

Public Safety Committee
5:00 p.m., Wednesday, May 2, 2018

The regular meeting of the Public Safety Committee was held at 5:00 p.m., Wednesday, May 2, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell, Ward and Chair Smith, Administrator Tucker, Interim Police Chief Usry, Chief Graham, Assistant Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business.

1. Chair Smith called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Bell moved to approve the minutes of the April 9, 2018 meeting as submitted; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments – None

4. Old Business

A. Update on Coyote Management

Interim Chief Usry reminded the Committee that to-date the City's trapping efforts have resulted in catching three (3) coyotes; the Collarum traps have not been deployed because these traps must be secured to something substantial so that the coyote cannot just pull it out of the ground when trapped. She noted that the trapping can only take place on public properties and in the marshy area of the Harbor Course in the vicinity of Forest Trail and Waterway Boulevard.

On the issues surrounding a coyote hunt, Interim Chief Usry reported that the Municipal Association, the City's liability insurance carrier, has confirmed that the City would be uninsured if it chose to go forward with that action. Wild Dunes has indicated that they would not allow the City to hunt within the gates of the community.

Chair Smith commented that the Coyote Coalition had emailed Councilmembers with suggestions to the City's Coyote Management Plan, and the Chair said that she agreed with the changes.

MOTION: Councilmember Ward moved to adopt the Coyote Management Plan as presented; Councilmember Bell seconded.

Interim Chief Usry said that the Coyote Coalition's suggestions have been included in the City's Plan that was in your packet for the meeting.

Councilmember Bell noted that the plan was listed as a living document so changes could be made in the future if the need presents itself.

VOTE: The motion PASSED UNANIMOUSLY.

B. Managed Beach Parking Plan

Interim Chief Usry stated that, before the season begins, she speaks with the Mount Pleasant Police Department about their posting an officer to direct traffic at the intersection of Rifle Range Road and the Connector on very busy weekends when the mass exodus begins. If they are too busy and do not have an available officer, one (1) of the two (2) off-duty County officers who assist with traffic on Saturdays and Sundays would be sent to that intersection since they have jurisdiction there. She noted that the County officers cannot enforce parking or the City's ordinances on the island, but they can assist with traffic control.

Noting that parking is already on both sides of Palm up to 39th Avenue, Councilmember Bell asked if the City was going to review the Wild Dunes future development plans and its impact on traffic.

Assistant Fragoso stated that the resort would be attending the May 22 Council meeting to present the plan for their next project; they have done a traffic study, and the traffic engineer will also attend to present the results.

The Administrator stated that she did not know of anything the City could require them to do that would hold up their development plans. The City could order its own traffic study from 41st and Palm Boulevard to the entrance at Wild Dunes to find a better mechanism to better manage the traffic, but whatever the results, she did not think the City would have a way of leveraging Wild Dunes to do any of the things that might be recommended.

Assistant Fragoso reported that the City is in receipt of the first draft of the sign plan and that she is working on the corrections; the final sign plan will be submitted to SCDOT with the encroachment permit.

2

C. Update of micro-surfacing work on Palm Boulevard between 21st and 41st Avenues

Interim Chief Usry reported that City Hall staff and Captain Swain met with the contractor earlier today, and the Police Department is prepared to provide detour signs and other traffic control devices that might be needed. The contractor Hudson will notify the residents along Palm Boulevard, and they will begin placing "No Parking" signs on Palm on May 14th that will be one hundred feet (100 ft.) apart. She has notified Charleston County School's Security Officer Michael Reidenbach about the project, and he will pass the word along to the Transportation Department and parents. The schedule will begin with the signage on May 14th, Hudson will bring its equipment onto the island on May 15th and make preliminary preparations, May 16th is the day the actual work is to take place, which they say can be done in one (1) day, and May 17th will be for breaking down the equipment and leaving the island.

A suggestion made to Administrator Tucker was to provide free parking in the municipal lots on the work day, Wednesday, May 16th, to encourage parking there and not on Palm, Boulevard. The Committee agreed that was a good idea and requested that the minutes reflect that free parking in the municipal parking lots on May 16, 2018 was the recommendation of the Public Safety Committee.

