



### **Public Safety Committee**

10:00 a.m., Tuesday, April 4, 2023

1207 Palm Boulevard

City Hall Council Chambers

### **Public Comment:**

All citizens who wish to speak during the meeting must email their first and last name, address and topic to Nicole DeNeane, City Clerk, at [nicoled@iop.net](mailto:nicoled@iop.net) no later than **3:00 p.m. the day before the meeting**. Citizens may also provide written public comment here:

<https://www.iop.net/public-comment-form>

### **Agenda**

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. **Citizens' Comments** – All comments have a time limit of three (3) minutes.
3. **Approval of previous meeting's minutes** – March 6, 2023
4. **Old Business**
  - a. Presentation from parking management vendor
  - b. Discussion of changes to the noise ordinance
  - c. Discussion and consideration of Ordinance 2023-04, an ordinance to increase from two to four the number of resident parking decals that may be issued to non-resident property owners
5. **New Business**

Discussion of fire safety checklist acknowledgement form for short term rental application
6. **Miscellaneous Business**

Next meeting date: 10:00 a.m., Tuesday, May 2, 2023
7. **Executive Session** – If needed
8. **Adjournment**



**Public Safety Committee Meeting  
3:00pm, Monday, March 6, 2023  
1207 Palm Boulevard, Isle of Palms, SC and  
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

**MINUTES**

**1. Call to Order**

Present: Council members Hahn, Ward, and Anderson

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

**2. Approval of Previous Meetings Minutes – February 14, 2023**

Council Member Hahn made a motion to approve the minutes of the February 14, 2023 meeting, and Council Member Anderson seconded the motion. The motion passed unanimously.

Council Member Anderson asked that information added to the minutes that is provided by outside sources be appropriately marked.

**3. Citizen's Comments**

Geoffrey Forquarean said he uses his one-wheel on the beach to assist in the delivery of meals to island residents. He said it is hard to be reckless on them and the top speed is 12mph. He would like to see those who behave recklessly on motorized vehicles on the beach be ticketed.

**MOTION: Council Member Ward made a motion to suspend the rules of order to allow for the discussion about E-bikes to be moved to the beginning of Old Business. Council Member Hahn seconded the motion. The motion passed unanimously.**

**4. Old Business**

**A. Discussion of proposed ordinance to prohibit e-bikes on the beach**

Council Member Ward said he would like more time to study this issue. He does not intend to propose anything to City Council about this topic. He shared some of the research he has done to this point and reviewed some of the local and state rules about motorized vehicles. Council Member Anderson stated that Wild Dunes has some restrictions related to motorized vehicles.

Council Member Hahn expressed concern about “slicing the tomato very thin” meaning that all motorized vehicles should be banned or none. Chief Cornett pointed out that electric bikes and one-wheelers are not in the State law.

**B. Discussion of changes to the noise ordinance**

Administrator Fragoso said the current draft of the noise ordinance has a 60-decibel level limit for residential areas and 70 decibels for commercial establishments during the day. There is a provision to request a special exemption for a maximum of 85 decibels in GC2 during the day.

Council Member Ward invited Al Clouse, Wild Dunes resident, and Terri Haack of Lowes/Dart to see if a compromise on noise could be reached.

Mr. Clouse submitted his comments, and they are attached to these minutes.

Ms. Haack reported that the first part of a sound study was completed at the resort in February to understand how sound resonates from the Sweetgrass Inn out into the neighborhood. A preliminary report will be available next week, and the results will be shared with the City. The sound engineers will return at Easter and in the summer to measure the noise again. She pointed out that the Sweetgrass Inn area has always been zoned commercial. She said the resort is committed to finding ways to mitigate the noise. They have attempted to monitor all situations Mr. Clouse has brought to their attention. She asked for 75 decibels for commercial establishments to be put back in the draft noise ordinance. She also asked that the special exemption parameters allow for a number of days or events rather than a number of hours per year. She said meeting planners are aware of the City's noise ordinance. Ms. Haack indicated the resort will continue to work with the Clouses on the noise concerns.

Ms. Haack noted that changes to the noise ordinance will affect the whole island. She said, "It is not about us. Although I will say to Al and Roxie one more time, I will do whatever is necessary within the confines of allowing a Sweetgrass Inn to operate as a hotel. It is a hotel with a large resort pool that separates the hotel from the Clouse's house."

Council Member Ward acknowledged what has been done by the resort to date and appreciated their efforts.

Director Kerr confirmed that the area on which the Sweetgrass Inn stands has always been identified as commercial and the inn is listed as one of the allowable uses. Areas classified as GC1 include the Marina, Breach Inlet, and the commercial district up to the Front Beach. GC2 is the Front Beach area, and GC3 is a mixed-use block by Acme.

