

**AN ORDINANCE OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA,
GOVERNING THE USE OF GOLF CARTS AND THE REGISTRATION THEREOF**

INTENT

WHEREAS, it has come to Counsel's attention that there are numerous public safety issues associated with the driving and parking Golf Carts in the Town of Pawleys Island; and

WHEREAS, it has come to the Counsel's attention that the Town of Pawleys Island's policing forces are unable to enforce the laws of the road and the Town without a proper registration procedure for Golf Carts operated within the Town Limits.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), SECTION 5-11-10, et al. THAT:

Sec. 24-7. – Town golf cart permit

- (A) Application for a town permit shall be made to the Police Department before a golf cart may be driven on any street within town limits. A registration fee of \$10 will be required before obtaining the permit. The permits shall be valid from January 1 to December 31 each year.
- (B) The following must be presented to the Police Department to obtain or renew a permit:
 - 1. Proof of registration with the South Carolina Department of Motor Vehicles;
 - 2. The address on the registration must be within 2 miles of the town limits located on the North or South Causeway.
 - 3. Proof of liability insurance for the golf cart; and
 - 4. A certification:
 - a) That the owner has read this chapter or a town-prepared document that explains the laws related to golf carts; and
 - b) That the owner will not allow anyone to operate the golf cart until that person has also reviewed the rules.
- (C) A lost or stolen decal may be replaced upon payment of a fee of \$10 and the execution of a sworn statement that the decal was lost or stolen. No decal shall be replaced more than once in any calendar year.
- (D) If a golf cart is parked on a street, right-of-way, or other public property without a valid town golf cart permit, the Pawleys Island Police Department or anyone who has been approved by the Department or Town Council shall be authorized to issue a parking citation and to impound or immobilize the vehicle.
- (E) Registration thereof

(E) Registration thereof

This Ordinance shall take effect and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Gemmerman and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holleday + Sarah Gemmerman

Those opposed: None

Date of first reading: January 9, 2017

Date of second reading: August 14, 2017

APPROVED: [Signature] DATE: 8/14/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST: [Signature] DATE: 8/14/17
DIANE ALLEN, TOWN CLERK

Ordinance No: 2017-02

**AN ORDINANCE AMENDING A SECTION TO CHAPTER 12,
SECTION 12-22**

ORDINANCE NO.: 12-22

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

**THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND, SOUTH
CAROLINA, IS HEREBY AMENDING A SECTION TO CHAPTER 12, SECTION 12-22,
PENALTIES**

INTENT

The purpose of this amendment to this ordinance is to provide consistency in the penalties against individual illegally disturbing sand dunes located within the Town limits of the Town of Pawleys Island.

WHEREAS, it is necessary and advantageous to all property owners in the Town of Pawleys Island to have laws protecting residents from dangerous behavior;

WHEREAS, it is apparent, necessary and proper for the general welfare, safety and convenience of the Town of Pawleys Island for preserving health, peace and order, to create a safe environment within the Town; and

WHEREAS, it is necessary and advantageous to all property owners, visitors and law enforcement personnel of the Town of Pawleys Island to have laws protecting these individuals.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN
OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA
CODE OF LAWS 1976 (AS AMENDED) THAT:**

Sec. 12-22. - Penalties

The operator of any vehicle found to be in violation of any provision of this article shall be guilty of a misdemeanor and subject to a maximum fine, per offense, of \$250.00 and/or community service not to exceed 45 hours as determined by the municipal judge.

This Ordinance shall take effect and amend Chapter 12 of the Code Section 12-22 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance move by Mike Adams and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: February 13, 2017

Date of second reading: March 13, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 3/13/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 3/13/17

Ordinance No: 2017-03

AN ORDINANCE AMENDING A SECTION TO CHAPTER 12,
SECTION 28-1(b)

ORDINANCE NO.: 28-1(b)

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND, SOUTH
CAROLINA, IS HEREBY AMENDING A SECTION TO CHAPTER 28, SECTION 28-1(b),
PENALTY

INTENT

The purpose of this amendment to this ordinance is to provide consistency in the penalties against individual illegally disturbing sand dunes located within the Town limits of the Town of Pawleys Island.

WHEREAS, it is necessary and advantageous to all property owners in the Town of Pawleys Island to have laws protecting residents from dangerous behavior;

WHEREAS, it is apparent, necessary and proper for the general welfare, safety and convenience of the Town of Pawleys Island for preserving health, peace and order, to create a safe environment within the Town; and

WHEREAS, it is necessary and advantageous to all property owners, visitors and law enforcement personnel of the Town of Pawleys Island to have laws protecting these individuals.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 28-1(b). - penalty

Any person who violates the provisions of this section shall be deemed guilty of a misdemeanor and subject to a maximum fine, per offense, of \$250.00 and/or community service not to exceed 45 hours as determined by the municipal judge.

This Ordinance shall take effect and amend Chapter 28 of the Code Section 28-1(b) and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance move by Mike Adams and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter Rocky Holliday & Sarah Zimmerman

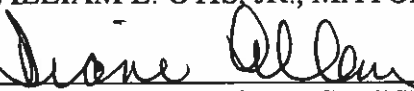
Those opposed: None

Date of first reading: February 13, 2017

Date of second reading: March 13, 2017

APPROVED: 
WILLIAM L. OTIS, JR., MAYOR

DATE: 3/13/17

ATTEST: 
DIANE ALLEN, TOWN CLERK

DATE: 3/13/17

Ordinance No: 2017-04

AN ORDINANCE AMENDING CHAPTER 22,
SECTION 22-25

ORDINANCE NO.: 22-25

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, IS HEREBY AMENDING CHAPTER 22, SECTION 22-25, PERMITTED USE OF FUNDS

INTENT

The purpose of this amendment to this ordinance is to provide specific direction as to the allocation of the permitted used of Hospitality fee account and to provide consistency between the Code of Ordinances of the Town of Pawleys Island and the Code of Laws of South Carolina 1976 Ann. § 6-1-730.

