Ordinance No. 15-0807 First Reading: 07/27/2015 Second Reading: _____

STATE OF SOUTH CAROLINA	AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
	TO AMEND §6-28, §12-23(b), §7-62(b), §7-99, §7-91(e)(2), §9-16(4),
	AND §12-62 TO PROPERLY REFLECT RESPONSIBLE STAFF; TO
· ·	CLARIFY ONG-STANDING CODES, AND TO REPEAL §12-86
•	REGISTRATION OF SAILBOATS

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desire to amend various sections of the Town Code of Ordinances as stated in the caption herein, and to repeal Section 12-86 Registration of Sailboats; and

WHEREAS, Town Council discussed the stated sections at its July 14, 2015 meeting and directed staff to bring an ordinance for consideration; and

WHEREAS, the proposed ordinance includes changes stipulated in the discussion held on July 14, 2015.

NOW, THEREFORE, the following Sections of the Code of Ordinances of the Town of Surfside Beach, South Carolina, are hereby amended to state:

§6-28 Receipt and disbursement of funds. The town elerk administrator and finance officer is are hereby authorized to receive the benefits of the firemen's insurance and inspection fund from the state treasurer. All money collected shall be set apart and shall be paid out only upon the orders of the board of trustees under the rules and regulations adopted by them.

§7-62(b) Duty of police officers to remove vehicles. It shall be the duty of every police officer having knowledge of an abandoned motor vehicle as defined herein to seize it and have it removed for safekeeping to such place as may be designated by the public safety director police chief who shall be charged with its custody and disposition as provide in SC Code 1976, §56-5-5620 et seq.

§7-91(e)(2) The complaints of one (1) or more persons and/or the complaints of one (1) or more public safety officers police officers are prima facie evidence that a sound annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others in violation of this section.

§7-99 Building Operations. The erection, excavation, demolition, alteration or repair of any building in a residential or commercial district other than between the hours of 7:00 a.m. and 9:00 p.m., Monday through Saturday, except in cases of urgent necessity in the interest of public safety, and then only with a permit from the-public safety director police chief is prohibited. (The remainder of Section 7-99 remains unchanged.)

§9-16(4) Beach access parking. All golf carts, registered, unregistered, and commercial, may park free of charge at beach accesses where there are no asphalt or paved parking lets when space is available, except when prohibited by a sign. All Golf carts may park free of charge at beach accesses when space is available, except at meters or pay station parking lots [Exceptions: parking decals for full time residents, see §9-16(a)(1); parking decals for nonresident property owners, see §9-16(a)(2), and for seasonal nonresident parking passes §9-16(a)(5)], or when prohibited by signs.

12-23(b) Application for permit. To secure a permit the individual, group of individuals or organization shall make application, duly signed by the individual organizer of the group or by an officer of

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the organization, and submit it to the town elerk administrator. The application will state the time, duration, purpose, the area in which parading or marching will occur, and the individual, group of individuals or organization directing and responsible for the parading or marching.

§12-62. Shark fishing. It shall be unlawful for any person to engage in the practice of shark fishing from the beaches adjacent to the Atlantic Ocean **and from the fishing pier** within the town limits. **Further, distributing chum in the ocean or similar baiting are prohibited in the curf and from the fishing pier.**

§12-86. Reserved. Registration of sailboats. All sailboats located within the jurisdiction of the town or using the boach in the town shall first be registered with the town. A docal will be issued to all registrants identifying the registration number of the boat. Decals must be affixed to the boat in a manner determined by the town council. A registration fee shall be assessed upon the registrant in such amounts and at such times as prescribed by the town council and on file in the town clerk's office. Anyone violating the provisions of this section may have his boat confiscated and impounded, and upon conviction for violation of this provision, shall be provided pursuant to Section 1-16. If the boat is confiscated, the town will assess an impoundment fee to cover such expenses incurred by the town.

Chapter 4 - BUSINESS LICENSES, PERMITS AND REGULATIONS. FOOTNOTE(S): --- (1) ---

Cross references— Administration, Ch. 2; registration of dogs, § 3-23; permit required to carry on construction, demolition, repair of buildings between 6:00 p.m. and 10:00 p.m. on weekdays, § 7-99; permit required to break or destroy street curbing or construct entrance, § 12-24; permit required for street excavations, § 12-41; franchise permitting solicitation on beaches, § 12-66; registration of sailboats, § 12-86; building permits, § 13-46 et seq.; franchises, App. A.

All other portions of Chapters 6, 7, 9, and 12 are unchanged and shall remain in full force and effect.

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 _____ 2015.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Robert F. Childs, Town Council

Mark L. Johnson, Town Council

Ralph J. Magliette, Town Council

Randle M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk