

PUBLIC WORKS COMMITTEE

9:00 a.m., Wednesday, August 7, 2019

City Hall

1207 Palm Boulevard, Isle of Palms, South
Carolina

AGENDA

1. Call to order and acknowledgement 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**
Regular Meeting of June 5, 2019
3. **Citizens' Comments**
4. **Department Reports for June and July 2019 – Director Pitts**
Vehicle Maintenance and Trash Collection Tracking Reports
5. **Old Business**
 - A. Presentation of Robert Asero, the new Public Works Assistant Director
 - B. Update on Phase III Drainage project and small internal projects
 - C. Discussion of ordinances related to the connection to public sewer that had been deferred
 - Ordinance 2017-08 - An Ordinance to Require that all Subdivisions of Lots be Connected to the Public Sewer System and to Require Certain Information Related to Sewer Connection for the Subdivision Approval Process.
 - Ordinance 2017-09 - An Ordinance to Provide That All New Construction or Substantial Improvements shall be Connected to a Public Sewer System Where a Public Sewer Line is Located Within One Hundred Fifty (150') feet and to Reduce the Lot Coverage Requirements and Floor Area Requirements for lots with Septic Systems
 - Ordinance 2017-10 - An Ordinance to Require Mandatory Connection to Public Sewer System Where Public Sewer Line is Available upon the Sale or Transfer of Property.
 - D. Consideration of a smoking ban on the beach
 - E. Discussion of proposed trash cans with lids on the beach
 - F. Update on plans for improvements to Waterway Boulevard multi-use path
6. **New Business**
 - A. Discussion of plastic pellet pollution
 - B. Discussion of litter control messaging
7. **Miscellaneous Business**
Next Meeting Date: 9:00 a.m., Wednesday, September 4, 2019
8. **Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) – if needed**
Upon returning to open session, Council may take action on matters discussed in Executive Session.
9. **Adjournment**

Public Works Committee
4:00 p.m., Wednesday, June 5, 2019

The regular meeting of the Public Works Committee was held at 4:00 p.m., Wednesday, June 5, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Smith and Chair Rice, Administrator Fragoso, Public Works Director Pitts and Clerk Copeland; a quorum of the Committee was present to conduct business. Councilmember Kinghorn was absent.

1. Chair Rice 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 Smith moved to approve the minutes of the regular meeting of May 7, 2019 as submitted; Chair Rice seconded and the motion **PASSED UNANIMOUSLY.**

3. Citizens' Comments

Katrina Limbach, 5 Duck Lane, was back to the Committee wanting to work with the City on an official trash/litter themed beach campaign; she said that she has some ideas, but did not know the right time to bring them up. She wanted to include the local businesses and short-term rental companies to assist in getting the word out about the new ordinances and suggestions about how to better approach the beach and live in a cleaner way when they are on the island. Since her background is in public relations, she would very much like to be involved; she said that she was willing and anxious to be a part of whatever the City does to promote a cleaner beach. She also asked for an update on the lidded trashcans for the beach, and she was told that, at three hundred dollars (\$300) each and with some one hundred fifty (150) barrels deployed on the beach plus those at the end of the beach accesses, they were cost prohibitive.

4. Departmental Reports for May 2019

Director Pitts reported that compared to May 2018, garbage was up only slightly while yard debris was down significantly from the prior year; he reminded the Committee that the island was still cleaning up from a storm a year ago. Miscellaneous garbage was about equal to last year; he believes that homeowners were still cleaning out and getting ready for the season. Personnel conducted ten (10) beach sweeps in the month, and the Director mowed the rights-of-way from 21st to 41st Avenues once – if the drought continues, they will not need to be mowed again anytime soon. DOT was on the island fixing sidewalks on Palm and Waterway Boulevard, and Eadies began the vac truck portion of the general ditch maintenance contract. In May, vehicle maintenance reached fifty-six hundred dollars (\$5,600); with less than one thousand dollars (\$1,000) remaining in the vehicle maintenance budget, the Public Works Department will go over budget a couple of thousand dollars.

Director Pitts reported that four (4) candidates were interviewed for the Public Works Assistant Director of Facilities and Maintenance, and an offer has been made to one (1). Assuming he accepts the offer, he will begin on Tuesday, June 18th.

Responding to Councilmember Smith's question, the Director explained that a beach sweep happens when Public Works personnel remove the chairs, umbrellas, etc. that visitors have left on the beach and the Police Department has tagged as having been left on the beach overnight. They typically remove truckloads after a weekend.

The Director also reported that, on May 25th, some one hundred fifty (150) bags of restaurant garbage was all over the compactor and running down the pad; the employees who left it simply did not know to turn it on. The Director reached out to Captain Swain, and he contacted the restaurants involved for them to clean up the area and to train their wait staff on the proper operation of the compact. He has not had a problem since.

The Administrator reported that the message had been delivered that the situation was unacceptable and would not be tolerated.

5. Old Business

A. Update on Phase II Drainage

Administrator Fragoso reported that Thomas and Hutton was finishing up with the conceptual plans and the cost estimates, and they are to be sent to the City by the end of the week. She noted that they are also selecting the small and impactful projects to be done with the five hundred thousand dollars (\$500,000) earmarked in the FY20 budget; they expect to deliver them to the City in four to six (4 – 6) weeks.

B. Status of the renovations to the Public Works workshop

The Director said that two (2) items remain on the punch list, and two (2) pieces of furniture have not been delivered. In order to keep the workshop in pristine condition, the Director has hired the same crew that cleans City Hall for a weekly cleaning.

He also reported that the air conditioner has a new condenser and coil and is fully operational.

Once the furnishings come in, the Chair wants to hold a meeting in the workshop.

C. Update of general ditches and drainage issues

Director Pitts reported that Eadie's has been all over the island; he noted that the new financial software lists the specific streets/ditches that are included in each invoice for excellent record keeping.

Administrator Fragoso informed the Committee that she and Directors Kerr and Pitts met with representatives from SCDOT earlier in the day, and their personnel will be on the island beginning Monday to complete work orders that have been placed by residents and other small drainage projects in the SCDOT right-of-way. One (1) particular flooding issue they were asked to solve was on 25th Avenue, and the proposed solution was more comprehensive than staff had anticipated and could positively affect the problems on Tabby Lane. Tabby Lane resident's came to the Committee offering to fund the improvements. She reported that Director Kerr has contacted the property owners, and Thomas & Hutton has completed the design for the project according to SCDOT's recommendation. The City was going to allow SCDOT to proceed with their solution and then reassess the flooding/drainage situation for 25th Avenue, Tabby Lane and surrounding streets.

Responding to the Chair's question about the area on Hartnett between 30th and 31st Avenues, Director Pitts said that he had taken the County engineer there but no action has been taken; he said that he would reach out to the County again.

D. Update on Public Works Assistant Director

As the Director stated earlier, four (4) candidates were interviewed, and an offer has been made to one (1) of them. The Administrator indicated that they were negotiating the salary and expect to have him on-board beginning June 18th.

E. Update on dumpster location for Goat Island residents

Director Pitts had no update for the Committee.

6. New Business

A. Thomas & Hutton recommendations for small drainage projects

Administrator Fragoso reported that Thomas & Hutton would have the report ready in four to six (4 – 6) weeks.

B. Discussion of garbage on the beach

Chair Rice commented about the volume of garbage left on the beach Memorial Day weekend, and she asked Mr. Garrels, the City's contractor (JLG Enterprise) for beach garbage collection, to inform the Committee about what he is finding to be problematic on the beach.

Mr. Garrels stated that the whole weekend was terrible and the garbage was concentrated from the pier to Coconut Joe's. He indicated that, when he empties a barrel, he also tries to clean twenty to thirty (20 – 30) feet around it. He told the Committee that they would be surprised the people that are on the beach between midnight and 3:00 a.m.; he frequently sees people sitting on a blanket eating and drinking when he is picking up garbage. When he returns to the beach later to setup his chairs and umbrellas, he sees that the late night people simply got up and left everything where it was; he added that it has become a commonplace occurrence.

Answering Councilmember Smith, Director Pitts said that the late-night beachgoers has become a problem in the last six (6) years.

Mr. Garrels thought that these people were locals, not tourists staying in the condos, but residents of surrounding communities. He said that many people were coming to the beach from the municipal parking lot and down the ramp between 1140 Ocean and Sea Cabins; he noted that he has eight (8) trash barrels there that they were always overflowing, and he was dumping them twice a day sometimes. The bulk of the recycling he picks up is beer cans and beer and liquor bottles; he sees very little plastics.

Director Pitts explained that the responsibility for keeping the beach clean falls to the Public Works Department; therefore, when a piece of equipment breaks down that was used on the beach, he would call in two (2) of his lowest paid employees to clean the beach. Cleaning the beach by hand means emptying the garbage barrels. It is, at least, an eight (8) hour job for two (2) people; they will be paid at their overtime rate, and they might complete the job. The Director noted that Mr. Garrels has been adamant about doing the job himself while the equipment is being repaired;

his wife helped him one (1) day and he hired a young man to help him on another day. In an effort to keep costs down, Director Pitts has allowed Mr. Garrels to do the task, and, according to the Director, "he has done an exceptional job."

Councilmember Smith asked Mr. Garrels if he thought stepped up enforcement would help, but he was not sure it would help.

Since the City has only been able to hire five (5) of the ten (10) BSOs budgeted for, the Administrator told the Committee that the Public Safety Committee discussed following Kiawah and Seabrook in contracting for beach patrol services. These patrol officers are non-certified persons who would be authorized to issue municipal summons for violations of the City's ordinances on the beach. She noted that this would produce another expense, and she was not sure that they would expand their services to the Isle of Palms. With the shortage of BSOs, she stated that the City could not dedicate officers or BSOs to patrol the beach for City Code violations.

The Committee agreed with the need to run an educational campaign and to take advantage of Ms. Limbach's talents and enthusiasm. Chair Rice urged Mr. Garrels to contact her or Director Pitts about any ideas he has that might help him to do his job.

C. Discussion of construction and household garbage and debris

Chair Rice commented that construction projects were happening all over the island and that the contractor did not have a dumpster on site; she asked if the City had a means of requiring a dumpster to hold construction debris.

Director Kerr said that he thought the City could enact an ordinance requiring a dumpster, but, when he and the Administrator discussed it, they questioned how one would distinguish between those projects that must have a dumpster and which do not. The Director said that the Building Department is alerted to three or four (3 - 4) jobs per year that need dumpsters, but do not have them. Maybe twice a year, a massive pile has been left for Public Works to pick up, and they do not do it; it must be removed by the property owner or the contractor.

As the Building Inspector travels the island, he has not noticed a problem he thought deserved addressing, and Director Pitts has not had anyone contact him about a particular address that was problematic. Director Kerr recommended that, when the Chair sees or is contacted about a problem with construction debris to report it to him or Director Pitts.

Director Pitts said that, if a resident is renovating a bathroom himself, the City will pick up construction debris when it is placed on the street; if a contractor is re-doing a bathroom, the City does not pick it up.

Chair Rice has seen homeowners with a do-it-yourself renovation create tremendous amounts of debris, and the projects continues for months. She does not think the City should remove it and that the homeowner should be required to get a dumpster.

If the pile was massive, Director Pitts said that he would call with the Livability Officer or Director Kerr.

Another of the Chair's complaints involved those contractors or residents who fill a pickup truck with debris and go across the Connector with their debris blowing out all along the way; she questioned that the City had an ordinance requiring that the debris be covered and tied down.

According to Director Pitts, enforcement of the debris blowing off a truck would fall to the Police Department as littering violations; it is a state law that such debris must be covered. He also stated that enforcement could only happen when the contractor was caught in the act.

Councilmember Smith asked Director Kerr if any instructions or statement of the City's expectations were given to contractors when they got their permits.

Director Kerr responded that, when ordinances change that affect their work, the Building Department staff does have an educational period, for instance when the work hours were changed a couple of years ago; however, they do not have a standard packet of information for contractors.

The Chair advocated having a handout for contractors about their responsibility to remove building materials and other debris from the island, and, if the materials and/or debris were removed in an open truck, they must be securely covered so that it will not blow off.

Administrator Fragoso told the Committee that, when the City received a complaint about debris blowing off trucks and onto the Connector, it was typically accompanied with photographs identifying the company, and the City then contacts the company and warns it about any future violations of littering laws.

Director Kerr said that he could definitely produce a poster with the State code on it related to covering loose materials in a truck; he suggested that the City could have a different message for each month, for instance, securing a construction site prior to a major storm, requiring drainage plans for new construction, etc.

Director Pitts stated that, when a large pile of construction materials is left for the City to remove, he is notified by one (1) of the drivers and asked to come to the address involved.

Use of the City's website and social media sites were also referenced as good ways to get the message to contractors and do-it-yourselfers.

A final issue for the Chair was, when houses were cleaned out, the family members frequently put all of the furniture, carpet, books, etc. on the street for Public Works to remove. She wanted to know the Director's policy on this type of debris and if he wanted to continue the practice of removing it. She asked if he thought that type of debris should be contained in some way to keep it from blowing around.

Director Pitts stated that he did not know how it would be enforced since the person(s) must be caught in the act; he reported that these large piles show up in the spring and fall. He referenced the May monthly report that showed forty-four tons (44 T.) of miscellaneous garbage was taken to the landfill; miscellaneous garbage is furniture, mattresses, books, etc. In addition, he said that all municipalities pick up miscellaneous garbage. He stated that the Public Works personnel typically picks up miscellaneous garbage on Wednesdays although they cannot get to the whole island in one (1) day.

Just as residents cannot put their household garbage out until 5:00 p.m. the day before the scheduled pickup by ordinance, Chair Rice suggested that a copycat ordinance be adopted regarding miscellaneous garbage.

Director Pitts said that, if miscellaneous garbage pickup was limited to one (1) day and the truck was full at 21st Avenue, the remainder of the island would not be picked up since the round trip to Bees Ferry took three (3) hours. The remaining two (2) days of the week would be consumed with garbage pickup although it takes more than one (1) day to pick up yard/miscellaneous debris on the island; in reality, yard/miscellaneous debris is picked up five (5) days a week.

Chair Rice expressed amazement that so many island residents did not know that Wednesday was the pickup day for miscellaneous garbage, so she suggested a short educational piece on Facebook to inform people about the garbage schedule. She also thought that having a sticker with the annual garbage schedule placed on garbage roll-out carts, similar to Charleston County's recycling calendar, would be effective.

According to Director Pitts, the amount of miscellaneous/yard debris drops dramatically during the months of June, July, August and September.

D. Discussion of the ordinances related to the connection to the public sewer system that were deferred:

- **Ordinance 2017-08 - An Ordinance to Require that all Subdivisions of Lots be Connected to the Public Sewer System and to Require Certain Information Related to Sewer Connection for the Subdivision Approval Process.**
- **Ordinance 2017-09 - An Ordinance to Provide That All New Construction or Substantial Improvements shall be Connected to a Public Sewer System Where a Public Sewer Line is Located Within One Hundred Fifty (150') feet and to Reduce the Lot Coverage Requirements and Floor Area Requirements for lots with Septic Systems**
- **Ordinance 2017-10 - An Ordinance to Require Mandatory Connection to Public Sewer System Where Public Sewer Line is Available upon the Sale or Transfer of Property.**

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With Councilmember Kinghorn's absence in mind, the Chair deferred this item until the next meeting.

7. Miscellaneous Business

Next Meeting date: 9:00 a.m., Wednesday, August 7th in the Conference Room

8. Executive Session – not needed

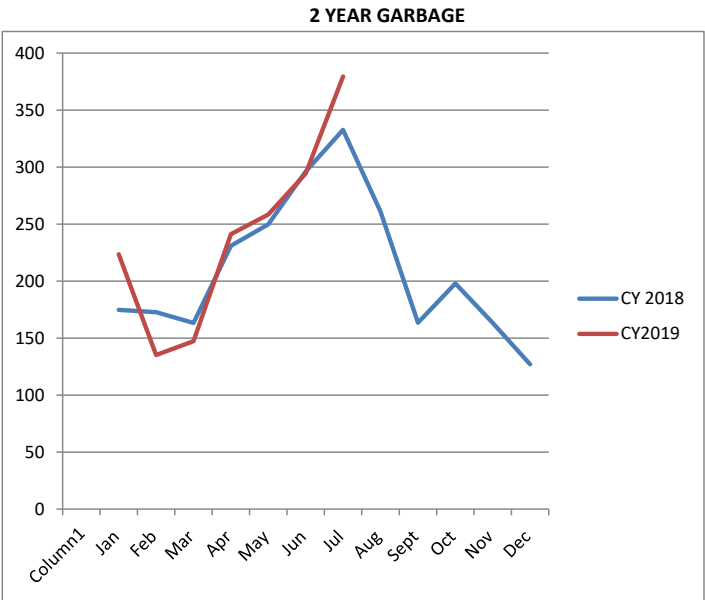
9. Adjournment

MOTION: Councilmember Smith moved to adjourn the meeting at 5:08 p. m.; Chair Rice seconded and the motion PASSED UNANIMOUSLY.

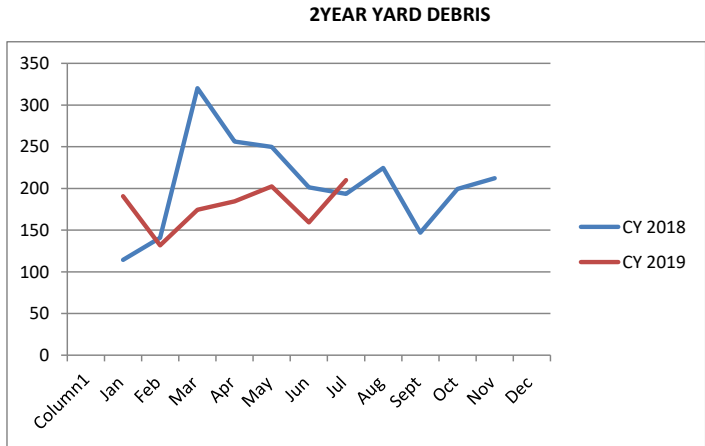
Respectfully submitted:

Marie Copeland
City Clerk

	CY 2018	CY2019
Column1		
Jan	174.69	223.61
Feb	172.71	135.17
Mar	163.25	147.4
Apr	230.87	241.17
May	249.85	258.45
Jun	296.1	294.31
Jul	332.64	379.48
Aug	261.2	
Sept	163.41	
Oct	198	
Nov	163.27	
Dec	127.02	



	CY 2018	CY 2019
Column1		
Jan	114.3	190.61
Feb	140.72	131.74
Mar	320.2	174.3
Apr	256.24	184.59
May	249.91	202.48
Jun	201.29	159.4
Jul	193.36	209.97
Aug	224.47	
Sept	146.88	
Oct	199.28	
Nov	212.21	
Dec		



Action Items

Promoted Robert Asero from the Recreation grounds and maintenance supervisor to the Public Works Storm Water and Facilities Manager.

See Robert's report

General duties

Sanitation:

24.35 tons of C&D were transported to the Bees Ferry landfill in June and 18.76 tons in July

Landscaping/Road Maintenance:

Cleaned the beach of debris on June 3rd, 7th, 10th, 14th, 17th, 19th, 21st, 24th, and 27th

Mowed the rights of way from 21st to 57th Ave., 41st Ave. 1 time

Cleaned the City garbage compactor pad every Thursday in June.

On June Saturday June 8th the City compactor was found unsightly with restaurant garbage overflow and bags down the ramp. I found no issues with the compactor and cleaned area.

Repaired the white fence in the large municipal lot

Cleaned the 21st Ave. boardwalk

Cleaned the beach of debris on July 1st, 3rd, 5th, 8th, 12th, 15th, 19th, 22nd, 26th, and 29th.

Removed a deer on Palmetto Dr. at Barnicle row.

Volunteer beach cleanup on Saturday July 20

Mowed the rights of way on Palm Blvd 2 times in July by HDR land clearing.

VEHICLE MAINTENANCE

Beginning Budget \$85,000.00

Fund 10 GENERAL FUND

06/01/2019	10-4620.5017	VEHICLE MAINTENANCE	BEG. BALANCE	85,861.50
06/06/2019 AP INV		HOSE REPAIR & 8 C50X-S ADAPTER 490915-001	41.37	85,902.87
06/13/2019 AP INV		TARP & SOLENOID PW 21 27635080	208.29	86,111.16
06/13/2019 AP INV		HYDRAULIC HOSE REPAIR 490915	21.75	86,132.91
06/30/2019 AP INV		DUPLICATE INVOICE FOR HYDRAULIC HOSE REP	CREDIT 21.75	86,111.16
06/30/2019	10-4620.5017	END BALANCE	271.41	86,111.16

\$1,111.16 over budget

Fund 10 GENERAL FUND

Beginning Budget \$85,000.00

07/01/2019	10-4620.5017	VEHICLE MAINTENANCE	BEG. BALANCE	0.00
07/09/2019 AP INV		HYDRAULIC HOSE REPAIR PW 9 491643	42.46	42.46
07/10/2019 AP INV		UNITS 27 & 26 (3) TIRES SWITCHED DUE TO 7567359	1,615.99	1,658.45
07/11/2019 AP INV		IT14G 500 SERVICE HR PM W/SERVICE CALL - GE46346	1,357.97	3,016.42
07/15/2019 AP INV		V BELTS FOR PW24 AI54218	151.36	3,167.78
07/15/2019 AP INV		WELD CAN HOOK PW16 119505	99.00	3,266.78
07/15/2019 AP INV		LOADER - SERVICE CALL - OBJECT IN TIRE - 7576438	199.50	3,466.28
07/15/2019 AP INV		PW-21 BRAKES, DOOR MECH & VALVE ASSEMBLY	1,158.77	4,625.05
07/17/2019 AP INV		PW-24 ALTERNATOR & BELT REPLACEMENT	1,209.61	5,834.66
07/18/2019 AP INV		LOADER - TIRE REPLACEMNT & DISPOSAL FEE	1,209.43	7,044.09
07/31/2019	10-4620.5017	END BALANCE	7,044.09	7,044.09

Balance remaining \$77,955.91

DEPARTMENT OF PUBLIC WORKS JULY 2019

Facilities Maintenance

Buildings

- Completed monthly reports.
- General cleanup of exterior DPW.
- Pricing for DPW A/C duct repair.
- Repaired railing and lattice at City Hall.
- Acquired pricing for PSB for rental generator, air scrubber and lighting for renovations.
- Electrical repairs at City Hall.

