

#### **Public Safety Committee**

1:00 P.m., Thursday, June 4, 2020 1207 Palm Boulevard, Isle of Palms, SC

#### Virtual Meeting Due to COVID-19 Pandemic:

The public may join the virtual meeting by clicking here: <u>https://www.youtube.com/user/cityofisleofpalms</u>

#### **Public Comment:**

Citizens may provide public comment here: https://www.iop.net/public-comment-form

#### <u>AGENDA</u>

- **1. Call to order** and acknowledgment that the press and the public have been duly notified of the meeting in accordance with the Freedom of Information Act.
- 2. Approval of previous meeting's minutes May 13, 2020
- Citizens' Comments Citizens may submit written comments here: <u>https://www.iop.net/public-comment-form</u> Comments received prior to the meeting will be entered into the record.

#### 4. Old Business

- a. Discussion of implementing paid parking on the designated public beach parking zones and discussion about Ocean Boulevard parking
- b. Update on Public Safety Building rehabilitation project
- c. Discussion of existing rules for dogs on the beach
- d. Discussion of recommendations from Planning Commission related to short-term rental regulations

#### 5. New Business

- a. Discussion of beach parking at the Recreation Center, 27th and 28th Avenues
- b. Discussion of exception in the City Code that allows "Hobie Cat" style sailboats, which are operable and in good condition, to be left on the beach

#### 6. Highlights of Departmental Reports

- a. Fire Department Chief Graham
- b. Police Department Chief Cornett

#### 7. Miscellaneous Business

Next meeting date: 9:00 a.m., Monday, July 6, 2020

#### 8. Adjournment



#### Public Safety Committee 10:00am, Wednesday May 13, 2020 Virtual Meeting via Zoom call due to COVID-19 Pandemic: Broadcasted live on YouTube: https://www.youtube.com/user/cityofisleofpalms

#### **MINUTES**

#### 1. Call to order

Present: Council members Buckhannon, Ward, and Pounds

Staff Present: Administrator Fragoso, Chief Cornett, Chief Graham, Director Kerr

### 2. Approval of previous meeting's minutes – March 2, 2020

Council Member Ward made a motion to approve, and Council Member Pounds seconded the motion. The minutes passed unanimously.

- 3. **Citizens' Comments** none
- 4. **Old Business**

### A. Update on the refurbishment of the 95' ladder truck

Chief Graham reported that the work on the truck is on schedule and should be returned by the end of June.

## B. Discussion of implementing paid parking on the designated public beach parking zones

Administrator Fragoso said she reached out to SCDOT this week to see if the City will need a modified encroachment permit. Upon implementation, the parking spaces will be available to those paying via a phone app, so no kiosks will be needed. License Plate Readers will be needed to enforce the payment in those spaces and the monies for those are in the FY21 budget. It is the City's intent that residents with annual parking decals will be permitted to park in these areas without paying. Chief Cornett said that staff will need to be educated and trained on the use of the LPRs upon their purchase. Administrator Fragoso noted the need for a public educational component as this parking plan is being implemented.

### C. Update on Public Safety Building rehabilitation project

Administrator Fragoso said, "The project is moving along very well. We have weekly conference calls with the Design Build Team and our owner's representative every Thursday. So we will have this week's tomorrow at 1:00. I will give you a quick update. So from the interior, drywall

is pretty much complete on the second floor for the fire department. The HVAC ducts for the second floor for the police department is being installed. For the exterior demo is pretty much complete and all the siding has been removed, and they have started, if you all drive around, you will see some of the siding being installed as we speak. There has been a significant amount of work in the sally port as well...So the roofing I think it is one of the biggest components of this whole project and they are installing some of the new roof panels that are onsite. So they are waiting on waterproofing work to be completed so that activity on the roof can continue. Painting, we have some mock-ups outside for different colors to choose from. I have not yet seen it, so I am eager to look at some of the colors that Chief Graham has picked for the building. The HVAC equipment has been ordered. There was a slight delay due to COVID-19, but we think that we are going to get that on schedule. All new light fixtures have been ordered, and we have started coordinating the move of the Fire Department from the third floor. As you all know, the work was slated to start on the third floor, and due to the pandemic situation, we delayed that so that our Fire Department crews could stay in the third floor instead of the trailers." She said the project is still on schedule and on budget. No new deficiencies have been discovered to date. She also reported that the construction staff and public safety staff have had little to no interaction. Council Member Buckhannon asked Administrator Fragoso to check about the timing of the decision needed for the portico.

Chief Graham said the firefighters will move into the trailers by May 30. Two UV light systems have been ordered for the bedrooms and the furniture cleaned and moved.

## D. Discussion of recommendations from Planning Commission related to short-term rentals

Director Kerr reminded Committee Members of the recommendations regarding short-term rentals offered up by the Planning Commission. Chief Cornett explained the need for an owner's representative to be nearby in case there is an issue with a property. Committee members questioned the requirement of adding a business license number to the advertising of a short-term rentals. Council Member Buckhannon stated he would like more information from the City Attorney about that particular recommendation before moving forward.

### E. Discussion on pedestrian crossing at Palm Boulevard and IOP Connector

Chief Cornett said SCDOT is still telling him that the delay will be the same. "It is going to be the same 41-second delay regardless if we instituted the walk or we delay the turn. And even the one issue that was brought up from Council that I think we should look at trying to find a resolution for too, is even if we stop the left-hand turn coming from Palm onto the connector, we still have a right-hand turn that has a yield so that would still be the other issue." He said he would like more time to study the intersection when there is more traffic and then make his recommendations to the Committee.

#### 5. New Business

### A. Discussion of parking and traffic complaints on 7<sup>th</sup> Avenue

Administrator Fragoso reviewed a complaint from a resident living on 7<sup>th</sup> Avenue, who claims there is more parking on that street than the other finger streets, leading to more traffic there. He reports that people are not parallel parking there as they should. Chief Cornett said patrols have been stepped up in that area and a significant number of parking tickets have been written.

## B. Discussion of regulations for dogs on the beach and update on number of violations and citizen's concerns

Following the report of a citizen being bitten recently by a dog off leash on the beach, Chief Cornett reported 9 dog off leash tickets were written last year and only 2 have been written so far this year. Now that the beach is open, he will instruct the officers to be more aggressive in enforcing that law. Administrator Fragoso said the Public Safety Department will use its social media to create a video to educate the public about the dogs on the beach and leash laws.

## C. Discussion of Governor's social distancing guidelines for restaurants and enforcement

Administrator Fragoso said Chief Cornett, Chief Graham and their staffs are visiting local businesses to discuss the rules in the Governor's Executive Orders regarding indoor and outdoor dining. The City's website now includes a page of resources for restaurant owners, which is also being provided in paper format to them as well. Administrator Fragoso said she plans to invite the restaurant owners to a meeting with MUSC and their Back-to-Business Program. Chief Graham shared that they have provided placards to restaurants detailing their allowable occupancies.

### 7. Highlights of Departmental Reports

#### A. Fire Department – Chief Graham

Chief Graham reviewed the calls for service and notable events for the Fire Department in April. She shared that the new truck has arrived but cannot be put into service until proper training has been completed.

Chief Graham then reported on a May 3 incident involving two firefighters pulling a swimmer to safety at Breach Inlet with very little equipment. They will be presented with awards in the near future.

#### B. Police Department – Chief Cornett

Chief Cornett gave statistics regarding citations at the checkpoint and during the reopening to date: 64 warnings given during the beach access path closings, 27 social distancing warnings, 37 warnings for stay-at-home violations, 3 citations for social distancing, four citations for stay-at-home violations. 598 warnings for keep moving were given and one citation for a short-term rental violation. After the checkpoint was lifted, Public Safety has issued 478 parking tickets,

and numerous violations not related to the pandemic. He noted the staff has worked very hard throughout the shutdown.

Chief Cornett reported on the recent trial use of a drone on the beach. He said it could be used to help with social distancing, look for missing children, and traffic. He said there is a 100% DOJ grant for drones as well as a California company giving them away at the moment to gain name recognition in the law enforcement community. Committee members expressed concern about the use of a drone and said they would like to see a draft policy statement regarding the use of drones on the island before agreeing to move forward with applying for one.

#### 8. Miscellaneous Business

The next meeting of the Public Safety Committee will be Monday, June 1, 2020 at 9am.

#### 9. Adjournment

Council Member Ward made a motion to adjourn, and Council Member Pounds seconded the motion. The motion passed unanimously. The meeting was adjourned at 11:11am.

Respectfully submitted,

Nicole DeNeane City Clerk

|           | INDEX OF SHEETS                 |                 |  |  |  |  |  |  |
|-----------|---------------------------------|-----------------|--|--|--|--|--|--|
| SHEET NO. | DESCRIPTION                     | SHEET SUBTOTALS |  |  |  |  |  |  |
| 1         | TITLE SHEET                     | 1               |  |  |  |  |  |  |
| 2         | SUMMARY OF ESTIMATED QUANTITIES | 1               |  |  |  |  |  |  |
| 3-4       | SIGN DETAILS                    | 2               |  |  |  |  |  |  |
| 5-15      | PARKING ZONE KEY SHEETS         | 11              |  |  |  |  |  |  |
| 16-26     | SIGNING PLANS                   | 11              |  |  |  |  |  |  |
| TOTAL     |                                 | 26              |  |  |  |  |  |  |



RAILROAD INVOLVEMENT? YES / NO

CALL 811

SOUTH CAROLINA 811 (SC811) www.SC811.COM ALL UTILITIES MAY NOT BE A MEMBER OF SC811

3 DAYS BEFORE DIGGING IN SOUTH CAROLINA

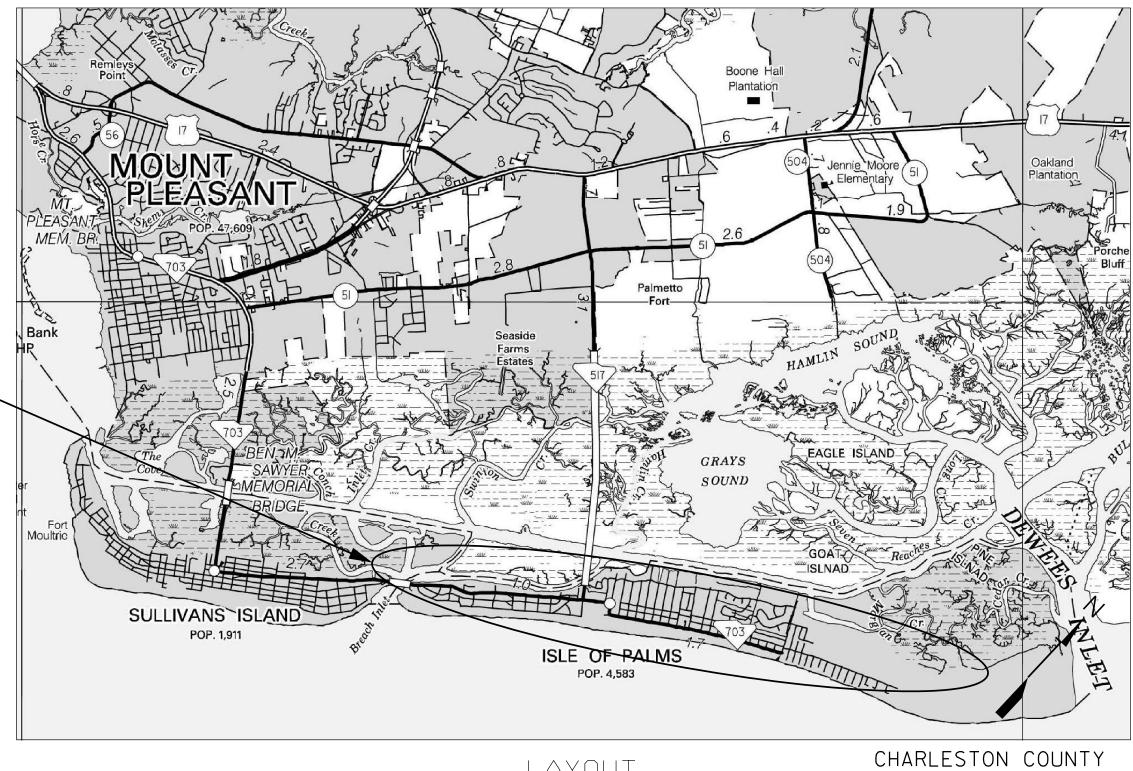
PROJECT LIMITS ARE WITHIN CITY OF ISLE OF PALMS CITY LIMITS



# PROPOSED PLANS FOR <u>CITY OF ISLE OF PALMS</u>

MANAGED BEACH PARKING SIGNING PLAN

VARIOUS ROADS IN CITY OF ISLE OF PALMS LIMITS



LAYOUT SCALE 1 INCH = N.T.S. FEET



NOTE: EXCEPT AS MAY OTHERWISE BE SPECIFIED ON THE PLANS OR IN THE SPECIAL PROVISIONS, ALL MATERIALS AND WORKMANSHIP ON THIS PROJECT SHALL CONFORM TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION (2007 EDITION) AND THE STANDARD DRAWINGS FOR ROAD CONSTRUCTION IN EFFECT AT THE TIME OF LETTING. Design Reference for these plans is the: 2001

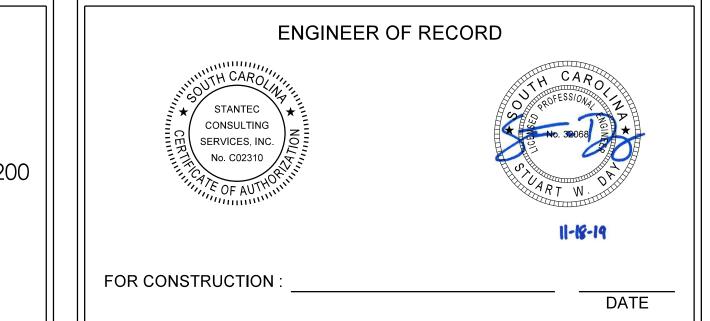
AASHTO "A Policy on Geometric Design of Highways and Streets"

# PRELIMINARY PLANS

CONSULTING ENGINEERING FIRM

## **Stantec**

Stantec Consulting Services 4969 Centre Pointe Drive, Suite 200 North Charleston, SC 29418 Tel: 843.740.7700 Fax: 843.740.7707 www.stantec.com

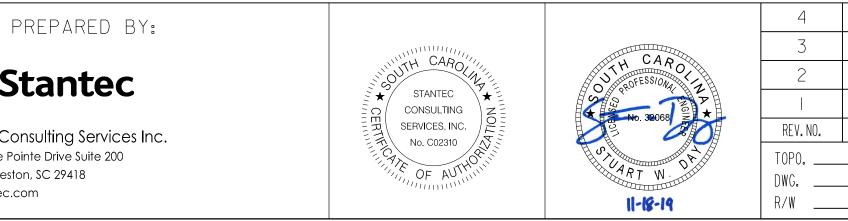


## SUMMARY OF ESTIMATED QUANTITIES

| SECTION | ITEM  | QUANTITY | UNIT |
|---------|---|----------|------|
| 1031000 | MOBILIZATION                                      | 1.000    | LS   |
| 1032010 | BONDS AND INSURANCE                               | 1.000    | LS   |
| 1071000 | TRAFFIC CONTROL                                   | NEC      | LS   |
| 6510105 | FLAT SHEET, TYPE III, FIXED SIZE AND MESSAGE SIGN | 82.000   | SF   |
| 6531210 | U-SECTION POST FOR SIGN SUPPORTS - 3P             | N/A      | LF   |
| 6531410 | REMOVAL OF U-SECTION POSTS                        | 40.000   | EA   |
| 6551105 | SQUARE TUBING POST 12 GUAGE – 1 3/4" X 1 3/4"     | 816.000  | LF   |
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| ITEM | QUANTITY    | UNIT    | COMMENTS |
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PLANS PREPARED BY:



Stantec Consulting Services Inc. 4969 Centre Pointe Drive Suite 200 North Charleston, SC 29418 www.stantec.com

# THE FOLLOWING QUANTITIES ARE NOT SHOWN IN DETAIL ON THE PLANS BUT ARE INCLUDED IN THE SUMMARY OF ESTIMATED QUANTITIES AND MAY BE ADJUSTED DURING CONSTRUCTION AS DIRECTED BY THE ENGINEER.

