

TOWN OF SEABROOK ISLAND

Town Council Meeting

October 24, 2023 – 2:30 PM

Town Hall, Council Chambers
2001 Seabrook Island Road
Seabrook Island, SC 29455



[Watch Live Stream \(YouTube\)](#)

Virtual Participation: Individuals who wish to participate in the meeting via Zoom may call (843) 768-9121 or email kwatkins@townofseabrookisland.org for log-in information prior to the meeting.

AGENDA

1. **Call to Order – Roll Call – Freedom of Information – Pledge of Allegiance**
2. **Approval of Minutes:**
 - Town Council Regular Meeting Minutes – September 26, 2023
 - Town Council Work Session Meeting Minutes – October 10, 2023
 - Town Council Budget Workshop Minutes – October 13, 2023
 - Town Council Budget Workshop Minutes – October 20, 2023
3. **Presentations:** *There are no presentations.*
4. **Public Hearing Items:**
 - Ord. 2023-11: An ordinance authorizing the issuance and sale of a not to exceed \$5,500,000 General Obligation Bond, Series 2023, or such other appropriate series designation, of the Town of Seabrook Island, South Carolina or one or more notes issued in anticipation thereof to pay the costs of repairs, replacements and debris removal arising from a major or catastrophic storm event of natural disaster and the cost of issuance of such bond or notes; fixing the form and details of the bond; authorizing the Mayor and Town Administrator, or either of them acting alone, to prescribe certain details relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto
5. **Citizens Comments:** *Any citizen may speak pertaining to any item listed on the meeting agenda which does not require a public hearing. Each speaker shall be limited to 3 minutes in which to make his or her comments. Town council shall allow no more than 30 minutes for citizen comments. Preference shall be given to individuals who have signed up or otherwise notified the town clerk/treasurer of a desire to speak prior to the start of the meeting.*
6. **Reports of Town Boards, Commissions, and Committees:**

- **Advisory Committees**
 - Community Promotions and Engagement Committee
 - Environment and Wildlife Committee
 - Public Safety Committee
 - Public Works Committee
- **Special Committees**
- **Ad Hoc Committees**
- **Board of Zoning Appeals**
- **Planning Commission**
- **State Accommodations Tax Advisory Committee**
- **Utility Commission**

7. Reports Town Officers:

- **Mayor**
 - Update from Informal Discussion with Representatives of SIPOA and Club
 - Update, if any, from Charleston County Concerning Regional Hazard Mitigation Plan
- **Town Administrator**
- **Assistant Town Administrator**
 - Report of Financials for the Month of September 2023
- **Town Attorney**
- **Zoning Administrator**
 - Code Enforcement Summary
- **Communications & Events Manager**

8. Ordinances for Second Reading:

- Ord. 2023-08: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27+/- acres at 2125 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District
- Ord. 2023-09: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.27+/- acres at 2156 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District
- Ord. 2023-11: An ordinance authorizing the issuance and sale of a not to exceed \$5,500,000 General Obligation Bond, Series 2023, or such other appropriate series designation, of the Town of Seabrook Island, South Carolina or one or more notes issued in anticipation thereof to pay the costs of repairs, replacements and debris removal arising from a major or catastrophic storm event of natural disaster and the cost of issuance of such bond or notes; fixing the form and details of the bond; authorizing the Mayor and Town Administrator, or either of them acting alone, to prescribe certain details relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto

9. Ordinances for First Reading:

- Ord. 2023-12: An ordinance amending the Business License Ordinance of the Town of Seabrook Island to update the class schedule as required by Act 176 of 2020
- Ord. 2023-13: An ordinance adopting a second amendment to the annual operating budget for the fiscal year beginning January 1, 2023, and ending December 31, 2023

10. Other Action Items

- Res. 2023-31: A resolution adopting Business License Appeal Procedures for the Town of Seabrook Island

11. Items for Information or Discussion:

- **Short-Term Rental Ad Hoc Committee Recommendations**

The following ordinances are for discussion purposes only; no votes will be taken:

- Ord. 2023-14: An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina, so as to establish regulations pertaining to prohibited noise; property maintenance; trash, litter and debris; illegal dumping; and the parking of vehicles and equipment; to repeal Sections 14-21 through 14-24 relating to public nuisances; to repeal Section 22-21 relating to illegal dumping; and other matters related thereto
- Ord. 2023-15: An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, General Provisions; Section 2.1, General Compliance; so as to repeal subsection (e) pertaining to the placement and storage of trash, litter and junk on premises within the town; Article 9, Conditional Use Requirements; Section 9.4, Specific Use Requirements; so as to amend the conditional use provisions of subsection (O) pertaining to short-term rental units; and Appendix E, Fee Schedule; so as to update the schedule of fees to reflect changes relating to permitting requirements and procedures for short-term rental units within the town

12. Citizen Comments: *Any citizen may speak pertaining to any town matter, except personnel matters. Each speaker shall be limited to 3 minutes in which to make his or her comments. Town council shall allow no more than 30 minutes for citizen comments. Preference shall be given to individuals who have signed up or otherwise notified the town clerk/treasurer of a desire to speak prior to the start of the meeting.*

13. Council Comments

14. Adjournment

TOWN OF SEABROOK ISLAND

Town Council Meeting
September 26, 2023

[Watch Live Stream \(YouTube\)](#)



MINUTES

1. Call to Order – Roll Call – Freedom of Information – Pledge of Allegiance

Mayor Gregg called the September 26, 2023, Town Council Regular Meeting to order at 2:30PM. Councilwoman Finke, Councilmen Goldstein and Kortvelesy, Town Administrator Joe Cronin, Zoning Administrator Newman, Communications & Events Manager Robin Ochoa, and, Administrator Newman, and Assistant Town Administrator Katharine Watkins participated in the meeting. The Assistant Town Administrator confirmed the requirements of the SC Freedom of Information Act have been satisfied.

2. Approval of Minutes:

- Town Council Regular Meeting Minutes – August 22, 2023
- Town Council Work Session Meeting Minutes – September 12, 2023

Councilwoman Finke moved to approve the previous meeting minutes of August 22; Councilman Kortvelesy seconded. All voted in favor.

The previous meeting minutes of August 22 were approved.

Councilwoman Finke moved to approve the previous meeting minutes of September 12; Councilman Kortvelesy seconded. All voted in favor.

The previous meeting minutes of September 12 were approved.

Note: in the minutes of September 12th there is an error. Ord. 2023-08 and 2023-09 were up for first reading, not for second reading.

3. Presentations:

None.

4. Public Hearing Items:

- Ord. 2023-08: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27+/- acres at 2125 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

No comments were made, the public comment period closed at 2:33PM.

- Ord. 2023-09: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.27+/- acres at 2156 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

No comments were made, the public comment period closed at 2:35PM.

- Ord. 2023-10: An ordinance relating to the recovery of collection costs as part of delinquent debts collected pursuant to the setoff debt collection act.

No comments were made, the public comment period closed at 2:35PM.

5. Citizens Comments:

Assistant Town Administrator Watkins noted there were no comments submitted prior to the Town Council meeting.

No citizens made comments during this period.

6. Reports of Town Boards, Commissions, and Committees:

- **Advisory Committees**

- Community Promotions and Engagement Committee

Mayor Gregg noted the Community Promotions and Engagement Committee did not meet in September and the next meeting will be held on October 19th.

Mayor Gregg summarized the most recent Seabrook Island Property Owners Association (SIPOA) long range planning meeting.

- Environment and Wildlife Committee

Councilwoman Finke summarized the September 14th Environment and Wildlife Committee meeting and noted the upcoming meeting will be held on October 12th.

- Public Safety Committee

Councilman Kortvelesy summarized the September 19th Public Safety Committee meeting.

- Public Works Committee

Councilman Goldstein updated the council on the Seabrook Island Road designs and the proposed Town Hall Annex and Garage project.

Discussions were had on the projects with the council and with members of the audience.

- **Special Committees**

None.

- **Ad Hoc Committees**

Councilwoman Finke updated the council on the status of the proposed changes to the short-term rental ordinance and nuisance ordinance.

Discussions were had on the proposed ordinances with the council and with members of the audience.

- **Board of Zoning Appeals**

None.

- **Planning Commission**

None.

- **State Accommodations Tax Advisory Committee**

None.

- **Utility Commission**

Commissioner Smith-Jones summarized the meeting of September 20th and the financials and operations for the month of August.

Commissioner Smith-Jones noted the upcoming meeting for October 18th will be at 8:30am rather than 9:30am.

7. Reports Town Officers:

- **Mayor**

- Comment Concerning Mayor's Recommended Budget memorandum

Mayor Gregg summarized the mayor's recommended budget.

- Update from meeting with Representatives of SIPOA and Club

Mayor Gregg summarized a meeting had with representatives of SIPOA and the Club.

- Update for Charleston Regional Hazard Mitigation Plan

Mayor Gregg updated the council on the status of the Charleston Regional Hazard Mitigation Plan.

- Reminder of October meeting of Community Promotions and Engagement Committee

Mayor Gregg noted the next Community Promotions and Engagement Committee will be held on October 12th.

- Reminder of October meeting of SIPOA Long Range Planning Committee

Mayor Gregg noted the upcoming SIPOA Long Range Planning Committee will be held on October 10th.

- **Town Administrator**

- Front Door Update

Town Administrator Cronin noted the front door replacement at Town Hall has been completed.

- FY 2024 Budget Update

Town Administrator Cronin updated the council on the status of the FY 2024 budget.

Town Administrator Cronin noted the upcoming budget workshops will be held on October 13th, October 20th, and October 26th at 1:00PM.

- Beach Patrol Update / Off-Peak Leash Rules Effective October 1st

Town Administrator Cronin updated the council of the beach patrol activity from April 1st through August 31st.

Town Administrator Cronin noted the beach patrol services will end on September 30th and when the off-peak season rules will begin.

Discussions were had with members of the council.

- Update on Draft Nuisance Ordinance

Town Administrator Cronin updated the council on the status of the proposed nuisance ordinance.

- **Assistant Town Administrator**

- Report of Financials for the Month of August 2023

Assistant Town Administrator Watkins noted they did not receive the August Financials and will report on them during the September meeting.

Clarifications were made to members of the audience regarding the July 2023 financial report.

- **Town Attorney**

None.

- **Zoning Administrator**

- Code Enforcement Summary

Zoning Administrator Newman summarized the code enforcement summary since the previous Town Council meeting.

- **Communications & Events Manager**

Communications & Events Manager Ochoa summarized the summer events and the most recent Chow Town food truck rodeos.

Communications & Events Manager Ochoa updated the council on some of the long-term projects and potential new events going on next year.

Discussions were had with members of the council.

8. Ordinances for Second Reading:

- Ord. 2023-10: An ordinance relating to the recovery of collection costs as part of delinquent debts collected pursuant to the Setoff Debt Collection Act

Councilwoman Finke moved to approve Ord. 2023-10; Councilman Kortvelesy seconded. All voted in favor.

Ord. 2023-10 passed second reading and was adopted.

9. Ordinances for First Reading:

- Ord. 2023-08: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27+/- acres at 2125 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

Councilwoman Finke moved to approve Ord. 2023-08; Councilman Kortvelesy seconded.

Town Administrator Cronin summarized Ord. 2023-08.

Discussions were had with members of the council.

Using the original motion, a vote was taken. All voted in favor.

Ord. 2023-08 passed first reading.

- Ord. 2023-09: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.27+/- acres at 2156 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

Councilwoman Finke moved to approve Ord. 2023-09; Councilman Kortvelesy seconded. All voted in favor.

Ord. 2023-09 passed first reading.

- Ord. 2023-11: An ordinance authorizing the issuance and sale of a not to exceed \$5,500,000 General Obligation Bond, Series 2023, or such other appropriate series designation, of the Town of Seabrook Island, South Carolina or one or more notes issued in anticipation thereof to pay the costs of repairs, replacements and debris removal arising from a major or catastrophic storm event of natural disaster and the cost of issuance of such bond or notes; fixing the form and details of the bond; authorizing the Mayor and Town Administrator, or either of them acting alone, to prescribe certain details relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto

Mayor Gregg summarized Ord. 2023-11 for members of council.

Councilwoman Finke moved to approve Ord. 2023-11; Councilman Kortvelesy seconded. All voted in favor.

Ord. 2023-11 passed first reading.

10. Other Action Items

- Res. 2023-29: A resolution to authorize the Municipal Association of South Carolina to act as a claimant agency for the collection of debt on behalf of the Town of Seabrook Island in accordance with the Setoff Debt Collection Act

Councilwoman Finke moved to approve Res. 2023-29; Councilman Kortvelesy seconded. All voted in favor.

Res. 2023-29 was approved.

- Res. 2023-30: A resolution of the Town of Seabrook Island adopting the amended 2023-24 Charleston Regional Hazard Mitigation and Program for Public Information Plan

Mayor Gregg moved to approve Res. 2023-30; Councilwoman Finke seconded. All voted in favor.

Res. 2023-30 was approved.

- An agreement with the Municipal Association of South Carolina to Act as Claimant Agency in accordance with the Setoff Debt Collection Act

Councilwoman Finke moved to approve an agreement with the Municipal Association of South Carolina to Act as Claimant Agency in accordance with the Setoff Debt Collection Act; Councilman Kortvelesy seconded. All voted in favor.

The agreement with the Municipal Association of South Carolina to Act as Claimant Agency in accordance with the Setoff Debt Collection Act was approved.

11. Items for Information or Discussion:

None.

12. Citizen Comments:

None.

13. Executive Session:

- **Discussion of Personnel Matter (S.C. Code Sec. 30-4-70 (a)(1))**

Councilwoman Finke moved to adjourn into executive session; Councilman Kortvelesy seconded. All voted in favor.

The council adjourned into executive session at 3:50PM.

All voted in favor of coming out of executive session at 4:29PM.

Councilwoman Finke moved to increase the municipal judge O'Neill salary to \$650.00 per month; Councilman Kortvelesy seconded. All voted in favor.

Judge O'Neill's monthly salary was increased to \$650.00 per month.

14. Council Comments

15. Adjournment

Councilwoman Finke moved to adjourn the meeting; Councilman Kortvelesy seconded. All voted in favor.

The meeting adjourned at 4:30PM.

Date: September 26, 2023

Prepared by: *Katharine E. Watkins*
Assistant Town Administrator

Note: These minutes are not verbatim minutes. To listen to the meeting, please use the following link:
<https://www.youtube.com/@townofseabrookisland5287/streams>

TOWN OF SEABROOK ISLAND

Town Council – Work Session

October 10, 2023

[Watch Live Stream \(YouTube\)](#)



MINUTES

Call to Order – Roll Call – Freedom of Information

Mayor Gregg called the October 10, 2023, Town Council Work Session to order at 1:00PM. Councilwoman Finke, Councilmen Goldstein and Kortvelesy, Town Administrator Joe Cronin, Zoning Administrator Tyler Newman, Communications & Events Manager Robin Ochoa (virtual), and Assistant Town Administrator Katharine Watkins participated in the meeting. The Assistant Town Administrator confirmed that notice of the meeting was posted, and the requirements of the Freedom of Information Act had been met.

Mayor John Gregg

- Report from Seabrook Island Property Owners Association (SIPOA) Long Range Planning Committee meeting of October 10

Mayor Gregg summarized the SIPOA Long Range Planning Committee meeting of October 10th.

- Reminder Community Promotions and Engagement Committee Meeting on October 19

Mayor Gregg noted the upcoming Community Promotions and Engagement Committee will be held on October 19th.

Discussions were had with members of council.

- Update, if any, for Charleston Regional Hazard Mitigation Plan

Mayor Gregg updated the council on the Charleston Regional Hazard Mitigation Plan with regards to the Town of Seabrook Island requirements for the plan.

Town Council Members:

- **Jeri Finke**

None.

- **Barry Goldstein**

None.

- **Dan Kortvelesy**

Councilman Kortvelesy noted the upcoming Public Safety Committee meeting will be held on October 17th at 10:00am.

Town Administrator Joe Cronin

- Action Items for October 24, 2023, Meeting
 - Ordinances for Second Reading
 - Ord. 2023-08: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27+/- acres at 2125 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District

Town Administrator Cronin noted Ord. 2023-08 is up for second reading without a public hearing for the upcoming Town Council Regular Meeting in October.

- Ord. 2023-09: An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.27+/- acres at 2156 Royal Pine Dr, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District

Town Administrator Cronin noted Ord. 2023-09 is up for second reading without a public hearing for the upcoming Town Council Regular Meeting in October.

- Ordinances for Second Reading & Public Hearing
 - Ord. 2023-11: An ordinance authorizing the issuance and sale of a not to exceed \$5,500,000 General Obligation Bond, Series 2023, or such other appropriate series designation, of the Town of Seabrook Island, South Carolina or one or more notes issued in anticipation thereof to pay the costs of repairs, replacements and debris removal arising from a major or catastrophic storm event of natural disaster and the cost of issuance of such bond or notes; fixing the form and details of the bond; authorizing the Mayor and Town Administrator, or either of them acting alone, to prescribe certain details relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto

Town Administrator Cronin summarized Ord. 2023-11 and noted it is up for second reading with a public hearing at the upcoming Town Council Regular Meeting in October.

Discussions were had with members of council.

Councilman Kortvelesy noted the next meeting of the Disaster Recovery Council will be held on December 5th.

- Items for information / Discussion
 - Discussion of Draft Ordinances
 - Amendments to Chapter 8 of the Town Code (Business License Class Schedule)

Town Administrator Cronin summarized the proposed amendments to Chapter 8 of the Town Code (Business License Class Schedule) specifically to update the NACIS codes to comply with SC Act 176.

- Amendments to Chapter 18 of the Town Code (Nuisance Ordinance)

Town Administrator Cronin and Councilwoman Finke summarized proposed island wide nuisance ordinance.

- Amendments to Short-Term Rental Ordinance

Town Administrator Cronin and Councilwoman Finke summarized proposed amendments to the short-term rental ordinance.

Discussions were had with members of council.

- Upcoming Budget Workshops: October 13, October 20 and October 26 (1:00 pm)

Assistant Town Administrator Watkins reminded members of council of the upcoming Budget Workshops for FY2024 will be held on October 13, October 20, and October 26. Each will begin at 1:00PM.

- Updates on miscellaneous items

Town Administrator Cronin updated members of Council on the construction of Seafields, parking on the property next to the entrance of Bohicket Marina, and the crosswalk signals and radar sign along Seabrook Island Road.

Discussions were had with members of Council.

Assistant Town Administrator Katharine Watkins

- August 2023 Financials

Assistant Town Administrator Watkins summarized the August Financials as follows:

- Total fund balance ending on August 31, 2023, was \$9,319,021 an amount about \$1,765,099 more than the balance as August 31, 2022.
- Unrestricted revenue for August totaled \$172,335 representing about 92.3% for the 2023 annual budget and being about \$48,225 more than for the same period in 2022.
- Expenditures for August totaled \$117,989 which is 57.7% of the 2023 annual budget.
- Expenditures for the year were about \$33,381 more compared to the same period of 2022.
- Excess revenues over expenditures were \$54,346 for August compared to an excess revenues over expenditures of \$39,502 in the same period of 2022, representing an increase in revenue from this year compared to last.

Assistant Town Administrator Watkins noted the transfers discussed during the September 26 Town Council Regular Meeting are reflected in the August financial report.

Adjourn

Councilwoman Finke moved to adjourn the meeting; Councilman Kortvelesy seconded. All voted in favor.

The meeting adjourned at 2:24pm.

Date: October 10, 2023

Prepared by: *Katharine E. Watkins*
Asst. Town Administrator

Note: These minutes are not verbatim minutes. To listen to the meeting, please use the following link:
<https://www.youtube.com/@townofseabrookisland5287/streams>

TOWN OF SEABROOK ISLAND

Town Council – Budget Workshop

October 13, 2023

[Watch Live Stream \(YouTube\)](#)



MINUTES

CALL TO ORDER

Mayor Gregg called the October 13, 2023, Town Council Budget Workshop to order at 1:00PM. Councilwoman Finke, Councilmen Goldstein and Kortvelesy, Town Administrator Joe Cronin, Communications & Events Manager Robin Ochoa (virtual), and Assistant Town Administrator Katharine Watkins participated in the meeting.

BUDGET WORKSHOP

1. Review of Estimated Year End Fund Balances

Town Administrator Cronin summarized the estimate year end fund balances for FY 2023.

Discussions were had with members of council.

2. Review and Discussion of Draft FY 2024 Budget

Town Administrator Cronin summarized the proposed FY 2024 General Fund Revenues and Expenditures.

Discussions were had with members of council.

ADJOURN

Councilwoman Finke moved to adjourn the meeting; Councilman Kortvelesy seconded. All voted in favor.

The meeting adjourned at 4:20pm.

Date: October 13, 2023

Prepared by: *Katharine E. Watkins*
Asst. Town Administrator

Note: These minutes are not verbatim minutes. To listen to the meeting, please use the following link:
<https://www.youtube.com/@townofseabrookisland5287/streams>

TOWN OF SEABROOK ISLAND

Town Council – Budget Workshop

October 20, 2023

[Watch Live Stream \(YouTube\)](#)



MINUTES

CALL TO ORDER

Mayor Gregg called the October 20, 2023 Town Council Budget Workshop to order at 1:00PM. Councilwoman Finke, Councilmen Goldstein and Kortvelesy, Town Administrator Joe Cronin, and Assistant Town Administrator Katharine Watkins participated in the meeting.

BUDGET WORKSHOP

1. Review and Discussion of Draft FY 2024 Budget

Town Administrator Cronin summarized the proposed FY 2024 Restricted and Designated Funds.

Discussions were had with members of council regarding the Restricted Funds.

The council recessed the meeting at 2:25 pm and came back at 2:30pm.

Discussions were had with members of council regarding the Designated Funds.

The council decided to cancel the final budget workshop on October 26th.

ADJOURN

Councilwoman Finke moved to adjourn the meeting; Councilman Kortvelesy seconded. All voted in favor.

The meeting adjourned at 3:26pm.

Date: October 20, 2023

Prepared by: *Katharine E. Watkins*
Asst. Town Administrator

Note: These minutes are not verbatim minutes. To listen to the meeting, please use the following link:
<https://www.youtube.com/@townofseabrookisland5287/streams>

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-11

ADOPTED _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A NOT TO EXCEED \$5,500,000 GENERAL OBLIGATION BOND, SERIES 2023, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA OR ONE OR MORE NOTES ISSUED IN ANTICIPATION THEREOF TO PAY THE COSTS OF REPAIRS, REPLACEMENTS AND DEBRIS REMOVAL ARISING FROM A MAJOR OR CATASTROPHIC STORM EVENT OF NATURAL DISASTER AND THE COST OF ISSUANCE OF SUCH BOND OR NOTES; FIXING THE FORM AND DETAILS OF THE BOND; AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR, OR EITHER OF THEM ACTING ALONE, TO PRESCRIBE CERTAIN DETAILS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

PURSUANT TO THE AUTHORITY GRANTED BY THE CONSTITUTION AND THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND, S.C., AS FOLLOWS:

SECTION 1. The Town Council (the "Council") of the Town of Seabrook Island, South Carolina (the "Town"), hereby finds and determines:

- (a) The Town is an incorporated municipality located in Charleston County, South Carolina (the "County"), and as such possesses all powers granted to municipalities by the Constitution and general law of the State of South Carolina.
- (b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each municipality of the State of South Carolina for any public and corporate purpose in an amount not exceeding eight (8%) percent of the assessed value of all taxable property of such municipality and upon such terms and conditions as the General Assembly may prescribe. Such Article further provides that if general obligation debt is authorized by a majority vote of the qualified electors of the municipality voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in such Article.
- (c) Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Municipal Bond Act"), provides that the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limitation applicable to such municipality.
- (d) The Municipal Bond Act provides that as a condition precedent to the issuance of Bond an election be held and the result be favorable thereto. Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended (generally, the "South Carolina Code"), provides that if an

election be prescribed by the provisions of the Municipal Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

- (e) The assessed value of all the taxable property in the Town for tax year 2022 (fiscal year ended June 30, 2023), the last completed assessment thereof, is approximately \$83,994,302. Eight percent of such sum is \$6,719,544.16. As of the date hereof, the Town has no outstanding bonded and general obligation indebtedness subject to the Constitutional debt limit and may presently incur \$6,719,544.16 of general obligation bonded indebtedness.
- (f) It is now in the best interest of the Town for the Council to provide for the issuance and sale of a not to exceed \$5,500,000 general obligation bond of the Town, the proceeds of which will be used: (i) to pay the costs of repairs, replacements and debris removal (including capital improvements) arising from a major or catastrophic storm event or natural disaster; and (ii) to pay costs of issuance of the Bond or, subject to Section 12 hereof, to pay at maturity or redeem prior to maturity any Notes (as defined herein) issued hereunder.

SECTION 2. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued a not to exceed \$5,500,000 general obligation bond(s) of the Town (the "Bond") for the purposes listed in Section 1(f) above. The Bond shall be designated "\$5,500,000 (or such other amount as may be issued) General Obligation Bond, Series 2023 (or such other appropriate series designation) of the Town of Seabrook Island, South Carolina."

The Bond shall be issued as a fully-registered Bond; shall be dated as of the date of its delivery; shall be numbered from R-1; shall bear interest at such time as hereafter designated by the Committee (as defined herein), at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially on a date not to exceed five years from the issuance date thereof, and in successive annual installments and such amounts, all as determined by the Committee.

Both the principal of and interest on the Bond shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 3. The Council hereby delegates to a committee, consisting of the Mayor and one Council member chosen by the Mayor (collectively, the "Committee"), the authority to determine (a) the maturity dates, the principal payment dates and principal amounts of the Bond and how such amounts are paid; (b) the interest rates and interest payment dates of the Bond; (c) redemption provisions, if any, for the Bond; (d) the date and time of sale of the Bond; and (e) whether the Bond is sold at private or public sale.

The Council hereby delegates to the Committee the authority to determine whether to negotiate with one or more banks or financial institutions or to prepare a Notice of Sale for the Bond and receive bids on behalf of the Council from one or more potential purchasers, and to award the sale of the Bond to a single bank or financial institution or to the bidder therefor whose bid the Committee determines to be the most advantageous to the Town in accordance with the Notice of Sale for the

Bond, following the receipt of one or more bids, provided in all events the net interest cost does not exceed 6% per annum. After the sale of the Bond, the Mayor and the Town Administrator, or either of them acting alone, shall submit a written report to the Council setting forth the results of the sale of the Bond.

The Bond shall be executed in the name of the Town with the manual signature of the Mayor of the Town attested by the manual signature of the Town Clerk of the Town under the seal of the Town to be impressed or affixed thereon.

SECTION 4. The Bond shall be in substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 5. If the Bond is to be sold at private sale, not less than seven (7) days prior to the delivery of the Bond, then notice of intention to sell the Bond at private sale shall be given by publication in a newspaper of general circulation in the Town pursuant to Section 9 hereof. If the Bond is to be sold at public sale, then a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina not less than seven (7) days prior to the date set for such sale.

SECTION 6. The full faith, credit and taxing power of the Town are hereby irrevocably pledged for the payment of the principal of and interest on the Bond as it matures, and for the creation of such sinking fund as may be necessary therefor. There shall be levied and collected annually by the Town Clerk of the Town a tax, without limit, on all taxable property in the Town sufficient to pay the principal of and interest on the Bond as it matures and to create such sinking fund as may be necessary therefor.

SECTION 7. Both the principal of and interest on the Bond shall be exempt from all State, county, municipal, town, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

SECTION 8. The proceeds derived from the sale of the Bond shall be deposited in a special fund, separate and distinct from all other funds, and applied solely to the purpose for which the Bond is issued except that the premium, if any, shall be placed in the sinking fund established pursuant to the Municipal Bond Act. If any surplus remains it shall be deposited in the sinking fund to be established for the payment of the Bond.