Front beach / Restrooms

- Repair of front beach showers with warranty parts.
- Removal of broken bench.
- Re install broken electrical box Front beach.
- Removal of broken canopy.
- Repaired hand dryer with warranty parts.
- Met Cintas cleaning services for the restrooms.
- Met with Quality Touch cleaning service for restrooms.
- Installation of water fountain with Blitch plumbing.

Drainage

- Reviewed drainage maps.
- Walk/drove drainage outfalls, canals, swells, and ditches.
- The review of Charleston county storm water management plan.

Landscaping / Rights of way / Connector

- Inspection of beach access paths / city wide landscaping.
- SCDOT work order request with for 14th Ave. pot hole.
- SCDOT work order request for median painting at the connector and Palm Blv.
- SCDOT work request for Breach inlet bridge painting.
- Maintenance of Palm Blv.
- Maintenance of 21st Ave.
- Request for Sweeping south for an extra cleaning connector on Sunday 7/21/19
- Clean up of intersection of palm and the Connector due to a gravel spill.
- Clean up of debris on the connector every Thursday
- Removal of Mobi mats at Front beach and 9th Ave. Replacement of mat at 9th .

Compactor / Dumpster

- Cleaned compactor pad and recycling area every Monday / Thursday.

Certifications, training and meetings

- Attended Planning board meeting
- Attended ways and means meeting
- Meeting Thomas and Hutton
- Meeting with Charleston county storm water.
- Public Safety Building renovations meetings

THOMAS & HUTTON

682 JOHNNIE DODDS BLVD., SUITE 100 | MOUNT PLEASANT, SC 29464
POST OFFICE BOX 1522 | MOUNT PLEASANT, SC 29465-1522
843.849.0200 | WWW.THOMASANDHUTTON.COM

MEMORANDUM

TO: Douglas Kerr
Director of Building, Planning and Licensing

FROM: Hillary Aton, PE
Thomas & Hutton

DATE: June 10, 2019

SUBJECT: Phase 3 Drainage Outfalls
Conceptual Design Summary

JOB NO.: 27670.0000

Introduction

The City of Isle of Palms is experiencing increased occurrences of flooding due to heavy rainfall events, extreme high tides, sea level rise, high-water table conditions, and more intense coastal storms. These conditions, combined with an inadequate drainage system, have created flooding conditions throughout the City. In response, the City has identified three outfalls to be improved as part of the Phase 3 Drainage Outfall Design and Permitting Project. Thomas & Hutton was selected for the project and has, to-date, performed a drainage study, developed conceptual improvement alternatives, and opinions of probable construction costs for the following three basins and corresponding outfalls:

1. 30th Avenue
2. Forest Trail
3. 41st Avenue

All three outfalls discharge to the Intracoastal Waterway. The study anticipated and accounted for all internal drainage infrastructure within the basins to be improved so that the proposed outfall improvements would be adequate to accept the future runoff and meet the design storm event at each outfall and throughout the basins. Please see the attached Project Area Map and Outfall Map.

30th Avenue Outfall Improvements

The proposed improvements for this outfall include new 48" RCPs collecting and combining stormwater on the south, upstream side of Waterway Blvd. These proposed pipes will include new grate inlet structures that tie into existing storm drain pipes. The stormwater is conveyed under Waterway Blvd. via an 8' x 4' concrete box culvert. Just downstream of Waterway Blvd., located within an existing 30' drainage easement, will be a junction box that allows for the transition from a box culvert to triple 48" RCPs. The conversion from a box to triple circular pipes is necessary for the installation of in-line check valves. The in-line check valves will provide protection from tidal

backflow and will prevent "sunny day flooding". The triple 48" RCPs will extend north towards the existing golf cart bridge. By filling and piping this portion of the drainage easement, the City will be able to access and maintain the downstream system. At the pipe outfall, a headwall is proposed that will contain sluice gates for each pipe. These gates will be manually operated and will provide the ability to close off the system so that it can be pumped dry and inspected/maintained. A concrete apron and outfall protection are also proposed to prevent potential erosion. The channel will be improved from the pipe outfall to the Wild Dunes Golf Course property boundary with the Intracoastal Waterway. The channel improvements consist of realignment and widening to provide adequate stormwater conveyance.

Forest Trail Outfall Improvements

The proposed improvements for the Forest Trail Outfall include a headwall, concrete apron, localized channel grading, and riprap protection on the south, upstream side of Waterway Blvd. Stormwater is conveyed under Waterway Blvd. via a 9' x 5' concrete box culvert to a junction box, located within an existing 30' drainage easement. The junction box provides access for the installation and maintenance for three in-line check valves that are to be installed on triple 54" RCPs. The 54" RCPs extend downstream towards the existing golf cart bridge across a large, existing scour hole that will be filled and stabilized. A headwall, sluice gates, concrete apron, localized channel grading, and riprap outfall protection are proposed to stabilize the existing scour hole and proposed outfall. The downstream channel will be improved which will consist of widening and realignment to a point downstream where the channel transitions to a wide, flat, grassy floodplain. A maintenance access shelf will be provided from Waterway Blvd. extending downstream along the channel.

41st Avenue Outfall Improvements – Alternative 1

Three alternatives were analyzed for the 41st Avenue outfall. The proposed improvements for Alternative 1 consisted of a headwall, concrete apron, localized channel grading, and riprap protection on the south, upstream side of Waterway Blvd. Stormwater is conveyed under Waterway Blvd. via a 6' x 3' concrete box culvert to a junction box. The junction box provides access for the installation and maintenance for three in-line check valves that are to be installed on triple 36" RCPs. A headwall, sluice gates, concrete apron, and riprap are proposed at the outfall. Some localized channel grading will be required to lower the channel to the proposed invert elevations and provide uniform, stabilized side slopes. This system will be accessed and maintained from the shoulder of 41st Avenue and the adjacent City owned property downstream.

41st Avenue Outfall Improvements – Alternative 2

The second alternative for the 41st Avenue outfall consists of the same drainage infrastructure as Alternative 1. However, the downstream channel will be widened to a 15' flat-bottomed channel with bulkheads on either side. Two alternatives were considered for the bulkheads. The two alternatives selected will have minimal impact to adjacent properties. One alternative (2a) is sheet pile walls. The second alternative (2b) is Redirock. Redirock is a gravity, segmental block retaining wall. Option 2b is slightly more cost effective than the sheet piles, however, it has a larger footprint than the sheet piles and may limit the width of the channel.

41st Avenue Outfall Improvements – Alternative 3

The third alternative for 41st Avenue consists of piping the entire channel to its outfall into the Intracoastal waterway. This alternative would consist of a 6' x 3' concrete box culvert under

Waterway Blvd., 8'x 4' and 10' x 4' box culverts extending to the outfall, and multiple grate inlet structures collecting runoff along the channel and contributing stormwater from adjacent systems. Headwalls, concrete aprons, riprap, and localized grading are proposed at both the upstream and downstream ends of the system. Just upstream of the outfall a junction box is proposed to transition the system from a box to triple 48" RCPs. The junction box structure will provide access for the installation and maintenance of three in-line check valves. Sluice gates will be installed on the headwall at the outfall.

Summary

An opinion of probable construction cost was developed for each drainage improvement concept. The Table below provides a summary of the estimated construction costs for each outfall, alternative, and a total Phase 3 construction cost.

OPINION OF PROBABLE COST - SUMMARY TABLE				
Project	Alternative 1	Alternative 2a	Alternative 2b	Alternative 3
30th Avenue Outfall Improvements	\$ 718,800			
Forest Trail Outfall Improvements	\$ 719,900			
41st Avenue Outfall Improvements	\$ 575,100	\$ 2,373,700	\$ 1,661,500	\$ 1,795,100
GRAND TOTAL OPINION OF CONSTRUCTION COST:	\$ 2,013,800	\$ 3,812,400	\$ 3,100,200	\$ 3,233,800

These costs are conceptual at this point and do not include any property costs (drainage easement, temporary const. easements, right-of way, etc.) or wetland mitigation fees. Utility costs are estimated. Utility pole relocations will be required at the 30th Avenue and 41st Avenue outfalls. These costs have been included in the construction costs. Any additional utility conflicts (water, sewer, etc.) may result in additional costs.



Job Number:	Produced: 08/30/18	Produced By: HEA	Modified: 8/30/2018	Modified By:
File: W:\MARKETING\SUBMITTALS\2018\City of Isle of Palms 3 Outfalls\GIS\Map\BasinMap.mxd			Vertical Datum:	
Thomas & Hutton compiled the map information from the following sources:				
Data	Source	Date		
Basin/Outfall	T&H	2018		
Inlet/Manhole/Pipe/Channel	Charleston County	2015		
Building Footprints	Charleston County	2007		
Contours	Charleston County	2009		
Parcels	Charleston County	2015		
DISCLAIMER Where Thomas & Hutton is cited as the data source, the firm has created or verified the data. For all other sources cited, Thomas & Hutton used the data "as is," has made no independent investigation of the data, and makes no representation as to the accuracy or completeness of the data. Please see each source for available documentation of its respective datasets. Copyright © 2015 by Thomas & Hutton No part of this document may be reproduced without written permission from an officer of Thomas & Hutton.				

City of Isle of Palms
Charleston County, SC
Phase 3 Drainage Outfall Design and Permitting
Basin Map



682 JOHNNIE DODDS BLVD • SUITE 100
MT. PLEASANT, SC 29464 • 843.849.0200
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Job Number:	Produced: 08/30/18	Produced By: HEA	Modified: 8/30/2018	Modified By:
File: W:\MARKETING\SUBMITTALS\2018\City of Isle of Palms 3 Outfalls\GIS\WADO\Outfalls.mxd				Vertical Datum:
Thomas & Hutton compiled the map information from the following sources:				
Data	Source	Date		
Outfalls	T&H	2018		
Inlets/Manholes/Pipes/Channels	Charleston County	2015		
Building Footprint	Charleston County	2007		
Contours	Charleston County	2009		
Parcels	Charleston County	2015		
DISCLAIMER				
Where Thomas & Hutton is cited as the data source, the firm has created or verified the data. For all other sources cited, Thomas & Hutton used the data "as is," has made no independent investigation of the data, and makes no representation as to the accuracy or completeness of the data. Please see each source for available documentation of its respective datasets.				
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City of Isle of Palms

Charleston County, SC

Phase 3 Drainage Outfall Design and Permitting
Outfalls



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PROJECT : PHASE 3 DRAINAGE OUTFALL IMPROVEMENTS
LOCATION : CITY OF ISLE OF PALMS
ESTIMATOR : WTH



OPINION OF PROBABLE COST - SUMMARY TABLE				
Project	Alternative 1	Alternative 2a	Alternative 2b	Alternative 3
30th Avenue Outfall Improvements	\$ 718,800			
Forest Trail Outfall Improvements	\$ 719,900			
41st Avenue Outfall Improvements	\$ 575,100	\$ 2,373,700	\$ 1,661,500	\$ 1,795,100
GRAND TOTAL OPINION OF CONSTRUCTION COST:	\$ 2,013,800	\$ 3,812,400	\$ 3,100,200	\$ 3,233,800

PROJECT : Isle of Palms - 30th Avenue Outfall Improvements
 LOCATION : Isle of Palms, SC
 ESTIMATOR : WTH



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
<input type="checkbox"/>	(No design completed-Master Plan)
<input checked="" type="checkbox"/>	(Preliminary design)
<input type="checkbox"/>	(Final design)
<input type="checkbox"/>	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 24,900.00
1032010	Bonds and Insurance	1	LS		\$ 10,000.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.3	AC	\$ 5,000.00	\$ 1,424.24
2023000	Removal & Disposal of Existing Pavement (Roadway)	77	SY	\$ 7.00	\$ 539.78
2027000	Removal & Disposal of Existing Pavement (Cart Path)	8	SY	\$ 7.00	\$ 58.33
2028503	Removal of Existing Culvert 1' x 24"	138	LF	\$ 20.00	\$ 2,760.00
2028504	Removal of Existing Culvert 1' x 36"	79	LF	\$ 20.00	\$ 1,580.00
2033030	Controlled Fill - Borrow Material	98	CY	\$ 25.00	\$ 2,447.04
2034000	Excavation	1,042	CY	\$ 25.00	\$ 26,041.67
2034000	Muck Excavation	500	CY	\$ 25.00	\$ 12,500.00
2081001	Fine Grading	1,300	SY	\$ 7.00	\$ 9,100.00
3050112	Graded Aggregate Base Course (8" Uniform)	85	SY	\$ 15.00	\$ 1,281.67
4013990	Milling Existing Asphalt Pavement (Variable)	256	SY	\$ 5.00	\$ 1,278.89
4030319	Hot Mix Asphalt Surface Course Type B	36	TON	\$ 100.00	\$ 3,596.88
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	540	LF	\$ 2.00	\$ 1,080.00
6250025	4" White Solid Lines (Stop/Diag Lines) Fast Dry Paint	14	LF	\$ 2.00	\$ 28.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	270	LF	\$ 2.00	\$ 540.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	540	LF	\$ 2.00	\$ 1,080.00
6271025	4" White Solid Lines (Stop/Diag Lines) Thermoplastic - 90 mil.	14	LF	\$ 2.00	\$ 28.00
6271074	4" Yellow Solid Lines (PVT. Edge Lines) Thermoplastic - 90 mil.	270	LF	\$ 2.00	\$ 540.00
7141116	48" RC Pipe (Class III)	405	LF	\$ 120.00	\$ 48,600.00
7192032	Grate Inlet (48" x 60")	2	EA	\$ 2,500.00	\$ 5,000.00
7192033	Grate Inlet (48" x 120")	1	EA	\$ 5,000.00	\$ 5,000.00
7221011	8' x 4' PC Box Culvert	61	LF	\$ 1,200.00	\$ 73,200.00
-	Head and Wingwall Structures	1	EA	\$ 25,000.00	\$ 25,000.00
-	In-Line Check Valves (48")	3	EA	\$ 30,000.00	\$ 90,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	101	TON	\$ 75.00	\$ 7,575.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	121	SY	\$ 6.00	\$ 726.00
8100101	Sodding	1.30	MSY	\$ 10,000.00	\$ 13,000.00
8153000	Silt Fence	1,078	LF	\$ 3.00	\$ 3,234.00
8153090	Replace/Repair Silt Fence	300	LF	\$ 3.50	\$ 1,050.00
8154050	Removal of Silt Retained by Silt Fence	1,078	LF	\$ 2.50	\$ 2,695.00
8156490	Stabilized Construction Entrance - 100'x24'	300	SY	\$ 40.00	\$ 12,000.00
8990153	Utility Work Within Project Area	1	LS		\$ 50,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 552,884.49
	Contingency	30.0	%	\$ 165,865.35	\$ 165,865.35
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$718,800

Notes:

1. Utility relocation fees are estimated.
2. No mitigation (wetland) fees included.
3. No property costs (drainage easement, temporary const. easements, right-of-way, etc.) are included.

PROJECT : Isle of Palms - Forest Trail Outfall Improvements
LOCATION : Isle of Palms, SC
ESTIMATOR : WTH



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
	(No design completed-Master Plan)
X	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 25,000.00
1032010	Bonds and Insurance	1	LS		\$ 10,000.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.4	AC	\$ 5,000.00	\$ 2,244.49
2023000	Removal & Disposal of Existing Pavement (Roadway)	36	SY	\$ 7.00	\$ 248.89
2027000	Removal & Disposal of Existing Pavement (Cart Path)	9	SY	\$ 7.00	\$ 66.11
2028503	Removal of Existing Culvert 1' x 54"	50	LF	\$ 25.00	\$ 1,257.50
2033030	Controlled Fill - Borrow Material	100	CY	\$ 25.00	\$ 2,500.00
2034000	Excavation	437	CY	\$ 25.00	\$ 10,936.20
2034000	Muck Excavation	200	CY	\$ 25.00	\$ 5,000.00
2081001	Fine Grading	700	SY	\$ 7.00	\$ 4,900.00
3050112	Graded Aggregate Base Course (8" Uniform)	45	SY	\$ 15.00	\$ 675.00
4013990	Milling Existing Asphalt Pavement (Variable)	87	SY	\$ 5.00	\$ 436.11
4030319	Hot Mix Asphalt Surface Course Type B	12	TON	\$ 100.00	\$ 1,226.56
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	190	LF	\$ 2.00	\$ 380.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	95	LF	\$ 2.00	\$ 190.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	190	LF	\$ 2.00	\$ 380.00
6271074	4" Yellow Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	95	LF	\$ 2.00	\$ 190.00
7141119	54" RC Pipe (Class III)	87	LF	\$ 160.00	\$ 13,920.00
7221011	9'x5' PC Box Culvert	55	LF	\$ 1,800.00	\$ 99,000.00
-	Headwall	2	EA	\$ 25,000.00	\$ 50,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	In-Line Check Valves (54")	3	EA	\$ 35,000.00	\$ 105,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	222	TON	\$ 75.00	\$ 16,650.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	261	SY	\$ 6.00	\$ 1,566.00
8100101	Sodding	0.70	MSY	\$ 10,000.00	\$ 7,000.00
8153000	Silt Fence	898	LF	\$ 3.00	\$ 2,694.00
8153090	Replace/Repair Silt Fence	300	LF	\$ 3.50	\$ 1,050.00
8154050	Removal of Silt Retained by Silt Fence	898	LF	\$ 2.50	\$ 2,245.00
8990153	Utility Work Within Project Area	1	LS		\$ 50,000.00
8156490	Stabilized Construction Entrance - 100'x24'	600	SY	\$ 40.00	\$ 24,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 553,755.87
	Contingency	30.0	%	\$ 166,126.76	\$ 166,126.76
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$719,900

Notes:

- Utility relocation fees are estimated.
- No mitigation (wetland) fees included.
- No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : Isle of Palms - 41st Avenue Outfall Improvements - Alternative 1
 LOCATION : Isle of Palms, SC
 ESTIMATOR : WTH



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
	(No design completed-Master Plan)
X	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 19,800.00
1032010	Bonds and Insurance	1	LS		\$ 7,900.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.3	AC	\$ 5,000.00	\$ 1,710.63
2023000	Removal & Disposal of Existing Pavement (Roadway)	38	SY	\$ 7.00	\$ 266.00
2023001	Removal & Disposal of Existing Pavement (Cart Path)	9	SY	\$ 7.00	\$ 60.67
2027000	Removal & Disposal of Existing Pavement (Sidewalk)	4	SY	\$ 7.00	\$ 28.78
2028503	Removal of Existing Culvert 1' x 24"	216	LF	\$ 20.00	\$ 4,320.00
2021000	Removal of Existing Structure	1	EA	\$ 500.00	\$ 500.00
2033030	Controlled Fill - Borrow Material	98	CY	\$ 25.00	\$ 2,447.04
2034000	Excavation	58	CY	\$ 25.00	\$ 1,454.26
2034000	Muck Excavation	10	CY	\$ 25.00	\$ 250.00
2081001	Fine Grading	1,900	SY	\$ 7.00	\$ 13,300.00
3050112	Graded Aggregate Base Course (8" Uniform)	51	SY	\$ 20.00	\$ 1,015.56
4013990	Milling Existing Asphalt Pavement (Variable)	153	SY	\$ 15.00	\$ 2,288.33
4030319	Hot Mix Asphalt Surface Course Type B	21	TON	\$ 100.00	\$ 2,145.31
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	180	LF	\$ 2.00	\$ 360.00
6250025	4" White Solid Lines (Stop/Diag Lines) Fast Dry Paint	36	LF	\$ 2.00	\$ 72.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	90	LF	\$ 2.00	\$ 180.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	180	LF	\$ 2.00	\$ 360.00
6271025	4" White Solid Lines (Stop/Diag Lines) Thermoplastic - 90 mil.	36	LF	\$ 2.00	\$ 72.00
6271074	4" Yellow Solid Lines (PVT. Edge Lines) Thermoplastic - 90 mil.	90	LF	\$ 2.00	\$ 180.00
7141115	30" RC Pipe (Class III)	34	LF	\$ 100.00	\$ 3,400.00
7141116	36" RC Pipe (Class III)	60	LF	\$ 120.00	\$ 7,200.00
7192030	Grate Inlet (36" x 48")	1	EA	\$ 2,500.00	\$ 2,500.00
7221011	6' x 3' PC Box Culvert	78	LF	\$ 600.00	\$ 46,800.00
-	Headwall	2	EA	\$ 25,000.00	\$ 50,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	In-Line Check Valves (36")	3	EA	\$ 15,000.00	\$ 45,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	132	TON	\$ 75.00	\$ 9,900.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	162	SY	\$ 6.00	\$ 972.00
8100101	Sodding	1.90	MSY	\$ 10,000.00	\$ 19,000.00
8153000	Silt Fence	1,540	LF	\$ 3.00	\$ 4,620.00
8153090	Replace/Repair Silt Fence	400	LF	\$ 3.50	\$ 1,400.00
8154050	Removal of Silt Retained by Silt Fence	1,540	LF	\$ 2.50	\$ 3,850.00
8156490	Stabilized Construction Entrance - 100'x24'	600	SY	\$ 40.00	\$ 24,000.00
8990153	Utility Work Within Project Area	1	LS		\$ 50,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 442,352.57
	Contingency	30.0	%	\$ 132,705.77	\$ 132,705.77
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$575,100

Notes:

- Utility relocation fees are estimated.
- No mitigation (wetland) fees included.
- No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : Isle of Palms - 41st Avenue Outfall Improvements - Alternative 2a
LOCATION : Isle of Palms, SC
ESTIMATOR : WTH



