro Tem Mabry, Councilmembers Kohlmann and Smith, and herself was formed to consider the
116 applications. **COUNCIL CONCURRED**
117

118 The South Carolina Department of Transportation (DOT) revised its estimate for repaving US
119 Highway 17 Business in the town's limits to \$1.560 million. The town's 50-percent match will be
120 \$780,000. A letter was submitted to DOT on October 2nd to keep the town in consideration for the grant.
121 Mayor Samples asked if any councilmember wished to express opposition. **COUNCIL CONCURRED**
122 that the letter was proper and supports the initiative.
123

124 Additional information on pier signage will be presented at the December council meeting. Local
125 vendors are being sought, because attempts to contact out of town vendors have been unsuccessful.
126 Mayor Samples said it would be nice to have a town map at the pier that delineated amenities like the
127 parks, library and lakes. There are many opportunities for directional signage, for example a sign on
128 Highway 17 directing visitors to the pier and the library. He suggested involving the Keep Surfside Beach
129 Beautiful and the Recreation/Special Events committees. Mr. Smith encouraged using a local vendor.
130 Ms. Fellner said local vendors are encouraged to participate. Every local vendor qualified to do mold
131 remediation was contacted, and the bid was awarded to FSA, a local company.
132

133 Mr. Moss explained that the articles of incorporation for the Surfside Youth Association were
134 signed this afternoon and would be sent to the Secretary of State tomorrow. The tax identification
135 number has already been received, and he hoped that by Friday the corporation would exist. A contract
136 was drafted for the town to enter into with the association; comments were received from Ms. Feliner, and
137 he is awaiting comments from Mr. Seman. The corporation directors are meeting tonight to discuss
138 policies and regulations concerning coaches. He expected to receive that information soon. He expected
139 that the corporation would be formed and ready to negotiate with council by the end of the week.
140

141 **7. BUSINESS.**
142

143 A. Second Reading Ordinance #12-0731 to amend FY2011-2012 Municipal Budget, Treasurer
144 Hursey. Mayor Samples explained that the budget amendment was to adjust for the underground wiring
145 project along Ocean Boulevard.
146

147 Mr. Smith moved to adopt second reading of Ordinance #12-0731. Ms. Mabry seconded.
148

149 Mr. Stevens asked when the underground wiring project would be completed. Mr. Adair said the
150 works should be completed soon, but paving would not be completed until March when all the larger
151 trucks would be finished using the roads.
152

153 All voted in favor. **MOTION CARRIED**
154

155 B. First Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions, Councilmember
156 Kohlmann.
157

158 Ms. Kohlmann moved to amended the third line in the preamble first paragraph by adding
159 "residents and" after "decals allowing." Mr. Stevens seconded. All voted in favor. **MOTION TO AMEND**
160 **CARRIED.**
161

162 Mr. Stevens moved to adopt first reading of Ordinance #12-0727 as amended. Ms. Kohlmann
163 seconded. Mayor Samples noted that the change was only to the preamble; not the terms of the
164 ordinance. All voted in favor. **MOTION CARRIED.**
165

894
895 Mayor Samples: "Any other comments? I guess you gotta do what you gotta do."
896
897 Ms. Fellner: "Thank you, Mr. Mayor."
898
899 Mayor Samples: "But, please get that warranty in writing, ten year warranty, one year parts, and
900 make sure it gets locked up..."
901
902 Mr. Johnson: "One year labor."
903
904 Ms. Fellner: "One year labor."
905
906 Mayor Samples: "Yeah. Make sure it gets locked up in the archives and the clerk knows where to
907 lay her hands on it. Okay, Ms. Herrmann? Thank you."
908
909 *Clerk's Note: A copy of the written report is on file.*
910
911 **7. BUSINESS.**
912
913 Mayor Samples: "Moving to our business section, we are doing second reading of 7.B., 7.A.?"
914
915 Mr. Smith: "7.B."
916
917 Mayor Samples: "7.B. Thank you."
918
919 **A. Second Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions for Parking**
920 **Decals, Councilmember Kohlmann.**
921
922 *Clerk's Note: No action taken because meeting minutes not approved.*
923
924 **B. Second Reading Ordinance #12-0729 to add Chapter 17, Article IX, Overlay District.**
925
926 Mayor Samples: "7.B. is the second reading of Ordinance 12-0729 to add Chapter 17, Article IX,
927 Overlay District."
928
929 Mr. Smith: "Mr. Mayor, I move that we sus, suspend the rules for discussion on this item."
930
931 Mayor Samples: "There is a motion."
932
933 Ms. Mabry: "I'll second."
934
935 Mayor Samples: "There is a second. All in favor say aye."
936
937 All Members: "Aye."
938
939 Mayor Samples: "The rules have been suspended."
940
941 Mr. Smith: "Mr. Mayor, I, I heard the comments from the a people who support the overlay and
942 having it implemented right away, but I also heard the comments from the business community and I think
943 we need to give them an opportunity to have another meeting where we can go over it in some detail and
944 make some additional changes. I think it's getting close to being approved, but I think that would be wise to
945 defer it until next year so that the business community, business committee can have another meeting to a
946 go over it in detail and then a our building department have time to a update the ordinance."
947
948 Mayor Samples: "Thank you. Any other comments?"
949

613 Mr. Stevens: "The motion is to bring Ordinance 12-0729 to the next council meeting on January
614 8th and put it on in the business section for A and for second reading."
615

616 Mayor Samples: "Thank you. There is a motion."
617

618 Mr. Smith: "Second."
619

620 Mayor Samples: "Any discussion. All in favor say aye."
621

622 All Members: "Aye."
623

624 Mayor Samples: "Opposed? Hearing none the motion is adopted."
625

626 **A. Second Reading Ordinance #12-0727 to amend §9-16 Decals and Exemptions for**
627 **Parking Decals, Councilmember Kohlmann.**
628

629 Mayor Samples: "Alright, the first regular business item would be the second reading of
630 Ordinance 12-0727 to amend Section 9-16, decals and exemptions for parking decals. This is second
631 reading. Can I get a motion?"
632

633 Mr. Stevens: "Mr. Mayor, I'd like to make a motion that we adopt second reading of Ordinance
634 12-0727."
635

636 Mayor Samples: "There is a motion."
637

638 Mr. Smith: "Second."
639

640 Mayor Samples: "Any discussion? Clarification, in the ordinance itself it talks about nonresident,
641 section a, we require proof it says verification of proof of residential property ownership. Do we require
642 the same proof with respect to the golf carts, the vehicles? That's a question."
643