WHEREAS, the Town of Pawleys Island is dedicated to its unique heritage of gentleness, tranquility, and history for the residents', property owners', and visitors' benefit;

WHEREAS, the major impact of Tourism on the facilities and employees of the town during the Tourist season has increased from year to year as a result of more homes being rented during the season and the significant year to year increase in day visitors to the Town;

WHEREAS, the permanent (voting) population of the Town has decreased and is now less than 135 individuals occupying less than 15% of the 550 living units In the Town, with the balance of the living units being used for rental and seasonal tourism;

WHEREAS, From mid-winter to the "tourism season " the "in bed" population of the island increases by over 3,000 percent and the addition of day tourists fill all of the available beach access parking areas and most of the available roadsides every weekend during the summer, all comprising the most available free public beach access in Georgetown County;

WHEREAS, the Town Clerk and Town Hall facility must provide tourism information, not only for the Town but also for the greater community area known as "Pawleys Island";

WHEREAS, all other services, water and sewer, fire protection, ambulance and rescue, street maintenance, garbage service, etc. are not provided by the town, but by the SCDOT, Georgetown County, and private contractors;

WHEREAS, without the significant increase in tourism in the Town during the tourist season the town would not need to maintain its own Police Department or to provide many other services which protect and serve its visitors;

WHEREAS, The Town of Pawleys Island apportions some law enforcement and other Town expenses to "Tourism Related Expenses" for Accommodation's Tax funding, and the available Accommodation's Tax funds are always less than the apportioned expenses, creating a Deficit in the Accommodations Tax Fund which has been covered by an inter fund transfer loans from the Town General Fund to the to the Town Accommodations Tax Fund; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 22-25 – Permitted use of funds

The town council is hereby authorized to utilize the funds collected from the imposition of the hospitality fee for the following purposes:

- (a) That Eighty Percent (80%) of the funds shall be used for beach access and renourishment which shall include, beach management, beach nourishment and renourishment, and storm damages and repair; and
- (b) That Twenty Percent (20%) of the funds shall be transferred to the State Accommodations Tax Fund to fund accumulated town tourism related expenses not funded by the State Accommodations Tax Revenue.

This Ordinance shall take effect and amend Chapter 22 of the Code Section 22-25 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED: *William L. Otis, Jr.*
WILLIAM L. OTIS, JR., MAYOR

DATE: 7/10/17

ATTEST: *Diane Allen*
DIANE ALLEN, TOWN CLERK

DATE: 7/10/17

Ordinance No: 2017-05

AN ORDINANCE AMENDING CHAPTER 22,
SECTION 22-59

ORDINANCE NO.: 22-59

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND, SOUTH
CAROLINA, IS HEREBY AMENDING CHAPTER 22, SECTION 22-59,
ACCOMMODATION FEE ACCOUNT AND USE OF FUNDS

INTENT

The purpose of this amendment to this ordinance is to provide specific direction as to the allocation of the permitted use of the Accommodations Tax and to provide consistency between the Code of Ordinances of the Town of Pawleys Island and the Code of Laws of South Carolina 1976 Ann. § 6-1-530.

WHEREAS, the Town of Pawleys Island is dedicated to its unique heritage of gentleness, tranquility, and history for the residents', property owners', and visitors' benefit;

WHEREAS, the major impact of Tourism on the facilities and employees of the town during the Tourist season has increased from year to year as a result of more homes being rented during the season and the significant year to year increase in day visitors to the Town;

WHEREAS, the permanent (voting) population of the Town has decreased and is now less than 135 individuals occupying less than 15% of the 550 living units in the Town, with the balance of the living units being used for rental and seasonal tourism;

WHEREAS, From mid-winter to the "tourism season" the "in bed" population of the island increases by over 3,000 percent and the addition of day tourists fill all of the available beach access parking areas and most of the available roadsides every weekend during the summer, all comprising the most available free public beach access in Georgetown County;

WHEREAS, the Town Clerk and Town Hall facility must provide tourism information, not only for the Town but also for the greater community area known as "Pawleys Island";

WHEREAS, all other services, water and sewer, fire protection, ambulance and rescue, street maintenance, garbage service, etc. are not provided by the town, but by the SCDOT, Georgetown County, and private contractors;

WHEREAS, without the significant increase in tourism in the Town during the tourist season the town would not need to maintain its own Police Department or to provide many other services which protect and serve its visitors;

WHEREAS, The Town of Pawleys Island apportions some law enforcement and other Town expenses to "Tourism Related Expenses" for Accommodation's Tax funding, and the available Accommodation's Tax funds are always less than the apportioned expenses, creating a Deficit in the Accommodations Tax Fund which has been covered by an inter fund transfer loans from the Town General Fund to the to the Town Accommodations Tax Fund; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 22-59 – Accommodation fee account and use of funds.

1. All proceeds from a local accommodation tax must be kept in a separate fund segregated from the imposing entities general fund. All interest generated by the local accommodations tax fund must be credited to the local accommodation tax fund.
2. The town council is hereby authorized to utilize the funds collected from the imposition of the local accommodation tax for the following purposes:
 - a. That Eighty Percent (80%) of the revenue generated by the local accommodation tax must be used for beach access and renourishment which shall include beach management, beach nourishment and renourishment, and storm damages and repair; and
 - b. That Twenty Percent (20%) of the funds shall be transferred to the State Accommodations Tax Fund to fund accumulated town tourism related expenses not funded by the State Accommodations Tax Revenue; and

This Ordinance shall take effect and amend Chapter 22 of the Code Section 22-59 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Mike Adams and seconded by

Sarah Zimmerman and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holiday, Sarah Zimmerman

Those opposed: None

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED:

William L. Otis, Jr. Mayor
WILLIAM L. OTIS, JR., MAYOR

DATE:

7/10/17

ATTEST:

Diane Allen
DIANE ALLEN, TOWN CLERK

DATE:

7/10/17

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE

ORDINANCE NO. 2017-06

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE AMENDING THE EXISTING UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA BY ADDING ELEVATORS TO SETBACK EXCEPTIONS FOR CERTAIN STRUCTURES

INTENT

It is the intent of this ordinance to amend the existing Unified Development Ordinance of the Town of Pawleys Island, to amend Article II, Sections 2-15.4 and Article III, Section 3-5.7.