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
<input type="checkbox"/>	(No design completed-Master Plan)
<input checked="" type="checkbox"/>	(Preliminary design)
<input type="checkbox"/>	(Final design)
<input type="checkbox"/>	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

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ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 84,400.00
1032010	Bonds and Insurance	1	LS		\$ 33,800.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.3	AC	\$ 5,000.00	\$ 1,710.63
2023000	Removal & Disposal of Existing Pavement (Roadway)	38	SY	\$ 7.00	\$ 266.00
2023001	Removal & Disposal of Existing Pavement (Cart Path)	9	SY	\$ 7.00	\$ 60.67
2027000	Removal & Disposal of Existing Pavement (Sidewalk)	4	SY	\$ 7.00	\$ 28.78
2028503	Removal of Existing Culvert 1' x 24"	216	LF	\$ 20.00	\$ 4,320.00
2021000	Removal of Existing Structure	1	EA	\$ 2,000.00	\$ 2,000.00
2033030	Controlled Fill - Borrow Material	98	CY	\$ 25.00	\$ 2,447.04
2034000	Excavation	532	CY	\$ 25.00	\$ 13,310.19
2034000	Muck Excavation	200	CY	\$ 25.00	\$ 5,000.00
2081001	Fine Grading	1,600	SY	\$ 7.00	\$ 11,200.00
3050112	Graded Aggregate Base Course (8" Uniform)	51	SY	\$ 20.00	\$ 1,015.56
4013990	Milling Existing Asphalt Pavement (Variable)	153	SY	\$ 15.00	\$ 2,288.33
4030319	Hot Mix Asphalt Surface Course Type B	21	TON	\$ 100.00	\$ 2,145.31
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	180	LF	\$ 2.00	\$ 360.00
6250025	4" White Solid Lines (Stop/Diag Lines) Fast Dry Paint	36	LF	\$ 2.00	\$ 72.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	90	LF	\$ 2.00	\$ 180.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	180	LF	\$ 2.00	\$ 360.00
6271025	4" White Solid Lines (Stop/Diag Lines) Thermoplastic - 90 mil.	36	LF	\$ 2.00	\$ 72.00
6271074	4" Yellow Solid Lines (PVT. Edge Lines) Thermoplastic - 90 mil.	90	LF	\$ 2.00	\$ 180.00
7141115	30" RC Pipe (Class III)	34	LF	\$ 100.00	\$ 3,400.00
7141116	36" RC Pipe (Class III)	60	LF	\$ 120.00	\$ 7,200.00
7192030	Grate Inlet (36" x 48")	1	EA	\$ 2,500.00	\$ 2,500.00
7221011	6' x 3' PC Box Culvert	78	LF	\$ 600.00	\$ 46,800.00
-	Headwall	2	EA	\$ 25,000.00	\$ 50,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	In-Line Check Valves (36")	3	EA	\$ 15,000.00	\$ 45,000.00
-	Bulkheads (Steel Sheetpiles)	1,280	LF	\$ 1,000.00	\$ 1,280,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	132	TON	\$ 75.00	\$ 9,900.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	162	SY	\$ 6.00	\$ 972.00
8100101	Sodding	1.60	MSY	\$ 10,000.00	\$ 16,000.00
8153000	Silt Fence	1,540	LF	\$ 3.00	\$ 4,620.00
8153090	Replace/Repair Silt Fence	400	LF	\$ 3.50	\$ 1,400.00
8154050	Removal of Silt Retained by Silt Fence	1,540	LF	\$ 2.50	\$ 3,850.00
8156490	Stabilized Construction Entrance - 100'x24'	600	SY	\$ 40.00	\$ 24,000.00
8990153	Utility Work Within Project Area	1	LS		\$ 50,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 1,825,858.50
	Contingency	30.0	%	\$ 547,757.55	\$ 547,757.55
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$2,373,700

Notes:

- Utility relocation fees are estimated.
- No mitigation (wetland) fees included.
- No property costs (drainage easement, temporary const. easements, right-of-way, etc.) are included.

PROJECT : Isle of Palms - 41st Avenue Outfall Improvements - Alternative 2b
LOCATION : Isle of Palms, SC
ESTIMATOR : WTH



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
<input type="checkbox"/>	(No design completed-Master Plan)
<input checked="" type="checkbox"/>	(Preliminary design)
<input type="checkbox"/>	(Final design)
<input type="checkbox"/>	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 58,800.00
1032010	Bonds and Insurance	1	LS		\$ 23,600.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.3	AC	\$ 5,000.00	\$ 1,710.63
2023000	Removal & Disposal of Existing Pavement (Roadway)	38	SY	\$ 7.00	\$ 266.00
2023001	Removal & Disposal of Existing Pavement (Cart Path)	9	SY	\$ 7.00	\$ 60.67
2027000	Removal & Disposal of Existing Pavement (Sidewalk)	4	SY	\$ 7.00	\$ 28.78
2028503	Removal of Existing Culvert 1' x 24"	216	LF	\$ 20.00	\$ 4,320.00
2021000	Removal of Existing Structure	1	EA	\$ 2,000.00	\$ 2,000.00
2033030	Controlled Fill - Borrow Material	98	CY	\$ 25.00	\$ 2,447.04
2034000	Excavation	532	CY	\$ 25.00	\$ 13,310.19
2034000	Muck Excavation	200	CY	\$ 25.00	\$ 5,000.00
2081001	Fine Grading	1,600	SY	\$ 7.00	\$ 11,200.00
3050112	Graded Aggregate Base Course (8" Uniform)	51	SY	\$ 20.00	\$ 1,015.56
4013990	Milling Existing Asphalt Pavement (Variable)	153	SY	\$ 15.00	\$ 2,288.33
4030319	Hot Mix Asphalt Surface Course Type B	21	TON	\$ 100.00	\$ 2,145.31
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	180	LF	\$ 2.00	\$ 360.00
6250025	4" White Solid Lines (Stop/Diag Lines) Fast Dry Paint	36	LF	\$ 2.00	\$ 72.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	90	LF	\$ 2.00	\$ 180.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	180	LF	\$ 2.00	\$ 360.00
6271025	4" White Solid Lines (Stop/Diag Lines) Thermoplastic - 90 mil.	36	LF	\$ 2.00	\$ 72.00
6271074	4" Yellow Solid Lines (PVT. Edge Lines) Thermoplastic - 90 mil.	90	LF	\$ 2.00	\$ 180.00
7141115	30" RC Pipe (Class III)	34	LF	\$ 100.00	\$ 3,400.00
7141116	36" RC Pipe (Class III)	60	LF	\$ 120.00	\$ 7,200.00
7192030	Grate Inlet (36" x 48")	1	EA	\$ 2,500.00	\$ 2,500.00
7221011	6' x 3' PC Box Culvert	78	LF	\$ 600.00	\$ 46,800.00
-	Headwall	2	EA	\$ 25,000.00	\$ 50,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	In-Line Check Valves (36")	3	EA	\$ 15,000.00	\$ 45,000.00
-	Bulkheads (Redirock)	1,280	LF	\$ 600.00	\$ 768,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	132	TON	\$ 75.00	\$ 9,900.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	162	SY	\$ 6.00	\$ 972.00
8100101	Sodding	1.60	MSY	\$ 10,000.00	\$ 16,000.00
8153000	Silt Fence	1,540	LF	\$ 3.00	\$ 4,620.00
8153090	Replace/Repair Silt Fence	400	LF	\$ 3.50	\$ 1,400.00
8154050	Removal of Silt Retained by Silt Fence	1,540	LF	\$ 2.50	\$ 3,850.00
8156490	Stabilized Construction Entrance - 100'x24'	600	SY	\$ 40.00	\$ 24,000.00
8990153	Utility Work Within Project Area	1	LS		\$ 50,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 1,278,058.50
	Contingency	30.0	%	\$ 383,417.55	\$ 383,417.55
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$1,661,500

Notes:

- Utility relocation fees are estimated.
- No mitigation (wetland) fees included.
- No property costs (drainage easement, temporary const. easements, right-of-way, etc.) are included.

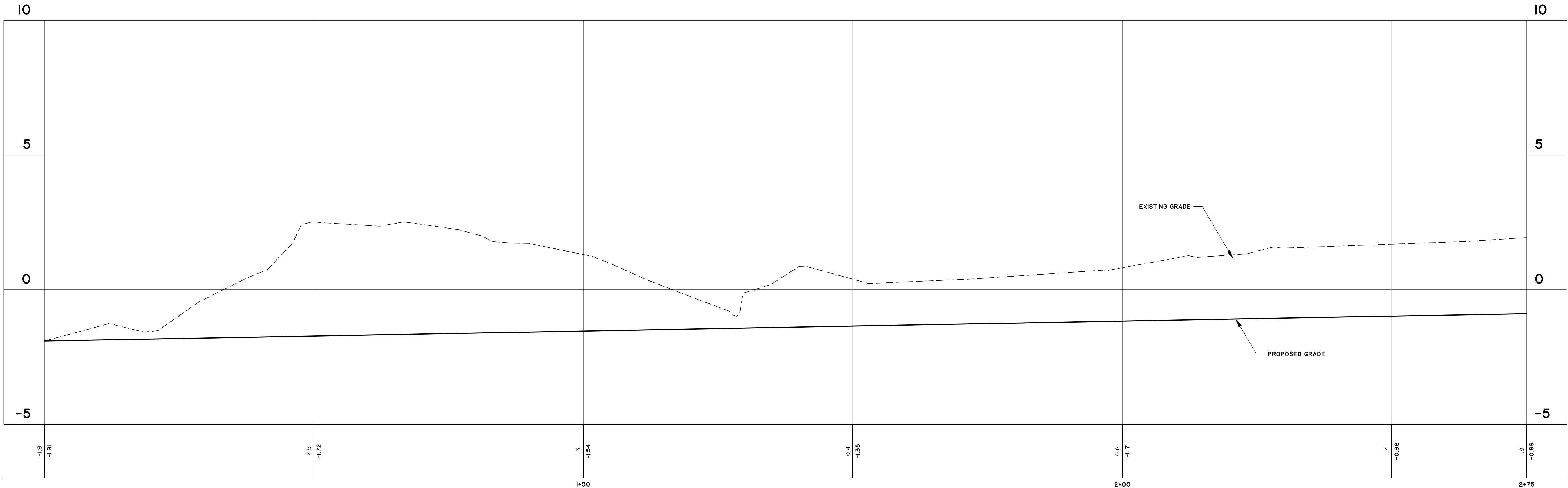
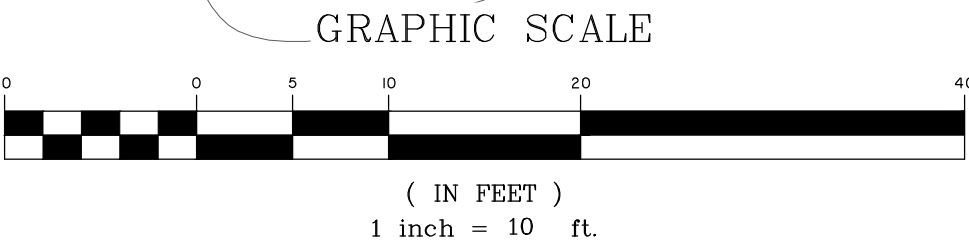
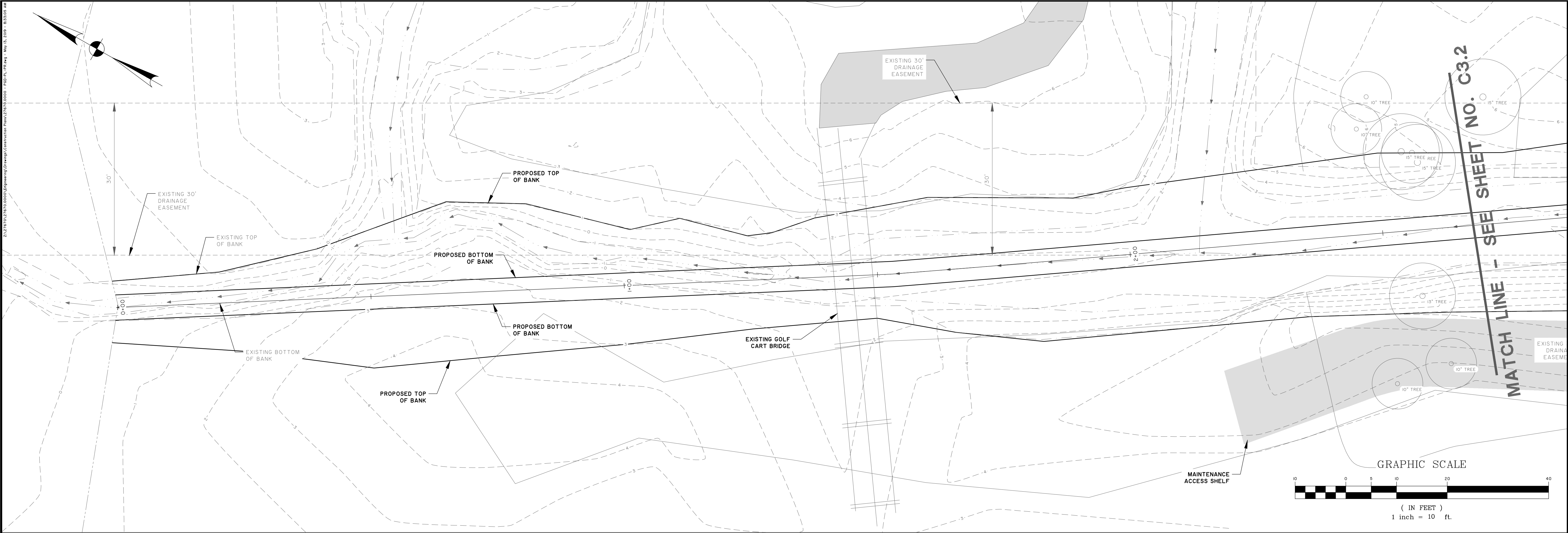
THOMAS & HUTTON

OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
	(No design completed-Master Plan)
X	(Preliminary design)
	(Final design)
	(Other)

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 63,600.00
1032010	Bonds and Insurance	1	LS	\$ 25,500.00	\$ 25,500.00
1071000	Traffic Control	1	LS		\$ 10,000.00
1090200	As-Built Construction Plans	1	LS		\$ 10,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.3	AC	\$ 5,000.00	\$ 1,710.63
2023000	Removal & Disposal of Existing Pavement (Roadway)	38	SY	\$ 7.00	\$ 266.00
2023001	Removal & Disposal of Existing Pavement (Cart Path)	9	SY	\$ 7.00	\$ 60.67
2027000	Removal & Disposal of Existing Pavement (Sidewalk)	4	SY	\$ 7.00	\$ 28.78
2028503	Removal of Existing Culvert 1' x 24"	216	LF	\$ 20.00	\$ 4,320.00
2021000	Removal of Existing Structure	1	EA	\$ 2,000.00	\$ 2,000.00
2033030	Controlled Fill - Borrow Material	98	CY	\$ 25.00	\$ 2,447.04
2034000	Muck Excavation	10	CY	\$ 25.00	\$ 250.00
2081001	Fine Grading	1,820	SY	\$ 7.00	\$ 12,740.00
3050112	Graded Aggregate Base Course (8" Uniform)	51	SY	\$ 20.00	\$ 1,015.56
4013990	Milling Existing Asphalt Pavement (Variable)	153	SY	\$ 15.00	\$ 2,288.33
4030319	Hot Mix Asphalt Surface Course Type B	21	TON	\$ 100.00	\$ 2,145.31
6250010	4" White Solid Lines (Pvt. Edge Lines) Fast Dry Paint	180	LF	\$ 2.00	\$ 360.00
6250025	4" White Solid Lines (Stop/Diag Lines) Fast Dry Paint	36	LF	\$ 2.00	\$ 72.00
6250110	4" Yellow Solid Lines (Pvt. Edge No Passing Zone) Fast Dry Paint	90	LF	\$ 2.00	\$ 180.00
6271010	4" White Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	180	LF	\$ 2.00	\$ 360.00
6271025	4" White Solid Lines (Stop/Diag Lines) Thermoplastic - 90 mil.	36	LF	\$ 2.00	\$ 72.00
6271074	4" Yellow Solid Lines (Pvt. Edge Lines) Thermoplastic - 90 mil.	90	LF	\$ 2.00	\$ 180.00
7141115	30" RC Pipe (Class III)	34	LF	\$ 100.00	\$ 3,400.00
7141116	48" RC Pipe (Class III)	219	LF	\$ 120.00	\$ 26,280.00
7192030	Grate Inlet (36" x 48")	1	EA	\$ 2,500.00	\$ 2,500.00
7192030	Grate Inlet (48" x 120")	5	EA	\$ 5,000.00	\$ 25,000.00
7221011	6' x 3' PC Box Culvert	78	LF	\$ 600.00	\$ 46,800.00
7221011	8' x 4' PC Box Culvert	353	LF	\$ 1,200.00	\$ 423,600.00
7221011	10' x 4' PC Box Culvert	198	LF	\$ 1,600.00	\$ 316,800.00
-	Headwall	2	EA	\$ 25,000.00	\$ 50,000.00
-	Junction Box	1	EA	\$ 60,000.00	\$ 60,000.00
-	In-Line Check Valves (48")	3	EA	\$ 30,000.00	\$ 90,000.00
-	Sluice Gates	3	EA	\$ 10,000.00	\$ 30,000.00
8041020	Rip-Rap Class B	119	TON	\$ 75.00	\$ 8,925.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	147	SY	\$ 6.00	\$ 882.00
8100101	Sodding	1.81	MSY	\$ 10,000.00	\$ 18,139.68
8153000	Silt Fence	1,540	LF	\$ 3.00	\$ 4,620.00
8153090	Replace/Repair Silt Fence	400	LF	\$ 3.50	\$ 1,400.00
8154050	Removal of Silt Retained by Silt Fence	1,540	LF	\$ 2.50	\$ 3,850.00
8156490	Stabilized Construction Entrance - 100'x24'	600	SY	\$ 40.00	\$ 24,000.00
8990153	Utility Work Within Project Area	1	LS		\$ 100,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 1,380,792.99
	Contingency	30.0	%	\$ 414,237.90	\$ 414,237.90
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$1,795,100

1. Utility relocation fees are estimated.
2. No mitigation (wetland) fees included.
3. No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.



30TH AVENUE OUTFALL
STATIONS: 0+00 - 2+75
SCALE: HORIZ.: 1" = 10'
VERT.: 1" = 2'

REVISIONS			
NO.	BY	DATE	

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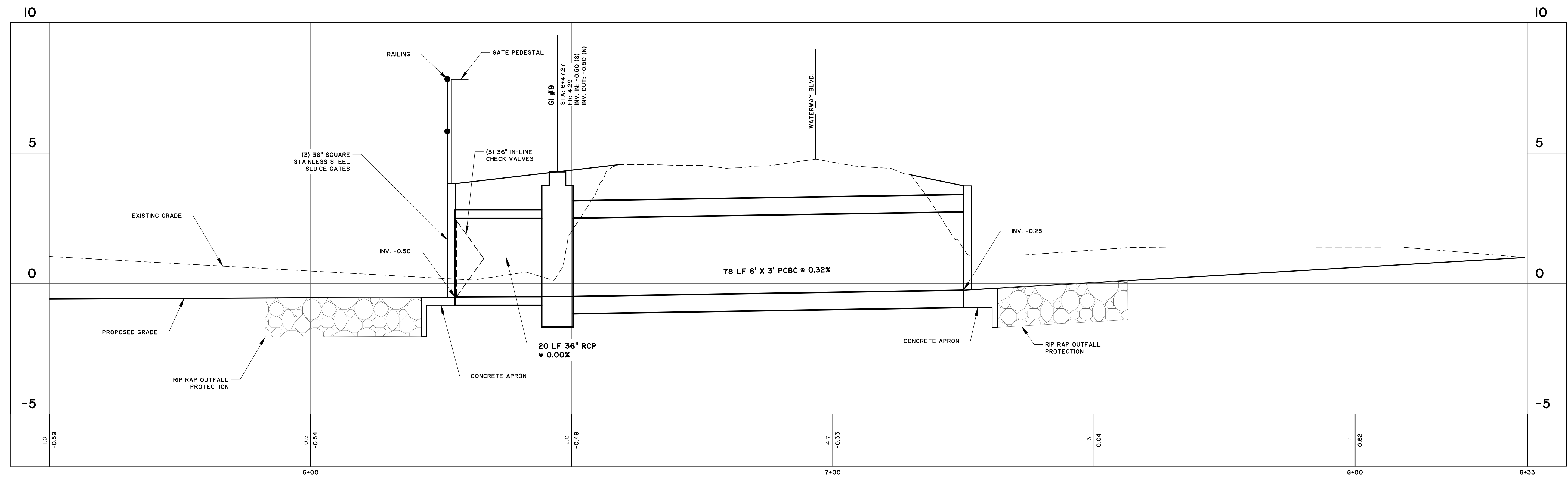
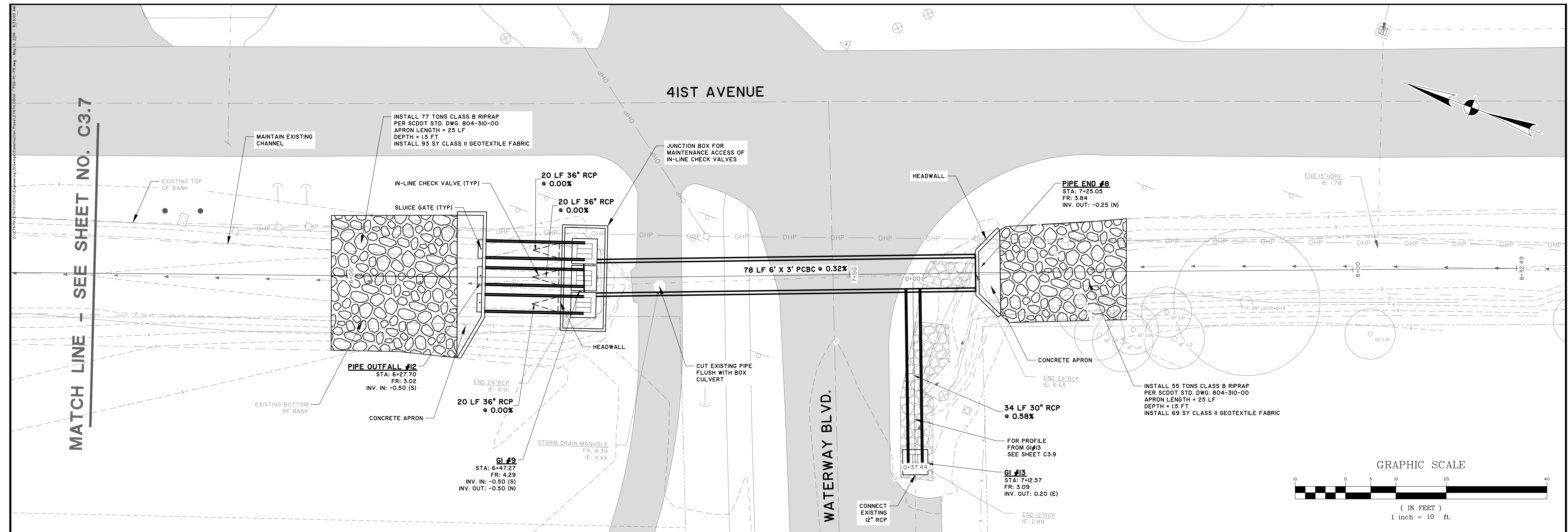
CITY OF ISLE OF PALMS