Interim Chief Usry commented that the Police Department has asked Dave Kynoski of the Wild Dunes Community Association (WDCA) to send an e-mail blast to Wild Dunes residents and Jennifer West of Wild Dunes Operations telling them about the traffic detour on Wednesday, May 16th, and the Livability Officer is informing the rental companies.

D. Review of Fire and Police Department FY19 budgets

Councilmember Ward asked if the FY19 budget had any changes since the last review and, if so, to review only those items.

Interim Chief Usry reported that Ford is discontinuing the manufacture of sedan model vehicles; therefore, the Police Department wants to purchase SUVs in FY19 that are five thousand dollars (\$5,000) more than sedans. The advantages of SUVs are that they allow for more mobility in flooding situations and they can go on the beach; five (5) vehicles are in the FY19 budget, and, if the Committee approves the change to SUVs, the budget should be increased by twenty-five thousand dollars (\$25,000),

MOTION: Councilmember Ward moved to approve the addition of 5 vehicles x \$5,000 per vehicle, or \$25,000, to the FY19 budget for the purchase SUVs for the Police Department in FY19; Councilmember Bell seconded.

Responding to Chair Smith, Interim Chief Usry said that the Police Department has twenty-two (22) vehicles.

VOTE: The motion PASSED UNANIMOUSLY.

Councilmember Ward confirmed that the fire truck in the FY19 budget would be financed and asked Chief Graham to add "only with failure" to the line item of thirty-five thousand dollars 3 (\$35,000) for the replacement of radios.

3

Councilmember Ward stated that his goal is to reduce the deficit by half, or by two million dollars (\$2,000,000).

E. Discussion of Ordinance 2018-07 – Parking in Loading Zones

Based on discussions at the April meeting, Attorney Halversen crafted an ordinance that was approved for First Reading at the subsequent Council meeting. Since at First Reading Council does not talk about an ordinance, this meeting provides that opportunity for the Committee members.

Chair Smith acknowledged that the discussion, at the previous meeting, focused on illegal parking in loading zones; she was also concerned that the Police Department could not take immediate action for illegal parking in other ways, for instance blocking a fire hydrant.

Councilmember Ward assured the Chair that her concern was addressed elsewhere in the City Code.

Interim Chief Usry stated that every change the Department requested was made in order to make it easier for the patrol officer to do his/her job.

F. Discussion of Ordinance 2018-05 – Parking Restrictions on Waterway and 41st Avenue

Councilmember Ward stated that he has received a backlash about resident boat trailer parking on 41st Avenue and added that Councilmember Bell had come up with a good idea.

Councilmember Bell stated that parking on Waterway was an overflow issue and a lack of parking for residents at the marina, and, without concessions from the marina operator, pressure will continue outside the operating area. The original discussion on Waterway was multi-faceted stating that the right-of-way is very narrow and is an inconsistent width – in some places, it is only six feet (6 ft.). The City already has ordinances that one cannot interfere with public right-of-way, no parking on sidewalks and no parking on the street; with these ordinances in place, the Committee likely has to do nothing to prohibit parking on Waterway other than enforce the existing ordinances.

Councilmember Bell noted that the recommendation made at the last Council meeting was to allow resident boat trailer parking on 41st Avenue to Frank Sottile; he was assured by Administrator Tucker that 41st would be resident only parking with no distinction of trailer from car; the ordinance reserves the area on 41st to Frank Sottile for residents to park either cars or trailers. As such, the marina could only use 41st Avenue for overflow parking of residential vehicles which solves Councilmember Ward's issue.

Chair Smith opined that she does not want to see the street or sidewalks blocked on Waterway, and spots on the right-of-way are wide enough to accommodate a boat and trailer without encroaching on the road or sidewalk.

Councilmember Bell opined that the Committee and Council were solving the marina's problem by imposing on residents. He reiterated that nineteen (19) businesses, not counting the 4 unlicensed charter boats, are operating out of the marina, so his question was what was the marina operator going to do to deal with the overflow traffic.