Administrator Fragoso expressed concern about lowering the daytime decibel level to lower than 60 due to the requests the Police Department would receive about enforcing it. The 70/75 decibel level was suggested by the City Attorney who has previously worked cases regarding noise.

**MOTION: Council Member Hahn made a motion to postpone further discussion about the noise ordinance until the Committee can review the initial sound study results. Council Member Ward seconded the motion.**

Discussion ensued about adjusting the decibel level in commercial areas to 75 decibels. Council Member Hahn would like 75 decibels in the commercial district to be noted in the draft ordinance.

Administrator Fragoso further clarified, “So 70 [decibels] was, do you all recall at the last meeting we saw a different version that only included one maximum decibel reading for the entire island, no distinction between residential and commercial, that is where the 70 came from. So we were going to combine them, but I think we heard from you all that you like the distinction between the two. So I think we could go back to 60 and 75 and revise that.”

**VOTE:        The motion passed unanimously.**

**C.        Update on request to reduce the speed limit at Oak Harbor Boulevard**

Chief Cornett said, “I reached out to our contacts over at the Department of Transportation to see what they would be looking for. And the responses we got from them that because Oak Harbor is only a .02 mile long road, it does not meet the minimum threshold to post signs, and that they had just reduced the speed limit for the entire city for 25, which is the lowest that they would move the speed limit to. Basically, they said they would not entertain that if we requested it.”

**D.        Update on request to install a 4-way stop at Waterway Boulevard and 29<sup>th</sup> Avenue**

Chief Cornett said it will need a study first and SCDOT would conduct the study. However, “they did ask us that before we ask them to do a study that the number one thing that they are looking at is the number of vehicles utilizing both roadways are equal or fairly equal in number. And if that is not the case, keep that in mind before we formally request them to do a study.”

Administrator Fragoso said there is no status update about the stop sign at 25<sup>th</sup> Avenue. “We do know that it was included as part of the recommendations in the Connector study that they finalized a couple weeks ago. I have a meeting with DOT staff next week, I believe, to go over the report, and I will get an update on when the installation of that four-way stop at that location should be expected.”

She also reported “the current road closure and the road work at 30<sup>th</sup> Avenue and Waterway is expected to be completed by the end of this week, so weather permitting, everything goes according to plan, the contractor will be putting some asphalt down on the road on Thursday and the road should be opened by Friday.”

**E.        Discussion of paramedic proposal**

Chief Oliverius presented three options for the addition of paramedic services to the Isle of Palms, including contracting with an outside ambulance service or the direct hire of firefighters/paramedics, either 10 additional or 7 additional personnel. He detailed the costs for each option. Any option will provide faster delivery of medication and advance life support services, but hospital transport will still need to be done via an ambulance.

At this time, only three current personnel have expressed interest in becoming paramedics. There needs to be 2 paramedics per shift for the program to be sustainable.

Administrator Fragoso said she has questions about the long-term sustainability of such a program and would like more time for study before moving forward with this discussion.

5. **New Business**

A. **Discussion of resident parking decals for part-time resident owners**

Administrator Fragoso said they have received several requests from property owners who are not full-time residents but eligible to receive a resident parking decal to increase the number of parking decals they can be allocated. Staff is recommending increasing the permitted decals from 2 to 4. She noted “a concern that people who just have property here will get decals for everybody and their family.”

**MOTION: Council Member Ward made a motion to recommend to full Council that the number of decals given to non-resident property owners be increased from 2 to 4. Council Member Hahn seconded the motion.**

Administrator Fragoso said, “For the record and for some context, each resident has the ability to get a visitor parking pass, a booklet with 15 passes. Those passes can be reused. It used to be that you could only use a pass per day. Those passes can be reused, so I think we have facilitated the usage of that visitor parking pass to facilitate again those folks that live off island.”

**VOTE: The motion passed unanimously.**

B. **Discussion of parking regulations related to short-term rentals**

Council Member Anderson asked that this discussion topic be postponed until the April meeting.

C. **Discussion and consideration of hiring a parking vendor for the island and reconfiguring paid parking**

Council Member Hahn would like to see stronger enforcement of parking violations. He would like to charge for parking on Palm Boulevard and allow for free parking in the City parking lot to move more people to the commercial district.

Administrator Fragoso said they have received a parking proposal from one vendor. She believes the technology exists to implement such a plan without having to add kiosks. She also believes there are benefits to increased efficiency by outsourcing the parking to a third party vendor. A cost/benefit analysis needs to be completed to evaluate if there are any savings to implementing such a program within the city.

D. **Consideration of resolution to support adoption of H.3620 Clementa C. Pinckney Hate Crime Act**

**MOTION: Council Member Ward made a motion to support the adoption of the Clementa C. Pinckney Hate Crime Bill and to recommend it to full Council. Council Member Anderson seconded the motion.**

Council Member Hahn said he would like to read a copy of the bill before it goes to City Council. Chief Cornett said he has spoken to other police chiefs about this bill. He said, “We are one of only two states in the United States that do not have a hate crime bill. We are in favor and we support it from the law enforcement association side.”