SECTION 9. The Town hereby delegates to the Mayor and the Town Administrator, or either of them acting alone, the authority to publish the notice prescribed under the provisions of Title 11, Chapter 27 of the South Carolina Code, relating to the Initiative and Referendum provisions contained in Title 5, Chapter 17 of the South Carolina Code and any and all other notices required by law, including, if the Bond is to be sold by private sale, the notice of intention required by Section 11-27-40 of the South Carolina Code. If any said notice is given, the Mayor and the Town Administrator, or either of them acting alone, is authorized to prescribe the form of the notice and cause such notice to be published in a newspaper of general circulation in the Town.

SECTION 10. The Town hereby covenants and agrees with the holders of the Bond that, if the Bond is issued as an obligation the interest on which is excluded from gross income of the holders thereof for federal tax purposes (a "Tax Exempt Bond"), then it will not take any action which will, or fail to take any action which failure will, cause interest on the Tax Exempt Bond to become includable in the gross income of the holders of the Tax Exempt Bond for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and regulations promulgated thereunder in effect on the date of original issuance of the Tax Exempt Bond. The Town further covenants and agrees with the holders of the Tax Exempt Bond (if issued) that no use of the proceeds of the Tax Exempt Bond shall be made which, if such use had been reasonably expected on the date of issue of the Tax Exempt Bond would have caused the Tax Exempt Bond to be an "arbitrage bond," as defined in Section 148 of the Code, and to that end the Town hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Tax Exempt Bond is outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebate of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the Code.

The Mayor and the Town Administrator, or either of them acting alone, are hereby authorized and directed to adopt such written procedure related to tax-exempt debt, as may be necessary or desirable, with the advice of legal counsel.

SECTION 11. The obligations of the Town under this Ordinance and the pledges, covenants and agreements of the Town herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bond, and such Bond shall no longer be deemed to be outstanding hereunder when:

- (a) such Bond shall have been purchased by the Town and surrendered to the Town for cancellation or otherwise surrendered to the Town or a bank or financial institution designated by the Town to act as its escrow agent (the "Escrow Agent") and is canceled or subject to cancellation by the Town or the Escrow Agent; or
- (b) payment of the principal of and interest on such Bond either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee to be named in trust and irrevocably set aside exclusively for such payment (1) moneys sufficient to make such payment or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bond shall no longer be deemed to be outstanding hereunder, such Bond shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations as set forth in (ii) above, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean cash and, to the extent permitted by Section 6-5-10 of the South Carolina Code or any other authorization relating to the investment of funds of the Town, any of the following: (1) United States Treasury Obligations – State and Local Government Series; (2) United States Treasury bills, notes, bonds or zero coupon treasury bonds all as traded on the open market; (3) direct obligations of the U.S. Treasury which have been stripped by the Treasury itself, including CATS, TIGRS and similar securities; (4) obligations of any agencies or instrumentalities which are backed by the full faith and credit of the United States of America; (5) bonds or debentures issued by any Federal Home Loan Bank or consolidated bonds or debentures issued by the Federal Home Loan Bank Board; (6) obligations of the Federal National Mortgage Association; (7) general obligations of the State or any of its political units which, at the time of purchase, carry an AAA rating from Standard & Poor’s or an Aaa rating from Moody’s Investors Service; or (8) any legally permissible combination of any of the foregoing. Government Obligations must be redeemable only at the option of the holder thereof.

SECTION 12. Pursuant to Title 11, Chapter 17 of the South Carolina Code (the “BAN Act”), pending the issuance of the Bond, the Council hereby authorizes the issuance of general obligation bond anticipation notes in an amount not to exceed \$5,500,000 (the “Notes”) for the purposes set forth in Section 1(f) herein and for costs of issuance of the Notes. In the event Notes are issued, (a) for the payment of principal of and interest, if necessary, on the Notes as they respectfully mature, there is hereby pledged the proceeds of the Bond and the full faith, credit and taxing power of the Town and (b) pending the issuance of the sale of the Bond, the Council may determine it to be in the best interest of the Town to refund or renew the outstanding Notes and, therefore, (1) the Council may authorize the Notes to be refunded or renewed and such authorization to be effected by a resolution of Council incorporating the terms of this Ordinance and (2) the principal amount of such refunded or renewed Notes may be increased by an amount sufficient to reflect interest owed on such refunded or renewed Notes and costs of issuance.

The Town, at its option, may also utilize any other funds available therefor for the payment of the principal of and interest on the Notes. The Council hereby delegates to the Committee the authority (1) to determine: (a) the original issue date and aggregate principal amount of the Notes; (b) the date, time and method of sale (which may be by public sale or, as permitted by the BAN Act, negotiation with one or more purchasers) of the Notes; (c) the maturity date and redemption provisions (if any) of the Notes (provided, that the maximum redemption premium may not exceed 0.5%); (d) the form of the Notes; and (e) such other details of the Notes as may be deemed advisable; (2) if sold by public sale, to prepare a Notice of Sale for the Notes, to receive bids on behalf of the Town and to award the sale of the Notes to the bidder therefor whose bid the Committee determines to be the most advantageous to the Town in accordance with the Notice of Sale for the Notes, in accordance with the terms of the Notice of Sale for the Notes; and (3) to negotiate and execute all other contracts which may be necessary or required in connection with the issuance of the Notes. Unless the context requires otherwise, the authorizations provided in the Ordinance with respect to the Bond or the issuance, sale and delivery thereof shall also apply with respect to any Notes issued in anticipation thereof.

SECTION 13. The Council hereby authorizes the Mayor, the Town Administrator, the Town Clerk, and the Town Attorney to execute such documents and instruments as necessary to effect the issuance of the Notes and the Bond or make modifications in any documents, including the form of the

Bond attached hereto. The Council hereby retains Burr & Forman LLP as bond counsel in connection with the issuance of the Bond.

SECTION 14. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bond are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 15. This Ordinance shall be forthwith codified in the Code of Town Ordinances in the manner required by law.

SECTION 16. This Ordinance shall be effective upon passage by the Council.

SECTION 17. This Ordinance is intended to replace the authorization provided for in Ordinance No. 2019-07 (the "Prior Ordinance") and not be additive thereto. Upon enactment of this Ordinance and passage of such time as the Mayor and the Town Administrator (or either of them acting alone) determine, upon advice of counsel, to be necessary to comply with the Initiative and Referendum provisions contained in Title 5, Chapter 17 of the South Carolina Code, the Prior Ordinance is repealed in its entirety.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: [October 24, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [November 28, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
TOWN OF SEABROOK ISLAND
GENERAL OBLIGATION BOND, SERIES 2023

R-1

\$

KNOW ALL MEN BY THESE PRESENTS, that the Town of Seabrook Island, South Carolina (the "Town"), is justly indebted and, for value received, hereby promises to _____ in _____, South Carolina, its successors or registered assigns, the principal sum of _____ (\$_____) with interest thereon at the rate of _____% per annum. This Bond is payable in _____ installments of principal and interest, commencing _____ and _____ thereafter until this Bond is paid. Both the principal of and interest on this Bond are payable at the principal office of _____ in _____, South Carolina, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

[Redemption provisions, if any, to be included]

For the payment hereof, both principal and interest, as they respectively mature; and for the creation of a sinking fund to aid in the retirement and payment thereof the full faith, credit and taxing power of the Town are irrevocably pledged, and there shall be levied and collected, annually upon all taxable property in the Town an ad valorem tax, without limitation as to rate or amount, sufficient for such purposes.

This Bond is issued pursuant to and in accordance with the constitution of the laws of the state of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976 as amended; and Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and an Ordinance duly enacted on _____, 2023, by the Town Council of the Town for the purpose of authorizing the issuance and sale of a not to exceed \$_____ general obligation bond.

This Bond and the interest hereon are exempt from all State, county, municipal, town and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the Town does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection annually upon all taxable property in the Town an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal and interest on this Bond as the same shall respectively mature and to create a sinking fund to aid in the retirement and payment thereof.

IN WITNESS WHEREOF, THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA, has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the Town and attested by the manual or facsimile signature of the Town Clerk of the Town under the seal of the Town impressed, imprinted or reproduced hereon and this Bond to be dated the ____ day of _____, 2023.

TOWN OF SEABROOK ISLAND, SOUTH CAROLINA

Mayor

(SEAL)

ATTEST:

Clerk

REGISTRATION

This Bond has been registered in the name of _____ in _____, South Carolina, on the registration books kept by the Town Clerk of the Town of Seabrook Island, South Carolina.

Dated this ____ day of _____, 2023.

Clerk, Town of Seabrook Island, South Carolina

ASSIGNMENT

For value received _____ hereby sells, assigns and transfers unto _____ the within-mentioned Bond and hereby irrevocably constitutes and appoints _____, Attorney, to transfer the same on the registration books kept by the Town Clerk of the Town of Seabrook Island, South Carolina, with full power of substitution in the premises.

Town of Seabrook Island, South Carolina

By _____

Dated: _____

Witness: _____

NOTE: The signature to this assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

Town of Seabrook Island

Compiled Financial Statements And Supporting Schedules

**For the Month and Nine Months Ended
September 30, 2023**

**DUFFY & BASHA, CPAs
631 ST. ANDREWS BLVD.
CHARLESTON SC 29407**

Accountant's Compilation Report

Town of Seabrook Island
Seabrook Island, South Carolina

Management is responsible for the accompanying financial statements of the Town of Seabrook Island, which comprise the balance sheet – modified cash basis as of September 30, 2023, and the related statement of revenue and expenditures – modified cash basis for the month and nine months then ended, and the accompanying supporting schedules, in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit substantially all the disclosures and the statement of cash flows required by accounting principles generally accepted in the United States of America. If the omitted disclosures and the statement of cash flows were included in the financial statements, they might influence the user's conclusions about the Company's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Duffy & Basha, LLC

Duffy & Basha, CPAs
Charleston, South Carolina
October 20, 2023

Town of Seabrook Island
Balance Sheet - Primary Government
Modified Cash Basis

September 30, 2023

Assets

Current Assets	
Operating Checking Account	\$ 2,936,794.69
Municipal Court Checking Account	11,202.78
Petty Cash	200.00
Prepaid Expenses	1,678.88
Total Current Assets	<u>2,949,876.35</u>
Other Assets	
Investments	<u>6,434,093.71</u>
Total Assets	<u>\$ 9,383,970.06</u>

Liabilities and Net Assets

Liabilities	
Current Liabilities	
Accounts Payable	\$ 3,540.42
Unearned Revenue	0.08
Other Accrued Liabilities	6,750.00
Total Liabilities	<u>10,290.50</u>
Net Assets	
Restricted Fund Balances	
Accommodations Tax	412,235.59
Charleston County Accommodations Tax	47,794.86
Town Accommodations Tax	76,769.34
Municipal Court	3,940.17
Alcohol Tax	45,174.95
Short-term Rental Permits	264,249.12
Total Restricted Fund Balances	<u>585,914.91</u>
Designated Fund Balances	
Emergency	2,320,834.77
Road & Drainage	1,310,120.22
Town Facilities	3,318,816.50
Vehicle Replacement	88,725.00
Conservation	50,000.00
Total Designated Fund Balances	<u>7,088,496.49</u>
General Fund	<u>1,435,019.04</u>
Total Fund Balances	<u>9,373,679.56</u>
Total Liabilities and Net Assets	<u>\$ 9,383,970.06</u>

Town of Seabrook Island
Statement of Revenues and Expenditures
Modified Cash Basis

For the Month and Nine Months Ended September 30, 2023

	Current Year				Prior Year-to-Date
	Current Month	Year to Date	Annual Budget	% of Annual Budget	
Revenues					
State ATAX (\$25k + 5%)	-	11,213.41	47,500.00	23.6%	11,728.86
Business Licenses	50,748.68	857,763.16	675,000.00	127.1%	602,538.29
Business Licenses - MASC	57,054.99	329,914.24	250,000.00	132.0%	280,528.96
Franchise Fees - Berkeley Elec.	-	-	170,000.00	-	-
Franchise Fees - ATT U-verse	-	1,992.94	5,000.00	39.9%	2,264.87
Franchise Fees - Comcast	-	32,700.20	55,000.00	59.5%	31,882.88
Contractual Reimbursements	-	-	5,000.00	-	1,175.00
Local Option Sales Tax - County	43,625.33	287,964.59	365,000.00	78.9%	271,224.34
Aid to Subdivisions - State	-	24,620.54	48,044.00	51.2%	23,680.75
Planning & Zoning Fees	19,994.85	115,256.37	75,000.00	153.7%	177,658.22
Building Permit Fees - County	-	29,995.13	25,000.00	120.0%	17,896.90
Interest - Investment Pool	26,821.59	222,549.60	125,000.00	178.0%	47,677.60
Interest - Checking Account	23.74	180.83	50.00	361.7%	76.34
Credit Card Convenience Fees	166.47	4,105.59	7,500.00	54.7%	3,138.37
Facility Rentals	-	50.00	50.00	100.0%	-
Miscellaneous Income	57.13	650.64	500.00	130.1%	976.23
Special Projects - Roadway.	-	-	-	-	300.00
Sale of Assets	-	-	100.00	-	-
Sales of Product Income	579.20	13,735.62	-	-	-
Grant Funding	-	-	25,000.00	-	-
Total Revenues	<u>199,071.98</u>	<u>1,932,692.86</u>	<u>1,878,744.00</u>	<u>102.9%</u>	<u>1,472,747.61</u>

Town of Seabrook Island
Statement of Revenues and Expenditures
Modified Cash Basis

For the Month and Nine Months Ended September 30, 2023

	Current Year			%	Prior Year-to-Date
	Current Month	Year to Date	Annual Budget		
Expenditures					
Salaries - Gross Wages	62,506.31	533,640.69	761,472.00	70.1%	354,575.00
Salaries - Overtime	356.40	1,307.08	2,000.00	65.4%	-
Fica	4,746.07	38,064.87	58,554.00	65.0%	26,785.83
Medical Insurance	5,158.98	68,324.14	77,781.00	87.8%	34,325.58
Sc Retirement	11,024.75	89,488.39	127,191.00	70.4%	60,776.88
Pre-Employment Expenses	-	5,375.93	1,500.00	358.4%	1,005.85
Insurance - Tort Liability	-	16,108.00	15,000.00	107.4%	13,736.00
Insurance - Fidelity Bond	-	764.00	800.00	95.5%	764.00
Insurance - Equipment	-	19,994.64	17,500.00	114.3%	15,079.45
Insurance - Workers Comp	-	730.00	7,500.00	9.7%	349.00
Insurance - Auto Liability	-	3,413.76	4,500.00	75.9%	2,444.85
Professional Services - Auditor (General Fund)	-	16,500.00	15,500.00	106.5%	14,900.00
Professional Service-Accounting	1,468.93	12,071.65	16,500.00	73.2%	11,095.21
Professional Svcs - Engineering	2,200.00	7,532.50	15,000.00	50.2%	4,091.51
Professional Services - Legal	3,648.24	20,518.12	25,000.00	82.1%	4,888.57
Professional Services - Other	524.48	7,634.45	52,000.00	14.7%	15,403.22
Maintenance - Seabrook Is. Road	-	6,421.65	20,000.00	32.1%	1,773.32
Maintenance - Town Hall	-	4,858.16	4,000.00	121.5%	2,138.13
Maintenance - Beach	1,308.00	2,328.90	5,000.00	46.6%	3,331.55
Maintenance - Vehicles	-	4,937.29	4,000.00	123.4%	5,338.47
Fuel Gas & Oil	669.41	6,205.75	7,200.00	86.2%	-
Office Materials And Supplies	583.91	8,306.72	9,500.00	87.4%	6,185.22
Materials & Supplies - Buildings & Grounds Manage	559.04	9,973.96	30,000.00	33.2%	25,364.66
Postage	-	2,596.58	4,500.00	57.7%	2,462.30
Planning And Zoning	-	28.00	500.00	5.6%	56.00
Printing And Scanning Services	79.20	10,167.19	7,500.00	135.6%	9,029.55
Uniforms	-	1,894.67	5,600.00	33.8%	1,045.55
Utilities	2,714.72	13,437.59	27,000.00	49.8%	16,659.06
Telecommunications	842.64	12,146.87	24,300.00	50.0%	10,968.01
Counsel & Committee Expense	-	606.14	1,500.00	40.4%	547.09
Furniture & Equipment	-	5,061.44	15,000.00	33.7%	15,212.22
Emergency Communications	-	-	7,500.00	-	4,788.00
Memberships, Dues & Subscriptio	827.44	22,573.15	39,150.00	57.7%	19,592.45
Election Expense	-	-	4,000.00	-	3,227.50
Bank Service Charges	22.70	794.00	2,500.00	31.8%	1,924.37
Square Fees	927.23	13,989.68	7,500.00	186.5%	2,925.65
Stripe Convenience Fees	-	-	-	-	3.10
Website	-	-	800.00	-	-
Emergency Preparedness	87.20	11,620.07	34,000.00	34.2%	12,769.20
Equipment Rentals	-	4,481.30	21,000.00	21.3%	5,105.80
Advertising	1,145.26	12,405.54	13,100.00	94.7%	7,859.64
Special Events	-	-	3,000.00	-	-
Travel And Training	635.30	5,197.95	15,750.00	33.0%	1,462.08
Community Promotions	-	3,483.58	7,500.00	46.4%	1,500.00
Contingency	720.00	2,232.81	30,000.00	7.4%	19,260.15
Contracted Services - It	4,614.10	33,675.63	42,000.00	80.2%	26,333.63
Contracted Services - Landscapi	2,625.00	43,073.42	57,500.00	74.9%	21,529.13
Contracted Services - Other	3,096.28	23,512.39	18,500.00	127.1%	21,746.13
Capital Expenditures	-	-	55,000.00	-	43,916.95
Total Expenditures	<u>113,091.59</u>	<u>1,107,218.65</u>	<u>1,722,198.00</u>	<u>64.3%</u>	<u>854,275.86</u>
Excess of Revenues Over (Under) Expenditures	<u>\$ 85,980.39</u>	<u>825,474.21</u>	<u>156,546.00</u>	<u>527.3%</u>	<u>618,471.75</u>

Town of Seabrook Island
Statement of Revenues and Expenditures
Modified Cash Basis

For the Month and Nine Months Ended September 30, 2023

	Current Year			% of Annual Budget	Prior Year-to-Date
	Current Month	Year to Date	Annual Budget		
Receipts to Be Used toward Restricted Fund Balances					
State Atax Fund Reserves					
State Atax (30%)	\$ -	67,280.46	135,000.00	49.8%	70,373.15
State Atax (65%)	-	145,774.31	292,500.00	49.8%	152,475.15
Interest Income	1,298.71	12,165.04	750.00	1622.0%	2,014.55
Total State Accomodation Tax	1,298.71	225,219.81	428,250.00		224,862.85
County Accomodations Tax - Charleston					
Receipts	-	52,649.29	95,000.00	55.4%	39,236.55
Interest Income	157.81	2,028.88	200.00	1014.4%	466.85
Total County Accomodations Tax - Charleston	157.81	54,678.17	95,200.00		39,703.40
Town Accomodations Tax - Charleston					
Receipts	39,078.43	116,077.61	180,000.00	64.5%	-
Interest Income	241.85	691.78	250.00	276.7%	-
Total County Accomodations Tax - Town	39,320.28	116,769.39	180,250.00		-
Court Fund					
Court Fines	1,283.75	8,749.01	7,500.00	116.7%	6,576.25
Law Enforcement Surcharge (State)	25.00	25.00	1,250.00	2.0%	-
State Assessment (County 11.16%)	18.00	18.00	900.00	2.0%	-
State Assessment (State 88.84%)	143.25	143.25	7,163.00	2.0%	-
Victim Advocate Surcharge (County)	25.00	25.00	1,250.00		-
Interest Income	12.41	46.29	150.00	30.9%	-
Total County Accomodations Tax - Town	1,507.41	9,006.55	18,213.00		6,576.25
Alcohol Tax					
Receipts	-	3,000.00	5,000.00	60.0%	5,000.00
Interest Income	142.32	1,292.98	150.00	862.0%	285.46
Total Alcohol Tax	142.32	4,292.98	5,150.00		5,285.46
ARPA					
Receipts	-	914,915.00	-	-	-
Total ARPA	-	914,915.00	-		-
STR Permit					
Receipts	3,232.49	264,699.12	234,000.00	113.1%	-
Total STR Permit	3,232.49	264,699.12	234,000.00		-
Total Restricted Fund Receipts	\$ 45,659.02	1,589,581.02	961,063.00	165.4%	276,427.96
Expenditures Used toward Restricted Fund Balances					
State Atax Fund Reserves					
Tourism Promotion (30%)	\$ -	67,280.46	135,000.00	49.8%	70,373.15
Tourism Related Expenditures (65%)	58,306.77	160,462.09	395,500.00	40.6%	167,197.11
Total State Accomodation Tax	58,306.77	227,742.55	530,500.00		237,570.26
County Accomodations Tax - Charleston					
Contracted Services - Beach Patrol	-	94,999.68	95,000.00	100.0%	41,364.00
Total County Accomodations Tax - Charleston	-	94,999.68	95,000.00		41,364.00
Town Accomodations Tax - Charleston					
Contracted Services - Beach Patrol	-	40,000.05	40,000.00	100.0%	-
Total Town Accomodations Tax	-	40,000.05	40,000.00		-
Court Fund					
Salaries - Gross Wages (Court Fund)	-	500.00	4,200.00	11.9%	1,075.00
FICA	-	-	322.00	-	-
SC Retirement	-	-	759.00	-	-
Jury Trials	-	-	1,650.00	-	-
Law Enforcement Surcharge (State)	125.00	1,600.00	1,250.00	128.0%	-
Professional Services - Auditor (Court Fund)	-	-	1,000.00	-	-
State Assessment (County 11.16%)	71.98	449.91	900.00	50.0%	356.90
State Assessment (State 88.84%)	573.02	2,581.47	7,163.00	36.0%	5,166.49
Travel & Training	-	-	750.00	-	-
Victim's Advocate Surcharge (County)	125.00	1,600.00	1,250.00	128.0%	325.00
Total Court Fund	895.00	6,731.38	19,244.00		6,923.39
Alcohol Tax					
Capital Expenditures	-	-	20,000.00	-	-
Total Alcohol Tax	-	-	20,000.00		-
Total Used Toward Restricted funds	\$ 59,201.77	369,473.66	704,744.00	52.4%	285,857.65

Town of Seabrook Island
Statement of Revenues and Expenditures
Modified Cash Basis

For the Month and Nine Months Ended September 30, 2023

	Current Year			% of Annual Budget	Prior Year-to- Date
	Current Month	Year to Date	Annual Budget		
Receipts to Be Used toward Designated Fund Balances					
Emergency Fund					
Emergency Fund Revenues	-	195.47	-	-	-
Total Emergency Fund	-	195.47	-		-
Total Designated Fund Receipts	<u>\$ -</u>	<u>195.47</u>	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures Used toward Designated Fund Balances					
Road and Drainage Fund					
Capital Expenditures	-	56,595.00	-	-	25,600.00
Total Road and Drainage Fund	-	56,595.00	-		25,600.00
Town Facilities Fund					
Capital Expenditures	7,348.50	42,598.50	-	-	5,500.00
Total Town Facilities Fund	7,348.50	42,598.50	-		5,500.00
Vehicle & Equipment Replacement Fund					
Vehicle & Equipment Replacement Fund Expenditures	-	-	-	-	39,000.00
Total Vehicle & Equipment Replacement Fund	-	-	-		39,000.00
Total Used Toward Designated funds	<u>\$ 7,348.50</u>	<u>99,193.50</u>	<u>-</u>	<u>-</u>	<u>70,100.00</u>
Other Financing Sources (Uses)					
Transfers					
Transfers In/(Out) - General Fund	-	(2,298,725.00)	(2,298,725.00)		(1,025,000.00)
Transfers In/(Out) - ARPA Fund	-	(914,915.00)	(914,915.00)		-
Transfers In/(Out) - Emergency Fund	-	100,000.00	100,000.00		100,000.00
Transfers In/(Out) - Road & Drainage Fund	-	50,000.00	50,000.00		750,000.00
Transfers In/(Out) - Town Facilities Fund	-	2,964,915.00	2,964,915.00		160,000.00
Transfers In/(Out) - Vehicle Replacement Fund	-	48,725.00	48,725.00		15,000.00
Transfers In/(Out) - Conservation Fund	-	50,000.00	50,000.00		-
Total Transfers	<u>\$ -</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

Supporting Schedules

**TOWN OF SEABROOK ISLAND
 ACCOMODATIONS TAX
 FYE 12/31/2023**

DATE		DUE FROM STATE	GENERAL 5%	ADVERT 30%	TOURISM 65%	TOTAL
	TOTALS 12/31/2022	67,012.58	-	-	414,758.33	414,758.33
	ADJUSTMENTS				-	-
	ADJUSTED BEGINNING BALANCE	67,012.58	-	-	414,758.33	414,758.33
Jan-23	Received from State	(67,012.58)	-	-	-	-
	Ck# 7719 Pyro Shows East Coast		-	-	(10,000.00)	(10,000.00)
	Interest Income		-	-	1,325.05	1,325.05
	TOTALS 1/31/2023	-	-	-	406,083.38	406,083.38
Feb-23	Ck# 7737 St. Johns Fire District		-	-	(18,500.00)	(18,500.00)
	Interest Income		-	-	1,286.15	1,286.15
	TOTALS 2/28/2023	-	-	-	388,869.53	388,869.53
Mar-23	Ck# 7763 CJM Concrete		-	-	(6,000.00)	(6,000.00)
	Ck# 7766 Scape a Lot				(2,375.00)	(2,375.00)
	Ck# 7770 Truist Bank				(511.65)	(511.65)
	Interest Income		-	-	1,259.32	1,259.32
	TOTALS 3/31/2023	-	-	-	381,242.20	381,242.20
Apr-23	Received from State		2,282.18	13,693.09	29,668.35	45,643.62
	Transfer to General Fund		(2,282.18)			(2,282.18)
	Truist Bank		-	-	(12,264.03)	(12,264.03)
	Interest Income		-	-	1,450.13	1,450.13
	TOTALS 4/30/2023	-	-	13,693.09	400,096.65	413,789.74
May-23	CK# 7803 Barrier Island Ocean Rescue		-	-	(21,268.26)	(21,268.26)
	Ck# 7804 Lowcountry Marine Mammal				(851.44)	(851.44)
	Truist Bank				(5,664.69)	(5,664.69)
	Ck# 7816 Charleston Area Conv Ctr			(13,693.09)		(13,693.09)
	Interest Income		-	-	1,315.56	1,315.56
	TOTALS 5/31/2023	-	-	-	373,627.82	373,627.82
Jun-23	CK# 7844 David Tabaka		-	-	(270.00)	(270.00)
	CK# 7840 Katharine Watkins				(54.46)	(54.46)
	Ck# 7851 Lowcountry Marine Mammal				(1,316.44)	(1,316.44)
	Truist Bank				(1,196.79)	(1,196.79)
	CK# 7860 Molly Durin Music LLC				(200.00)	(200.00)
	CK# 7865 Don Colton				(150.00)	(150.00)
	CK# 7880 Don Colton				(200.00)	(200.00)
	Interest Income		-	-	1,252.15	1,252.15
	TOTALS 6/30/2023	-	-	-	371,492.28	371,492.28