644 Ms. Kohlmann: "Ask that again."
645

646 Mayor Samples: "Well, the change to the ordinance, which is in green, it says decals issued for
647 full time residents and non-resident residential property owner vehicles, including golf carts. All persons
648 residing or owning residential property within the corporate limits of the town shall be entitled to one free
649 decal per vehicle to be issued by the town upon verification of current vehicle registration or verification of
650 proof of residential property ownership, and I guess what I want to say is that I presume that that means
651 when we verify their vehicle registration, that in fact that vehicle is registered in the town, but we don't say
652 that."
653

654 Ms. Kohlmann: "Mr. Mayor."
655

656 Mayor Samples: "Ms. Kohlmann,"
657

658 Ms. Kohlmann: "It would be done the same way it's done currently. We give out stickers to, they
659 pay currently for parking stickers, so it would be the same format that's already in place. It's already
660 being done."
661

662 Mayor Samples: "What verification of proof of residential property ownership are you expecting
663 to see?"
664

665 Ms. Kohlmann: "The same one that we are currently using, which that would be up to staff does
666 that I don't know exactly what they do like when you go up to get your anything through the town, you
667 have to present what it is they're asking you for then."
668

669 Mayor Samples: "Right now they don't require proof or verification of property ownership."
670

671 Ms. Kohlmann: "For the parking sticker."
672

673 Mayor Samples: "No."
674

675 Ms. Kohlmann: "For the parking sticker..."
676

677 *(Two speaking at once.)*
678

679 Mayor Samples: "What, what they require, what they require now is, is they require a vehicle
680 registration that shows that the vehicle is registered in the Town of Surfside Beach, which is separate
681 than and different from and distinct from property ownership. I don't have a problem adopting it. I just
682 want when, when staff goes to implement it, I guess they'll know what we mean."
683

684 Mr. Smith: "Mr. Mayor, I'd like to offer a suggestion, then. The verification of proof of residential
685 property ownership would be their tax notice with their names on it, and that should correspond to their
686 vehicle registration, have the same names."
687

688 Mayor Samples: "So, you're adding that to the ordinance, or just..."
689

690 Mr. Smith: "No, sir. That's just a clarification."
691

692 Mayor Samples: "For the record, and we are taking verbatim? We'll decide that later then, okay.
693 For the record, I would like Mr. Smith's comments recorded verbatim. Okay, thank you. All in favor, say
694 aye."
695

696 All Members: "Aye."
697

698 Mayor Samples: "Opposed?"
699

700 **B. Second Reading Ordinance #12-0732 to amend §9-7 No Parking Places,**
701 **Councilmember Kohlmann.**
702

703 Mayor Samples: "Moving right along, this also second reading to amend no parking, this is
704 section, let me get it right, this is Ordinance 12-0732 to amend Section 9-7 no parking spaces. If I could, I
705 would like, would you like to make a motion to suspend the rules so we can have some discussion?"
706

707 Ms. Mabry: "I move we suspend the rules."
708

709 Mayor Samples: "There is a motion."
710

711 Mr. Smith: "Second."
712

713 Mayor Samples: "There is a second. All in, Mr. Smith, all in favor say aye."
714

715 All Members: "Aye."
716

717 Mayor Samples: "Opposed? Will you defer to me? This, this ordinance is also up for second
718 reading, and I'm not certain if, if it's been well thought out. This ordinance, a, is not clear to me what the
719 intent is. The intent is to eliminate parking on Ocean Boulevard. It does that. It eliminates parking on
720 Ocean Boulevard for all practical purposes. The part that bothers me in, in the way the ordinance is
721 written, well, many things bother me in the way it's written. But, it doesn't say R-3. It doesn't say Ocean
722 Boulevard. It doesn't say C-3. So, it's applicable throughout the town. Now, just for the record, and I
723 don't think Ms. Dodge will mind me clarifying, there were comments made at the last meeting and the
724 record will show that it was stated that South Carolina law prohibits parking 10-feet within a driveway.

corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public, shall register golf carts with the town police department. Proof of ownership and liability insurance is required.

(i) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and “permit only” parking areas and in metered spaces without charge when space is available.

(ii) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state “Pay Parking Only,” meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.

This paragraph separated as stated above for clarity. ~~This fee will include a decal, blue lettering on white background for residents and non-resident residential property owners and white lettering on red background for commercially owned, that is valid for two (2) years from the date of issue and will be placed on the golf cart by police staff. The registration decal affixed to commercially owned golf carts shall be clearly marked “Pay Parking Only” for the purposes of parking at municipally owned pay parking lots and will not allow these golf carts to park for free in golf cart only designated parking areas. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas.~~

Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart *while being operated*. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable ~~G~~ golf cart rules.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, 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.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. 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 and by the authority thereof, this ____ day of _____ 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Friday, November 02, 2012 2:05 PM
To: The Hon. Beth Kohlmann
Subject: FW: 12-0733 Section 9-16 Decals and Exemptions

I haven't heard from you all week. Have you had a chance to look at this?

D.

Debra Herrmann, CMC, Town Clerk
dherrmann@surfsidebeach.org - 843.913.6333
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From: Debra Herrmann [<mailto:dherrmann@surfsidebeach.org>]
Sent: Monday, October 29, 2012 11:46 AM
To: The Hon. Beth Kohlmann
Subject: 12-0733 Section 9-16 Decals and Exemptions

Beth, please review this draft. I changed paragraph (b) to separate the requirements for residential and commercial, because it was confusing to have them in the same sentences. See the purple part ☺

Let me know if you approve, and I'll finish getting it ready for first reading.

Thanks,



~~12-0733 9-16
cals and Exemp~~ →

changed to use 0727
file name neverchanged.

Debra

Debra Herrmann, CMC, Town Clerk
dherrmann@surfsidebeach.org - 843.913.6333
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STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH TO AMEND SECTION 9-16 DECALS AND EXEMPTIONS FOR PARKING DECALS RELATING TO NONRESIDENT RESIDENTIAL PROPERTY OWNERS, AND COMMERCIAL BUSINESSES GOLF CART OPERATION
) COUNTY OF HORRY)	
) TOWN OF SURFSIDE BEACH)	
)	

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to establish a policy relating to the issuance of parking decals allowing nonresident residential property owners to park their vehicles and golf carts in metered spaces when available without charge; and

WHEREAS, the Mayor and Town Council desire to establish that commercially owned golf carts rented for profit shall be identified as such by decals and operators there of shall be required to park in metered spaces and make appropriate payment

NOW, THEREFORE, Section 9-16, Decals and Exemptions of the Code of Ordinances of the Town of Surfside Beach, South Carolina, is hereby amended to read as follows:

Sec. 9-16. – Decals and exemptions

(a) *Resident and Nonresident Residential Property Owner Parking Decals.* Decals issued for full time resident and non-resident residential property owner vehicles ~~not~~ including golf carts. All persons residing or owning residential property within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration or verification of proof of residential property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show: (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident and residential property owner to park free of charge in metered or pay station areas when space is available.