5. New Business

A. Discussion of FY19 CTC project requests

Assistant Fragoso stated that staff was looking for direction in responding to the County's request for FY19 County Transportation Commission (CTC) project requests; last year the City submitted (1) the improvements to the intersection at 14th and the Connector with the bicycle path leading through Leola Hanbury Park and (2) regulation bike paths on both sides of Palm Boulevard from 21st to 57th Avenue. The County anticipates receiving one million dollars (\$1,000,000) in CTC funds to distribute.

Councilmember Ward thought they were both worthy projects and recommended that the City repeat the FY18 requests.

Although she wants to see bike lanes on Palm Boulevard, she was uncertain how the discussion of kiosks on Palm would evolve; therefore, she opined that a request for funds toward the multiuse path on Waterway would make more sense at this time. She was not asking to replace one (1) of the other projects but to add it to the list.

Councilmember Bell thought that the City's request should be for the project that would be more likely to get funding; he asked Assistant Fragoso if the City would have a better chance of getting funding if it "doubled down" on one (1) project.

MOTION: Chair Smith moved to submit the following prioritized list for CTC funding: (1) long-term solution for multi-use path on Waterway Boulevard, (2) intersection improvements to the intersection of 14th and the Connector and (3) regulation bike paths

on both sides of Palm Boulevard from 21st Avenue to 57th Avenue; Councilmember Bell seconded.

Assistant Fragoso reminded the Committee members that Council had included funding in the FY19 budget for design and engineering for the multi-use path on Waterway; therefore, a more strategic move might be to request funding for Waterway in FY20. She noted that, from her experience, CTC tends to contribute to construction more than design and engineering.

Councilmember Ward advocated for bike lanes on Palm being the Number One priority, not Number Three. He noted that every summer more and more cyclists are coming to the island and they add to the problem of traffic congestion on Palm Boulevard.

Interim Chief Usry opined that a number of improvements need to be made to Palm Boulevard, particularly to the shoulders on both sides of the road.

Chair Smith and Councilmember Bell withdrew the motion and second respectively.

MOTION: Councilmember Ward moved to request for the following projects in the priority stated, (1) reconfiguration of the intersection of 14th Avenue and the 5 Connector and (2) regulation bike lanes on both sides of Palm from 21st to 57th Avenues; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

B. Consideration of renewing Munnerlyn Pyrotechnics contract for July 4th fireworks display

5

Chief Graham stated that the initial contract was signed in FY17 with a three (3) year automatic renewal.

MOTION: Councilmember Ward moved to renew the contract with Munnerlyn Pyrotechnics at \$25,100 for the July 4th fireworks display; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

C. Discussion of options for guest parking passes

Councilmember Bell voiced strong support for doing away with the books of guest passes and for moving to a placard of some kind, but he did not know how many placards should be issued per household.

After displaying the plastic guest parking placard sold to rental companies, Interim Chief Usry stated that staff was in discussions with the printer to discuss less costly options the City could pursue. She stated that she would have samples for the Committee at the June Public Safety Committee meeting.

Councilmember Bell suggested that the guest placards should be for more than one (1) year, but Interim Chief Usry stated that the residential parking decals were issued annually.

Councilmember Ward commented that, unlike the booklets of guest passes currently available to residents, the placards should be at no charge; residents would never understand why they were required to purchase guest passes when their sister, brother, son or daughter visits their home.

Administrator Tucker informed the Committee that each of the issues discussed would require an ordinance change.

Chair Smith indicated that the goal would be to have the ordinance changes in place by the end of September.

Councilmember Bell asked that the Committee discuss the ordinance changes necessary at the June meeting.

6. Highlights of Departmental Reports

Monthly Reports:

Fire Department – attached to historical record of the meeting and on the website

Police Department – attached to the historical record to the meeting and on the website

Based on the outstanding job Officer Phillips did on April 22nd in preventing someone from jumping from the Connector, Interim Chief Usry was going to recommend him to the Personnel Committee for Employee of the Month.

Update on Front Beach benches, J.C. Long at Ocean Boulevard

Chief Graham stated that members of the Fire Department agree that taking out the benches would not make a difference unless the corner had a curb cut.

7. Miscellaneous Business

Chair Smith stated that the Public Safety Committee has been asked by the Personnel Committee to provide input on the qualities needed in a new Police Chief, as well as level of experience, for a discussion at the June meeting.