**TOWN OF SEABROOK ISLAND
 ACCOMODATIONS TAX
 FYE 12/31/2023**

DATE		DUE FROM STATE	GENERAL 5%	ADVERT 30%	TOURISM 65%	TOTAL
Jul-23	Truist Bank		-	-	(223.41)	(223.41)
	CK# 7893 The Time Pirates				(550.00)	(550.00)
	CK# 7895 Pyro Shows East Coast				(10,000.00)	(10,000.00)
	CK# 7897 Kevin Church				(550.00)	(550.00)
	Interest Income		-	-	1,284.93	1,284.93
	TOTALS 7/31/2023	-	-	-	361,453.80	361,453.80
Aug-23	Received from State		8,931.23	53,587.37	116,105.96	178,624.56
	Transfer to General Fund		(8,931.23)			(8,931.23)
	CK# 7916 Barrier Island Ocean Rescue		-	-	(3,109.33)	(3,109.33)
	Ck# 7917 Charleston Area Conv Ctr			(53,587.37)		(53,587.37)
	Ck# 7925 Lowcountry Marine Mammal				(1,859.87)	(1,859.87)
	CK# 7927 David Tabaka		-	-	(270.00)	(270.00)
	CK# 7930 Tapco				(4,419.95)	(4,419.95)
	CK# 7936 Molly Durin Music LLC				(350.00)	(350.00)
	Interest Income		-	-	1,693.04	1,693.04
	TOTALS 8/31/2023	-	-	-	469,243.65	469,243.65
Sep-23	CK# 7950 Barrier Island Ocean Rescue		-	-	(39,844.33)	(39,844.33)
	CK# 7961 Alan Fleming Tennis Tourn.				(17,000.00)	(17,000.00)
	Ck# 7963 Lowcountry Marine Mammal				(912.44)	(912.44)
	CK# 7968 The Time Pirates				(550.00)	(550.00)
	Interest Income		-	-	1,298.71	1,298.71
	TOTALS 9/30/2023	-	-	-	412,235.59	412,235.59

**TOWN OF SEABROOK ISLAND
CHARLESTON COUNTY ACCOMODATIONS TAX
FYE 12/31/2023**

DATE		DUE FROM COUNTY	REVENUES	EXPENDITURES	OTHER	TOTAL
	TOTALS 12/31/2022	-	-	-	-	88,116.37
	ADJUSTMENTS	-	-	-	-	-
	ADJUSTED BEGINNING BALANCE	-	-	-	-	88,116.37
Jan-23	Interest Income	-	-	-	157.96	157.96
	TOTALS 1/31/2023	-	-	-	157.96	88,274.33
Feb-23	Received from State	-	16,832.92	-	-	16,832.92
	Interest Income	-	-	-	216.41	216.41
	TOTALS 2/28/2023	-	16,832.92	-	157.96	105,323.66
Mar-23	Interest Income	-	-	-	349.06	349.06
	TOTALS 3/31/2023	-	16,832.92	-	507.02	105,672.72
Apr-23	Interest Income	-	-	-	371.63	371.63
	TOTALS 4/30/2023	-	16,832.92	-	878.65	106,044.35
May-23	Received from State	-	8,059.69	-	-	8,059.69
	Ck# 7803 Barrier Is. Ocean Rescue	-	-	(17,556.35)	-	(17,556.35)
	Interest Income	-	-	-	341.15	341.15
	TOTALS 5/31/2023	-	24,892.61	(17,556.35)	1,219.80	96,888.84
Jun-23	Ck# 7841 Barrier Is. Ocean Rescue	-	-	(39,844.33)	-	(39,844.33)
	Interest Income	-	-	-	192.92	192.92
	TOTALS 6/30/2023	-	24,892.61	(57,400.68)	1,412.72	57,237.43
Jul-23	Ck# 7891 Barrier Is. Ocean Rescue	-	-	(37,599.00)	-	(37,599.00)
	Interest Income	-	-	-	70.06	70.06
	TOTALS 7/31/2023	-	24,892.61	(94,999.68)	1,482.78	19,708.49
Aug-23	Received from State	-	27,756.68	-	-	27,756.68
	Interest Income	-	-	-	171.88	171.88
	TOTALS 8/31/2023	-	52,649.29	(94,999.68)	1,654.66	47,637.05
Sep-23	Interest Income	-	-	-	157.81	157.81
	TOTALS 9/30/2023	-	52,649.29	(94,999.68)	1,812.47	47,794.86

**TOWN OF SEABROOK ISLAND
TOWN ACCOMODATIONS TAX
FYE 12/31/2023**

DATE		DUE FROM COUNTY	REVENUES	EXPENDITURES	OTHER	TOTAL
	TOTALS 12/31/2022	-	-	-	-	-
	ADJUSTMENTS	-	-	-	-	-
	ADJUSTED BEGINNING BALANCE	-	-	-	-	-
Jan-23	Interest Income	-	-	-	-	-
	TOTALS 1/31/2023	-	-	-	-	-
Feb-23	Interest Income	-	-	-	-	-
	TOTALS 2/28/2023	-	-	-	-	-
Mar-23	Received from County	-	1,016.35	-	-	1,016.35
	Interest Income	-	-	-	3.37	3.37
	TOTALS 3/31/2023	-	1,016.35	-	-	1,019.72
Apr-23	Received from County	-	6,241.44	-	-	6,241.44
	Interest Income	-	-	-	25.54	25.54
	TOTALS 4/30/2023	-	6,241.44	-	25.54	7,286.70
May-23	Received from County	-	1,510.98	-	-	1,510.98
	Ck# 7803 Barrier Is. Ocean Rescue	-	-	(1,019.72)	-	(1,019.72)
	Interest Income	-	-	-	27.48	27.48
	TOTALS 5/31/2023	-	1,510.98	(1,019.72)	-	7,805.44
Jun-23	Received from County	-	18,177.62	-	-	18,177.62
	Ck# 7803 Barrier Is. Ocean Rescue	-	-	-	-	-
	Interest Income	-	-	-	87.87	87.87
	TOTALS 6/30/2023	-	18,177.62	-	87.87	26,070.93
Jul-23	Received from County	-	23,980.93	-	-	23,980.93
	Ck# 7871 Barrier Is. Ocean Rescue	-	-	(2,245.33)	-	(2,245.33)
	Interest Income	-	-	-	170.55	170.55
	TOTALS 7/31/2023	-	23,980.93	(2,245.33)	-	47,977.08
Aug-23	Received from County	-	26,071.86	-	-	26,071.86
	Ck# 7916 Barrier Is. Ocean Rescue	-	-	(36,735.00)	-	(36,735.00)
	Interest Income	-	-	-	135.12	135.12
	TOTALS 8/31/2023	-	26,071.86	(36,735.00)	-	37,449.06
Sep-23	Received from County	-	39,078.43	-	-	39,078.43
	Interest Income	-	-	-	241.85	241.85
	TOTALS 9/30/2023	-	39,078.43	-	241.85	76,769.34

TOWN OF SEABROOK ISLAND
MUNICIPAL COURT
FYE 12/31/2023

DATE	REVENUES	EXPENDITURES				TOTAL
		LE SURCHARG	COUNTY ASSESSMEN	STATE ASSESSMEN	VICTIM'S ADVOCARE	
TOTALS 12/31/2022	-	-	-	-	-	-
ADJUSTMENTS	-					-
ADJUSTED BEGINNING BALANCE	-	-	-	-	-	-
Jan-23	Interest Income	-				-
TOTALS 1/31/2023	-	-	-	-	-	-
Feb-23	Interest Income	-				-
TOTALS 2/28/2023	-	-	-	-	-	-
Mar-23	Court Fines	1,083.75				1,083.75
Ck# 4908 SC State Treasurer			(50.00)			(50.00)
Interest Income						-
TOTALS 3/31/2023	1,083.75	(50.00)	-	-	-	1,033.75
Apr-23	Interest Income	3.81				3.81
TOTALS 4/30/2023	1,087.56	(50.00)	-	-	-	1,037.56
May-23	Court Fines	361.25				361.25
Ck# 4910 SC State Treasurer			(75.00)	(389.76)		(464.76)
Ck# 4911 County Treasurer			(53.99)		(75.00)	(128.99)
Interest Income	3.02					3.02
TOTALS 5/31/2023	1,451.83	(125.00)	(53.99)	(389.76)	(75.00)	808.08
Jun-23	Interest Income	2.90				2.90
TOTALS 6/30/2023	1,454.73	(125.00)	(53.99)	(389.76)	(75.00)	810.98
Jul-23	Court Fines	6,020.26				6,020.26
Ck# 4912 SC State Treasurer			(25.00)	(143.25)		(168.25)
Ck# 4913 County Treasurer			(18.00)		(25.00)	(43.00)
Ck# 4914 SC State Treasurer		(1,325.00)		(480.41)		(1,805.41)
Ck# 4915 County Treasurer			(185.97)		(1,325.00)	(1,510.97)
Interest Income	11.96					11.96
TOTALS 7/31/2023	7,486.95	(1,475.00)	(257.96)	(1,013.42)	(1,425.00)	3,315.57
Aug-23	Interest Income	12.19				12.19
TOTALS 8/31/2023	7,499.14	(1,475.00)	(257.96)	(1,013.42)	(1,425.00)	3,327.76
Sep-23	Court Fines	1,495.00				1,495.00
Ck# 4910 SC State Treasurer		(125.00)		(573.02)		(698.02)
Ck# 4911 County Treasurer			(71.98)		(125.00)	(196.98)
Interest Income	12.41					12.41
TOTALS 9/30/2023	9,006.55	(1,600.00)	(329.94)	(1,586.44)	(1,550.00)	3,940.17

**TOWN OF SEABROOK ISLAND
MISCELLANEOUS RESTRICTED FUNDS
FYE 12/31/2023**

DATE	Alcohol Tax	American Rescue Plan Act (ARPA)	Short-Term Rental Permits
TOTALS 12/31/2022	40,881.97	-	-
ADJUSTMENTS	-	-	-
ADJUSTED BEGINNING BALANCE	40,881.97	-	-
Jan-23 Revenue		914,915.00	
Transferred to Town Facilities Fund		(914,915.00)	
Interest Income	115.50	-	-
TOTALS 1/31/2023	40,997.47	-	-
Feb-23 STR Permit Fees	-	-	3,725.00
Interest Income	124.19	-	-
TOTALS 2/28/2023	41,121.66	-	3,725.00
Mar-23 STR Permit Fees	-	-	1,850.00
Interest Income	136.28	-	-
TOTALS 3/31/2023	41,257.94	-	5,575.00
Apr-23 STR Permit Fees	-	-	133,225.00
Interest Income	145.10	-	488.14
TOTALS 4/30/2023	41,403.04	-	139,288.14
May-23 Received from State	3,000.00	-	-
STR Permit Fees			80,352.00
Interest Income	156.90	-	776.10
TOTALS 5/31/2023	44,559.94	-	220,416.24
Jun-23 STR Permit Fees			30,300.00
Interest Income	150.70	-	847.92
TOTALS 6/30/2023	44,710.64	-	251,564.16
Jul-23 STR Permit Fees	-	-	4,273.00
Interest Income	159.51	-	912.72
TOTALS 7/31/2023	44,870.15	-	256,749.88
Aug-23 STR Permit Fees	-	-	3,325.00
Interest Income	162.48	-	941.75
TOTALS 8/31/2023	45,032.63	-	261,016.63
Sep-23 STR Permit Fees			2,400.00
Interest Income	142.32	-	832.49
TOTALS 9/30/2023	45,174.95	-	264,249.12

**TOWN OF SEABROOK ISLAND
MISCELLANEOUS DESIGNATED FUNDS
FYE 12/31/2023**

DATE	Emergency	Road and Drainage	Town Facilities	Vehicle Replacement Fund	Conservation
TOTALS 12/31/2022	2,120,639.30	559,107.22	236,500.00	25,000.00	-
ADJUSTMENTS	100,000.00	750,000.00	160,000.00	15,000.00	-
ADJUSTED BEGINNING BALANCE	2,220,639.30	1,309,107.22	396,500.00	40,000.00	-
Jan-23	General Fund Transfers per Town Council Transferred from ARPA Fund	100,000.00	50,000.00	48,725.00	50,000.00
	Ck# 7701 Machael E Karamus Architect	-	914,915.00		
	Ck# 7703 Machael E Karamus Architect		(3,250.00)		
	Ck# 717 ESP Associates	(6,720.00)	(4,750.00)		
TOTALS 1/31/2023	2,320,639.30	1,352,387.22	3,353,415.00	88,725.00	50,000.00
Feb-23	No Activity	-		-	-
TOTALS 2/28/2023	2,320,639.30	1,352,387.22	3,353,415.00	88,725.00	50,000.00
Mar-23	Ck# 7769 Machael E Karamus Architect	-	(5,000.00)	-	-
	Ck# 7776 Machael E Karamus Architect		(2,500.00)		
TOTALS 3/31/2023	2,320,639.30	1,352,387.22	3,345,915.00	88,725.00	50,000.00
Apr-23	Ck# 7792 A.H. Schwacke & Assoc ACH - ESP Associates	-	(950.00)	-	-
		(5,845.00)			
TOTALS 4/30/2023	2,320,639.30	1,346,542.22	3,344,965.00	88,725.00	50,000.00
May-23	Received from State	14,845.99		-	
	Ck# 7819 ESP Associates		(10,320.00)		
	Ck# 7826 Seabrook Is. Utility Comm	(14,650.52)			
	Ck# 7821 Michael E Karamus Architect		(8,250.00)		
TOTALS 5/31/2023	2,320,834.77	1,336,222.22	3,336,715.00	88,725.00	50,000.00
Jun-23	No Activity	-		-	-
TOTALS 6/30/2023	2,320,834.77	1,336,222.22	3,336,715.00	88,725.00	50,000.00
Jul-23	Ck# 7881 ESP Associates	-	(8,352.00)	-	-
	Ck# 7889 Machael E Karamus Architect	-	(5,750.00)	-	-
	ESP Associates		(4,000.00)		
TOTALS 7/31/2023	2,320,834.77	1,327,870.22	3,326,965.00	88,725.00	50,000.00
Aug-23	Ck# 7919 ESP Associates	-	(12,135.00)	-	-
	Ck# 7933 ESP Associates	-	(5,615.00)	-	-
	ESP Associates		(800.00)		
TOTALS 8/31/2023	2,320,834.77	1,310,120.22	3,326,165.00	88,725.00	50,000.00
Sep-23	Ck# 7959 Machael E Karamus Architect	-	(848.50)	-	-
	Ck# 7962 ESP Associates	-	(6,500.00)	-	-
TOTALS 9/30/2023	2,320,834.77	1,310,120.22	3,318,816.50	88,725.00	50,000.00



MEMORANDUM

TO: Mayor Gregg & Members of Town Council
FROM: Tyler Newman, Zoning Administrator
SUBJECT: Rezoning Request: 2125 Royal Pine Drive
MEETING DATE: September 26, 2023

Town Council is asked to review and approve a rezoning request from the Seabrook Island Property Owners Association for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27 +/- acres located at 2125 Royal Pine Drive. The applicant is seeking to rezone the property from the Moderate Lot Single-Family (R-SF2) District to the Conservation (CP) District.

The property, which is currently vacant, is surrounded on two sides by parcels zoned Moderate Lot Single-Family (R-SF2). The rear of the property backs up to a lagoon, which contributes to its value as a conservation lot.

Subject to rezoning approval, this property is intended to remain as an undeveloped “open space” lot. Uses permitted within the CP district are limited to the following:

- (a) Accessory uses & structures
- (b) Bulkhead and erosion control devices
- (c) Community gardens
- (d) Open space preserves such as wetlands and wildlife habitat refuge areas
- (e) Greenways, boardwalks, and non-motorized trails/pathways
- (f) Open-air recreation uses (CONDITIONAL)
- (g) Utility substation or sub installation (CONDITIONAL)
- (h) Wireless communication antennas or towers (CONDITIONAL)

Pursuant to Development Standards Ordinance §19.3, in considering amendments to the official zoning map, the Planning Commission shall consider each of the seventeen criteria outlined in §19.3.B. Attached to this memo you will find the applicant’s narrative that addresses each of the criteria outlined in §19.3.B.

A copy of the draft rezoning ordinance is also attached for review.

Staff Recommendation:

Staff agrees with the applicant’s analysis of §19.3.B and recommends in favor of **APPROVAL** of the rezoning request.

Planning Commission Recommendation:

During its meeting on August 9, 2023, the Planning Commission unanimously recommended in favor of **APPROVAL** of Rezoning request.

Respectfully submitted,

Tyler Newman
Zoning Administrator

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-08

ADOPTED _____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 149-06-00-016, CONTAINING APPROXIMATELY 0.27 +/- ACRES LOCATED AT 2125 ROYAL PINE DRIVE, FROM THE MODERATE LOT SINGLE-FAMILY (R-SF2) DISTRICT TO THE CONSERVATION (CP) DISTRICT.

WHEREAS, on or about July 25, 2023, the Seabrook Island Property Owners Association filed Rezoning Application #90 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27 +/- acres located at 2125 Royal Pine Drive, from the Moderate Lot Single-Family (R-SF2) district to the Conservation (CP) district; and

WHEREAS, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on August 9, 2023, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was held on the above referenced rezoning application on September 26, 2023, as required by law;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Zoning Map Amendment. The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 149-06-00-016, containing approximately 0.27 +/- acres located at 2125 Royal Pine Drive, from the Moderate Lot Single-Family (R-SF2) district to Conservation (CP) district. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

SECTION 2. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: September 26, 2023
Public Hearing: September 26, 2023
Second Reading: October 24, 2023

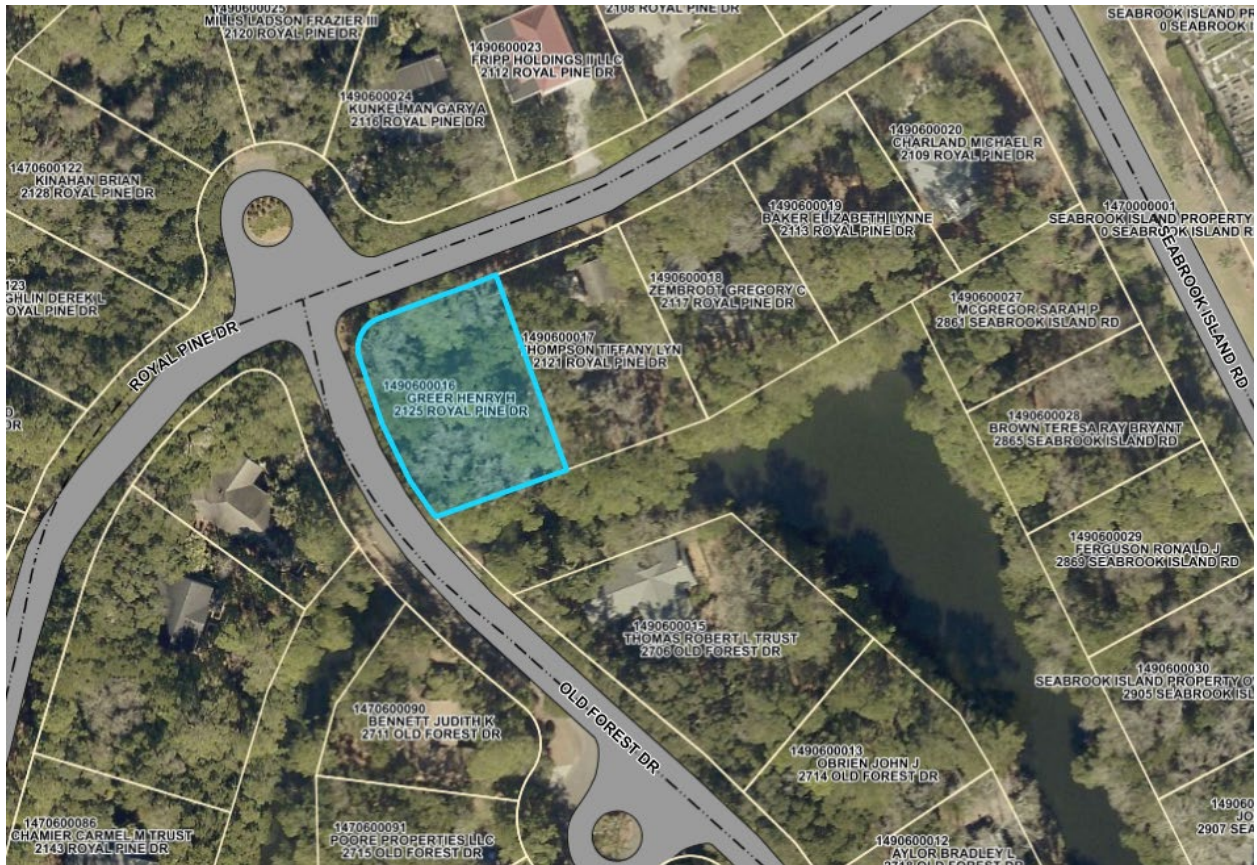
TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

EXHIBIT A



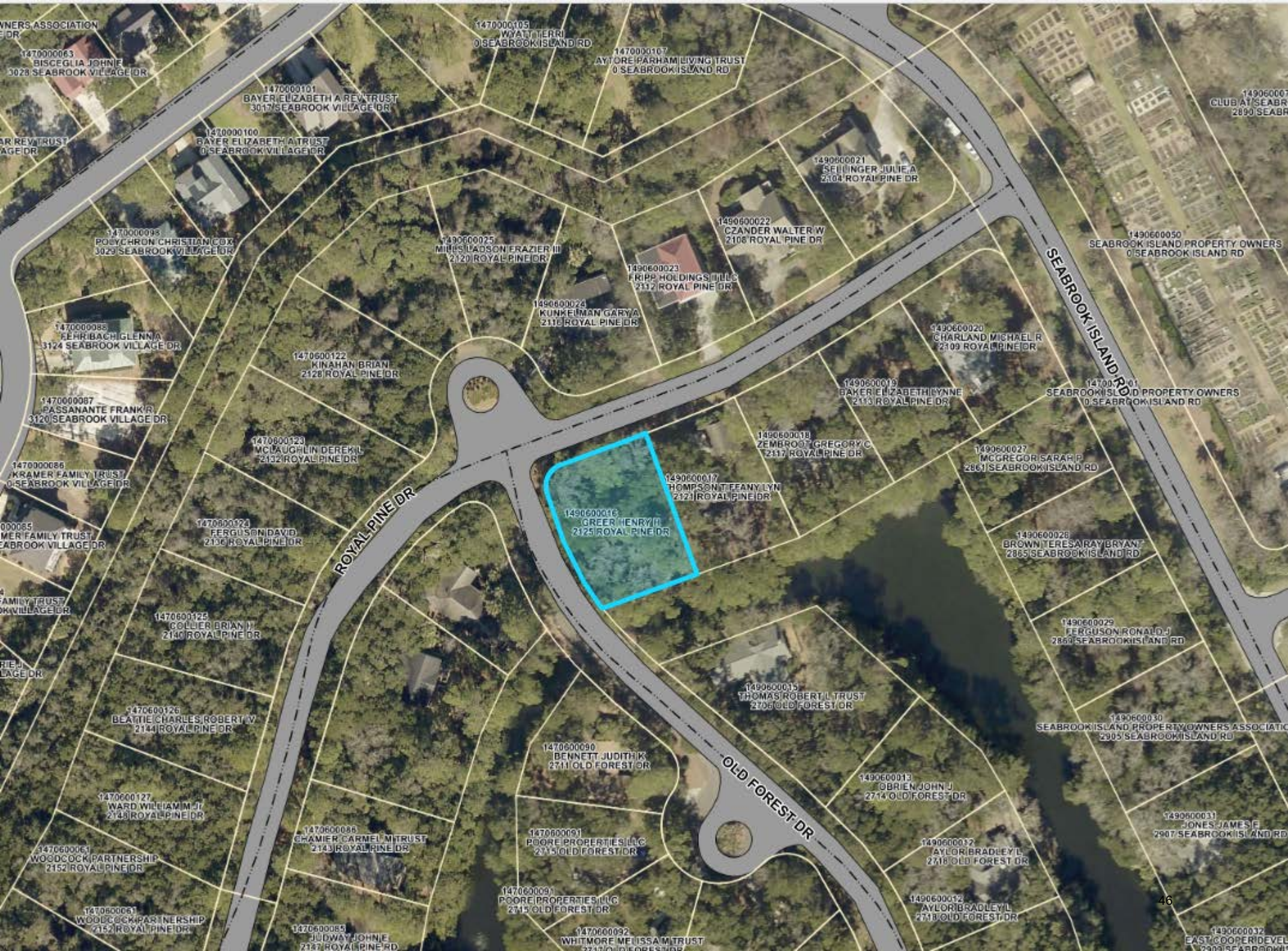
TMS #: 149-06-00-016

ADDRESS: 2125 Royal Pine Drive

ACREAGE: 0.27 (+/-)

CURRENT ZONING: Moderate Lot Single-Family (R-SF2)

PROPOSED ZONING: Conservation (CP)



149060016
GREER HENRY II
2125 ROYAL PINE DR

147000063
BISCEGLIA JOHNIE
3028 SEABROOK VILLAGE DR

1470000100
BAYER ELIZABETH A TRUST
0 SEABROOK VILLAGE DR

1470000105
WYATT TERRI
0 SEABROOK ISLAND RD

1470000107
AYTORE PARHAM LIVING TRUST
0 SEABROOK ISLAND RD

1490600021
SELLINGER JULIE A
2104 ROYAL PINE DR

1490600022
CZANDER WALTER W
2108 ROYAL PINE DR

1470000098
POLYCHRON CHRISTIAN C O X
3029 SEABROOK VILLAGE DR

1490600025
MILLS MADSON FRAZIER III
2120 ROYAL PINE DR

1490600023
FRIPP HOLDINGS III LLC
2112 ROYAL PINE DR

1490600050
SEABROOK ISLAND PROPERTY OWNERS
0 SEABROOK ISLAND RD

1470000088
FEHRBACH GLENN A
3124 SEABROOK VILLAGE DR

1490600024
KUNKELMAN GARY A
2110 ROYAL PINE DR

1490600020
CHARLAND MICHAEL R
2109 ROYAL PINE DR

1470600122
KINAHAN BRIAN
2128 ROYAL PINE DR

1490600019
BAKER ELIZABETH LYNNE
2133 ROYAL PINE DR

1470000001
SEABROOK ISLAND PROPERTY OWNERS
0 SEABROOK ISLAND RD

1470000087
PASSANANTE FRANK R
3120 SEABROOK VILLAGE DR

1470600123
MCLAUGHLIN DEREK L
2132 ROYAL PINE DR

1490600018
ZEMBOOT GREGORY C
2117 ROYAL PINE DR

1490600027
MCGREGOR SARAH P
2861 SEABROOK ISLAND RD

1470000086
KRAMER FAMILY TRUST
0 SEABROOK VILLAGE DR

1470600121
FERGUSON DAVID
2130 ROYAL PINE DR

1490600017
HOMPSON T FEANY LYN
2121 ROYAL PINE DR

1490600028
BROWN TERESA RAY BRYAN
2865 SEABROOK ISLAND RD

1470000085
KRAMER FAMILY TRUST
0 SEABROOK VILLAGE DR

1470600125
COLLIER BRIAN H
2140 ROYAL PINE DR

1490600029
FERGUSON RONALD J
2860 SEABROOK ISLAND RD

1470000084
KRAMER FAMILY TRUST
0 SEABROOK VILLAGE DR

1470600126
BEATTIE CHARLES ROBERT W
2144 ROYAL PINE DR

1490600015
THOMAS ROBERT L TRUST
2706 OLD FOREST DR

1490600030
SEABROOK ISLAND PROPERTY OWNERS ASSOCIATION
2905 SEABROOK ISLAND RD

1470000083
KRAMER FAMILY TRUST
0 SEABROOK VILLAGE DR

1470600090
BENNETT JUDITH K
2711 OLD FOREST DR

1490600013
OBRIEN JOHN J
2714 OLD FOREST DR

1470000082
KRAMER FAMILY TRUST
0 SEABROOK VILLAGE DR

1470600127
WARD WILLIAM JR
2148 ROYAL PINE DR

1470600088
GHAMIER CARMEL M TRUST
2143 ROYAL PINE DR

1470600091
POORE PROPERTIES LLC
2715 OLD FOREST DR

1490600012
AYLOR BRADLEY L
2718 OLD FOREST DR

1470600061
WOODCOCK PARTNERSHIP
2152 ROYAL PINE DR

1470600091
POORE PROPERTIES LLC
2715 OLD FOREST DR

1490600012
AYLOR BRADLEY L
2718 OLD FOREST DR

1470600061
WOODCOCK PARTNERSHIP
2152 ROYAL PINE DR

1470600085
JUDWAY JOHNIE
2147 ROYAL PINE DR

1470600092
WHITMORE MELISSA M TRUST
2717 OLD FOREST DR



TOWN OF SEABROOK ISLAND

2001 Seabrook Island Road
 Seabrook Island, SC 29455
 (843) 768-9121

Rezoning Application

USE THIS FORM FOR: Requests to rezone property within the Town limits of Seabrook Island (Also known as a "Map Amendment")

1. PROPERTY INFORMATION			
Property Address(es)	2125 Royal Pine Dr.		
Tax Map Number(s)	1490600016	Block #	40
		Lot #	43
Current Zoning	R-SF2	Proposed Zoning	Conservation (CP)
Current Use(s)	vacant lot	Proposed Use(s)	vacant lot
Is this property subject to private restrictions or covenants? (eg. SIPOA and/or Regime)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this property subject to an OCRM critical line? (eg. Marshfront or Beachfront Lots)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Lot Area (Acres or Ft ²)	11967.41	High Ground (Acres or Ft ²)	11967.41

2. APPLICANT INFORMATION	
Please provide information regarding the individual(s) who is (are) submitting the Rezoning Application.	
Applicant Name(s)	SIPOA
Applicant Address	1202 Landfall Way
Applicant Phone Number	843.768.0061
Applicant Email Address	hpaton@sipoa.org
If the Applicant(s) is (are) not the Property Owner(s), what is the Applicant(s)'s relationship to the Property Owner(s)?	



