

PUBLIC SAFETY COMMITTEE
5:00 p.m., Wednesday, May 2, 2018
City Hall Conference Room
1207 Palm Boulevard

AGENDA

- 1.** **Call to order** and acknowledgement that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act.
- 2.** **Approval of Previous Meeting's Minutes**
Regular Meeting of April 9, 2018
- 3.** **Citizens' Comments**
- 4.** **Old Business**
 - A. Update on Coyote Management
 - B. Managed Beach Parking Plan
 - C. Update of micro-surfacing work on Palm Boulevard between 21st and 41st Avenue
 - D. Review of Fire and Police Department FY19 budgets
 - E. Discussion of Ordinance 2018-07 – Parking in Loading Zones
 - F. Discussion of Ordinance 2018-05 – Parking restrictions on Waterway and 41st
- 5.** **New Business**
 - A. Discussion of FY19 CTC Project requests
 - B. Consideration of renewing Munnerlyn Pyrotechnics contract for July 4th fireworks show
 - C. Discussion of options for guest parking passes
- 6.** **Highlights of Departmental Reports**
Fire Department
 - Update on Front Beach benches, J.C. Long at Ocean BoulevardPolice Department
- 7.** **Miscellaneous Business**
Personnel Committee request

Number One Safest City in the State and 48th in Nation's Safest Cities

Discussion of dates for Special Public Safety Committee Meeting for a Parking and Traffic Work Session

Next Meeting Date: _____, _____, June ____ , 2018
 Time Day Date
- 8.** **Executive Session – if needed**
- 9.** **Adjournment**

PUBLIC SAFETY COMMITTEE

5:00 p.m., Monday, April 8, 2018

The regular meeting of the Public Safety Committee was held at 5:00 p.m., Monday, April 8, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bell and Ward, Chair Smith, Administrator Tucker, Fire Chief Graham, Police Chief Buckhannon, Attorney Halversen and City Clerk Copeland; a quorum was present to conduct business.

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

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Bell moved to approve the minutes of the March 5, 2018 meeting as submitted; Chair Smith seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Rusty Williamson, 605 Carolina, expressed concern about the amount of money the City collects in fines. He was interested in knowing how much was sixty to ninety (60-90) days past due and about people who did not pay the fines at all. He wanted to know if the City was allowing persons with tickets to negotiate them down, and if so, he thought it was wrong. He wanted confirmation that the City was serious about collecting what it was due.

4. Old Business

A. Update on Coyote Management

Chief Buckhannon informed the Committee that the third coyote has been trapped in one (1) of the soft leg traps on March 28th; he also reported that the Police Department had applied to DNR for a permit to use the Collarum traps. The Collarum traps will be deployed as additions to the soft leg traps currently in place. Since members of Council have shown an interest off having a hunt, the Chief has done some research and learned that the City would need a permit from DNR to do it; in addition, he spoke with the City's insurance carrier who stated, with reasonable certainty, that a hunt would be uninsurable.

Captain Swain distributed a draft of a Coyote Management Plan for the Committee's consideration; he stated the he had taken language from the coyote management plans from Mount Pleasant, Tega Cay, Sullivan's Island and the Coyote Coalition.

Councilmember Bell asked that Captain Swain take this draft and to merge it with the plan from the Coyote Coalition; he said that he has spoken with a member of the coalition and asked that they soften the language in their plan to make it less frightening. He wanted Council to get the management plan for adoption by the City at the next meeting.

Chief Buckhannon asked the Committee to wait and to review the plan that was distributed and to delay any action giving the Department time to get a definite answer about the insurability and the legal status of a hunt. Staff will continue talking with Wild Dunes to find out what they will let

the City do inside the gates. The Chief was confident that the Department could get the answers in thirty (30) days.

Administrator Tucker stated that the draft from the Police Department would be included in the meeting packet for the Council meeting.

Captain Swain investigated the concept of paying a trapper per coyote trapped, and no one he talked to was willing to trap on the island on that basis. The Captain confirmed with Councilmember Bell that he spoke with the man who was at the Coyote Forum who told the Mayor and Councilmember Bell that he would trap, and the City would pay Mr. Covington per coyote trapped. Mr. Covington quoted Captain Swain a trap set fee was sixty dollars (\$60) and billing the City three hundred to three hundred fifty dollars (\$300-\$350) for each coyote he trapped.

Currently the City is using Critter Control and they charge three hundred fifty dollars (\$350) per month, sixty dollars (\$60) per coyote and thirty dollars (\$30) for other animals trapped.

Chair Smith stated that she wanted three to five thousand dollars (\$3,000-\$5,000) earmarked in the FY19 budget for the services of a researcher to determine approximately how many coyotes are on the island to find out if the City should continue its trapping efforts.

Chief Buckhannon stated that Captain Swain spoke with the trapper in North Carolina who was so successful and learned that he was using the same kind of traps the City is using, and he was using bait like the City. He offered to come here to assist the City's trapper at a rate of two hundred dollars (\$200) per day.

B. Managed Beach Parking Plan

2

1. Front Beach Traffic Management

Chair Smith stated that she wants to find a way to have a better traffic flow on Front Beach that could be implemented for this beach season.

Captain Usry commented that this week was spring break and Monday and Tuesday were beautiful and warm days and Isle of Palms had traffic backups; when the County Park is full, traffic begins to back up into the intersection. The police reacted quickly and began to push people along to Ocean Boulevard; once on Ocean people slow down looking for a place to park; at that point Beach Services Officers are pulled off their job to push people along on Ocean Boulevard. The Captain stated that the City has spoken to DOT about making 14th Avenue one way to Ocean then to 10th Avenue as a possible way to improve the flow during the busy season. When the traffic begins to back up into the intersection, officers typically close 14th Avenue and force people to turn left or right as they come off the Connector.

As one (1) of the people monitoring and dealing with the traffic issues, Councilmember Bell asked Captain Usry, if she had unlimited funds and personnel, what she would do to deal with traffic issues on the island. She replied that, to be cost effective, the first thing she would do was to have two (2) lanes turn left and two (2) lanes turn right as vehicles come off the Connector and eliminate going straight across on 14th Avenue. The traffic backup created by people going to the County Park would then be on Ocean; to do this would require approval from SCDOT. With personnel and traffic control devices, this was something that could be tested a couple of times.