ISLE OF PALMS OUTFALL IMPROVEMENTS

PAVING, GRADING, & DRAINAGE PLAN & PROFILE

JOB NO:	J-27670.0000
DATE:	05/13/19
DRAWN:	
DESIGNED:	
REVIEWED:	
APPROVED:	
SCALE:	AS NOTED

C3.1

[illegible]

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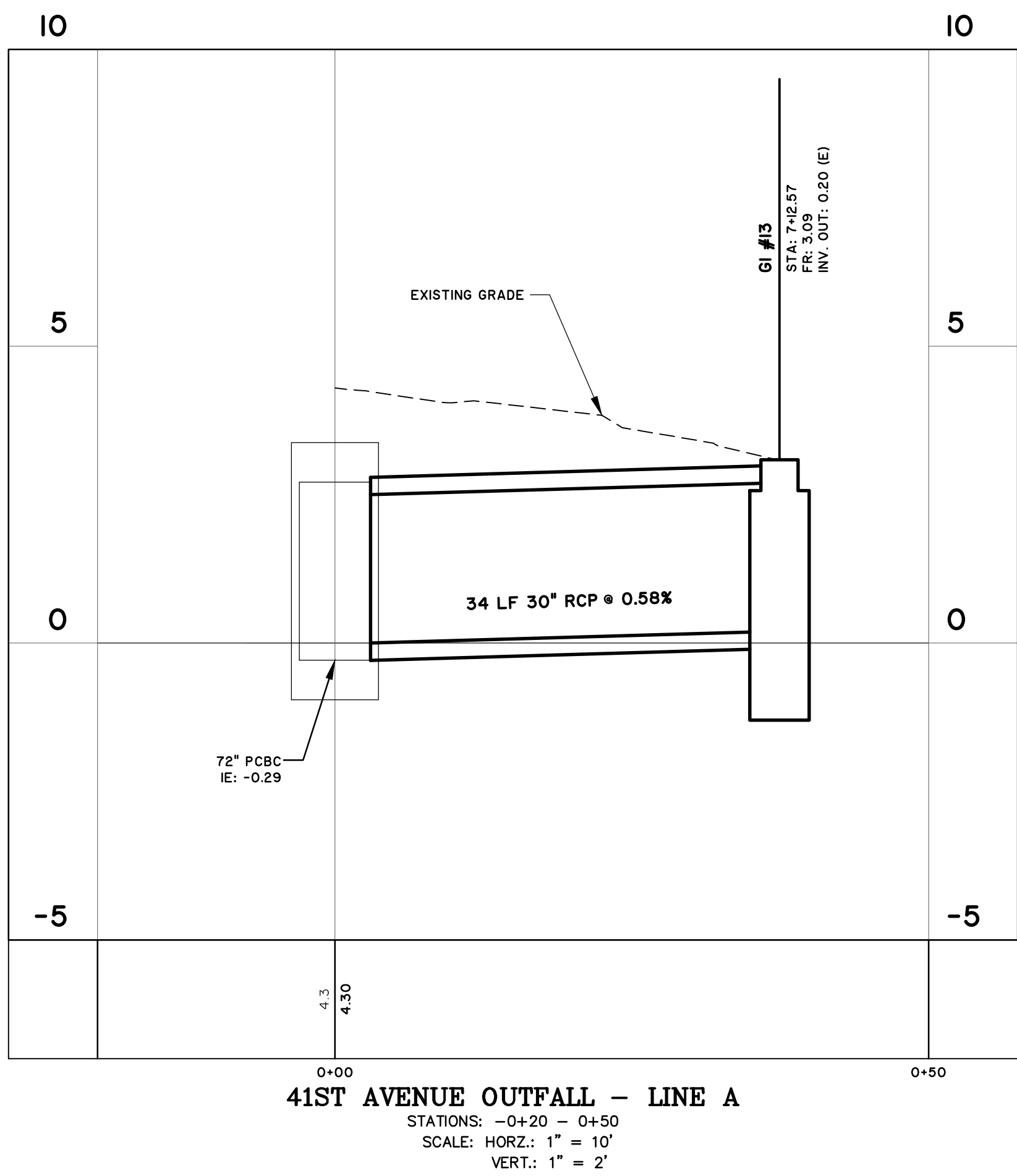
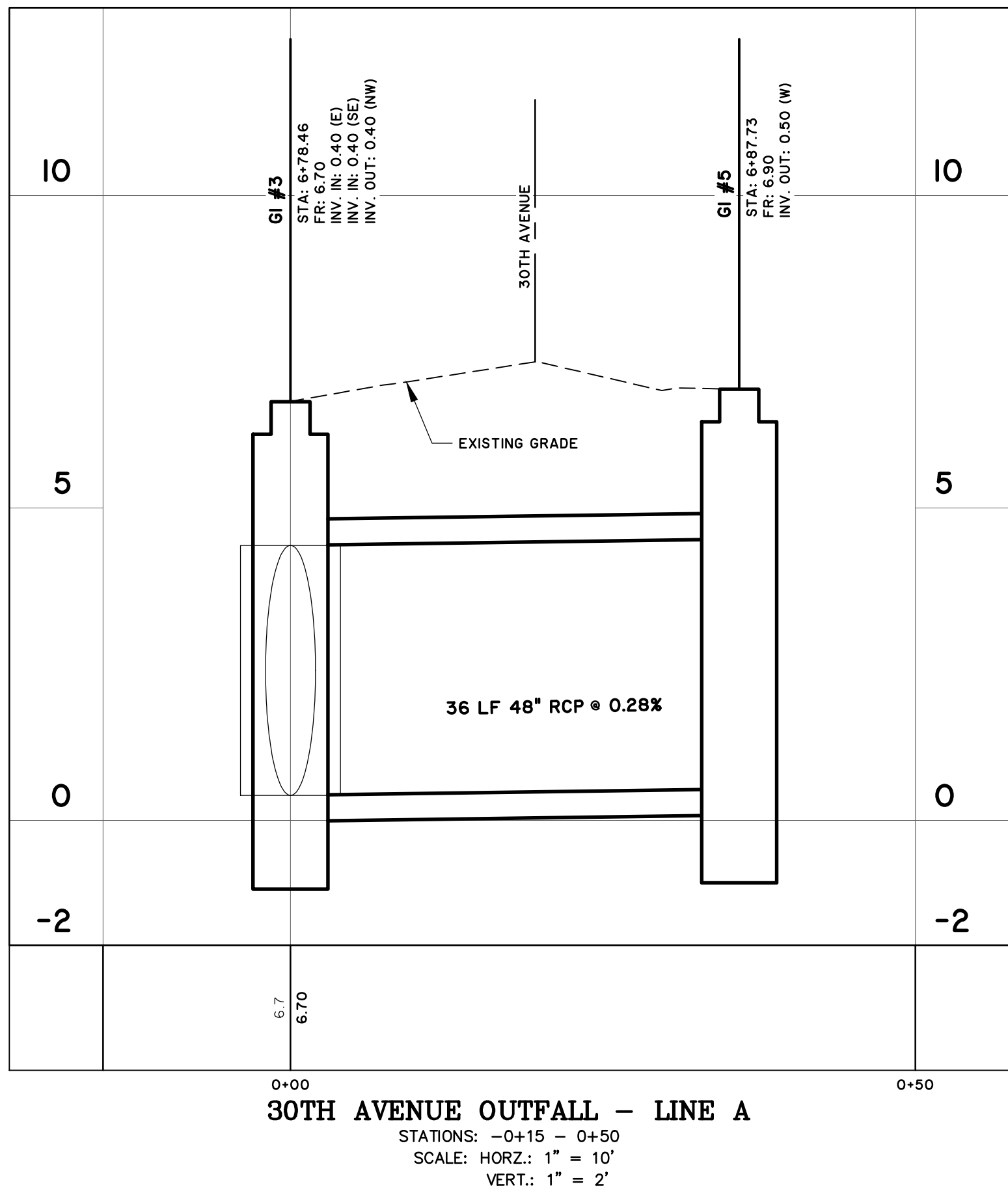
CITY OF ISLE OF PALMS

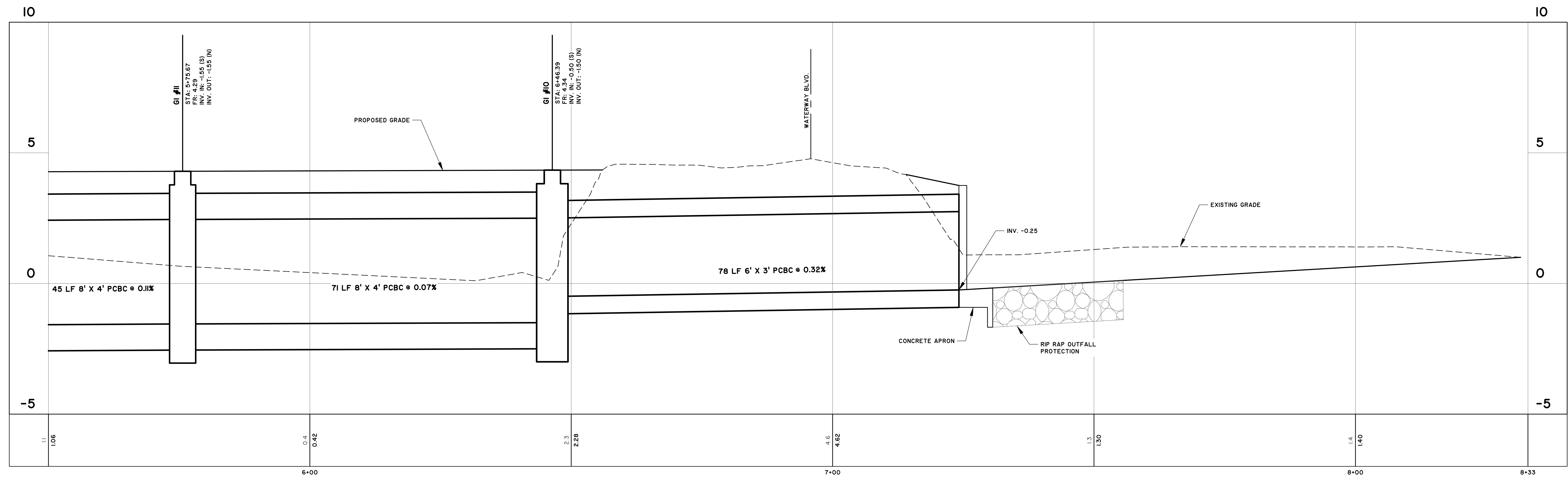
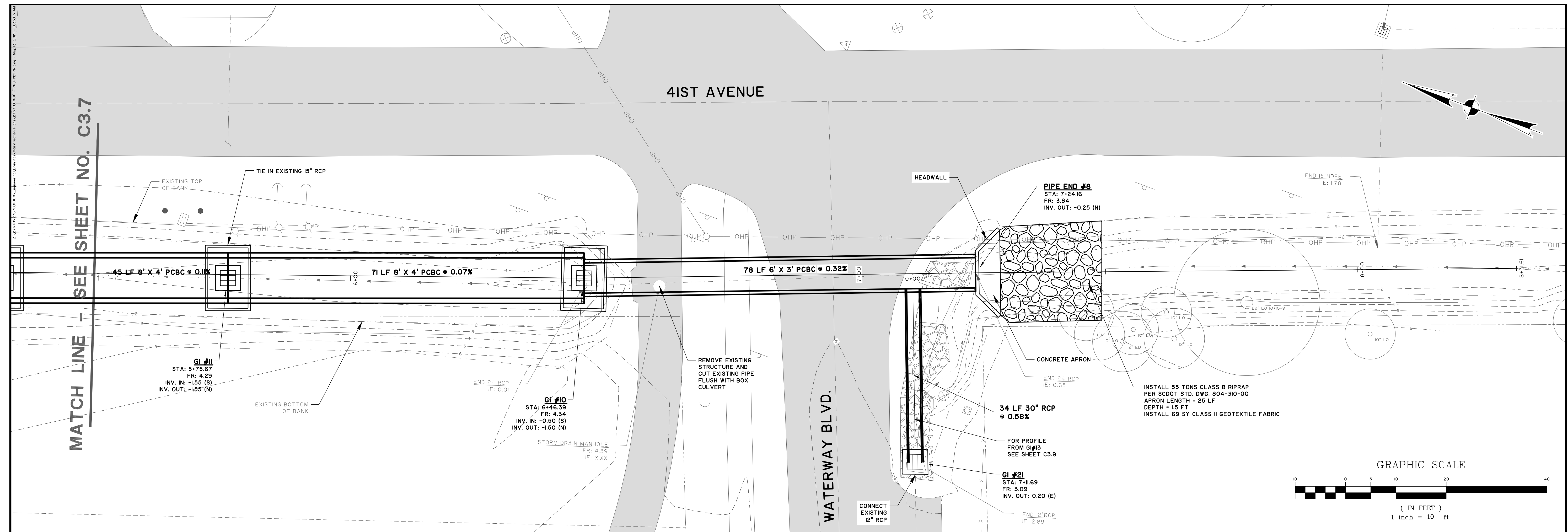
ISLE OF PALMS OUTFALL IMPROVEMENTS

PAVING, GRADING, & DRAINAGE PLAN & PROFILE

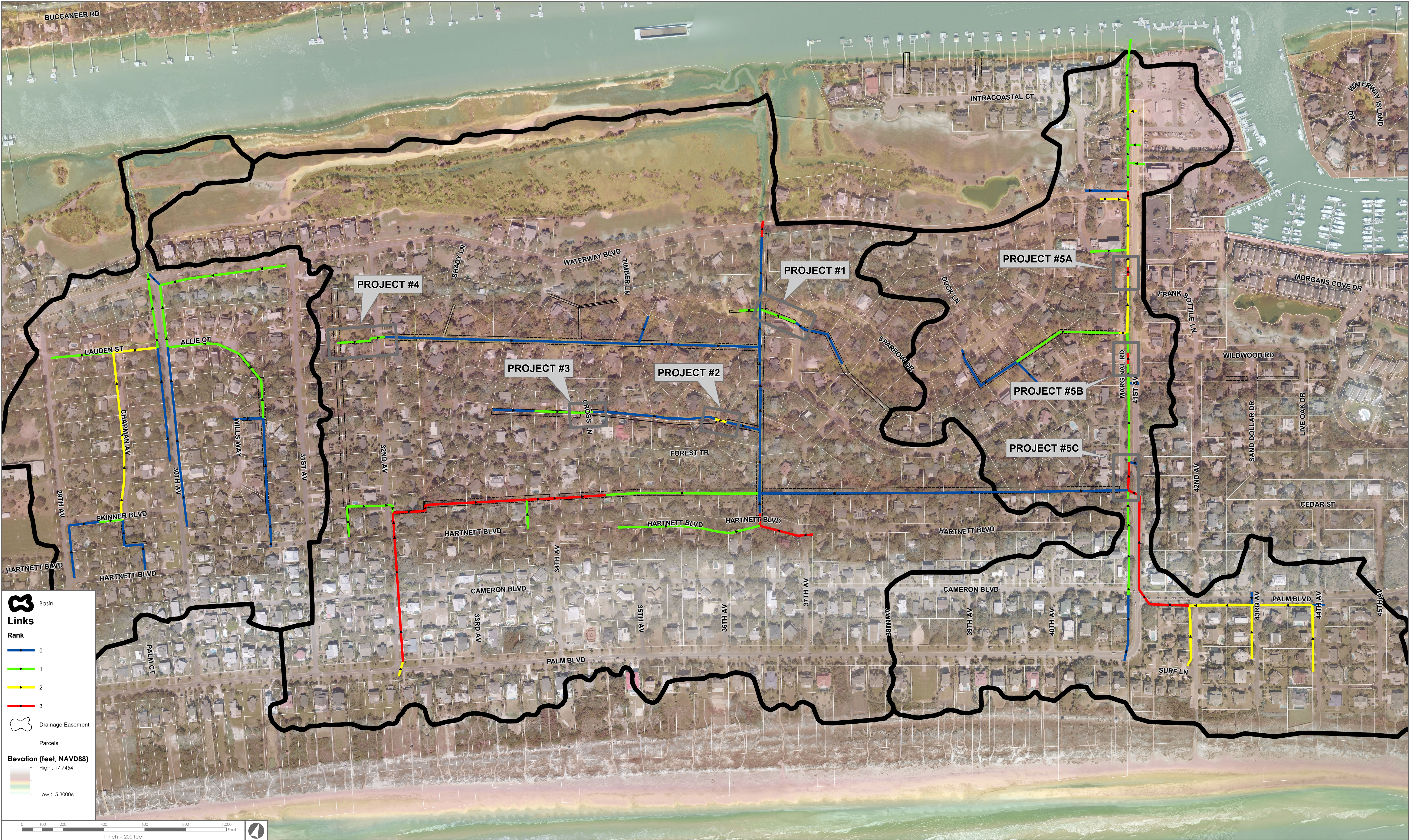
JOB NO:	J-27670.0000
DATE:	05/13/19
DRAWN:	
DESIGNED:	
REVIEWED:	
APPROVED:	
SCALE:	AS NOTED


C3.8





JOB NO:	J-27670.0000
DATE:	05/13/19
DRAWN:	TAC
DESIGNED:	
REVIEWED:	
APPROVED:	
SCALE:	AS NOTED



0 100 200 400 600 800 1,000 Feet			
1 inch = 200 feet			
Job Number: 27670.0000	Produced: 6/28/2019	Produced By: HEA	Modified By:
File: Z:\27670\27670.0002\GIS\Mxd\Pipe Capacity Analysis.mxd		HEA	Vertical Datum: NAVD88
Thomas & Hutton compiled the map information from the following sources:			
Data	Source	Date	
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Isle of Palms Internal Drainage Projects

Charleston County, South Carolina

10-Year Pipe Capacity Analysis



682 JOHNNIE DODDS BLVD • SUITE 100
MT. PLEASANT, SC 29464 • 843.849.0200
WWW.THOMASANDHUTTON.COM

GEOGRAPHIC INFORMATION SYSTEMS

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PROJECT : **PHASE 3 INTERNAL IMPROVEMENTS**
LOCATION : **CITY OF ISLE OF PALMS**
ESTIMATOR : **HEA**



OPINION OF PROBABLE COST - SUMMARY TABLE		
#1	Sparrow Drive Drainage Improvement	\$ 99,600
#2	Forest Trail Drainage Improvement	\$ 56,600
#3	Cross Lane Drainage Improvements	\$ 52,800
#4	32nd Ave Drainage Improvements	\$ 96,800
#5	41st Avenue Driveway Pipe Drainage Improvements	\$ 152,800
GRAND TOTAL OPINION OF CONSTRUCTION COST:		\$ 458,600

*These improvements are dependent on other improvements

PROJECT : #1 - Isle of Palms - Sparrow Drive, Forest Trail, Cross Lane, & 32nd Ave Drainage Imp
LOCATION : Isle of Palms, SC
ESTIMATOR : HEA



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
X	(No design completed-Master Plan)
	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST
Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 2,600.00
1032010	Bonds and Insurance	1	LS		\$ 1,100.00
1071000	Traffic Control	1	LS		\$ 5,000.00
1090200	As-Built Construction Plans	1	LS		\$ 5,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.1	AC	\$ 5,000.00	\$ 396.92
2023000	Removal & Disposal of Existing Pavement	44	SY	\$ 7.00	\$ 311.11
2028502	Removal of Existing Culvert 1' x 18"	238	LF	\$ 20.00	\$ 4,760.00
2021000	Removal of Existing Structure	2	EA	\$ 500.00	\$ 1,000.00
3050112	Graded Aggregate Base Course (8 " Uniform)	44	SY	\$ 15.00	\$ 666.67
4030319	Hot Mix Asphalt Surface Course Type B	6	TON	\$ 100.00	\$ 625.00
7141114	24" RC pipe (Class III)	238	LF	\$ 85.00	\$ 20,230.00
7192030	Grate Inlet (36" x 36")	2	EA	\$ 2,500.00	\$ 5,000.00
8041020	Rip-Rap Class B	7	TON	\$ 75.00	\$ 525.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	12	SY	\$ 6.00	\$ 72.00
8100101	Sodding	0.38	MSY	\$ 10,000.00	\$ 3,842.22
8153000	Silt Fence	433	LF	\$ 3.00	\$ 1,299.00
8153090	Replace/Repair Silt Fence	200	LF	\$ 3.50	\$ 700.00
8154050	Removal of Silt Retained by Silt Fence	433	LF	\$ 2.50	\$ 1,082.50
8990153	Utility Work Within Project Area	1	LS		\$ 5,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 64,210.42
	Survey, Engineering, Bidding, & Construction Services	15	%	\$ 9,631.56	\$ 9,631.56
	Contingency	40	%	\$ 25,684.17	\$ 25,684.17
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$99,600