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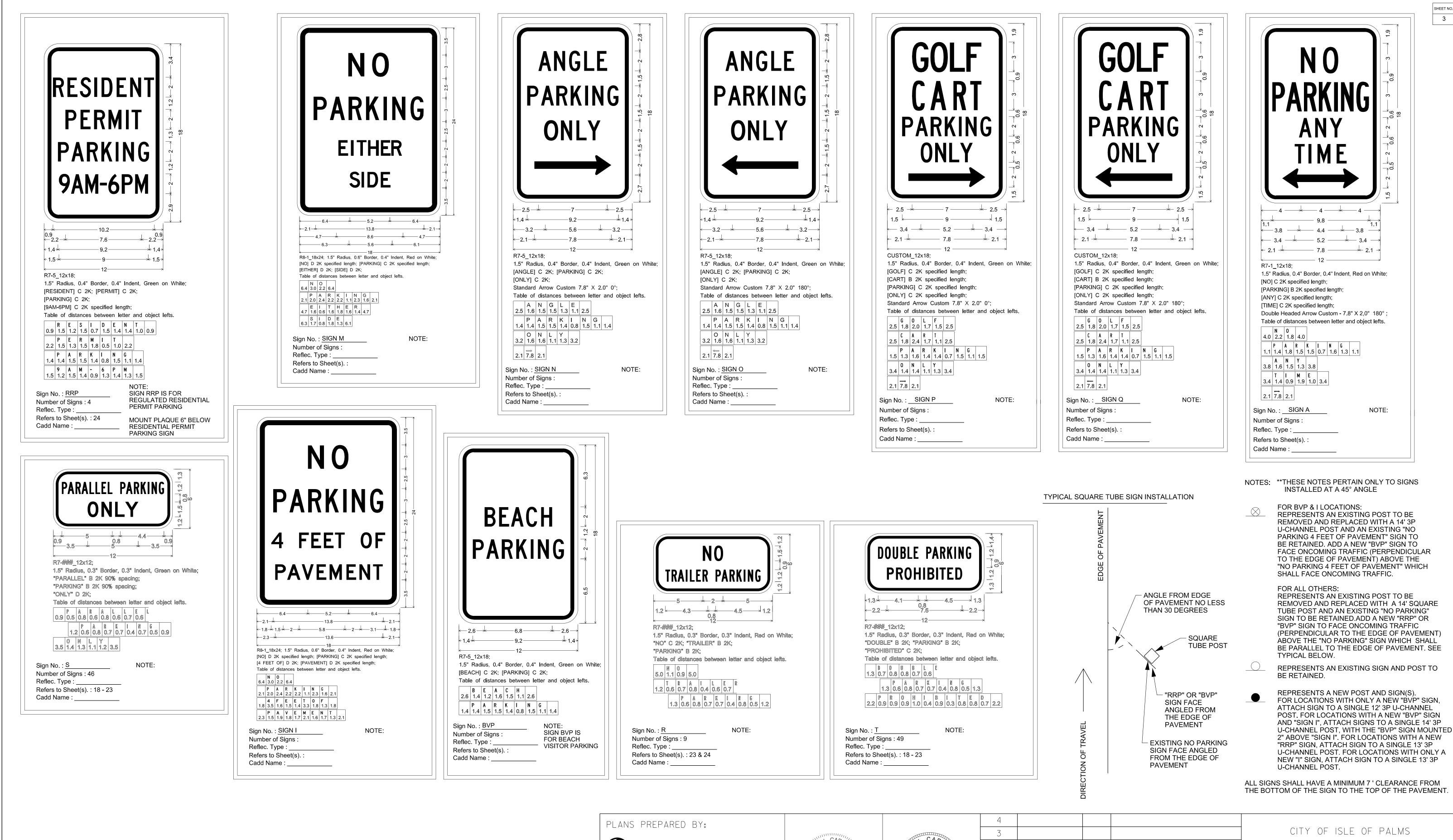
## GENERAL INCLUSIONS

### PROJECT NOTES

1. SURVEY INFORMATION

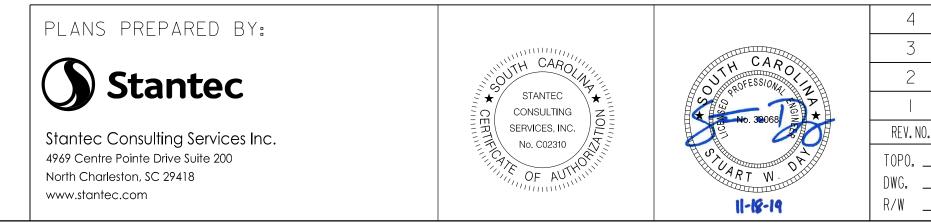
ALL SURVEYS ARE APPROXIMATE. NO CONTROL HAS BEEN ESTABLISHED FOR THIS PROJECT.

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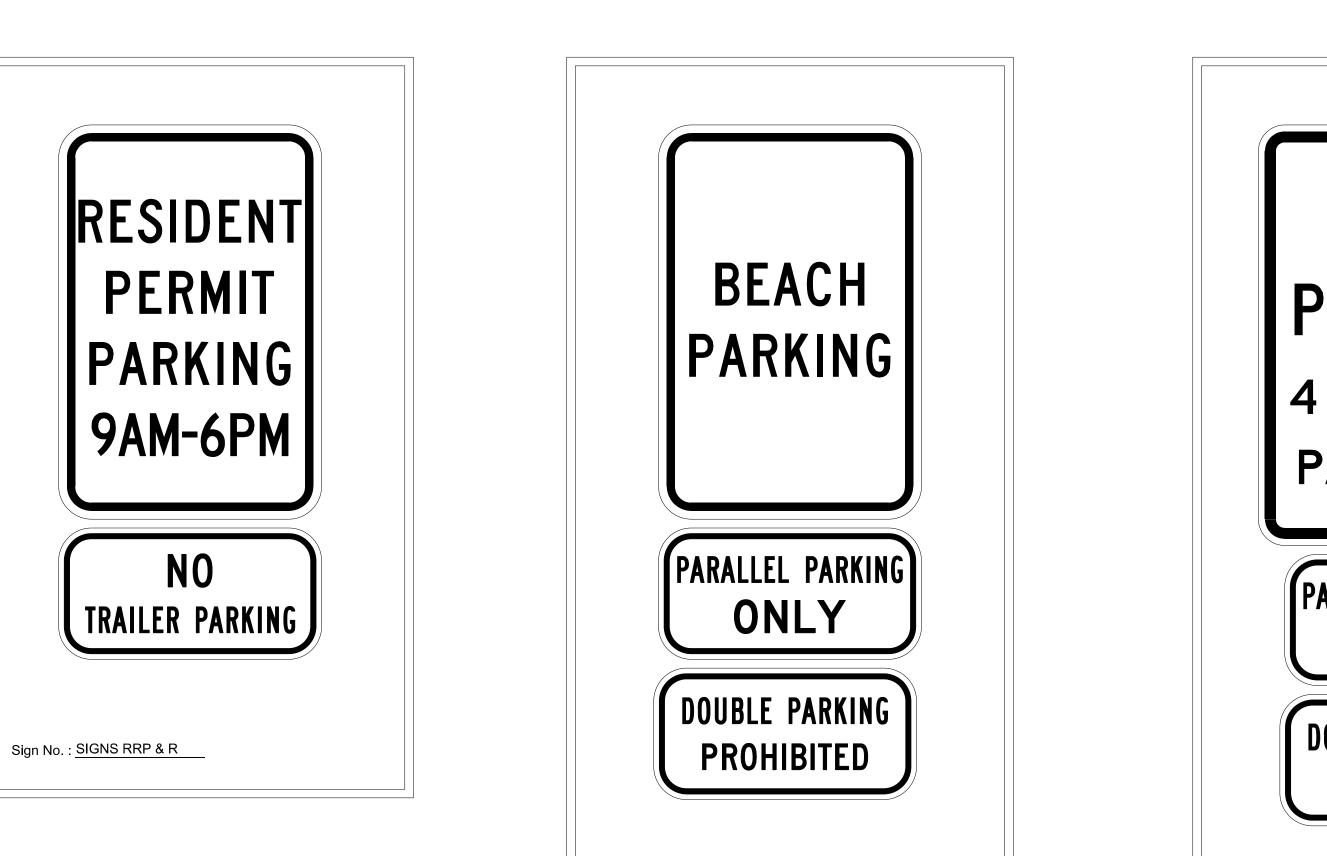
- FOR LOCATIONS WITH ONLY A NEW "BVP" SIGN. POST. FOR LOCATIONS WITH A NEW "BVP" SIGN AND "SIGN I", ATTACH SIGNS TO A SINGLE 14' 3P U-CHANNEL POST, WITH THE "BVP" SIGN MOUNTED 2" ABOVE "SIGN I". FOR LOCATIONS WITH A NEW U-CHANNEL POST. FOR LOCATIONS WITH ONLY A NEW "I" SIGN, ATTACH SIGN TO A SINGLE 13' 3P

ALL SIGNS SHALL HAVE A MINIMUM 7 ' CLEARANCE FROM THE BOTTOM OF THE SIGN TO THE TOP OF THE PAVEMENT.

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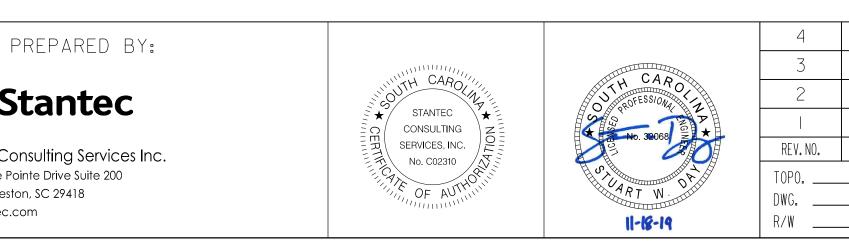
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Sign No. : <u>SIGNS BVP, S & T</u>

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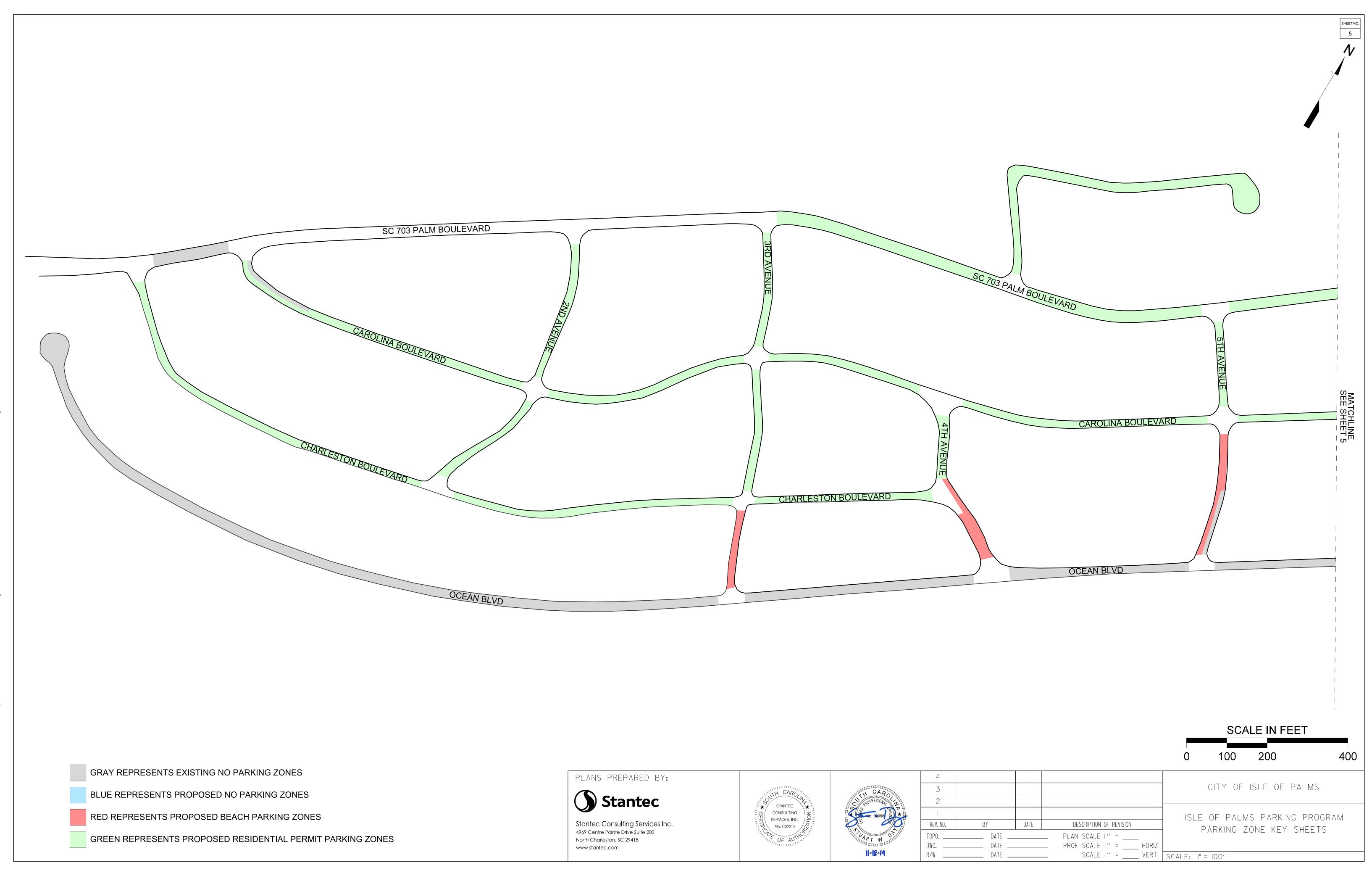