Chief Buckhannon offered that one (1) change that would make a positive difference would be for the County to relocate the entrance to the parking lot for the County Park further back on 14th Avenue away from Ocean Boulevard.

For the short term, Chair Smith asked what the Police Department would need to direct two (2) lanes of traffic to the right off the Connector, and, if it was additional personnel, would the City consider outsourcing traffic directing to a third party.

Administrator Tucker stated that, for major events where a large crowd of people was expected, the City of Charleston contracts a company to control and direct traffic; this could possibly work for the parking lots.

Captain Usry noted that the contract personnel could not direct traffic in the roadway because that was a responsibility for the Police Department. Contract personnel might be helpful in the parking lots to direct cars into the spaces.

Chief Graham commented that Charleston County Rescue frequently assists with traffic control for a donation which they use to buy equipment; she suggested that they might help the City for a fraction of the cost of a contractor.

Councilmember Bell said that he wanted a definition of what it would take to get it done, separate from worrying about the budget implications. He thought that the money could come from the fines and other traffic mechanisms to have additional money to fund these things.

Captain Usry confirmed that the Police Department has problems recruiting and keeping BSOs.

Chief Buckhannon thought the issue was that being a BSO was a seasonal part-time job, and people in the current economy in Charleston were looking for full time jobs. He opined that the City would continue to have problems filling part-time positions without benefits. He reported that, this year, the Department had initiated a program that people who have worked here before get a starting wage higher than the first-time employee.

From the Visioning meeting, Chair Smith recalled that installing overhead signage at the intersection at the foot of the Connector directing people to turn right had been discussed.

By way of clarification, Administrator Tucker stated that many people who come for a day on the beach are so fixated on their final destination that they do not realize that they can also get to their destination by turning right and then left. Some on Council suggested that, if SCDOT would allow for overhead signage, possibly more people would turn rather than go straight.

Councilmember Bell suggested that Council should seriously consider something that would provide more flexibility, such as electronic signage, that would be less labor intensive and solve the problem long-term.

Chief Buckhannon repeated that the biggest problem was the cars stacking up trying to get into the County Park even when spaces are available.

Captain Usry added that people will sit in their cars when the sign that the lot is full was put up; people who have purchased a gold pass were particularly bad about sitting because they believe that the pass includes space to park when they visit the parks.

Responding to Chair Smith, the Chief said that he did not think the City was charging enough for parking on Ocean Boulevard; the City wants those spaces to turn over, not parking for three or four (3 or 4) hours. People should not be allowed to park in the Front Beach spaces for more than two (2) hours. He suggested that, when people realize how much more parking on the street was than the lots, they would gravitate to the parking lots. When the cars stack up on Front Beach, the BSOs run from one car to the next; the enforcement would be easier if the City were to invest in Segways.

Chair Smith thought that the City should budget for more BSOs.

Councilmember Bell opined that the City should consider increasing the parking fines again and paid parking plans because the demand put on the island is not going to go down. He did not believe that hiring more BSOs would solve the problem.

Chief Buckhannon advised the Committee that, if they increase the parking fines, they should be prepared for negative press on the front end and the back. He stated that, when the rates go up, the three (3) local television stations will be on the island advertising the increase and the phone calls will start. On the back end, when the tickets are issued, the City will face irate people.

Councilmember Ward said that one (1) very important component was being overlooked, and it was the City employee in the window who takes the payments and gets the abuse from those irate drivers simply for doing her job.

The Administrator asked if regulations existed that would allow tickets to be issued if people do not keep moving, and Captain Usry said that they could be ticketed for blocking and obstructing.

Chief Buckhannon said that BSOs could not enforce that regulation, and the Department did not have enough officers to install one (1) at Front Beach. He also noted that, when an officer enforces that violation, he is stopping traffic.

2. Options to implement parallel parking in other areas of the island

The Chair stated that this item was added to the Agenda based on the requests for parallel parking on the southern end of the island at the last Council meeting; she asked the Chief if it was feasible and whether it would be a safety improvement.

Chief Buckhannon replied that parallel parking was the safest way to park in his opinion.

Captain Usry stated that this would definitely be a traffic engineering issue because it would affect spaces, private property owners because of easements and property lines, and it would need Council approval and would have to go through the DOT approval process. She also said that there would be places along Palm that would not be wide enough to accommodate parallel parking.

Councilmember Ward remembered that Stantec had already measured the width of the rights-of-way on the island.

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

The information sent to the City stated that the contractor will begin full depth patching the week of April 23rd, assuming that the weather cooperates; the actual micro-surfacing will take place the

week of May 7th through 14th. The contractor is not recommending night work because of the noise and bright lights.

The Administrator has told SCDOT that they must not be working Memorial Day weekend.

MOTION: Councilmember Bell moved to reorder the Agenda to consider item B under New Business at this point in the meeting; Chair Smith seconded and the motion PASSED UNANIMOUSLY.

5. New Business

B. Discussion of Enforcement of Parking and Speeding

Chair Smith was aware that some residents have concerns about parking tickets being enforced, how they were enforced and whether or not there were loop-holes in City ordinances that need to be closed.

Councilmember Bell stated that people were well aware of a repeat offender at Front Beach who was ticketed many times and who paid fractional fines but no late fees. His question was what the City has that has allowed this situation to happen that other cities do not have; therefore, he looked at parking fines in other local municipalities. The offender was issued tickets totaling five thousand seven hundred fifty dollars (\$5,750) over a five (5) year period and has paid nine hundred seventy five dollars (\$975) but never paid a late fee. He recounted being at Front Beach with four (4) BSOs laughing while saying, "Call me the day you guys tow this man's car."

Chief Buckhannon said that whoever said that was "absolutely wrong;" he stated that, when he found out about the total of outstanding tickets this man had, his first words were, "Tow it." When the vehicle was illegally parked over the weekend, it was towed.

By parking in the loading zone, the delivery trucks were having to work around the car, and if a fire truck were called to one (1) of the businesses, it would not be able to get through.