3. PROPERTY OWNER INFORMATION	
Please provide information for all Property Owner(s). The Property Owner name(s) must match those listed on the deed.	
Property Ownership Type	<input type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Eleemosynary <input type="checkbox"/> HOA/Regime <input type="checkbox"/> Partnership <input type="checkbox"/> Trust <input type="checkbox"/> Other
Property Owner Name(s)	SIPOA
Property Owner Address	1202 Landfall Way
Property Owner Phone Number	843.768.0061
Property Owner Email Address	hpaton@sipoa.org

4. OVERVIEW OF REQUEST	
Please provide a brief overview of the rezoning request.	
Parcel donated to SIPOA by SIGSC on July 25, 2023. Change zoning from R-SF2 to CP-Conservation.	

5. CERTIFICATION	
Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge. This form must be signed in the presence of the Zoning Administrator OR signatures must be notarized. (See Section 6)	
Applicant Signature	<i>Seabrook Island</i> Date 7/25/2023
Owner Signature(s)	Date
(If different from Applicant)	Date

OFFICE USE ONLY						
Date Received		Case #		Ordinance #		Adopted

6. ACKNOWLEDGEMENT

Zoning Administrator Signature	Date
- OR -	
Notary Certification (If not signed in the presence of the Zoning Administrator)	Notary's Official Seal
State of <u>South Carolina</u> ; County of <u>Charleston</u> One this <u>25</u> day of <u>July</u> 20 <u>23</u> , before me personally appeared the above signers who provided satisfactory evidence of his/her/their identification to be the person whose name(s) is (are) subscribed to this instrument and he/she/they acknowledged that he/she/they have executed the foregoing instrument by his/her/their signature(s) above. Sworn to (or affirmed) and subscribed before me this <u>25</u> day of <u>July</u> 20 <u>23</u> .  Official Signature of Notary My commission expires: <u>01/13/2027</u>	

7. APPLICATION MATERIALS

Rezoning Applications must be accompanied by the following supplemental materials, as applicable. An application is not considered "complete" until all required documentation has been received by the Zoning Administrator.

Required for ALL applications:

- Completed and signed Rezoning Application Form (Paper Required; PDF Optional)**
 - o Please submit one completed paper application.
 - o The application form must be signed by ALL property owners. Properties which are owned by an association, corporation, partnership, trust or similar entity may be signed by an individual with the authority to sign on behalf of the entity. All signatures must be original.
 - o The form must be signed in the presence of the Zoning Administrator or signatures must be notarized.
- Application Fee (See Schedule in Section 7)**
 - o Application fees may be paid by cash, check, or money order (payable to "Town of Seabrook Island"). Credit card payments will be accepted if paid in-person at Seabrook Island Town Hall.
- A narrative that explains the reason(s) for the rezoning request, the existing zoning designation of the property, the current or most recent use, the proposed zoning designation of the property, the intended use of the property upon rezoning, and how the request meets the criteria outlined in DSO Section 19.3.B (Paper or PDF Required)**
- Property survey (Paper or PDF Required)**
- A map or description detailing the existing zoning designation and land uses of all adjacent properties. (Paper or PDF Required)**
- Deed of record (Paper or PDF Required)**
- Traffic impact analysis (if deemed applicable by the Zoning Administrator). (Paper or PDF Required)**
- Any other information deemed relevant by the Zoning Administrator. (Paper or PDF Required)**

8. FEE SCHEDULE

Zoning Designation for Annexed Property	Fee Amount
Conservation (CP)	No Charge
All Zoning Designations Except CP and MU	\$250.00
Mixed Use (MU)	\$1,250.00 + \$10.00 Per Acre

Narrative regarding zone change request and Planning Commission considerations per DSO

This property is an undeveloped single family residential parcel that was donated to the Seabrook Island Greenspace Conservancy in 2023. The property was subsequently quit-claimed to SIPOA on 07/25/23 with conservation deed restrictions. The future use of the property is as undeveloped property perpetually preserved as Greenspace. This request is to change the zoning designation to conservation.

1. **Whether the proposed rezoning is consistent with the goals, policies, and future land use recommendations of the TOWN's COMPREHENSIVE PLAN;** The request to preserve a parcel as conserved space is consistent with the plan.
2. **Whether the intended use of the property is consistent with the intent and purpose of the district to which the property is proposed to be rezoned;** There are other conserved parcels in the nearby area. (illustration attached).
3. **Whether there are, have been, or are anticipated to be (pursuant to the COMPREHENSIVE PLAN) changing conditions in the surrounding area that would make approval of the proposed rezoning appropriate;** There are no anticipated changes in area conditions.
4. **Whether the range and intensity of uses allowed in the proposed zoning district will be compatible with permitted uses and intensities in the surrounding area;** The proposed use is compatible with the surrounding area. The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
5. **Whether adequate utilities, transportation, drainage, and other public or private infrastructure exist, or can reasonably be made available, to serve the range and intensity of uses allowed in the proposed zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
6. **Whether the range and intensity of uses allowed in the proposed zoning district will exceed the structural capacity of existing soils, and whether the allowable uses can be accommodated within the proposed zoning district without the excessive use of fill;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
7. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of stormwater runoff, overburden existing storm drainage infrastructure, or adversely impact surface water quality, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
8. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of vehicular and pedestrian traffic, or will adversely impact vehicular and pedestrian safety, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
9. **Whether the current zoning district prohibits or unreasonably restricts all economically beneficial use of the property, provided the hardship was not self-imposed by action of the property owner,** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.

10. **Whether the proposed rezoning will encourage commercial uses in areas designated for such activities in the COMPREHENSIVE PLAN;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. There is no commercial use anticipated.
11. **Whether the proposed rezoning will encourage the preservation of conservation lands, CRITICAL AREAs, natural resource areas, and OPEN SPACES in areas designated for such activities in the COMPREHENSIVE PLAN;** Yes. The property is being rezoned to conservation and the property will be perpetually preserved as green/open space.
12. **Whether the proposed zoning district will adversely impact the enjoyment of natural and scenic features by neighboring property owners or the public at large by allowing DEVELOPMENT of a certain size, scale, bulk, height, or type that is substantially out of character with the surrounding area;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. No development will be permitted.
13. **Whether the proposed rezoning will threaten the continued presence or integrity of archaeological or historic sites or features;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. The site will remain undisturbed.
14. **Whether the range and intensity of uses allowed in the proposed zoning district will adversely impact air and water quality, natural features, sensitive lands, vegetation, or wildlife habitat, when compared to the range and intensity of uses allowed in the current zoning district;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace and has no adverse impact on air and water quality, natural features, vegetation or wildlife habitat.
15. **Whether the range and intensity of uses allowed in the proposed zoning district will place a disproportionate burden upon, or otherwise exceed the capacity of, existing community facilities, when compared to the range of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace creating no burden on facilities.
16. **Whether future DEVELOPMENT on the property, if rezoned, will be accessible to essential public services, including, but not limited to, police, fire, emergency medical services; and sanitation;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. Public services are not required.
17. Such other factors as may be deemed appropriate by the PLANNING COMMISSION or TOWN

Assessor's Map is attached.

All adjacent parcels are single family residential.

#2125

4/0/43



CERTIFICATION

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN S.C. AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN.

LEGEND

- RBF = REBAR (FOUND)
- OTF = OPEN TOP PIPE (FOUND)
- CTF = CUMULATIVE TOP PIPE (FOUND)
- CP = CALCULATED POINT
- ET = ELECTRIC TRANSFORMER
- WV = WATER VALVE
- SS = STOP SIGN
- CTV = CABLE TV
- TP = TELEPHONE PEDESTAL

ROYAL PINE DRIVE (50' R/W)

OLD FOREST DRIVE (50' R/W)

LOT 42

LOT 43
11967.41 Sq. Feet
0.27 Acres

POND

S 73°13'36" W 60.46'
 A=13.15'
 R=923.05'
 D=0°48'59"
 T=6.58'
 N 72°21'52" E
 CH=13.15'

A=31.42'
 R=20.00'
 D=90°00'00"
 T=20.00'
 S 28°08'28" W
 CH=28.28'

N 16°51'28" W 49.42'

A=60.92'
 R=195.75'
 D=1749°55"
 T=30.71'
 S 25°55'16" E
 CH=60.68'

N 73°33'22" E 85.78'

S 17°37'10" E 130.11' (CORN)
 CURVE DATA: R=100.00', Δ=100.00', ΔC=100.00'

5/8" RIF (WITNESS IRON)
 IS 8.5" EAST OF PROPERTY LINE
 AND 9.24" NORTH OF ACTUAL CORNER
 S 14°22'32" E 9.24" TO ACTUAL CORNER

NOTES

1. REF.: PLAT BOOK AN, PAGE 76
DEED BOOK 1178, PAGE 674
2. PROPERTY OWNED BY:
SEABROOK ISLAND GREEN SPACE CONSERVANCY
3. T.M.S. NO. 149-06-00-016
4. THE ADDRESS IS: 2125 ROYAL PINE DRIVE
SEABROOK ISLAND, SC 29455
5. LOT AREA = 11,967.41 Sq Ft (0.27 Ac)
THE PROPERTY APPEARS TO BE LOCATED
IN FLOOD ZONE AE-10 AS SHOWN ON
MAP 45019C 0785 K, DATED JAN.29,2021.
7. SEE REFERENCE PLAT FOR ALL OTHER
GENERAL NOTES AND ANY SPECIAL NOTES.

PLAT

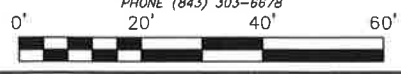
LOT 43
BLOCK 40

THE TOWN OF SEABROOK ISLAND

DATE: JULY 6, 2023
SCALE: 1"=20'
CHARLESTON COUNTY
SOUTH CAROLINA

JIM COBB L.L.C.
LAND SURVEYING

420 PRIESTLY ST. CHARLESTON, SC 29412
PHONE (843) 303-6678



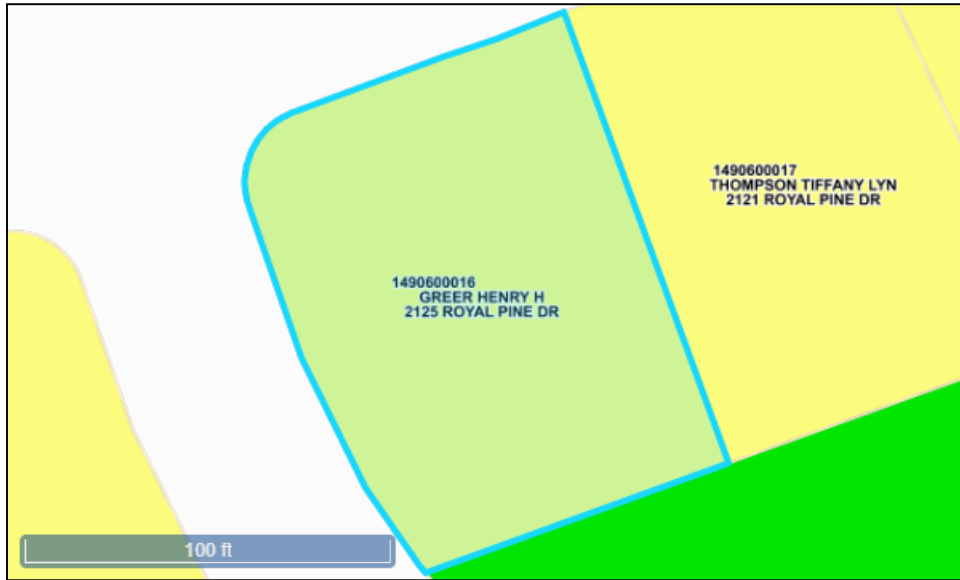
2125 Royal Pine Dr.dwg



Town of Seabrook Island

Property Zoning Report

26 Jul 2023



Parcels

Parcel ID: 1490600016
Owner: GREER HENRY H GREER LAUREL K
Owner Street Address: 3630 LOGGERHEAD CT
Owner City State ZIP Code: SEABROOK ISLAND, SC 29455
Parcel Street Address: 2125 ROYAL PINE DR

Zoning

Count	Zoning Code and Description	Overlapping Quantities
1.	1 R-SF2 - Residential - Single-Family (Medium Lot)	12,532.51sf (0.29acres)

Exhibit "A"

ALL that certain lot, piece or parcel of land, together with any improvements thereon, situate, lying and being on Seabrook Island, Charleston County, South Carolina, known and designated as Lot 43, Block 40, on a plat by E. M. Seabrook, Jr., C. E. and L.S., dated September 22, 1978, recorded in the RMC Office for Charleston County in Plat Book AN at page 76.

SAID lot having the size, shape, dimensions, buttings and boundings, more or less, as are shown on said plat which is specifically incorporated herein by reference.

Said property shall be held, transferred, sold and conveyed subject to the restriction that, except as may otherwise be provided herein, its use shall be limited to use as a Green Space (as defined herein), with no construction of any kind whatsoever permitted, provided however that removal of dead trees or dead animals is permitted and maintenance and improvements in the Seabrook Island storm water drainage system is authorized. In no event shall said property be used as an area for parking vehicles; domestic animal runs; boat, vehicle, or equipment storage; or any other use inconsistent with preserving the natural environment of said property. This restriction shall run with the property and be binding on all parties having any right, title or interest in said property or any part thereof and their respective heirs, successors, and assigns.

"Green Space" is defined as that gift of land or perpetual conservation easement which cannot be subdivided, sold or otherwise disposed of under conditions which would permit its use for erection of any structure whatsoever. Land and/or a perpetual conservation easement purchased by or donated to Grantor, its predecessor, or its successors, is required to remain in its natural state (i.e. - for the protection of flora, fauna, open spaces, and scenic vistas) and may be used only as agreed to by Grantor and the donor. Either the Grantor or the Grantee may remove dead or dying trees or animals from land and/or conservation easements as part of its management responsibilities.

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred is located at 2125 Royal Pine Drive, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 149-06-00-016 and was transferred by **Seabrook Island Green Space Conservancy, Inc.** to **Seabrook Island Property Owners Association** on July 25, 2023.
3. Check one of the following: The deed is
 - (a) ___ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) ___ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) **XX** exempt from the deed recording fee because (See Information section of affidavit): **Exemption No. 1 – CONSIDERATION PAID LESS THAN \$100.00** (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes ___ or No ___

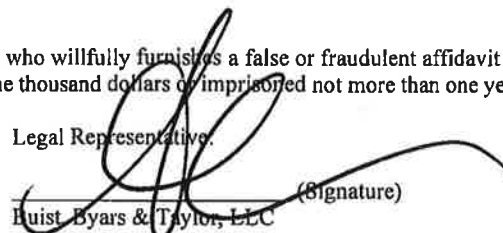
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit.):
 - (a) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____.
 - (b) ___ The fee is computed on the fair market value of the realty which is \$ _____.
 - (c) ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____.
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If YES, the amount of the outstanding balance of this lien or encumbrance is \$ _____.

6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: _____ 0.00
 - (b) Place the amount listed in item 5 above here: _____
 - (If no amount is listed, place zero here.)
 - (c) Subtract line 6(b) from Line 6(a) and place result here: _____ 0.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ _____.
8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Legal Representative

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Legal Representative:


Huist Byars & Taylor, LLC (Signature)

Sworn to before me this 25th
day of July, 2023.

Notary Public for South Carolina
My Commission Expires: _____


JULIA PHIPPS
Notary Public-State of South Carolina
My Commission Expires
October 08, 2030



MEMORANDUM

TO: Mayor Gregg & Members of Town Council
FROM: Tyler Newman, Zoning Administrator
SUBJECT: Rezoning Request: 2156 Royal Pine Drive
MEETING DATE: September 26, 2023

Town Council is asked to review and approve a rezoning request from the Seabrook Island Property Owners Association for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.317 +/- acres located at 2156 Royal Pine Drive. The applicant is seeking to rezone the property from the Moderate Lot Single-Family (R-SF2) District to the Conservation (CP) District.

The property, which is currently vacant, is surrounded on two sides by parcels zoned Moderate Lot Single-Family (R-SF2). The rear of the property backs up to parceled out open space, which contributes to its value as a conservation lot.

Subject to rezoning approval, this property is intended to remain as an undeveloped “open space” lot. Uses permitted within the CP district are limited to the following:

- (a) Accessory uses & structures
- (b) Bulkhead and erosion control devices
- (c) Community gardens
- (d) Open space preserves such as wetlands and wildlife habitat refuge areas
- (e) Greenways, boardwalks, and non-motorized trails/pathways
- (f) Open-air recreation uses (CONDITIONAL)
- (g) Utility substation or sub installation (CONDITIONAL)
- (h) Wireless communication antennas or towers (CONDITIONAL)

Pursuant to Development Standards Ordinance §19.3, in considering amendments to the official zoning map, the Planning Commission shall consider each of the seventeen criteria outlined in §19.3.B. Attached to this memo you will find the applicant’s narrative that addresses each of the criteria outlined in §19.3.B.

A copy of the draft rezoning ordinance is also attached for review.

Staff Recommendation:

Staff agrees with the applicant’s analysis of §19.3.B and recommends in favor of **APPROVAL** of the rezoning request.

Planning Commission Recommendation:

During its meeting on August 9, 2023, the Planning Commission unanimously recommended in favor of **APPROVAL** of Rezoning request.

Respectfully submitted,

Tyler Newman
Zoning Administrator

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-09

ADOPTED _____

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF SEABROOK ISLAND SO AS TO CHANGE THE ZONING DESIGNATION FOR CHARLESTON COUNTY TAX MAP NUMBER 147-06-00-062, CONTAINING APPROXIMATELY 0.317 +/- ACRES LOCATED AT 2156 ROYAL PINE DRIVE, FROM THE MODERATE LOT SINGLE-FAMILY (R-SF2) DISTRICT TO THE CONSERVATION (CP) DISTRICT.

WHEREAS, on or about July 25, 2023, the Seabrook Island Property Owners Association filed Rezoning Application #91 with the Town of Seabrook Island seeking to change the zoning designation of Charleston County Tax Map Number 147-06-00-062, containing approximately 0.317 +/- acres located at 2156 Royal Pine Drive, from the Moderate Lot Single-Family (R-SF2) district to the Conservation (CP) district; and

WHEREAS, the Seabrook Island Planning Commission reviewed the above referenced rezoning application during its regularly scheduled meeting on August 9, 2023, at which time the Planning Commission made a recommendation to the Mayor and Council that the rezoning request is in the best interest of the Town of Seabrook Island and is consistent with the Town's Comprehensive Plan; and

WHEREAS, a public hearing was held on the above referenced rezoning application on September 26, 2023, as required by law;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Zoning Map Amendment. The Official Zoning District Map of the Town of Seabrook Island is hereby amended to change the zoning designation for Charleston County Tax Map Number 147-06-00-062, containing approximately 0.317 +/- acres located at 2156 Royal Pine Drive, from the Moderate Lot Single-Family (R-SF2) district to Conservation (CP) district. A map of the property subject to this rezoning ordinance is attached hereto as Exhibit A.

SECTION 2. Severability. If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 3. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date. This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

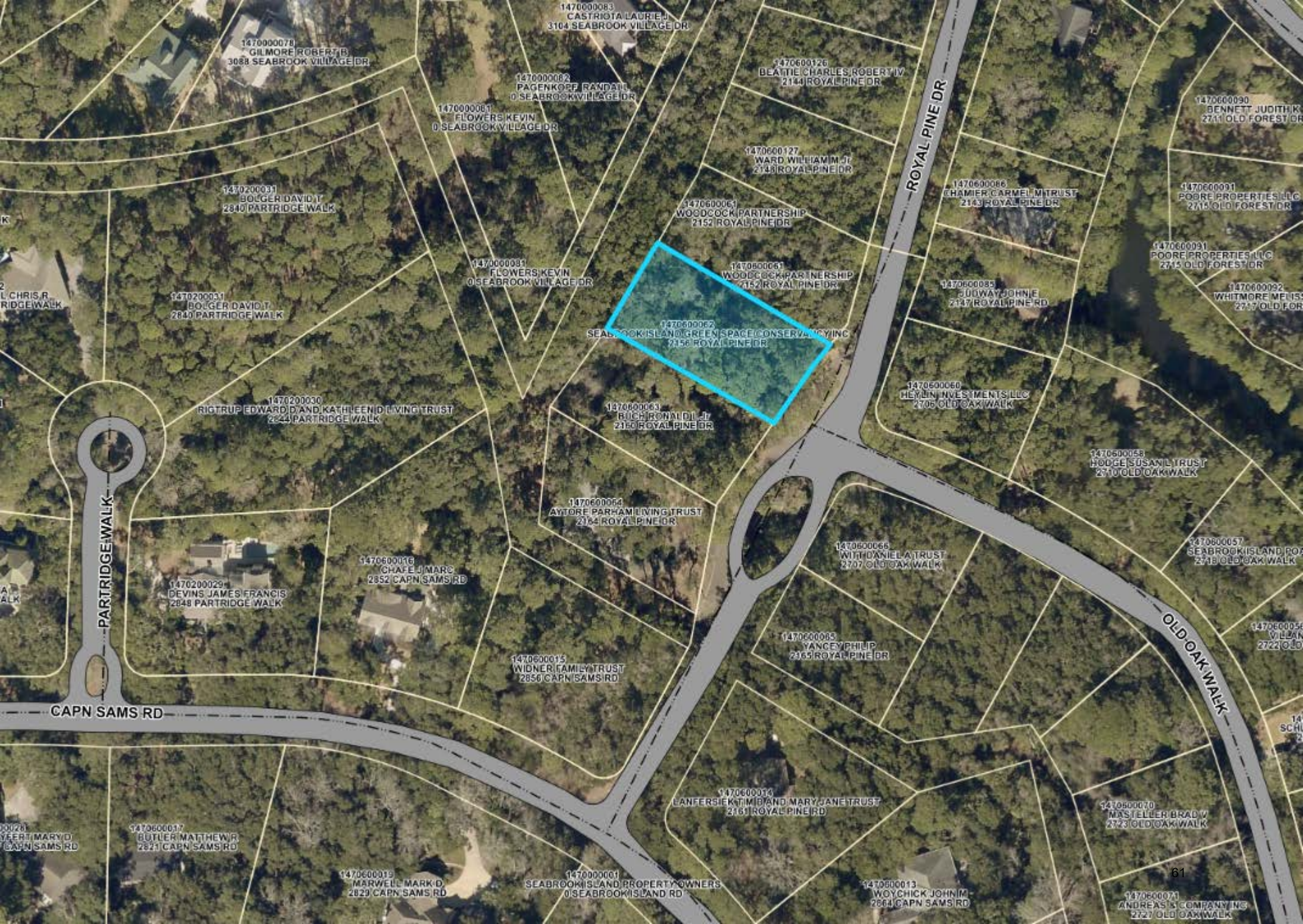
First Reading: September 26, 2023
Public Hearing: September 26, 2023
Second Reading: October 24, 2023

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk



147000083
CASTRIGTA LAUREN J
3104 SEABROOK VILLAGE DR

147000078
GILMORE ROBERT B
3088 SEABROOK VILLAGE DR

147000082
PAGENKOFF RANDALL
0 SEABROOK VILLAGE DR

1470600126
BEATTIE CHARLES ROBERT IV
2144 ROYAL PINE DR

147000081
FLOWERS KEVIN
0 SEABROOK VILLAGE DR

1470600127
WARD WILLIAM JR
2148 ROYAL PINE DR

1470600090
BENNETT JUDITH K
2741 OLD FOREST DR

1470200031
BOELGER DAVID T
2840 PARTRIDGE WALK

1470600061
WOODCOCK PARTNERSHIP
2152 ROYAL PINE DR

1470600086
CHAMIER CARMEL M TRUST
2143 ROYAL PINE DR

1470600091
POORE PROPERTIES LLC
2716 OLD FOREST DR

1470200031
BOELGER DAVID T
2840 PARTRIDGE WALK

147000081
FLOWERS KEVIN
0 SEABROOK VILLAGE DR

1470600061
WOODCOCK PARTNERSHIP
2152 ROYAL PINE DR

1470600085
DUNAWAY JOHN E
2147 ROYAL PINE DR

1470600091
POORE PROPERTIES LLC
2716 OLD FOREST DR

1470600092
WHITMORE MELISSA
2717 OLD FOREST DR

1470200030
RIGTRUP EDWARD D AND KATHLEEN D LIVING TRUST
2844 PARTRIDGE WALK

1470600063
RUCH RONALDI JR
2160 ROYAL PINE DR

1470600060
HEYLIN INVESTMENTS LLC
2705 OLD OAK WALK

1470600058
HODGE SUSAN L TRUST
2710 OLD OAK WALK

1470600064
AYTONE PARHAM LIVING TRUST
2164 ROYAL PINE DR

1470600066
WITT DANIEL A TRUST
2707 OLD OAK WALK

1470600057
SEABROOK ISLAND ROAD
2719 OLD OAK WALK

1470200029
DEVINS JAMES FRANCIS
2848 PARTRIDGE WALK

1470600018
CHAFE J MARC
2852 CAPN SAMS RD

1470600056
VILLAN
2722 OLD OAK WALK

1470600015
WIDNER FAMILY TRUST
2850 CAPN SAMS RD

1470600065
YANCEY PHILIP
2165 ROYAL PINE DR

CAPN SAMS RD

OLD OAK WALK

1470600017
VEERT MARY D
2821 CAPN SAMS RD

1470600017
BUTLER MATTHEW R
2821 CAPN SAMS RD

1470600016
LANFERSIEK TIM D AND MARY JANE TRUST
2161 ROYAL PINE DR

1470600070
MAYTELLER BRAD V
2723 OLD OAK WALK

1470600019
MARWELL MARK D
2829 CAPN SAMS RD

1470000001
SEABROOK ISLAND PROPERTY OWNERS
0 SEABROOK ISLAND DR

1470600013
WOYCHICK JOHN M
2864 CAPN SAMS RD

1470600071
ANDREAS COMPANY INC
2727 OLD OAK WALK



TOWN OF SEABROOK ISLAND

2001 Seabrook Island Road
 Seabrook Island, SC 29455
 (843) 768-9121

Rezoning Application

USE THIS FORM FOR: Requests to rezone property within the Town limits of Seabrook Island (Also known as a "Map Amendment")

1. PROPERTY INFORMATION			
Property Address(es)	2156 Royal Pine Dr.		
Tax Map Number(s)	147060062	Block #	44
		Lot #	03
Current Zoning	R-SF2	Proposed Zoning	Conservation (CP)
Current Use(s)	vacant lot	Proposed Use(s)	vacant lot
Is this property subject to private restrictions or covenants? (eg. SIPOA and/or Regime)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this property subject to an OCRM critical line? (eg. Marshfront or Beachfront Lots)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Total Lot Area (Acres or Ft ²)	.317 acres 13,805 sq.ft.	High Ground (Acres or Ft ²)	.317 acres 13,805 sq.ft.s

2. APPLICANT INFORMATION	
Please provide information regarding the individual(s) who is (are) submitting the Rezoning Application.	
Applicant Name(s)	SIPOA
Applicant Address	1202 Landfall Way
Applicant Phone Number	843.768.0061
Applicant Email Address	hpaton@sipoa.org
If the Applicant(s) is (are) not the Property Owner(s), what is the Applicant(s)'s relationship to the Property Owner(s)?	