~~(b) Decal issued for non-resident residential-owner vehicles not including golf carts. All non-resident residential-property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty dollar (\$40.00) each, upon verification of proof of property ownership. Such decal will be placed on the vehicle pursuant to instructions given by town hall staff when obtaining the decal. The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a non-resident property owner to park free of charge in metered or pay station areas when space is available.~~

(b) *Golf Cart Registration Required.* Registration decals shall be issued for golf carts. All persons and businesses owning golf carts within the corporate limits of town, including those entities which may lease, lend, borrow, or purchase golf carts for the purpose of renting to the public,

shall register golf carts with the town police department. Proof of ownership and liability insurance is required.

(i) Residents and nonresident residential property owners shall pay a fee of two dollars (\$2.00) per golf cart. Decals shall be distinguished by blue lettering on white background. Decals shall allow residents and nonresident property owners to park in golf cart parking, and "permit only" parking areas and in metered spaces without charge when space is available.

(ii) Commercially owned golf carts shall be charged a fee of five dollars (\$5.00) for each golf cart. Decals shall be distinguished by white lettering on a red background. The registration decal shall state "Pay Parking Only," meaning that operators of commercial golf carts must park in metered spaces and pay applicable fees for parking.

~~This fee will include a decal, blue lettering on white background for residents and non-resident residential property owners and white lettering on red background for commercially owned, that is valid for two (2) years from the date of issue and will be placed on the golf cart by police staff. The registration decal affixed to commercially owned golf carts shall be clearly marked "Pay Parking Only" for the purposes of parking at municipally-owned pay parking lots and will not allow these golf carts to park for free in golf cart only designated parking areas. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas.~~

Decals shall be placed by police staff in such a manner that will enable the registration decal to be clearly visible to the operator of the golf cart **while being operated**. The issued decal will show: (1) registration number; (2) years for which decal is valid, and (3) all applicable **G**golf cart rules.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, 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.

EFFECT OF SECTION HEADINGS. The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. 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 and by the authority thereof, this ___ day of _____ 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Elizabeth A. Kohlmann, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

170 Ms. Dodge moved to adopt Ordinance Number 12-0715 as amended. Ms. Mabry seconded. All
171 voted in favor. **MOTION CARRIED as AMENDED.**

172
173 B. First Reading Ordinance #12-0716, §5-16(b) Commission Member Terms; §5-32 Statements
174 of Economic Interest; §5-33 Campaign Disclosure Form, and §5-58 Boundary Line for Precincts. Ms.
175 Herrmann explained that every amendment offered was to comply with South Carolina State Code. She
176 noted that §5-58 creates a third precinct, Surfside Beach #4, which was created when Horry County
177 recently completed redistricting. Town residents living on the north side of 17th Avenue North are in
178 Surfside Beach #4, but for town elections only, those residents will vote at Surfside Beach #2, the
179 Surfside United Methodist Church. Mr. Smith moved to adopt first reading of Ordinance #12-0716 as
180 presented. Ms. Dodge seconded. All voted in favor. **MOTION CARRIED.** Ms. Herrmann noted that
181 once second reading was adopted, the ordinance would have to be submitted to the Department of
182 Justice for approval prior to being implemented.

183
184 C. First Reading Ordinance #12-0717, §9-16(a) and (b) Parking Decals & Exemptions. Ms.
185 Herrmann explained that a different company produces the decals, which now are placed on the inside
186 front window. The recommendation is to allow instructions to be given by staff when decals are obtained.
187 Also the verbiage "when space is available," is recommended because a decal does not guarantee a
188 parking space; only that payment is not required when space is available. Mr. Stevens moved to adopt
189 first reading of Ordinance #12-0717 as presented. Mr. Johnson seconded. Mr. Smith noted that
190 paragraph (b) also cites decal placement and asked if that should be changed. Ms. Herrmann thanked
191 Mr. Smith for pointing that out, and said if council agreed, it would be corrected for second reading.
192 Council agreed to the correction. All voted in favor. **MOTION CARRIED.**

193
194 D. First Reading Ordinance #12-0718 §2-26 Boards, Commissions and Committees to add (L)
195 Rules of Order. Ms. Herrmann said the Municipal Association of South Carolina recommends that all
196 boards, commission, and committees have rules of orders. In lieu of specific rules of order, it was
197 suggested that they refer to those adopted by town council and apply them accordingly to the respective
198 needs. Mr. Johnson moved to adopt first reading of Ordinance #17-0718 as presented. Ms. Mabry
199 seconded. Mayor Samples asked whether rules of orders specified *Robert's Rules of Order*. Ms.
200 Herrmann said yes. Mayor Samples asked whether *Robert's* allowed abbreviated minutes. Ms.
201 Herrmann said the main items *Robert's* requires minutes to contain are the meeting type, date, time
202 opening and adjourned, those present, and actions taken. Details provided in town council minutes are at
203 council's direction. Mayor Samples said the question was raised, because he did not want to use
204 essential staff to take minutes for committees that could take their own minutes. Ms. Herrmann said the
205 town code cites that *ad hoc* committees are responsible for choosing a secretary to take their own
206 minutes and to provide copies to the town clerk for the permanent record. Unless town council so directs,
207 the town clerk would not attend *ad hoc* committee meetings. All voted in favor. **MOTION CARRIED.**

208
209 E. First Reading Ordinance #12-0719 §17-603 Definitions – Abandoned Signs. Ms. Morris
210 explained that this ordinance increases the length of time to one year before a sign is abandoned, except
211 for dilapidated signs as identified in (3) which stipulates six months. Mr. Smith moved to adopt first
212 reading of Ordinance #12-0179 as presented. Ms. Dodge seconded. Mr. Johnson asked whether there
213 is sufficient definition of disrepair. Ms. Morris said the code cites specifics that she believes are
214 enforceable. Ms. Mabry asked who was responsible for removing dilapidated signs. Ms. Morris said the
215 ordinance requires a certified letter requesting removal be sent to the owner. The next step would be a
216 summons, and after court proceedings, the town would be allowed to remove the sign. All voted in favor.
217 **MOTION CARRIED.**