According to Captain Usry, if a vehicle is creating a safety hazard, it can be towed. In her opinion, the problem with the ordinance was the impounding and immobilize; if immobilizing a vehicle would create a problem, as in a loading zone, officers need to be able to tow it immediately.

MOTION: Councilmember Bell moved for staff to look at the ordinances of other municipalities that allow for a vehicle to be towed or impounded when it is blocking and is a public safety hazard in a way that is consistent with the wishes of the Police Department; Chair Smith seconded and the motion PASSED UNANIMOUSLY.

The Administrator stated that according to the City's ordinance as it reads today is that a ticket does not toggle over to immobilization until it is ninety (90) days past due and it has to be more than one (1) ticket. The fact that late fees were not paid was an adjudication of the Court and out of the City's control.

MOTION: Councilmember Bell moved to change the ninety (90) days in the ordinance to thirty (30) days to have more rapid adjudication; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Chief Buckhannon stated that a feature has been added to the iPad for BSOs to notify them that the particular vehicle has "x" number of outstanding tickets and the dollar amount unpaid. A process has been established where the sergeant goes to the scene and the vehicle is either immobilized or towed.

Captain Usry stated that she would also like to see the toggle of three (3) or more unpaid tickets reduced to one (1).

Administrator Tucker noted that the Court sends out a massive amount of late notice letters.

Councilmember Ward stated that the notices of delinquent tickets should stop because the consequences of not paying in time are defined on the ticket.

The Administrator suggested that Attorney Halversen tighten up the parking ordinance rather than making several more motions.

Attorney Halversen indicated that she has already been looking at the ordinance and has other recommendations for changes and would have a draft at the Council meeting on Tuesday, April 24th.

Councilmember Bell complimented the Police Department on the fact that forty-one percent (41%) of all traffic stops in March were issued citations.

Captain Usry repeated that every traffic stop was issued a ticket; some were warnings and others were monetary citations.

Councilmember Bell continued that 37 mph was fifty percent (50%) over 25 mph. He opined that SCDOT did not set a 25 mph speed limit in residential neighborhoods for people to go 37 mph through them. He voiced concern over the speeding on Waterway Boulevard which more and more bicycles and pedestrians use frequently. He urged the Police Department "to ratchet down the speeding."

Councilmember Bell also offered to work with Captain Usry to compile a shorter and more concise and informative monthly report from the Police Department.

A. Review of FY19 Fire and Police Department Budgets for addition and deletions to be considered at the April 11th Budget Workshop

Chair Smith indicated that she had several items for the Committee to consider related to the budget, beginning with increasing the number of BSOs based on the traffic and parking issues on the island.

Councilmember Ward stated that he was opposed to hiring more BSOs because personnel costs account for eighty percent (80%) of the budget. He said that he might be more inclined to support it if Chief Buckhannon and Captain Usry were in favor.

Councilmember Bell said that he would like to know the level of participation by the City's police officers in the duties BSOs perform. He has heard complaints that officers drive by and do not enforce parking violations. As to the budget item for a full time BSO, the Councilmember opined that, in the off-season, the City has police officers to do what is assigned to BSOs during the tourist season.

Chief Buckhannon stated that the island's police officers are responding to four thousand (4,000) telephone calls a month and they are busy; the fact that they ride by a parking violation does not mean they are ignoring it. Many times they are going to a call or busy with some other police matter, and frequently they call in for a BSO to be dispatched to a certain place on the island to write a ticket.

According to the Chief, many of the off-season calls about parking are calls about vehicles not parking four feet (4 ft.) from the roadway, but the Rec Department does not lay down that white line in the off season.

The Chair asked whether a BSO was needed year-round or if the money would be better spent on an additional BSO in the beach season.

Captain Usry stated that having an extra during the beach season would be better.

Administrator Tucker noted that one (1) year-round BSO would be covering the entire island, not just Front Beach and Palm Boulevard. On the subject of hiring additional BSOs, she repeated that the Department has a difficult time hiring the ten (10) covered in the budget and the increased budget would create an artificial cushion.

Chief Buckhannon said that, if the City goes to a year-round parking plan, it would need someone to maintain signs that the BSOs are doing now during the season.

In the past couple of years, money left in the BSO budget at the end of the season has been used to pay a BSO to work part-time year-round, and signs are something he does.

The Chief and Captain agree that a full time BSO year round was not necessary, but they would like to see the BSO wages line increased to keep one (1) BSO part-time and year round.

Councilmember Bell thought that many of the things they were talking about could be self-funding if the fine amounts were increased; he repeated that he would like to see parking tickets go back to fifty dollars (\$50).

Additional benefits to having a full time BSO year-round would be the continuity of having someone with the responsibility of knowing the Code to be able to train the new BSOs hired, and this person would likely be more vested than a part-time person.

The Chair asked what twenty-five thousand dollars (\$25,000) in improvements would look like on the multi-use path on Waterway Boulevard.

If the Committee wanted improvements to the multi-use path, in the Administrator's opinion, the money would be better spent on hiring a consultant to come up with design recommendations.

Assistant Fragoso informed the Chair that the Public Works Committee has recommended funding for the engineering and design of the path on Waterway.

Chair Smith noted that she has brought up crosswalks on Waterway a couple of times, but has gotten little interest from this Committee.

Councilmember Bell stated that, until Council knows how it will pay for the big ticket items in the FY19 budget, the other stuff was not too interesting to him. He voiced doubt that the City could afford all that it has planned to do in the FY19 budget.

Captain Usry commented that crosswalks were for intersections; they could not be placed just anywhere.

The Chair did advocate for three to five thousand dollars (\$3,000-\$5,000) for an expert to get a count of the coyotes on the island, which she thought would be beneficial.

Councilmember Bell also thought a count would be helpful, but he thought that the City could reach out to one (1) of the state's colleges/universities for the job to be done as a research project at little or no cost to the City.

Ever mindful of mounting expenses facing the City, Councilmember Ward stated that he thought spending money on a coyote count should be the last consideration of the City.

The Committee's review of the FY19 budget started with those expenses in the Police Department operating budget that have changed since FY18. The first six (6) lines of the budget are wages with the merit and cost of living increases and associated benefits paid by the City; the same will be true in the Fire Department budget. Funds for the monthly coyote trapping fees and additional funding for coyote hunts or other activities as decided by Council has been increased for FY19..