WHEREAS, in order to assist in achieving this goal, The Unified Development Ordinance of the Town of Pawleys Island is to be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), THAT:

The existing Unified Development Ordinance of the Town of Pawleys Island be amended, so as ARTICLE II, SECTIONS 2-15.4 and ARTICLE III, SECTION 3-5.7 of the Unified Development Ordinance be amended and shall read as follows:

[ARTICLE 2. – DEFINITIONS]

2-15.4 Building setback line: A line delineating the minimum allowable distance between the property line and a building on a lot, within which no buildings or other structures shall be placed except elevators, roof over hangs, on-grade patios, fences, sidewalks, pavement, air conditioning units and signs.

[ARTICLE 3. – DISTRICT BOUNDARIES]

3-5.7 Setback exceptions for certain structures: Elevators, roof over hangs, on-grade patios, fences, sidewalks, pavement, air conditioning units and signs shall be exempt from the minimum setback requirements as required in Section 3-2, provided that the requirements contained in Section 3-3.4 are maintained.

- (A) The use of rain gutters and downspouts are encouraged to assist in managing stormwater runoff. Downspouts should be directed into vegetated areas. Gutters may extend into the minimum set back requirements.
- (B) Maximum allowed roof overhang projection varies with size of required setback distance. Roof overhangs or eaves may project 25 percent into the side setback distance. Rain gutters are not included when calculating the 25 percent and will be allowed in addition to the overhang.
- (C) Elevators may extend into any setback area a maximum distance of five (5) feet provided the required setback area is not less than seven (7) feet from the property line.

This Ordinance shall take effect and amend the existing Unified Development Ordinance of the Town of Pawleys Island, and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED: William L. Otis, Jr. DATE: 7/10/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST: Diane Allen DATE: 7/10/17
DIANE ALLEN, TOWN CLERK

ORDINANCE NO. 2017-07

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE AMENDING EXISTING ORDINANCE CHAPTER 12, SECTION 12-53, WEEDS, DEBRIS AND TRASH, TO ADD LANGUAGE PROHIBITING THE STORAGE OF ABANDONED VEHICLES AND A PROVIDING FOR A FINE PER OFFENSE

INTENT

The purpose of this amendment to this ordinance is to provide the Town of Pawleys Island with the ability to protect the community from common nuisances.

WHEREAS, it is necessary and advantageous to all property owners in the Town of Pawleys Island to have laws protecting residents from dangerous behavior;

WHEREAS, it is apparent, necessary and proper for the general welfare, safety and convenience of the Town of Pawleys Island for preserving health, peace and order to create a safe environment within the Town; and

WHEREAS, it is necessary and advantageous to all property owners, visitors and law enforcement personnel of the Town of Pawleys Island to have laws protection these individuals.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) DO HEREBY ADOPT THE AMENDMENTS TO THE TOWN ORDINANCES AS SET FORTH HERIN AND AS STATED BELOW:

Sec. 12-53 – Weeds, debris, trash and abandoned vehicles.

Maintenance requirements shall be as follows:

- (1) Owners and occupants of property located within the Town of Pawleys Island shall not permit their property to serve as a breeding place for mosquitoes, as a refuge for rats and snakes or as a fire hazard, any one of which situations is declared to be a common nuisance. It shall be the duty of the owner and occupant to cut and remove all grass, weeds, and other overgrown vegetation as often as necessary to comply with this provision.
 - A. Burned or dilapidated buildings.
 - a) Whenever a structure is destroyed by fire or other natural or manmade disaster, the property owner and/or manager shall take immediate action to remove the debris from the property. Delays caused by insurance investigations, fire chief and/or marshal reviews, etc., must be approved by the building inspector.
 - b) Structures which have deteriorated to a condition where they endanger the public safety, create a common nuisance or are condemned by a public agency shall be removed upon order of the building inspector.

(2) Owners and occupants of property located within the Town of Pawleys Island shall not permit the property to serve as a collecting place for trash, litter, garbage, waste, etc., in which such situation is to be considered a common nuisance, and it shall be the duty of the owner and occupant to remove such trash, litter, garbage, waste, etc.

(3) Owners and occupants of property located within the Town of Pawleys Island shall not permit the property to serve as area for the storing of abandoned vehicles.

A. As used in this Section, an "abandoned vehicle" means any kind of motor vehicle, including but not limited to an automobile, bicycle, boat, bus, trailer, etc., that is inoperable or left unattended in a legal parking space on a street or road, in the right away, and/or located on the property of an owner or occupier within the Town limits that creates a common nuisance or danger to public safety for a period of more than seven (7) days.

(4) Notice shall be given to owner or occupier who is in violation of this section through certified mail or U.S. registered mail. Upon receipt of service of notice the owner or occupier shall have fifteen days to come into compliance with the above referenced ordinance.

(5) Any person who fails to comply with this section and its time requirements shall be deemed guilty of a misdemeanor and subject to a maximum fine, per offense of \$250.00 and/or community service not to exceed 45 hours as determined by the municipal judge.