**E. Discussion of draft operational budget for Police and Fire**

Administrator Fragoso reviewed the changes from the prior year's police budget including the addition of a second code enforcement office, 2.5% merit increase pool, reduction of fuel costs, firearms replacement, installation of a medicine dropbox, increased employee training, the addition of two pooper scooper stations on Waterway Boulevard, processing fees for credit card transactions related to Text-to-Park, two misting fans for personnel and special events, and a second speed radar sign.

Changes and additions to the Fire Department budget include additional desktop computers, laptops and tablets for increased efficiency in training, chairs for the watch rooms, additional uniforms, increased employee training, replacement of a truck, a provision for bunker gear, and mobile radios.

Council Member Ward encouraged committee members to study the budget so they can be knowledgeable about it at the budget workshop.

**6. Miscellaneous Business**

Council Member Ward asked for an update on the mutual and auto-aid agreements. Chief Oliverius said they responded to 25 calls in Mt. Pleasant in January and that Mt. Pleasant also responded to calls on IOP. The number of calls IOP responded to in Mt. Pleasant during February increased to 38 because that department is down one ladder truck. Of the 38 calls, 28 were cancelled en route.

Council Member Hahn asked if the auto aid agreement could be changed "so that we always have coverage on the island."

Chief Oliverius responded, "This is what we are going to do here in the next two weeks, as soon as we get some stuff worked out with dispatch. It just takes a little bit of time. So we always have coverage with that unit that is at Station 2, other than that one instance that I mentioned. So what we want to do is build in some resiliency and redundancy, and we are going to move to a different response model later this month. And what we are going to do is put an EMT basic or 2 EMT basics, one EMT basic and one EMR, but we will typically have 2 EMT basics on squad. So we will run that as a medical response vehicle to get our numbers to help support the need for paramedic...But what it will do is if the ladder truck here at Station 1 is dispatched to Mt. Pleasant, to Mr. Hahn's point, we will have always a unit here that will not get pulled automatic aid to Station 1. Station 2 is so far out they have not been dispatched over at the same time as Station 1 to where we had nobody left. So that will build in some resiliency and redundancy. The second thing it will do is I think it will give us the data and show how it will help with response times and efficiency because it is a much smaller apparatus, much smaller vehicle, and we can get to those medical calls and keep our other units available for the fire calls, the water rescue calls."

The next meeting of the Public Safety Committee will be Tuesday, April 4, 2023 at 10:00am.

**7. Adjournment**

Council Member Hahn made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 5:32pm.

Respectfully submitted,

Nicole DeNeane  
City Clerk



Submitted by A/C/Case 3/6/23

#### PUBLIC SAFETY MEETING 3/6/23

We purchased our lot in the Grand Pavilion in 1988..... Executed a residential construction contract in March of 2017..... Pulling permits in June 2017..... Receiving a CO from Mr. Kerr on December 31, 2018 (which we are still grateful he was working that day)..... Moving in on January 23, 2019.

During the above timeline, we had no knowledge of a new neighbor, who would be building in our neighborhood, until around June 2018. This is when we met Dan Battista (Lowe) who wanted to tour our house, which was under construction. We gladly welcomed Mr. Battista in, giving him "the twenty dollar tour". I believe it is fair to say, we were proud of our home. At this time our house was totally framed and "closed in". As we arrived on top of our crows nest, when Mr. Battista pointed NE and stated "this is where we are going to build a new hotel".

To say we were surprised would be an understatement.

We had already contracted for all of our selections; requiring large financial deposits.

We were more than "a little bit pregnant".

We moved forward, honoring our contractual commitments. We believed Lowe, based on our past experience (Boardwalk Inn) **would be a good neighbor**. Yes, a hotel would bring additional pedestrian foot traffic from the hotel, traversing Path 58 to the ocean. After all, how bad could it be?

As the hotel opened, we became unpleasantly surprised regarding the egregious operations of the Sweetgrass Inn. And, as we became vocal regarding the situation, things only got worse. We could not understand why the hotel (Lowe) would be converted into a "Theme Park"! How could our, or any neighbor, behave in such a way? A Commercial Property located in a Residential neighborhood!

Our new neighbor egregiously continued violating the IOP Noise Ordinance, day and night, which was not being enforced by the IOP Police. Somewhere along the way, the resort had convinced the administration I was unreasonable. Subsequently we discovered, Lowe married a new partner.....Dart.

Our new neighbor's behavior is: **An Annoyance; Nuisance and Health Hazard** to our neighborhood. Which we believe was not a signature Lowe property.