Councilmember Bell stated that, once the City decided to have a hunt, it would eliminate monthly trapping.

Chief Buckhannon commented that, through his research he has learned that a hunt could wipe out the coyote population, but they would come back to the island and that time frame was unknown.

The Administrator stated that the areas where a hunt could take place were limited; therefore, the City might consider continuing to trap in the other areas of the island. She indicated that her goal was to provide Council with flexibility.

In the budget lines that indicate "see attached note," are other expenditures that have increased, such as the monthly wireless cards has gone up, as well as the data and phone cards in line H82. In cell H85, price increases include Enterpol annual maintenance, elevator maintenance, MDT Visinet charges, power DMS accreditation software subscription, and the addition of intrusion prevention service as mandated by Charleston County Consolidated Dispatch.

Councilmember Ward asked if the personal trainer that was discussed several years ago was still working with the Fire and Police Departments, and he was told that the training continues. The Councilmember then asked about the participation and whether the Department Managers thought that the activity was beneficial.

For both departments, the participation varies depending on the shifts, but it continued to be good, and Chief Graham and Captain Usry thought the activity was valuable for personnel.

Responding to the question about the trainer being on payroll, Councilmember Ward was told that he was paid as an instructor in the Recreation Department.

The details on cell H125 show an increase in the monthly radio fee from Charleston County and the addition of MDM management for mobile data terminals. In Cell H128 is the addition of one thousand dollars (\$1,000) for ESO medical software mandated by Charleston County Consolidated Dispatch.

Chief Graham explained that DHEC was mandating that the Fire Department change the way it reports, and all of the departments in the Charleston County Dispatch system are participating; therefore, the City will benefit from volume purchasing.

Moving on to the Capital Budget for the Police Department, the Administrator noted that five (5) police vehicles were scheduled for replacement in the FY19 budget as well as one (1) pickup for the BSOs. All of the Department's radios and walkies are scheduled for replacement in this budget from reserves, and the speed radar and trailer will be replaced. In addition in-car cameras are to be replaced, as are the seven (7) traffic counters at the Connector and Breach Inlet. Fifty percent (50%) of the cost to replace the roof of the Public Safety Building (PSB) has been re-budgeted in FY19 along with fifty percent (50%) of the repairs to the PSB per the Hill Report.

When Councilmember Bell asked if the Police Department had to replace all of its radios and walkies, both the Chief and Captain Usry answered in the affirmative. Captain Usry explained that the radios in use are no longer serviceable; if one (1) breaks, it cannot be repaired. The City hopes to be able to recycle some of their radios for use by the Public Works Department.

Councilmember Bell asked if the radios were handed off after each shift, and he was told that everyone has a radio that goes home with them at the end of a shift. When the inquiry was made about using cell phones in lieu of radios, Chief Buckhannon said that they could not be used with central dispatching.

The first item on the Fire Department's FY19 Capital Budget is the balance due on the seventy-five foot (75 ft.) ladder truck, followed by the in-vehicle radio replacements; both of which will be paid from reserve funds. Other purchases include the replacement of the Ford F150 truck, a thermal imaging camera, Porta-Count machine for SXB mask fitting (only with failure), the replacement of the Avon rubber boat and motor, RAD-57 medical monitor for carbon monoxide and oxygen (only with failure), the replacement of one all-terrain vehicle, the retainage on the PSB, replacement of the security locks on all the doors at FS2 to be consistent with PSB, relocate PSB generator from the roof to a raised platform on the ground, replacement of the OSB generator day tank, fifty percent (50%) of the cost to replace the roof at the PSB, fifty percent (50%) of the repairs to the PSB per the Hill Report, and repairs and maintenance to FS2 per the Hill Report. Assignments of fund balance for future purchases total five hundred sixty thousand six hundred sixty-seven dollars (\$560,667) for the replacement of twenty-eight (28) self-contained breathing apparatus in 2021 and for large vehicles.

Councilmember Ward stated that businesses on the island pay large sums of money in Hospitality Taxes, two percent (2%) of gross, and he indicated that he wanted to see those funds handled differently in the future. He said that he wants to see one (1) line in the budget that would make the businesses feel like the City was investing something back in them.

When looking at the Hospitality Fund, the Transfers-out to the General Fund are supporting personnel positions within the City, i.e. the Livability Officer, the part-time Animal Control Officer, patrol officers and firefighters.

State ATAX also supports personnel positions in the Police and Fire Departments as they can be justified.

Assistant Fragoso corrected a misunderstanding from earlier in the meeting in that the only tickets that were reduced to twenty five dollars (\$25) were those for no receipt displayed or expired meter; she also noted that a car parked illegally can get a ticket every two (2) hours.

C. Consideration of RFB 2018-01 for new 75 ft. Ladder Truck

Administrator Tucker stated that the down payment of two hundred thousand dollars (\$200,000) was in the FY18 budget, the balance for this particular truck would be in the FY19 budget, and bids have been received. The item on the Agenda is for the recommendation for an award of the contract. A discussion of escalating or delaying future savings for future apparatus could be part of the budget discussions at the Budget Workshop; she said that she did not understand that the Committee did not want to purchase the ladder truck scheduled for replacement in this budget cycle.

When Councilmember Ward asked if the plan was to buy another ladder truck next year, Chief Graham replied that the ninety-five foot (95 ft.) truck was scheduled for replacement in FY20.

Chief Graham stated that, according to the City's Procurement Code, the City went out for sealed bids and received bids from four (4) different manufacturers for six (6) different apparatus that were opened on March 27th. The lowest bid did not meet specifications. The recommendation is to award the contract to Safe Industries for the E-One stainless steel truck priced at eight hundred forty-nine thousand five hundred dollars (\$849,500); the price is over budget by nineteen thousand five hundred dollars (\$19,500). The recommendation is based on the safety factor and the maintenance after the sale.

MOTION: Chair Smith moved to recommend to Ways and Means the award of a contract to Safe Industries for an E-One 75 ft. ladder truck in the amount of \$849,500; Councilmember Bell seconded.