3. PROPERTY OWNER INFORMATION	
Please provide information for all Property Owner(s). The Property Owner name(s) must match those listed on the deed.	
Property Ownership Type	<input type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input checked="" type="checkbox"/> Eleemosynary <input type="checkbox"/> HOA/Regime <input type="checkbox"/> Partnership <input type="checkbox"/> Trust <input type="checkbox"/> Other
Property Owner Name(s)	SIPOA
Property Owner Address	1202 Landfall Way
Property Owner Phone Number	843.768.0061
Property Owner Email Address	hpaton@sipoa.org

4. OVERVIEW OF REQUEST	
Please provide a brief overview of the rezoning request.	
Parcel donated to SIPOA by SIGSC on June 26, 2023. Change zoning from R-SF2 to CP-Conservation.	

5. CERTIFICATION	
Under penalty of perjury, I (we) hereby certify that the information contained in this application, including all supplemental materials, is true and accurate to the best of my (our) knowledge. This form must be signed in the presence of the Zoning Administrator OR signatures must be notarized. (See Section 6)	
Applicant Signature	<i>[Signature]</i> Date <i>7/25/2023</i>
Owner Signature(s) (If different from Applicant)	Date
	Date

OFFICE USE ONLY						
Date Received		Case #		Ordinance #		Adopted

6. ACKNOWLEDGEMENT

Zoning Administrator Signature	Date
- OR -	
Notary Certification (If not signed in the presence of the Zoning Administrator)	Notary's Official Seal
State of <u>South Carolina</u> ; County of <u>Charleston</u> One this <u>25</u> day of <u>July</u> 20 <u>23</u> , before me personally appeared the above signers who provided satisfactory evidence of his/her/their identification to be the person whose name(s) is (are) subscribed to this instrument and he/she/they acknowledged that he/she/they have executed the foregoing instrument by his/her/their signature(s) above. Sworn to (or affirmed) and subscribed before me this <u>25</u> day of <u>July</u> 20 <u>23</u> .  Official Signature of Notary My commission expires: <u>01/13/2027</u>	



7. APPLICATION MATERIALS

Rezoning Applications must be accompanied by the following supplemental materials, as applicable. An application is not considered "complete" until all required documentation has been received by the Zoning Administrator.

Required for ALL applications:

- Completed and signed Rezoning Application Form (Paper Required; PDF Optional)**
 - o Please submit one completed paper application.
 - o The application form must be signed by ALL property owners. Properties which are owned by an association, corporation, partnership, trust or similar entity may be signed by an individual with the authority to sign on behalf of the entity. All signatures must be original.
 - o The form must be signed in the presence of the Zoning Administrator or signatures must be notarized.
- Application Fee (See Schedule in Section 7)**
 - o Application fees may be paid by cash, check, or money order (payable to "Town of Seabrook Island"). Credit card payments will be accepted if paid in-person at Seabrook Island Town Hall.
- A narrative that explains the reason(s) for the rezoning request, the existing zoning designation of the property, the current or most recent use, the proposed zoning designation of the property, the intended use of the property upon rezoning, and how the request meets the criteria outlined in DSO Section 19.3.B (Paper or PDF Required)**
- Property survey (Paper or PDF Required)**
- A map or description detailing the existing zoning designation and land uses of all adjacent properties. (Paper or PDF Required)**
- Deed of record (Paper or PDF Required)**
- Traffic impact analysis (if deemed applicable by the Zoning Administrator). (Paper or PDF Required)**
- Any other information deemed relevant by the Zoning Administrator. (Paper or PDF Required)**

8. FEE SCHEDULE

Zoning Designation for Annexed Property	Fee Amount
Conservation (CP)	No Charge
All Zoning Designations Except CP and MU	\$250.00
Mixed Use (MU)	\$1,250.00 + \$10.00 Per Acre

Narrative regarding zone change request and Planning Commission considerations per DSO

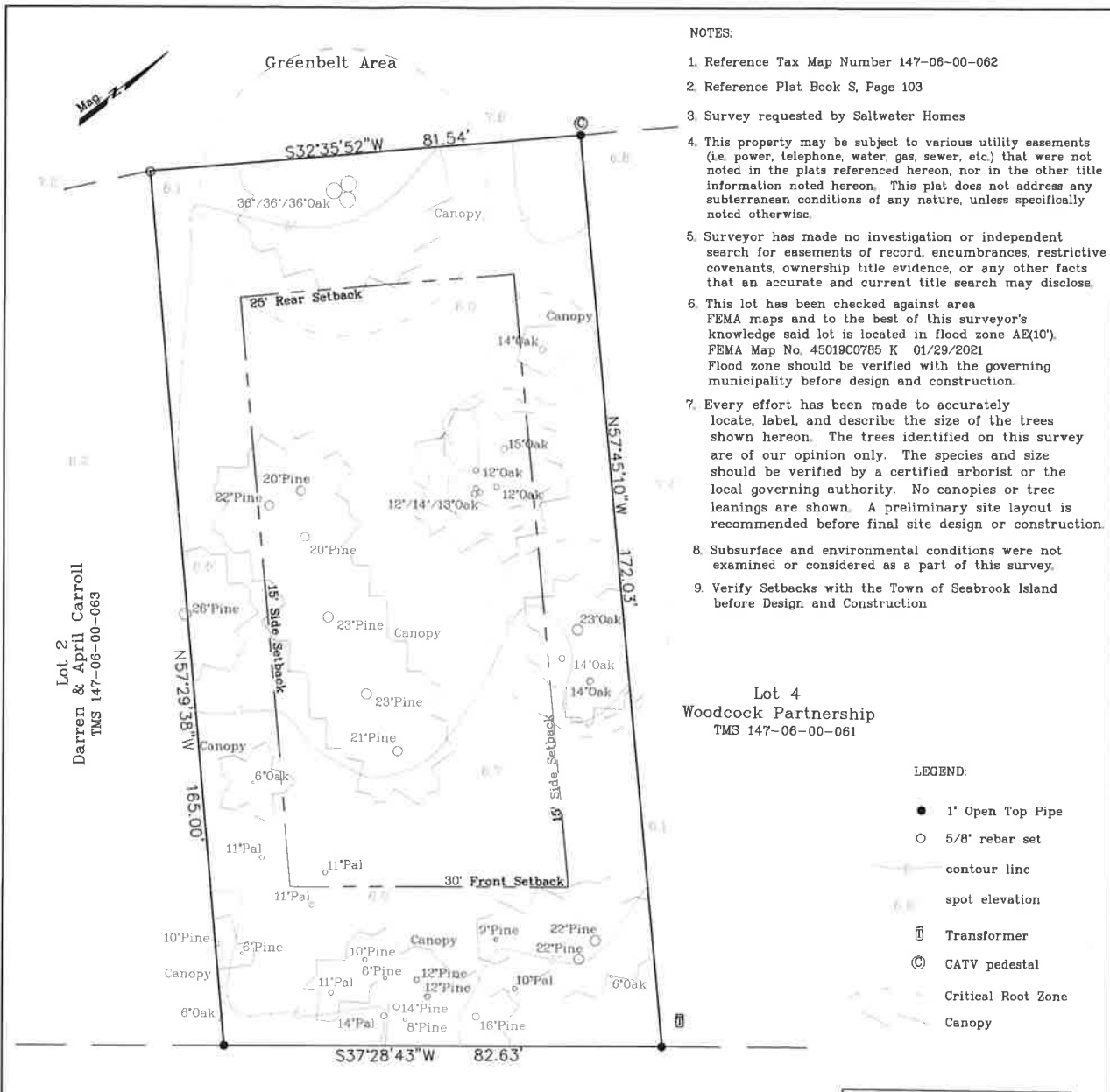
This property is an undeveloped single family residential parcel that was donated to the Seabrook Island Greenspace Conservancy in 2023. The property was subsequently quit-claimed to SIPOA on 06/26/23 with conservation deed restrictions. The future use of the property is as undeveloped property perpetually preserved as Greenspace. This request is to change the zoning designation to conservation.

1. **Whether the proposed rezoning is consistent with the goals, policies, and future land use recommendations of the TOWN's COMPREHENSIVE PLAN;** The request to preserve a parcel as conserved space is consistent with the plan.
2. **Whether the intended use of the property is consistent with the intent and purpose of the district to which the property is proposed to be rezoned;** There are other conserved parcels in the nearby area. (illustration attached).
3. **Whether there are, have been, or are anticipated to be (pursuant to the COMPREHENSIVE PLAN) changing conditions in the surrounding area that would make approval of the proposed rezoning appropriate;** There are no anticipated changes in area conditions.
4. **Whether the range and intensity of uses allowed in the proposed zoning district will be compatible with permitted uses and intensities in the surrounding area;** The proposed use is compatible with the surrounding area. The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
5. **Whether adequate utilities, transportation, drainage, and other public or private infrastructure exist, or can reasonably be made available, to serve the range and intensity of uses allowed in the proposed zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
6. **Whether the range and intensity of uses allowed in the proposed zoning district will exceed the structural capacity of existing soils, and whether the allowable uses can be accommodated within the proposed zoning district without the excessive use of fill;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
7. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of stormwater runoff, overburden existing storm drainage infrastructure, or adversely impact surface water quality, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
8. **Whether the range and intensity of uses allowed in the proposed zoning district will substantially increase the volume of vehicular and pedestrian traffic, or will adversely impact vehicular and pedestrian safety, when compared to the range and intensity of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.
9. **Whether the current zoning district prohibits or unreasonably restricts all economically beneficial use of the property, provided the hardship was not self-imposed by action of the property owner,** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace.

10. **Whether the proposed rezoning will encourage commercial uses in areas designated for such activities in the COMPREHENSIVE PLAN;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. There is no commercial use anticipated.
11. **Whether the proposed rezoning will encourage the preservation of conservation lands, CRITICAL AREAs, natural resource areas, and OPEN SPACES in areas designated for such activities in the COMPREHENSIVE PLAN;** Yes. The property is being rezoned to conservation and the property will be perpetually preserved as green/open space.
12. **Whether the proposed zoning district will adversely impact the enjoyment of natural and scenic features by neighboring property owners or the public at large by allowing DEVELOPMENT of a certain size, scale, bulk, height, or type that is substantially out of character with the surrounding area;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. No development will be permitted.
13. **Whether the proposed rezoning will threaten the continued presence or integrity of archaeological or historic sites or features;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. The site will remain undisturbed.
14. **Whether the range and intensity of uses allowed in the proposed zoning district will adversely impact air and water quality, natural features, sensitive lands, vegetation, or wildlife habitat, when compared to the range and intensity of uses allowed in the current zoning district;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace and has no adverse impact on air and water quality, natural features, vegetation or wildlife habitat.
15. **Whether the range and intensity of uses allowed in the proposed zoning district will place a disproportionate burden upon, or otherwise exceed the capacity of, existing community facilities, when compared to the range of uses allowed in the current zoning district;** NA The property is being rezoned to conservation and the property will be perpetually preserved as greenspace creating no burden on facilities.
16. **Whether future DEVELOPMENT on the property, if rezoned, will be accessible to essential public services, including, but not limited to, police, fire, emergency medical services; and sanitation;** The property is being rezoned to conservation and the property will be perpetually preserved as greenspace. Public services are not required.
17. Such other factors as may be deemed appropriate by the PLANNING COMMISSION or TOWN

Assessor's Map is attached.

All adjacent parcels are single family residential.



NOTES:

1. Reference Tax Map Number 147-06-00-062
2. Reference Plat Book S, Page 103
3. Survey requested by Saltwater Homes
4. This property may be subject to various utility easements (i.e. power, telephone, water, gas, sewer, etc.) that were not noted in the plats referenced hereon, nor in the other title information noted hereon. This plat does not address any subterranean conditions of any nature, unless specifically noted otherwise.
5. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
6. This lot has been checked against area FEMA maps and to the best of this surveyor's knowledge said lot is located in flood zone AE(10). FEMA Map No. 45019C0785 K 01/29/2021 Flood zone should be verified with the governing municipality before design and construction.
7. Every effort has been made to accurately locate, label, and describe the size of the trees shown hereon. The trees identified on this survey are of our opinion only. The species and size should be verified by a certified arborist or the local governing authority. No canopies or tree leanings are shown. A preliminary site layout is recommended before final site design or construction.
8. Subsurface and environmental conditions were not examined or considered as a part of this survey.
9. Verify Setbacks with the Town of Seabrook Island before Design and Construction

Lot 4
Woodcock Partnership
TMS 147-06-00-061

LEGEND:

- 1' Open Top Pipe
- 5/8" rebar set
- contour line
- spot elevation
- ⊞ Transformer
- ⊙ CATV pedestal
- ▭ Critical Root Zone
- Canopy

Project Elevation Datum
NAVD 1988

Royal Pine Drive (R/W Varies)

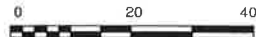
Lot Total Area
13,805 Square Feet
0.317 Acres

Intersection of
Old Oak Walk

● Temporary Benchmark
Large Magnetic Nail
Elev.=5.7'

Tree and Topographic Survey
Lot 3, Block 44
2156 Royal Pine Drive
Located
Town of Seabrook Island
Charleston County, South Carolina

FIELD DATE: January 12, 2021 SCALE 1"= 20'
DRAWING DATE: February 8, 2021



I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown



2551 ASHLEY RIVER ROAD
CHARLESTON, SC 29414
PHONE(843)571-5191
FAX(843)571-7447
PalmettoLandSurveying@gmail.com

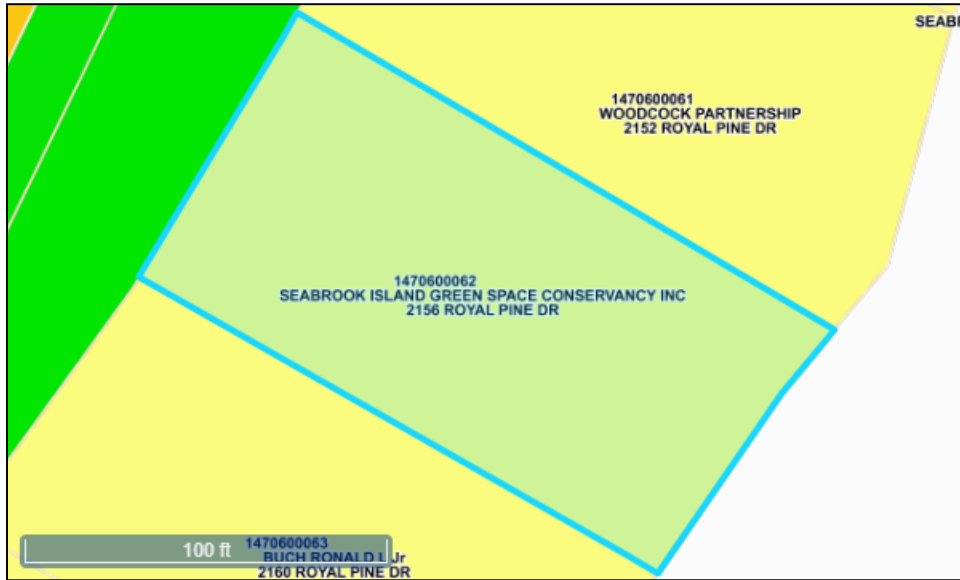


James G. Penington, P.L.S. No. 10291
Palmetto Land Surveying, Inc.
2551 Ashley River Road
Charleston, S.C. 29414 571-5191

Town of Seabrook Island

Property Zoning Report

26 Jul 2023



Parcels

Parcel ID: 1470600062
Owner: SEABROOK ISLAND GREEN SPACE CONSERVANCY INC
Owner Street Address: 185
Owner City State ZIP Code: JOHNS ISLAND, SC 29457
Parcel Street Address: 2156 ROYAL PINE DR

Zoning

Count	Zoning Code and Description	Overlapping Quantities
1.	1 R-SF2 - Residential - Single-Family (Medium Lot)	14,019.95sf (0.32acres)

WITNESS its hand and seal this 26th day of June, 2023.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Seabrook Island Green Space Conservancy,
Inc.

Witness #1



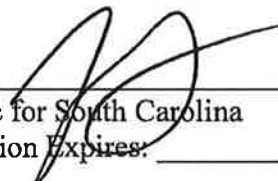
BY: Carl Voelker
ITS: Vice President and Chair of Acquisitions

Witness #2



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me, this 26th day of June, 2023, by Seabrook Island Green Space Conservancy, Inc., by Carl Voelker, its Vice President and Chair of Acquisitions.

 (SEAL)
Notary Public for South Carolina
My Commission Expires: _____

JULIA PHIPPS
Notary Public-State of South Carolina
My Commission Expires
October 08, 2030

Exhibit "A"

All of that certain tract of land situate, lying and being on Seabrook Island, in the County of Charleston, State of South Carolina, and being known and designated as all of Lot 3, Block 44, on a plat by E. M. Seabrook, Jr., dated May 23, 1978, recorded in Plat Book S, page 103, and as further shown on a plat by E. M. Seabrook, Jr., dated November 21, 1978, recorded in Plat Book AM, page 11, in the office of the RMC for Charleston County, S.C., which plats are by reference incorporated herein.

Said property shall be held, transferred, sold and conveyed subject to the restriction that, except as may otherwise be provided herein, its use shall be limited to use as a Green Space (as defined herein), with no construction of any kind whatsoever permitted, provided however that removal of dead trees or dead animals is permitted and maintenance and improvements in the Seabrook Island storm water drainage system is authorized. In no event shall said property be used as an area for parking vehicles; domestic animal runs; boat, vehicle, or equipment storage; or any other use inconsistent with preserving the natural environment of said property. This restriction shall run with the property and be binding on all parties having any right, title or interest in said property or any part thereof and their respective heirs, successors, and assigns.

"Green Space" is defined as that gift of land or perpetual conservation easement which cannot be subdivided, sold or otherwise disposed of under conditions which would permit its use for erection of any structure whatsoever. Land and/or a perpetual conservation easement purchased by or donated to Grantor, its predecessor, or its successors, is required to remain in its natural state (i.e. - for the protection of flora, fauna, open spaces, and scenic vistas) and may be used only as agreed to by Grantor and the donor. Either the Grantor or the Grantee may remove dead or dying trees or animals from land and/or conservation easements as part of its management responsibilities.

Said property is subject to all applicable covenants, conditions, restrictions, limitations, obligations and easements of record affecting subject property.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

AFFIDAVIT FOR TAXABLE OR EXEMPT TRANSFERS

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property being transferred is located at 2156 Royal Pine Drive, Seabrook Island, SC 29455 bearing Charleston County Tax Map Number 147-06-00-062 and was transferred by **Seabrook Island Green Space Conservancy, Inc. to Seabrook Island Property Owners Association** on June 26, 2023.
3. Check one of the following: The deed is
 - (a) ___ subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) ___ subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as distribution to a trust beneficiary.
 - (c) **XX** exempt from the deed recording fee because (See Information section of affidavit): **Exemption No. 1 – CONSIDERATION PAID LESS THAN \$100.00** (If exempt, please skip items 4-7, and go to item 8 of this affidavit.)

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty? Check Yes ___ or No ___

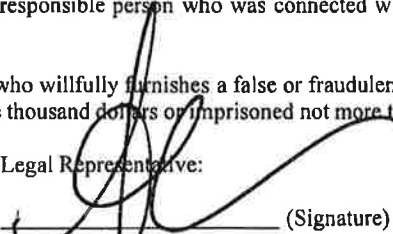
4. Check one of the following if either item 3(a) or item 3(b) above has been checked (See information section of this affidavit):
 - (a) ___ The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$ _____
 - (b) ___ The fee is computed on the fair market value of the realty which is \$ _____
 - (c) ___ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____
5. Check YES ___ or NO ___ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If YES, the amount of the outstanding balance of this lien or encumbrance is \$ _____.

6. The deed recording fee is computed as follows:
 - (a) Place the amount listed in item 4 above here: 0.00
 - (b) Place the amount listed in item 5 above here: _____
(If no amount is listed, place zero here.)
 - (c) Subtract line 6(b) from Line 6(a) and place result here: 0.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is: \$ _____.


8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Legal Representative

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Legal Representative: 

Buis, Byars & Taylor, LLC (Signature)

Sworn to before me this 26th
day of June, 2023.



Notary Public for South Carolina
My Commission Expires: _____

JULIA PHIPPS
Notary Public-State of South Carolina
My Commission Expires
October 08, 2030

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-11

ADOPTED _____

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF A NOT TO EXCEED \$5,500,000 GENERAL OBLIGATION BOND, SERIES 2023, OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, OF THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA OR ONE OR MORE NOTES ISSUED IN ANTICIPATION THEREOF TO PAY THE COSTS OF REPAIRS, REPLACEMENTS AND DEBRIS REMOVAL ARISING FROM A MAJOR OR CATASTROPHIC STORM EVENT OF NATURAL DISASTER AND THE COST OF ISSUANCE OF SUCH BOND OR NOTES; FIXING THE FORM AND DETAILS OF THE BOND; AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR, OR EITHER OF THEM ACTING ALONE, TO PRESCRIBE CERTAIN DETAILS RELATING TO THE BOND; PROVIDING FOR THE PAYMENT OF THE BOND AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

PURSUANT TO THE AUTHORITY GRANTED BY THE CONSTITUTION AND THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND, S.C., AS FOLLOWS:

SECTION 1. The Town Council (the "Council") of the Town of Seabrook Island, South Carolina (the "Town"), hereby finds and determines:

- (a) The Town is an incorporated municipality located in Charleston County, South Carolina (the "County"), and as such possesses all powers granted to municipalities by the Constitution and general law of the State of South Carolina.
- (b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each municipality of the State of South Carolina for any public and corporate purpose in an amount not exceeding eight (8%) percent of the assessed value of all taxable property of such municipality and upon such terms and conditions as the General Assembly may prescribe. Such Article further provides that if general obligation debt is authorized by a majority vote of the qualified electors of the municipality voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in such Article.
- (c) Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Municipal Bond Act"), provides that the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limitation applicable to such municipality.
- (d) The Municipal Bond Act provides that as a condition precedent to the issuance of Bond an election be held and the result be favorable thereto. Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended (generally, the "South Carolina Code"), provides that if an

election be prescribed by the provisions of the Municipal Bond Act, but not be required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions.

- (e) The assessed value of all the taxable property in the Town for tax year 2022 (fiscal year ended June 30, 2023), the last completed assessment thereof, is approximately \$83,994,302. Eight percent of such sum is \$6,719,544.16. As of the date hereof, the Town has no outstanding bonded and general obligation indebtedness subject to the Constitutional debt limit and may presently incur \$6,719,544.16 of general obligation bonded indebtedness.
- (f) It is now in the best interest of the Town for the Council to provide for the issuance and sale of a not to exceed \$5,500,000 general obligation bond of the Town, the proceeds of which will be used: (i) to pay the costs of repairs, replacements and debris removal (including capital improvements) arising from a major or catastrophic storm event or natural disaster; and (ii) to pay costs of issuance of the Bond or, subject to Section 12 hereof, to pay at maturity or redeem prior to maturity any Notes (as defined herein) issued hereunder.

SECTION 2. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued a not to exceed \$5,500,000 general obligation bond(s) of the Town (the "Bond") for the purposes listed in Section 1(f) above. The Bond shall be designated "\$5,500,000 (or such other amount as may be issued) General Obligation Bond, Series 2023 (or such other appropriate series designation) of the Town of Seabrook Island, South Carolina."

The Bond shall be issued as a fully-registered Bond; shall be dated as of the date of its delivery; shall be numbered from R-1; shall bear interest at such time as hereafter designated by the Committee (as defined herein), at such rate or rates as may be determined at the time of the sale thereof; and shall mature serially on a date not to exceed five years from the issuance date thereof, and in successive annual installments and such amounts, all as determined by the Committee.

Both the principal of and interest on the Bond shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

SECTION 3. The Council hereby delegates to a committee, consisting of the Mayor and one Council member chosen by the Mayor (collectively, the "Committee"), the authority to determine (a) the maturity dates, the principal payment dates and principal amounts of the Bond and how such amounts are paid; (b) the interest rates and interest payment dates of the Bond; (c) redemption provisions, if any, for the Bond; (d) the date and time of sale of the Bond; and (e) whether the Bond is sold at private or public sale.

The Council hereby delegates to the Committee the authority to determine whether to negotiate with one or more banks or financial institutions or to prepare a Notice of Sale for the Bond and receive bids on behalf of the Council from one or more potential purchasers, and to award the sale of the Bond to a single bank or financial institution or to the bidder therefor whose bid the Committee determines to be the most advantageous to the Town in accordance with the Notice of Sale for the

Bond, following the receipt of one or more bids, provided in all events the net interest cost does not exceed 6% per annum. After the sale of the Bond, the Mayor and the Town Administrator, or either of them acting alone, shall submit a written report to the Council setting forth the results of the sale of the Bond.

The Bond shall be executed in the name of the Town with the manual signature of the Mayor of the Town attested by the manual signature of the Town Clerk of the Town under the seal of the Town to be impressed or affixed thereon.

SECTION 4. The Bond shall be in substantially in the form attached hereto as Exhibit A and incorporated herein by reference.

SECTION 5. If the Bond is to be sold at private sale, not less than seven (7) days prior to the delivery of the Bond, then notice of intention to sell the Bond at private sale shall be given by publication in a newspaper of general circulation in the Town pursuant to Section 9 hereof. If the Bond is to be sold at public sale, then a summary of such Notice of Sale shall be published in a newspaper of general circulation in the State of South Carolina not less than seven (7) days prior to the date set for such sale.

SECTION 6. The full faith, credit and taxing power of the Town are hereby irrevocably pledged for the payment of the principal of and interest on the Bond as it matures, and for the creation of such sinking fund as may be necessary therefor. There shall be levied and collected annually by the Town Clerk of the Town a tax, without limit, on all taxable property in the Town sufficient to pay the principal of and interest on the Bond as it matures and to create such sinking fund as may be necessary therefor.