Since April 18, 2022, we have expressed our position to PSC and City Council (all on record) arguably at every meeting. We have demonstrated how our new neighbor has destroyed our **livability** on IOP.

Our neighbors **Land Use** has resulted into **Land Abuse**. Clearly no place for Mr. Rogers.

We have tirelessly proposed for the new noise ordinance to include three (3) classifications: **Commercial; Commercial Properties located in Residential areas; Residential**

We contend this is a fundamental common sense approach as a result of the geography. For some reason, our administrators, are averse to our approach. Their approach is "one size fits all".



We have, ad nauseam, pointed out the NIH, EPA and WHO statistics regarding permanent hearing loss. EPA's **maximum indoor noise level of 45 dBA's and maximum outdoor noise level of 55 dBA's**. Key word: **MAXIMUM**.

We have explained, "we are not the Windjammer"!

We have pointed out **NASCAR's 2023 Rules** require mufflers on short tracks and road courses.

We have illustrated how the Sweetgrass Inn's design is **detrimental to our health and well being**.

Proposed Noise Ordinance; **Section (h) Permits for additional amplification** : A full page describing how the fox is going to guard the hen house; **allowing 85 dBA's**. An administrative nightmare. No bonding requirements. **No verbiage regarding the resident's rights, remedies or recourse**. Arguably acceptable for a Commercial Property, however, not a Commercial Property located in a residential neighborhood. **Section (h) is unconscionable**.

## **RECOMMENDATIONS**

**The Sweetgrass Inn be carved out of "Commercial Properties".  
Said Inn be placed in a noise zone noted as "Commercial  
Properties located in Residential Communities"**

**Designation noise standards: 50 dBA's; 10:00 AM to 10:00 PM. 45  
dBA's; 10:00 PM to 10:00 AM. Seven days a week.**

**Measurements: Amplified Music/Sound—10 foot from the source  
of the noise.**

**Crowd noise**—Areas generally larger than 30 feet in diameter are to be measured inside at the center of the circumference. Less than 30 feet in diameter are to be measured 10 foot from the source; in direct alignment with the complainant.

**Enforcement:** In any one (1) calendar month period; first offense a warning; second offense \$1000; third offense \$5000; fourth offense license suspension for one (1) year.

**Reasoning:**



- a). Sweetgrass Inn is surrounded by a dense number of residential homes. It is not located in a typical "commercial area".
- b). The design and site location of said Inn places a number of residents in harms way, not of their choosing, as a result of the noise being intentionally emitted directly towards said residents.
- c). We contend the occupancy rate in the pool area is not in compliance with state standards; compounding the noise situation.
- d). The lack of Police Enforcement has given the Sweetgrass Inn a sense of entitlement, all at the expense of IOP Residents. Time for said residents to be treated fairly. Question: How many warning tickets would we be allocated if we drove down Palm Blvd at 50 mph?
- e). **Not the Windjammer.** Windjammer: Commercial Property located in a Commercial District. Noise from said Windjammer is of short duration (not all day and night). Windjammer is an Icon; **we do not recommend any changes which would have a negative impact on said Icon.** If people want to continue to pay admission to hear loud music (which is detrimental to their health), their decision.
- Keep in mind, residences which have been constructed in close proximity to said Windjammer, are all located in a defined **commercial area**. Said property owners were aware of said zoning prior to construction.
- f). Sweetgrass Inn was not invited into our neighborhood.
- g). We believe we are entitled to hear the ocean and the birds, unencumbered by the noise at the Sweetgrass Inn; as we were prior to their construction.
- h). We respectfully request the above measures are in place before high season commences. After two (2) years we do not deserve to hear any more nuisances.



i). Unfortunately, historically, the Sweetgrass has demonstrated the **inability to police their facility**. A dependency on complaints which drives the process.

j). In two (2) years, reporting said Noise Nuisance to the Police over (40) times, only resulting in Five (5) citations, all November 4, 2022 (The Concert from Hell); an extremely low Citation/Complaint ratio.....a red flag.

k). September 28, 2022 and December 30, 2022 we exposed IOP Police have a conflict of interest when monitoring events at Sweetgrass.