This ordinance shall take effect and amend forgoing Zoning Ordinance Chapter 12 of the Code Section 12-53 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday,

Those opposed: None Sarah Zimmerman

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 7/10/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 7/10/17

AN ORDINANCE AMENDING A SECTION TO CHAPTER 24,
SECTION 24-34

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

THE CODE OF ORDINANCES FOR THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, IS HEREBY AMENDING A SECTION TO CHAPTER 24, SECTION 24-34, PARKING SO AS TO INTERFERE WITH THE FREE MOVEMENT OF TRAFFIC

INTENT

The purpose of this amendment to the ordinance is to add language clearly defining the street as it relates to parking.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 24-34. - Parking so as to interfere with the free movement of traffic.

- (a) Except when necessary to avoid conflict with other traffic, or in compliance with other law or the directions of a police officer or other official traffic-control device, no vehicle shall be stopped, be placed, stand or be parked on a sidewalk, in or near a street, right-of-way, alley, public way, in an intersection, alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic, at any place where official traffic-control devices prohibit stopping. **“Street” or “Roadway” as used in this section shall be defined as any part of a paved street or roadway on or within the white lines on each side of the paved street or roadway. In the absence of a visible white line, on pavement, no vehicle shall be parked on any part of the visible street pavement.**
- (b) No person shall stop, park, or leave standing a vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or leave the vehicle off the roadway.

This Ordinance shall take effect and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.


Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday
Sarah Zimmerman

Those opposed: None

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED: 
WILLIAM L. OTIS, JR., MAYOR

DATE: 7/10/17

ATTEST: 
DIANE ALLEN, TOWN CLERK

DATE: 7/10/17

Ordinance No: 2017-09

AN ORDINANCE AMENDING CHAPTER 2,
SECTION 2-1

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide clarification to the scrivener's error made by the electronic codification of the Town of Pawleys Island Code of Ordinances by Municode.

WHEREAS, November 10, 1997 the Town of Pawleys Island enacted an Ordinance in which the "Council form" of government was adopted as the form of government for the Town. This based upon a Referendum of the citizens and voters of the town of Pawleys Island, voted in the majority for a "Council form" of government.

WHEREAS, since the enacting of the above referenced Ordinance the Town has operated as a "Council form" structured as a municipal form of government.

WHEREAS, in the year of 2010, Municode codified the Town of Pawleys Island Code of Ordinances into an electronic database.

WHEREAS, the electronically codified Town of Pawleys Island Code of Ordinances, completed by Municode, did not include the above reference 1997 enacted ordinance which transformed the Town of Pawleys form of government to "Council form".

WHEREAS, the exclusion of the above referenced 1997 ordinance was a scrivener's error by Municode, and that the lack of appearance of said ordinance in the electronic codification, did not effect the enforcement of the said 1997 ordinance.

WHEREAS, this Amendment to Chapter 2, Section 2-1 of the Town of Pawleys Island Code of Ordinances, retroactively amends the scrivener's error by Municode, and that hereinafter the said amended ordinance goes effect as it is and was originally intended in 1997 and which should have been presented in the Municode 2010 electronic codification.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 2-1 – Form of Government

- a. The Council form of municipal government with a mayor and four council members who shall be elected at large for a term of two (2) years as provided by South Carolina

Code of Laws, 1976 (as amended), Section 5-11-10, et seq. is hereby adopted by The Town of Pawleys Island to be effective on November 10, 1997 or as soon thereafter as prescribed by State law.

- b. The Mayor shall be elected at large from the Town, in the manner provided by State law. Upon the election of the Mayor, the Mayor will have no powers or responsibilities as every other council member except as follows:
1. The Mayor shall be recognized as the head of the Town for all ceremonial purposes and by the Governor for purposes of Military law.
 2. The Mayor shall preside over the meeting of Town Council, be an ex officio chairman of all appointed committees, but shall have no regular administrative duties. Provided however, the Council may authorize the Mayor to perform some of the administrative duties listed in Section 5-9-30 of the South Carolina Code of Laws, 1976 (as amended).
- c. The Council shall exercise all legislative and administrative functions. The Council may establish and determine the functions of the municipal departments, offices, or agents pursuant to Section 5-11-40(a) of the South Carolina Code, as annotated. The Council shall be responsible for adopting operating and capital budgets for the municipality prior to the fiscal year's start. The Council must also provide for levying and collections of taxes necessary to meet the budget requirements pursuant to Section 5-11-40(c) of the South Carolina Code, as annotated. The Council may, at its discretion, hire administrator whose duties and responsibilities should be clearly defined by ordinance pursuant to Section 5-11-40 of the South Carolina Code, annotated (1976).

This Ordinance shall take effect and amend Chapter 2 of the Code Section 2-1 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Otis, Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: July 10, 2017

Date of second reading: August 14, 2017

APPROVED: William L. Otis, Jr. Mayor
WILLIAM L. OTIS, JR., MAYOR

DATE: 8/14/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 8/14/17

Ordinance No: 2017-10

**AN ORDINANCE AMENDING
SECTION 22-20**

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide clarification as to the purpose and intent of Article II Hospitality Tax of the Code of Ordinances of the Town of Pawleys Island and to provide consistency between Section 22-20 and the Code of Laws of South Carolina 1976 Ann. § 6-1-730.

WHEREAS, the Town of Pawleys Island is dedicated to its unique heritage of gentleness, tranquility, and history for the residents', property owners', and visitors' benefit;

WHEREAS, the major impact of Tourism on the facilities and employees of the town during the Tourist season has increased from year to year as a result of more homes being rented during the season and the significant year to year increase in day visitors to the Town;

WHEREAS, the permanent (voting) population of the Town has decreased and is now less than 135 individuals occupying less than 15% of the 550 living units In the Town, with the balance of the living units being used for rental and seasonal tourism;

WHEREAS, From mid-winter to the "tourism season " the "in bed" population of the island increases by over 3,000 percent and the addition of day tourists fill all of the available beach access parking areas and most of the available roadsides every weekend during the summer, all comprising the most available free public beach access in Georgetown County;

WHEREAS, the Town Clerk and Town Hall facility must provide tourism information, not only for the Town but also for the greater community area known as "Pawleys Island";

WHEREAS, all other services, water and sewer, fire protection, ambulance and rescue, street maintenance, garbage service, etc. are not provided by the town, but by the SCDOT, Georgetown County, and private contractors;

WHEREAS, without the significant increase in tourism in the Town during the tourist season the town would not need to maintain its own Police Department or to provide many other services which protect and serve its visitors;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 22-20 – Declaration of purpose and intent.