Councilmember Ward asked what the sources of funding would be, and the Administrator stated they would be the following:

FY18 Budget	\$200,000	reserves in Capital Projects, Muni ATAX, State ATAX
FY19 Budget	\$630,000	
		Capital Projects \$315,000
		Muni ATAX 157,500
		State ATAX 157,500

VOTE: The motion PASSED UNANIMOUSLY.

D. Discussion of safety concerns related to location of benches at J.C. Long and Ocean Boulevard

Councilmember Ward said that this item had come from business owners at Front Beach who think that, if a beer delivery truck were to be parked in front of The Windjammer and a fire truck needed to get down Ocean Boulevard, it could not make the turn onto Ocean because of the location of the benches and that they are bolted down.

Chief Graham said that they would do some measurements and calculations and report back next month.

6. Highlights on Departmental Reports

Since the monthly report from the Police and Fire Departments are posted on the City's website, no synopsis will be included in the minutes

Update on 20th Avenue Crosswalk

Captain Usry reported receiving a communication from Josh Johnson, the Regional Traffic Engineer for SCDOT about the 20th Avenue crosswalk saying that "The crosswalk is signed and marked appropriately. A crosswalk at this location would not be approved if requested today due to several factors. First this crossing is across a total of 3 lanes and a median, making it a long crossing with many conflict points with traffic. Secondly, this crosswalk is located less than 200 feet from a sharp curve and intersection providing its own challenges to drivers such as their focus is not on the possibility of a pedestrian entering the roadway. One option would be to remove this crosswalk to encourage the crossing at the 2 lane crosswalk located 250 feet west of 22nd Avenue or at the traffic signal located at 14th Avenue. The crosswalk west of 22nd Avenue is also near a curve, but being a 2 lane section making it much shorter crossing for the pedestrian and there is much less information for the driver to process at that location. The crosswalk at the traffic signal is, of course, the safest crossing point because the pedestrian signal can be activated." He knows that "here are several crosswalks that have been stamped and, as in the past, this type would be under an encroachment permit at the cost to the City, and, additionally, this would not be a location we would consider a pedestrian activated traffic signal due to its undesirable location and the alternative pedestrian routes to other crosswalks. This location is also not far enough away from 14th Avenue signal to allow any type of signal to stop traffic. The pedestrian crossing demand should be adequately served at the aforementioned crossings to the west and east with no real increase in walking distance."

Captain Usry stated that they were asking if the City would like them to remove the 20th Avenue crosswalk.

Chief Buckhannon explained that SCDOT basically wants crosswalks at an intersection not in the middle of a block.

7. Miscellaneous Business

Discussion of traffic and parking work session

The consensus of the Committee was to hold such a meeting after the budget was adopted.

Next Meeting Date:

8. Executive Session

Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice regarding potential claims related to enforcement of parking violations

MOTION: Chair Smith moved to go into Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice regarding potential claims related to enforcement of parking violations at 7:30 p.m.; Councilmember Bell seconded and the motion PASSED UNANIMOUSLY.

The Committee returned to open session at 7:37 p.m. and Chair Smith announced that no action and no vote was taken in Executive Session.

9. Adjournment

MOTION: Chair Smith moved to adjourn the meeting at 7:38 p.m.; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk

City of Isle of Palms, SC Coyote Management Plan



**City of Isle of Palms, SC
Coyote Management Plan**

Purpose

The purpose of this plan is to provide a management strategy and guidelines for staff responses to conflicts with coyotes. Public safety is the City's primary concern and coyotes and other wildlife will be managed with human safety as the priority. The plan seeks to achieve a balance between the importance of human safety and the benefits of maintaining natural wildlife populations. While the City employs educational outreach tools as part of the program to manage human/coyote conflicts, the City recognizes there are situations where immediate control may be necessary.

Strategic Plan

1. Create and implement an ongoing education program.
2. Provide information about the rights and responsibilities of private property owners.
3. Track and monitor coyote activity.

4. Implement a program for lethal control, only when it is determined to be necessary for public safety. For example, when the interactions between humans and coyotes change from sightings and encounters to potentially unsafe *incidents or attacks*. (see definitions below)

This plan should not be seen as static in nature and as the situation and circumstances change the plan should likewise be reviewed and the necessary modifications made.

Definitions

The following definitions should be used when obtaining information from the public and assist in standardized documentation of coyote behaviors.

Observation - The act of noticing or taking note of tracks, scat, and/or vocalizations without actually seeing a coyote.

Sighting - A visual observation of one or more coyotes from a distance.

Encounter - An unexpected direct meeting between human and coyote that is without incident.

Incident - A conflict between a person and a coyote where a coyote exhibited behavior creating an unsafe situation. A coyote may show aggression towards a person without any physical contact.

Attack - An aggressive action by a coyote that involves physical contact with a person and/or a person is injured by the actions of a coyote (example injured while trying to escape an incident or attack)

Descriptions of coyote behavior:

Nuisance

Habituated - A coyote that appears to frequently associate with humans or human related food sources, and exhibits little wariness of the presence of people.

Depredating - A coyote that is preying on pets or livestock.

Menacing - A coyote that exhibits aggravated abnormal behavior; however such coyote does not display the characteristics of a “dangerous coyote”. This may include coyote incidents and/or encounters where a coyote or a group of coyotes could potentially endanger public safety.

Dangerous - A coyote that has attacked a person, exhibits aggressive behavior towards a person and/or poses a significant threat to human safety.

General definitions:

Coexistence - To exist together at the same time. Coexistence is not passive, but active on the person's part, including actions such as removing specific coyote habitats and employing hazing methods. It provides a mechanism by which persons obtain and maintain a level of knowledge and understanding of coyote ecology, behaviors and appropriate responses.

Feeding of coyotes - For educational purposes the following are definitions of the types and kinds of ways persons typically feed coyotes.

Intentional feeding - A person is actively and intentionally feeding coyotes. This category also includes intentionally providing food for animals that are in the coyote food chain, an example would be a bird or squirrel feeder.

Unintentional feeding - A person is unintentionally providing access to food. Examples are inappropriate composting, fruit from fruit trees left on the ground, pet food/water bowls, barbecue grills, sheds and house doors (garage) left open, etc.

Unsecured trash - Trash accessible to wildlife. Examples would be garbage cans, bags or dumpsters that are uncovered, open, overflowing or where trash is scattered outside the receptacle.