Interim Chief Usry announced that the City of Isle of Palms was named the Safest City in South Carolina for its size and 48th in the Nation's Safest Cities; she attributes the success to the addition of two (2) officers, one (1) each in criminal investigations and livability, in last year's budget.

Discussion of dates for Special Public Safety Committee Meeting for a parking and traffic work session.

Despite his support for the concept, Councilmember Bell stated that, at the present time, the Committee should complete the work it has laid out before taking on anything else.

Next Meeting Date: 5:00 p.m., Monday, June 4, 2018 in the Conference Room

At the urging of Councilmember Bell, the Public Safety Committee will meet on the first Monday of the month at 5:00 p.m. for the balance of 2018. The Committee also agreed not to meet in the month of August.

8. Executive Session – not needed

9. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 6:30 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

EXHIBIT A

Title 8 – Motor Vehicles and Traffic Chapter 2 – Stopping, Standing, and Parking of Vehicles Article A – General Provisions

Sec. 8-2-1. - Findings and intent.

- (a) The City finds that parking in the public rights-of-way and public parking lots should be regulated to promote traffic safety, enhance the smooth flow of traffic, and, in certain areas of high demand for parking spaces, fairly allocate parking spaces among the public by limiting parking time.
- (b) Limiting and pay parking in business districts helps facilitate commerce by promoting frequent turnover for shopping rather than allowing long-term parking, and generates revenue from the use of the parking rights-of-way and public parking lots and by enforcement and maintenance of parking regulations.
- (c) Effective enforcement of parking regulations is required to meet the objectives of this article, and to protect the health, safety, and welfare of both drivers and pedestrians using public rights-of-way and public parking lots.

Sec. 8-2-2. - General prohibitions.

- (1) No person shall stop, stand, or park a vehicle in any of the following public places or manners except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, parking control officer, other authorized person, or traffic control device:
 - (a) On a sidewalk;
 - (b) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
 - (c) Within an intersection or within twenty-five feet (25') of the center of an intersection;
 - (d) Within thirty feet (30') of a stop sign;
 - (e) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
 - (f) Along any street curb painted yellow;
 - (g) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
 - (h) More than eighteen inches (18") from the street curb;
 - (i) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
 - (j) In the opposite direction of the movement of traffic;
 - (k) Along side or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
 - (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
 - (m) In front of a place of business for longer than two (2) hours between the hours of 9:00 a.m. and 5:00 p.m., except for Sundays and State and Federally sanctioned holidays, unless a different regulation is provided by sign or a pay station;
 - (n) In any area of a public parking lot not marked as a single parking space;

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

- (o) In any parking space where payment is required, unless the proper payment has been deposited so that the occupancy of the space does not exceed the time indicated on the pay station receipt;
 - (p) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under State law;
 - (q) On the approaches to or upon any bridge;
 - (r) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
 - (s) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
 - (t) Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
 - (u) On a beach access as defined in section 5-4-15(C)(l), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access. Any vehicle parked in violation of this subsection may be moved from its location upon order of any police officer.
- (2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:
- (a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue and Waterway Boulevard where parking is not otherwise prohibited; and
 - (b) All other vehicles shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue where parking is not otherwise prohibited or designated as resident parking pursuant to Article B of this chapter.

Sec. 8-2-3. - Authority to restrict parking.

City Council shall from time to time adopt resolutions regulating the stopping, standing, or parking of vehicles in public lots or public rights-of-way and shall cause proper signs to be posted on such public streets and parking lots accordingly. In adopting such regulations, City Council shall consider:

- (a) The nature of the land use within the block;
- (b) The volume of traffic;
- (c) The volume of parking;
- (d) The surface width of the street;
- (e) The relationship between the need for parking space for the land use of the block and the need for parking space for the general public;
- (f) Patrons and prospective patrons of places within the block or area to be served by the parking restrictions; and
- (g) The hours of the day or night when use of the parking zone is necessary or most convenient.

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

Sec. 8-2-4. - Bus stops.

- (a) No bus shall park or stand in any place other than temporarily at a bus stop, except that this provision shall not prevent the driver of a bus from temporarily stopping in accordance with other stopping or parking regulations at any place designated for the purpose of, and while actually engaged in, the loading or unloading of passengers.
- (b) No person shall stop, stand, or park a vehicle other than a bus at a bus stop when such stop has been officially designated and appropriately signed.