### **COMPARABLE COMMUNITIES**

Columbia, SC (a college town)	55 dBA's; 6:00 AM to 11:00 PM
(Commercial and Residential)	50 dBA's; 11:00 PM to 6:00 AM
Mt. Pleasant, SC (current proposal)	60 dBA's; 8:00 AM to 9:00 PM
(Commercial and Residential).	55 dBA's; 9:00 PM to 8:00 AM
	Saturday and National Holidays: 10:00PM

ORDINANCE 2022-

AN ORDINANCE AMENDING TITLE 9, OFFENSES, CHAPTER 2, OFFENSES AGAINST PUBLIC PEACE, TO REPEAL AND REPLACE SECTION 9-2-5, NOISE, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

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 9-2-5, "Noise," is hereby deleted in its entirety and replaced with the following new Section 9-2-5, "Noise," to state as follows:

**"Sec. 9-2-5. Noise.**

- a. *Definitions.* In addition to the common meaning of words, the following definitions shall be used in interpreting this section.
  1. *"A" weighted scale.* The sounds pressure level, in decibels, as measured with the sound level meter using the "A" weighted network (scale). The standard unit notation is "dB(A)."
  2. *Amplified sound.* Sound augmented by any electronic means which increases the sound level or volume.
  3. *ANSI.* American National Standards Institute or its successor bodies.
  4. *Complainant.* Any owner, lessee, manager or person with a legal interest in real property within the corporate limits of the City who reports to the police department being disturbed by sound heard at their residence or place of business and not originating therefrom.
  5. *Construction.* On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting and landscaping.
  6. *dB(A).* Sound level in decibels, determined by the "A" weighted scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-1971, or its successor publication(s).

7. *Decibel (dB)*. a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio.
8. *Excessive noise*. Any unnecessary or unusually loud sound or any sound which disrupts the peace and quiet of any neighborhood and which does annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensibilities.
9. *Emergency work*. Work made necessary to restore property to a safe condition, work required to protect, provide, or prevent persons or property from danger or potential danger, or work by a private or public utility when restoring utility service.
10. *Person*. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, or agency.
11. *Plainly audible*. Able to be clearly heard by a person of normal sensibilities using only unaided auditory senses. *Plainly audible* shall refer to a sound heard at a volume level above that of normal conversation and shall not include sounds which are just barely audible. With respect to music and amplified sounds, the detection of rhythmic base reverberating type sound, beat or cadence shall be deemed plainly audible.
12. *Receiving property*. Any residence or place of business on which uninvited noise is plainly audible.
13. *Sound level*. In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in ANSI standards.
14. *Sound level meter*. is an instrument including a microphone, an amplifier, an output meter, and "A" frequency weighting network for the measurement of sound levels that conforms to American National Standards Institute (ANSI) Standard S 1.4-1971 "Specifications for Sound Level Meters," or the latest revision.
15. *Sound pressure level*. In decibels, twenty (20) times the logarithm to base 10 of the ratio of the magnitude of a

particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.

16. *Sound source.* Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

17. *Uninvited noise.* Noise not originating from the receiving property.

b. *Noise measurement.* Noise measurements shall be employed by the police department in the following manner:

1. Noise measurements shall be made using a sound level meter taken from anywhere within the boundary line of the of the complainant's property. If measurement is not possible from the complainant's property, noise measurements may be taken at the nearest boundary line of the public right-of-way.
2. No individual other than the sound meter operator(s) shall be within ten (10) feet of the sound level meter during the sample period.
3. Sound measurements shall be conducted at that time of day or night when the suspect noise is emitting sound.
4. The sound level meter shall be employed in accordance with the manufacturer's instructions.
5. It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.

c. *Maximum decibel levels.* Unless otherwise specifically indicated, it shall be unlawful for any person to cause or allow the emission of sound from any source or sources which, when measured pursuant to paragraph (b) above, to exceed:

1. 60dB(A) during daytime hours (10:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday) for residential and rental properties,
2. 75dB(A) during daytime hours (10:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday) for commercial establishments; and

3. 55dB(A) during evening hours (10:00 p.m. to 10:00 a.m. Sunday through Thursday and 11:00 p.m. to 10:00 a.m. Friday and Saturday) for residential properties, rental properties, and commercial establishments.

The sound meter operator may cease taking readings as soon as the readings already taken show a violation of this ordinance.

d. *Excessive noise prohibited.*

1. It shall be unlawful for any person to intentionally produce, intentionally cause to be produced, or intentionally participate in the producing any excessive noise within the municipal limits.
2. In determining whether a sound is excessive noise for purposes of this section, factors that may be considered include, but are not limited to:
  - a. The volume of the noise;
  - b. The intensity of the noise;
  - c. Whether the nature of the noise is usual or unusual;
  - d. Whether the origin of the noise is natural or unnatural;
  - e. The volume and intensity of the background noise, if any;
  - f. The proximity of the noise to residential sleeping facilities;
  - g. The nature and zoning of the area within which the noise emanates;
  - h. The time of the day or night the noise occurs;
  - i. The duration of the noise; and
  - j. Whether the noise is recurrent, intermittent, or constant.

The determination of whether a noise or sound is excessive noise shall be made without considering the content of any message conveyed by the noise or sound.

e. *Specific prohibitions.* The following acts are specifically prohibited:

1. Pets. It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any reasonable person of ordinary sensibilities in the vicinity by making continually or frequently loud noise.