Habitat - Is a place where a coyote lives and grows and includes food, water, and shelter.

Hazing - Is an activity or series of activities that is conducted in an attempt to change the behaviors of habituated coyotes or to instill healthy fear of people back into the local coyote populations. It is not intended to physically damage the coyote, property or persons.

Passive hazing - Occurs without the presence of persons and includes methods used to discourage the presence of coyotes on one's property. This form may include but not be limited to motion activated devices such as sprinklers, spot lights or strobe lights, noisemakers, fence rollers, enclosed dog runs and electric fences.

Active hazing - Involves personal intervention by both physical presence and action. This may include but not be limited to yelling, clapping or waving one's arms to act threatening towards coyotes, as well as the use of devices including noise makers (air horns, whistles, rocks in cans), water from hoses or water guns, or rock/object throwing.

Safety is the first priority and a coyote should never be cornered or should a coyote's young be approached.

Education and Awareness

Public education and awareness is a key element of this plan. The City of Isle of Palms will provide education and information to citizens on how to deal with coyotes successfully. The City will obtain educational materials from organizations that are knowledgeable in the areas of coyote ecology and behavior of coyotes and will distribute these materials as needed. It will be the responsibility of the Isle of Palms Police Department and Animal Control to organize and implement the education outreach program.

Examples of educational outreach:

1. Educational brochures will be made available in City's facilities.
2. Information will be distributed to neighborhoods in response to reports of human/coyotes conflicts.
3. Coyote information will be available on the City of Isle of Palms website at www.iop.net.
4. Educational programs for HOAs and other groups will be available.

Reporting and Tracking

It is imperative that the City has an efficient and consistent reporting of human-coyote interactions. A City of Isle of Palms Police Department Incident report will be completed on all reports of coyote incidents, attacks and pet loss/attack (see definitions). Reported coyote encounters will continue to be tracked by the police department on a monthly list including locations and times.

These reports will be forwarded to Animal Control for tracking. Coyote observations and sightings will be reported to Animal Control for follow up and tracking. Tracking will also be maintained on intentional feeding reports, unsecured trash and active den sites.

These reports and tracking will allow Animal Control officers to identify "hot spots" where education, or habitat investigations might be needed. Educational materials will be offered to all persons reporting concerns about coyote encounters, observations, or sightings.

Hazing

A main issue facing jurisdictions is that urban coyotes lose or have lost their fear of humans. Due to the coyote's nature they have easily adapted to urban living and combined with their lack of fear more coyote/human interactions and conflicts have arisen. One solution to this problem is to reinforce the coyote's fear of humans through the utilization of hazing techniques (see definitions). Animal Control will provide educational information to residents on hazing coyotes and suggested techniques.

Lethal Control

The City of Isle of Palms Police Department may implement a program of lethal control when the interactions between persons and coyotes escalate to the level of incident or attack. The City of Isle of Palms Police Department will investigate to substantiate such reports of incidents/ attacks. Lethal control may be utilized when the City determines that a coyote(s) pose an immediate danger to persons. The City recognizes it may be difficult to identify the specific coyote that has become problematic and will take reasonable measures to direct lethal control measures toward the offending coyote.

If a person is being attacked or there is an imminent threat of attack on a person by a coyote, a police officer may act immediately to ensure public safety and remove the threat.

Simultaneous to implementation of lethal control and upon conclusion of lethal control measures a comprehensive awareness and education program will be undertaken by the City of Isle of Palms Police Department in the affected area.

Public Spaces: The City of Isle of Palms Police Department is responsible for the decision as to whether to use lethal control for nuisance wildlife in public spaces with public safety in mind.

Private Property: Property owners within the City of Isle of Palms may employ lawful methods to control nuisance wildlife on their property.

ORDINANCE 2018-07

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

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

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

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

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

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

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

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

Ratification: _____

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

EXHIBIT A

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

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

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

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

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

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

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

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

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

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

*Amendments related to loading zone,
handicapped parking, nuisance parking,
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Sec. 8-2-4. - Bus stops.

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

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

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

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

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

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

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

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

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

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

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

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

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

It shall be unlawful for any person to:

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

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

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

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

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

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

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

*Amendments related to loading zone,
handicapped parking, nuisance parking,
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of vehicles.*

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

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

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

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

Sec. 8-2-14. - Penalties.

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

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*Amendments related to loading zone,
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of vehicles.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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*Amendments related to loading zone,
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of vehicles.*

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

- (f) The City assumes no liability for loss or damage to a vehicle or its contents that has been immobilized or impounded pursuant to this section.
 - (g) If the parking fines and the immobilization fine are not paid, or satisfactory arrangements in lieu of payment are not made, within the time prescribed by State statutes concerning abandoned vehicles forty-eight (48) hours, the vehicle may will be towed and impounded pursuant to S.C. Code 1976, § 56-5-5810, as amended. Towing and storage charges shall be the responsibility of the vehicle owner.
 - (h) After the vehicle is towed, the Police Department shall notify in writing by registered or certified mail, return receipt requested, the person in whose name the vehicle was last registered at the last address reflected by the South Carolina Department of Motor Vehicles records that the vehicle is being held and designating the place where it is being held.
 - (i) Vehicles which have been towed and impounded will not be released until all unpaid parking citations and immobilization fines have been paid. Vehicles impounded and not claimed within thirty (30) days may be disposed of in accordance with South Carolina state statutes.
- Sec. 8-2-1617. — Handicapped parking; Exemptions from pay parking for handicapped persons, disabled veterans, and Purple Heart recipients.**
- (a) Notwithstanding any other provision contained in this article to the contrary,
 - (a) Handicapped persons are exempt from the pay parking requirements when their vehicles bear a distinguishing license plate or placard issued by the Department of Motor Vehicles.
- Handicapped parking shall be governed by S.C. Code 1976, title 56, ch. 3, art. 18, as amended; and
- (b) Disabled veterans and recipients of the Purple Heart are exempt from the pay parking requirements when their vehicles bear a disabled veteran's or Purple Heart license plate issued by the Department of Motor Vehicles.
- Sec. 8-2-1718. — Golf carts; Handicapped parking; unlawful acts.**
- (a) Handicapped parking shall be governed by S.C. Code 1976, title 56, ch. 3, art. 18, as amended; and
 - (b) It is unlawful to park any vehicle in a parking place clearly designated for handicapped persons unless the vehicle bears the distinguishing license plate or placard issued by the Department of Motor Vehicles.
 - (c) It is unlawful for any person who is not handicapped or who is not transporting a handicapped person to exercise the parking privileges granted handicapped persons pursuant to S.C. Code 1976, title 56, ch. 3, art. 18, as amended.
- Sec. 8-2-19. — Golf carts.**