SECTION 7. Both the principal of and interest on the Bond shall be exempt from all State, county, municipal, town, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

SECTION 8. The proceeds derived from the sale of the Bond shall be deposited in a special fund, separate and distinct from all other funds, and applied solely to the purpose for which the Bond is issued except that the premium, if any, shall be placed in the sinking fund established pursuant to the Municipal Bond Act. If any surplus remains it shall be deposited in the sinking fund to be established for the payment of the Bond.

SECTION 9. The Town hereby delegates to the Mayor and the Town Administrator, or either of them acting alone, the authority to publish the notice prescribed under the provisions of Title 11, Chapter 27 of the South Carolina Code, relating to the Initiative and Referendum provisions contained in Title 5, Chapter 17 of the South Carolina Code and any and all other notices required by law, including, if the Bond is to be sold by private sale, the notice of intention required by Section 11-27-40 of the South Carolina Code. If any said notice is given, the Mayor and the Town Administrator, or either of them acting alone, is authorized to prescribe the form of the notice and cause such notice to be published in a newspaper of general circulation in the Town.

SECTION 10. The Town hereby covenants and agrees with the holders of the Bond that, if the Bond is issued as an obligation the interest on which is excluded from gross income of the holders thereof for federal tax purposes (a "Tax Exempt Bond"), then it will not take any action which will, or fail to take any action which failure will, cause interest on the Tax Exempt Bond to become includable in the gross income of the holders of the Tax Exempt Bond for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and regulations promulgated thereunder in effect on the date of original issuance of the Tax Exempt Bond. The Town further covenants and agrees with the holders of the Tax Exempt Bond (if issued) that no use of the proceeds of the Tax Exempt Bond shall be made which, if such use had been reasonably expected on the date of issue of the Tax Exempt Bond would have caused the Tax Exempt Bond to be an "arbitrage bond," as defined in Section 148 of the Code, and to that end the Town hereby shall:

- (a) comply with the applicable provisions of Sections 103 and 141 through 150 of the Code and any regulations promulgated thereunder so long as the Tax Exempt Bond is outstanding;
- (b) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebate of certain amounts to the United States; and
- (c) make such reports of such information at the time and places required by the Code.

The Mayor and the Town Administrator, or either of them acting alone, are hereby authorized and directed to adopt such written procedure related to tax-exempt debt, as may be necessary or desirable, with the advice of legal counsel.

SECTION 11. The obligations of the Town under this Ordinance and the pledges, covenants and agreements of the Town herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bond, and such Bond shall no longer be deemed to be outstanding hereunder when:

- (a) such Bond shall have been purchased by the Town and surrendered to the Town for cancellation or otherwise surrendered to the Town or a bank or financial institution designated by the Town to act as its escrow agent (the "Escrow Agent") and is canceled or subject to cancellation by the Town or the Escrow Agent; or
- (b) payment of the principal of and interest on such Bond either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with a corporate trustee to be named in trust and irrevocably set aside exclusively for such payment (1) moneys sufficient to make such payment or (2) Government Obligations (hereinafter defined) maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the corporate trustee. At such time as the Bond shall no longer be deemed to be outstanding hereunder, such Bond shall cease to draw interest from the due date thereof and, except for the purposes of any such payment from such moneys or Government Obligations as set forth in (ii) above, shall no longer be secured by or entitled to the benefits of this Ordinance.

“Government Obligations” shall mean cash and, to the extent permitted by Section 6-5-10 of the South Carolina Code or any other authorization relating to the investment of funds of the Town, any of the following: (1) United States Treasury Obligations – State and Local Government Series; (2) United States Treasury bills, notes, bonds or zero coupon treasury bonds all as traded on the open market; (3) direct obligations of the U.S. Treasury which have been stripped by the Treasury itself, including CATS, TIGRS and similar securities; (4) obligations of any agencies or instrumentalities which are backed by the full faith and credit of the United States of America; (5) bonds or debentures issued by any Federal Home Loan Bank or consolidated bonds or debentures issued by the Federal Home Loan Bank Board; (6) obligations of the Federal National Mortgage Association; (7) general obligations of the State or any of its political units which, at the time of purchase, carry an AAA rating from Standard & Poor’s or an Aaa rating from Moody’s Investors Service; or (8) any legally permissible combination of any of the foregoing. Government Obligations must be redeemable only at the option of the holder thereof.

SECTION 12. Pursuant to Title 11, Chapter 17 of the South Carolina Code (the “BAN Act”), pending the issuance of the Bond, the Council hereby authorizes the issuance of general obligation bond anticipation notes in an amount not to exceed \$5,500,000 (the “Notes”) for the purposes set forth in Section 1(f) herein and for costs of issuance of the Notes. In the event Notes are issued, (a) for the payment of principal of and interest, if necessary, on the Notes as they respectfully mature, there is hereby pledged the proceeds of the Bond and the full faith, credit and taxing power of the Town and (b) pending the issuance of the sale of the Bond, the Council may determine it to be in the best interest of the Town to refund or renew the outstanding Notes and, therefore, (1) the Council may authorize the Notes to be refunded or renewed and such authorization to be effected by a resolution of Council incorporating the terms of this Ordinance and (2) the principal amount of such refunded or renewed Notes may be increased by an amount sufficient to reflect interest owed on such refunded or renewed Notes and costs of issuance.

The Town, at its option, may also utilize any other funds available therefor for the payment of the principal of and interest on the Notes. The Council hereby delegates to the Committee the authority (1) to determine: (a) the original issue date and aggregate principal amount of the Notes; (b) the date, time and method of sale (which may be by public sale or, as permitted by the BAN Act, negotiation with one or more purchasers) of the Notes; (c) the maturity date and redemption provisions (if any) of the Notes (provided, that the maximum redemption premium may not exceed 0.5%); (d) the form of the Notes; and (e) such other details of the Notes as may be deemed advisable; (2) if sold by public sale, to prepare a Notice of Sale for the Notes, to receive bids on behalf of the Town and to award the sale of the Notes to the bidder therefor whose bid the Committee determines to be the most advantageous to the Town in accordance with the Notice of Sale for the Notes, in accordance with the terms of the Notice of Sale for the Notes; and (3) to negotiate and execute all other contracts which may be necessary or required in connection with the issuance of the Notes. Unless the context requires otherwise, the authorizations provided in the Ordinance with respect to the Bond or the issuance, sale and delivery thereof shall also apply with respect to any Notes issued in anticipation thereof.

SECTION 13. The Council hereby authorizes the Mayor, the Town Administrator, the Town Clerk, and the Town Attorney to execute such documents and instruments as necessary to effect the issuance of the Notes and the Bond or make modifications in any documents, including the form of the

Bond attached hereto. The Council hereby retains Burr & Forman LLP as bond counsel in connection with the issuance of the Bond.

SECTION 14. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bond are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 15. This Ordinance shall be forthwith codified in the Code of Town Ordinances in the manner required by law.

SECTION 16. This Ordinance shall be effective upon passage by the Council.

SECTION 17. This Ordinance is intended to replace the authorization provided for in Ordinance No. 2019-07 (the "Prior Ordinance") and not be additive thereto. Upon enactment of this Ordinance and passage of such time as the Mayor and the Town Administrator (or either of them acting alone) determine, upon advice of counsel, to be necessary to comply with the Initiative and Referendum provisions contained in Title 5, Chapter 17 of the South Carolina Code, the Prior Ordinance is repealed in its entirety.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: [October 24, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [November 28, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

(FORM OF BOND)

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
TOWN OF SEABROOK ISLAND
GENERAL OBLIGATION BOND, SERIES 2023

R-1

\$

KNOW ALL MEN BY THESE PRESENTS, that the Town of Seabrook Island, South Carolina (the "Town"), is justly indebted and, for value received, hereby promises to _____ in _____, South Carolina, its successors or registered assigns, the principal sum of _____ (\$_____) with interest thereon at the rate of _____% per annum. This Bond is payable in _____ installments of principal and interest, commencing _____ and _____ thereafter until this Bond is paid. Both the principal of and interest on this Bond are payable at the principal office of _____ in _____, South Carolina, in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts.

[Redemption provisions, if any, to be included]

For the payment hereof, both principal and interest, as they respectively mature; and for the creation of a sinking fund to aid in the retirement and payment thereof the full faith, credit and taxing power of the Town are irrevocably pledged, and there shall be levied and collected, annually upon all taxable property in the Town an ad valorem tax, without limitation as to rate or amount, sufficient for such purposes.

This Bond is issued pursuant to and in accordance with the constitution of the laws of the state of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Title 5, Chapter 21, Article 5, Code of Laws of South Carolina, 1976 as amended; and Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and an Ordinance duly enacted on _____, 2023, by the Town Council of the Town for the purpose of authorizing the issuance and sale of a not to exceed \$_____ general obligation bond.

This Bond and the interest hereon are exempt from all State, county, municipal, town and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law; that the amount of this Bond, together with all other indebtedness of the Town does not exceed the applicable limitation of indebtedness under the laws of the State of South Carolina; and that provision has been made for the levy and collection annually upon all taxable property in the Town an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal and interest on this Bond as the same shall respectively mature and to create a sinking fund to aid in the retirement and payment thereof.

IN WITNESS WHEREOF, THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA, has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the Town and attested by the manual or facsimile signature of the Town Clerk of the Town under the seal of the Town impressed, imprinted or reproduced hereon and this Bond to be dated the ____ day of _____, 2023.

TOWN OF SEABROOK ISLAND, SOUTH CAROLINA

Mayor

(SEAL)

ATTEST:

Clerk

REGISTRATION

This Bond has been registered in the name of _____ in _____, South Carolina, on the registration books kept by the Town Clerk of the Town of Seabrook Island, South Carolina.

Dated this ____ day of _____, 2023.

Clerk, Town of Seabrook Island, South Carolina

ASSIGNMENT

For value received _____ hereby sells, assigns and transfers unto _____ the within-mentioned Bond and hereby irrevocably constitutes and appoints _____, Attorney, to transfer the same on the registration books kept by the Town Clerk of the Town of Seabrook Island, South Carolina, with full power of substitution in the premises.

Town of Seabrook Island, South Carolina

By _____

Dated: _____

Witness: _____

NOTE: The signature to this assignment must correspond with the name as written on the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever.

TOWN OF SEABROOK ISLAND
ORDINANCE NO. 2023-12
ADOPTED _____

AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE OF THE TOWN OF SEABROOK ISLAND TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

WHEREAS, the Town of Seabrook Island (the "Municipality") is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

WHEREAS, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the "Standardization Act"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

WHEREAS, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the "Association") and adopted by the Director of the Revenue and Fiscal Affairs Office;

WHEREAS, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 2021-15 on December 14, 2021, in order to comply with the requirements of the Standardization Act (the "Current Business License Ordinance");

WHEREAS, the Town Council of the Municipality (the "Council") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Seabrook Island, as follows:

SECTION 1. Amendments to Appendix A. Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows:

- (a) Class 8.3 is hereby amended by deleting the NAICS Codes and replacing them with NAICS 517111, 517112, 517122 – Telephone Companies.
- (b) Class 8.6 is hereby amended and restated in its entirety to read as follows: "**8.6 NAICS Code Varies – Billiard or Pool Tables.** A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business licenses pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that."
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

SECTION 2. Amendments to Appendix B. Appendix B to the Current Business License Ordinance, the

“Business License Class Schedule,” is hereby amended as follows:

- (a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” are hereby amended and restated as set forth on the attached Exhibit A.
- (b) Class 9 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” shall remain in full force and effect as set forth in the Current Business License Ordinance.
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

SECTION 3. Repealer, Effective Date. All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2024.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the _____ of _____, 2023.

First Reading: October 24, 2023
Public Hearing:
Second Reading:

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST:

Katharine E. Watkins, Town Clerk

**Exhibit A: Amendment to Classes 1 – 8 in Appendix B of the
Current Business License Ordinance**

APPENDIX B

Classes 1 – 8: Business License Class Schedule by NAICS Codes

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1
21	Mining	2
22	Utilities	1
31 - 33	Manufacturing	3
42	Wholesale trade	1
44 - 45	Retail trade	1
48 - 49	Transportation and warehousing	1
51	Information	4
52	Finance and insurance	7
53	Real estate and rental and leasing	7
54	Professional, scientific, and technical services	5
55	Management of companies	7
56	Administrative and support and waste management and remediation services	3
61	Educational services	3
62	Health care and social assistance	4
71	Arts, entertainment, and recreation	3
721	Accommodation	1
722	Food services and drinking places	2
81	Other services	4
Class 8	Subclasses	
23	Construction	8.1
482	Rail Transportation	8.2
517111	Wired Telecommunications Carriers	8.3
517112	Wireless Telecommunications Carriers (except Satellite)	8.3
517122	Agents for Wireless Telecommunications Services	8.3
5241	Insurance Carriers	8.4
5242	Insurance Brokers for non-admitted Insurance Carriers	8.4
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.6

2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-13

ADOPTED _____

AN ORDINANCE ADOPTING A SECOND AMENDMENT TO THE ANNUAL OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023

WHEREAS, on December 13, 2022, the Mayor and Council of the Town of Seabrook Island gave final reading approval to Ordinance No. 2022-07, thereby adopting an annual operating budget for the Town of Seabrook Island for the fiscal year beginning January 1, 2023, and ending December 31, 2023 (hereafter, "FY 2023 Budget"); and

WHEREAS, consistent with state statute, the adopted budget for FY 2023 was in balance, with total estimated revenues (inclusive of the use of fund balance reserves) equal to total estimated expenditures in the amount of \$2,766,942.00; and

WHEREAS, on June 27, 2023, the Mayor and Council gave final reading approval to Ordinance No. 2023-04, which adopted a first amendment the FY 2023 Budget (hereafter, "FY Amended Budget"); and

WHEREAS, the Mayor and Council desire to further amend the FY 2023 Amended Budget to defer certain capital improvements which were included in the FY 2023 Amended Budget to FY 2024; and

WHEREAS, the Mayor and Council have determined that it is necessary and proper to adopt a second amendment the FY 2023 annual operating budget to account for these changes; and

WHEREAS, pursuant to Section 6-1-320 of the South Carolina Code of Laws, a public hearing on this ordinance was advertised and held on Tuesday, [November 28, 2023], in Town Council Chambers, with public input duly noted; and

WHEREAS, the second amended budget has been found to be in balance with estimated revenues equal to estimated expenditures for the General Fund and all Restricted and Designated Funds;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Adoption.

The amended annual budget for the Town of Seabrook Island, which document is attached hereto as "Exhibit A" and incorporated by reference as if fully set forth in this ordinance, is hereby adopted. The budget referenced herein is in balance, with estimated revenues (inclusive of the use of fund balance reserves) equal to estimated expenditures (inclusive of appropriations to fund

balance reserves) in the amount of ~~\$6,171,942.00~~ 2,840,257.00. The same shall constitute the Official Second Amended Budget of the Town of Seabrook Island for Fiscal Year 2023 (hereafter, the “FY 2023 Second Amended Budget.”)

SECTION 2. Funds.

To facilitate operations, the following funds shall be established and maintained in FY 2023:

- General Fund
- Restricted Funds: Accommodations Tax (State) Fund
Accommodations Tax (Town) Fund
Accommodations Tax (County) Fund
Alcohol Tax Fund
ARPA Fund
Court Fund
Short-Term Rental (STR) Permit Fund
- Designated Funds: Conservation Fund
Emergency Fund
Road and Drainage Fund
Town Facilities Fund
Vehicle & Equipment Replacement Fund

The estimated revenues and expenditures for each fund, as well as all transfers between funds, shall be as provided for in the FY 2023 Second Amended Budget, or as may be modified hereafter pursuant to state and local law.

Any excess funds remaining within the General Fund, the seven Restricted Funds or the five Designated Funds at the conclusion of FY 2023 shall remain within each respective fund’s “fund balance” unless transferred or otherwise expended by Town Council.

Any interest revenues generated by the General Fund, the ARPA Fund, and the five Designated Funds shall be credited to the General Fund; any interest revenues generated by the six remaining Restricted Funds shall be credited to each respective Restricted Fund.

SECTION 3. Administration.

Pursuant to Section 2-602(D)(1) of the Town Code, the Mayor shall be responsible for the administration of the FY 2023 Second Amended Budget. The Mayor shall have the authority to approve any reasonable unbudgeted expenditure which may exceed a particular line-item budget, but which will not cause the total annual expenditures to exceed the total amount of the FY 2023 Second Amended Budget. The Mayor shall have the authority to transfer any sum from one budget line item to another, or from one department or division to another department or division; provided, however, any transfer between funds must be approved by the Town Council, and any change in the FY 2023 Second Amended Budget which would increase or decrease the total of all authorized expenditures must also be approved by the Town Council.

SECTION 4. Use of Funds and Excess Funds.

Revenues obtained from any source may be used for any appropriation named in the FY 2023 Second Amended Budget; provided, however, this provision shall not apply to revenues which are specifically restricted by this ordinance, the Town Code, or the South Carolina Code of Laws. Actual revenues in excess of budgeted amounts may be administered by resolution of the Town Council.

Section 5. Premium Subsidy for Employee Medical Insurance.

Pursuant to the Town's Employee Handbook, as adopted by Ordinance 2018-12 on November 27, 2018, the Town Council has elected to subsidize the employee portion of the monthly medical insurance premium for eligible full-time, active employees, at a rate of \$97.68 per employee, per month during FY 2023. Employees shall be responsible for the full cost of any additional premiums for covered dependents; supplemental insurance programs including, but not limited to, Dental Plus, vision, life, dependent life and long-term disability; as well as any tobacco or other surcharges, if applicable. Town Council's election to offer this subsidy is not intended to create any obligation for the Town, and the subsidy authorized by this section may be reduced or eliminated at any time by Town Council.

SECTION 6. Requirement for Entities Receiving an Appropriation of Town Funds.

Any entity receiving an appropriation of public funds from the Town during FY 2023 shall be required to provide a detailed report describing the purpose(s) for which town funds were used. This report shall be submitted to the Town Administrator on or before December 31, 2023, on a form made available by the Town Administrator for that purpose.

The Mayor is hereby authorized to execute a Memorandum of Agreement with a responsible individual from each entity receiving a direct appropriation of public funds from the Town during FY 2023. The purpose of the Memorandum of Agreement is to outline the standard terms, conditions and reporting requirements associated with each entity's receipt and use of public funds. Public funds which are appropriated to an outside entity must be used to advance a legitimate public purpose.

SECTION 7. Restriction on the Use of Local Government Funds for Lobbying Activities.

The Town shall not use any taxpayer funds received from the South Carolina Local Government Fund to compensate employees for lobbying activities engaged in on behalf of the Town.

SECTION 8. Severability.

If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining

sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 9. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 10. Effective Date.

This ordinance shall be effective from and after the date of adoption, and shall cover the fiscal year beginning on January 1, 2023, and ending on December 31, 2023.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023

First Reading: [October 24, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [November 28, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

Exhibit A
To Ordinance 2020-13

Town of Seabrook Island
FY 2023 Second Amended Budget



Town of Seabrook Island
FY 2023 Budget

FY 2023 Budget Summary (All Funds)

	GENERAL FUND	RESTRICTED FUNDS							DESIGNATED FUNDS				TOTAL	
	GENERAL FUND	ATAX (STATE) FUND	ATAX (TOWN) FUND	ATAX (COUNTY) FUND	ALCOHOL TAX FUND	ARPA FUND	COURT FUND	STR PERMIT FUND	CONSERVATION FUND	EMERGENCY FUND	ROAD & DRAINAGE FUND	TOWN FACILITIES FUND	VEHICLE & EQUIP REPLACEMENT FUND	TOTAL COMBINED (ALL FUNDS)
TOTAL REVENUES	\$ 1,878,744	\$ 428,250	\$ 180,250	\$ 95,200	\$ 5,150	\$ -	\$ 18,063	\$ 234,000	\$ 600	\$ -	\$ -	\$ -	\$ -	\$ 2,840,257
TOTAL EXPENDITURES	\$ 1,722,198	\$ 525,500	\$ -	\$ 140,000	\$ 20,000	\$ -	\$ 24,244	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 40,000	\$ 2,671,942
REVENUES OVER (UNDER) EXPENDITURES	\$ 156,546	\$ (97,250)	\$ 180,250	\$ (44,800)	\$ (14,850)	\$ -	\$ (6,181)	\$ 234,000	\$ 600	\$ -	\$ (100,000)	\$ (100,000)	\$ (40,000)	\$ 168,315
OTHER FINANCING SOURCES (USES)														
Transfers In	\$ 250,427	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,369	\$ -	\$ 50,000	\$ 100,000	\$ 50,000	\$ 2,050,000	\$ 96,800	\$ 2,614,596
Transfers Out	\$ (2,316,094)	\$ (72,902)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (225,600)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,614,596)
TOTAL OTHER FINANCING SOURCES (USES)	\$ (2,065,667)	\$ (72,902)	\$ -	\$ -	\$ -	\$ -	\$ 17,369	\$ (225,600)	\$ 50,000	\$ 100,000	\$ 50,000	\$ 2,050,000	\$ 96,800	\$ -
NET CHANGE IN FUND BALANCE	\$ (1,909,121)	\$ (170,152)	\$ 180,250	\$ (44,800)	\$ (14,850)	\$ -	\$ 11,188	\$ 8,400	\$ 50,600	\$ 100,000	\$ (50,000)	\$ 1,950,000	\$ 56,800	\$ 168,315
EST. FUND BALANCE, BEGINNING OF YEAR *	\$ 2,917,353	\$ 444,871	\$ -	\$ 57,004	\$ 40,882	\$ 914,915	\$ -	\$ -	\$ -	\$ 2,220,639	\$ 1,309,107	\$ 396,500	\$ 40,000	\$ 8,341,271
EST. FUND BALANCE, END OF YEAR	\$ 1,008,232	\$ 274,719	\$ 180,250	\$ 12,204	\$ 26,032	\$ 914,915	\$ 11,188	\$ 8,400	\$ 50,600	\$ 2,320,639	\$ 1,259,107	\$ 2,346,500	\$ 96,800	\$ 8,509,586

FY 2023 Budget Overview (All Funds)

	GENERAL FUND	RESTRICTED FUNDS							DESIGNATED FUNDS					TOTAL
	GENERAL FUND	ATAX (STATE) FUND	ATAX (TOWN) FUND	ATAX (COUNTY) FUND	ALCOHOL TAX FUND	ARPA FUND	COURT FUND	STR PERMIT FUND	CONSERVATION FUND	EMERGENCY FUND	ROAD & DRAINAGE FUND	TOWN FACILITIES FUND	VEHICLE & EQUIP REPLACEMENT FUND	TOTAL COMBINED (ALL FUNDS)
REVENUES														
Aid to Subdivisions - State	\$ 48,044	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 48,044
Building Permit Fees - County	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000
Business License Fees	\$ 675,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 675,000
Business License Fees - MASC	\$ 250,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000
Contractual Reimbursements	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Credit Card Convenience Fees	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Facility Rentals	\$ 50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50
Franchise Fees - ATT U-verse	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Franchise Fees - Berkeley Electric	\$ 170,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 170,000
Franchise Fees - Comcast	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 55,000
Grant Funding	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000
Interest - Checking Account	\$ 50	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50
Interest - Investment Pool	\$ 125,000	\$ 750	\$ 250	\$ 200	\$ 150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 126,350
Local Option Sales Tax - County	\$ 365,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 365,000
Miscellaneous Income	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500
Planning & Zoning Fees	\$ 75,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000
Sale of Assets	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100
ATAX (State)	\$ 47,500	\$ 427,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 475,000
ATAX (Town)	\$ -	\$ -	\$ 180,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,000
ATAX (County)	\$ -	\$ -	\$ -	\$ 95,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 95,000
Alcohol Tax	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
ARPA Distribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Court Fines	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Law Enforcement Surcharge (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250
State Assessment (County 11.16%)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900
State Assessment (State 88.84%)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,163	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,163
Victim Advocate Surcharge (County)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250
STR Permit Fees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 234,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 234,000
Payment in Lieu of Mitigation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ 500
Tree Removal Permits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ 100
TOTAL REVENUES	\$ 1,878,744	\$ 428,250	\$ 180,250	\$ 95,200	\$ 5,150	\$ -	\$ 18,063	\$ 234,000	\$ 600	\$ -	\$ -	\$ -	\$ -	\$ 2,840,257
EXPENDITURES														
Salaries - Gross Wages	\$ 761,472	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 765,672
Salaries - Overtime	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,000
FICA	\$ 58,554	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 322	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 58,876
Medical Insurance	\$ 77,781	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77,781
SC Retirement	\$ 127,191	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 759	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 127,950
Advertising	\$ 13,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,100
Advertising - Tourism	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Bank Service Charges	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,500
Capital Expenditures	\$ 55,000	\$ -	\$ -	\$ -	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 40,000	\$ 315,000
Community Promotions	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Contingency	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Contracted Services - Beach Patrol	\$ -	\$ -	\$ -	\$ 140,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,000
Contracted Services - IT	\$ 42,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 42,000
Contracted Services - Landscaping	\$ 57,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 57,500
Contracted Services - Other	\$ 18,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,500
Council & Committee Expense	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500
Court Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Credit Card Processing Charges	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Donations	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Election Expenses	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000

Emergency Communications	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Emergency Preparedness	\$ 34,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,000
Equipment Rentals	\$ 21,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,000
Fuel, Gas & Oil	\$ 7,200	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,200
Furniture & Equipment	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Insurance - Auto	\$ 4,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500
Insurance - Equipment	\$ 17,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,500
Insurance - Fidelity Bond	\$ 800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800
Insurance - Tort Liability	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Insurance - Workers Comp	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Maintenance - Beach	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000
Maintenance - Seabrook Island Road	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000
Maintenance - Town Hall	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000
Maintenance - Vehicles & Equipment	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000
Materials & Supplies - Buildings & Grounds	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Materials & Supplies - Office	\$ 9,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,500
Memberships, Dues & Subscriptions	\$ 39,150	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 39,150
Planning & Zoning	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500
Postage	\$ 4,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,500
Pre-Employment Expenses	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500
Printing & Scanning Services	\$ 7,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,500
Professional Services - Accounting	\$ 16,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,500
Professional Services - Auditor	\$ 15,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,500
Professional Services - Engineering	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
Professional Services - Legal	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 30,000
Professional Services - Other	\$ 52,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,000
Seabrook Island Turtle Patrol	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Special Events	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000
Special Projects - Roadway	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State Court Assessment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Telecommunications	\$ 24,300	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,300
Travel & Training	\$ 15,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,500
Uniforms	\$ 5,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,600
Utilities	\$ 27,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,000
Victim's Advocate Assessment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Victim's Advocate Surcharge	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Website	\$ 800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 800
Tourism Related Expenditures (65%)	\$ -	\$ 390,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 390,500
Tourism Promotion (30%)	\$ -	\$ 135,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 135,000
County ATAX Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ARPA Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Jury Trials	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,650	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,650
Law Enforcement Surcharge (State)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250
Professional Services - Auditor	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000
State Assessment (County 11.16%)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 900
State Assessment (State 88.84%)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,163	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,163
Victim Advocate Surcharge (County)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,250
Emergency Fund Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL EXPENDITURES	\$ 1,722,198	\$ 525,500	\$ -	\$ 140,000	\$ 20,000	\$ -	\$ 24,244	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 40,000	\$ 2,671,942				
REVENUES OVER (UNDER) EXPENDITURES	\$ 156,546	\$ (97,250)	\$ 180,250	\$ (44,800)	\$ (14,850)	\$ -	\$ (6,181)	\$ 234,000	\$ 600	\$ -	\$ (100,000)	\$ (100,000)	\$ (40,000)	\$ 168,315					
OTHER FINANCING SOURCES (USES)																			
Transfers In	\$ 250,427	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,369	\$ -	\$ 50,000	\$ 100,000	\$ 50,000	\$ 2,050,000	\$ 96,800	\$ 2,614,596				
Transfers Out	\$ (2,316,094)	\$ (72,902)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (225,600)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (2,614,596)				
TOTAL OTHER FINANCING SOURCES (USES)	\$ (2,065,667)	\$ (72,902)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,369	\$ (225,600)	\$ 50,000	\$ 100,000	\$ 50,000	\$ 2,050,000	\$ 96,800	\$ -				
NET CHANGE IN FUND BALANCE	\$ (1,909,121)	\$ (170,152)	\$ 180,250	\$ (44,800)	\$ (14,850)	\$ -	\$ 11,188	\$ 8,400	\$ 50,600	\$ 100,000	\$ (50,000)	\$ 1,950,000	\$ 56,800	\$ 168,315					
EST. FUND BALANCE, BEGINNING OF YEAR *	\$ 2,917,353	\$ 444,871	\$ -	\$ 57,004	\$ 40,882	\$ 914,915	\$ -	\$ -	\$ -	\$ 2,220,639	\$ 1,309,107	\$ 396,500	\$ 40,000	\$ 8,341,271					
EST. FUND BALANCE, END OF YEAR	\$ 1,008,232	\$ 274,719	\$ 180,250	\$ 12,204	\$ 26,032	\$ 914,915	\$ 11,188	\$ 8,400	\$ 50,600	\$ 2,320,639	\$ 1,259,107	\$ 2,346,500	\$ 96,800	\$ 8,509,586					