Sec. 8-2-5. - Passenger and loading zones.

- (a) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger zone, by signage or a white painted curb, during the hours when the regulations applicable to such passenger zones are effective, and then only for a period not to exceed five (5) minutes.
- (b) No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of materials in any place marked as a loading zone. The provisions of this paragraph shall be in effect twenty-four (24) hours a day, seven (7) days a week, during the hours from 8:00 a.m. to 8:00 p.m. Use of a loading zone during such hours shall be limited to vehicles with commercial license plates from any state. Any vehicle found in violation of this section will be towed or otherwise removed by or at the direction of the Police Department, and the owner of the vehicle shall be responsible for all towing, removal and storage costs arising therefrom in addition to any penalties imposed pursuant to section 8-2-14.

Sec. 8-2-6. - Parking for prohibited purposes.

No person shall stop, stand, or park a vehicle upon any public right-of-way or public lot for the purpose of:

- (a) Displaying the vehicle for sale;
- (b) Greasing or repairing the vehicle, except for repairs necessitated by an emergency;
- (c) Storage;
- (d) Selling merchandise from the vehicle, except when authorized by permit; or
- (e) Advertising.

Sec. 8-2-7. - Designation of paid parking spaces.

City Council shall designate as paid parking such parking spaces as it deems proper along the public streets or parking lots. City Council shall consider the following in determining whether to install parking pay stations on a particular block or in a particular area:

- (a) The amount of area presently under parking control signs;
- (b) Adjacent property owner and property tenant demand and interest in having paid parking control;

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

- (c) The need for turnover of parking spaces and public rights-of-way management;
- (d) The mitigation of traffic and parking impact on adjacent areas; and
- (e) The impact on paid parking enforcement.

Sec. 8-2-8. - Installation and maintenance of parking pay stations or kiosks.

The Chief of Police shall cause to be placed, installed, and removed parking pay stations or kiosks upon the curbside of parking spaces as designated by City Council. The upkeep and repair of parking pay stations or kiosks shall be under the supervision of the Chief of Police. Revenues generated from the parking pay stations or kiosks shall be collected under the direction of the Chief of Police, and deposited with the City's financial institution, and reconciled by the City Treasurer.

Sec. 8-2-9. - Tampering with pay stations or kiosks.

It shall be unlawful for any person to:

- (a) Deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking pay station or kiosk installed under this article; or
- (b) Deposit in any parking pay station or kiosk any slug, device, metallic substance or any substitute for a coin of the United States.

Sec. 8-2-10. - Separate offenses.

Each maximum period of time applying to the location in which a vehicle is parked in violation of this article is a separate and distinct offense. If no period of time applies to the parking violation, then each two (2) hour period during which the violation continues shall constitute a separate and distinct offense. It shall be the duty of the police or other persons authorized by the Chief of Police to place a notice of violation on such vehicle for each separate offense.

Sec. 8-2-11. - Vicarious responsibility.

- (a) Except as provided in subsection (b) of this section, the person in whose name a vehicle is registered or leased shall be absolutely responsible for any violation of this article. It shall be no defense that the vehicle was illegally parked by someone other than the registered owner unless it is shown that at the time of the violation the vehicle was stolen.
- (b) An owner of a vehicle who is engaged in the business of renting or leasing vehicles under written rental or leasing agreements shall not be liable for parking fines and penalties imposed under this article on a rented or leased vehicle if within fifteen (15) days after receiving written notice of the parking violation, the lessor provides to the Chief of Police the true name, address and driver's license number of the person who was leasing the vehicle at the time of the issuance of the citation. A lessor who fails to comply shall be treated as any other owner for purposes of subsection (a) of this section.

Sec. 8-2-12. - Notice of parking violations.

- (a) A notice of violation of this article may be issued in the form of a citation by any police officer or other person authorized by the Chief of Police. A copy of the citation shall be issued by placing it on the windshield of an illegally parked vehicle in a prominent place thereon. In the event that the registered owner or operator of a vehicle drives the vehicle away from or in any manner leaves the site of the violation while the issuing officer is preparing the citation, this fact shall be noted on the citation and shall constitute prima facie evidence that the citation was issued and that an attempt was made to notify the owner of the vehicle of the violation in accordance with this section.