2. Mufflers. Sound emitting from a motor vehicle's muffler in violation of S.C. Code Ann. § 56-5-5020.
3. Loudspeakers, etc. It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other outdoor public places owned or under the control of the City, except as permitted under paragraph (g) of this section; provided, however, that any City-owned property subject to a commercial lease and a noise control agreement or permit is exempt from the requirements of this paragraph.
4. Hawking or peddling. It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this paragraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.
- f. *No employee liability.* No employee of any place of business acting within the scope of his or her employ shall be liable for a violation of this section, unless an employee is also an owner of the business.
- g. *Exceptions.* This section shall not apply to the following sources:
  1. Any City-hosted, City-sponsored or City-sanctioned special events.
  2. Excavations or repairs of bridges, streets or highways, by or on behalf of the City, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefor.
  3. Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and

drainage facilities, dredging activities, beach renourishment activities, and other public projects.

4. It shall be unlawful for any contractor, subcontractor, landscaper, supplier or vendor to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, tools or equipment, the use of which is attended with loud or disturbing noises, at any time other than between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday. No such use shall be permitted on Sundays, or on the following legal holidays: New Year's Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day. Approval for such use may be granted by the City for performing emergency repairs outside of the hours specified. Nothing in this paragraph shall be construed to prohibit an owner or member of an owner's immediate family from performing maintenance, repairs, or other work on their own property at any time, provided that such work is otherwise in compliance with City ordinances.
5. The maximum decibel level shall not exceed 85 dB(A) during daytime hours (10:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday) in the GC-2 general commercial zoning district.
6. A property owner or business may apply to City Council for an exception to this ordinance, and City Council may issue a permit that modifies the maximum decibel levels as it deems reasonable in light of the circumstances to support public good, infrastructure, and resources of the City, including the time and resources of law enforcement and code enforcement. Such permit shall not extend beyond (three) 3 years, unless a new application for extension is approved by City Council.

h. Permits for additional amplification

- a. *Application.* An application for a permit for additional amplification on commercially used property under this section shall be submitted to the Isle of Palms City Council at least thirty (30) business days in advance of the planned use. The application shall designate and provide contact information for an individual person who shall be in control of the sound amplification equipment and ensure that its use complies with the terms of the permit.
- b. *Notice of tentative approval.* Upon tentative approval, the applicant for a permit shall be responsible for giving written notice of the name, nature, date, and time period of the event,

and the name of and contact information for the permit holder to the occupants of each property within 500 feet of the property for which the permit has been granted. The notice shall be hand delivered to each occupant or, if the occupant is unavailable, affixed to the front door of the building or business or residential unit at least 72 hours in advance of the event. The permit shall not be actually granted and issued until the applicant submits a notarized statement affidavit to the Isle of Palms City Council that such notices have actually been so delivered.

- c. *Limits on hours.* Permits for additional amplification at a commercially used property, shall be limited to 15 hours in a calendar year. Permits issued pursuant to this section may allow additional amplification only between 10:00 a.m. and 10:00 p.m. Sunday through Thursday and between 10:00 a.m. and 11 :00 p.m. on Friday or Saturday.
- d. *Sound limits.* In no event shall a permit be granted which allows the creation of sounds registering more than 85 db(A) anywhere within the boundary line of the nearest residentially occupied property.
- e. *Denial; issuance of exceptional permit.* If an applicant has been denied a permit under this section and believes the denial is illegal by virtue of applicable state or federal law, he shall promptly submit a copy of the denied permit application together with a short statement of the reasons he believes he is entitled to a permit to the city manager or his designee. The city manager or his designee shall have the discretion to grant an exceptional permit waiving locational, time, and/or db(A) requirements, upon his determination that the applicant has made a substantial showing of legal entitlement. Any such exceptional permit shall be promptly reported to the city council.
- f. *Violation.* It shall be unlawful to violate the restrictions or requirements of this section or the terms of a permit issued pursuant to this section.
- i. *Violations.* Any person who violates any provision of this section shall be fined not more than \$500 or imprisoned for not more than 30 days. However, no penalty shall exceed the penalty provided by state law for similar offenses. A separate offense shall be deemed committed on each day that a violation occurs or continues.”
- j. (2) In addition to the penalties set forth in subsection (h) of this section, five (5) repeated violations of this section by a person who owns, manages, operates, is a business agent of, or otherwise controls a business establishment may result in the suspension or revocation of any business license issued to the premises on which the violations occurred in accordance with section 7-1-15.