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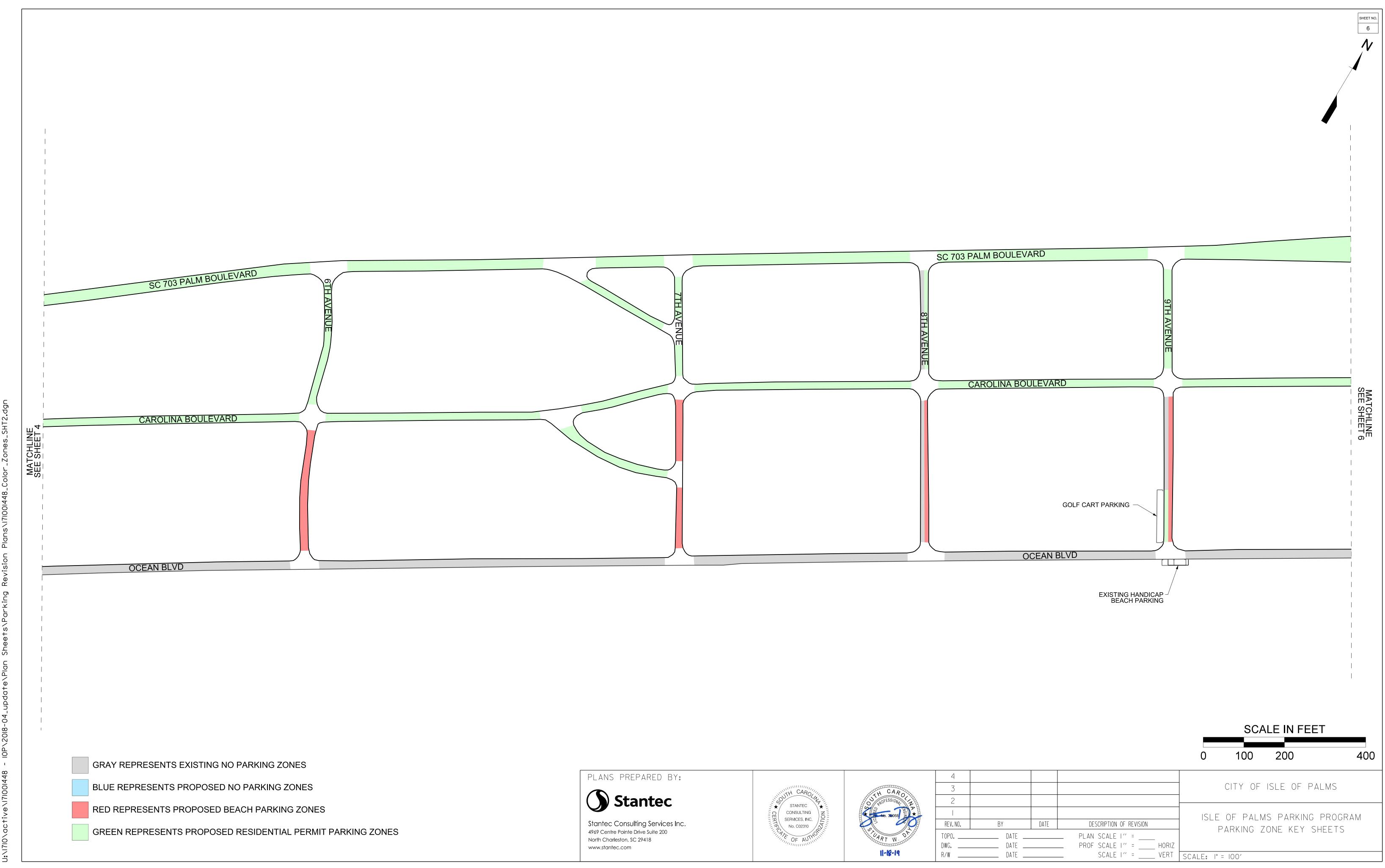


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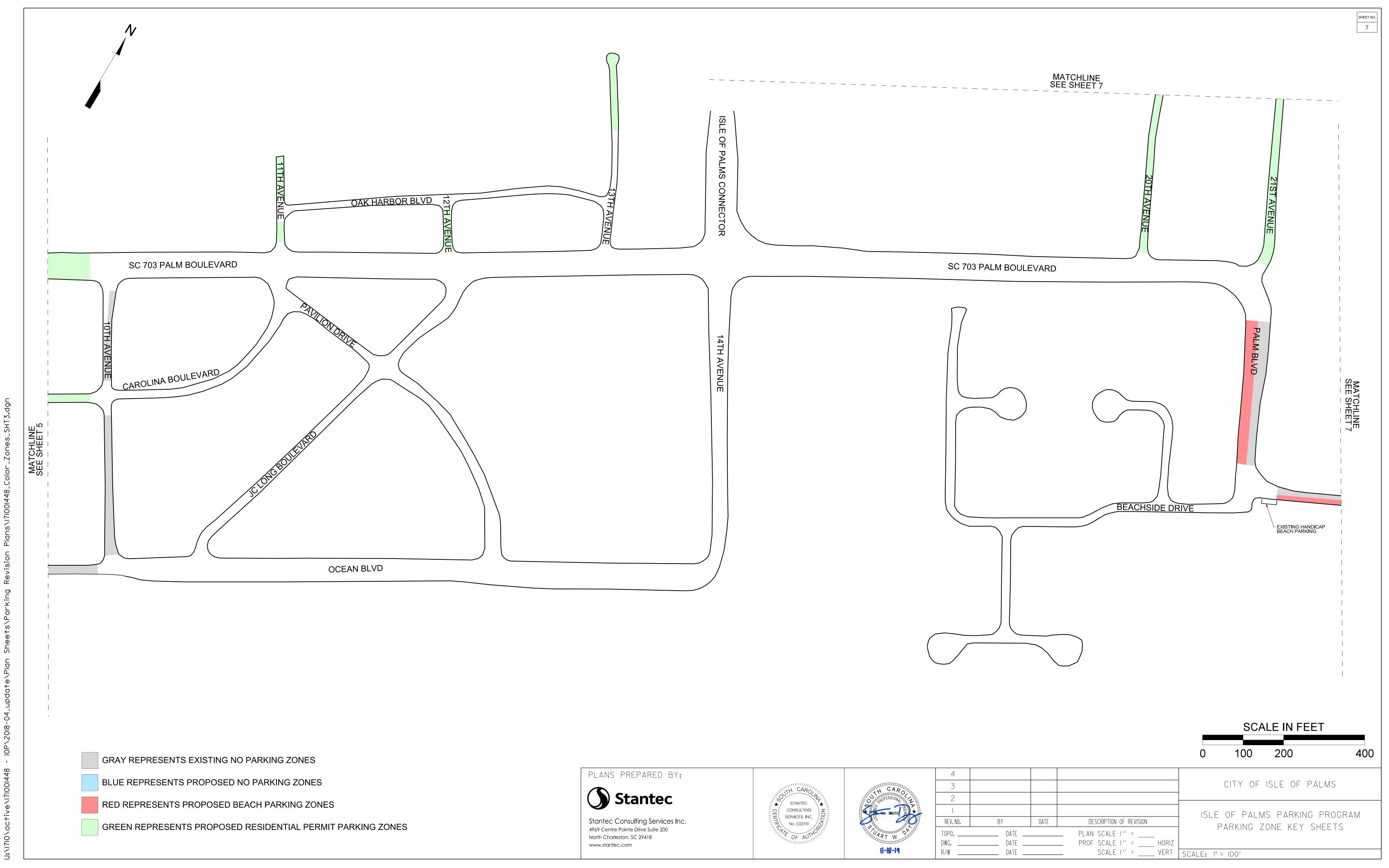
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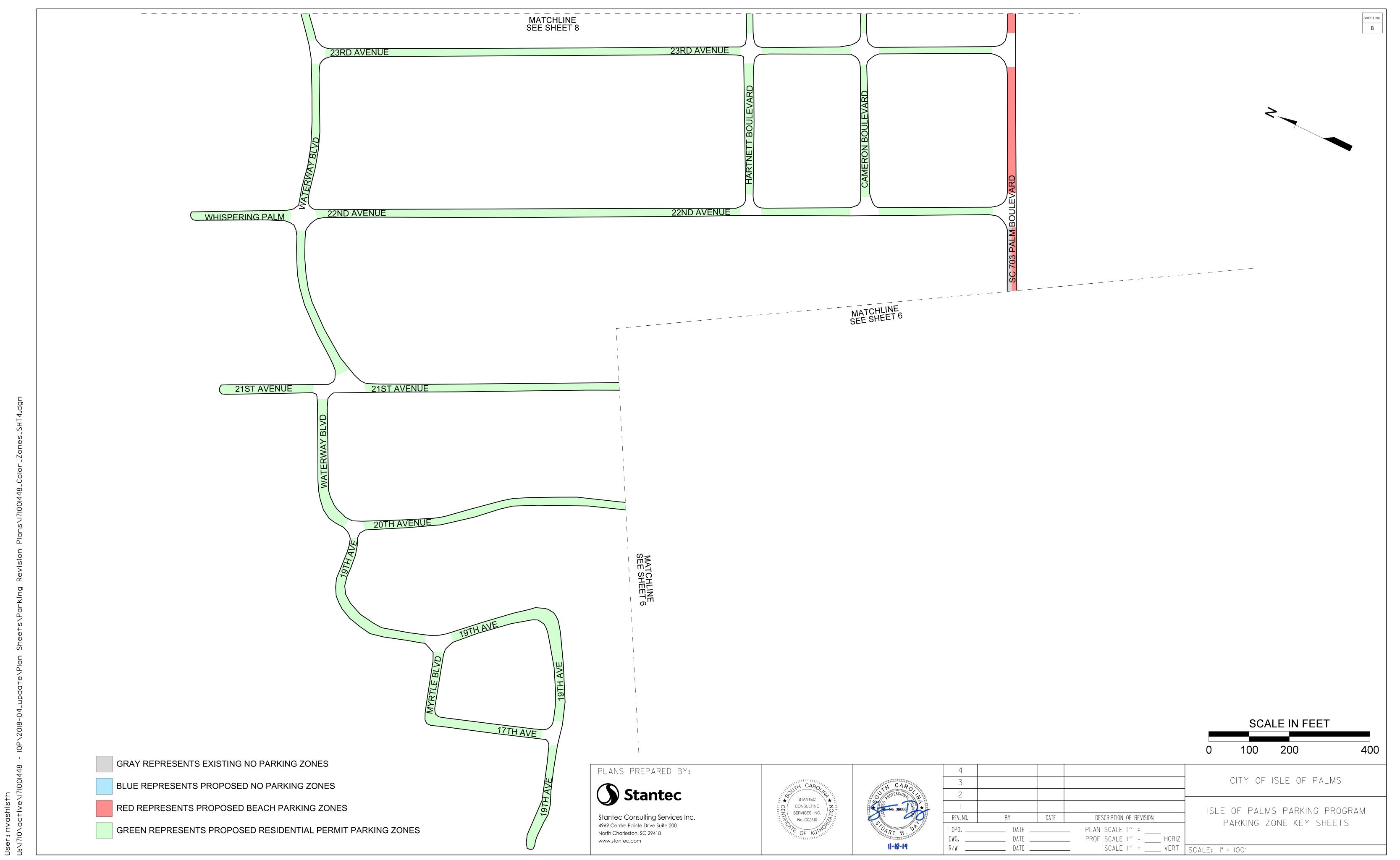
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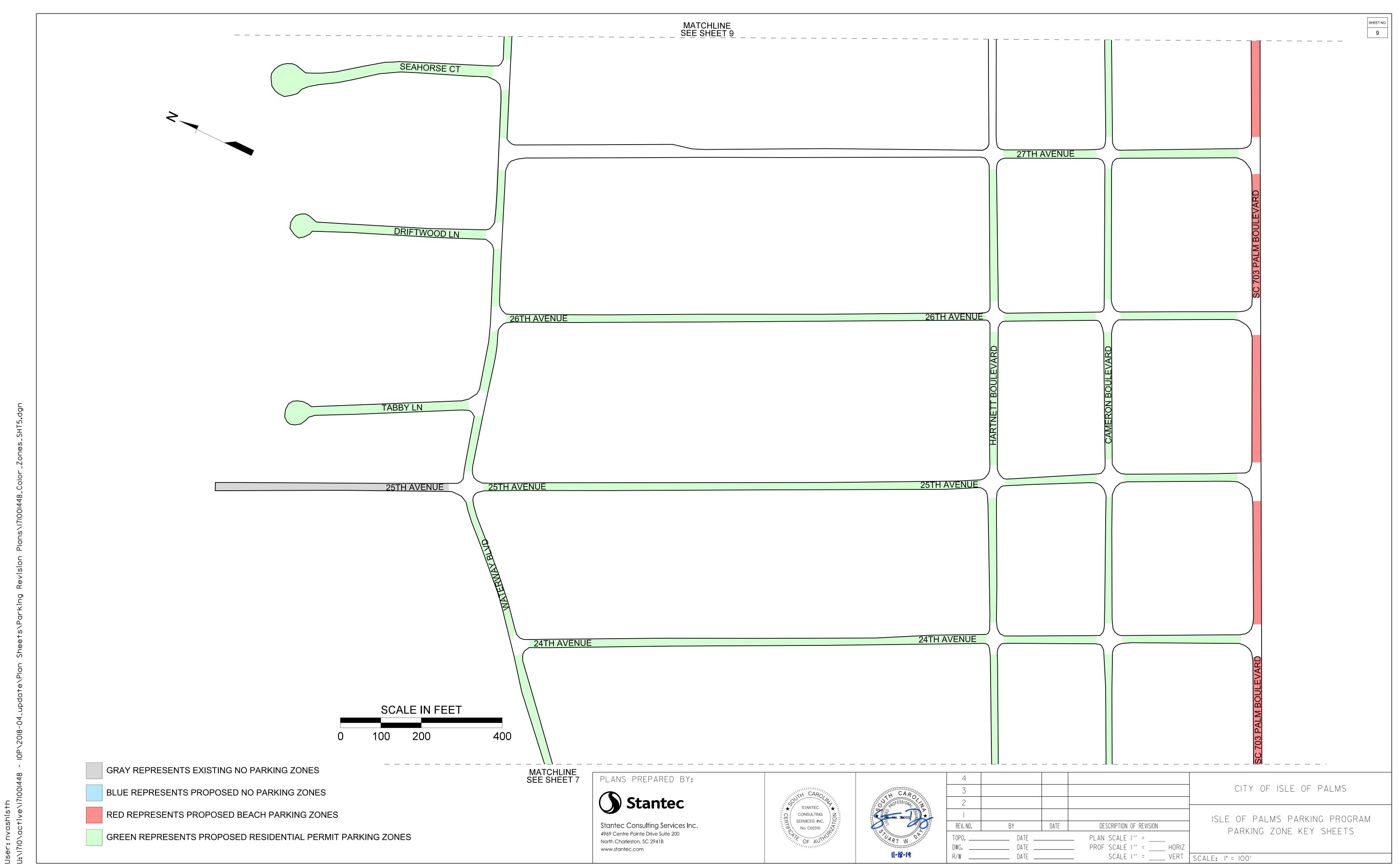