This article is enacted to preserve the general health, safety and welfare of the general public within the town by creating a uniform fee for the purpose of creating a fund to pay in whole or in part for the current and future preservation, maintenance, nourishment, renourishment and improvement of the beaches of the town, the public facilities related to the use of the beach, and certain tourism related expenses not funded by State Hospitality Tax Revenue.

This Ordinance shall take effect and amend Chapter 22 of the Code Section 22-20 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: August 14, 2017

Date of second reading: September 13, 2017

APPROVED: 
WILLIAM L. OTIS, JR., MAYOR

DATE: 9/13/17

ATTEST: 
DIANE ALLEN, TOWN CLERK

DATE: 9/13/17

Ordinance No: 2017-11

AN ORDINANCE AMENDING CHAPTER 22,
SECTION 22-56

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide clarification as to the purpose and intent of Article III Accommodations Tax of the Code of Ordinances of the Town of Pawleys Island and to provide consistency between Section 22-56 as amended of the Code of Ordinances of the Town of Pawleys Island and the Code of Laws of South Carolina 1976 Ann. § 6-1-530.

WHEREAS, the Town of Pawleys Island is dedicated to its unique heritage of gentleness, tranquility, and history for the residents', property owners', and visitors' benefit; and

WHEREAS, the major impact of Tourism on the facilities and employees of the town during the Tourist season has increased from year to year as a result of more homes being rented during the season and the significant year to year increase in day visitors to the Town; and

WHEREAS, the permanent (voting) population of the Town has decreased and is now less than 135 individuals occupying less than 15% of the 550 living units In the Town, with the balance of the living units being used for rental and seasonal tourism; and

WHEREAS, From mid-winter to the "tourism season " the "in bed" population of the island increases by over 3,000 percent and the addition of day tourists fill all of the available beach access parking areas and most of the available roadsides every weekend during the summer, all comprising the most available free public beach access in Georgetown County; and

WHEREAS, the Town Clerk and Town Hall facility must provide tourism information, not only for the Town but also for the greater community area known as "Pawleys Island"; and

WHEREAS, all other services, water and sewer, fire protection, ambulance and rescue, street maintenance, garbage service, etc. are not provided by the town, but by the SCDOT, Georgetown County, and private contractors; and

WHEREAS, without the significant increase in tourism in the Town during the tourist season the town would not need to maintain its own Police Department or to provide many other services which protect and serve its visitors; and

WHEREAS, The Town of Pawleys Island apportions some law enforcement and other Town expenses to "Tourism Related Expenses" for Accommodation's Tax funding, and the available Accommodation's Tax funds are always less than the apportioned expenses, creating a Deficit in

the Accommodations Tax Fund which has been covered by an inter fund transfer loans from the Town General Fund to the to the Town Accommodations Tax Fund;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) TO ADD "AND CERTAIN TOURISM RELATED EXPENSES NOT FUNDED BY STATE ACCOMODATIONS TAX REVENUE" SO THAT THE AMENDED ORDINANCE SHALL READ:

Sec. 22-56 – Declaration of purpose and intent.

This article is enacted to preserve the general health, safety and welfare of the general public within the town by creating a uniform fee for the purpose of creating a fund to pay in whole or in part for the current and future preservation, maintenance, nourishment, renourishment and improvement of the beaches of the town, the public facilities related to the use of the beach, and certain tourism related expenses not funded by State Accommodations Tax Revenue.

This Ordinance shall take effect and amend Chapter 22 of the Code Section 22-56 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Jarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mike Adams, Ashley Carter, Rocky Holliday, Jarah Zimmerman

Those opposed: None

Date of first reading: August 14, 2017

Date of second reading: September 13, 2017

APPROVED: William L. Otis, Jr. DATE: 9/13/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST: Diane Allen DATE: 9/13/17
DIANE ALLEN, TOWN CLERK

PREAMBLE

WHEREAS, the Mayor and the Town Council for the Town of Pawleys Island held a first and Second reading for Amending Section 22-59 of the Code of Ordinances of the Town of Pawleys Island.

WHEREAS, the First reading of the above referenced amendment took place on June 12, 2017 and the Second reading of the above referenced amendment took place on July 10, 2017.

WHEREAS, the Town Council Agenda and Minutes for the above stated readings incorrectly reflected that the Ordinance to be amended was titled Section 22-59(c).

WHEREAS, the Town Council Agenda and the Minutes should have reflected that the Ordinance to be amended was the entire Section 22-59 of the Town of Pawleys Island Code of Ordinances.

WHEREAS, the Mayor and Town Council hereinafter, in order to perfect its above stated readings and Amendment, elect to hold two new readings for the Amendment of Section 22-59 of the Code of Ordinances of Pawleys Island.

Ordinance No: 2017-12

**AN ORDINANCE AMENDING,
SECTION 22-59**

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide specific direction as to the allocation of the permitted use of the Accommodations Tax and to provide consistency between the Code of Ordinances of the Town of Pawleys Island and the Code of Laws of South Carolina 1976 Ann. § 6-1-530.

