



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
FRIDAY, JULY 12, 2013 ♦ 3:00 P.M.**

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **PUBLIC COMMENTS – AGENDA ITEMS**
3. **BUSINESS**
 - A. Resolution #13-138 to allow canoes, paddle boats, and manpowered boats on town lakes and to prohibit all motorized water vehicles and any other type of boat on Town Lakes
 - B. Second Reading of Ordinance #13-0751 to allow Docks on Town Lakes
4. **ADJOURNMENT**

Surfside leaders ban all docks on town's stormwater ponds

By Tom O'Dare tom.odare@myhorrynews.com | Posted: Friday, July 12, 2013 8:55 pm

Surfside Beach leaders on Friday banned all new docks on the town's stormwater ponds.

In a special called meeting, the town council voted 4-0 to prohibit any new docks from being constructed on the retention ponds. Existing docks will be classified as non-conforming, which means if they are destroyed or removed, they can't be replaced.

The council had given initial approval to new regulations regarding the size and construction of any new docks. Following a motion by council member Rod Smith, floating docks were included in the initial approval.

The measure had been hashed out for months by the town's planning commission. Following the council's first reading, the commission again voiced their concerns over allowing floating docks, saying this would encourage recreational use of the ponds.

On Tuesday night, the town council delayed action on the measure until it received an opinion from the state municipal association regarding the town's liability over any problems arising from issues with the ponds.

Mayor Doug Samples said the town received that opinion this week and he felt it was necessary to go ahead and consider the ordinance Friday.

A parade of residents voiced opposition Friday to any use of the ponds, citing the dangers of the chemicals and pollutants in the water.

Town resident Al Lauer said everyone knows how polluted the ponds are.

"Putting anything else into the lakes does not make good sense," he said.

Maintenance of the stormwater ponds is carried out by the town's public works department. Public works director John Adair listed the chemicals and pollutants that are found in the drainage ponds, many coming from the methods used by the town to get rid of bacteria and algae.

"We are always concerned about human contact with the water," Adair said. "I wouldn't eat any fish out of those ponds. This isn't clear spring water."

Mayor pro tem Mary Beth Mabry offered an amended version of the ordinance that removed regulations for new docks and instead put in place an outright ban on them.

Mabry said the council's foremost concern should be the health and safety of the people in the town.

"These aren't lakes," she said. "These are stormwater ponds and we have no control over what goes in that water. We don't want to promote recreational use of them."

The council also passed a resolution banning any motorized watercraft on the ponds. According to the resolution, watercraft will be limited to 4-person canoes, 2-person kayaks or 2-person paddle boats. These can only be used during the daylight hours.

Before the meeting began, Samples said he was upset that some council members did not show up for Friday's meeting. Council members Smith, Ann Dodge and Randle Stevens were absent.

Samples said Stevens had family in town and said he could not make the meeting but Smith and Dodge had previously said they would attend.

"Mrs. Dodge and Mr. Smith were contacted and the time of the meeting was established with their input," Samples said. "In my 11 years on council, we've never had trouble with members not showing up. I think it's unseemly of elected officials not to attend meetings after they had committed to do so."

Samples thanked Mabry and council members Mark Johnson and Beth Kohlmann for attending Friday afternoon's session.



State of South Carolina)
 County of Horry)
 Town of Surfside Beach)

Resolution #13-138
(No Commercial Boats)

To Allow Canoes, Kayaks, and Small Paddle Boats on Town Lakes, and to Prohibit all Motorized Water Vehicles and any other type boat on Town Lakes

WHEREAS, the Town of Surfside Beach Town Council in chambers duly assembled in a meeting held on the 12th day of July 2013; and

WHEREAS, the Town of Surfside Beach owns and maintains the town stormwater retention ponds, also known as "Town Lakes" and for aesthetic reasons in order to beautify the area that surrounds the lakes and to promote the town as a beautiful Family Beach town; and

WHEREAS, the "Town Lakes" are not natural bodies of water, with a water source of stormwater runoff from the town and over 1,100 acres in Horry County, which carries pollutants and other contaminants, including but not limited to enterococcus bacteria; e-coli bacteria, lead, arsenic, mercury, pesticides, chemicals, zinc, and herbicides; and

WHEREAS, the Town Council has determined that canoes, kayaks, and small paddle boats shall be allowed during daylight hours on the stormwater retention ponds, commonly referred to as "Town Lakes";

WHEREAS, the Town Council has determined that all motorized water vehicles, including, but not limited to jet skis, Sea Do boats, and all other types of boats or barges shall be prohibited. Further that all commercial boats of any kind are prohibited on town stormwater retention ponds, unless the boat is part of an authorized town project. However, the Town Public Works Department shall be authorized to use a small electric motor boat strictly for maintenance of the stormwater retention ponds.