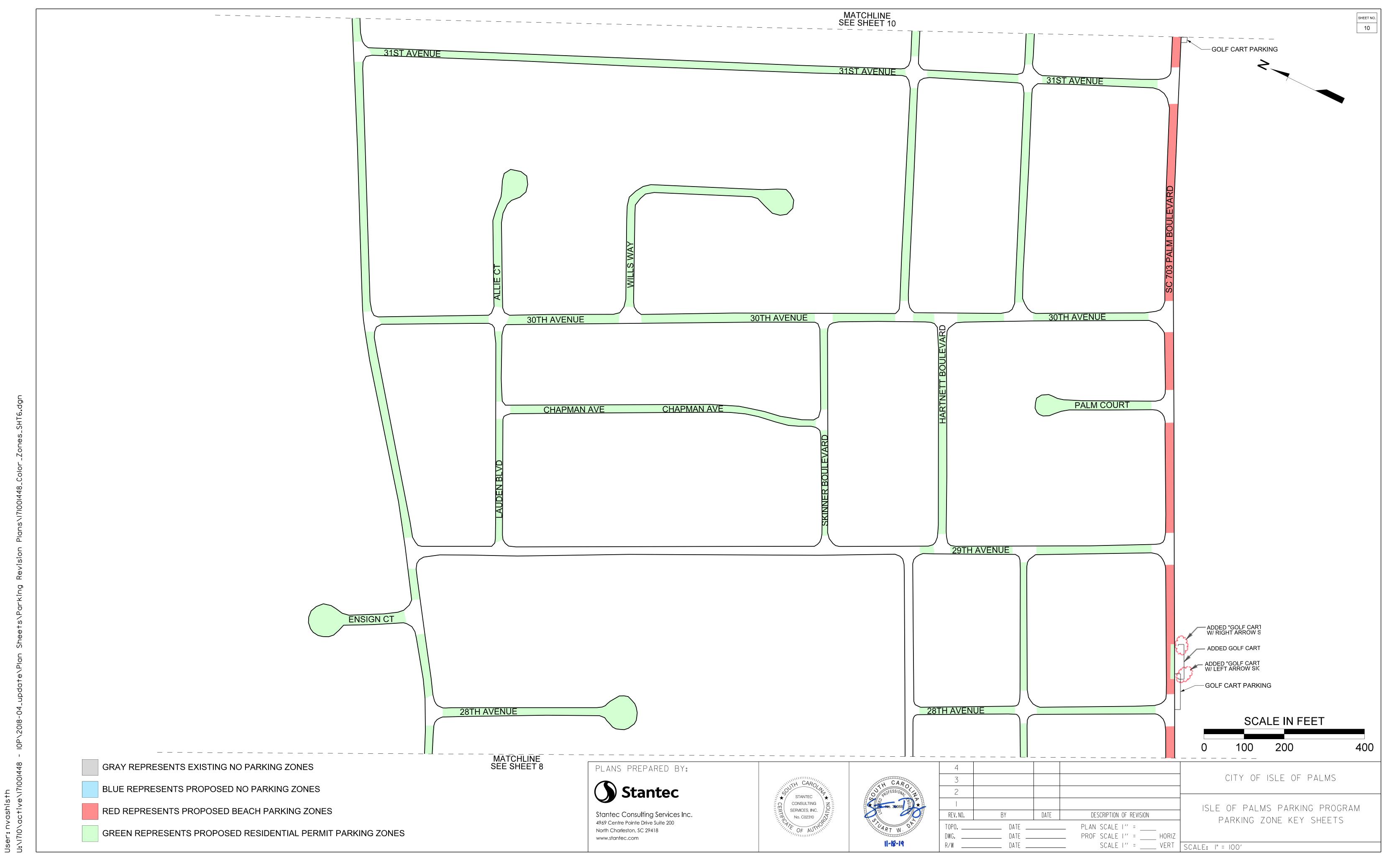
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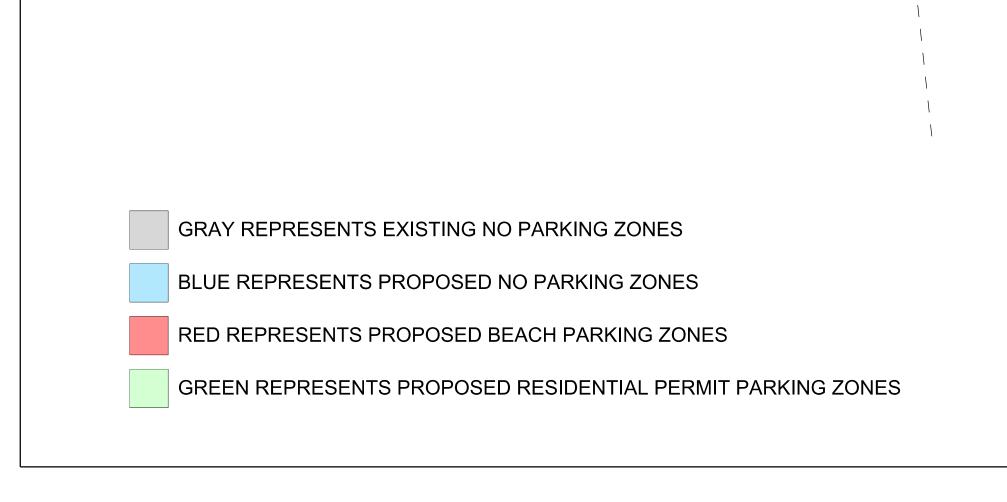
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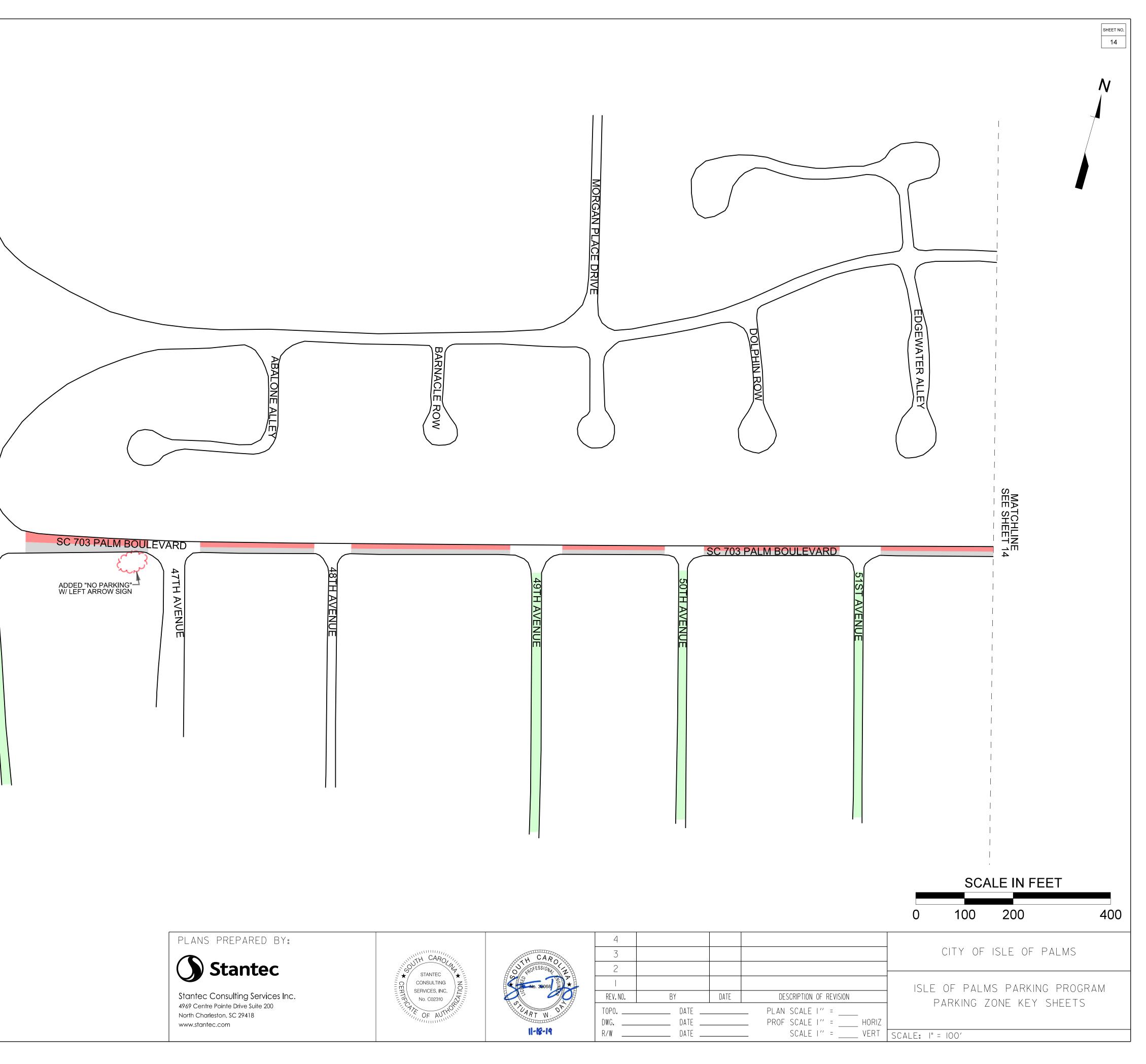


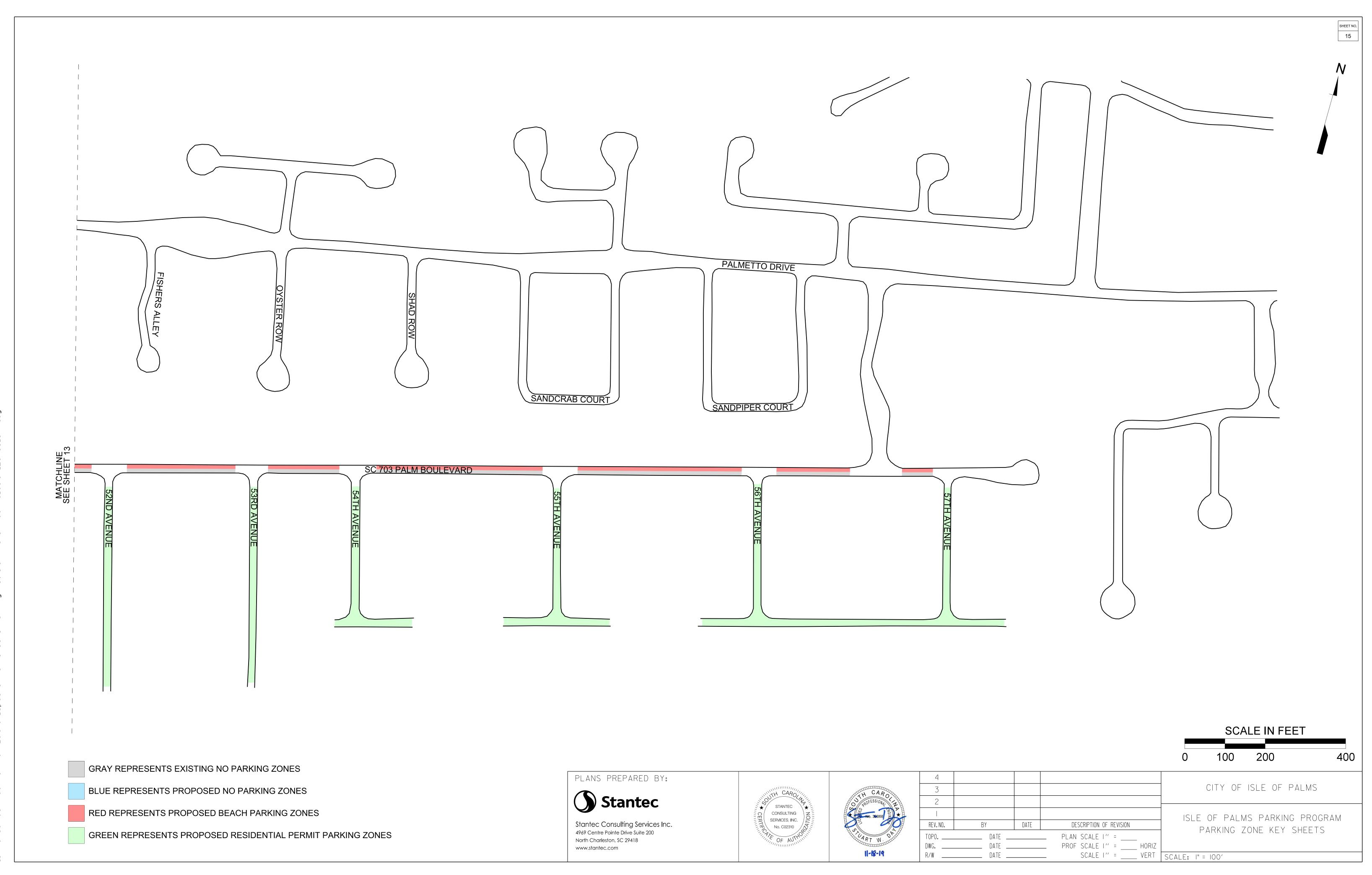
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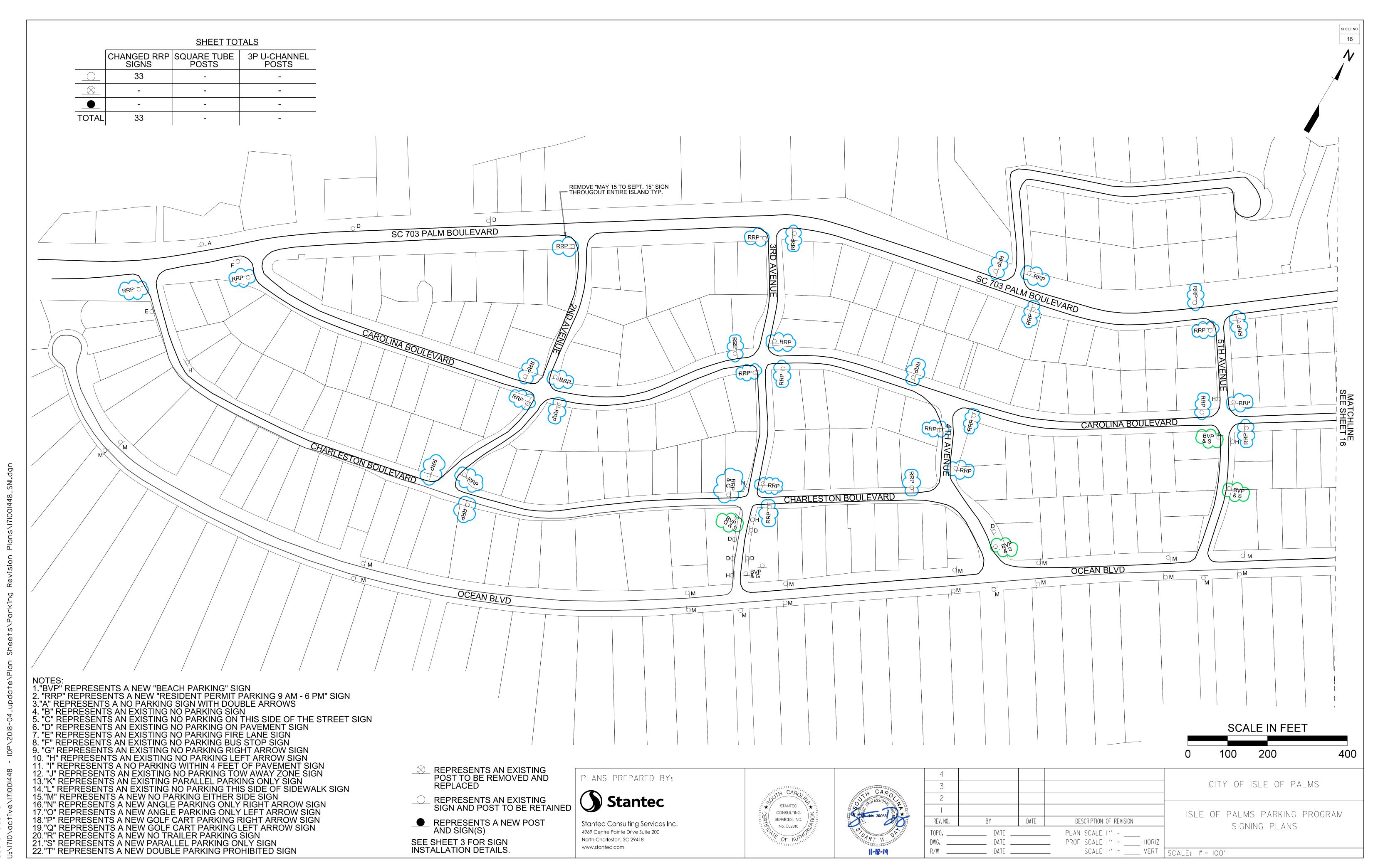
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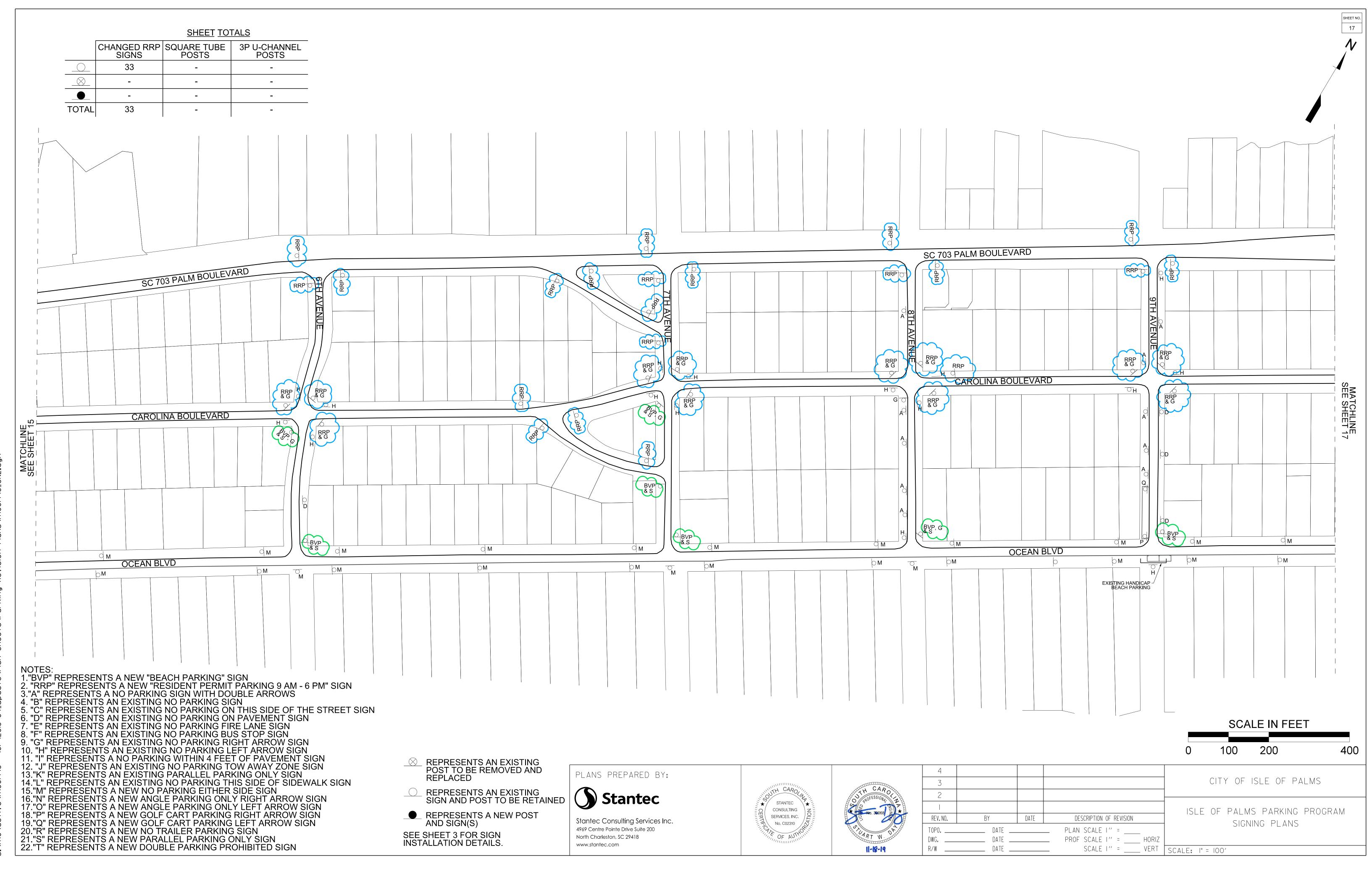