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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
Phillip Pounds, Mayor

(Seal)  
Attest:

\_\_\_\_\_  
Nicole DeNeane, City Clerk

First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Ratification: \_\_\_\_\_



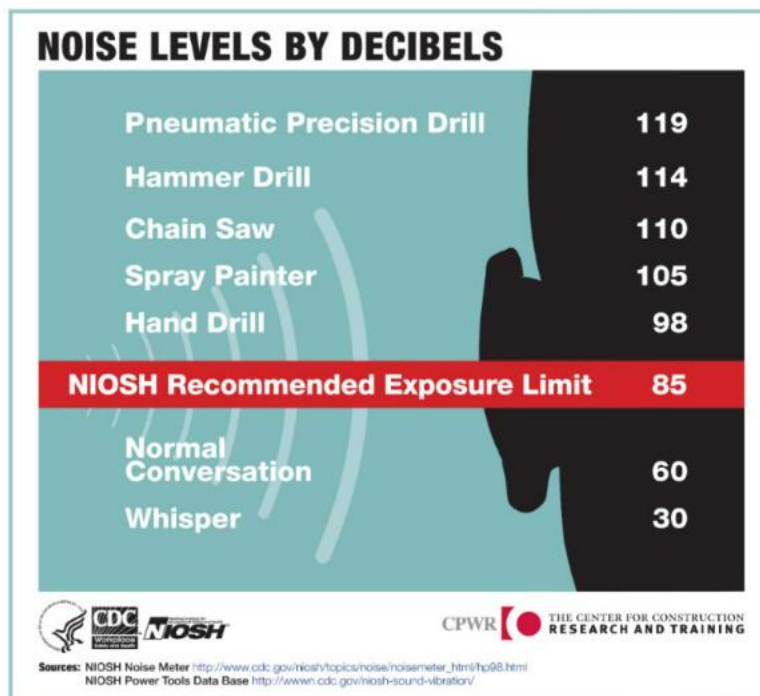
# The National Institute for Occupational Safety and Health (NIOSH)

The National Institute for Occupational Safety and Health (NIOSH) Home

Promoting productive workplaces  
through safety and health research



## Noise Infographic – Levels by Decibels



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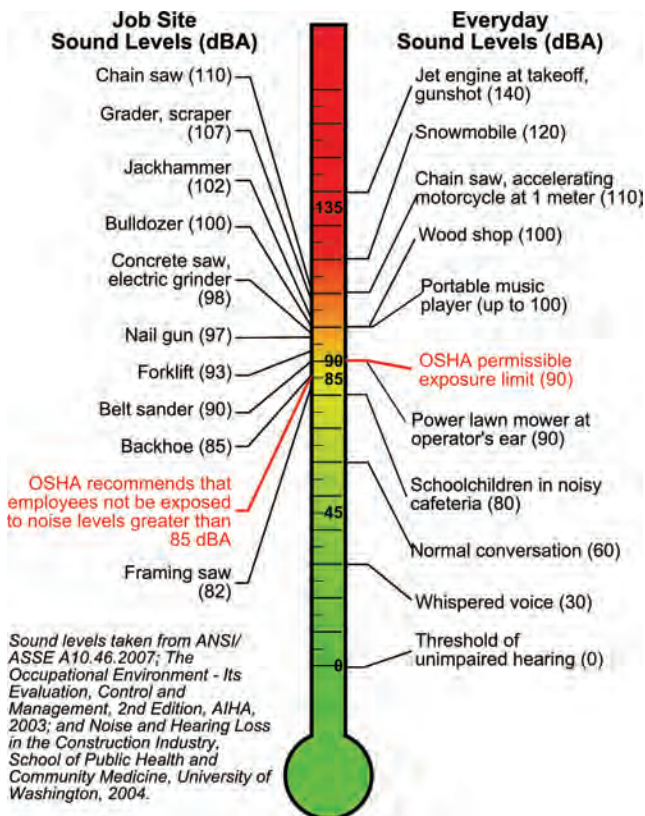
Copy the code below to get this infographic on your web page.

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<a href="https://www.cdc.gov/niosh/topics/noise/infographic-noiselevels.html">
</a>
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Last Reviewed: February 6, 2018

## Sound Level Chart

Equipment and daily activities at construction job sites can expose workers to high levels of noise. Sound levels on the chart below are listed in decibels (dBA) – the larger the number, the higher the volume or decibel level. How loud the noise is (volume), how long the noise lasts, and how close you are to the noise are all important in determining the hazard.



ORDINANCE 2023-04

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2 STOPING, STANDING AND PARKING VEHICLES, ARTICLE B RESIDENT PARKING DISTRICT OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO INCREASE THE NUMBER OF RESIDENT PARKING PERMITS ISSUED TO PART-TIME RESIDENT OWNERS.

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 Title 8, Chapter 2, Article B, Section 8-2-24 “Issuance of resident parking permits; annual renewal” is hereby amended in its entirety and replacing it to state as follows:

“Sec. 8-2-24. Issuance of resident parking permits; annual renewal.