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

- (b) The citation shall contain the following information:
 - (1) The date and time when the citation was issued;
 - (2) The nature of the parking violation observed;
 - (3) The state and license number and the make of the vehicle in violation of this article;
 - (4) The name or the badge number of the person issuing the citation; and
 - (5) Information advising the owner of the vehicle that he must admit the violation and pay the penalty set forth in section 8-2-14, or deny the violation and request a hearing in Municipal Court within thirty (30) days from the date of the citation, and advising that failure to do so may result in impoundment or immobilization of the vehicle.
- (c) The original citation must be filed with the Municipal Court and may be disposed of only by official action of the Court or by payment of a fine to the Court. It shall be unlawful for any person to alter or destroy any notice of violation issued under this article except in a manner consistent with this article and State law.

Sec. 8-2-13. - Response to the citation.

A person to whom a notice of violation has been issued under this article shall have thirty (30) days from the date of the citation to respond to the Municipal Court as follows:

- (a) Admit the violation by payment of the scheduled penalty as established in section 8-2-14.
- (b) Deny the violation and promise to appear in Municipal Court for an adjudicatory hearing on the date set by the Court.

Sec. 8-2-14. - Penalties.

- (a) If the owner of a vehicle in violation of this article admits the violation and pays the penalty or appears before the Municipal Court pursuant to section 8-2-13 and is found guilty, the penalty shall be as follows:
 - (1) ~~___~~—Parking in violation of any regulation related to paid parking spaces, parking pay stations or kiosks along the public streets or in the public parking lots: \$25.00.
 - (2) ~~___~~ Parking in violation of section 8-2-5(b) (loading zone regulation): \$100.00.
 - (23) ~~___~~—Parking in violation of any other parking regulation: \$50.00.
- (b) If a person violates any parking regulation and fails either to request a hearing before the Municipal Court or to pay the penalty as provided above within thirty (30) days of the date the notice is issued, the penalty for the violation shall double.
- (c) ~~___~~ If a person accumulates three (3) or more parking citations and fails to either appear before the Municipal Court or pay the proscribed penalty, the City, through its appropriate agencies, is authorized to administer the following penalties until such fines are collected:
 - (1) ~~___~~ Install an immobilization device pursuant to section 8-2-15;
 - (2) ~~___~~ Impound the vehicle pursuant to section 8-2-15(c); and
 - (3) ~~___~~ Provide information to the Department of Motor Vehicles in the State in which the vehicle is registered that would prevent the re-registering of such vehicle under that state's law until such time that fines are paid.

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

(~~dc~~) Monies collected pursuant to this section shall be **deposited with the City's financial institution and reconciled by the City Treasurer.**

~~forwarded to the City Treasurer who shall deposit the same to the credit of the City.~~

Sec. 8-2-15. -- Certain parked vehicles declared nuisance.

(a) **Any vehicle parked on any street or other public property, whether in an authorized or unauthorized zone, which is found to be the subject of fifty dollars (\$50.00) or more past due on outstanding parking fines issued pursuant to any state or city parking ordinance is hereby declared to be a public nuisance.**

(b) **Any vehicle that has been identified as a public nuisance shall be subject to the following penalties until such outstanding fines are collected:**

(1) Installation of an immobilization device on the vehicle pursuant to section 8-2-16;

(2) Impoundment of the vehicle pursuant to section 8-2-16(g).

Sec. 8-2-16. -- Immobilization and impoundment of vehicles.

(a) A police officer or any other person designated by the Chief of Police may immobilize by the use of vehicle immobilization equipment any vehicle which is **identified as a public nuisance pursuant to section 8-2-15, illegally parked, and for which there are three (3) or more outstanding, unpaid, and overdue parking tickets for a period of ninety (90) days.**

(b) When attaching vehicle immobilization equipment to a vehicle, the officer shall affix notice to the windshield or other part of the vehicle so as to be readily visible. The notice shall:

(1) Warn that the vehicle has been immobilized and that any attempt to move the vehicle may result in damage to the vehicle;

(2) State the total amount of fines due for parking tickets which are overdue and unpaid that are attributable to such vehicle, in addition to an immobilization fine; ~~and~~

(3) List the address and telephone number to be contacted to pay the charges to have the vehicle immobilization equipment removed; ~~and-~~

(4) Warn that after 48 hours, towing will occur.