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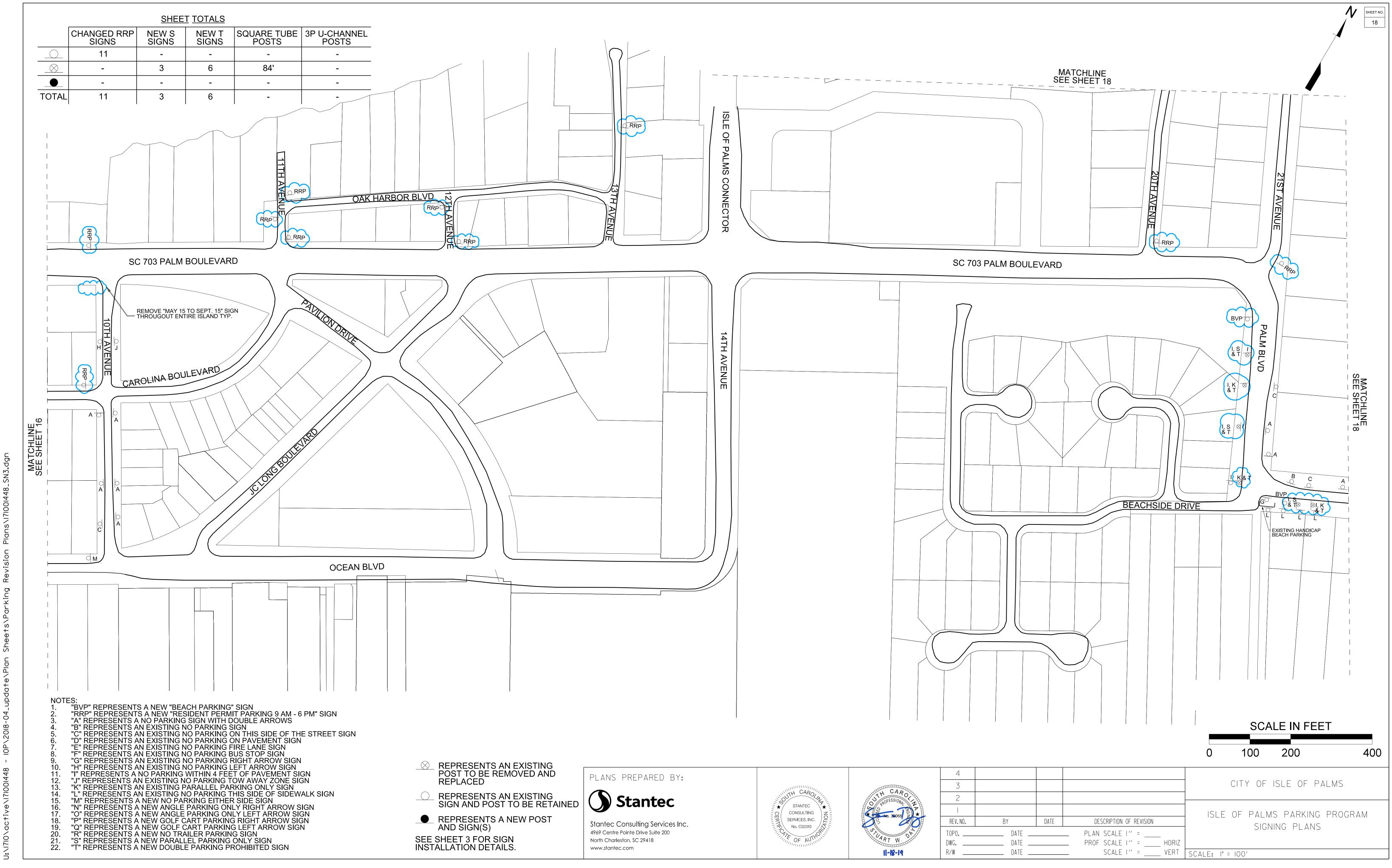
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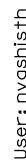
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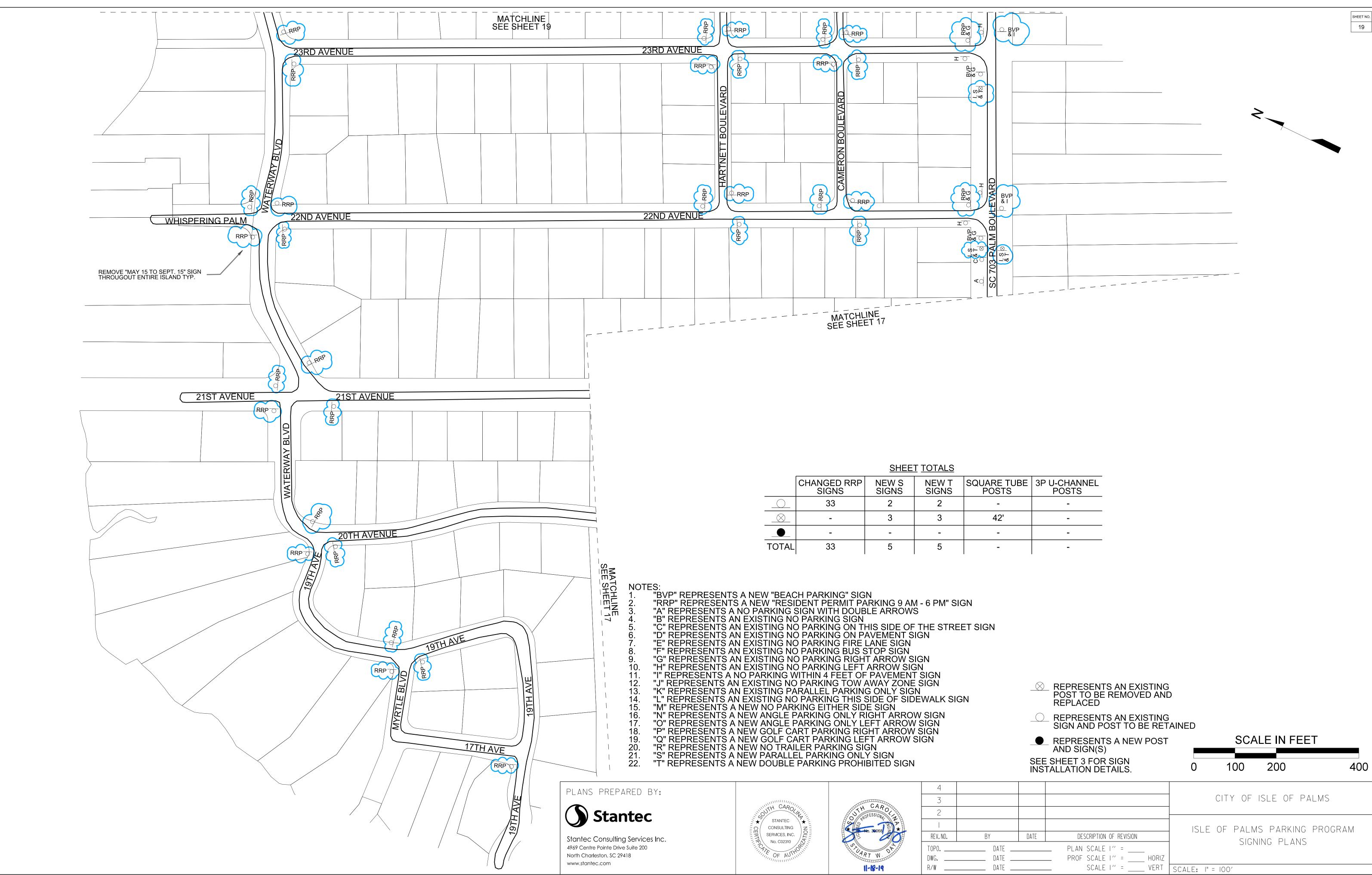


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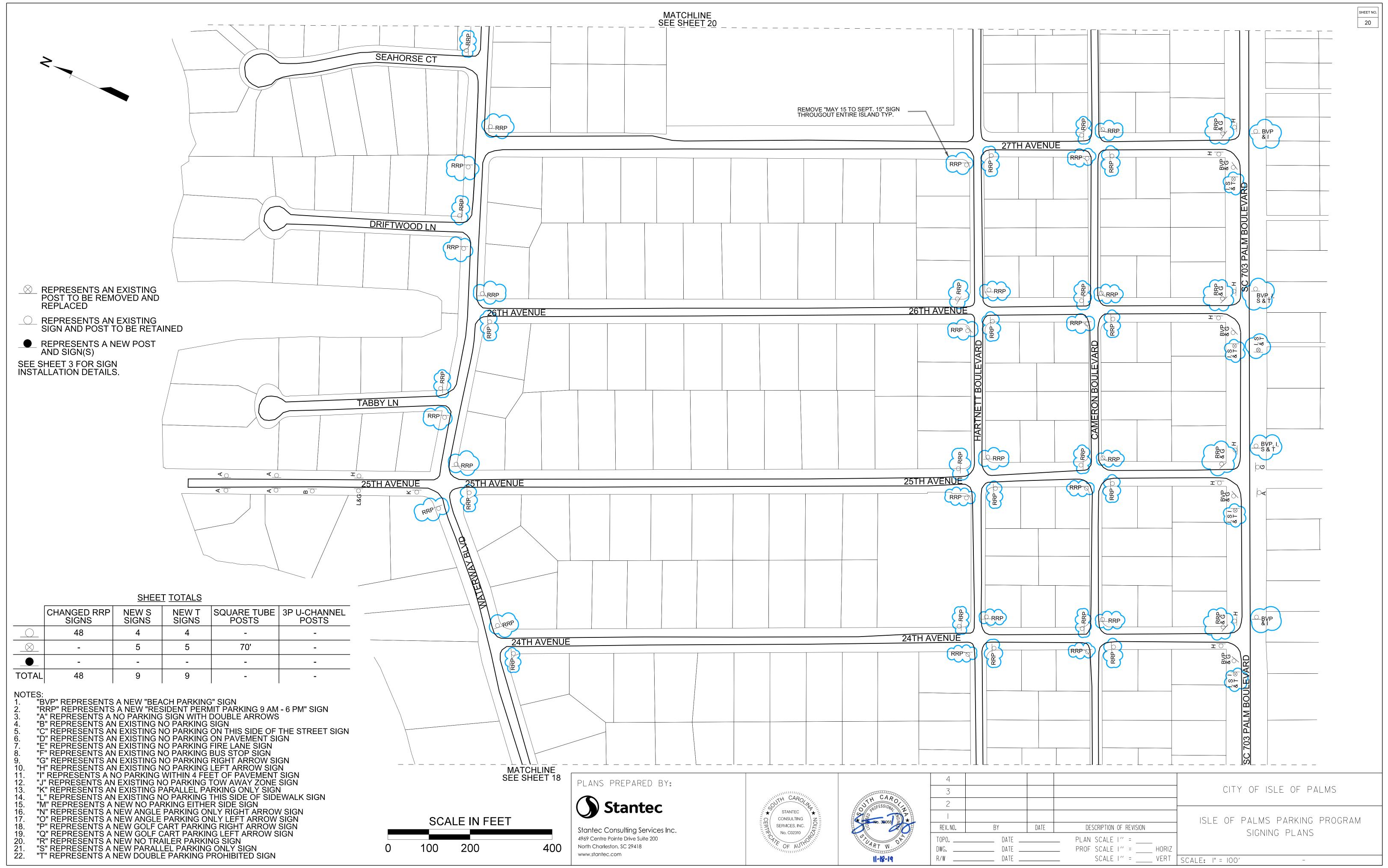