218
219 F. Resolution #12-116 to Establish Beautification Committee. Mr. Stevens moved to amend the
220 resolution to strike "flora and fauna" in paragraph three and replace it with "public and private property
221 values," and in paragraph four to add "at least" prior to "seven", and after "volunteers" to add "and a non-
222 voting member of town council," and in paragraph five after "stated" to add "which shall be known as
223 "Keep Surfside Beach Beautiful", and after "shall be made" to add "by town council." Ms. Dodge
224 seconded. Ms. Dodge said she served on the former beautification committee and could not say enough
225 good things about the dedicated people that served on that committee. The ideas presented were
226 overwhelming; she was very happy the committee was being established and expected even greater

167 7. **BUSINESS.**

168
169 Ms. Mabry called for the floor. Mayor Samples recognized Ms. Mabry prior to any business
170 discussions. Ms. Mabry moved to reconsider the budget expenditure of \$15,120 in the Hospitality Fund,
171 Police, Beach Safety, Materials and Supplies/FFE, that is, furniture, fixtures, and equipment, to replace
172 .40 caliber handguns to eliminate the purchase until further information is provided to town council. Mr.
173 Stevens seconded. Ms. Mabry said this is not about the guns, and she wanted to make that perfectly
174 clear. This is an unemotional procurement procedural problem that she has with the budget. Council
175 was never given the opportunity to hear from Chief Frederick regarding the need for this expenditure. Ms.
176 Mabry said she voted hastily to adopt the budget; not to purchase the guns, although they were included.
177 Council received that information at the last minute. Chief Frederick is welcomed to make a presentation
178 to council, if he would like to pursue the expenditure. However, at this time, she reiterated that she acted
179 hastily and needs to have the expenditure omitted. Ms. Dodge supported the motion. It was a surprise to
180 her where the funding was appropriated. She did not expect to see that expenditure where it was placed.
181 Mr. Smith asked whether Chief Frederick could make a presentation now. Mayor Samples said that
182 would not be allowed at this meeting as it was not a simple matter of procurement. There are a number
183 of other issues that he takes very seriously, i.e. requalification of all of the officers. Before council
184 requires the department to go through a requalification process, Mayor Samples believed it should be
185 very clear what was being voted upon. Mayor Samples, Mayor Pro Tem Mabry, and Councilmembers
186 Dodge, Johnson and Stevens voted in favor. Councilmember Smith voted against. **MOTION CARRIED.**
187

188 A. Second Reading Ordinance #12-0716, §5-16(b) Commission Member Terms; §5-32
189 Statements of Economic; §5-33 Campaign Disclosure Form; §5-58 Boundary Lines for Precincts, and §5-
190 59 Places of Election. Ms. Herrmann said that second reading was presented without change other than
191 two scrivener's errors, i.e. to add "§5-59, Places of Election" to the caption, and to capitalize "Board" in
192 the name "State Budget and Control Board" on the second page. Mr. Stevens moved to adopt second
193 reading of Ordinance Number 12-0716. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**
194

195 B. Second Reading Ordinance #12-0717, §9-16(a) and (b) Parking Decals & Exemptions. Mayor
196 Samples noted that decal placement was changed in paragraph (b). Mr. Smith moved to adopt second
197 reading of Ordinance Number 12-0717. Mr. Johnson seconded. All voted in favor. **MOTION CARRIED.**
198

199 C. Second Reading Ordinance #12-0718, §2-26 Boards, Commissions and Committees to add
200 (L) Rules of Order. Mr. Stevens moved to adopt second reading of Ordinance #12-0718 with an
201 amendment to "Section 2-51 to 2-55" to exclude Section 2-52, Executive Sessions, with the exception of
202 the board of zoning appeals. Mr. Stevens did not think it was proper for citizens committees, with the
203 exception of the board of zoning appeals which handles judicial matters, to enter executive session. In
204 his opinion, there are no legal issues that would require doing so. Mayor Samples asked the clerk if she
205 understood the motion. Ms. Herrmann was not sure what was being offered, and said the town attorney
206 would need to be involved and research done to make sure the amendment is proper. The amendment
207 Mr. Stevens offered was different from the proposed ordinance that strictly applies rules of order to
208 committees. Mayor Samples asked for a second to the motion. No second was offered.
209

210 Mr. Stevens moved to suspend rule to allow discussion. Mr. Smith seconded. All voted in favor.
211 **MOTION CARRIED.** Mayor Samples believed that Mr. Stevens' concern is that committees would or
212 could improperly meet in executive session by following the rules of order. That is certainly something
213 that town council would not want to promote or provide the opportunity for. Because the board of zoning
214 appeals is a quasi-judicial body, it might have the need to meet in executive session. There may be times
215 when the planning and zoning commission might be involved in negotiations over a planned development
216 that should be conducted during executive session. There were no other comments. Mayor Samples
217 reconvened regular session and called on Ms. Dodge.
218

219 Ms. Dodge moved to defer second reading of Ordinance #12-0718. Mr. Stevens seconded. All
220 voted in favor. **MOTION CARRIED.** Mayor Samples said the intent is to prohibit indiscriminate use of
221 executive session by any board, commission, or committee.
222

Changed decal placement in paragraph (b), no other changes. dh

Ordinance No. 12-0717

First Reading: 06/11/2012

Second Reading: 06/25/2012

STATE OF SOUTH CAROLINA)	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
)	
COUNTY OF Horry)	TO AMEND §9-16(a) & (b) PARKING DECAL PLACEMENT,
)	AND TO CLARIFY PARKING IS FREE WHEN SPACE IS
TOWN OF SURFSIDE BEACH)	AVAILABLE

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled in order to clarify the placement of town issued parking decals and to stipulate that parking is free when space is available for vehicles with a decal,

NOW, THEREFORE, §9-16 Decals and exemptions is hereby amended to read as follows:

§9-16. Decals and exemptions.

(a) *Decals issued for full time resident vehicles not including golf carts.* All persons residing within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle **on the vehicle pursuant to instructions given by town hall staff when obtaining the decal.** The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a resident to park free of charge in metered or pay station areas **when space is available.**

(b) *Decal issued for nonresident residential owner vehicles not including golf carts.* All nonresident residential property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty (\$40) dollars each, upon verification of proof of property ownership. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle **on the vehicle pursuant to instructions given by town hall staff when obtaining the decal.** The decal shall be valid for the calendar year in which issued. Said decal will show (1) decal number issued, and (2) year for which decal is valid. Such decal shall allow a nonresident property owner to park free of additional charges in metered or pay station areas **when space is available.**

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof this ___ day of _____, 2012.