(c) The owner of an immobilized vehicle shall be subject to an immobilization fine of \$100.00 for the immobilization, which fee shall be exclusive of any bonds posted or fines imposed.

~~(e) The owner of the vehicle immobilized, towed or impounded shall have the right to contest the validity of the action taken by the Police Department by requesting a hearing by the City Administrator or his/her designee. The request for a hearing must be in writing and delivered to the City Clerk's office within ten (10) days of immobilization, towing or impoundment. Any person dissatisfied with the decision of the City Administrator or his/her designee may appeal the decision to a court of competent jurisdiction within ten (10) days after notice of the decision from which the appeal is taken.~~

~~(f)d~~ Upon payment of all fines, overdue and unpaid parking tickets, and the immobilization fine, the vehicle immobilization equipment shall be removed and the vehicle shall be released to the registered owner or any other person legally entitled to claim possession of the vehicle.

~~(g)e~~ It shall be unlawful for anyone to remove vehicle immobilization equipment placed on a vehicle pursuant to this section without all fines having first been paid or an approved payment having been

Amendments related to loading zone, handicapped parking, nuisance parking, and immobilization/impoundment of vehicles.

made. The City shall not be responsible for any damage to an immobilized ~~illegally parked~~ vehicle resulting from unauthorized attempts to free or move the vehicle.

(f) ~~The City assumes no liability for loss or damage to a vehicle or its contents that has been immobilized or impounded pursuant to this section.~~

~~f~~

(dg) ~~If the parking fines and the immobilization fine are not paid, or satisfactory arrangements in lieu of payment are not made, within the time proscribed by State statutes concerning abandoned vehicles, forty-eight (48) hours, the vehicle may will be towed and impounded pursuant to S.C. Code 1976, § 56-5-5810, as amended. Towing and storage charges shall be the responsibility of the vehicle owner.~~

(h) ~~After the vehicle is towed, the Police Department shall notify in writing by registered or certified mail, return receipt requested, the person in whose name the vehicle was last registered at the last address reflected by the South Carolina Department of Motor Vehicles records that the vehicle is being held and designating the place where it is being held.~~

(i) ~~Vehicles which have been towed and impounded will not be released until all unpaid parking citations and immobilization fines have been paid. Vehicles impounded and not claimed within thirty (30) days may be disposed of in accordance with South Carolina state statutes.~~

Sec. 8-2-~~1617~~. -- ~~Handicapped parking; Exemptions from pay parking for handicapped persons, disabled veterans, and Purple Heart recipients.~~

(a) ~~Notwithstanding any other provision contained in this article to the contrary:~~

(a) ~~Handicapped persons are exempt from the pay parking requirements when their vehicles bear a distinguishing license plate or placard issued by the Department of Motor Vehicles.~~

~~Handicapped parking shall be governed by S.C. Code 1976, title 56, ch. 3, art. 18, as amended;~~
~~and~~

(b) ~~Disabled veterans and recipients of the Purple Heart are exempt from the pay parking requirements when their vehicles bear a disabled veteran's or Purple Heart license plate issued by the Department of Motor Vehicles.~~

Sec. 8-2-~~1718~~. -- ~~Golf carts~~ ~~Handicapped parking; unlawful acts.~~

(a) ~~Handicapped parking shall be governed by S.C. Code 1976, title 56, ch. 3, art. 18, as amended;~~ ~~and~~

(b) ~~It is unlawful to park any vehicle in a parking place clearly designated for handicapped persons unless the vehicle bears the distinguishing license plate or placard issued by the Department of Motor Vehicles.~~

(c) ~~It is unlawful for any person who is not handicapped or who is not transporting a handicapped person to exercise the parking privileges granted handicapped persons pursuant to S.C. Code 1976, title 56, ch. 3, art. 18, as amended.~~

Sec. 8-2-19. - Golf carts.