- Notes:
- 1. Utility relocation fees are estimated.
 - 2. No mitigation (wetland) fees included.
 - 3. No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : #2 - Isle of Palms - Sparrow Drive, Forest Trail, Cross Lane, & 32nd Ave Drainage Imp
LOCATION : Isle of Palms, SC
ESTIMATOR : HEA



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
X	(No design completed-Master Plan)
	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST
Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 1,300.00
1032010	Bonds and Insurance	1	LS		\$ 500.00
1071000	Traffic Control	1	LS		\$ 5,000.00
1090200	As-Built Construction Plans	1	LS		\$ 5,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.05	AC	\$ 5,000.00	\$ 235.31
2023000	Removal & Disposal of Existing Pavement	42	SY	\$ 7.00	\$ 291.67
2028501	Removal of Existing Culvert 1' x 15"	58	LF	\$ 20.00	\$ 1,160.00
3050112	Graded Aggregate Base Course (8 " Uniform)	42	SY	\$ 15.00	\$ 625.00
4030319	Hot Mix Asphalt Surface Course Type B	6	TON	\$ 100.00	\$ 585.94
7141116	36" RC Pipe (Class III)	58	LF	\$ 120.00	\$ 6,960.00
8041020	Rip-Rap Class B	14	TON	\$ 75.00	\$ 1,050.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	24	SY	\$ 6.00	\$ 144.00
8100101	Sodding	0.23	MSY	\$ 10,000.00	\$ 2,277.78
8153000	Silt Fence	180	LF	\$ 3.00	\$ 540.00
8153090	Replace/Repair Silt Fence	100	LF	\$ 3.50	\$ 350.00
8154050	Removal of Silt Retained by Silt Fence	180	LF	\$ 2.50	\$ 450.00
8990153	Utility Work Within Project Area	1	LS		\$ 5,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 36,469.69
	Survey, Engineering, Bidding, & Construction Services	15	%	\$ 5,470.45	\$ 5,470.45
	Contingency	40	%	\$ 14,587.88	\$ 14,587.88
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$56,600

- Notes:
- Utility relocation fees are estimated.
 - No mitigation (wetland) fees included.
 - No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : #3 - Isle of Palms - Sparrow Drive, Forest Trail, Cross Lane, & 32nd Ave Drainage Imp
LOCATION : Isle of Palms, SC
ESTIMATOR : HEA



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
X	(No design completed-Master Plan)
	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST

Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 1,200.00
1032010	Bonds and Insurance	1	LS		\$ 500.00
1071000	Traffic Control	1	LS		\$ 5,000.00
1090200	As-Built Construction Plans	1	LS		\$ 5,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.1	AC	\$ 5,000.00	\$ 276.06
2023000	Removal & Disposal of Existing Pavement	32	SY	\$ 7.00	\$ 225.56
2028500	Removal of Existing Culvert 1' x 12"	59	LF	\$ 20.00	\$ 1,180.00
3050112	Graded Aggregate Base Course (8 " Uniform)	32	SY	\$ 15.00	\$ 483.33
4030319	Hot Mix Asphalt Surface Course Type B	5	TON	\$ 100.00	\$ 453.13
7141114	24" RC pipe (Class III)	59	LF	\$ 85.00	\$ 5,015.00
8041020	Rip-Rap Class B	6	TON	\$ 75.00	\$ 450.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	14	SY	\$ 6.00	\$ 84.00
8100101	Sodding	0.27	MSY	\$ 10,000.00	\$ 2,672.22
8153000	Silt Fence	205	LF	\$ 3.00	\$ 615.00
8153090	Replace/Repair Silt Fence	100	LF	\$ 3.50	\$ 350.00
8154050	Removal of Silt Retained by Silt Fence	205	LF	\$ 2.50	\$ 512.50
8990153	Utility Work Within Project Area	1	LS		\$ 5,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 34,016.79
	Survey, Engineering, Bidding, & Construction Services	15	%	\$ 5,102.52	\$ 5,102.52
	Contingency	40	%	\$ 13,606.72	\$ 13,606.72
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$52,800

- Notes:**
- 1. Utility relocation fees are estimated.
 - 2. No mitigation (wetland) fees included.
 - 3. No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : #4 - Isle of Palms - Sparrow Drive, Forest Trail, Cross Lane, & 32nd Ave Drainage Imp
LOCATION : Isle of Palms, SC
ESTIMATOR : HEA



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
X	(No design completed-Master Plan)
	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST
Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 2,500.00
1032010	Bonds and Insurance	1	LS		\$ 1,000.00
1071000	Traffic Control	1	LS		\$ 5,000.00
1090200	As-Built Construction Plans	1	LS		\$ 5,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.04	AC	\$ 5,000.00	\$ 193.99
2023000	Removal & Disposal of Existing Pavement	37	SY	\$ 7.00	\$ 256.67
2028501	Removal of Existing Culvert 1' x 15"	243	LF	\$ 20.00	\$ 4,860.00
2021000	Removal of Existing Structure	2	EA	\$ 500.00	\$ 1,000.00
3050112	Graded Aggregate Base Course (8 " Uniform)	37	SY	\$ 15.00	\$ 550.00
4030319	Hot Mix Asphalt Surface Course Type B	5	TON	\$ 100.00	\$ 515.63
7141114	24" RC pipe (Class III)	243	LF	\$ 85.00	\$ 20,655.00
7192030	Grate Inlet (36" x 36")	2	EA	\$ 2,500.00	\$ 5,000.00
8041020	Rip-Rap Class B	5	TON	\$ 75.00	\$ 375.00
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	9	SY	\$ 6.00	\$ 54.00
8100101	Sodding	0.19	MSY	\$ 10,000.00	\$ 1,877.78
8153000	Silt Fence	525	LF	\$ 3.00	\$ 1,575.00
8153090	Replace/Repair Silt Fence	200	LF	\$ 3.50	\$ 700.00
8154050	Removal of Silt Retained by Silt Fence	525	LF	\$ 2.50	\$ 1,312.50
8990153	Utility Work Within Project Area	1	LS		\$ 5,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 62,425.55
	Survey, Engineering, Bidding, & Construction Services	15	%	\$ 9,363.83	\$ 9,363.83
	Contingency	40	%	\$ 24,970.22	\$ 24,970.22
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$96,800

- Notes:
- 1. Utility relocation fees are estimated.
 - 2. No mitigation (wetland) fees included.
 - 3. No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

PROJECT : #5 - Isle of Palms - 41st Avenue Driveway Pipe Drainage Improvements
LOCATION : Isle of Palms, SC
ESTIMATOR : HEA



OPINION OF PROBABLE CONSTRUCTION COST	
DATE PREPARED : 06/03/2019	REVISED:
BASIS FOR ESTIMATE	
X	(No design completed-Master Plan)
	(Preliminary design)
	(Final design)
	(Other)

OPINION OF PROBABLE CONSTRUCTION COST
Since the Engineer has no control over the cost of labor, materials, equipment, over the Contractor's methods of determining prices, or over competitive bidding or market conditions, the Opinions of Probable Construction Costs provided for herein are made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry. However, the Engineer cannot and does not guarantee that proposals, bids, or the construction cost will not vary from Opinions of Probable Construction Costs prepared by him.

ITEM	DESCRIPTION	QUANTITY		COST	
		NUMBER OF UNITS	UNIT MEASURE	PER UNIT	TOTAL COST
1031000	Mobilization	1	LS		\$ 4,200.00
1032010	Bonds and Insurance	1	LS		\$ 1,700.00
1071000	Traffic Control	1	LS		\$ 5,000.00
1090200	As-Built Construction Plans	1	LS		\$ 5,000.00
2015000	Clearing and Grubbing within Right-of-Way	0.1	AC	\$ 5,000.00	\$ 528.01
2023000	Removal & Disposal of Existing Pavement	135	SY	\$ 7.00	\$ 945.00
2028502	Removal of Existing Culvert 1' x 18"	151	LF	\$ 20.00	\$ 3,020.00
3050112	Graded Aggregate Base Course (8 " Uniform)	135	SY	\$ 20.00	\$ 2,700.00
4030319	Hot Mix Asphalt Surface Course Type B	19	TON	\$ 100.00	\$ 1,898.44
7141119	54" RC Pipe (Class III)	151	LF	\$ 150.00	\$ 22,650.00
8041020	Rip-Rap Class B	152	TON	\$ 75.00	\$ 11,390.63
8048205	Geotextile for Erosion Control Under Rip-Rap (Class 2) Type B	208	SY	\$ 6.00	\$ 1,245.00
8100101	Sodding	0.51	MSY	\$ 10,000.00	\$ 5,111.11
8153000	Silt Fence	450	LF	\$ 3.00	\$ 1,350.00
8153090	Replace/Repair Silt Fence	200	LF	\$ 3.50	\$ 700.00
8154050	Removal of Silt Retained by Silt Fence	450	LF	\$ 2.50	\$ 1,125.00
8990153	Utility Work Within Project Area	1	LS		\$ 25,000.00
-	Misc. Erosion Control/Water Management	1	EA	\$ 5,000.00	\$ 5,000.00
				SUBTOTAL	\$ 98,563.18
	Survey, Engineering, Bidding, & Construction Services	15	%	\$ 14,784.48	\$ 14,784.48
	Contingency	40	%	\$ 39,425.27	\$ 39,425.27
	GRAND TOTAL OPINION OF CONSTRUCTION COST				\$152,800

- Notes:
- 1. Utility relocation fees are estimated.
 - 2. No mitigation (wetland) fees included.
 - 3. No property costs (drainage easement, temporary const. easements, right-of way, etc.) are included.

ORDINANCE 2017-08

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 5, LAND DEVELOPMENT REGULATION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE THAT ALL SUBDIVISIONS OF LOTS BE CONNECTED TO THE PUBLIC SEWER SYSTEM AND TO REQUIRE CERTAIN INFORMATION RELATED TO SEWER CONNECTION FOR THE SUBDIVISION APPROVAL PROCESS.

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 Paragraph (b) of Section 5-5-1, "Subdivision approval required," is hereby amended to state as follows:

"(b) *Definitions.* The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Subdivision means any division of a lot, tract or parcel of land into two (2) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets and includes resubdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots or record. However, the following exceptions are included within this definition only for the purpose of requiring that the Planning Commission be informed and have a record of the subdivisions:

(1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter;

(2) The division of land into parcels of five (5) acres or more where no new street is involved and plats of these exceptions must be received as information by the Planning Commission, which shall indicate such fact on the plat; and

(3) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Public sewer means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems as defined in section 5-4-2."

SECTION 2. That Paragraph (c)(9) of Section 5-5-3, "Conceptual plan," is hereby amended to state as follows:

"(9) Existing and proposed methods of wastewater disposal."

SECTION 3. That Paragraph (c)(2)(9)(a) of Section 5-5-4, "Preliminary plat," is hereby amended to state as follows:

“(9) Accompanying data as listed in subsection (9)(a) of this section:

- (a) The preliminary plat shall be accompanied by:
 - 1. a statement from the Isle of Palms Water and Sewer Commission stating that public sewer capacity is available to serve the proposed lots; and
 - 2. a statement from the owner agreeing to provide public sewer service to the proposed lots.”

SECTION 4. That Paragraph (c)(2)(8) of Section 5-5-6, “Final plat,” is hereby amended to state as follows:

“(8) In subdivisions where existing public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).”

SECTION 5. That Paragraph (b)(2) of Section 5-5-8, “Required improvements,” is hereby amended, and Paragraph (b)(3) is hereby deleted, and the remaining Paragraphs shall be renumbered accordingly as follows:

- “(1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the latest edition of the County Road Code.
- (2) The owner shall install public sewer lines and connect to the public sewer system operated and maintained by the Isle of Palms Water and Sewer Commission.
- (3) Street name signs in accordance with the requirements of the current edition of the County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.
- (4) All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the latest edition of the County Road Code.
- (5) All lots not exceeding two hundred (200') feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70 percent to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in OCRM stormwater guidelines and approved by the Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.”

SECTION 6. That Section 5-5-10, “Exceptions,” is hereby renamed and amended to state as follows:

“Sec. 5-5-10. – Exception to preliminary plat review process.

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage system, an owner may submit the following information to the Zoning Administrator in lieu of the preliminary plat requirements:

(1) The information required for review of a conceptual plan, as set forth in section 5-5-3.

(2) A letter confirming the availability of public sewer service from the Isle of Palms Water and Sewer Commission and a statement from the owner agreeing to provide public sewer service to the proposed lots.

(3) In subdivisions where existing public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).

Review shall follow the procedures set forth for final plats in section 5-5-6; provided, however, that if the Building Official determines that street or drainage system modifications are required, the application shall be construed as one for issuance of a preliminary plat pursuant to section 5-5-4.”

SECTION 7. 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 8. 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 9. 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 _____ DAY OF _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

*Passed First Reading on 10/24/17
Revised 1/18/18 for Second Reading*

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

TITLE 5 – PLANNING AND DEVELOPMENT
CHAPTER 5. - LAND DEVELOPMENT REGULATION

Sec. 5-5-1. - Subdivision approval required.

Approval of any subdivision of property within the City shall be required as set forth hereinbelow. These requirements shall be referred to as the "Land Development Regulations" of the City.

- (a) *Scope.* Regarding real property in the City, no subdivision shall be made, platted, or recorded for any purpose, nor shall parcels resulting from such subdivisions be sold or offered for sale, unless such subdivision meets all requirements of these regulations.

- (b) *Subdivision defined.* Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

The term "subdivision" means any division of a lot, tract or parcel of land into two (2) or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets and includes resubdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots or record. However, the following exceptions are included within this definition only for the purpose of requiring that the Planning Commission be informed and have a record of the subdivisions:

- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter;
- (2) The division of land into parcels of five (5) acres or more where no new street is involved and plats of these exceptions must be received as information by the Planning Commission, which shall indicate such fact on the plat; and
- (3) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Public sewer means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems as defined in section 5-4-2.

- (c) *Compliance with zoning requirements.* All applications for subdivision must also meet all of the applicable requirements of title 5, chapter 4, pertaining to zoning.
- (d) *Plats required to be stamped.* All plats for the subdivision of property within the City shall bear the stamp of the City Planning Commission and an authorized signature as a condition precedent to recording at the County RMC Office, or its successor office.

Sec. 5-5-2. - Subdivision approval process.

The procedure for obtaining subdivision approved by the City is as follows:

- (a) Conceptual plan: Submission and review are optional.
- (b) Preliminary plat: Submission, review and approval are required.
- (c) Conditional plat: Submission, review and approval are optional.

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(d) Final plat: Submission, review, approval and recording are required.

Subsection (a) of this section is optional, at the discretion of the owner. Subsection (b) of this section shall be completed prior to land clearing, grading or making any street or other improvements, including utilities. Either subsection (c) or (d) of this section shall be completed prior to commencement of building construction and/or sale of any lots within the proposed subdivision. Subsection (d) of this section shall be completed prior to the occupancy of any structure.

Sec. 5-5-3. - Conceptual plan.

- (a) *Purpose.* Conceptual plans are encouraged but are not required. The purpose of conceptual plan review is to assist the owner in demonstrating compliance with this chapter prior to extensive site planning and expenditures.
- (b) *No rights granted by conceptual plan review.* Conceptual plan review is solely advisory in nature. Conceptual plan review does not involve any interpretation or approval and it creates no vested right or right of reliance on the part of the owner.
- (c) *Information required for review.* Conceptual plans shall contain at least the date, be legibly drawn to scale, but not necessarily showing exact dimensions, and include the following:
 - (1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area.
 - (2) Tract boundaries and total acreage.
 - (3) Significant topographical and physical features including the location of all critical areas, wetlands, watercourses within and abutting the tract, flood hazard areas and designation of flood hazard zone.
 - (4) The location, names and rights-of-way widths of existing streets.
 - (5) Tentative street and lot arrangement showing acreage, proposed minimum lot size and the number of lots.
 - (6) Existing and proposed land uses throughout the subdivision.
 - (7) Zoning classification and TMS numbers.
 - (8) Existing and proposed drainage and utility easements.
 - (9) **Statement for Existing and proposed methods of sanitary-sewerage wastewater disposal.**
 - (10) The location of the critical area as defined by OCRM, and delineation of the marsh setback required by section 5-4-18. All wetland areas under the jurisdiction of the OCRM or the U.S. Army Corps of Engineers shall be shown.
 - (11) Flood hazard zone, the OCRM critical line, baseline and construction setback line and the City's zoning beach front jurisdictional setback line shall be shown; if applicable.
 - (12) The tree survey required in section 5-4-61.
 - (13) Owner's name, address and telephone number.
- (d) *Review process.* The applicant may submit a proposed conceptual Plan to the Zoning Administrator, who shall forward the plan to the City Building Official and the Planning Commission for advisory review. The Planning Commission shall provide the applicant with the advisory and nonbinding results of its review within forty-five (45) days following submission of the plan. City Council hereby delegates to the Planning Commission the review of any conceptual plan pursuant to any PDD zoning district requirement.

Sec. 5-5-4. - Preliminary plat.

- (a) *Required.* Submission and approval of a preliminary plat is the first formal stage of a subdivision application review. Preliminary plat approval is required before site improvements may commence.
- (b) *Rights afforded by approval.* Issuance of a preliminary plat authorizes the owner to proceed with the installation of site improvements and with the preparation of final plats. Preliminary plat approval does not authorize the sale or transfer of lots, or the commencement of construction of improvements.
- (c) *Information required for review.*
1. Preliminary plats shall be drawn to scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on one (1) or more sheets not to exceed twenty-two inches (22") by thirty-four inches (34") in size. For small areas being platted, a scale of 1" = 100' shall be used, provided the drawing does not exceed twenty-two inches (22") by thirty-four inches (34") in size.
 2. In addition to the information required for conceptual plans in section 5-5-3(c), the following information shall be required:
 - (1) The courses and distances of the perimeter of the subject property shall be shown.
 - (2) References to a known point such as street intersections and railroad crossings.
 - (3) Zoning classifications, total acreage and total number of lots.
 - (4) The County Tax Map System (TMS) identification numbers of adjacent properties, and street names where known or available, and all intersecting boundaries or property lines shall be shown.
 - (5) Proposed divisions to be created shall be shown, including the right-of-way widths, roadway widths, easement widths, and names of streets; the location of proposed utility installations, lot lines; and sites reserved or deeded for public uses.
 - (6) The title, scale (including graphic scale), north arrow (magnetic, grid or true), date, name of the subdivider and the name of the licensed professional who prepared the plat, together with his South Carolina Registration Number and seal shall be shown on each sheet.
 - (7) Drainage features shall be shown.
 - (8) When required by the City Building Official or other requirements, a drainage plan showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and off-site facilities to be used to carry stormwater from the site.
 - (9) Accompanying data as listed in subsection (9)(a) of this section:
 - (a) The preliminary plat shall be accompanied by:
 1. either a statement from the Isle of Palms Water and Sewer City Water and Sewer sewer capacity is available to serve the proposed lots; and
 2. or where a sewer line does not abut the property or public sewer capacity is not lots.
- (e) *Review process.*
- (1) The owner shall submit a proposed preliminary plat to the Zoning Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.

- (2) Fees set by City Council pursuant to section 5-5-12 must be paid by the applicant at the time of submission of a proposed preliminary plat.
- (3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the preliminary plat within the sixty (60) days after receipt of a complete application and all required information. Failure to act within the sixty (60) day period, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand. The owner shall be notified in writing of the actions taken.
- (4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record.
- (f) *Duration.* Approval of a preliminary plat is valid for one (1) year from the date of approval. Where a subdivision is being developed in sections, the one (1) year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a preliminary plat, the developer may apply for a one (1) year extension of time by the Planning Commission. There is no right to receive an extension, and the Planning Commission has the discretion to require the subdivider to apply for a new preliminary plat; the Planning Commission shall consider the applicant's progress or lack thereof in proceeding with the development and any change circumstances and restrictions in deciding whether to grant an extension.

Sec. 5-5-5. - Conditional plat.

- (a) *Submittal.* Submission and approval of the conditional plat is an optional second formal stage of the subdivision regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are provided to the City to ensure that all required improvements will be completed.
- (b) *Rights afforded by approval.* Issuance of a conditional plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this title, on lots covered by a conditional plat. However, no certificate of occupancy shall be issued for any structures until approval and recording of a final plat is obtained by the owner.
- (c) *Information required for review.* In addition to the information required for review of a preliminary plat submission, the following information is required:
 - (1) The applicant shall submit a bond or other financial guarantee meeting the criteria set forth in section 5-5-9.
 - (2) The following conditions shall be conspicuously noted on the plat:
 - a. "This is a conditional plat. No final approval from the City has been obtained. Final plat approval is contingent upon completion and approval of all required improvements. No property shown on the preliminary plat may be occupied in any manner until a final plat is approved by the City. No building permits will be issued until the road base and water system are installed."
 - b. "It shall be the duty of any attorney, real estate agent or broker involved in the subdivision process to give notice of these conditions of approval to all prospective purchasers of any parcels shown thereon."
- (d) *Criteria for review.* The application for conditional plat approval must contain all required elements. Incomplete applications shall be returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason for the rejection.
- (e) *Review process.* The application for conditional plat shall follow the same process set forth for the approval of a preliminary plat pursuant to section 5-5-4.
- (f) *Duration.* In the event required improvements are not completed within one (1) year from the date of approval of a conditional plat, the City shall have the right to invoke the applicable financial guarantees

and complete construction of the required improvements. The developer may apply for an extension of time of up to one (1) year by the Planning Commission to complete the required improvements, provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted, and the Planning Commission has the right to invoke the applicable financial guarantees rather than grant an extension.

Sec. 5-5-6. - Final plat.