Every resident may register an owned vehicle with the Police Department by presenting proof of residency or payment of property taxes, vehicle registration with the South Carolina Department of Motor Vehicles (SCDMV), or other appropriate documentation as may be required by the Police Department. Upon registration with the Police Department, resident owners or resident renters shall be issued a resident parking permit for any vehicle that is registered to the resident's address or for any other owned vehicle approved by the Police Department. **Part-time resident owners shall be issued a maximum of four (4) resident parking permits for any owned vehicle approved by the Police Department.** Resident parking permits shall be displayed in a manner prescribed by the Police Department. Registration with the Police Department shall be required annually. Resident parking permits shall not be renewed until all unpaid parking fines have been paid or otherwise satisfied.”

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 3. 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 \_\_\_\_\_, 2023.



---

Phillip Pounds, Mayor

(Seal)

Attest:

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Nicole DeNeane, City Clerk

First Reading:

Public Hearing:

Second Reading:

Ratification:



**City of Isle of Palms  
Short-Term Rental Fire Safety Criteria  
Acknowledgment Form**

Property Owner(s) Name(s): \_\_\_\_\_

Rental Property Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

**A. Required Fire Safety Criteria Items**

1. A required fire extinguisher shall be a minimum size of 2A:10B:C. Extinguisher shall be serviced and tagged, or purchased and bought receipt kept for record every 6 (six) years. Top of the extinguisher shall be no higher than 60" from the floor and mounted in a conspicuous (seen) location where they will have ready access and be immediately available. *South Carolina Fire Code Section 906.*
2. Required working smoke alarms shall be provided in each bedroom, in hallways outside all sleeping spaces, and one on each floor, also making sure alarms are mounted away from the kitchen. *SC Code 5-25-1310; 2021 South Carolina Residential Code Section R314; South Carolina Fire Code 1103.8*
3. Required carbon monoxide detectors shall be located on each floor close to bedrooms, close to gas appliances, close to working fireplaces or gas heaters, and close to the entrance door of an attached garage (not in a garage). *2021 South Carolina Residential Code R315; South Carolina Fire Code 1103.9.*
4. Required dwelling's (House) street address designation shall be posted in a conspicuous (seen from the street) location. Numbers and/or letters shall be 4 inches in height, or greater. *2021 South Carolina Residential Code R319.*

\*Follow manufacturer's instructions on installation location. \* \_\_\_\_\_

Initial

**B. Recommended Fire Safety Criteria Items**

The following items are recommended for home fire prevention and safety:

1. Storage be maintained in an orderly fashion and not of an excessive nature; thereby, presenting no fire or safety hazard.
2. Fire evacuation plans be prepared and posted on all inside bedroom doors.
3. It is recommended that all stairways, walking surfaces, and handrails are in good condition (free from trip hazards, damage, and instability).
4. There be at least one operable window (not painted shut or fastened so it cannot be opened other than the original lock) or door exiting to the exterior be provided for each bedroom to be used for emergency escape and/or rescue.

5. Exit doors are easily accessible and unobstructed. The door should open without excessive effort and open to the full position.
6. Exit doors are able to be unlocked/unlatched from the inside with a single action (no keys) so occupants can exit the building/dwelling (house) without delay.
7. Exit pathways be clear of storage or objects that restrict normal exit width (about 36 inches).
8. Stairwells (to include areas under the stairs) are free of combustible (things that can burn) item storage.
9. The common emergency exit path, if applicable, is marked by exit signs and emergency lighting (multi-occupant buildings only).
10. Extension cords are only to be used on a temporary basis. Such cords are only approved for portable items, not including microwaves, refrigerators, heaters, computers, toasters, or toaster ovens as these should be plugged straight into an outlet. When using power strips, they should have a built-in circuit breaker and should never be plugged into another power strip. Additionally, extension cords should never function as permanent wiring.
11. Circuit breaker panels should not have any open circuits (missing breakers, uncovered breaker spaces). All circuits should be clearly labeled, and circuit breaker panel doors remain closed and latched.
12. All electrical junction boxes, outlets, and light switches have plate covers and are secured in place.
13. A clear access area always be maintained around the circuit breaker panel (minimum: 30" wide x 36" deep x 78" high).
14. Fuel burning systems be vented to the outside and have flue/piping that is in place and free of gaps or holes.
15. Solid fuel burning (wood) systems during regular use, be cleaned, and inspected annually by a certified chimney sweep.
16. Spacing of not fewer than 36 inches be maintained between combustible materials and any heating system or appliance.
17. Dwelling's (houses) that have a fire alarm system or a fire sprinkler system be inspected by a servicing company to ensure those systems are in operable condition every year.

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The required fire safety criteria are included in the South Carolina Residential, Building, and Fire Codes. By signing below, property owner acknowledges that I have read the required and recommended Short-term Rental Fire Safety Criteria outlined above, and that the short-term rental property requirements will be in compliance with these required criteria's within 90 days of the signature date.

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Signature of Property Owner

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Date