*Amendments related to loading zone,
handicapped parking, nuisance parking,
and immobilization/impoundment
of vehicles.*

Notwithstanding any other provision contained in this article to the contrary, golf carts are allowed to park along public beach accesses within areas designated by the City for such parking.

ORDINANCE 2018-07

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, ARTICLE A, GENERAL PROVISIONS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE ADDITIONAL REGULATIONS RELATED TO PARKING IN LOADING ZONES; TO INCREASE THE FINE FOR PARKING IN VIOLATION OF LOADING ZONE REGULATIONS TO \$100.00; TO DECLARE CERTAIN PARKED VEHICLES AS NUISANCES AND TO PROVIDE FOR THE IMMOBILIZATION AND IMPOUNDMENT OF SAME; TO PROVIDE ADDITIONAL REGULATIONS FOR IMMOBILIZATION AND IMPOUNDMENT OF CERTAIN VEHICLES; TO PROVIDE REFERENCE TO STATE LAW RELATED TO HANDICAPPED PARKING; AND TO AMEND ADMINISTRATIVE PROVISIONS RELATED TO DEPOSIT OF MONIES COLLECTED FROM PAY PARKING FEES AND PENALTIES.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That the provisions contained in Article A, "General Provisions," of Chapter 2, Title 8, are hereby amended as set forth in Exhibit A attached hereto and incorporated herein by reference as if set forth verbatim.

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 22nd DAY OF MAY, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: April 24, 2018
Public Hearing: April 24, 2018
Second Reading: May 22, 2018
Ratification: May 22, 2018

Vice Chairperson

Bill Hanahan

Members at Large

Howard R. Chapman, P.E.

Larry Shirley

Paul Gawrych



Chairperson

Wilbert O'Brien Limehouse

Technical Members

James D. Armstrong

James R. Neal, P.E.

Laura S. Cabiness, P.E.

Michael Dalrymple, P.E.

Paul Lykins

April 2, 2018

The Honorable Jimmy Carroll
Mayor City of Isle of Palms
P.O. Box 508
Isle of Palms, SC 29451

Subject: Project Requests - FY 2019 Charleston County Transportation Committee (CTC)
"C" Fund Projects

Dear Mayor Carroll,

The Transportation Development staff once again will be preparing lists of resurfacing and new construction projects to be funded under the FY 2019 CTC road improvement program. Prioritizing the resurfacing of existing paved roads will be done utilizing our computerized Pavement Management System, which is based on the technical evaluation of the overall condition of each road. This eliminates the need for requests for resurfacing of specific roads. If you have questions regarding the County resurfacing program or the Pavement Management System, you may contact County staff at 202-6140.

Historically, the annual CTC allocation for new construction projects (e.g., rocking, paving, or improving earth roads; road drainage; road signage; traffic calming measures; striping; improvements to intersections; sidewalks and bike paths) has been approximately \$1 million in "C" Funds. The CTC has adopted a policy that allows its funds to be spent only on public right-of-way. If new or additional right-of-way is involved for construction, the requesting entity will be required to obtain the needed right-of-way (this policy does not apply to the TST Annual Allocation Program).

Please prioritize New Construction project requests and include a detailed description of the project scope, location, and estimated cost (when possible). Requests will be evaluated based on individual merit. Each request must meet certain criteria, such as acceptance by a government agency for perpetual maintenance, existing right-of-way, etc. For traffic calming requests, please provide documentation that the project meets all applicable guidelines and has been formally approved by the local government agency. Project requests may compete against each other, but will be considered and evaluated separately on individual merit by CTC members and budgeted accordingly.



Please forward your request(s) for proposed new construction projects **on or before June 8, 2018**. We ask that you submit a statement from the jurisdictional government entity that will be accepting perpetual maintenance responsibilities for the project, if selected. Please keep our funding limits in mind as you prepare your list of requested projects.

County staff members may contact you for additional information as they complete the processing of the requested projects.

If you have any questions regarding details of the program or if any questions arise in the development of your project requests, please contact me at (843) 202-6149.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Adams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eric Adams, P.E.

Charleston CTC Program Coordinator

cc: W. O'Brien Limehouse, Charleston CTC Chairman