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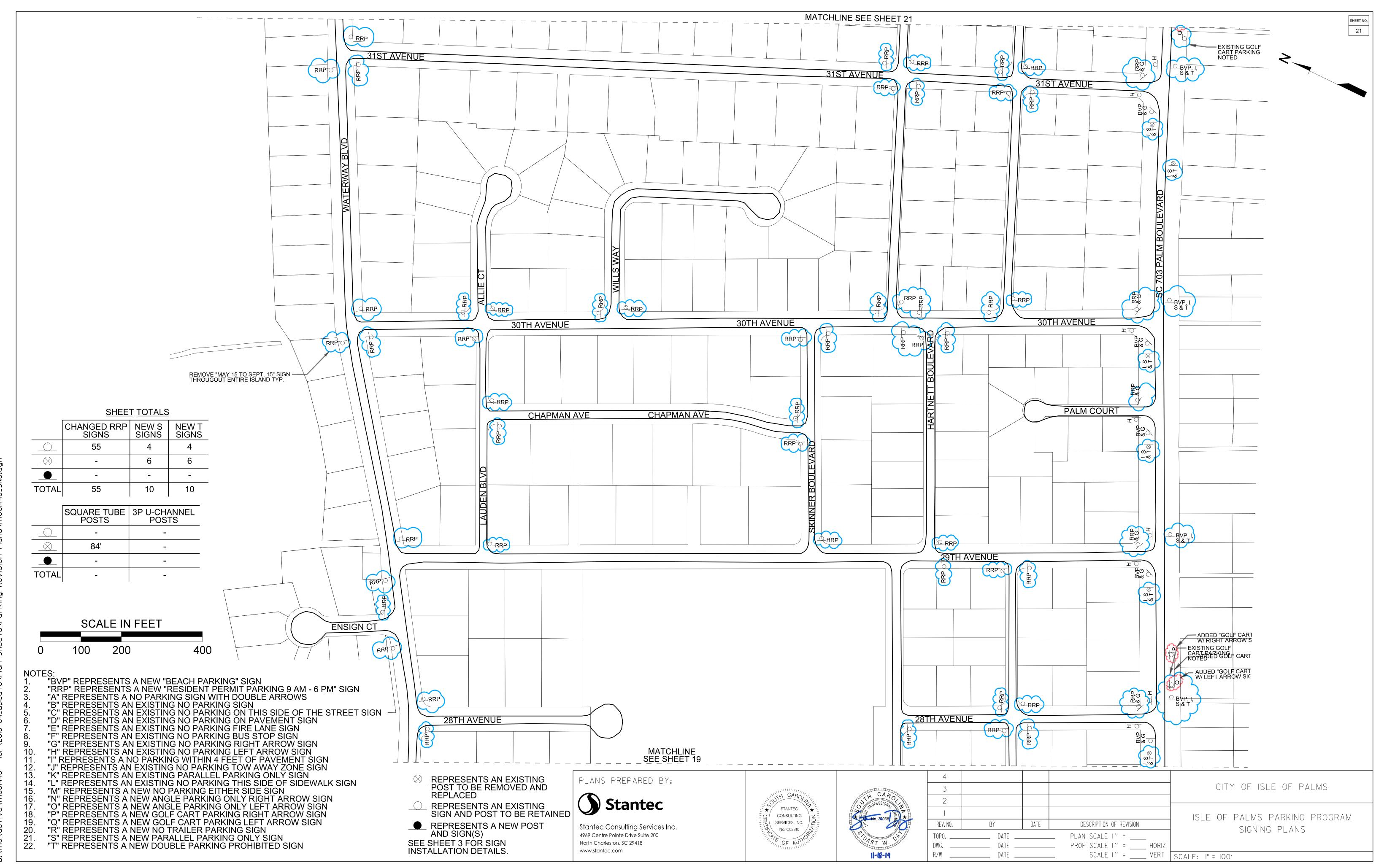
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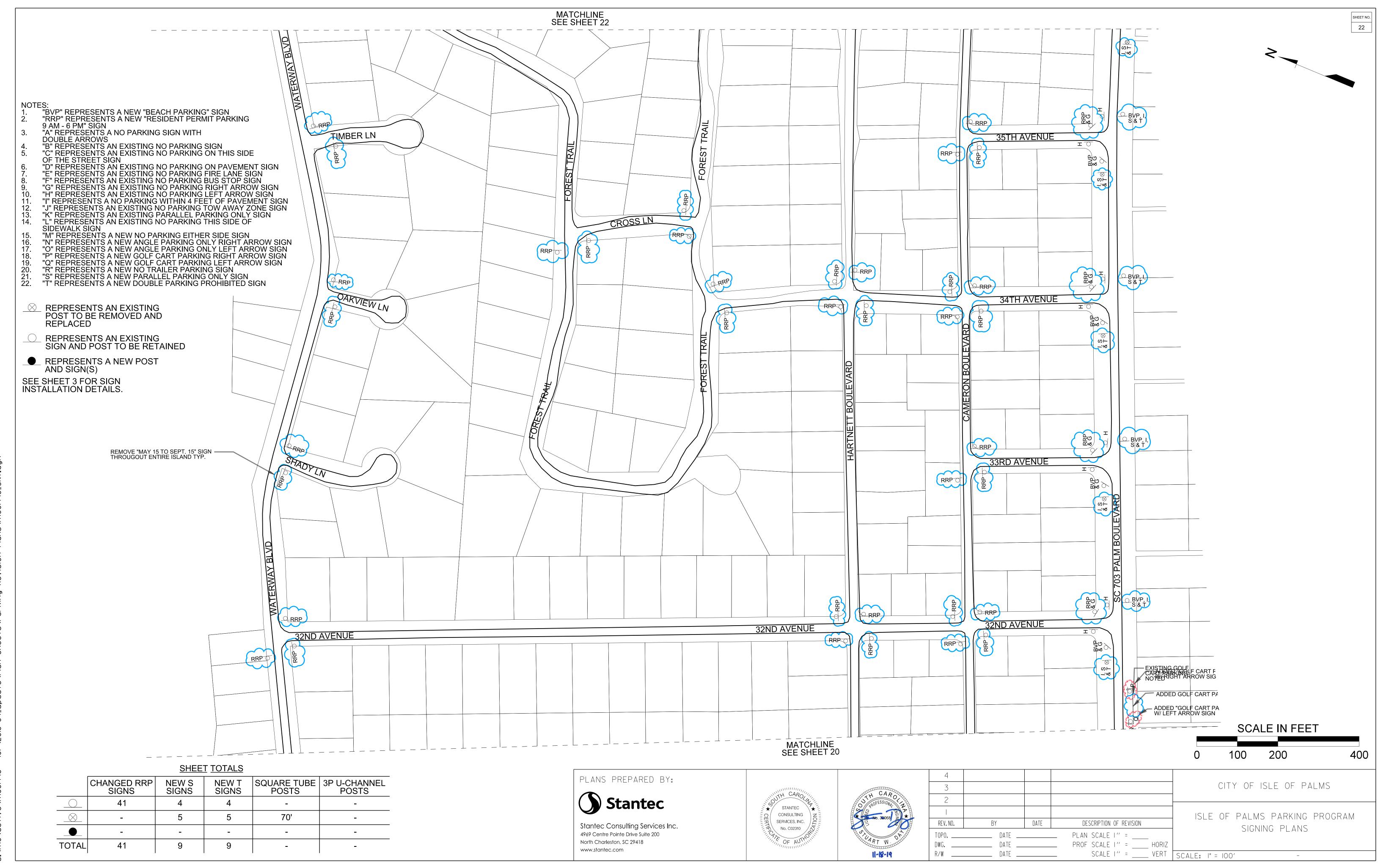


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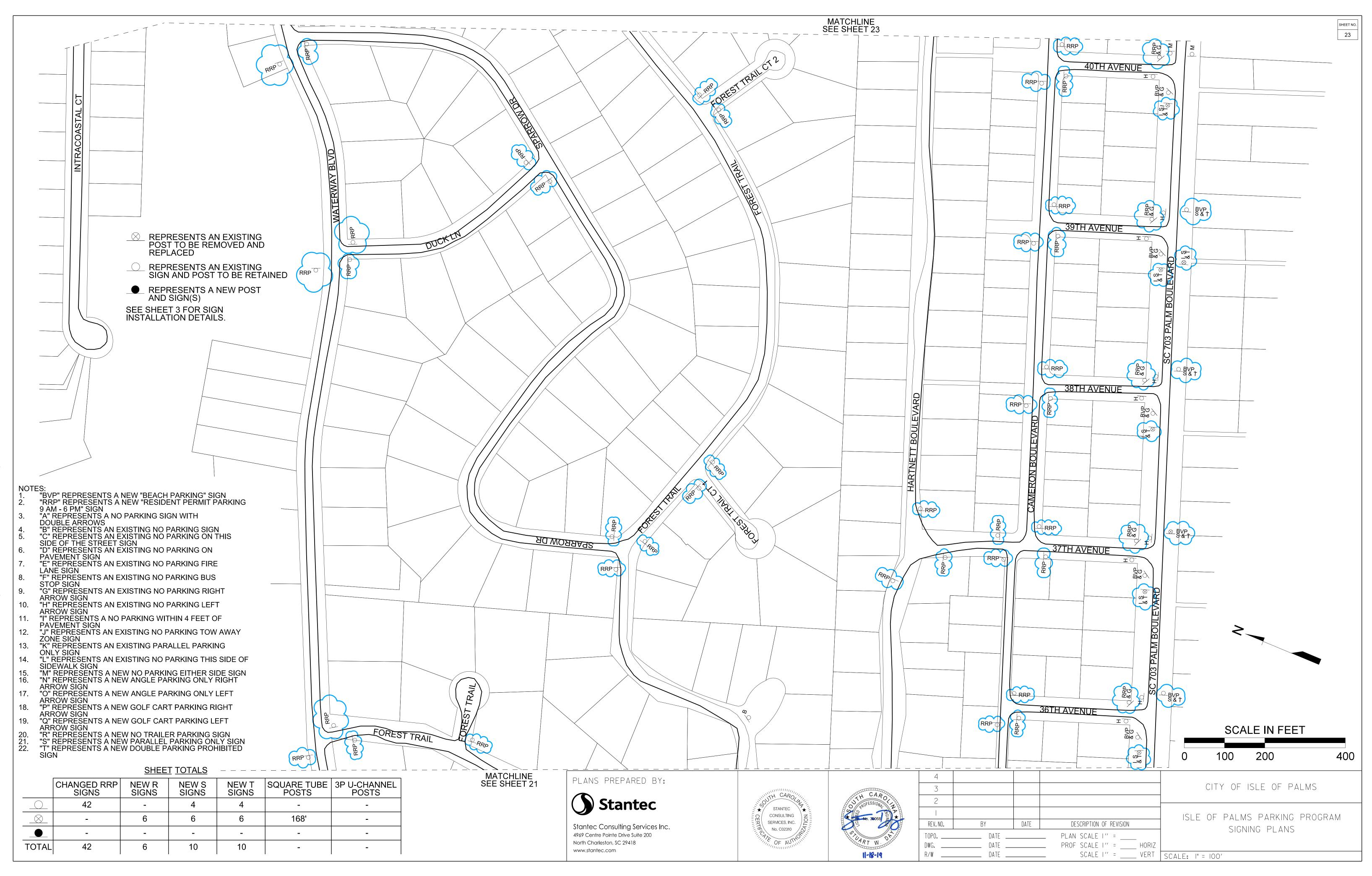
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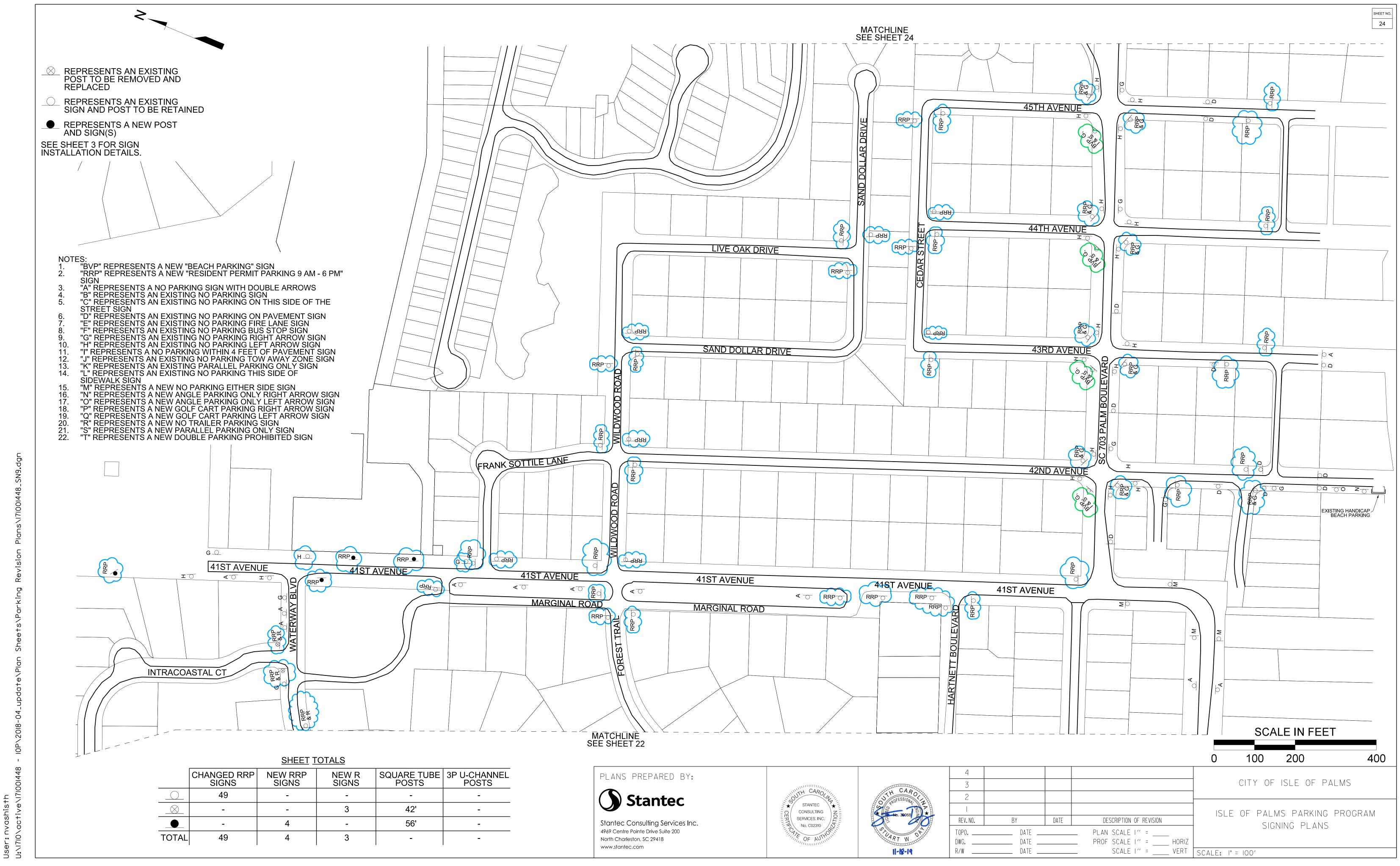
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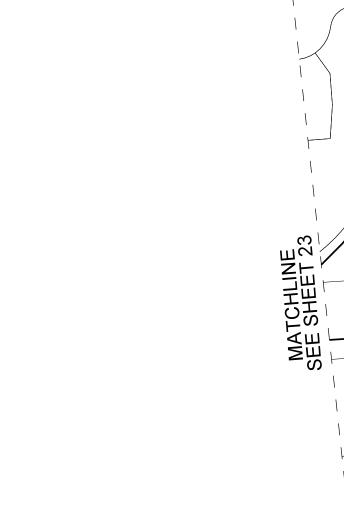