WHEREAS, the Town of Pawleys Island is dedicated to its unique heritage of gentleness, tranquility, and history for the residents', property owners', and visitors' benefit;

WHEREAS, the major impact of Tourism on the facilities and employees of the town during the Tourist season has increased from year to year as a result of more homes being rented during the season and the significant year to year increase in day visitors to the Town;

WHEREAS, the permanent (voting) population of the Town has decreased and is now less than 135 individuals occupying less than 15% of the 550 living units in the Town, with the balance of the living units being used for rental and seasonal tourism;

WHEREAS, From mid-winter to the "tourism season " the "in bed" population of the island increases by over 3,000 percent and the addition of day tourists fill all of the available beach access parking areas and most of the available roadsides every weekend during the summer, all comprising the most available free public beach access in Georgetown County;

WHEREAS, the Town Clerk and Town Hall facility must provide tourism information, not only for the Town but also for the greater community area known as "Pawleys Island";

WHEREAS, all other services, water and sewer, fire protection, ambulance and rescue, street maintenance, garbage service, etc. are not provided by the town, but by the SCDOT, Georgetown County, and private contractors;

WHEREAS, without the significant increase in tourism in the Town during the tourist season the town would not need to maintain its own Police Department or to provide many other services which protect and serve its visitors;

WHEREAS, The Town of Pawleys Island apportions some law enforcement and other Town expenses to "Tourism Related Expenses" for Accommodation's Tax funding, and the available Accommodation's Tax funds are always less than the apportioned expenses, creating a Deficit in the Accommodations Tax Fund which has been covered by an inter fund transfer loans from the Town General Fund to the to the Town Accommodations Tax Fund; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 22-59 – Accommodation fee account and use of funds.

1. All proceeds from a local accommodation tax must be kept in a separate fund segregated from the imposing entities general fund. All interest generated by the local accommodations tax fund must be credited to the local accommodation tax fund.
2. The town council is hereby authorized to utilize the funds collected from the imposition of the local accommodation tax for the following purposes:
 - a. That Eighty Percent (80%) of the revenue generated by the local accommodation tax must be used for beach access and renourishment which shall include beach management, beach nourishment and renourishment, and storm damages and repair; and
 - b. That Twenty Percent (20%) of the funds shall be transferred to the Accommodations Tax Fund to fund accumulated town tourism related expenses not funded by the State Accommodations Tax Revenue; and

This Ordinance shall take effect and amend Chapter 22 of the Code Section 22-59 and be in full force on January 1, 2017, after adoption of this amended section herein by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Gummerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mike Adams, Ashley Carter, Rocky Holliday, Sarah Gummerman

Those opposed: None

Date of first reading: August 14, 2017

Date of second reading: September 13, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 9/13/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 9/13/17

Ordinance No: 2017-13

AN ORDINANCE AMENDING, APPENDIX C
SECTION 2012-12

APPENDIX C, CODE OF ORDINANCES NO.: 2012-12

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

WHEREAS, the South Carolina General Assembly, in order to ensure consistency with the federal Non-admitted and Reinsurance Reform Act of 2010 ("NRRA"), ratified an act (Rat# 283) on June 28, 2012, amending S.C. Code 38-7-16 and 38-45-10 through 38-45-195; and

WHEREAS, the act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax; and

WHEREAS, the act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums; and

WHEREAS, the act authorizes the Municipal Association of South Carolina to act as the municipal agent for purposes of distributing to municipalities the municipal broker's tax collected by the South Carolina Department of Insurance; and

WHEREAS, it is necessary to amend the Business License Ordinance to conform to the State law as amended;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO APPENDIX C, ORDINANCE NO.: 2012-12 SHALL READ AS FOLLOWS:

SECTION 1.

SIC	NAICS	
CODE or CODE		

63	5241	<u>Insurance Companies:</u> Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition, "gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium.
		Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.
		As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.
		Gross premiums shall include all business conducted in the prior calendar year.
		Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.
631-632	52411	Life, Health and Accident 075% of Gross Premiums
633-635	524126	Fire and Casualty 2% of Gross Premiums
636	524127	Title Insurance 2% of Gross Premiums

SECTION 2.

Notwithstanding any other provisions of this ordinance, license taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

SECTION 3.

Any exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

SECTION 4.

Pursuant to S.C. Code Ann. 38-45-10 and 38-45-60, the Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The agreement with the Association for administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code 5-7-300 and administration of the municipal broker's premium tax in the form attached hereto is approved, and the Administrator is authorized to execute it.

This Ordinance shall take effect and repeals Appendix C, Ordinance 2012-12 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday & Sarah Zimmerman

Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

Ordinance No: 2017-14

AN ORDINANCE AMENDING,
SECTION 2-234

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 2-234 SHALL READ AS FOLLOWS:

Sec. 2-234. - Administrator authority concerning town finances.

The administrator is authorized to manage all of the town's banking, obtaining certificates of deposit, and any and all other operations regarding checking accounts, savings accounts, certificates of deposit for and on behalf of the town.

This Ordinance shall take effect and amend Code of Ordinances Section 2-234 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday & Sarah Zimmer

Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: William L. Otis, Jr. MAYOR
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

Ordinance No: 2017-15

AN ORDINANCE AMENDING,
SECTION 2-262

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 2-262 SHALL READ AS FOLLOWS:

Sec. 2-262. - Purchasing agent specified duties.

The administrator or an officer of the town designated by the administrator shall be the purchasing agent for the town. He shall be responsible for:

- (1) The purchase of supplies, materials, equipment, and contractual services required by the town government.
- (2) Establishing written specifications, whenever practical, for supplies, materials, and equipment required by the town.
- (3) Obtaining as full and open a competition as possible on all purchases, contracts, and sales.

This Ordinance shall take effect and amend Code of Ordinances Section 2-262 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday & Sarah Zimmerman

Those opposed: NONE

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED:

William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE:

10/9/17

ATTEST:

Diane Allen
DIANE ALLEN, TOWN CLERK

DATE:

10/9/17

Ordinance No: 2017-16

AN ORDINANCE AMENDING,
SECTION 2-266

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 2-266 SHALL READ AS FOLLOWS:

Sec. 2-266. - Financial interest of town officials and employees prohibited.