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

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

ORDINANCE 2018-05

AN ORDINANCE AMENDING TITLE 8, MOTOR VEHICLES AND TRAFFIC, CHAPTER 2, STOPPING, STANDING, AND PARKING OF VEHICLES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE PARALLEL PARKING AND TO PROHIBIT DOUBLE PARKING ON THE PASSENGER SIDE OF VEHICLES ON PALM BOULEVARD BETWEEN 21ST AVENUE AND 40TH AVENUE; TO PROHIBIT BOAT TRAILER PARKING ALONG THE RIGHTS-OF-WAY OF WATERWAY BOULEVARD; TO PROHIBIT NON-RESIDENT BOAT TRAILER PARKING ALONG THE RIGHTS-OF-WAY OF 41ST AVENUE; TO PROVIDE EXEMPTIONS FOR EMERGENCY, LAW ENFORCEMENT AND OTHER PUBLIC SERVICE VEHICLES PARKED DURING THE PERFORMANCE OF OFFICIAL DUTIES OR PUBLIC SERVICE; AND TO PROVIDE FOR YEAR-ROUND ENFORCEMENT OF THE RESIDENT PARKING DISTRICTS.

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

SECTION 1. That Article A, “General Provisions,” Section 8-2-2, “General prohibitions,” is hereby amended in Paragraph (1)(t) to state as follows:

- “(t) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
- (a) Within four feet (4') of the pavement, except as otherwise posted;
 - (b) In any manner other than parallel parking in the direction of traffic; and
 - (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.”

SECTION 2. That Article A, “General Provisions,” Section 8-2-2, “General prohibitions,” is hereby amended in Paragraph (2) to state as follows:

- “(2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:

- (a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue where parking is not otherwise prohibited.”

SECTION 3. That Article A, “General Provisions,” Section 8-2-2, “General prohibitions,” is hereby amended by adding a new Paragraph (3) to state as follows:

- “(3) The prohibitions in this section shall not apply to emergency, law enforcement, or other public service vehicles, or to vehicles belonging to persons under contract with the City to perform a public service, when such vehicles are parked during the operator’s performance of official duties or public services for the City.”

SECTION 4. That Article B, "Resident Parking Districts," Section 8-2-23, "Dates and times of enforcement," is hereby amended to state as follows:

"The provisions in this article will be in effect year-round between the hours of 9:00 a.m. and 6:00 p.m."

SECTION 5. That Article B, "Resident Parking Districts," Section 8-2-31, "Obedience to parking regulations," is hereby amended in Paragraph (a)(16) to state as follows:

"(16) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (a) Within four feet (4') of the pavement, except as otherwise posted;
- (b) In any manner other than parallel parking in the direction of traffic; and
- (c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way."

SECTION 6. That Article B, "Resident Parking Districts," Section 8-2-31, "Obedience to parking regulations," is hereby amended in Paragraph (c) to state as follows:

"(c) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, is prohibited upon any street right-of-way in a resident parking district for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials, except that vehicles displaying a valid resident parking permit shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue where parking is not otherwise prohibited for access to the Isle of Palms Marina."

SECTION 7. That Article C, "Beach Parking," Section 8-2-45, "Obedience to parking regulations," is hereby amended in Paragraph (p) to state as follows:

"(p) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:

- (1) Within four feet (4') of the pavement, except as otherwise posted;
- (2) In any manner other than parallel parking in the direction of traffic; and
- (3) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way."

SECTION 8. 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 9. 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 10. That this Ordinance take effect and be in full force immediately.

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

Jimmy Carroll, Mayor

(Seal)

Attest:

Marie B. Copeland, City Clerk

First Reading:_____

Public Hearing:_____

Second Reading:_____

Ratification:_____

Revised per Council Meeting 3/27/18

Title 8 – Motor Vehicles and Traffic
Chapter 2 – Stopping, Standing, and Parking of Vehicles

Article A – General Provisions

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

- (1) No person shall stop, stand, or park a vehicle in any of the following public places or manners except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, parking control officer, other authorized person, or traffic control device:
 - (a) On a sidewalk;
 - (b) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
 - (c) Within an intersection or within twenty-five feet (25') of the center of an intersection;
 - (d) Within thirty feet (30') of a stop sign;
 - (e) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
 - (f) Along any street curb painted yellow;
 - (g) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
 - (h) More than eighteen inches (18") from the street curb;
 - (i) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
 - (j) In the opposite direction of the movement of traffic;
 - (k) Along side or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
 - (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
 - (m) In front of a place of business for longer than two (2) hours between the hours of 9:00 a.m. and 5:00 p.m., except for Sundays and State and Federally sanctioned holidays, unless a different regulation is provided by sign or a pay station;
 - (n) In any area of a public parking lot not marked as a single parking space;
 - (o) In any parking space where payment is required, unless the proper payment has been deposited so that the occupancy of the space does not exceed the time indicated on the pay station receipt;
 - (p) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under State law;
 - (q) On the approaches to or upon any bridge;
 - (r) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
 - (s) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
 - (t) Along the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
 - (a) Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;

Revised per Council Meeting 3/27/18

(b) In any manner other than parallel parking in the direction of traffic; and

(c) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way.

- (u) On a beach access as defined in section 5-4-15(C)(l), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access. Any vehicle parked in violation of this subsection may be moved from its location upon order of any police officer.
- (2) No person shall park a truck or other vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials. Notwithstanding the provisions of this subsection to the contrary, patrons of the Isle of Palms Marina shall be permitted to park vehicles with attached boat trailers in accordance with the following requirements:
- (a) Vehicles displaying a valid resident parking permit in compliance with Article B of this chapter shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue, From Waterway Boulevard to Frank Sottile Lane and Waterway Boulevard where parking is not otherwise prohibited; and
 - (b) All other vehicles shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue where parking is not otherwise prohibited or designated as resident parking pursuant to Article B of this chapter.