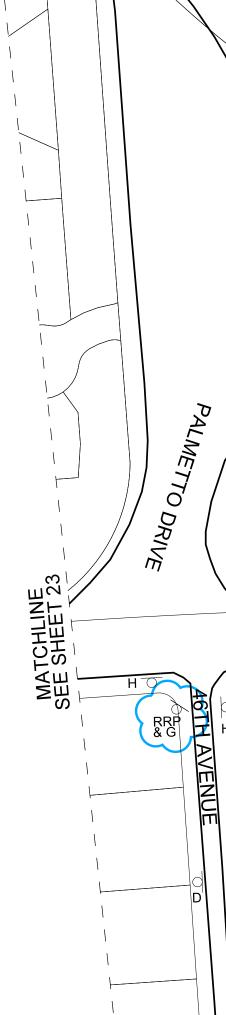
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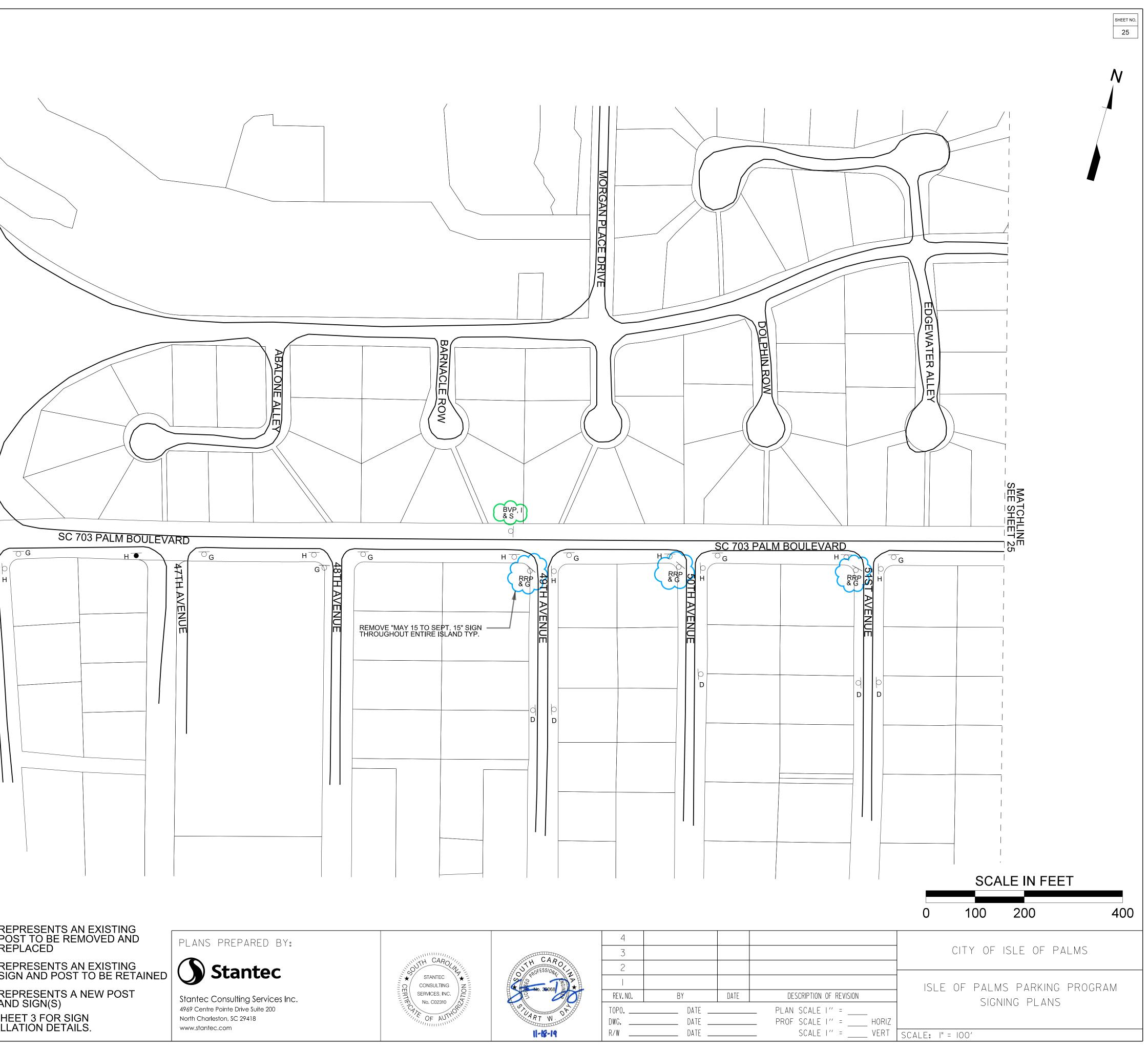


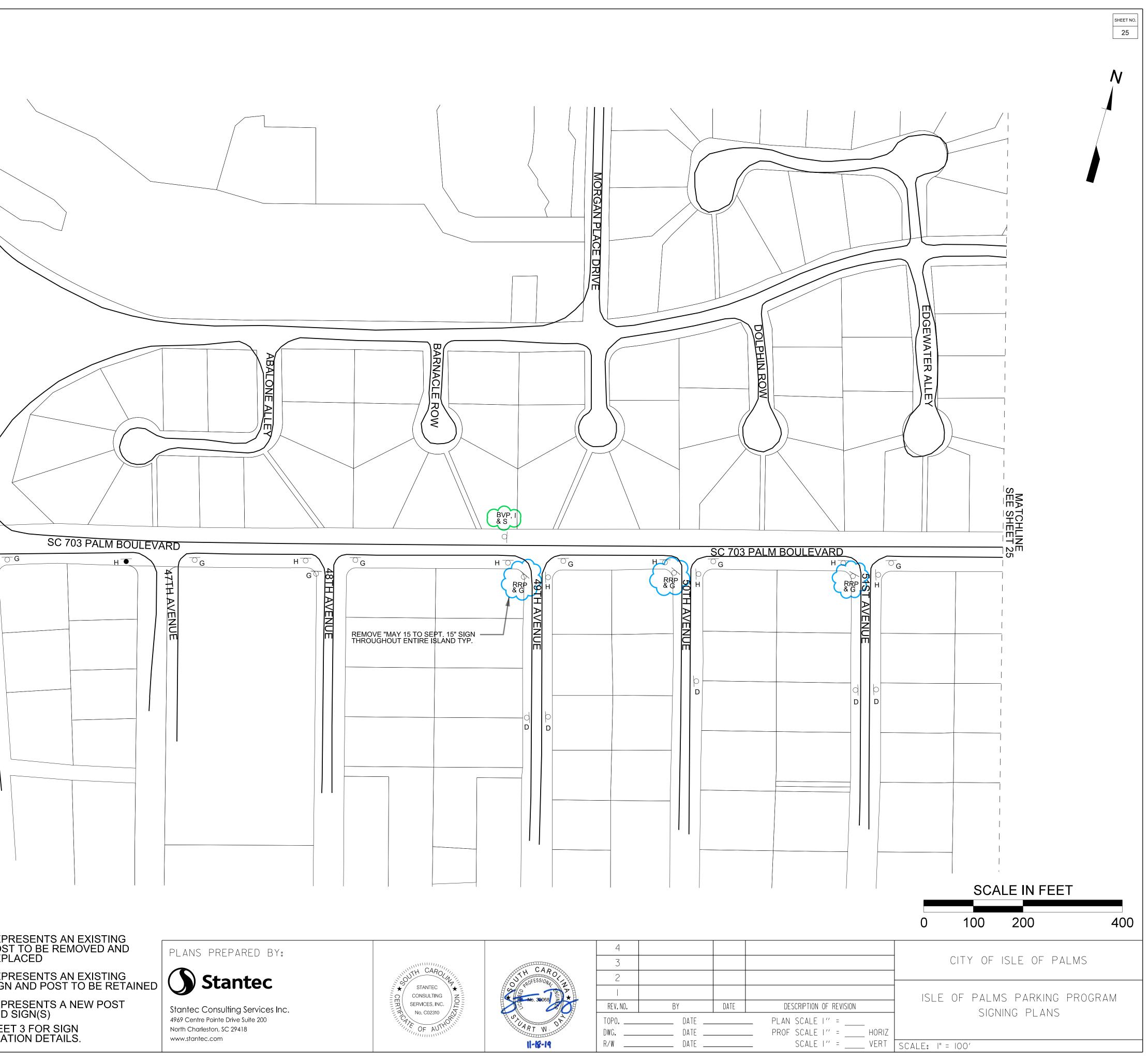
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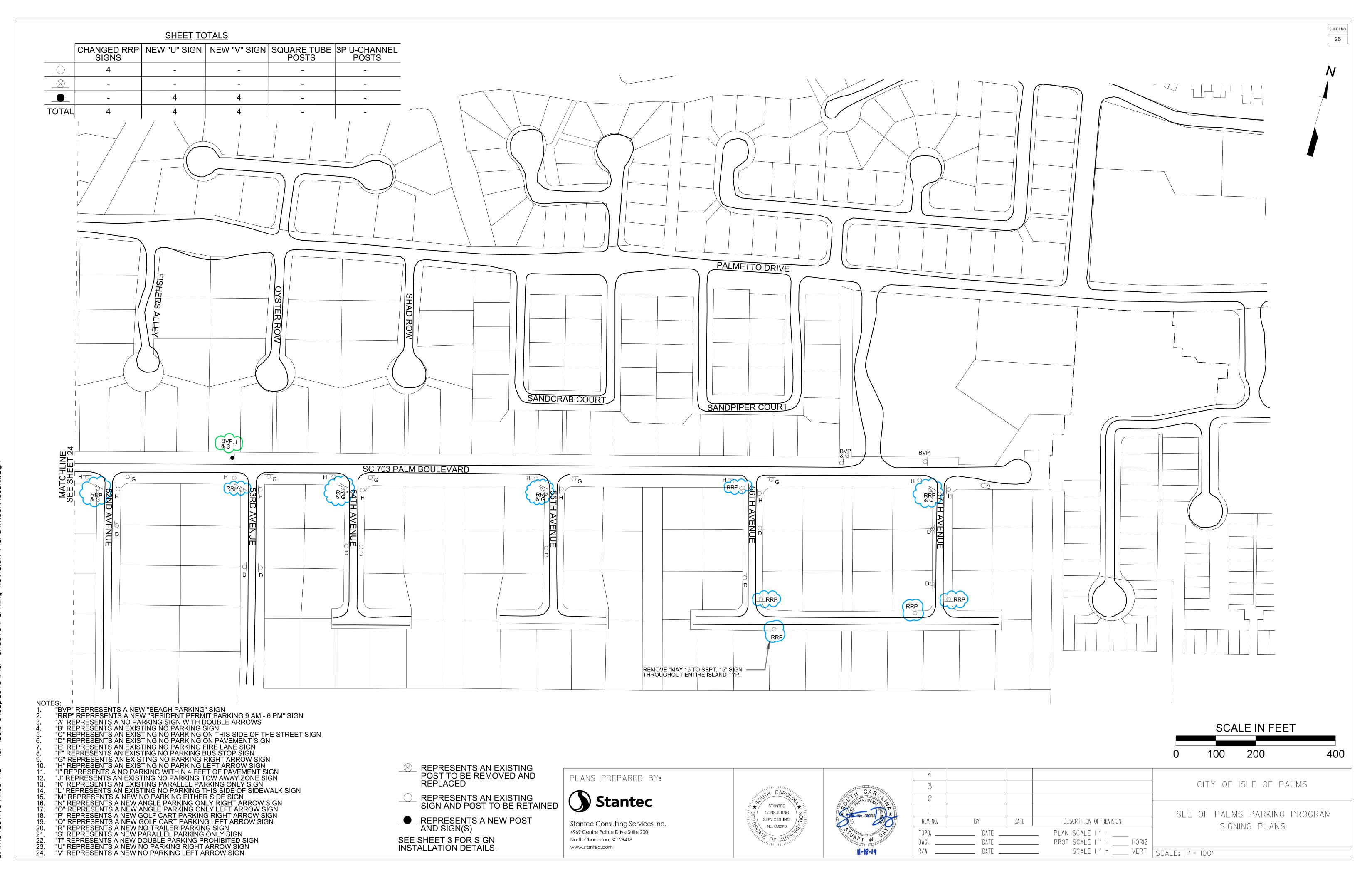








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|                      | Isle of Palms   | Sullivan's Island   | Folly Beach  | Hilton Head   | Myrtle Beach   |
|----------------------|---|---|--|---|--|
| Dog License          | Encouraged but not required. Free   | Yes, \$25.00  | Required if staying in Folly for longer<br>than 30 days. \$3.00 per tag  | No license requirement  | No license requirement   |
| On & Off Leash Hours | April 1 <sup>st</sup> to September 14 <sup>th</sup> :   | May 1 <sup>st</sup> to September 30 <sup>th</sup> :   | May 1 <sup>st</sup> to September 30 <sup>th</sup> :  | Memorial Day to Labor Day:  | May 1 <sup>st</sup> through Labor Day:   |
|                      | Off Leash – 5:00 a.m. to 9:00 a.m.<br><b>September 15<sup>th</sup> to March 31<sup>st</sup>:</b><br>Off Leash – 4:00 p.m. to 10:00 a.m.   | Off Leash – 5:00 a.m. to 10:00 a.m.,<br>On Leash – 6:00 p.m. to 5 a.m.<br>No dogs on the beach between 10:00 a.m  | No pets on the beach between 10:00<br>a.m. and 6:00 p.m.<br>No pets off leash at any time on the<br>beach or public streets. | No pets on the beach between 10:00 a.m.<br>and 5:00 p.m.<br>April 1 through Thursday before<br>Memorial Day:  | No dogs on the beach between 10:00 a.m. and 5:00 p.m.<br>Dogs allowed on boardwalk from 5:00 a.m. to 10:00 a.m.  |
|                      | Dogs must be on leash at all other times.   | and 6:00 pm.<br>October 1 <sup>st</sup> to April 30 <sup>th</sup> :<br>Off Leash – 5:00 a.m. – noon<br>On Leash – 12:01 p.m. to 4:59 a.m.                             |  | <ul> <li>Pets must be on leash Between 10:00 a.m. and 5:00 p.m. at all Beach Parks other than Fish Haul Beach Park</li> <li>Tuesday after Labor Day through September 30:</li> <li>Pets must be on leash between 10:00 a.m. between 10:00 a.m. and 5:00 p.m. at all Beach Parks other than Fish Haul Beach Park</li> <li>All other times:</li> <li>Pets can be off leash and under positive voice command, or on leash.</li> <li>Fish Haul Beach Park:</li> </ul> | Day after Labor Day to April 30:<br>Dogs are allowed on the beach and boardwalk at<br>any time of day.<br>At all times:<br>Dogs must be on a leash that's seven feet or<br>shorter.  |
| Vaccination          | All dogs that live or visit the City must be<br>vaccinated against rabies and have a metal<br>license tag attached to its collar with the<br>name of the licensed veterinarian who<br>provided the vaccine. Dog owners must<br>also have a valid certificate of rabies<br>vaccination readily available at all times. | Customers are required to present a valid<br>driver's license with your current address<br>and a rabies vaccination certificate issued<br>by a licensed veterinarian. | Proof of rabies information from the<br>veterinarian (not just the tag) is<br>required to acquire a license.                 | Pets must always be on leash No license requirement.  | No license requirement but owners are still<br>required to have their pets vaccinated again rabies.<br>Pets also must wear a collar or harness with tags<br>proving rabies vaccination and providing the<br>owner's contact information. |