- (a) *Required.* Submission and approval of the final plat is the final stage of the subdivision approval process. Such approval is required before a certificate of occupancy will be issued.
- (b) *Rights afforded by approval.* Approval of a final plat authorizes the owner to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon compliance with all requirements of section 5-4-101.
- (c) *Information required for review.*
 - 1. The final plat must be recordable at the County RMC Office, drawn on sheets not exceeding twenty-two inches (22") by thirty-four inches (34"), with a scale of 1" = 100' or larger, and not less than eight and one-half inches (8½") by eleven inches (11"). Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.
 - 2. In addition to the information required for review of the preliminary plat in section 5-5-4, the following information shall be required:
 - (1) All information required on the preliminary plat, with the exception of topographic data.
 - (2) All property lines with distances, accurate bearings or deflection angles. If a control traverse is run between any two (2) points on any property lines, then it shall be noted. For property lines which are curves or are in part curves, the arc length and radius shall be shown.
 - (3) Curve data for all curves shall consist of the following: The Delta angle, the degree of the curve, the tangent distance, the length of curve by arc method, and the radius. This information should be calculated along the centerline or other defined traverse line for the entire curve, beginning to end as one (1) set of data.
 - (4) The location of all points of curvature and tangency.
 - (5) The location of points of intersection where circular curves are not used.
 - (6) Lot and block numbers suitably arranged by an easily understood system.
 - (7) Certificate of accuracy. A certificate of accuracy shall be lettered or printed on the face of the final plat. The signature, seal and certification of a State-registered professional land surveyor to the effect that the final plat accurately reflects a Class A survey, that all monuments shown thereon actually exist and their position is accurately showing, and that all dimensional details are correct.
 - (8) In subdivisions where existing ~~public water and~~ public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).
 - (9) A statement as follows: "This plat is subject to all applicable easements, reservations and restrictive covenants of record."
 - (10) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvements shall be designated as "future."
 - (11) Certificates, as follows:

- a. A surveyor's certificate as to accuracy of survey and plat.

"I, [name of surveyor], a registered surveyor of the State of South Carolina, do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____ [state actual precision]."

The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the State Board of Engineering Examiners.

- b. A statement of dedication by the property owner of any streets, rights-of-way, easements, or other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement or dedication shall be amended accordingly.
- c. The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South Carolina.
- d. The date of the field survey upon which final plat is based.

- (d) *Criteria for review.* The application for final plat approval must contain all required elements. Incomplete applications shall be rejected and returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason for rejection.

- (e) *Review process.*

- (1) The applicant shall submit a proposed final plat to the Zoning Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.
- (2) The Planning Commission may request additional information or documentation to make an application complete and eligible for review.
- (3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the final plat within sixty (60) days after receipt of a complete application and all required information. Failure to act within sixty (60) days, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand.
- (4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record. In addition, the owner must be notified in writing of the actions taken.
- (5) When the Planning Commission approves a final plat after all requirements of these regulations are met, it shall cause its action, including any conditions, to be noted on the face of the original final plat.
- (6) The City reserves the right to require that the following statement be placed upon the plat:
"The approval of this plat does not obligate the City of Isle of Palms in any way to accept the maintenance any of the streets, roads, accesses or easements shown hereon."
- (7) No property may be sold or transferred prior to the approval and recording of the final plat, except pursuant to a conditional plat issued under section 5-5-5.

- (8) No certificate or occupancy pursuant to section 5-4-101 shall be issued prior to the approval and recording of a final plat.
- (9) Fees as set forth in section 5-5-12 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

Sec. 5-5-7. - Development standards.

- (a) *Location.* Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of OCRM, U.S. Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the OCRM and the latest edition of the County Road Code.
- (b) *Easements and dedications.*
 - (1) Easements for drainage, water or sewer, may be required along rear and side property lines where necessary. Redesign of the lot may be required to address drainage conditions.
 - (2) Drainage easements shall be provided and dedicated in accordance with the requirements of the OCRM and the latest edition of the County Road Code.
 - (3) Easements shall center along or be adjacent to a common property line where practical.
 - (4) No subdivision shall block or obstruct the natural drainage of the adjacent area.
 - (5) Existing natural drainage shall be retained or adequately relocated.
 - (6) Dedication of streets, schools sites, or recreational areas may be required.
- (c) *Lots.* Lot requirements are contained in sections 5-4-32 through 5-4-40, with special requirements and exceptions contained in additional sections of this title.
- (d) *Flood prevention.*
 - (1) All subdivision proposals shall be consistent with the need to minimize flood damage.
 - (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
 - (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
 - (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than fifty (50) lots or five (5) acres.
- (e) *Other requirements.*
 - (1) All land subdivisions in the City shall be in accordance with (Class A) Urban Land Surveys as promulgated by S.C. Code 1976, title 40, ch. 22, as amended, and as described in the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.
 - (2) Beachfront property. All plats for beachfront property shall contain the following note:

"The City of Isle of Palms, at the time of the approval of this plat, prohibits the issuance of any permits for any kind of hard beach erosion control structures or devices (i.e., sea walls, revetments, rip-rap, bulkheads, groins, large sandbags, etc.) within the area landward of the OCRM critical area and within a 250-foot radius of the mean high water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet, and strongly opposes the issuance of any permits for hard beach erosion control structures elsewhere in the City.
 - (3) The Planning Commission shall approve and authorize the name of a street or road laid out within property over which it has jurisdiction. Also, it may, after fifteen (15) days' notice published in a

newspaper having general circulation in the City, change the name of a street or road within the City pursuant to S.C. Code 1976, § 6-29-1200, as amended.

- (4) No land development plan, including subdivision plats, shall be approved unless all land intended for use as building sites can be used safely for building purposes without danger from flood or other inundation or from other menaces to health, safety or public welfare.
- (5) Stormwater management. No land development plans, including subdivision plats, shall be approved unless the property meets all requirements contained in title 3, chapter 3, pertaining to stormwater regulations.

Sec. 5-5-8. - Required improvements.

(a) *Markers.*

(1) Markers shall be placed as specified below:

- a. A marker shall be set on the right-of-way line at the ends of the block for every block length of street. When blocks occur that have a curve in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on rights-of-way (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.
- b. Markers shall be one of the following:
 1. A reinforced concrete marker with a brass or copper pin in the top. Concrete markers shall be a minimum of three feet (3') long and have a minimum cross sectional area of nine (9) square inches. They shall protrude above the ground not less than two inches (2") and not more than six inches (6").
 2. An iron pipe having a minimum diameter of three-fourths ($\frac{3}{4}$) inch hollow or one-half ($\frac{1}{2}$) inch solid steel. Such iron pins will be a minimum of two feet (2') in length and shall extend above the ground at least one inch (1").

(2) Markers shall be installed prior to the submission of and approval of the final plat.

(3) The location and type of all markers used shall be indicated on the final plat.

(b) *Utility, drainage and street improvements.*

(1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the latest edition of the County Road Code.

~~(2) The owner shall install public water lines where public water service is available within five hundred feet (500') of the property.~~

~~(43)~~ Street name signs in accordance with the requirements of the current edition of the County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.

~~(54)~~ All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the latest edition of the County Road Code.

~~(65)~~ All lots not exceeding two hundred (200') feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70 percent to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in OCRM stormwater guidelines and approved by the Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.

Sec. 5-5-9. - Financial guarantees.

- (a) In lieu of completing the required improvements listed hereinabove, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable State-licensed

corporate surety, or a bank cashier's check, all in favor of the City, to ensure that in the event of default by the developer funds will be available to install the required improvement at the expense of the owner, may be accepted by the Planning Commission; provided that the City Attorney has in each instance reviewed each letter of credit or bonding agreement and has given an opinion in favor of the City that the interests of the City are fully protected. Where a cashier's check for the full cost of the improvements is utilized, opinion of counsel may be waived. The amount of the bond shall be set by the Planning Commission, and shall be not less than one hundred twenty-five percent (125%) of the projected cost of the improvements, with a minimum of \$2,000.00, if completed two (2) years after the date of the bond.

- (b) Upon completion of the improvements as required by this section, written notice thereof shall be given by the subdivider to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will within thirty (30) days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond was insufficient to finance the required improvements after the subdivider has defaulted, City Council will assess the individual subdivider the cost of the improvements over and above the surety amount.
- (c) In no instance will the bond holder be authorized to extend for the subdivider the completion date originally stipulated.
- (d) Pro-rata refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit. The Planning Commission, may at its discretion, refund no more than ninety percent (90%) of the original estimated completion cost of that portion of the project requested by the developer.
- (e) The Planning Commission shall review, approve, or reject each acceptance of surety in lieu of completion of improvements. In making its determination it shall give due consideration to the commitments made by the subdivider to individual purchases.

Sec. 5-5-10. ~~Exception to preliminary plat review process.~~

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage system, an owner may submit the following information to the Zoning Administrator, in lieu of the preliminary plat requirements:

- (1) The information required for review of a conceptual plan, as set forth in section 5-5-3.
- ~~(2) County Health Department approval for lots that will utilize on-site sanitary sewerage disposal Commission and a statement from the owner agreeing to provide public sewer service to the proposed lots.~~
- ~~(3) In subdivisions where existing public sewer systems have been extended and/or a new system installed, the applicant shall submit: (i) a letter of operation and maintenance agreement for the system from the Isle of Palms Water and Sewer Commission and (ii) certifications of inspection from the State Department of Health and Environmental Control (SCDHEC).~~

Review shall follow the procedures set forth for final plats in section 5-5-6; provided, however, that if the Building Official determines that street or drainage system modifications are required, the application shall be construed as one for issuance of a preliminary plat pursuant to section 5-5-4.

Sec. 5-5-11. - Variances.

- (a) Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Planning Commission for a variance. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.

- (b) The application for a variance shall clearly and definitely state the reason why a variance is needed. Consideration must be given to the following factors:
 - (1) Special conditions affecting the property.
 - (2) Undue hardships that will result from adherence to the requirements.
 - (3) Grants of variance shall not be detrimental to adjacent property or to the public interest. Conditions may be imposed on any such variance.

Sec. 5-5-12. - Fees.

- (a) Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the Building Official and approved by resolution of City Council.
- (b) Such Schedule of Fees may be amended from time to time by resolution of City Council.

Sec. 5-5-13. - Vested rights.

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - 1. *City* means the incorporated area of the City.
 - 2. *Approved* means a final review and approval by the Planning Commission of a site specific development plan in accordance with the provisions of this chapter. Phased development plans remain subject to review by the Planning Commission of all phases prior to being vested.
 - 3. *Landowner* means an owner of a legal or equitable interest in real property, including heirs, devisees, successors, assigns and personal representatives of the owner. Landowner also includes a person holding a valid contract to purchase real property whom the owner has given written authorization to act as his agent or representative for the purpose of submitting a proposed development plan.
 - 4. *Phased development plan* means a development plan submitted to the Planning Commission by a landowner that shows the types and density or intensity of uses for a specific property or properties to be developed in stages but which do not satisfy the requirements of a Site Specific Development Plan.
 - 5. *Site specific development plan* means a plan submitted by a landowner which describes with reasonable certainty the types and density or intensity of uses for specific property and must include, at a minimum, a preliminary plat in conformity with section 5-5-4(c) and a site plan which includes the sizes, shapes, dimensions and locations of all proposed structures.
 - 6. *Vested right* means the right to undertake and complete the development of property under the terms and conditions of a Site Specific Development Plan in conjunction with this section and in conformity with City land development ordinances and upon final approval by the Planning Commission.
- (b) Submission and approval of a site specific development plan confers upon the owner a vested right to undertake and complete the development of the subject property in conformity with the information provided by the owner to the Planning Commission.
- (c) A vested right is established for two (2) years from the date of final approval of a site specific development plan. Such vested right shall receive no more than five (5) one-year extensions upon written application by the landowner for each year that an extension is desired and shall be received no later than thirty (30) days prior to the expiration of the current term. No extension shall be approved if an amendment to this chapter has been adopted that prohibits such approval.
- (d) A vested right in a site specific development plan shall not attach until all plans have been received, approved and all fees paid in accordance with the procedure outlined in subsection (e) of this section. All administrative appeals must be resolved in favor of the applicant before a vested right attaches.

- (e) The procedure for the review process of a site specific development plan is the same as that required to submit a preliminary plat as set forth in section 5-5-4(e).
- (f) The Board of Zoning Appeals has no authority to grant a vested right and no such right shall accrue as a result of its actions.
- (g) Variances or special exceptions do not create vested rights.
- (h) A phased development plan is not eligible for vesting.

Sec. 5-5-14. - Penalties.

Any violation of the provisions of this chapter shall be a misdemeanor, punishable pursuant to section 1-3-66; and in addition, any City official is hereby authorized and empowered to enforce these regulations pursuant to the remedies set forth in section 5-4-7.

ORDINANCE 2017-09

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE THAT ALL NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS SHALL BE CONNECTED TO A PUBLIC SEWER SYSTEM WHERE A PUBLIC SEWER LINE IS LOCATED WITHIN ONE HUNDRED FIFTY (150') FEET AND TO REDUCE THE LOT COVERAGE REQUIREMENTS AND FLOOR AREA RATIO REQUIREMENTS FOR LOTS WITH SEPTIC SYSTEMS.

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 Section 5-4-2, "Definitions," is hereby amended to state as follows:

"Sec. 5-4-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Accessory building or use* means a use or building customarily incidental, subordinate to, and detached from the principal use or building and located on the same lot with such principal use or building.

(2) *Adjoining property* means any piece, parcel or lot of real property abutting any other real property, including real property located directly across streets, watercourses, drainage easements or other rights-of-way from other real property.

(3) *Adult uses* means sexually oriented businesses which are characterized by the exposure, depiction, or description of specified anatomical areas, or specified sexual activities by any method, manner, or device, including but not limited to the following:

(a) Regularly featuring persons who are nude, whether live, in films, motion pictures, videos, slides, or other photographic reproductions;

(b) Distribution of any one (1) or more of the following: books, magazines, periodicals, printed matter, photographs, films, motion pictures, videocassettes, video reproductions, slides, or other visual representations; or instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities, as defined herein; or

(c) Escort services, baths, saunas, steam baths, hydrotherapy, physical cultures, nude model studios, sexual activities or other similar services.

Specified anatomical areas means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities means and includes the fondling or other erotic touching of human genitals, pubic area, buttocks, anus, or breasts; sexual acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, masturbation, actual or simulated; or excretory functions as part of or in connection with any of the foregoing acts.

(4) *Antenna* means a device, dish or array utilized by commercial, governmental, or other public or quasi-public users to transmit or receive telecommunications signals.

(5) *Building line or setback* means a line which represents the minimum distance, when measured at right angles, which a building or structure must be placed from a lot line or a street right-of-way pursuant to this chapter.

(6) *Charter boat* means watercraft for hire where captain or crew is provided.

(7) *Communication tower* means a structure of any type which supports communication equipment for signal transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users, but excluding communication towers used exclusively by amateur radio operators who are duly licensed by the Federal Communications Commission and which are exempt from municipal zoning regulations.

(8) *Conditional use* means a use permitted in a zoning district only by complying with additional conditions, restrictions or limitations as set forth in the description of such use.

(9) *Diameter at breast height (DBH)* means the diameter of a tree trunk, measured in inches, at four and one-half feet (4½') above the existing grade of the property. If a tree has a multi-trunk split above grade, the DBH is deemed to be the sum of all trunks of the tree measured in inches, at four and one-half feet (4½') above the existing grade of the property.

(10) *Drinking place* means a business primarily engaged in the sale of alcoholic beverages, beer or wine, for on-premises consumption.

(11) *Dwelling* means a building or portion of a building used, arranged or designed to provide private human residential occupancy, excluding mobile homes and manufactured homes.

a. *Dwelling, single-family*, means a detached dwelling designed for or occupied exclusively by one (1) family unit, and containing only one (1) kitchen.

b. *Dwelling, two-family*, means a detached or semi-detached building designed for or occupied exclusively by two (2) family units living independently of each other.

c. *Dwelling, group*, means a building or portion of a building occupied or intended for occupancy by several family units, but in which separate cooking facilities are not provided. The term "group dwelling" includes roominghouses, fraternity houses and sorority houses, but excludes hotels, motels or tourist homes.

d. *Dwelling, multifamily, apartment house or residential condominium*, means a dwelling other than a single-family dwelling, two-family dwelling, or group dwelling.

(12) *Eating place, fast food*, means a business primarily engaged in the sale of ready-to-consume food or beverages for on or off-premises consumption. An eating place or restaurant shall be deemed a fast food eating place if:

(1) It has a seating capacity of less than twenty (20) persons for service of meals;

(2) Most food items are already prepared or packaged before the customer places an order; and

(3) Food and beverages are served primarily with disposable containers and tableware.

The term "fast food eating place" excludes retail grocery stores, convenience stores, delicatessens, or other businesses selling food or beverages as an accessory use or for off-premises preparation and consumption.

(13) *Eating place, restaurant*, means a business primarily engaged in the preparation and sale of food to customers for on-premises consumption and having seating capacity for at least twenty (20) persons, including, but not limited to, cafes, lunch counters, cafeterias, eating and drinking establishments, or similar businesses, but excludes a fast food eating place or a drinking place. Any carryout service must be clearly subordinate to the principal business of serving prepared foods for on-premises consumption.

(14) *Engineered on-site wastewater disposal system* means a specialized on-site wastewater disposal system. See definition for *Specialized on-site wastewater disposal system*.

(15) *Family unit* means one (1) person, or two (2) or more persons related by blood or marriage living together; or a group of not more than four persons, not related by blood or marriage but living together.

(16) *Fence* means any manmade barrier that impedes or blocks free passage of humans or animals. It may or may not block line-of-sight vision or free flow of wind or water.

(17) *Floor area ratio (FAR)* means a percentage calculated by dividing the total livable floor area of a structure on a lot by the total area of contiguous high land of such lot.

(18) *Front yard* means an open area between the front of the building and the front lot line.

(19) *Frontage* means all of the property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or political subdivision boundary, measured along the street line.

(20) *Grinder pump system* means a wastewater pump station with pump(s), storage capacity and appurtenant piping, valves and other mechanical and electrical equipment which grinds or reduces the particle size of wastewater solids to yield a sewage slurry and which conveys the wastewater from its source to connect with the public gravity sewer system.

(21) *Hazardous tree* means any tree that is causing structural damage or poses a clear and imminent threat of structural damage, as determined in writing by a certified arborist, to an enclosed area of a primary building, including porches, or any other permanent accessory structure that would require a building permit, or a septic tank system. The term does not include trees causing structural damage or threatening structural damage to accessory structures that would not require a building permit or to any unenclosed areas of primary buildings.

(22) *Height of a structure* means the vertical distance from either the highest elevation of the road centerline immediately adjacent to the lot on which the structure is located, or the lowest area within the building footprint, proposed or existing, of an unaltered/unfilled lot, whichever is higher, to the highest point on the structure. Except for height limitations of communication towers and antennae contained in this chapter, the zoning district height limitations contained in this chapter shall not apply to church spires, chimneys, antennas, communication towers or aerials.

(23) *Historic tree* means any live oak tree (*Quercus virginiana*) having a diameter at breast height (DBH) of sixteen (16) inches or greater or any tree of any other species having a diameter at breast height (DBH) of twenty-four (24) inches or greater.

(24) *Home occupation* means a use customarily conducted in a dwelling and which is conducted entirely inside the primary residence of the principal owner of the business, and does not constitute a nuisance or otherwise adversely affect the use and development of other property in the neighborhood.

(25) *Hotel* means a building, or portions thereof, which contains multiple units intended to provide sleeping accommodations for transient guests. The term "hotel" also includes motel, tourist home, motor lodge, inn, bed and breakfast, tourist court and auto court. The following criteria shall be used to distinguish between a hotel and a multifamily dwelling:

a. If any units have individual kitchen facilities, the building is deemed to be a multifamily dwelling.

b. Temporary habitation by transient guests normally involves durations of less than ninety (90) days. If a majority of the facility's occupants reside for more than ninety (90) consecutive days, the facility is deemed to be a multifamily dwelling.

(26) *Impervious material* means any material through which water cannot penetrate. Such material includes, but is not limited to, principal or accessory structures, porches and decks, either covered or of tongue and groove construction, concrete, asphalt, or similar substances, but excludes gravel, shell or crushed stone.

(27) *Isle of Palms Water and Sewer Commission* means the Commissioners of Public Works of the City of Isle of Palms. Isle of Palms Water and Sewer Commission is the trade name used by the Commissioners of Public Works of the City of Isle of Palms organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.

(28) *Junkyards or salvage yards* means the use of any property for the storage, keeping, abandonment, sale or resale of junk, salvage, waste or scrap materials; or the dismantling, demolition or abandonment of vehicles, machinery, equipment or any parts thereof.

(29) *Lot* means a parcel of land described by metes and bounds at the County RMC Office, and having a County Tax Map System (TMS) number assigned to it.

(30) *Lot coverage* means the percentage of contiguous high land on a lot that can be covered with impervious material.

(31) *Lot, double frontage*, means a lot having a frontage on two (2) streets, other than at their intersection, as distinguished from a corner lot.

(32) *Mobile home* means a manufactured home as defined by State law.

(33) *Natural grade* means the elevation of the undisturbed natural surface of the property.

(34) *Nonconforming lot, structure, or use* means a lot, structure or use which does not comply with the regulations of the zoning district in which it is located.

(35) *OCRM* means the State Office of Ocean and Coastal Resource Management, or its successor.

(36) *On-site wastewater disposal system* means a traditional septic tank system or other on-site wastewater disposal system. This definition also includes engineered or specialized on-site wastewater disposal systems.

(37) *Public sewer line* means a gravity operated sewer line operated and maintained by the Isle of Palms Water and Sewer Commission.

(38) *Public sewer system* means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems.

(39) *Rear yard* means an open area, excluding accessory buildings, between the rear line of the building and the rear lot line.