Douglas F. Samples, Mayor

Mary Beth Mabry, Mayor Pro Tempore

Ann Dodge, Town Council

Mark L. Johnson, Town Council

Roderick E. Smith, Town Council

Randle M. Stevens, Town Council

Vacant Seat

Attest:

Debra E. Herrmann, CMC, Town Clerk

Debra Herrmann

From: Debra Herrmann [dherrmann@surfsidebeach.org]
Sent: Thursday, March 28, 2013 9:48 AM
To: 'Ords Admin'
Subject: Correction to 9-16 statutory changes

Please correct the reference on 9-16(c) “Ord. No. 12-0717, 7-25-12” to “Ord. No. 12-0717, 6-25-12.” Thank you.

Debra Herrmann, CMC, Town Clerk
dherrmann@surfsidebeach.org - 843.913.6333
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c. Recreation and Special Events Report

Mr. Booth reported that the town had a good event this past weekend and it was well attended. Mr. Booth stated that the town is currently working on the fields with the sports season coming up. They are building up the mounds and putting in more material and the town will be ready for the softball tournaments coming up. Mr. Booth reported that the next town event coming up is the Taste of the Town. Mr. Booth stated that the town also added a town garage sale which will be held in May. The town will begin advertising it soon.

d. Administrators Report

i. Update on Legislative Day

Mr. Booth stated that during Legislative Day it became apparent that the legislature does not have any money. Mr. Booth stated that is was good for council to let them know what the needs of the town are and remind them of who they represent.

ii. Special Workshop re: Business 17 on March 1, 2010 at 1:00 PM

Mr. Booth reported that he needed a consensus from council to hold a meeting on March 1st. The town invited the COG, the State and it should be a good workshop on how to move forward on Business 17. Mr. Childs made a motion to have a workshop on Monday March 1st at 1:00 PM to discuss the improvements needed on Business 17 in Surfside Beach. Mr. Samples seconded the motion. Mayor Deaton stated that he attended the GSATS meeting this week and it was basically a “rubber stamp” on all of the projects that have moved forward. Mayor Deaton added that they seemed to be open for discussion and the recommendation was to write a letter. The town is going to do something better than that and have a workshop on Business 17 and they invited the Chairman and Vice Chairman of GSATS and some COG members to attend so that the town can express their desires and needs. The 17 projects could cost as much as 30 million dollars a mile; there are other ways to do this and there are other options that can be explored but it is a starting process. **All voted in favor. MOTION CARRIED.**

7. BUSINESS

a. Ordinance #10-0679: Amend Ordinance Chapter 9 Motor Vehicle and Traffic

Mr. Booth stated that the staff is asking for a couple changes. These changes came from the budget workshop. The dates would be changed from March 15th to March 1st and would run to October 31st instead of September 30th. Also there are non-resident property owners who do not have registered cars in town; the town would like to offer these individuals a parking sticker for a cost of \$40.00. Currently a \$30 portion of car registrations for cars registered in town goes to the town. The ordinance also notes times would change to 7:00 AM to 7:00 PM. Mr. Samples made a motion to adopt 1st reading for the proposed ordinance changes. Mr. Childs seconded the motion. Mr. Johnson asked about section 9-16 (a) (1); the current license registration number was deleted and is replaced with decal number issued and asked why this was changed. Mr. Smith stated that

150 this was a staff recommendation. Mr. Johnson stated that this would enable
151 someone to switch decals to other vehicles. Mr. Smith stated that he was not
152 involved on the input regarding this. Mr. Booth stated that decals need to be
153 adhered to the vehicles. Mr. Johnson stated that someone could give their decal
154 to someone else. Ms. Hursey explained that the reason this was changed was that
155 the line states that the said decal shall show this information and the decal never
156 did show the current license or registration number; this information is kept but it
157 is kept at town hall adding that individuals need to provide this as proof when
158 they get their sticker and only one sticker is issued per person. Mr. Johnson
159 asked why it was in there to begin with. Mr. Smith answered that as much
160 information for the town as possible wanted to be kept. Mr. Booth stated that
161 there had been occasions where individuals were issued parking tickets and that
162 sticker was not registered to that vehicle; the town does check this out. **All voted**
163 **in favor. MOTION CARRIED.**

164
165 **b. Decision Paper: Choose Firework Vendor**

166 Mr. Booth reported that the town went out for bids again; the town did not have
167 to but staff decided to try to get more for the town and they did. Mr. Booth
168 stated that the town will also provide bathrooms and this years' event will be
169 even better than last year. Mr. Childs asked to have a discussion item "personal
170 fireworks" added to the next agenda. Mr. Samples made a motion to accept
171 staffs' recommendation. Mr. Truett seconded the motion. Mr. Johnson asked
172 Mr. Booth to describe the recommendation. Mr. Booth stated that the
173 recommendation was to use the same company as the previous year, East Coast
174 Pyrotechnics, and they will provide more for the next event. Mr. Truett stated
175 that the previous year they provided 34 minutes of fireworks and asked how long
176 the show would last for 2010. Mr. Booth stated that it would be longer and he
177 would check on time. **All voted in favor. MOTION CARRIED.**

178
179 **c. Decision Paper: Authorize Purchase of two additional pay stations for the**
180 **pier parking lot**

181 Mr. Booth stated that there is money in this years' budget in the pier enterprise
182 fund and would like to purchase two pay stations that collect both dollars and
183 take credit cards. Mr. Truett made a motion to instruct the administrator to
184 purchase the two new parking stations at a cost of \$27,538.41. Mr. Martin
185 seconded the motion. It was confirmed that the current pay station at the pier
186 parking lot would be moved to other parking areas and the new stations would be
187 located at the pier parking area. Mr. Johnson asked Mr. Booth how he feels the
188 parking stations have performed to date. Mr. Booth stated that tickets have been
189 reduced by 50 percent and the revenue has increased by 30 percent. Mr. Booth
190 added that this is how they should work and with the extended hours and dates,
191 the fund, dedicated to purchase land, would increase. The town is currently
192 looking to purchase land on 3rd and Willow and this will help with that purchase.
193 **All voted in favor. MOTION CARRIED.**

194
195 **d. Decision Paper: Go out for RFP for restaurant at pier**

196 Mr. Booth stated that the current lease is up in December and he has gone to the
197 Charleston Recreation district to find samples. Mr. Booth stated that this is a
198 small community and the public feels that the town is trying to push out the

