

ORDINANCE 2023-~~05~~-XX

AN ORDINANCE AMENDING TITLE 7, LICENSING AND REGULATION TO INCLUDE CHAPTER 8. REGULATION FOR SPECIAL EVENTS ON PUBLIC PROPERTY INCLUDING THE BEACH AND BEACH ACCESS PATHS.

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 7, Licensing and Regulation is hereby amended to include Chapter 8, Regulations for Special Events on Public Property, Including the Beach and Beach Access Paths, to state as follows:

“Chapter 8. Regulations for Gatherings on Public Property, Including the Beach and Beach Access Paths.

Section 8-8-1. Definitions

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

“Gathering” shall be defined as a social assembly or meeting of more than ~~twenty-five~~fifty (~~25~~50) people in one place for a collective purpose.

Section 8-8-2. Permission From the City Required for Gatherings on Public Property, including the Beach and Beach Access Paths.

(A) Permission from the Isle of Palms Police Department in the form of a permit is required for gatherings on public property, including the beach and beach access paths, that are expected to involve more than ~~twenty-five~~fifty (~~25~~50) people. ~~Applicants must be at least 21 years old. Weddings on the beach are exempt from this requirement but must provide the following as notice to the city: the time, place, duration, and nature of the event and the number of expected participants, and the name and contact information, including cell phone numbers, of the person or persons who will be responsible for responding to complaints or handling problems.~~

(B) The permit requirement is designed to:

- a. Protect resources, the environment, and wildlife on the Isle of Palms;
- b. Address concerns of public safety;
- c. Prevent interference with the public’s use of any street or the beach for more than half a block of the beach between March 1 and September 9; and
- d. Ensure the City is able to provide adequate public safety, litter cleanup and traffic control.

(C) ~~(B) Criteria~~ Permits for ~~approval of~~ gatherings ~~on public property, including the beach and beach access paths.~~

- ~~a. Gatherings on public property, including the beach and beach access paths, must accomplish at least one of the following objectives:~~

- ~~i. Have a positive impact on the quality of life for residents;~~
 - ~~ii. Enhance the image of the city;~~
 - ~~iii. Benefit the city financially; or~~
 - ~~iv. Promote tourism or benefit the business community between September 10 and April 30.~~
- ~~b. No gathering of more than fifty (50) people on public property, including the beach and beach access paths, shall be approved if it will be issued, unless it is determined that the time, duration, route, location, or size of the gathering would:~~
 - ~~a. Unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public;~~
 - ~~b. i. Threaten the environment or endanger wildlife;~~
 - ~~c. Require diversion of so great a number of police or fire personnel to properly police the line of movement in the areas contiguous thereto so as to impair the normal protection of the remainder of the City;~~
 - ~~d. Unduly interfere with the proper fire and police protection of, or ambulance service to, the remainder of the City, or unreasonably disrupt other public services, including traffic control and litter cleanup, normally provided to the City;~~
 - ~~e. ii. Interfere with the public's use of any street or the beach for more than half a block of the beach between March 1 and September 9;~~
 - ~~f. Interfere with another gathering for which a permit has been granted; or~~
 - ~~g. Violate or not conform with any applicable state regulations or laws governing the proposed gathering.~~
- ~~(D) iii. Involve~~ No permit shall be issued that involves a walk, run, or a race of more than 50 people between March 1 and September 9; ~~or.~~
 - ~~iv. Require more city services, such as traffic control and litter cleanup, than the city is able and willing to provide.~~
- ~~(E) The Isle of Palms Police Department may not deny a permit based upon political, social, or religious grounds or reasons or based upon the contents of the views expressed.~~
- ~~(F) (C)~~ Applications for permits must be submitted to the Chief of Police at least 60 ~~14~~ days prior to the planned gathering, unless the Chief agrees to a shorter period applicant shows good cause. Within seven days of the application submittal, the Isle of Palms Police Department shall provide notice to the applicant as to whether the permit request is granted or denied. If the permit is denied, the denial shall specify the reasons for denial.
- ~~(G) Applications shall describe the time, place, duration, nature of the event, the number of expected participants, and the name and contact information, including cell phone numbers, of the person or persons who will be responsible for responding to complaints or handling problems.~~

- (H) An applicant whose permit is not approved may appeal to the City Administrator within 48 hours, and said appeal must be acted upon within two working days after receipt.
- (I) It shall be unlawful to have a gathering of more than fifty (50) people on public property, including the beach and beach access paths, without a permit. A violation of this ordinance is a misdemeanor punishable pursuant to Section 1-3-66.
- (J) ~~(D)~~ City sponsored events approved by City Council and City programs, including Recreation Department programs, are exempt from the requirements of this Ordinance and are not required to obtain a permit.

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 _____, 2023.

Phillip Pounds, Mayor

(Seal)

Attest:

Nicole DeNeane, City Clerk

First Reading: _____

Public Hearing: _____

Second

Reading: _____

Ratification: _____

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