NOW, THEREFORE, BE IT RESOLVED that the Town of Surfside Beach Town Council does hereby resolve to limit the use of watercrafts to canoes, kayaks, and small paddle boats to the daylight hours on the stormwater retention ponds, except as stipulated for the maintenance of the stormwater retention ponds by the Town.

AND BE IT FURTHER RESOLVED that all motorized water vehicles and other types of boats or barges shall be prohibited on town stormwater retention ponds; and

AND BE IT FURTHER RESOLVED that staff is hereby directed to present an ordinance for Town Council consideration to codify this resolution.

BE IT SO RESOLVED, this 12th day July of 2013.

 Douglas F. Samples, Mayor

 Mary M. 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

Based on the information received from the MASC in regards to the health and safety of the general public I would like to amend the proposed ordinance to prohibit all docks on the town stormwater retention ponds also known as the “Town Lakes”; existing docks shall be considered existing non-conforming uses and shall not be allowed to rebuild or replace should the dock be damaged or becomes unsafe.



State of South Carolina)
 County of Horry)
 Town of Surfside Beach)

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WHEREAS, the "Town Lakes" are not natural bodies of water, with a water source of stormwater runoff from the town and over 1,100 acres in Horry County, which carries pollutants and other contaminants, including but not limited to enterococcus bacteria; e-coli bacteria, lead, arsenic, mercury, pesticides, chemicals, zinc, and herbicides; and

WHEREAS, the Town Council has determined that canoes, kayaks, and small paddle boats shall be allowed during daylight hours on the stormwater retention ponds, commonly referred to as "Town Lakes";

WHEREAS, the Town Council has determined that all motorized water vehicles, including, but not limited to jet skis, Sea Do boats, and all other types of boats or barges shall be prohibited. However, the Town Public Works Department shall be authorized to use a small electric motor boat strictly for maintenance of the stormwater retention ponds.

NOW, THEREFORE, BE IT RESOLVED that the Town of Surfside Beach Town Council does hereby resolve to limit the use of watercraft during daylight hours on the stormwater retention ponds to canoes, kayaks, and small paddle boats, except as stipulated for the maintenance of the stormwater retention ponds by the Town.

AND BE IT FURTHER RESOLVED that all motorized water vehicles and other types of boats or barges shall be prohibited on town stormwater retention ponds; and

AND BE IT FURTHER RESOLVED that staff is hereby directed to present an ordinance for Town Council consideration to codify this resolution.

BE IT SO RESOLVED, this 12th day July of 2013.

 Douglas F. Samples, Mayor

 Mary M. 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

and associated defense costs, that arise out of the applicant's use of the dock area, and shall preserve the right of the Town to its choice of defense counsel.

Existing docks shall be considered existing non-conforming and may be repaired but shall not be allowed to add additional square footage.

Property owners having existing docks that are replaced shall be required to adhere to Section 17-417(G) of this code and shall meet the requirements of Section 17-417(I).

New floating docks shall not be permitted.

*Property owners considering building a dock shall consult Surfside Beach Public Works about lake measurements at their location.

SECTIONS 17-418 VIOLATIONS/REMEDIES

A violation of Section 17-417 of this ordinance is hereby declared to be a misdemeanor under the laws of the state, and upon conviction thereof, an offender shall be punished by a fine not to exceeding five hundred dollars (\$500.00), plus fees and assessments, or by imprisonment for a period not exceeding thirty (30) days. Each day any violation of this ordinance continues shall constitute a separate offense.

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 12th day of July 2013.

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



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status	sent

userselection	
sent	2013-07-11 12:48:46
htmlformatted	1
sendformat	HTML
template	0
processed	588
as text	534
as html	54
as pdf	0
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viewed	0
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send start	2013-07-11 11:59:56
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From: Webmaster [noreply@surfsidebeach.org]
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Debra Herrmann

From: Surfside Beach Info [mailinglist@surfsidebeach.org]
Sent: Thursday, July 11, 2013 12:33 PM
To: dherrmann@surfsidebeach.org
Subject: Public Notice - Special Town Council Meeting
Attachments: 07-12-2013 SP TC Meeting.pdf

Public Notice - SPECIAL TOWN COUNCIL MEETING -- Friday, July 12, 2013, at 3:00 p.m.

The agenda is attached for the special meeting to be held on Friday, July 12, 2013 at 3:00 p.m. The agenda and supporting documents may be viewed on line at <http://www.surfsidebeach.org/agenda-2013.html> (*If documents are not available on website, please try again later.*) A printed copy is available in the town clerk's office for public inspection prior to the meeting.

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