No member of the town council or any officer or employee of the town shall have a financial interest in any contract or in the sale to the town or to a contractor supplying the town with any land or rights or interests in any land, materials, supplies, or services; except when a majority of the town council determines such exception is in the best interest of the town, provided that no councilmember whose interest is involved shall vote on the question. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the town found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge, express or implied, of the person or corporation contracting with the town shall render the contact voidable by the administrator or town council.

This Ordinance shall take effect and amend Code of Ordinances Section 2-266 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded

by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday + Sarah Gummema

Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: *William L. Otis, Jr.*
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: *Diane Allen*
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

statute of the state, or otherwise; and it shall be his duty to appear and prosecute in the town court when required by Clerk of Court, recorder or any member of the town council and to perform such other duties as shall be required of him by the town council; to be present at any meeting of the town council, or other meeting where business of the town is transacted, when requested to do so by the town administrator, or any member of the town council.

As the legal representative and council for the Town of Pawleys Island he shall work directly with the Town Administrator, the Town Clerk, Clerk of Court, and Pawleys Island Police Department and its officers in determining when to appear on behalf the Town and when to carry out the duties as set forth above.

This Ordinance shall take effect and amend Code of Ordinances Section 2-164 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday & Sarah Zimmerman
Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: William L. Otis, Jr. Mayor
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

Ordinance No: 2017-18

AN ORDINANCE AMENDING,
SECTION 1-14

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 1-14 SHALL READ AS FOLLOWS:

Sec. 1-14. - Unclaimed property.

(a) Pursuant to this section of the Town of Pawleys Island, any personal property held by the town and unclaimed after 30 days shall be disposed of as follows:

(1) Any items held in evidence in criminal cases shall be held until the case is completed and there is no appeal. The town will notify any known interested parties that the evidence will be destroyed or disposed of within 30 days of the date of the notification. It shall be sufficient that the town provide this notification to the parties of interest at their last known address. Should the property remain unclaimed after the 30-day notification, the Chief of Police of the Town of Pawleys Island shall have the full authority to determine the disposition of the personal property that is unclaimed. Drugs and dangerous weapons shall be disposed of as directed by South Carolina Law Enforcement Division.

(b) Unclaimed personal property that has been found, left, abandoned or that has been left or deposited with the town and unclaimed after 30 days shall be disposed of as follows:

(1) Any items of nominal value determined to be worth less than \$200.00 shall be disposed of at the full discretion of the town administrator without any notice requirements.

(2) For any items valued in excess of \$500.00, a notice will be placed in the local newspaper once a week for a period of three weeks. If the items are remained unclaimed after a period of 30 days from the date of the first notice being placed, the town administrator will have full authority to dispose of the property at their discretion pursuant to this ordinance in any manner deemed appropriate. Disposition may be as follows but is not limited to these methods of disposition:

- a. Items may be donated to charitable organizations;
- b. Items may be sent to Georgetown County Landfill; and

c. Items may be turned over to the original finder if the finder so notifies the town at the time of the report.

(c) Prohibition. Town employees and elected officials are ineligible to acquire any of the unclaimed personal property and are prohibited from such action.

This Ordinance shall take effect and amend Code of Ordinances Section 1-14 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Halleday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Halleday & Sarah Zimmerman

Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: William L. Otis, Jr. DATE: 10/9/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST: Diane Allen DATE: 10/9/17
DIANE ALLEN, TOWN CLERK

Ordinance No: 2017-19

AN ORDINANCE AMENDING,
SECTION 2-2

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 2-2 SHALL READ AS FOLLOWS:

Sec. 2-2. - Records retention.

(a) The following records are permanent and will not be destroyed: deeds, annexation files, grant files, zoning commission minutes, planning commission minutes, building permits, building permit log, blueprints, town council minutes, agendas, annual budgets, audit reports, general ledgers and trial balances.

(b) Bids, requisitions, purchase orders, paid invoices, banking records, payroll check registers, personnel files, time sheets and receipts will be kept for three years and then destroyed.

(c) Accounts payable check registers, tax receipts, utility payment stubs and utility billing registers will be kept for five years and then destroyed.

(d) All police and court records will be kept for five years and then destroyed, except for criminal histories, which will be kept until the death of the subject and juvenile records which will be kept for three years after the juvenile reaches maturity, and then destroyed.

(e) In the first quarter of each year, records will be reviewed and disposed of as necessary to meet this policy.

(f) The administrator is directed by the town council to implement the program set out in this section and dispose of all records outside of the parameters of the program.

This Ordinance shall take effect and amend Code of Ordinances Section 2-2 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

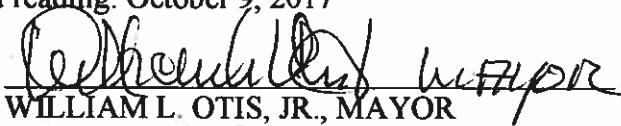
Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday + Sarah Jimu

Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED:  DATE: 10/9/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST:  DATE: 10/9/17
DIANE ALLEN, TOWN CLERK

Ordinance No: 2017-20

AN ORDINANCE AMENDING,
SECTION 2-92

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 2-92 SHALL READ AS FOLLOWS:

Sec. 2-92. - Preparation and introduction of ordinances.

An ordinance may be proposed by any member of the town council. A proposed ordinance may be referred to the town attorney for approval as to form. The town attorney shall render assistance in the preparation of notices and ordinances where requested. After an ordinance is in proper form and required notices have been given, the town attorney or administrator shall send the ordinance to the town clerk to be held for public inspection. An ordinance shall be deemed to be introduced when it appears on an agenda for a public meeting of the council and its title is read.