395 be able to discuss capital improvements in public prior to making a decision. Mr. Smith
396 stated that this evening council will instruct him when the packets should be available to
397 pick up and once sealed bids are received they will be opened for the first time by
398 council in executive session; they will be reviewed and if it is agreed to choose a
399 primary and secondary the council will then return the remaining bids to the bidders.
400 The bid would be awarded then the capital improvements of the primary bid could be
401 announced. Mr. Smith stated that there are things that the council cannot disclose such
402 as financial worth. **There was consensus of council to move this into a packet to be**
403 **submitted to bidders at some future time and date to be discussed shortly.**
404

405 Mr. Samples stated that he had additional questions regarding items he wanted to
406 address to assure a fair procurement. Items such as limiting who could apply, could it be
407 councilmembers? Mayor Deaton stated that unless it violates an established policy it
408 could be considered. Mr. Smith stated that by asking questions related to the 21 item
409 criteria information would be disclosed and if council feels that there is some ethical
410 issue then council should act upon it. Mr. Childs stated that if council felt at that point
411 that a relationship disclosed did not feel right then council could use their best judgment.
412 Mr. Smith confirmed that the criteria were built to address concerns such as the ones
413 addressed by Mr. Samples.
414

415 Mr. Smith recommended council to go out to bid on April 15th and the bidders would
416 have 45 days to submit their bid. Mr. Martin made a motion to accept the
417 recommendation of the town attorney. Ms. Blair seconded the motion. Mr. Samples
418 asked if simple information such as a sketch of the premises and a qualification form
419 would be included. Mr. Smith stated that it would. Mr. Samples asked about the
420 incorrect onsite address. Mr. Smith stated that the address has been corrected. **All voted**
421 **in favor. MOTION CARRIED.**
422

423 The magazine issue was brought back up. Mr. Smith stated that this section could be
424 removed or the words 'if applicable' could be added to address the situation if it ever
425 came up. Mr. Martin stated that from a tenant perspective this is an unknown since there
426 is no current magazine and he would prefer this be removed. **There was consensus**
427 **from council to remove this section.** Mr. Samples asked if the town currently charges
428 for utilities. It was confirmed that it does not. Mr. Samples asked if this could be
429 removed. Mr. Smith stated that he would recommend leaving the utilities in. The town
430 has no control over usage.
431

432 **Other Items**

433 Mr. Booth stated that he will be starting interviews for the Public Works Director on
434 Thursday and Friday. Thursday between 1pm and 3pm the administrator will go over
435 the budget. It was confirmed that this is not a council meeting.
436

437 **8. BUSINESS**

438 **a. Second Reading Ordinance #10-0679: Amend Ordinance Chapter 9 Motor** 439 **Vehicle and Traffic**

440 This ordinance increases the times and the dates. Mr. Childs made a motion to
441 adopt second reading of ordinance 10-0679 to amend chapter 9 motor vehicles
442 and traffic. Mr. Martin seconded the motion. Mr. Booth stated that it would take
443 the town a few days to get the signs up with the new dates and times. Mr.

444 Samples suggested giving the public time and warning tickets. Mr. Booth stated
445 that the town will be fair with the public. **All voted in favor. MOTION**
446 **CARRIED.**
447

448 **b. Proclamation #10-69: Arbor Day**

449 The town clerk read the proclamation.
450

451 **c. Decision Paper: Reappoint Evelyn Cockey to Election Commission**

452 Mr. Samples recused himself from voting since he is running for re-election. Mr.
453 Johnson made a motion to reappoint Evelyn Cockey to the Election Commission.
454 Mr. Martin seconded the motion. **All voted in favor. MOTION CARRIED.**
455

456 **d. Decision Paper: Budget Amendment 10-4300-485 Contractual Services**

457 Mr. Booth explained that the town is looking to amend the budget for \$5,450.
458 The state charges the town \$50 per day for each juvenile housed. Two juveniles
459 were housed for an extended period and the cost came to \$5,450. The town does
460 not anticipate this to be a recurring expense but in order to pay this invoice the
461 town needs to amend the budget. Mr. Samples made a motion to accept staffs'
462 recommendation. Mr. Martin seconded the motion. Mr. Samples stated that in
463 South Carolina the tax payers have to pay for incarceration of youth offenders
464 and he feels that it creates a negative incentive system on local governments.
465 Mr. Booth confirmed that this would come from the general fund. Ms. Blair
466 suggested that the town let the Juvenile Justice Service know that Mr. Ferguson
467 has not been the towns' administrator for years. **All voted in favor. MOTION**
468 **CARRIED.**
469

470 **9. DISCUSSION**

471 *Personal Fireworks: Councilman Childs*

472 Mr. Childs stated that the town is going to spend \$25,000 to put on a fireworks display
473 and added that any town or city he has been in that provides a fireworks display
474 eliminates use of personal fireworks. Mr. Childs stated that he does not feel there is a
475 need for people to light their own fireworks; there is a bodily and structural liability.
476 Mr. Childs stated that he would like to be proactive before something happens and he
477 would like to see fireworks prohibited on July 4th and added that there is also a lot of
478 garbage left on the beach. Mayor Deaton stated that this could be requested to go on a
479 future agenda. Mr. Martin made a motion to bring the fireworks ordinance be brought to
480 council in a draft form that has the exception for the 4th of July removed. Mr. Childs
481 seconded the motion. **Ms. Blair, Mr. Martin, Mayor Deaton and Mr. Childs voted**
482 **for. Mr. Johnson and Mr. Samples voted against. MOTION CARRIED.**
483

484 **10. PUBLIC COMMENTS – Agenda Items only – 5 minutes per speaker**

485 *Ron Ott, 7th Avenue N:* "Let's do away with Christmas too, alright? The 4th of July
486 with public fireworks made this town very unique so we'll do away with Christmas and
487 birthdays, too. Let's get rid of them, too. Two workshops ago I went for a ride here and
488 I've been thinking about it and I got a little confused about this parking plan that you put
489 out. I listened to the, nice guy, riding in a helicopter, I mean, the town ain't that big.
490 This isn't Atlanta, Georgia. We don't need a helicopter. He definitely didn't need a
491 helicopter. He could have walked it but then I found out you paid \$48,000 for that? I
492 don't trust you, no more. I don't trust you. Whoever put that out, I don't trust you no

Sec. 9-5. Blocking streets and alleys.

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

Cross references: Streets and sidewalks generally, Ch. 12.

Sec. 9-6. Using vehicle for advertising.

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

Sec. 9-7. No parking places.