(40) *Removal of a tree* means any intentional or negligent act which:

- a. Cuts down or otherwise destroys or removes a tree;
- b. Causes a tree to decline and die, including, but not limited to:
 - 1. Damage inflicted upon the root system of a tree by the application of toxic substances, the operation of machinery, the change of natural grade by excavation or filling above the root system or around the tree trunk;
 - 2. Damage from injury or fire which results in pest infestation;
 - 3. Damage resulting from the attachment or use of ropes, wires or other similar devices; or
 - 4. Damage resulting from improper pruning or trimming; or
- c. Subdivides property in such a manner that a tree is at or near the center of a lot or in a location on the lot that requires the removal of the tree for construction of a dwelling unit or other structure.
- d. The term does not include removing palm trees when the palm trees are transplanted or replaced in compliance with section 5-4-66.

(41) *Septic tank system* means an on-site wastewater treatment system consisting of an underground tank, distribution box and drain field.

(42) *Significant tree* means any live oak tree (*Quercus virginiana*) having a diameter at breast height (DBH) of eight (8) inches to sixteen (16) inches or any tree of any other species having a diameter at breast height (DBH) of eight (8) inches to twenty-four (24) inches.

(43) *Side yard* means an open area between the building and the side lot line. Any lot line which is not a rear lot line or a front lot line shall be deemed to be a side lot line.

(44) *Specialized on-site wastewater disposal system* (also known as *Engineered on-site wastewater disposal system*) means an on-site wastewater disposal system that has been designed by a Registered Professional Engineer licensed in the State of South Carolina. Such systems may be utilized in lieu of traditional septic tank systems when the required engineering design and certification have been approved by the South Carolina Department of Health and Environmental Control (SCDHEC).

(45) *Street line* means a line separating the street or other right-of-way from a lot.

(46) *Structure* means anything constructed or erected which requires a fixed location on the ground, or which is attached to something having a fixed location on the ground, including but not limited to buildings, dwellings, mobile homes, fixtures, towers, signs, billboards, backstops for athletic activities, swimming pools, walls and fences. The term "structure" shall be construed to include any part thereof.

(47) *Trailer* means any vehicle or structure capable of moving, or being moved, over streets and highways on its own wheels or on flatbeds or other carriers, which is designed or utilized to:

(i) Provide temporary or permanent quarters for the conduct of a business, profession, trade or occupation;

(ii) Serve as a carrier of new or used goods, products or equipment;
or

(iii) Be used as a selling, advertising or display device.

(48) *Travel trailer* means a portable vehicular structure designed and primarily intended by its manufacturer as a temporary dwelling for recreational and vacation uses.

(49) *Tree* means any woody plant which has a diameter breast height (DBH) of at least eight inches (8"), including palm trees, but excluding pine trees and any tree identified as an invasive pest species in "Invasive Plant Pest Species of South Carolina," published by Clemson Extension.

(50) *Tree protection zone* means a circular area surrounding the base of a tree having a diameter equal to one foot (1') for each inch of DBH.

(51) *Wastewater* means sewage or a combination of water-carried wastes from residences and business buildings together with such ground, surface and stormwaters as may be present."

SECTION 2. That Paragraph (e) of Section 5-4-12, "Additional regulations," is hereby amended to state as follows:

"(e) All new construction or substantial improvements, as those terms are defined in section 5-4-155, shall be connected to the public sewer system if a public sewer line abuts a property or could abut a property with an extension of the sewer line of one hundred fifty (150') feet or less, as determined by the Isle of Palms Water and Sewer Commission. Where a gravity operated public sewer line does not abut a property or would require an extension of the sewer line of more than one hundred fifty (150') feet to reach a property, all new construction or substantial improvements must have an on-site wastewater disposal system or grinder pump system constructed or brought into compliance with current South Carolina

Department of Health and Environmental Control (SCDHEC) standards; provided, however, that if the property cannot meet current SCDHEC on-site wastewater disposal system or grinder pump system standards, the building on such property shall not be increased in size and the improvements shall not increase the number of bedrooms or bathrooms.”

SECTION 3. That Paragraphs (1)(a) and (1)(b) of Section 5-4-13, “Maximum lot coverage; floor area ratio requirements; additional setback requirements,” are hereby amended to state as follows:

“1. The following regulations shall apply to the SR-1, SR-2 and SR-3 zoning districts:

(a) Not more than forty percent (40%) of the area of a lot shall be covered by impervious material, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet. For lots with on-site wastewater disposal systems, this lot coverage requirement shall be reduced from forty (40%) percent to not more than thirty (30%) percent, provided that this requirement shall not limit lot coverage to less than two thousand four hundred (2,400) square feet nor allow lot coverage to exceed five thousand two hundred fifty (5,250) square feet.

(b) The floor area ratio of a lot shall not be greater than forty percent (40%) of the area of a lot, provided that this requirement shall not limit the enclosed living space of a principal structure to less than three thousand two hundred (3,200) square feet nor allow such enclosed space to exceed seven thousand (7,000) square feet. For lots with on-site wastewater disposal systems, this floor area ratio shall be reduced from forty (40%) percent to not greater than thirty (30%) percent, provided that this requirement shall not limit the enclosed living space of a principal structure to less than two thousand four hundred (2,400) square feet nor allow the enclosed living space of a principal structure to exceed five thousand two hundred fifty (5,250) square feet.”

SECTION 4. 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 5. 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 6. 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 _____ DAY OF _____, 2018.

Jimmy Carroll, Mayor

*Passed First Reading on 10/24/17
Revised 1/18/18 for Second Reading*

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

Planning Commission Action Items:

Require owners building within 150 feet of a gravity sewer line to tie into the sewer system

Reduce floor to area ratio (FAR) from 40% to 30% for new houses tying into a septic system

Reduce lot coverage from 40% to 30% for new houses tying into a septic system

TITLE 5 – PLANNING AND DEVELOPMENT

CHAPTER 4. - ZONING

Sec. 5-4-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) *Accessory building or use* means a use or building customarily incidental, subordinate to, and detached from the principal use or building and located on the same lot with such principal use or building.
- (2) *Adjoining property* means any piece, parcel or lot of real property abutting any other real property, including real property located directly across streets, watercourses, drainage easements or other rights-of-way from other real property.
- (3) *Adult uses* means sexually oriented businesses which are characterized by the exposure, depiction, or description of specified anatomical areas, or specified sexual activities by any method, manner, or device, including but not limited to the following:
 - (a) Regularly featuring persons who are nude, whether live, in films, motion pictures, videos, slides, or other photographic reproductions;
 - (b) Distribution of any one (1) or more of the following: books, magazines, periodicals, printed matter, photographs, films, motion pictures, videocassettes, video reproductions, slides, or other visual representations; or instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities, as defined herein; or
 - (c) Escort services, baths, saunas, steam baths, hydrotherapy, physical cultures, nude model studios, sexual activities or other similar services.

Specified anatomical areas means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified sexual activities means and includes the fondling or other erotic touching of human genitals, pubic area, buttocks, anus, or breasts; sexual acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, masturbation, actual or simulated; or excretory functions as part of or in connection with any of the foregoing acts.

~~(4)~~ (4) *Antenna* means a device, dish or array utilized by commercial, governmental, or other public or quasi-public users to transmit or receive telecommunications signals.

~~(55)~~ *Building line or setback* means a line which represents the minimum distance, when measured at right angles, which a building or structure must be placed from a lot line or a street right-of-way pursuant to this chapter.

~~(66)~~ *Charter boat* means watercraft for hire where captain or crew is provided.

~~(77)~~ *Communication tower* means a structure of any type which supports communication equipment for signal transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users, but excluding communication towers used exclusively by amateur radio operators who are duly licensed by the Federal Communications Commission and which are exempt from municipal zoning regulations.

~~(88)~~ *Conditional use* means a use permitted in a zoning district only by complying with additional conditions, restrictions or limitations as set forth in the description of such use.

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(99) *Diameter at breast height (DBH)* means the diameter of a tree trunk, measured in inches, at four and one-half feet (4½') above the existing grade of the property. If a tree has a multi-trunk split above grade, the DBH is deemed to be the sum of all trunks of the tree measured in inches, at four and one-half feet (4½') above the existing grade of the property.

(4010) *Drinking place* means a business primarily engaged in the sale of alcoholic beverages, beer or wine, for on-premises consumption.

(4411) *Dwelling* means a building or portion of a building used, arranged or designed to provide private human residential occupancy, excluding mobile homes and manufactured homes.

- a. *Dwelling, single-family*, means a detached dwelling designed for or occupied exclusively by one (1) family unit, and containing only one (1) kitchen.
- b. *Dwelling, two-family*, means a detached or semi-detached building designed for or occupied exclusively by two (2) family units living independently of each other.
- c. *Dwelling, group*, means a building or portion of a building occupied or intended for occupancy by several family units, but in which separate cooking facilities are not provided. The term "group dwelling" includes roominghouses, fraternity houses and sorority houses, but excludes hotels, motels or tourist homes.
- d. *Dwelling, multifamily, apartment house or residential condominium*, means a dwelling other than a single-family dwelling, two-family dwelling, or group dwelling.

(4212) *Eating place, fast food*, means a business primarily engaged in the sale of ready-to-consume food or beverages for on or off-premises consumption. An eating place or restaurant shall be deemed a fast food eating place if:

- (1) It has a seating capacity of less than twenty (20) persons for service of meals;
- (2) Most food items are already prepared or packaged before the customer places an order; and
- (3) Food and beverages are served primarily with disposable containers and tableware.

The term "fast food eating place" excludes retail grocery stores, convenience stores, delicatessens, or other businesses selling food or beverages as an accessory use or for off-premises preparation and consumption.

(4313) *Eating place, restaurant*, means a business primarily engaged in the preparation and sale of food to customers for on-premises consumption and having seating capacity for at least twenty (20) persons, including, but not limited to, cafes, lunch counters, cafeterias, eating and drinking establishments, or similar businesses, but excludes a fast food eating place or a drinking place. Any carryout service must be clearly subordinate to the principal business of serving prepared foods for on-premises consumption.

(14) *Engineered on-site wastewater disposal system* means a specialized on-site wastewater disposal system. See definition for *Specialized on-site wastewater disposal system*.

(4415) *Family unit* means one (1) person, or two (2) or more persons related by blood or marriage living together; or a group of not more than four persons, not related by blood or marriage but living together.

(4516) *Fence* means any manmade barrier that impedes or blocks free passage of humans or animals. It may or may not block line-of-sight vision or free flow of wind or water.

(4617) *Floor area ratio (FAR)* means a percentage calculated by dividing the total livable floor area of a structure on a lot by the total area of contiguous high land of such lot.

(4819A) *Frontage* means all of the property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or political subdivision boundary, measured along the street line.

(20) *Grinder pump system* means a wastewater pump station with pump(s), storage capacity and appurtenant piping, valves and other mechanical and electrical equipment which grinds or reduces the particle size of wastewater solids to yield a sewage slurry and which conveys the wastewater from its source to connect with the public gravity sewer system.

(1922) *Height of a structure* means the vertical distance from either the highest elevation of the road centerline immediately adjacent to the lot on which the structure is located, or the lowest area within the building footprint, proposed or existing, of an unaltered/unfilled lot, whichever is higher, to the highest point on the structure. Except for height limitations of communication towers and antennae contained in this chapter, the zoning district height limitations contained in this chapter shall not apply to church spires, chimneys, antennas, communication towers or aerals.

(2023) *Historic tree* means any live oak tree (*Quercus virginiana*) having a diameter at breast height (DBH) of sixteen (16) inches or greater or any tree of any other species having a diameter at breast height (DBH) of twenty-four (24) inches or greater.

(2124) *Home occupation* means a use customarily conducted in a dwelling and which is conducted entirely inside the primary residence of the principal owner of the business, and does not constitute a nuisance or otherwise adversely affect the use and development of other property in the neighborhood.

(2225) *Hotel* means a building, or portions thereof, which contains multiple units intended to provide sleeping accommodations for transient guests. The term "hotel" also includes motel, tourist home, motor lodge, inn, bed and breakfast, tourist court and auto court. The following criteria shall be used to distinguish between a hotel and a multifamily dwelling:

- a. If any units have individual kitchen facilities, the building is deemed to be a multifamily dwelling.
- b. Temporary habitation by transient guests normally involves durations of less than ninety (90) days. If a majority of the facility's occupants reside for more than ninety (90) consecutive days, the facility is deemed to be a multifamily dwelling.

(2326) *Impervious material* means any material through which water cannot penetrate. Such material includes, but is not limited to, principal or accessory structures, porches and decks, either covered or of tongue and groove construction, concrete, asphalt, or similar substances, but excludes gravel, shell or crushed stone.

(27) *Isle of Palms Water and Sewer Commission* means the Commissioners of Public Works of the City of Isle of Palms. Isle of Palms Water and Sewer Commission is the trade name used by the Commissioners of Public Works of the City of Isle of Palms organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.

(2428) *Junkyards or salvage yards* means the use of any property for the storage, keeping, abandonment, sale or resale of junk, salvage, waste or scrap materials; or the dismantling, demolition or abandonment of vehicles, machinery, equipment or any parts thereof.

(2529) *Lot* means a parcel of land described by metes and bounds at the County RMC Office, and having a County Tax Map System (TMS) number assigned to it.

(2630) *Lot coverage* means the percentage of contiguous high land on a lot that can be covered with impervious material.

(2731) *Lot, double frontage*, means a lot having a frontage on two (2) streets, other than at their intersection, as distinguished from a corner lot.

(2832) *Mobile home* means a manufactured home as defined by State law.

(2933) *Natural grade* means the elevation of the undisturbed natural surface of the property.

(3034) *Nonconforming lot, structure, or use* means a lot, structure or use which does not comply with the regulations of the zoning district in which it is located.

~~(3435)~~ OCRM means the State Office of Ocean and Coastal Resource Management, or its

~~(36)~~ *On-site wastewater disposal system* means a traditional septic tank system or other on-site wastewater disposal system. This definition also includes engineered or specialized on-site wastewater disposal systems.

~~(3237)~~ *Public sewer line* means a gravity operated sewer line operated and maintained by the Isle Palms Water and Sewer Commission.

~~(38)~~ *Public sewer system* means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems.

~~(39)~~ *Rear yard* means an open area, excluding accessory buildings, between the rear line of the building and the rear lot line.

~~(33A40)~~ *Removal of a tree* means any intentional or negligent act which:

- a. Cuts down or otherwise destroys or removes a tree;
- b. Causes a tree to decline and die, including, but not limited to:
 1. Damage inflicted upon the root system of a tree by the application of toxic substances, the operation of machinery, the change of natural grade by excavation or filling above the root system or around the tree trunk;
 2. Damage from injury or fire which results in pest infestation;
 3. Damage resulting from the attachment or use of ropes, wires or other similar devices; or
 4. Damage resulting from improper pruning or trimming; or
- c. Subdivides property in such a manner that a tree is at or near the center of a lot or in a location on the lot that requires the removal of the tree for construction of a dwelling unit or other structure.
- d. The term does not include removing palm trees when the palm trees are transplanted or replaced in compliance with section 5-4-66.

~~(33B)~~~~(41)~~ *Septic tank system* means an on-site wastewater treatment system consisting of an tank, distribution box and drain field.

~~(42)~~ *Significant tree* means any live oak tree (*Quercus virginiana*) having a diameter at breast height (DBH) of eight (8) inches to sixteen (16) inches or any tree of any other species having a diameter at breast height (DBH) of eight (8) inches to twenty-four (24) inches.

~~(3443)~~ *Side yard* means an open area between the building and the side lot line. Any lot line which a rear lot line or a front lot line shall be deemed to be a side lot line.

~~(44)~~ *Specialized on-site wastewater disposal system* (also known as *Engineered on-site wastewater disposal system*) means an on-site wastewater disposal system that has been designed by a Registered Professional Engineer licensed in the State of South Carolina. Such systems may be utilized in lieu of traditional septic tank systems when the required engineering design and certification have been approved by the South Carolina Department of Health and Environmental Control (SCDHEC).

~~(3545)~~ *Street line* means a line separating the street or other right-of-way from a lot.

~~(3646)~~ *Structure* means anything constructed or erected which requires a fixed location on the ground, or which is attached to something having a fixed location on the ground, including but not limited to buildings, dwellings, mobile homes, fixtures, towers, signs, billboards, backstops for athletic activities, swimming pools, walls and fences. The term "structure" shall be construed to include any part thereof.

(3747) *Trailer* means any vehicle or structure capable of moving, or being moved, over streets highways on its own wheels or on flatbeds or other carriers, which is designed or utilized to:

- (i) Provide temporary or permanent quarters for the conduct of a business, profession, trade or occupation;
- (ii) Serve as a carrier of new or used goods, products or equipment; or
- (iii) Be used as a selling, advertising or display device.

(3848) *Travel trailer* means a portable vehicular structure designed and primarily intended by its manufacturer as a temporary dwelling for recreational and vacation uses.

(3949) *Tree* means any woody plant which has a diameter breast height (DBH) of at least eight inches (8"), including palm trees, but excluding pine trees and any tree identified as an invasive pest species in "Invasive Plant Pest Species of South Carolina," published by Clemson Extension.

(4050) *Tree protection zone* means a circular area surrounding the base of a tree having a diameter equal to one foot (1') for each inch of DBH.

(51) *Wastewater* means sewage or a combination of water-carried wastes from residences and business buildings together with such ground, surface and stormwaters as may be present.

Sec. 5-4-12. - Additional regulations.

The following additional regulations shall apply to all zoning districts:

- (a) No land or building shall hereafter be used or occupied and no building or part thereof shall be constructed, erected, altered, or moved unless done in compliance with all applicable provisions of this chapter. Any use of land or buildings which is not allowed as a permitted use, conditional use, or special exception in the applicable zoning district is strictly prohibited.
- (b) The height of a building or structure shall not exceed forty feet (40'), unless otherwise provided in this chapter.
- (c) No lot shall be reduced to a size which does not meet the minimum lot area, lot width, yard areas, or other requirements of the applicable zoning district.
- (d) Except as provided in sections 5-4-45 and 5-4-46, no buildings shall be erected, altered or moved to create smaller front yards, side yards, rear yards or other open spaces than are required by the applicable zoning district.
- (e) All new construction or substantial improvements, as those terms are defined in section 5-4-155, shall be connected to a the public sewer system, if a public sewer line abuts a property or could abut a property with an extension of the sewer line of comes within one hundred fifty (150') feet determined by the Isle of Palms Water and Sewer Commission. Where a gravity-operated gravity sewer line is not accessible from a right-of-way or easement abutting the lot does not abut a one hundred fifty (150') feet to reach of a property, all new construction or substantial must have the an on-site wastewater treatmentwastewater disposal system or grinder pump into compliance with current South Carolina Department of Health and Environmental Control (SCDHEC) standards. Provided; provided, however, that if that this subsection shall not apply site wastewater treatmentwastewater disposal system or grinder pump system standards, so long is shall not be increased in size and the improvements do shall not increase the number of or bathrooms.
where a gravity operated sewer line is accessible from a right-of-way or easement abutting the lot; or
- (f) Sills, belt course, window air conditioning units, chimneys and cornices may project into a required yard by not more than two feet (2'). Steps may project into a required front yard or rear yard by not more than five feet (5').
- (g) The zoning district front yard setback requirements for dwellings shall not apply to any lot where the average setback of existing buildings located within one hundred feet (100') of each side of

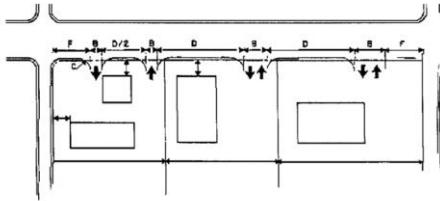
the dwelling within the same block and fronting on the same street is less than the required front yard setback. In such case the average setback on such lot shall not be less than the average setback of the existing buildings.

- (h) Where a lot abuts on two (2) streets (either a corner lot or a double frontage lot), the lot's front yard setback requirements must be met on both street sides and the lot's side yard setback requirements must be met on all other sides of the lot.
- (i) Where a lot abuts on two (2) streets or rights-of-way (either a corner lot or a double frontage lot), no accessory building shall be located closer to a street than the lot's front yard setback requirements.
- (j) No fence, wall, shrubbery, or other structure shall obstruct road traffic vision.
- (k) Every building hereinafter erected or moved shall be on a lot abutting a public street, or having legal access to an approved private street. All structures shall be located to allow for safe and convenient access for servicing, fire protection, and off-street parking.
- (l) All lots shall be located on a street having a minimum right-of-way of fifty feet (50'). The required fifty feet (50') shall not include any critical area as defined in section 5-4-15(A).
- (m) Except as allowed in section 5-4-113(g), no access drive shall be permitted which would require a reduction in existing on-street public parking or loading areas.
- (n) Except in residential and GC-2 zoning districts, access drives shall conform to the requirements set forth in the following table and figure 5-4-12-A:

Street Speed Limit (mph)	Maximum One-Way/Two-Way Drive Width (in feet)	Minimum Radius (in feet)	Minimum Spacing Between All Access Drives* (in feet)	Minimum Spacing Between All Drives and Intersections (in feet)
≤20	12/24	15	30	50
25	15/30	15	40	50
30	15/30	20	50	50
35	18/36	20	50	50
40	20/40	25	50	50

*The distance between abutting one-way access drives, with the inbound drive located upstream of the traffic flow from the outbound drive, can be one-half of the distance listed above.

Figure 5-4-12-A



B = Access Drive Width

C = Curb Radius

D = Access Drive Separation

E = Fifty (50) Foot Minimum Spacing From Right-of-Way

- (o) Access drives in the GC-2 zoning district authorized pursuant to section 5-4-113(g) must comply with the following requirements:
 1. There shall be only one (1) access drive per lot.
 2. An access drive shall not exceed twenty-four feet (24') in width.
 3. Prior to constructing an access drive from a State right-of-way, the owner of the property first must obtain an encroachment permit from the South Carolina Department of Transportation (SCDOT). All fees, costs and expenses for obtaining the permit and for construction of the access drive, arrangement for the sight distance requirement, and any other requirements of SCDOT shall be borne by the owner of the property.
 4. Prior to constructing an access drive from a City or County right-of-way, the owner of the property first must obtain an encroachment permit as set forth in title 3, chapter 1, article E. All fees, costs and expenses for construction of the access drive, compliance with the sight distance requirement, and any other requirements shall be borne by the owner of the property.
- (p) No lot shall be graded or filled to an elevation that results in a change to the existing stormwater runoff for such lot without the Zoning Administrator's prior approval of a stormwater management plan. The stormwater management plan shall include the stamp and signature of a duly licensed and qualified professional, all existing and proposed topographical features of the lot, and a statement by the professional certifying that the filling or grading of the lot will not adversely impact the drainage of any adjacent properties, drainage systems or rights-of-way.