This Ordinance shall take effect and amend Code of Ordinances Section 2-92 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday + Sarah Gummerman

Those opposed: NONE

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: *William L. Otis, Jr.*
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: *Diane Allen*
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

Ordinance No: 2017-21

AN ORDINANCE AMENDING,
SECTION 16-9

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide consistency with the Town of Pawleys Island Code of Ordinances and the Town of Pawleys Island "Council Form" of Government.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT AMENDMENT TO CODE OF ORDINANCES SECTION 16-9 SHALL READ AS FOLLOWS:

Sec. 16-9. - Policy for FOIA requests.

- (a) All requests for information pursuant to the South Carolina Freedom of Information Act (FOIA) must be made in writing and submitted in person, by mail, by email or facsimile to the Town of Pawleys Island, 321 Myrtle Avenue, Pawleys Island, South Carolina 29585. To ensure accuracy in the Town's response, all requests should include the date, specified information being requested, name, complete address, telephone number to include area code and signature of requestor. In accordance with FOIA, the Town of Pawleys Island upon written request for records, shall within ten days (excepting Saturdays, Sundays, and legal public holidays) of the receipt of the request, notify the person making the request of its determination and the reasons for it; provided, however, that if the record is more than twenty-four months old at the date the request is made, the public body has twenty days (excepting Saturdays, Sundays, and legal public holidays) of the receipt to make this notification.
- (b) Pursuant to S.C. Code 1976, § 30-4-30(b), the Town of Pawleys Island shall adhere to the following fee schedule:

Minimum Charge	\$3.00
Copies at actual cost	.08 per copy
Staff search and copy time at gross hourly rate	23.34 per hour
Deposit for anticipated costs exceeding \$150.00	50% of anticipated costs
Non-staff or Contract costs (recording copies, etc.)	At the cost to the Town
Deposit for Contract costs	100% of the contract amount

(c) Payment for all transactions should be made payable via cashier's check, money order or cash to:

Town of Pawleys Island
321 Myrtle Avenue
Pawleys Island, SC 29585

(d) The administrator of the Town of Pawleys Island may provide documents free of charge if it is determined that the information is "primarily benefitting the public."

(e) The fee schedule, the payment requirements and the mayor of the Town of Pawleys Island's right to provide documents free of charge if it is determined that the information is "primarily benefitting the public" is set forth herein.

This Ordinance shall take effect and amend Code of Ordinances Section 16-9 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Rocky Holliday and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday & Sarah Zimmerman
Those opposed: None

Date of first reading: September 13, 2017

Date of second reading: October 9, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/9/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 10/9/17

AN ORDINANCE REGARDING THE DETERMINATION OF ELECTIONS RESULTS
FOR THE TOWN OF PAWLEYS ISLAND

Ordinance No: 2017-22

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA,
TO ESTABLISH ELECTION RESULTS

INTENT

WHEREAS, the Town of Pawleys Island recognizes the Code of Laws of South Carolina § 5-15-61 enacted by the South Carolina General Assembly that sets out the rules for election results under the nonpartisan plurality method;

WHEREAS, the Town of Pawleys Island has had elections for Town Council seats and the Town Mayor since the town has become incorporated and the Town of Pawleys Island, in determining its elections, has always used the nonpartisan plurality method; and

WHEREAS, the purpose of this ordinance is to provide consistency with the Town of Pawleys Island's Code of Ordinances and the Town's precedent set in its determination of election results of previous elections; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), SECTION 5-11-10, et al. THAT:

In conducting nonpartisan elections and using the plurality method, election results shall be determined in accordance with the following rules:

- a) When more than one person is seeking election to a single office, the candidate who receives the highest number of votes shall be declared elected.
- b) When more persons are seeking election to two or more offices (constituting a group) than there are offices to be filled, those candidates receiving the highest number of votes, equal in number to the number of offices to be filled, shall be declared elected.

This Ordinance shall take effect and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:


Those in favor: Mayor Bill Otis, Mike Adams, Rocky Holliday + Sarah Zimmerman

{SIGNATURE PAGE FOLLOWS}

Those opposed: None

Date of first reading: October 9, 2017

Date of second reading: October 23, 2017

APPROVED: 
WILLIAM L. OTIS, JR., MAYOR

DATE: 10/23/17

ATTEST: 
DIANE ALLEN, TOWN CLERK

DATE: 10/23/17

{SIGNATURE PAGE FOLLOWS}

ORDINANCE 2017-23

AN ORDINANCE TO ADOPT A BUDGET FOR THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, FOR THE YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), SECTION 5-7-260, et al. THAT:

SECTION 1: That for the expenses of the Town Government and its activities for the year beginning January 1, 2018 and ending December 31, 2018, the following amounts for the following purposes, are hereby appropriated:

TOTAL REVENUES:	\$ 1,863,070
TOTAL EXPENSES:	
ADMINISTRATION	264,692
LAW ENFORCEMENT	536,916
STREETS & SANITATION	54,000
TOURISM MARKETING	94,700
BEACH MANAGEMENT	935,000
TOWN HALL PROJECT	706,000
	\$ 2,591,308

SECTION 2: That the attached line item appropriation on detail and estimated revenues are hereby incorporated herein.

SECTION 3: The Town Administrator shall administer the budget and may authorize the transfer of appropriated funds with departments as necessary to achieve the goals of the budget as established by Town Council.

SECTION 4: This Ordinance shall take effect and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

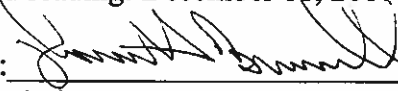
Adoption of the foregoing Ordinance moved by Jimmy Braswell and seconded by Sarah Zimmerman and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Jimmy Braswell, Ashley Carter, Guerry Green, Rocky Holliday & Sarah Zimmerman

Those opposed: None

Date of first reading: November 13, 2017

Date of second reading: December 11, 2017

APPROVED: 
JAMES BRASWELL, MAYOR

DATE: 12/11/17

ATTEST: 
DIANE ALLEN, TOWN CLERK

DATE: 12/11/17