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(3) The prohibitions in this section shall not apply to emergency, law enforcement, or other public service vehicles, or to vehicles belonging to persons under contract with the City to perform a public service, when such vehicles are parked during the operator's performance of official duties or public services for the City.

Article B – Resident Parking Districts

Sec. 8-2-23. - Dates and times of enforcement.

The provisions in this article will be in effect year-round from May 15 through September 15 between the hours of 9:00 a.m. and 6:00 p.m.

Sec. 8-2-31. - Obedience to parking regulations.

(a) Vehicles with resident parking permits or special permits parking within a resident parking district shall observe and obey the parking regulations posted within the district and as set forth in section 8-2-2 and sections 8-2-4 through 8-2-6 of this chapter, including, but not limited to, the prohibitions on parking in the following places or manners:

- (1) On a sidewalk;
- (2) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
- (3) Within an intersection or within twenty-five feet (25') of the center of an intersection;
- (4) Within thirty feet (30') of a stop sign;
- (5) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
- (6) Along any street curb painted yellow;

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Revised per Council Meeting 3/27/18

- (7) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
- (8) More than eighteen inches (18") from the street curb;
- (9) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
- (10) In the opposite direction of the movement of traffic;
- (11) Alongside or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
- (12) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
- (13) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under state law;
- (14) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
- (15) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
- (16) AAlong the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
 - (a) Within four feet (4') of the pavement, except as otherwise posted;Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
 - (b) In any manner other than parallel parking in the direction of traffic; and
 - (c) Double parking on the passenger side of any vehicle that is parallel parkedalong the right-of-way. Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
- (17) On a beach access as defined in section 5-4-15(C)(1), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access.
- (b) No such resident parking permit or special permit shall exempt a vehicle from any regulation related to parking in the commercial districts or to paid parking spaces, parking pay stations and kiosks along the public streets or in the public parking lots; provided, however, that City Council may designate certain times for vehicles with valid resident parking permits to park in the public parking lots free of charge.
- (c) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, is prohibited upon any street right-of-way in a resident parking district for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials, except that vehicles displaying a valid resident parking permit shall be permitted to park with attached boat trailers along the rights-of-way of 41st Avenue from Waterway Boulevard to Frank Sottile Lane and Waterway Boulevard where parking is not otherwise prohibited for access to the Isle of Palms Marina.

Sec. 8-2-32. - Areas designated as resident parking districts.

The public rights-of-way designated by City Council as resident parking districts are depicted in green on Sheet Nos. 4-14 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Parking Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits

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"Managed Beach Parking Signage Plan" prepared by Stantec Consulting Services, Inc., dated Insert new date March 3, 2017, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking Signage Plan shall be posted on the City's official website.

Article C – Beach Parking

Sec. 8-2-45. - Obedience to parking regulations.

All vehicles parking within the designated beach parking zones shall observe and obey the parking regulations posted within such areas and as set forth in section 8-2-2 and sections 8-2-4 through 8-2-6 of this chapter, including, but not limited to, the prohibitions on parking in the following places or manners:

- (a) On a sidewalk;
- (b) In front of the entrance to a public or private driveway or alleyway, or within twenty feet (20') of the driveway entrance to any fire station;
- (c) Within an intersection or within twenty-five feet (25') of the center of an intersection;
- (d) Within thirty feet (30') of a stop sign;
- (e) Within fifteen feet (15') of a fire hydrant or fire safety sprinkler, standpipe, or other fire protection system control valve, whether such valve is mounted on a building or on the ground;
- (f) Along any street curb painted yellow;
- (g) On a crosswalk or within twenty feet (20') of the center of any crosswalk;
- (h) More than eighteen inches (18") from the street curb;
- (i) On the street pavement if there is no street curb, except as otherwise marked or posted. Vehicles shall be parked in such a manner so that all four (4) tires are off of the street;
- (j) In the opposite direction of the movement of traffic;
- (k) Alongside or opposite any street excavation or obstruction when doing so would obstruct traffic or interfere with the excavation;
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street, sometimes called "double parking";
- (m) In any parking space designated and established for use by disabled persons unless the vehicle properly displays special designating plate or a placard issued and valid under state law;
- (n) In a manner that blocks traffic or interferes with or blocks the passage of other vehicles;
- (o) At any place where official signs prohibit stopping, standing, or parking; or in any manner that violates any official sign or curb marking regulating stopping, standing, or parking;
- (p) AAlong the rights-of-way of Palm Boulevard between 21st Avenue and 40th Avenue in any of the following manners:
 - (1) Within four feet (4') of the pavement, except as otherwise posted; Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;
 - (2) In any manner other than parallel parking in the direction of traffic; and
 - (3) Double parking on the passenger side of any vehicle that is parallel parked along the right-of-way. Within four feet (4') of the pavement along the right-of-way of Palm Boulevard except as otherwise posted;

Revised per Council Meeting 3/27/18

- (q) On a beach access as defined in section 5-4-15(C)(1), or on a public right-of-way in such a manner as to obstruct pedestrian use or authorized emergency vehicular use of a beach access;
- (r) Parking a truck or vehicle having an overall length of more than twenty feet (20') at any point, including trailers, upon any street right-of-way in a beach parking zone for more than one (1) hour or as long as is reasonably necessary to load or unload passengers or materials.

Sec. 8-2-46. - Areas designated as beach parking zones.

The public rights-of-way designated by City Council as beach parking zones are depicted in red on Sheet Nos. 4-14 titled "Isle of Palms Parking Program Parking Zone Key Sheets" included in the document titled "Parking Plans for City of Isle of Palms Various Roads in City of Isle of Palms Limits Managed Beach Parking Signage Plan" prepared by Stantec Consulting Services, Inc., dated **[Insert new date]** **March 3, 2017**, as may be amended by City Council from time to time, which is incorporated herein by reference. A copy of the current Managed Beach Parking Signage Plan shall be posted on the City's official website.