FY 2023 General Fund Summary

		FY 2019	FY 2020	FY 2021	FY 2022	FY 2023			CHANGE	CHANGE
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ADOPTED	1ST AMENDED	2ND AMENDED	(\$)	(%)
REVENUES										
4401	Aid to Subdivisions - State	\$ 40,154	\$ 40,638	\$ 43,858	\$ 47,701	\$ 48,044	\$ 48,044	\$ 48,044	\$ -	0.0%
4004	ATAX (State)	\$ 34,338	\$ 37,105	\$ 47,121	\$ 48,706	\$ 47,500	\$ 47,500	\$ 47,500	\$ -	0.0%
4501	Building Permit Fees - County	\$ 15,952	\$ 19,770	\$ 29,798	\$ 35,256	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.0%
4100	Business License Fees	\$ 443,309	\$ 467,197	\$ 560,842	\$ 693,591	\$ 625,000	\$ 675,000	\$ 675,000	\$ -	0.0%
4150	Business License Fees - MASC	\$ 232,974	\$ 245,005	\$ 259,127	\$ 277,586	\$ 250,000	\$ 250,000	\$ 250,000	\$ -	0.0%
4240	Contractual Reimbursements	\$ -	\$ -	\$ 673	\$ 1,175	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.0%
4250	Court Fines	\$ 9,072	\$ 7,775	\$ 11,504	\$ 11,303	\$ -	\$ -	\$ -	\$ -	#DIV/0!
4620	Credit Card Convenience Fees	\$ -	\$ -	\$ 145	\$ 3,934	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
4690	Facility Rentals	\$ 50	\$ 50	\$ -	\$ -	\$ 50	\$ 50	\$ 50	\$ -	0.0%
4205	Franchise Fees - ATT U-verse	\$ 5,262	\$ 5,551	\$ 5,006	\$ 4,401	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.0%
4201	Franchise Fees - Berkeley Electric	\$ 162,768	\$ 161,268	\$ 168,363	\$ 163,525	\$ 170,000	\$ 170,000	\$ 170,000	\$ -	0.0%
4206	Franchise Fees - Comcast	\$ 56,857	\$ 58,858	\$ 60,228	\$ 63,446	\$ 55,000	\$ 55,000	\$ 55,000	\$ -	0.0%
4970	Grant Funding	\$ 125,000	\$ -	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.0%
4605	Interest - Checking Account	\$ 26	\$ 21	\$ 33	\$ 124	\$ 50	\$ 50	\$ 50	\$ -	0.0%
4601	Interest - Investment Pool	\$ 107,735	\$ 39,013	\$ 6,456	\$ 103,506	\$ 25,000	\$ 125,000	\$ 125,000	\$ -	0.0%
4301	Local Option Sales Tax - County	\$ 280,344	\$ 303,741	\$ 365,190	\$ 401,531	\$ 365,000	\$ 365,000	\$ 365,000	\$ -	0.0%
4701	Miscellaneous Income	\$ 286	\$ 1,982	\$ 241	\$ 1,150	\$ 500	\$ 500	\$ 500	\$ -	0.0%
4500	Planning & Zoning Fees	\$ 36,258	\$ 34,023	\$ 197,900	\$ 198,791	\$ 75,000	\$ 75,000	\$ 75,000	\$ -	0.0%
4750	Sale of Assets	\$ 7,176	\$ -	\$ -	\$ 300	\$ 100	\$ 100	\$ 100	\$ -	0.0%
	TOTAL REVENUES	\$ 1,557,561	\$ 1,421,998	\$ 1,756,486	\$ 2,056,024	\$ 1,728,744	\$ 1,878,744	\$ 1,878,744	\$ -	0.0%
EXPENDITURES										
5005	Salaries - Gross Wages	\$ 283,335	\$ 317,144	\$ 366,657	\$ 510,240	\$ 761,472	\$ 761,472	\$ 761,472	\$ -	0.0%
5006	Salaries - Overtime	\$ -	\$ -	\$ -	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ -	0.0%
5010	FICA	\$ 21,473	\$ 25,646	\$ 26,595	\$ 38,576	\$ 58,554	\$ 58,554	\$ 58,554	\$ -	0.0%
5014	Medical Insurance	\$ 18,819	\$ 23,113	\$ 25,693	\$ 42,210	\$ 77,781	\$ 77,781	\$ 77,781	\$ -	0.0%
5015	SC Retirement	\$ 34,034	\$ 37,487	\$ 51,069	\$ 81,448	\$ 127,191	\$ 127,191	\$ 127,191	\$ -	0.0%
6260	Advertising	\$ 11,571	\$ 13,247	\$ 13,736	\$ 11,252	\$ 13,100	\$ 13,100	\$ 13,100	\$ -	0.0%
6262	Advertising - Tourism	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6208	Bank Service Charges	\$ 954	\$ 783	\$ 1,560	\$ 2,004	\$ 2,500	\$ 2,500	\$ 2,500	\$ -	0.0%
6301	Capital Expenditures	\$ 67,397	\$ 5,204	\$ 30,799	\$ 43,927	\$ 55,000	\$ 55,000	\$ 55,000	\$ -	0.0%
6288	Community Promotions	\$ -	\$ -	\$ 2,300	\$ 6,943	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
6290	Contingency	\$ 5,582	\$ 18,671	\$ 8,936	\$ 20,398	\$ 30,000	\$ 30,000	\$ 30,000	\$ -	0.0%
6291	Contracted Services - Beach Patrol	\$ 29,450	\$ 58,920	\$ 59,282	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6292	Contracted Services - IT	\$ 28,667	\$ 30,714	\$ 32,558	\$ 40,420	\$ 42,000	\$ 42,000	\$ 42,000	\$ -	0.0%
6293	Contracted Services - Landscaping	\$ 135,386	\$ 95,992	\$ 82,029	\$ 26,479	\$ 57,500	\$ 57,500	\$ 57,500	\$ -	0.0%
6295	Contracted Services - Other	\$ 20,600	\$ 18,793	\$ 24,660	\$ 29,992	\$ 18,500	\$ 18,500	\$ 18,500	\$ -	0.0%
6051	Council & Committee Expense	\$ 1,674	\$ 263	\$ 1,234	\$ 653	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	0.0%
6401	Court Expenses	\$ 9,144	\$ 5,200	\$ 5,200	\$ 1,075	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6209	Credit Card Processing Charges	\$ -	\$ -	\$ 133	\$ 3,694	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
TBD	Donations	\$ -	\$ -	\$ -	\$ -	\$ 100,000	\$ -	\$ -	\$ -	#DIV/0!
6205	Election Expenses	\$ 1,781	\$ -	\$ -	\$ 3,228	\$ 4,000	\$ 4,000	\$ 4,000	\$ -	0.0%
6151	Emergency Communications	\$ 23,072	\$ 7,903	\$ 5,736	\$ 4,788	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
6220	Emergency Preparedness	\$ 26,235	\$ 16,498	\$ 29,065	\$ 13,183	\$ 34,000	\$ 34,000	\$ 34,000	\$ -	0.0%
6235	Equipment Rentals	\$ 5,623	\$ 5,279	\$ 6,357	\$ 7,014	\$ 21,000	\$ 21,000	\$ 21,000	\$ -	0.0%
TBD	Fuel, Gas & Oil	\$ -	\$ -	\$ -	\$ -	\$ 7,200	\$ 7,200	\$ 7,200	\$ -	0.0%
6101	Furniture & Equipment	\$ 3,556	\$ 5,787	\$ 6,727	\$ 23,337	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	0.0%
5165	Insurance - Auto	\$ 1,742	\$ 2,087	\$ 2,215	\$ 2,445	\$ 4,500	\$ 4,500	\$ 4,500	\$ -	0.0%
5163	Insurance - Equipment	\$ 9,973	\$ 12,270	\$ 12,239	\$ 15,079	\$ 17,500	\$ 17,500	\$ 17,500	\$ -	0.0%
5162	Insurance - Fidelity Bond	\$ 535	\$ 697	\$ 764	\$ 764	\$ 800	\$ 800	\$ 800	\$ -	0.0%
5161	Insurance - Tort Liability	\$ 7,384	\$ 9,234	\$ 11,214	\$ 13,736	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	0.0%
5164	Insurance - Workers Comp	\$ 434	\$ 1,407	\$ 2,890	\$ 2,811	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
5305	Maintenance - Beach	\$ 2,966	\$ 9,334	\$ 3,749	\$ 3,458	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.0%
5261	Maintenance - Seabrook Island Road	\$ 1,785	\$ 10,849	\$ 16,560	\$ 2,097	\$ 20,000	\$ 20,000	\$ 20,000	\$ -	0.0%
5301	Maintenance - Town Hall	\$ 3,201	\$ 16,825	\$ 55,323	\$ 9,569	\$ 4,000	\$ 4,000	\$ 4,000	\$ -	0.0%
5310	Maintenance - Vehicles & Equipment	\$ 309	\$ 191	\$ 171	\$ 7,722	\$ 4,000	\$ 4,000	\$ 4,000	\$ -	0.0%
5362	Materials & Supplies - Buildings & Grounds	\$ -	\$ -	\$ -	\$ 31,860	\$ 30,000	\$ 30,000	\$ 30,000	\$ -	0.0%
5361	Materials & Supplies - Office	\$ 5,228	\$ 6,903	\$ 9,833	\$ 8,042	\$ 9,500	\$ 9,500	\$ 9,500	\$ -	0.0%
6201	Memberships, Dues & Subscriptions	\$ 15,576	\$ 16,667	\$ 18,343	\$ 42,475	\$ 39,150	\$ 39,150	\$ 39,150	\$ -	0.0%
5365	Planning & Zoning	\$ 86	\$ 596	\$ 251	\$ 84	\$ 500	\$ 500	\$ 500	\$ -	0.0%
5363	Postage	\$ 2,940	\$ 2,238	\$ 3,730	\$ 2,865	\$ 4,500	\$ 4,500	\$ 4,500	\$ -	0.0%
5020	Pre-Employment Expenses	\$ -	\$ -	\$ 829	\$ 2,516	\$ 1,500	\$ 1,500	\$ 1,500	\$ -	0.0%
5366	Printing & Scanning Services	\$ 5,256	\$ 2,832	\$ 9,157	\$ 11,645	\$ 7,500	\$ 7,500	\$ 7,500	\$ -	0.0%
5202	Professional Services - Accounting	\$ 12,869	\$ 16,388	\$ 16,326	\$ 14,963	\$ 16,500	\$ 16,500	\$ 16,500	\$ -	0.0%
5201	Professional Services - Auditor	\$ 12,300	\$ 14,000	\$ 14,000	\$ 14,900	\$ 15,500	\$ 15,500	\$ 15,500	\$ -	0.0%
5203	Professional Services - Engineering	\$ 104,098	\$ 5,667	\$ 12,886	\$ 11,562	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	0.0%
5204	Professional Services - Legal	\$ 42,581	\$ 9,088	\$ 1,386	\$ 12,943	\$ 25,000	\$ 25,000	\$ 25,000	\$ -	0.0%
5209	Professional Services - Other	\$ 74,573	\$ 38,405	\$ 8,828	\$ 16,822	\$ 52,000	\$ 52,000	\$ 52,000	\$ -	0.0%
5220	Seabrook Island Turtle Patrol	\$ 1,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6261	Special Events	\$ 5,228	\$ 7,622	\$ 5,806	\$ 8,816	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	0.0%
6302	Special Projects - Roadway	\$ 157,124	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6404	State Court Assessment	\$ -	\$ 2,399	\$ 2,938	\$ 5,864	\$ -	\$ -	\$ -	\$ -	#DIV/0!
5405	Telecommunications	\$ 9,833	\$ 9,972	\$ 13,422	\$ 18,843	\$ 24,300	\$ 24,300	\$ 24,300	\$ -	0.0%
6285	Travel & Training	\$ 4,313	\$ 506	\$ 1,397	\$ 3,563	\$ 15,750	\$ 15,750	\$ 15,750	\$ -	0.0%
5380	Uniforms	\$ -	\$ -	\$ -	\$ 1,291	\$ 5,600	\$ 5,600	\$ 5,600	\$ -	0.0%
5401	Utilities	\$ 19,405	\$ 21,424	\$ 39,161	\$ 21,922	\$ 27,000	\$ 27,000	\$ 27,000	\$ -	0.0%
6403	Victim's Advocate Assessment	\$ -	\$ 336	\$ 633	\$ 532	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6402	Victim's Advocate Surcharge	\$ -	\$ 725	\$ 900	\$ 625	\$ -	\$ -	\$ -	\$ -	#DIV/0!
6216	Website	\$ 409	\$ 553	\$ 863	\$ 80	\$ 800	\$ 800	\$ 800	\$ -	0.0%
	TOTAL EXPENDITURES	\$ 1,230,000	\$ 905,857	\$ 1,046,139	\$ 1,200,756	\$ 1,822,198	\$ 1,722,198	\$ 1,722,198	\$ -	0.0%
REVENUES OVER (UNDER) EXPENDITURES		\$ 327,560	\$ 516,141	\$ 710,347	\$ 855,268	\$ (93,454)	\$ 156,546	\$ 156,546	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer In - ATAX (County) Fund	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	Transfer In - ATAX (State) Fund	\$ -	\$ -	\$ -	\$ -	\$ 72,027	\$ 72,027	\$ 72,027	\$ -	0.0%
	Transfer In - STR Permit Fund	\$ -	\$ -	\$ -	\$ -	\$ 178,400	\$ 178,400	\$ 178,400	\$ -	0.0%
	Transfer Out - Court	\$ -	\$ -	\$ -	\$ -	\$ (22,000)	\$ (17,369)	\$ (17,369)	\$ -	0.0%
	Transfer Out - Conservation Fund	\$ -	\$ -	\$ -	\$ -	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ -	0.0%
	Transfer Out - Emergency Fund	\$ -	\$ (2,000,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ -	0.0%
	Transfer Out - Road & Drainage Fund	\$ -	\$ (500,000)	\$ (220,000)	\$ (750,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ -	0.0%
	Transfer Out - Town Facilities Fund	\$ -	\$ (250,000)	\$ -	\$ (160,000)	\$ (1,050,000)	\$ (2,050,000)	\$ (2,050,000)	\$ -	0.0%
	Transfer Out - Vehicle & Equipment Replacemer	\$ -	\$ (15,000)	\$ (49,000)	\$ (15,000)	\$ (48,725)	\$ (48,725)	\$ (48,725)	\$ -	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ (2,765,000)	\$ (329,000)	\$ (1,025,000)	\$ (1,070,298)	\$ (2,065,667)	\$ (2,065,667)	\$ -	0.0%
NET CHANGE IN FUND BALANCE		\$ 327,560	\$ (2,248,859)	\$ 381,347	\$ (169,732)	\$ (1,163,752)	\$ (1,909,121)	\$ (1,909,121)	\$ -	0.0%
FUND BALANCE, BEGINNING OF YEAR		\$ 4,627,036	\$ 4,954,596	\$ 2,705,737	\$ 3,087,084	\$ 2,122,743	\$ 2,917,353	\$ 2,917,353	\$ -	0.0%
FUND BALANCE, END OF YEAR		\$ 4,954,596	\$ 2,705,737	\$ 3,087,084	\$ 2,917,353	\$ 958,991	\$ 1,008,232	\$ 1,008,232	\$ -	0.0%

FY 2023 ATAX (State) Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
7002	State ATAX (30%)	\$ 56,029	\$ 72,632	\$ 132,729	\$ 142,237	\$ 135,000	\$ 135,000	\$ 135,000	\$ -	0.0%
7003	State ATAX (65%)	\$ 121,395	\$ 157,368	\$ 287,579	\$ 308,180	\$ 292,500	\$ 292,500	\$ 292,500	\$ -	0.0%
7004	Interest Income	\$ -	\$ 941	\$ 237	\$ 5,031	\$ 750	\$ 750	\$ 750	\$ -	0.0%
	TOTAL REVENUES	\$ 177,424	\$ 230,941	\$ 420,545	\$ 455,447	\$ 428,250	\$ 428,250	\$ 428,250	\$ -	0.0%
EXPENDITURES										
8001	Tourism Related Expenditures (65%)	\$ 118,039	\$ 86,351	\$ 153,450	\$ 208,143	\$ 395,500	\$ 390,500	\$ 390,500	\$ -	0.0%
8002	Tourism Promotion (30%)	\$ 56,029	\$ 72,632	\$ 132,729	\$ 142,237	\$ 135,000	\$ 135,000	\$ 135,000	\$ -	0.0%
	TOTAL EXPENDITURES	\$ 174,068	\$ 158,982	\$ 286,179	\$ 350,379	\$ 530,500	\$ 525,500	\$ 525,500	\$ -	0.0%
	REVENUES OVER (UNDER) EXPENDITURES	\$ 3,356	\$ 71,959	\$ 134,366	\$ 105,068	\$ (102,250)	\$ (97,250)	\$ (97,250)	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer Out - General Fund	\$ -	\$ -	\$ -	\$ -	\$ (72,027)	\$ (72,027)	\$ (72,027)	\$ -	0.0%
	Transfer Out - Town Facilities Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (250,000)	\$ -	\$ 250,000	-100.0%
	Transfer Out - Vehicle Replacement Fund	\$ -	\$ -	\$ -	\$ -	\$ (875)	\$ (875)	\$ (875)	\$ -	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ -	\$ -	\$ (72,902)	\$ (322,902)	\$ (72,902)	\$ 250,000	-77.4%
	NET CHANGE IN FUND BALANCE	\$ 3,356	\$ 71,959	\$ 134,366	\$ 105,068	\$ (175,152)	\$ (420,152)	\$ (170,152)	\$ 250,000	-59.5%
	FUND BALANCE, BEGINNING OF YEAR	\$ 130,122	\$ 133,478	\$ 205,437	\$ 339,803	\$ 349,377	\$ 444,871	\$ 444,871	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ 133,478	\$ 205,437	\$ 339,803	\$ 444,871	\$ 174,225	\$ 24,719	\$ 274,719	\$ 250,000	1011.4%

FY 2023 ATAX (Town) Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
TBD	Town ATAX	\$ -	\$ -	\$ -	\$ -	\$ 180,000	\$ 180,000	\$ 180,000	\$ -	0.0%
TBD	Interest Income	\$ -	\$ -	\$ -	\$ -	\$ 250	\$ 250	\$ 250	\$ -	0.0%
	TOTAL REVENUES	\$ -	\$ -	\$ -	\$ -	\$ 180,250	\$ 180,250	\$ 180,250	\$ -	0.0%
EXPENDITURES										
TBD	Contracted Services - Beach Patrol	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ -	\$ -	\$ -	#DIV/0!
	REVENUES OVER (UNDER) EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ 140,250	\$ 180,250	\$ 180,250	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer Out - Town Facilities Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (75,000)	\$ -	\$ 75,000	-100.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (75,000)	\$ -	\$ 75,000	-100.0%
	NET CHANGE IN FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 140,250	\$ 105,250	\$ 180,250	\$ 75,000	71.3%
	FUND BALANCE, BEGINNING OF YEAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	FUND BALANCE, END OF YEAR	\$ -	\$ -	\$ -	\$ -	\$ 140,250	\$ 105,250	\$ 180,250	\$ 75,000	71.3%

FY 2023 ATAX (County) Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
7101	County ATAX	\$ 48,500	\$ -	\$ 80,387	\$ 62,038	\$ 95,000	\$ 95,000	\$ 95,000	\$ -	0.0%
7104	Interest Income	\$ -	\$ 138	\$ 19	\$ 1,100	\$ 200	\$ 200	\$ 200	\$ -	0.0%
	TOTAL REVENUES	\$ 48,500	\$ 138	\$ 80,407	\$ 63,138	\$ 95,200	\$ 95,200	\$ 95,200	\$ -	0.0%
EXPENDITURES										
TBD	Contracted Services - Beach Patrol	\$ 79,788	\$ 15,000	\$ 5,000	\$ 45,000	\$ 95,000	\$ 140,000	\$ 140,000	\$ -	0.0%
TBD	Contracted Services - Other	\$ -	\$ -	\$ 4,000	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL EXPENDITURES	\$ 79,788	\$ 15,000	\$ 9,000	\$ 45,000	\$ 95,000	\$ 140,000	\$ 140,000	\$ -	0.0%
	REVENUES OVER (UNDER) EXPENDITURES	\$ (31,288)	\$ (14,862)	\$ 71,407	\$ 18,138	\$ 200	\$ (44,800)	\$ (44,800)	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer Out - General Fund	\$ -	\$ -	\$ (40,000)	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ (40,000)	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	NET CHANGE IN FUND BALANCE	\$ (31,288)	\$ (14,862)	\$ 31,407	\$ 18,138	\$ 200	\$ (44,800)	\$ (44,800)	\$ -	0.0%
	FUND BALANCE, BEGINNING OF YEAR	\$ 53,609	\$ 22,321	\$ 7,459	\$ 38,866	\$ 38,866	\$ 57,004	\$ 57,004	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ 22,321	\$ 7,459	\$ 38,866	\$ 57,004	\$ 39,066	\$ 12,204	\$ 12,204	\$ -	0.0%

FY 2023 Alcohol Tax Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
7405	Alcohol Tax	\$ 5,000	\$ 6,000	\$ 3,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ -	0.0%
7404	Interest Income	\$ -	\$ 209	\$ 37	\$ 605	\$ 150	\$ 150	\$ 150	\$ -	0.0%
	TOTAL REVENUES	\$ 5,000	\$ 6,209	\$ 3,037	\$ 5,605	\$ 5,150	\$ 5,150	\$ 5,150	\$ -	0.0%
EXPENDITURES										
8505	Capital Expenditures	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ 20,000	\$ -	0.0%
	TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	\$ 20,000	\$ -	0.0%
	REVENUES OVER (UNDER) EXPENDITURES	\$ 5,000	\$ 6,209	\$ 3,037	\$ 5,605	\$ (14,850)	\$ (14,850)	\$ (14,850)	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Other Financing Sources (Uses)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	NET CHANGE IN FUND BALANCE	\$ 5,000	\$ 6,209	\$ 3,037	\$ 5,605	\$ (14,850)	\$ (14,850)	\$ (14,850)	\$ -	0.0%
	FUND BALANCE, BEGINNING OF YEAR	\$ 21,032	\$ 26,032	\$ 32,241	\$ 35,277	\$ 40,659	\$ 40,882	\$ 40,882	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ 26,032	\$ 32,241	\$ 35,277	\$ 40,882	\$ 25,809	\$ 26,032	\$ 26,032	\$ -	0.0%

FY 2023 ARPA Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										

7501	ARPA Distribution	\$	-	\$	-	\$	464,239	\$	464,239	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
7504	Interest Income	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
	TOTAL REVENUES	\$	-	\$	-	\$	464,239	\$	464,239	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
EXPENDITURES																						
8045	ARPA Expenditures	\$	-	\$	-	\$	13,564	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
	TOTAL EXPENDITURES	\$	-	\$	-	\$	13,564	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
REVENUES OVER (UNDER) EXPENDITURES																						
		\$	-	\$	-	\$	450,676	\$	464,239	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
OTHER FINANCING SOURCES (USES)																						
	Transfer Out - Town Facilities Fund	\$	-	\$	-	\$	-	\$	-	\$	-	\$	(914,915)	\$	-	\$	-	\$	914,915	\$	-	-100.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$	-	\$	-	\$	-	\$	-	\$	-	\$	(914,915)	\$	-	\$	-	\$	914,915	\$	-	-100.0%
NET CHANGE IN FUND BALANCE																						
		\$	-	\$	-	\$	450,676	\$	464,239	\$	-	\$	(914,915)	\$	-	\$	-	\$	914,915	\$	-	-100.0%
FUND BALANCE, BEGINNING OF YEAR																						
		\$	-	\$	-	\$	-	\$	450,676	\$	914,915	\$	914,915	\$	914,915	\$	914,915	\$	-	\$	-	0.0%
FUND BALANCE, END OF YEAR																						
		\$	-	\$	-	\$	450,676	\$	914,915	\$	914,915	\$	-	\$	914,915	\$	914,915	\$	914,915	\$	-	#DIV/0!