Sec. 5-4-13. - Maximum lot coverage; floor area ratio* requirements; additional setback requirements.

1. The following regulations shall apply to the SR-1, SR-2 and SR-3 zoning districts:
 - (a) Not more than forty percent (40%) of the area of a lot shall be covered by impervious material, provided that this requirement shall not limit lot coverage to less than three thousand two hundred (3,200) square feet nor allow lot coverage to exceed seven thousand (7,000) square feet. For lots with on-site wastewater disposal systems, this lot coverage requirement shall be reduced from forty (40%) percent to not more than thirty (30%) percent, provided that this requirement shall not limit lot coverage to less than two thousand four hundred (2,400) square feet nor allow lot coverage to exceed five thousand two hundred fifty (5,250) square feet.

(b) The floor area ratio of a lot shall not be greater than forty percent (40%) of the area of a lot, provided that this requirement shall not limit the enclosed living space of a principal structure to less than three thousand two hundred (3,200) square feet nor allow such enclosed space to exceed seven thousand (7,000) square feet. For lots with on-site wastewater disposal systems, this floor area ratio shall be reduced from forty (40%) percent to not greater than thirty (30%) percent, provided that this requirement shall not limit the enclosed living space of a principal structure to less than two thousand four hundred (2,400) square feet nor allow the enclosed living space of a principal structure to exceed five thousand two hundred fifty (5,250) square feet.

■

(c) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of seventy (70) feet or greater, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to section 5-4-2(18) shall be thirty (30) feet, with no side yard less than ten (10) feet.

(d) For lots larger than eight thousand (8,000) square feet, with a lot width at the front building line of at least sixty (60) feet but less than seventy (70) feet, the combined minimum side yard setback requirement for any portion of the enclosed building at or above twenty-five (25) feet in height as measured pursuant to section 5-4-2(18) shall be twenty-five (25) feet, with no one side yard less than ten (10) feet.

2. This section does not prohibit a structure on any City-owned lot which is used for municipal purposes from exceeding seven thousand (7,000) square feet so long as the other requirements of this section which are not inconsistent with this subsection are met.

ORDINANCE 2017-10

AN ORDINANCE AMENDING TITLE 6, HEALTH AND SANITATION, CHAPTER 1, GENERAL PROVISIONS, ARTICLE D, REGULATION OF ON-SITE SEWAGE DISPOSAL SYSTEMS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE MANDATORY CONNECTION TO PUBLIC SEWER SYSTEM WHERE PUBLIC SEWER LINE IS AVAILABLE UPON THE SALE OR TRANSFER OF PROPERTY.

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 Article D, "Regulation of On-Site Sewage Disposal Systems" is hereby amended to state as follows:

"ARTICLE D. - REGULATION OF NON-PUBLIC WASTEWATER
DISPOSAL SYSTEMS

Sec. 6-1-40. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Engineered on-site wastewater disposal system means a specialized on-site wastewater disposal system. See definition for *Specialized on-site wastewater disposal system*.

Grinder pump system means a wastewater pump station with pump(s), storage capacity and appurtenant piping, valves and other mechanical and electrical equipment which grinds or reduces the particle size of wastewater solids to yield a sewage slurry and which conveys the wastewater from its source to connect with the public gravity sewer system.

Immediate family member means a person's spouse, great-grandparents, grandparents, parents, legal guardian, brothers, sisters, children, grandchildren, great-grandchildren, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, daughters-in-law and sons-in-law.

Isle of Palms Water and Sewer Commission means the Commissioners of Public Works of the City of Isle of Palms. Isle of Palms Water and Sewer Commission is the trade name used by the Commissioners of Public Works of the City of Isle of Palms organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.

On-site wastewater disposal system means a traditional septic tank system or other on-site wastewater disposal system. This definition also includes engineered or specialized on-site wastewater disposal systems.

Public sewer line means a gravity operated sewer line operated and maintained by the Isle of Palms Water and Sewer Commission.

Public sewer system means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems.

Septic tank system means an on-site wastewater treatment system consisting of an underground tank, distribution box and drain field.

Specialized on-site wastewater disposal system (also known as *Engineered on-site wastewater disposal system*) means an on-site wastewater disposal system that has been designed by a Registered Professional Engineer licensed in the State of South Carolina. Such systems may be utilized in lieu of traditional septic tank systems when the required engineering design and certification have been approved by the South Carolina Department of Health and Environmental Control (SCDHEC).

Wastewater means sewage or a combination of water-carried wastes from residences and business buildings together with such ground, surface and stormwaters as may be present.

Sec. 6-1-41. - New installations.

Any new or replacement on-site wastewater disposal system installed within the City shall be required to include an access manhole built into the lid over each compartment of the tank, and over the outlet end of the septic tank. An appropriate mechanism shall be provided to make the access manholes vandal-, tamper-, and child-resistant.

Sec. 6-1-42. - Mandatory connection to public sewer system upon sale or transfer of property.

At such time as a public sewer line becomes available to a property serviced by an existing on-site wastewater disposal system or grinder pump system, such property shall be connected to the City's public sewer system when the property is sold or otherwise transferred to a new owner; provided, however, that this provision shall not apply to the transfer of property to an immediate family member or by inheritance. Any existing on-site wastewater disposal system or grinder pump system shall be emptied, disposed of, and filled with suitable material in accordance with all applicable local and state regulations. All expenses associated with the mandatory public sewer connection shall be paid by the buyer or transferee of the property. A public sewer line shall be considered available to a property when it is located in a right-of-way or easement abutting any lot line of the property.

Sec. 6-1-43. - Reserved.

Sec. 6-1-44. - Violations; penalties.

A violation of this article is a misdemeanor punishable pursuant to section 1-3-66. Each day that a violation continues shall constitute a separate offense.”

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 _____ DAY OF _____, 2018.

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

Action Item from Planning Commission:

Require properties that sell where gravity sewer available to tie into the sewer system

TITLE 6 – HEALTH AND SANITATION

CHAPTER 1 – GENERAL PROVISIONS

ARTICLE D. - REGULATION OF ~~NON-PUBLIC~~ ~~ON-SITE~~ ~~ON-SITE SEWAGE DISPOSAL~~ WASTEWATER DISPOSAL SYSTEMS

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Sec. 6-1-40. - Definitions.

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Engineered on-site wastewater disposal system means a specialized on-site wastewater disposal system. See definition for Specialized on-site wastewater disposal system.

Grinder pump system means a wastewater pump station with pump(s), storage capacity and appurtenant piping, valves and other mechanical and electrical equipment which grinds or reduces the particle size of wastewater solids to yield a sewage slurry and which conveys the wastewater from its source to connect with the public gravity sewer system.

Immediate family member means a person's spouse, great-grandparents, grandparents, parents, legal guardian, brothers, sisters, children, grandchildren, great-grandchildren, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, daughters-in-law and sons-in-law.

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Isle of Palms Water and Sewer Commission means the Commissioners of Public Works of the City of Isle of Palms. Isle of Palms Water and Sewer Commission is the trade name used by the Commissioners of Public Works of the City of Isle of Palms organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.

On-site wastewater disposal system means a traditional septic tank system or other on-site wastewater disposal system. This definition also includes engineered or specialized on-site wastewater disposal systems. OSDS means any septic tank system or other on-site sewage disposal system.

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Public sewer line means a gravity operated sewer line operated and maintained by the Isle of Palms Water and Sewer Commission.

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Public sewer system means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems.

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Wastewater means sewage or a combination of water-carried wastes from residences and business buildings together with such ground, surface and stormwaters as may be present.

Sec. 6-1-41. - New installations.

Any new or replacement OSDS on-site wastewater disposal system installed within the City shall be required to include an access manhole built into the lid over each compartment of the tank, and over the

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Action Item from Planning Commission:

Require properties that sell where gravity sewer available to tie into the sewer system

outlet end of the septic tank. An appropriate mechanism shall be provided to make the access manholes vandal-, tamper-, and child-resistant.

Sec. 6-1-42. - Mandatory connection to public sewer system upon sale or transfer of property.

At such time as a public sewer line becomes available to a property serviced by an existing on-site wastewater disposal system or grinder pump system, such property shall be connected to the City's public sewer system when the property is sold or otherwise transferred to a new owner; provided, however, that this provision shall not apply to the transfer of property to an immediate family member or by inheritance. Any existing on-site wastewater disposal system or grinder pump system shall be emptied, disposed of, and filled with suitable material in accordance with all applicable local and state regulations. All expenses associated with the mandatory public sewer connection shall be paid by the buyer or transferee of the property. A public sewer line shall be considered available to a property when it is located in a right-of-way or easement abutting any lot line of the property.

~~Sec. 6-1-42. - Reserved.~~

Sec. 6-1-43. - Reserved.

Sec. 6-1-44. - Violations; penalties.

A violation of this article is a misdemeanor punishable pursuant to section 1-3-66. Each day that a violation continues shall constitute a separate offense.

MEMO

To: Public Works Committee

From: Desirée Fragoso, City Administrator

RE: Smoking Ban on the Beach

Date: July 31, 2019

City staff was asked to evaluate the establishment of a non-smoking policy on the Isle of Palms beach.

Beach litter is harmful to the environment. Research shows that the number one form of litter on beaches is cigarette butts. There are many reasons to support a smoking ban on the beach: environmental, aesthetics, toxicity of litter and the harmful effects of secondhand smoke.

Many municipalities in California, Hawaii, Maine, Michigan, New Jersey, New York, South Carolina, Rhode Island and Washington have adopted smoking bans.

A. Ordinance

- City Council may amend Title 6 – Health and Sanitation, Chapter 4, Smoking in the Workplace

B. Areas and Activities

- Does the City want to include City facilities, public outdoor spaces and public beach access paths?
- Does the City want/need to designate “smoking areas”?
- Need to establish a definition for “beach.” Example from Surfside Beach Ordinance: *Beach shall mean, any area of public land between the Atlantic Ocean waters edge at the then current ocean tide line, including the mean high-water mark on the Atlantic Ocean, and the established private property line.*
- Does the City want to include vaping, pipes, cigars and other tobacco products?

C. Enforcement and Penalties

- Any municipality, should it wish to deter smoking on its beaches, must do so using civil penalties.
- May be enforced by the Police Department. IOPPD plans to use Beach Services Officers on the beach for beach patrol and they would have the ability to issue a Municipal Ordinance Summons for this violation. Similar to the enforcement of littering, officers would need to see the violation firsthand to issue a citation.
- Per Section of 6-4-7 of the City Code: *Any person who smokes in an area where smoking is prohibited by the provisions of this article shall be guilty of a civil infraction, punishable by a fine of not less than Ten (\$10.00) Dollars nor more than Twenty-five (\$25.00) Dollars.*

D. Other things to consider:

- Signage - How many signs and where to place them?
- How to compel violators to show up for court and pay the fine?

E. Next steps:

Recommendation to the Public Safety Committee to discuss enforcement

Sec. 7-131. - Findings and determinations.

The town council (the "council") of the Town of Surfside Beach, South Carolina, hereby finds and determines:

- (1) The Town of Surfside Beach, South Carolina (the "town"), is an incorporated municipality located in Horry County, South Carolina, and as such possesses all powers granted to municipalities by the Constitution and the laws of the State of South Carolina, including the powers enumerated in S.C. Code § 5-7-30 (2005 Supp) relating to regulating streets, markets, and public health.
- (2) Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution, and that breathing secondhand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy nonsmokers, including heart disease, stroke, respiratory disease, and lung cancer. The National Cancer Institute has determined that secondhand smoke is responsible for the early deaths of up to 65,000 Americans annually. (National Cancer Institute (NCI), "Health effects of exposure to environmental tobacco smoke: the report of the California Environmental Protection Agency. Smoking and Tobacco Control Monograph 10, "Bethesda, MD: National Institutes of Health, National Cancer Institute (NCI), August 1999.) The Surgeon General has declared that:
 - a. Secondhand smoke causes disease and premature death in nonsmokers exposed to smoke;
 - b. Children exposed to secondhand smoke have an increased risk for sudden death syndrome, acute respiratory infections, ear problems, and more severe asthma;
 - c. Adults exposed to secondary smoke have a higher risk of coronary heart disease and lung cancer;
 - d. There is no safe level of exposure to secondhand smoke; and
 - e. Separating smoking and nonsmoking sections of indoor areas does not sufficiently remove the threats of secondhand smoke in enclosed areas.
- (3) A significant amount of secondhand smoke exposure occurs in the workplace. Employees who work in smoke-filled businesses suffer a twenty-five to fifty (25—50) percent higher risk of heart attack and higher rates of death from cardiovascular disease and cancer, as well as increased acute respiratory disease and measurable decrease in lung function. (Pitsavos, C.; Panagiotakos, D.B.; Chryschoou, C.; Skoumas, J.; Tzioumis, K.; Stefanadis, C.; Toutouzas, P., "Association between exposure to environmental tobacco smoke and the development of acute coronary syndromes: the CARDIO2000 case-control study," Tobacco Control 11(3): 220-225, September 2002.)
- (4) Smoke-filled workplaces result in higher worker absenteeism due to respiratory disease, lower productivity, higher cleaning and maintenance costs, increased health insurance

rates, and increased liability claims for diseases related to exposure to secondhand smoke. ("The high price of cigarette smoking," Business & Health 15(8), Supplement A: 6-9, August 1997.)

- (5) Certain outdoor events, such as parades, festivals, and other public gatherings, result in nonsmokers finding themselves in close proximity to persons who are smoking which can be reasonably seen to have the same effects of exposure as when nonsmokers are exposed to smoke in the same enclosed space. Lighted cigarettes, cigars, and pipes of people standing or sitting in close proximity have the potential of burning those with whom they inadvertently come into direct contact and making the air quality and peaceful enjoyment of outdoor events unreasonably restricted for nonsmokers.
- (6) When there is a presence of secondhand smoke in enclosed spaces or in outside areas where there is a public gathering resulting in people being in close proximity in places that are otherwise open to the public at large inevitably results in persons who do not smoke being forced to bear unwarranted health risks and inappropriate deprivation of peaceful enjoyment of the premises to which they have been invited or permitted to enter, even when steps have been taken to separate "smoking" and "nonsmoking" areas within the confined space.
- (7) The town recognizes that smoke creates a danger to the health and safety of the public at large and that, in order to protect the health and welfare of the public, it is necessary to restrict smoking in the manner provided for in this article (the "article").

(Ord. No. 08-0643, 11-11-08; Ord. No. 09-0670, 5-26-09)

Sec. 7-132. - Definitions.

Unless the context shall clearly indicate some other meaning, the terms defined in this section shall, for all purposes of this article and other documents herein referenced, have the meanings herein specified. Definitions shall be equally applicable to both the singular and plural forms of any of the terms herein defined.

Bar shall mean an establishment that is devoted to the serving of alcoholic beverages for consumption by guests on the premises and in which the serving of food is only incidental to the consumption of those beverages including, but not limited to, taverns, nightclubs, cocktail lounges, and cabarets.

Beach shall mean, any area of public land between the Atlantic Ocean waters edge at the then current ocean tide line, including the mean high water mark on the Atlantic Ocean, and the established private property line.

Business shall mean a sole proprietorship, partnership, joint venture, corporation, or other business entity, either for-profit or not-for-profit, including retail establishments where goods or services are offered for sale; professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered; and private clubs.

Employee shall mean a person who is employed by an employer in consideration for direct or indirect monetary wages, commission, goods or services in kind or like compensation, and it shall also mean a person who volunteers his or her services for a nonprofit entity.

Employer means a person, business, partnership, association, corporation, including a municipal corporation, trust, or nonprofit entity that employs the services of one or more individual persons.

Enclosed area means all space between a floor and ceiling that is enclosed on all sides by walls or windows (exclusive of doorways), which extend from the floor to the ceiling, including stationary structures and mobile public conveyances; parking structures and other facilities having only partial exterior walls but otherwise enclosed by ceilings and floors shall also be included in this definition.

Health care facility means an office or institution providing care or treatment of persons having diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions including, but not limited to, hospitals, rehabilitation hospitals or other clinics, including weight control clinics, nursing homes (except as otherwise permitted herein), homes for the aging or chronically ill, laboratories, and offices of surgeons, chiropractors, physical therapists, physicians, dentists, and all specialists within these professions. This definition shall include all waiting rooms, hallways, private rooms, semiprivate rooms, and wards within health care facilities.

Place of employment means an area under the control of a public or private employer that employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles. A private residence is not a "place of employment" for purposes of this article unless it is used as a childcare, adult day care, or health care facility. Nor is a private passenger motor vehicle a "place of employment" when used in the performance of employment responsibilities, provided it is not being used as public conveyance.

Private club means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes, or for purposes of benefiting particular club members and their guests, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established written bylaws and/or a written constitution to govern its activities. The organization has been granted an exemption from the payment of federal income tax as a club under 26

U.S.C. section 501. Establishments which are in fact operating as bars, restaurants, or entertainment venues primarily for the pecuniary benefit of the owner, or chief operating officer, or other person having substantial control shall not be treated as private clubs under this article.

Public place means an area to which the public is invited or to which the public is permitted to have access, including, but not limited to, banks, bars, educational facilities, health care facilities, hotel and motel lobbies, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, theaters, waiting rooms, sports arena, stadiums, parks including ball parks, athletic fields and soccer fields. A private club is a "public place" when being used for a function to which the general public is allowed entry. A private residence is not a "public place" unless it is used as a childcare, adult day care, or health care facility.

Restaurant means an eating establishment including, but not limited to, coffee shops, cafeterias, sandwich stands, ice cream parlors, and private and public school cafeterias, which gives or offers for sale food to the public, guests, or employees, as well as kitchens and catering facilities in which food is prepared on the premises for serving elsewhere. The term "restaurant" shall include a bar area within the restaurant.

Retail tobacco store means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is merely incidental. The term specifically includes cigar bars, which are establishments licensed for the on-premises sale of beer, wine, and alcoholic beverages as well as some food service, but the term does not include any establishment which is primarily a bar or restaurant and which undertakes to make retail offerings of tobacco products as a means of circumventing the purposes of this article.

Service line means an indoor line in which one or more persons are waiting for or receiving service of any kind, whether or not the service involves the exchange of money.

Shopping mall means an enclosed public plaza, promenade, walkway, or hall area that serves to connect retail or professional establishments.

Smoking means inhaling, exhaling, burning, or carrying any lighted cigar, cigarette, pipe, or other lighted tobacco product in any manner or in any form.

Sports arena means indoor or outdoor sports pavilions, stadiums, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports or other events.

(Ord. No. 08-0643, 11-11-08; Ord. No. 09-0670, 5-26-09)

Sec. 7-136. - Prohibition of smoking in certain outdoor areas.

Smoking shall also be prohibited in certain outdoor areas when the use involves a gathering of the public, regardless of the number actually assembled. This prohibition shall apply to:

- (1) Amphitheaters.
- (2) Parks.
- (3) Ball parks, athletic fields and soccer fields, when in use for athletic competitions or public performances.
- (4) Parades and special events on public streets and town property, although the town administrator has the discretion, but not the obligation, to establish designated smoking areas in or in proximity to the parade or event area.
- (5) Dining areas in encroachment areas on public sidewalks, plazas, and parks.
- (6) Zoos and animal sanctuaries.
- (7) Beaches and public beach accesses.

(Ord. No. 08-0643, 11-11-08; Ord. No. 09-0670, 5-26-09)

Sec. 7-142. - Enforcement.

- (a) This article shall be enforced by the town police or office of the town administrator through an appointed code enforcement official.
- (b) Notice of the provisions of this article shall be given to all applicants for a business license in the town.
- (c) Any citizen who desires to register a complaint under this article may initiate enforcement with the office of the town administrator or town police.
- (d) The building codes division, fire department, or their designees shall, while an establishment is undergoing otherwise mandated inspections, inspect for compliance with this article.
- (e) An owner, manager, operator, or employee of an establishment regulated by this article shall inform persons violating this article of the appropriate provisions thereof.
- (f) Notwithstanding any other provision of this article, an employee or member of the public may request legal action against a person, business, or organization in violation of this article to enforce this article.
- (g) In addition to the remedies provided by the provisions of this section, the town or any person aggrieved by the failure of the owner, operator, manager, or other person in control of a public place or a place of employment to comply with the provisions of this article may apply for injunctive relief to enforce those provisions in any court of competent jurisdiction.

(Ord. No. 08-0643, 11-11-08; Ord. No. 09-0670, 5-26-09)

Sec. 7-143. - Violations and penalties.

- (a) A person who smokes in an area where smoking is prohibited by the provisions of this article shall be guilty of a civil infraction, punishable by a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00).
- (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) A person who owns, manages, operates, or otherwise controls a public place or place of employment and who fails to comply with the provisions of this article shall be guilty of a civil infraction, punishable by a fine of not less than ten dollars (\$10.00) nor more than twenty-five dollars (\$25.00) and may be subject to provisions contained in subsections 7-143 (b)–(g).
- (i) In addition to the fines established by this section, repeated violations of this article by a person who owns, manages, operates, or otherwise controls a public place or place of employment may result in the suspension or revocation of any occupancy permit or business license issued to the person for the premises on which the violation occurred.
- (j) Violation of this article is hereby declared to be a public nuisance, which may be abated by the town by restraining order, preliminary and permanent injunction, or other means provided for by law, and the town may take action to recover the costs of the nuisance abatement.
- (k) Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines and business license suspension, if applicable.

(Ord. No. 08-0643, 11-11-08; Ord. No. 09-0670, 5-26-09)