It shall be unlawful at any time for a person to permit any vehicle or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.
- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) At any place where a vehicle would block the use of a driveway or parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town. (Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-8. Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

- (1) *Parking meter.* A mechanical device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin therein.
- (2) *Pay station.* "Parking pay station" means any mechanical or electronic device, except a parking meter, that requires a monetary payment in exchange for authorized parking in designated, public parking areas.
- (3) *Metered area.* A designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.
- (4) *Pay station area.* A designated area where parking is allowed upon payment of U.S. money resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical pay station device.
- (5) *Dates and times of enforcement.* March 15th through ~~September 30~~ October 31st annually, from the hours of ~~9:00 a.m. to 5:00 p.m.~~ 7:00 a.m. to 7:00 p.m., Monday through Sunday.
- (6) *Boot.* The term "Boot" means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-9. Charges.

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.

(a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed ~~or is designated parking controlled by a pay station~~, shall immediately deposit a coin of the United States in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of a coin in a meter will permit the parking of that vehicle for a period of time indicated by the meter.

(b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.

(c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin or providing a payment voucher from a town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-11. Parking within marked spaces.

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-12. Overtime parking.

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-13. Use of slugs, etc., prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin of the United States.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-14. Injuring or tampering with meters.

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter. (Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-15. Interpretation of chapter.

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited. (Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-16. Decals and exemptions.

(a) *Decal issued for full time resident vehicles not including golf carts.* All persons residing within the corporate limits of the town shall be entitled to a one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration. Such decal will be placed on the ~~windshield or other appropriate location~~ on lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) ~~Current license/registration number.~~ Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a resident to park free of charge in metered or pay station areas.

(b) *Decal issued for non-resident residential owner vehicles not including golf carts.* All non-resident residential property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty dollars (\$40.00) each, upon verification of proof of property ownership. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a non-resident residential property owner to park free of additional charges in metered or pay station areas.

(c) *Decal issued for golf carts only.* All persons owning golf carts within the corporate limits of town shall register their golf cart with the town police department for a fee of two dollars (\$2.00). This fee will include a decal that is valid for two (2) years from the date of issue and will be placed on the golf cart by the police staff. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas. The issued decal will show:

- (1) Registration number.
- (2) Years for which decal is valid.
- (3) Golf cart rules.

(d) *Disabled veterans and Purple Heart recipients.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the Department of Motor Vehicles or appropriate authority.

(e) *Handicapped persons.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger—~~Further,~~ either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.

(f) *Employees.* Every town employees shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

State law references: Similar provisions, S.C. Code 1976, § 56-5-2585.

Sec. 9-17. Penalties.

(a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within fourteen (14) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the fifteenth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

(b) Violations shall be issued on a uniform ordinance summons.

(c) Violators shall only be cited by police officers or authorized code enforcement officials.

(d) Violators shall appear and be subject to the jurisdiction of the town's municipal court.

(e) Violators shall have a right to a jury trial upon proper request.

(f) Violators shall be subject to set-off debt process and failure to pay or appear may result in a non-resident violator compact (NRVC) notice for South Carolina licensed drivers.

(g) Violators shall not be subject to incarceration.

(h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety department.

(i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.

(j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Secs. 9-18--9-22. Reserved.

Ordinance No. 10-0679
First Reading: 02/23/10
Second Reading: 03/09/10

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

K. Allen Deaton, Mayor

Vicki W. Blair, Town Council

Joseph P. Martin, Town Council

Robert F. Childs III, Town Council

Douglas F. Samples, Town Council

James S. Truett, Mayor Pro Tem

Mark L. Johnson, Town Council

Attest:

Sharon Pinnell, Town Clerk

1st Reading: 02/23/10
2nd Reading: 03/09/10

South Carolina Law Governing the Use of Golf Carts

TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE, TO PROVIDE FOR THE OPERATION OF A GOLF CART ALONG A SECONDARY HIGHWAY OR STREET ON CERTAIN SEA ISLANDS, TO PROVIDE A DEFINITION FOR THE TERM "GATED COMMUNITY", AND TO PROVIDE THAT A GOLF CART MAY CROSS CERTAIN SECONDARY HIGHWAYS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 2, Title 56 of the 1976 Code is amended by adding:

"Section 56-2-105. (A) For the purposes of this section, 'gated community' means any homeowners' community with at least one controlled access ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance.

(B) An individual or business owner of a vehicle commonly known as a golf cart may obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and financial responsibility for the golf cart and upon payment of a five dollar fee.

(1) During daylight hours only, a permitted golf cart may be operated within four miles of the address on the registration certificate and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

(2) During daylight hours only, a permitted golf cart may be operated within four miles of a point of ingress and egress to a gated community and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

(3) During daylight hours only, within four miles of the registration holder's address, and while traveling along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less, a permitted golf cart may cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty-five miles an hour.

(4) During daylight hours only, a permitted golf cart may be operated along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less on an island not accessible by a bridge designed for use by automobiles.

(D) A person operating a permitted golf cart must be at least sixteen years of age and hold a valid driver's license. The operator of a permitted golf cart being operated on a highway or street must have in his possession:

- (1) the registration certificate issued by the department;
- (2) proof of financial responsibility for the golf cart; and
- (3) his driver's license.

(E)(1) A golf cart permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(2) Golf cart owners holding golf cart permits on or before October 1, 2011, will have until September 30, 2015, to obtain a replacement permit.

(F) A political subdivision may, on designated streets on roads within the political subdivision's jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles. However, a political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

(G) The provisions of this section that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties."

SECTION 2. Section 56-3-115 of the 1976 Code is repealed.

SECTION 3. This act takes effect October 1, 2011.