| Issue to be Addressed     | Priority | Current Requirement            | Proposed Action Item   | Recommendation                             | Pros  | Cons  |
|---------------------------|----------|--------------------------------|--|--|---|---|
| Minimize disruption to    | 1        | Maximum overnight              |  |  |   |   |
| neighbors                 |          | occupancy established based    |  |  |   |   |
|                           |          | on size of rental              |  |  |   |   |
|                           | 1        | Maximum occupancy at any       |  |  |   |   |
|                           |          | time is 40                     |  |  |   |   |
|                           | 1        | Maximum cars parked            |  |  |   |   |
|                           |          | overnight based on size        |  |  |   |   |
|                           | 1        | Informal three convictions     |  |  |   |   |
|                           | 4        | results in revocation          |  |  |   |   |
|                           | 1        | Notice of rules required to be |  |  |   |   |
|                           | 1.1      | posted                         | Require that an owner's representative can always be   | Enact ordinance                            | PD could improve response to complaints                           | Reduces owner's flexibility in                |
|                           | 1.1      |                                |  | Enact ordinance                            | PD could improve response to complaints                           |   |
|                           |          |                                | physically on-site within one hour of a call   |  |   | managing their property                       |
|                           | 1.2      |                                |  | Enact ordinance                            | Could reduce parties at smaller rentals                           |   |
|                           |          |                                | twice the maximum overnight occupancy  |  |   |   |
|                           | 1.3      |                                | Amend overnight parking time to coincide with nonresident times  | Refer to Public Safety for consideration   | Would keep renters cars off the roadway                           | Could push cars onto rental<br>property       |
|                           | 1.4      |                                | Reduce the overnight occupancy to a maximum of 12 people-<br>when a rental is sold   | Eliminated from consideration in September | Over time could reduce impact of large rentals                    | Could reduce resale values                    |
|                           | 1.5      |                                | Establish a minimum length stay  | Eliminated from consideration in October   | Could lead to more family oriented visitors and less party groups | Will reduce tax revenue collected by the City |
|                           | 1.6      |                                | Publicize rental manager contact on www.iop.net  | Eliminated from consideration in September | Empowers neighbors to deal with problematic renters               |   |
| Eliminate problem rentals | 2.1      |                                | Formalize rental license revocation after five "founded complaints"  | Enact ordinance                            | Could lead to the reduction of problem rentals                    |   |
|                           | 2.2      |                                | Improve the ordinance definition of "disturbances"   | Eliminated from consideration in September | This was suggested by Livability Sergeant                         |   |
|                           | 2.3      |                                | Ensure owners are made aware of every complaint  | This is happening now                      | Owners should be able to better manage                            |   |
|                           | 3.1      |                                | Establish areas where short term rentals are not allowed   | Eliminated from consideration in October   | Could keep rentals out of areas they have not traditionally been  | Impacts owner's property<br>rights            |
|                           | 3.2      |                                | Improve the record keeping including location, manager,<br>police calls, citations issued (cause), convictions, dismissals,  | Working on this now                        | Will produce data that can be used to better identify problems    |   |
|                           | 3.3      |                                | Require that Livability Officer provide an annual accounting to<br>Council documenting changes in % of rental units by<br>neighborhood, # & type of valid complaints and disposition,<br>impact on neighborhoods, etc. | Working on this now                        |   | Requires staff time, which is scarce          |
|                           | 4.1      |                                | Provide for verification of revenue and proof that all taxes and fees have been paid when license is renewed   |  | Should increase revenue to the City                               | Requires staff time, which is scarce          |
|                           | 4.2      |                                | Increase penalty for noncompliance and provide a graduated-<br>penalty for all violations  | Eliminated from consideration in September | Should encourage compliance                                       | SC code limits what penalties city can impose |
|                           | 4.3      |                                | Make advertising unlicensed rental illegal   | Enact ordinance                            | Improves enforcability- per City of Charleston                    |   |
|                           | 4.4      |                                | Require license number be posted on any advertising  | Enact ordinance                            | Should highlight noncompliant properties                          |   |
|                           |          |                                | Require owners to document self inspection for compliance/   | Eliminated from consideration in October   | Should lead to safer rentals                                      | Poquiros staff time, which is                 |
| Ensure renters safety     | 5.1      |                                | safety inspections as prerequisite to obtaining license  | Linninated from consideration in October   | Should lead to saler relitais                                     | Requires staff time, which is scarce          |

#### **ARTICLE 9. - SHORT-TERM RENTALS**

#### Sec. 5-4-201. - 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:

Short-term rental means the use of any dwelling, including the lot upon which the dwelling is located, anywhere within the City whereby the dwelling is leased or otherwise made available by the owner to another person for a term of three (3) months or less. Any reference in this article to dwelling, residence or rental shall mean a short-term rental.

(Ord. No. 2007-2, § 2(5-4-201), 3-27-2007)

Sec. 5-4-202. - Maximum overnight occupancy.

- a. The maximum overnight occupancy of an existing residence for which the owner is holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) One person per two hundred fifty (250) square feet of gross heated floor area in the entire house.
  - (3) Six (6) people.
- b. The maximum overnight occupancy of an existing residence for which the owner is not holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) Six (6) people.
- c. The maximum overnight occupancy of a residence permitted for new construction after June 22, 2010 shall be the same as prescribed in section 5-4-202(b) or twelve (12) people, whichever is fewer.
- d. The maximum overnight occupancy of an existing residence that is altered or reconstructed after June 22, 2010, shall be prescribed as follows:
  - (1) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was less than twelve (12) people, then the maximum overnight occupancy of the altered or reconstructed residence may be increased to the number of people prescribed in:
    - (a) Section 5-4-202(a) or twelve (12) people, whichever is fewer, if the owner was holding a valid short-term rental license on June 22, 2010.
    - (b) Section 5-4-202(b) or twelve (12) people, whichever is fewer, if the owner was not holding a valid short-term rental license on June 22, 2010.
  - (2) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was twelve (12) people or more, then the maximum overnight occupancy of the altered or reconstructed residence shall not be increased.
  - (3) If the alteration or reconstruction results in a decrease in number of bedrooms or floor area of the residence, then the maximum overnight occupancy shall be reduced as prescribed in:

- (a) Section 5-4-202(a), if the owner was holding a valid short-term rental license on June 22, 2010.
- (b) Section 5-4-202(b), if the owner was not holding a valid short-term rental license on June 22, 2010.
- e. Children under two (2) years of age shall not be included in determining the maximum overnight occupancy.

(Ord. No. 2007-2, § 2(5-4-202), 3-27-2007; Ord. No. 2010-08, § 1, 6-22-2010)

Sec. 5-4-203. - Maximum occupancy at any time.

Notwithstanding any other provision of this article to the contrary, at no time shall the total number of persons at a residence exceed <u>forty (40) persons, including children, or twice the maximum</u> <u>overnight occupancy</u> as determined by Section 5-4-202, whichever is less.

(Ord. No. 2007-2, § 2(5-4-203), 3-27-2007)

Sec. 5-4-204. - Maximum number of vehicles.

The maximum number of vehicles that may be located at a residence between the hours of 11:00 p.m. to 9:00 a.m. shall be limited to one (1) vehicle per approved bedroom or one (1) vehicle for every two and one-half (2½) people allowed under the maximum overnight occupancy. In no instance shall the number of vehicles allowed be less than two (2).

(Ord. No. 2007-2, § 2(5-4-204), 3-27-2007)

Sec. 5-4-205. - Written notices to be conspicuously posted inside and outside residence; Penalties for removing notices.

A written notice provided by the city which contains information about certain ordinances generally impacting tenants of Short-term Rentals shall be affixed to a conspicuous location inside the residence located within fifteen (15) feet from the main entrance to the residence and maintained at such location by the owner and displayed at all times. A written notice provided by the city which contains information about the city's noise ordinance shall be weatherproofed and affixed to a conspicuous location on any exterior deck, porch, patio, pool or other gathering area of the residence and maintained at such location by the owner and displayed at all times. It shall be unlawful for any person to destroy, hide, obstruct, conceal or remove the notices required by this section.

(Ord. No. 2007-2, § 2(5-4-205), 3-27-2007; Ord. No. 2009-14, § 1, 10-27-2009; Ord. No. 2015-07, § 1, 7-28-2015)

**Editor's note**— Ord. No. 2015-07, § 1, adopted July 28, 2015, changed the title of § 5-4-205 from "Written notice to be conspicuously posted in residence; Penalties for removing notice" to read as set out herein.

Sec. 5-4-206. - Provisions are cumulative.

**Deleted:** forty (40) persons, **Deleted:** including children All provisions contained in this article shall be cumulative to all other Federal, State and City laws, ordinances and regulations to which an owner or tenant may be subject regarding the ownership, use, rental or occupancy of a residence.

(Ord. No. 2007-2, § 2(5-4-206), 3-27-2007)

Sec. 7-1-15. - Suspension and notice of proposed revocation of license.

When the License Inspector determines that:

- a. A license has been mistakenly or improperly issued or issued contrary to law;
- b. A licensee has breached any condition upon which the license was issued or has failed to comply with the provision of this chapter;
- c. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application;
- d. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- A licensee has engaged in or allowed an unlawful activity or nuisance relating to the business; or the licensee has demonstrated an inability or unwillingness to prevent the licensee's tenants from engaging in unlawful activities or creating nuisances related to the business;

f. A licensee has had five or more complaints of unlawful activity within a single calendar year that are determined to be founded by the Police Department.

the License Inspector shall give written notice to the licensee or the person in control of the business within the City by personal service or certified mail that the license is suspended pending a hearing before Council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Council meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this chapter.

(Code 1994, § 7-1-15; Ord. No. 1999-27, § 15, 10-26-1999; Ord. No. 2007-4, § 1, 3-27-2007)

Sec. 7-1-22. - Classification and rates.

SIC 6513; NAICS 53111—Lessors of Residential Housing Units—Less than Ninety (90) Days (Non-resident rates do not apply):

Minimum on first \$2,000: \$350.00 PLUS

Per \$1,000, or fraction, over \$2,000: \$4.60

The application shall require written acknowledgment by the licensee that a violation of this Code, either by the licensee, the licensee's property manager, or the licensee's rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current twenty-four (24) hour per day telephone numbers at which the City may contact the licensee, licensee's agent and, if applicable, the licensee's property manager. The point of contact provided must be able to be physically on site within one hour, of receiving a phone call and must have the authority over the property to be able to remove tenants and address unlawful activity.

It shall be a violation of this Chapter for a short-term rental to be advertised without complying with the requirements of this Chapter.

It shall be a violation of this Chapter to advertise a short-term rental without displaying the business license number.

Notwithstanding any other provision of this chapter, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty.

**Deleted:** documentation of a successful aself-inspection of the property for all compliance issues as well as basic safety issues and ...

Deleted: 30 minutes

Deleted: ¶

#### ORDINANCE 2019-\_\_\_

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATION, CHAPTER 1, BUSINESS LICENSES, ARTICLE A, GENERAL PROVISIONS, SECTION 7-1-15, SUSPENSION AND NOTICE OF PROPOSED REVOCATION OF LICENSE, AND SECTION 7-22-22, CLASSIFICATION AND RATES, SIC 6513; NAICS 53111- LESSORS OF RESIDENTIAL HOUSING UNITS- LESS THAN NINETY (90) DAYS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO ADD CONDITIONS FOR THE SUSPENSION OF A RENTAL BUSINESS LICENSE, REQUIRE AN OWNER'S REPRESENTATIVE TO BE ABLE TO BE PHYSICALLY ON SITE WITHIN ONE HOUR OF RECEIVING A COMPLAINT, AND CONDITIONS FOR THE ADVERTISEMENT OF RENTALS.

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 7-1-15 is hereby amended by adding (f) to state as follows:

#### "Sec. 7-1-15 Suspension and notice of proposed revocation of license.

f. A licensee has had five or more complaints of unlawful activity within a single calendar year that are determined to be founded by the Police Department."

SECTION 2. That Section 7-1-22 SIC 6513; NAICS 53111 is hereby amended by adding provisions to state as follows:

#### "Sec. 7-1-22. - Classification and rates.

SIC 6513; NAICS 53111—Lessors of Residential Housing Units—Less than Ninety (90) Days (Non-resident rates do not apply):

Minimum on first \$2,000: \$350.00 PLUS

Per \$1,000, or fraction, over \$2,000: \$4.60

The application shall require written acknowledgment by the licensee that a violation of this Code, either by the licensee, the licensee's property manager, or the licensee's rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current twenty-four (24) hour per day telephone numbers at which the City may contact the licensee, licensee's agent and, if applicable, the licensee's property manager. The point of contact provided must be able to be physically on site

within one hour of receiving a phone call and must have the authority over the property to be able to remove tenants and address unlawful activity.

It shall be a violation of this Chapter for a short-term rental to be advertised without complying with the requirements of this Chapter.

It shall be a violation of this Chapter to advertise a short-term rental without displaying the business license number.

Notwithstanding any other provision of this chapter, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty."

SECTION 3. 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 4. 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 5. 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 \_\_\_\_\_, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

City Clerk

| First Reading:  |  |
|-----------------|--|
| Public Hearing: |  |
| Second Reading: |  |
| Ratification:   |  |
|                 |  |

#### ORDINANCE 2019-\_\_\_

AN ORDINANCE AMENDING TITLE 5, PLANNING AND DEVELOPMENT, CHAPTER 4, ZONING, ARTICLE 9, SHORT-TERM RENTALS, SECTION 5-4-203, MAXIMUM OCCUPANCY AT ANY TIME, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, TO LIMIT THE MAXIMUM OCCUPANCY AT ANY TIME TO FORTY (40) PEOPLE OR TWICE THE MAXIMUM OVERNIGHT OCCUPANCY, WHICHEVER IS LESS.

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 5-4-203 is hereby amended in its entirety to state as follows:

#### "Sec. 5-4-203. Maximum occupancy at any time.

Notwithstanding any other provision of this article to the contrary, at no time shall the total number of persons at a residence exceed forty (40) persons, including children, or twice the maximum overnight occupancy as determined by Section 5-4-202, whichever is less."

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 \_\_\_\_\_, 2019.

Jimmy Carroll, Mayor

(Seal)

Attest:

City Clerk

| First Reading:  |  |
|-----------------|--|
| Public Hearing: |  |
| Second Reading: |  |
| Ratification:   |  |

Sec. 7-3-14. - Use of the beach.

- (a) Tents, canopies, beach chairs, kites, coolers, beach umbrellas and similar property are allowed on the beach after sunset only so long as such property is being attended to by the user.
- (b) No personal property shall be located within 25 feet of any emergency beach access or any turtle nest.
- (c) Any personal property, except "Hobie Cat" style sailboats which are operable and kept in good working condition or poles supporting volleyball nets adjacent to commercially zoned property, left on the beach after sunset shall be deemed abandoned and subject to disposal by the City.

(Ord. No. 2008-03, § 2, 3-25-2008; Ord. No. 2009-11, § 1, 7-28-2009; Ord. No. 2010-13, § 1, 11-16-2010)