2012 changes

12-10-12 12-0732 ✓

7-25-12 12-0717

12-10-12 12-0727

2011 changes

no changes

2010 changes

3-9-10 10-0679



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[MySQL]

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messages

process queue

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mozilla sidebar

id	123
subject	PUBLIC NOTICE - Special Town Council Meeting Update
from field	Surfside Beach Info mailinglist@surfsidebeach.org
to field	
reply to	
message	<p>SPECIAL TOWN COUNCIL MEETING -- MONDAY, April 1, 2013, at 6:30 p.m.</p> <p>The agenda (apologies- agenda is attached now) and supporting documents for the special meeting to be held on Monday, April 1, 2013, 6:30 p.m. are attached. Documents may be viewed on line at http://www.surfsidebeach.org/agenda-2013.html (click on the blue links to open documents.) A printed copy is available in the town clerk's office for public inspection prior to the meeting.</p> <p>The public is invited to attend all meetings. Time is allotted at special meetings for public comments on agenda items.</p> <p>This transmission is pursuant to the Freedom of Information Act §30-4-80.</p>
textmessage	
footer	-- If you do not want to receive any more newsletters, click "UNSUBSCRIBE" [UNSUBSCRIBE] To update your preferences or to unsubscribe, please click "PREFERENCES" [PREFERENCES] To forward a message to someone, please click "FORWARD" [FORWARD]
entered	2013-03-28 16:30:14
modified	2013-03-28 17:20:33
embargo	2013-03-28 16:30:00
repearinterval	0

repeatuntil	2013-03-28 16:30:14
status	sent
userselection	
sent	2013-03-28 17:20:33
htmlformatted	1
sendformat	HTML
template	0
processed	575
as text	529
as html	46
as pdf	0
as text and pdf	0
viewed	0
bounce count	0
send start	2013-03-28 16:32:56
RSS template	
owner	3
Attachments for this message	
Filename:	04-01-2013 SP TC Agenda.pdf
Size:	37Kb
Mime Type:	application/pdf
Description:	
Filename:	Chapter 9 Article I.pdf
Size:	526Kb
Mime Type:	application/pdf
Description:	
Filename:	SC Golf Cart Laws.pdf
Size:	81Kb
Mime Type:	application/pdf
Description:	
Filename:	732.pdf
Size:	868Kb
Mime Type:	application/pdf
Description:	
Filename:	727.pdf
Size:	521Kb
Mime Type:	application/pdf
Description:	
Filename:	717.pdf
Size:	373Kb
Mime Type:	application/pdf
Description:	
Filename:	679.pdf
Size:	806Kb
Mime Type:	application/pdf
Description:	
Lists this message has been sent to:	
3	Surfside

Send this (same) message to (a) new list(s):



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[PHP] +

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manage users

messages

process queue

hello world

mozilla sidebar

id	121
subject	PUBLIC NOTICE - Special Town Council Meeting
from field	Surfside Beach Info mailinglist@surfsidebeach.org
to field	
reply to	
message	<p>SPECIAL TOWN COUNCIL MEETING -- MONDAY, April 1, 2013, at 6:30 p.m.</p> <p>The agenda and supporting documents for the special meeting to be held on Monday, April 1, 2013, 6:30 p.m. are attached. Documents may be viewed on line at http://www.surfsidebeach.org/agenda-2013.html (click on the blue links to open documents.) A printed copy is available in the town clerk's office for public inspection prior to the meeting.</p> <p>The public is invited to attend all meetings. Time is allotted at special meetings for public comments on agenda items.</p> <p>This transmission is pursuant to the Freedom of Information Act §30-4-80.</p>
textmessage	
footer	-- If you do not want to receive any more newsletters, click "UNSUBSCRIBE" [UNSUBSCRIBE] To update your preferences or to unsubscribe, please click "PREFERENCES" [PREFERENCES] To forward a message to someone, please click "FORWARD" [FORWARD]
entered	2013-03-28 11:29:37
modified	2013-03-28 12:52:12
embargo	2013-03-28 11:29:00
repearinterval	0

repeatuntil	2013-03-28 11:29:37
status	sent
userselection	
sent	2013-03-28 12:52:12
htmlformatted	1
sendformat	HTML
template	0
processed	576
as text	530
as html	46
as pdf	0
as text and pdf	0
viewed	0
bounce count	0
send start	2013-03-28 11:57:20
RSS template	
owner	3
Attachments for this message	
Filename:	Chapter 9 Article I.pdf
Size:	526Kb
Mime Type:	application/pdf
Description:	
Filename:	SC Golf Cart Laws.pdf
Size:	81Kb
Mime Type:	application/pdf
Description:	
Filename:	732.pdf
Size:	868Kb
Mime Type:	application/pdf
Description:	
Filename:	727.pdf
Size:	521Kb
Mime Type:	application/pdf
Description:	
Filename:	717.pdf
Size:	373Kb
Mime Type:	application/pdf
Description:	
Filename:	679.pdf
Size:	806Kb
Mime Type:	application/pdf
Description:	
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- Media, Agenda Distribution (List is not Active)



GRAND STRAND OPTIMIST CLUB, P.O. Box 1311, Myrtle Beach, SC 29578

THE GRAND STRAND OPTIMIST CLUB WOULD LIKE TO INVITE YOU TO AN INFORMATIONAL MEETING BEING HELD ON WEDNESDAY, APRIL 3rd, FROM 12:00 noon to 1:00 pm AT FRANKS THEATRES, 10125 HIGHWAY 17S., (INSIDE INLET SQUARE MALL). THIS MEETING IS OPEN TO THE PUBLIC.

If you want to eat lunch after the meeting plan on arriving by 11:45 to place your order prior to the meeting starting

Meeting Purpose: To discuss building a new Optimist Club, to serve the needs of all the children throughout the communities of Pawley's Island to Surfside Beach

Club
effort
counc
mem

*4/1/13
LJ -
Could you please pass
these out to TC members
This evening?*

Abol
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their
Opti
milli
proj
con
cor
and take action

*The ORGANIZATIONAL
meeting is this Wednesday
May Ellen*

in interest in sharing your time and
business owners and leaders, town
mom's and Dad's, anyone is a
clubs have been dedicated to their
to children since 1919. Members do
with community service programs.
projects each year, spending \$78
are positively affected by Optimist
clubs and run by members in their
ability to serve the youth of their
Clubs see a need in their community

The Grand Strand Optimist Club, with its 82 members, was formed in 1984, and since that time, has given over \$300,000 back to our community

If you are planning on attending, please contact any of the following people:

John Grover
843-251-9602

Kim Eanes
843-685-3659

Mike Tolonese
843-450-9300



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Meeting Purpose: To discuss building a new Optimist Club, to serve the needs of all the children throughout the communities of Pawley's Island to Surfside Beach.

Club membership focus: Anyone who has an interest in sharing your time and efforts with your community is a prospect. Business owners and leaders, town council members, sports and Scout leaders, Mom's and Dad's, anyone is a member!

About Optimist Clubs globally: Optimist Clubs have been dedicated to their mission of providing hope and positive vision to children since 1919. Members do their part to "bring out the best in kids" through community service programs. Optimists conduct 65,000 community service projects each year, spending \$78 million in their communities. Six million kids are positively affected by Optimist programs. Each Optimist Club is autonomous and run by members in their community. Optimists have the unique flexibility to serve the youth of their community in any way they see fit. Optimist Clubs see a need in their community and take action

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