FY 2023 Court Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)				
REVENUES														
TBD	Court Fines	\$	-	\$	-	\$	7,500	\$	7,500	\$	7,500	\$	-	0.0%
TBD	Law Enforcement Surcharge (State)	\$	-	\$	-	\$	1,250	\$	1,250	\$	1,250	\$	-	0.0%
TBD	State Assessment (County 11.16%)	\$	-	\$	-	\$	900	\$	900	\$	900	\$	-	0.0%
TBD	State Assessment (State 88.84%)	\$	-	\$	-	\$	7,163	\$	7,163	\$	7,163	\$	-	0.0%
TBD	Victim Advocate Surcharge (County)	\$	-	\$	-	\$	1,250	\$	1,250	\$	1,250	\$	-	0.0%
	TOTAL REVENUES	\$	-	\$	-	\$	18,063	\$	18,063	\$	18,063	\$	-	0.0%
EXPENDITURES														
TBD	Salaries - Gross Wages	\$	-	\$	-	\$	4,200	\$	4,200	\$	4,200	\$	-	0.0%
TBD	FICA	\$	-	\$	-	\$	322	\$	322	\$	322	\$	-	0.0%
TBD	SC Retirement	\$	-	\$	-	\$	759	\$	759	\$	759	\$	-	0.0%
TBD	Jury Trials	\$	-	\$	-	\$	1,650	\$	1,650	\$	1,650	\$	-	0.0%
TBD	Law Enforcement Surcharge (State)	\$	-	\$	-	\$	1,250	\$	1,250	\$	1,250	\$	-	0.0%
TBD	Professional Services - Auditor	\$	-	\$	-	\$	1,000	\$	1,000	\$	1,000	\$	-	0.0%
TBD	Professional Services - Legal	\$	-	\$	-	\$	-	\$	5,000	\$	5,000	\$	-	0.0%
TBD	State Assessment (County 11.16%)	\$	-	\$	-	\$	900	\$	900	\$	900	\$	-	0.0%
TBD	State Assessment (State 88.84%)	\$	-	\$	-	\$	7,163	\$	7,163	\$	7,163	\$	-	0.0%
TBD	Travel & Training	\$	-	\$	-	\$	750	\$	750	\$	750	\$	-	0.0%
TBD	Victim Advocate Surcharge (County)	\$	-	\$	-	\$	1,250	\$	1,250	\$	1,250	\$	-	0.0%
	TOTAL EXPENDITURES	\$	-	\$	-	\$	19,244	\$	24,244	\$	24,244	\$	-	0.0%
REVENUES OVER (UNDER) EXPENDITURES														
		\$	-	\$	-	\$	(1,181)	\$	(6,181)	\$	(6,181)	\$	-	0.0%
OTHER FINANCING SOURCES (USES)														
	Transfers In - General Fund	\$	-	\$	-	\$	22,000	\$	17,369	\$	17,369	\$	-	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$	-	\$	-	\$	22,000	\$	17,369	\$	17,369	\$	-	0.0%
NET CHANGE IN FUND BALANCE														
		\$	-	\$	-	\$	20,819	\$	11,188	\$	11,188	\$	-	0.0%
FUND BALANCE, BEGINNING OF YEAR														
		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
FUND BALANCE, END OF YEAR														
		\$	-	\$	-	\$	20,819	\$	11,188	\$	11,188	\$	-	0.0%

FY 2023 STR Permit Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)				
REVENUES														
TBD	STR Permit Fees	\$	-	\$	-	\$	234,000	\$	234,000	\$	234,000	\$	-	0.0%
	TOTAL REVENUES	\$	-	\$	-	\$	234,000	\$	234,000	\$	234,000	\$	-	0.0%
EXPENDITURES														
----	STR Permit Fund Expenditures	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
	TOTAL EXPENDITURES	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
REVENUES OVER (UNDER) EXPENDITURES														
		\$	-	\$	-	\$	234,000	\$	234,000	\$	234,000	\$	-	0.0%
OTHER FINANCING SOURCES (USES)														
	Transfer Out - General Fund	\$	-	\$	-	\$	(178,400)	\$	(178,400)	\$	(178,400)	\$	-	0.0%
	Transfer Out - Vehicle Replacement Fund	\$	-	\$	-	\$	(47,200)	\$	(47,200)	\$	(47,200)	\$	-	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$	-	\$	-	\$	(225,600)	\$	(225,600)	\$	(225,600)	\$	-	0.0%
NET CHANGE IN FUND BALANCE														
		\$	-	\$	-	\$	8,400	\$	8,400	\$	8,400	\$	-	0.0%
FUND BALANCE, BEGINNING OF YEAR														
		\$	-	\$	-	\$	-	\$	-	\$	-	\$	-	#DIV/0!
FUND BALANCE, END OF YEAR														
		\$	-	\$	-	\$	8,400	\$	8,400	\$	8,400	\$	-	0.0%

FY 2023 Conservation Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
TBD	Payment in Lieu of Mitigation	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ 500	\$ 500	\$ -	0.0%
TBD	Tree Removal Permits	\$ -	\$ -	\$ -	\$ -	\$ 100	\$ 100	\$ 100	\$ -	0.0%
	TOTAL REVENUES	\$ -	\$ -	\$ -	\$ -	\$ 600	\$ 600	\$ 600	\$ -	0.0%
EXPENDITURES										
TBD	Conservation Fund Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	REVENUES OVER (UNDER) EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ 600	\$ 600	\$ 600	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer In - General Fund	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.0%
	NET CHANGE IN FUND BALANCE	\$ -	\$ -	\$ -	\$ -	\$ 50,600	\$ 50,600	\$ 50,600	\$ -	0.0%
	FUND BALANCE, BEGINNING OF YEAR	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	FUND BALANCE, END OF YEAR	\$ -	\$ -	\$ -	\$ -	\$ 50,600	\$ 50,600	\$ 50,600	\$ -	0.0%

FY 2023 Emergency Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
7950	Emergency Fund Revenues	\$ -	\$ 25,903	\$ 13,030	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL REVENUES	\$ -	\$ 25,903	\$ 13,030	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
EXPENDITURES										
8050	Emergency Fund Expenditures	\$ -	\$ 18,294	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL EXPENDITURES	\$ -	\$ 18,294	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	REVENUES OVER (UNDER) EXPENDITURES	\$ -	\$ 7,609	\$ 13,030	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
OTHER FINANCING SOURCES (USES)										
	Transfer In - General Fund	\$ -	\$ 2,000,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ 2,000,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
	NET CHANGE IN FUND BALANCE	\$ -	\$ 2,007,609	\$ 113,030	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
	FUND BALANCE, BEGINNING OF YEAR	\$ -	\$ -	\$ 2,007,609	\$ 2,120,639	\$ 2,117,484	\$ 2,220,639	\$ 2,220,639	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ -	\$ 2,007,609	\$ 2,120,639	\$ 2,220,639	\$ 2,217,484	\$ 2,320,639	\$ 2,320,639	\$ -	0.0%

FY 2023 Road & Drainage Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
----	Road & Drainage Fund Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
EXPENDITURES										
8068	Capital Expenditures	\$ -	\$ 76,333	\$ 49,310	\$ 35,250	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
	TOTAL EXPENDITURES	\$ -	\$ 76,333	\$ 49,310	\$ 35,250	\$ 100,000	\$ 100,000	\$ 100,000	\$ -	0.0%
	REVENUES OVER (UNDER) EXPENDITURES	\$ -	\$ (76,333)	\$ (49,310)	\$ (35,250)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ -	0.0%
OTHER FINANCING SOURCES (USES)										
	Transfer In - General Fund	\$ -	\$ 500,000	\$ 220,000	\$ 750,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ 500,000	\$ 220,000	\$ 750,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ -	0.0%
	NET CHANGE IN FUND BALANCE	\$ -	\$ 423,667	\$ 170,690	\$ 714,750	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ -	0.0%
	FUND BALANCE, BEGINNING OF YEAR	\$ -	\$ -	\$ 423,667	\$ 594,357	\$ 1,193,257	\$ 1,309,107	\$ 1,309,107	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ -	\$ 423,667	\$ 594,357	\$ 1,309,107	\$ 1,143,257	\$ 1,259,107	\$ 1,259,107	\$ -	0.0%

FY 2023 Town Facilities Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
----	Town Facilities Fund Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
EXPENDITURES										
8078	Capital Expenditures	\$ -	\$ -	\$ -	\$ 13,500	\$ 100,000	\$ 3,600,000	\$ 100,000	\$ (3,500,000)	-97.2%
	TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ 13,500	\$ 100,000	\$ 3,600,000	\$ 100,000	\$ (3,500,000)	-97.2%
	REVENUES OVER (UNDER) EXPENDITURES	\$ -	\$ -	\$ -	\$ (13,500)	\$ (100,000)	\$ (3,600,000)	\$ (100,000)	\$ 3,500,000	-97.2%
OTHER FINANCING SOURCES (USES)										
	Transfer In - General Fund	\$ -	\$ 250,000	\$ -	\$ 160,000	\$ 1,050,000	\$ 2,050,000	\$ 2,050,000	\$ -	0.0%
	Transfer In - ATAX (State) Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ -	\$ (250,000)	-100.0%
	Transfer In - ATAX (Town) Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000	\$ -	\$ (75,000)	-100.0%
	Transfer In - ARPA Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 914,915	\$ -	\$ (914,915)	-100.0%
	TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ 250,000	\$ -	\$ 160,000	\$ 1,050,000	\$ 3,289,915	\$ 2,050,000	\$ (1,239,915)	-37.7%
	NET CHANGE IN FUND BALANCE	\$ -	\$ 250,000	\$ -	\$ 146,500	\$ 950,000	\$ (310,085)	\$ 1,950,000	\$ 2,260,085	-728.9%
	FUND BALANCE, BEGINNING OF YEAR	\$ -	\$ -	\$ 250,000	\$ 250,000	\$ 350,000	\$ 396,500	\$ 396,500	\$ -	0.0%
	FUND BALANCE, END OF YEAR	\$ -	\$ 250,000	\$ 250,000	\$ 396,500	\$ 1,300,000	\$ 86,415	\$ 2,346,500	\$ 2,260,085	2615.4%

FY 2023 Vehicle & Equipment Replacement Fund Summary

		FY 2019 ACTUAL	FY 2020 ACTUAL	FY 2021 ACTUAL	FY 2022 ACTUAL	ADOPTED	FY 2023 1ST AMENDED	FY 2023 2ND AMENDED	CHANGE (\$)	CHANGE (%)
REVENUES										
----	Vehicle Replacement Fund Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
	TOTAL REVENUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	#DIV/0!
EXPENDITURES										
8081	Capital Expenditures	\$ -	\$ -	\$ -	\$ 39,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ -	0.0%

TOTAL EXPENDITURES	\$	-	\$	-	\$	-	\$	39,000	\$	40,000	\$	40,000	\$	40,000	\$	-	0.0%
REVENUES OVER (UNDER) EXPENDITURES	\$	-	\$	-	\$	-	\$	(39,000)	\$	(40,000)	\$	(40,000)	\$	(40,000)	\$	-	0.0%
OTHER FINANCING SOURCES (USES)																	
Transfer In - General Fund	\$	-	\$	15,000	\$	49,000	\$	15,000	\$	48,725	\$	48,725	\$	48,725	\$	-	0.0%
Transfer In - ATAX (State) Fund	\$	-	\$	-	\$	-	\$	-	\$	875	\$	875	\$	875	\$	-	0.0%
Transfer In - STR Permit Fund	\$	-	\$	-	\$	-	\$	-	\$	47,200	\$	47,200	\$	47,200	\$	-	0.0%
TOTAL OTHER FINANCING SOURCES (USES)	\$	-	\$	15,000	\$	49,000	\$	15,000	\$	96,800	\$	96,800	\$	96,800	\$	-	0.0%
NET CHANGE IN FUND BALANCE	\$	-	\$	15,000	\$	49,000	\$	(24,000)	\$	56,800	\$	56,800	\$	56,800	\$	-	0.0%
FUND BALANCE, BEGINNING OF YEAR	\$	-	\$	-	\$	15,000	\$	64,000	\$	40,000	\$	40,000	\$	40,000	\$	-	0.0%
FUND BALANCE, END OF YEAR	\$	-	\$	15,000	\$	64,000	\$	40,000	\$	96,800	\$	96,800	\$	96,800	\$	-	0.0%

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2023-31

ADOPTED _____

A RESOLUTION ADOPTING PROCEDURES AND RULES FOR BUSINESS LICENSE TAX ASSESSMENTS AND APPEALS

WHEREAS, the Town of Seabrook Island is authorized by S.C. Code of Laws, Section 5-7-30, and Title 6, Chapter 1, Article 3, to impose a business license tax on gross income derived from business activities within the town; and

WHEREAS, pursuant to Act No. 176 of 2020, commonly known as the “South Carolina Business License Tax Standardization Act,” and codified at S.C. Code of Laws, Sections 6-1-400 to 6-1-420 (the “Standardization Act”), the South Carolina General Assembly imposed additional requirements and conditions on the administration of certain provisions of municipal business license ordinances, including business license assessment and appeals; and

WHEREAS, in order to comply with the requirements of the Standardization Act, the town’s current business license ordinance was adopted by the Mayor and Council on December 14, 2021, pursuant to the provisions of Ordinance No. 2021-15 (the “Current Business License Ordinance”); and

WHEREAS, the Mayor and Council now desire to adopt a formal policy establishing procedures and rules for business license tax assessments and appeals submitted pursuant to the provisions of the Current Business License Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council for the Town of Seabrook Island, that all assessments and appeals made pursuant to the provisions of the Current Business License Ordinance shall be governed by the “Procedures and Rules for Business License Tax Assessments and Appeals,” a copy of which is attached hereto as “Attachment A.” In the event of any inconsistency or conflict between the rules and procedures set forth in the attached “Attachment A” and the S.C. Code of Laws, the S.C. Code of Laws shall be controlling to the extent of such conflict or inconsistency.

SIGNED AND SEALED this ___ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ___ day of _____, 2023.

Signed: _____
John Gregg, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

ATTACHMENT A

To Resolution 2023-31

Procedures and Rules for Business License Tax Assessments and Appeals
Town of Seabrook Island, South Carolina

**PROCEDURES AND RULES FOR
BUSINESS LICENSE TAX ASSESSMENTS AND APPEALS
TOWN OF SEABROOK ISLAND, SOUTH CAROLINA**

This policy sets forth the procedures and rules for business license tax assessments and appeals (this “*Policy*”) within the Town of Seabrook Island, South Carolina (the “*Municipality*”). This Policy shall be read in conjunction with Sections 6-1-400 through 6-1-420 of the Code of Laws of South Carolina 1976, as amended (the “*S.C. Code*”) and the Municipality’s business license program (the “*Business License Program*”). In the event of any inconsistency or conflict between the provisions of this Policy and the S.C. Code, the S.C. Code shall be controlling as to the extent of the conflict or inconsistency.

I. Definitions

Business: shall have the meaning set forth in the Business License Program.

Council: means the Town Council of Seabrook Island, as the governing body of the Municipality.

Hearing Officer: means the individual or body designated by the Municipality to oversee the general adjudication of the hearing in order to ensure compliance with this Policy. As necessary, the Hearing Officer may engage separate legal counsel to assist in the administration of the proceedings of any hearing to be held hereunder.

License Official: shall have the meaning set forth in the Business License Program.

Taxpayer: means an individual, firm, partnership, limited liability partnership, limited liability corporation, corporation, trust, estate, association, or company that is acting, or is authorized to act, on behalf of the Business.

II. Assessment and Appeal Process

1. Notice of Assessment. If a Taxpayer fails or refuses to pay a business license tax by May 1 of any applicable business license tax year or any other applicable due date for the payment of business license taxes, the License Official may serve notice of an assessment on the Taxpayer by mail or personal service.
2. Adjustment Request. The Taxpayer may request an adjustment in writing with supporting reasons within 30 days of the postmark or personal service of the notice of assessment.

3. Informal Conference. Within 15 days of the Municipality's receipt of the request to adjust the assessment, an informal conference between the Taxpayer and the License Official must be held.
 - a. Neither the Taxpayer nor the License Official may audio or video record the conference. For purposes of the informal conference, there shall be no right to compulsory disclosure of documents by subpoena.
 - b. The informal conference is not a public hearing and is not open to the public.
 - c. To allow for a fair presentation, the Taxpayer may be accompanied or advised by an attorney, accountant, or other representative. The License Official may be accompanied or advised by an attorney or accountant, or by other staff members of the Municipality.
 - d. The License Official shall preside and determine when the conference is concluded.
 - e. The Taxpayer shall be allowed to present any information or documents then in the possession of the Taxpayer that support the assessment adjustment requested by the Taxpayer.
4. Final Assessment. The Notice of the Final Assessment, including an appeal request, the form of which is attached hereto as Exhibit A, must be issued within five (5) days of the informal conference.
 - a. Notice shall be issued to the Taxpayer via mail or personal service.
 - b. Notice must include the appeal form.
5. Right to Appeal. The Taxpayer may appeal the final assessment to the Hearing Officer within 30 days after the notice of final assessment is postmarked or personally served.
 - a. The Taxpayer may appeal by completing the request for appeal (included with the Notice of Final Assessment), the form of which is attached hereto at Exhibit A.
 - b. The Taxpayer must timely pay at least 80% of the final assessment under protest as a condition of appeal. Failure to pay this amount with the notice of appeal and by the deadline for the filing thereof will result in an automatic denial of the appeal.

6. Hearing. A hearing on the appeal with the Hearing Officer must be held within 30 days of the receipt of the appeal form, unless extended in writing by mutual agreement of the Municipality and the Taxpayer.
 - a. The License Official must provide the Taxpayer with written notice of hearing including the time, date, and location of the hearing and the rules of evidence for the hearing set forth in Article III of this Policy.
 - b. The hearing shall be conducted in accordance with Article IV of this Policy.
 - c. During the hearing, the Taxpayer has the right to be represented by counsel, to present testimony and evidence consistent with Article III of this Policy, and to cross-examine witnesses.
 - d. The hearing must be recorded and must be transcribed at the expense of the party so requesting. Nothing herein shall prohibit the parties from agreeing to jointly share transcription or other costs.
 - e. Public disclosure of information as to gross receipts contained in applications for business license constitutes an unreasonable invasion of personal privacy. The Municipality may not share or disclose any information relating to business license tax applications with any third party other than to acknowledge whether a business has paid the taxing jurisdiction's business license tax for a relevant year.
 - f. The hearing shall be open to the public; however, to the extent that information pertaining to gross receipts of a business or other information of a personal nature is being presented, the review shall be conducted in-camera by the Hearing Officer. The review shall be closed to the public and the Hearing Officer will comply with all confidentiality requirements set forth in Title 30, Chapter 4 and Title 6, Chapter 1 of the S.C. Code, and the Business License Program.
7. Decision. The decision on the assessment shall be made by the Hearing Officer. If the Hearing Officer is a body, the decision of the Hearing Officer shall be by simple majority in open session. Any tie votes shall be construed in favor of the Taxpayer.
8. Findings. The decision shall include findings of fact based only upon evidence presented at the hearing.
9. Provision of Written Decision. Following the hearing and decision, the Hearing Officer shall draft a final order of the decision explaining the basis of the decision.

- a. The final written order shall be provided to the Taxpayer via mail or personal service within 14 days of the date of the hearing.
 - b. The written order must include findings of fact and conclusions of law and inform the Taxpayer of the right to appeal to the Administrative Law Court.
10. Further Relief. The Taxpayer has 30 days after the postmark or personal service of the written decision to make and file an appeal to the Administrative Law Court.

III. Rules of Evidence

1. Governing Statute. S.C. Code §1-23-330 shall govern questions of evidence. Strict compliance with the South Carolina Rules of Evidence is not required, but the Hearing Officer shall receive only relevant information. Contested questions of relevancy shall be construed in favor of the Taxpayer.
2. Objections. Objections to evidence shall be timely made and noted in the record. Whenever evidence is ruled inadmissible, the party offering that evidence may submit an offer of proof on the record. The party making the offer of proof for excluded oral testimony shall briefly summarize the testimony. If the evidence excluded consists of a document or exhibit, it shall be marked as part of an offer of proof and included in the final record.

IV. Order of Proceedings.

1. Opening Statements. The Hearing Officer shall give a brief opening statement describing the nature of the proceedings. The parties may be given an opportunity to present brief opening statements lasting no more than five (5) minutes each.
2. Presentation of the Evidence. Parties shall present their evidence as follows:
 - a. The Municipality, as the the taxing jurisdiction, will be the first to present evidence.
 - b. The Municipality shall call its witness(es) with the Taxpayer being allowed to cross-examine in an orderly fashion.
 - c. The Municipality shall have up to fifteen (15) minutes to question each witness while the Taxpayer shall have up to ten (10) minutes to cross-examine the witness.
 - d. When the Municipality rests, the Taxpayer shall call its witness(es) with the Municipality being allowed to cross-examine in an orderly fashion.
 - e. The Taxpayer shall have up to fifteen (15) minutes to question each witness while the Municipality shall have up to ten (10) minutes to cross-examine

the witness.

- f. Each witness shall be sworn or affirmed by the Hearing Officer and be subject to examination.
- g. All objections to procedure, admission of evidence, or any other matter shall be timely made and stated on the record.
- h. When all of the parties and witnesses have been heard, the parties may be given the opportunity to present brief final arguments lasting no more than five (5) minutes each.
- i. The Hearing Officer may convene an executive session to receive legal counsel, but deliberation must be conducted in open session.
- j. The Hearing Officer shall then vote and issue its ruling as to the appeal on the record.
- k. The Taxpayer shall have the right to appeal the Hearing Officer's decision to the Administrative Law Court as described hereinabove.

V. Appeals to City/Town. Absent the adoption of separate or different rules by the Municipality related to direct appeals to Council under the Business License Program, Sections III and IV above governing the rules of evidence and the order of proceedings described above shall apply to any direct appeals to Council under the Business License Program, and any references to the Hearing Officer in such section shall apply to the Council *mutatis mutandi*.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF _____)
)
 CITY/TOWN OF _____)

NOTICE OF APPEAL FORM

Date of Original Notice: _____
 Business Code: _____
 NAICS: _____
 Name of Business: _____
 Mailing Address _____
 S.S./Fed. ID No.: _____
 Last License No.: _____ Year: 20____
 Date of Informal Conference _____

The business named above has been assessed the following business license tax and penalties for the license year indicated.

<u>Year</u>	<u>Gross Income</u>	<u>Tax Rate</u>	<u>License Tax</u>	<u>Penalties</u>
20__	_____	_____	_____	_____
20__	_____	_____	_____	_____
20__	_____	_____	_____	_____
Totals			_____	_____

I, the undersigned taxpayer, as the duly authorized representative of the business named above, elects to appeal the business license tax assessment stated above. The reasons for such appeal are provided below (as may be supplemented by such additional written materials or evidence):

By filing this appeal, I represent and understand that: (i) the business is paying under protest the sum of \$_____, which is at least 80% of the business license taxes described above; (ii)(1) a failure to timely remit at least 80% of the business license tax assessment described above or (2) a failure to timely submit this appeal notice within 30 days of the receipt of the notice of final assessment shall result in an automatic rejection of the appeal and constitutes a complete waiver of my right to appeal the business license taxes due to the taxing jurisdiction; (iii) the business has the right to a hearing regarding the requested appeal within 30 days of the timely filing of this appeal; and (iv) the hearing shall be held in accordance with the rules and procedures adopted by the taxing jurisdiction.

Date: _____, 20__

 Taxpayer

Additions Deletions

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-14

ADOPTED _____

AN ORDINANCE AMENDING THE TOWN CODE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA, SO AS TO ESTABLISH REGULATIONS PERTAINING TO PROHIBITED NOISE; PROPERTY MAINTENANCE; TRASH, LITTER AND DEBRIS; ILLEGAL DUMPING; AND THE PARKING OF VEHICLES AND EQUIPMENT; TO REPEAL SECTIONS 14-21 THROUGH 14-24 RELATING TO PUBLIC NUISANCES; TO REPEAL SECTION 22-21 RELATING TO ILLEGAL DUMPING; AND OTHER MATTERS RELATED THERETO

WHEREAS, Chapter 18 of the Town Code for the Town of Seabrook Island (the “Town Code”) contains various provisions pertaining to general offenses against public safety; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island desire to amend Chapter 18 of the Town Code to establish and consolidate regulations pertaining to various public nuisances, including noise; property maintenance; trash, litter and debris; illegal dumping; and the parking of vehicles and equipment within the town; and

WHEREAS, the Mayor and Council further desire to amend the Town Code so as to remove conflicting provisions from elsewhere in the Town Code, including Sections 14-21 through 14-24, and Section 22-21; and

WHEREAS, the Mayor and Council advertised and held a public hearing on the proposed amendments during a duly called meeting on [November 28, 2023]; and

WHEREAS, in an effort to protect the public health, comfort, safety and welfare of residents within the town, the Mayor and Council believe it is fitting and proper to amend the Town Code to achieve the objectives referenced herein;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND, S.C.:**

SECTION 1. Amending Chapter 18 of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Offenses and Miscellaneous Provisions; is hereby amended to read as follows:

Chapter 18 - OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. IN GENERAL

Sec. 18-1. Uniform ordinance summons.

- (a) *Authority.* Any person or entity violating any provision of the Town Code, or any ordinance adopted pursuant thereto, within the town's corporate limits may be issued a uniform ordinance summons.
- (b) *Jurisdiction.* The issuance of a uniform ordinance summons shall vest jurisdiction in the municipal court or a designated magistrate's court, as applicable, to hear and dispose of the charge for which the uniform ordinance summons was issued and served.
- (c) *Issuance.* A uniform ordinance summons may be issued by any person or official designated or appointed as a town code enforcement officer, pursuant to the provisions of section 18-2.
- (d) *Bond.* The bond amount for violations shall be prescribed by the municipal judge or the magistrate so appointed to perform that function. Town code enforcement officers are prohibited from accepting bonds. Bonds are to be posted in the manner prescribed in the uniform ordinance summons.
- (e) *Limitations.* A uniform ordinance summons shall not be used to perform a custodial arrest, to regulate the use of motor vehicles on public highways, or to enforce any other offense or violation for which a uniform traffic ticket must be used, pursuant to S.C. Code 1976, ~~Sec. §~~ 5-7-10.
- (f) *Form.* The form set forth in Exhibit A to the ordinance from which this section is derived is hereby adopted as the "Town of Seabrook Island's Uniform Ordinance Summons."

Sec. 18-2. Town code enforcement officers.

- (a) *Designation of ex officio code enforcement officers.* For purposes of this section, the town administrator and zoning administrator are hereby designated, ex officio, as town code enforcement officers.
- (b) *Appointment of additional code enforcement officers.* The mayor, with the concurrence of the town council, may appoint and commission as many town code enforcement officers as may be necessary for the proper security, general welfare and convenience of the town.
- (c) *Powers and duties.* Town code enforcement officers shall be vested with the powers and duties set forth in S.C. Code 1976, ~~Sec. §~~ 5 7-32. Town code enforcement officers shall have the authority to exercise their powers on all public and private property within the town.

- (d) *Limitations.* No town code enforcement officer commissioned pursuant to the provisions of this section may perform a custodial arrest.

Sec. 18-3. Prohibited activities.

- (a) *False complaints, false information.* It is unlawful for any person to knowingly make a false complaint or provide false information to any town code enforcement officer concerning the alleged commission of any offense or violation by another.
- (b) *Misrepresentation of identity; failure to cooperate.* It is unlawful for any person to:
- (1) Misrepresent his or her identity to a town code enforcement officer;
 - (2) Fail to provide necessary information or to otherwise cooperate with a town code enforcement officer in the discharge of his or her official duties; and
 - (3) Fail to accept a uniform ordinance summons issued by a town code enforcement officer.
- (c) *Penalties.* ~~Unless otherwise prescribed by law, Any person who violates-violating the provisions of this section is-shall be deemed guilty of a misdemeanor and, upon conviction, must be fined not more than \$200.00 or imprisoned for not more than 30 days. shall be subject to the penalties set forth in section 1-7.~~

Sec. 18-4. Assaulting or resisting code enforcement or law enforcement officer.

No person shall assault, resist, hinder, oppose, molest, or interfere with any town code enforcement officer or employee of the town, of any department or board of the town, or of any law enforcement officer in the discharge of official duties.

Secs. 18-5—18-2219. Reserved.

ARTICLE II. OFFENSES AGAINST PUBLIC SAFETY

Sec. 18-2320. Discharging firearms.

- (a) *Firearms defined.*
- (1) For purposes of this ~~article~~section, the term "firearm" includes:
 - a. Any handgun as defined in S.C. Code 1976, § 16-23-10; and
 - b. Any machine gun, sawed-off shotgun, shotgun, sawed-off rifle, rifle or antique firearm as defined in S.C. Code 1976, § 23-31-310.

(2) For purposes of this ~~article~~section, the term "firearm" does not include:

- a. BB guns; and
- b. Air rifles.

(b) *Prohibited.* It shall be unlawful for any person to negligently or carelessly discharge or fire any firearm or crossbow within the town's jurisdiction. Any intentional discharge is prohibited subject to the exceptions set forth in subsection (c) of this section.

(c) *Exceptions.* Exceptions to the prohibition contained in subsection (b) of this section may be granted by resolution of the town council. The following are examples of situations warranting exception:

- (1) A controlled hunt which is undertaken as part of a duly authorized wildlife management program.
- (2) A controlled hunt to remove any animal whose presence poses a threat to public health and safety.
- (3) Any peace officer of the state, county or municipality, in the performance of his or her office or duty.
- (4) Any security officer employed by a property owners' association or development within the town, in the performance of his or her office or duty.
- (5) A landowner intentionally discharging a firearm or crossbow on the landowner's property to protect the landowner's family, employees, the general public, or the landowner's property from animals that the landowner reasonably believes poses a direct threat or danger to the landowner's property, people on the landowner's property, or the general public. For purposes of this subsection, the landowner's property must be a parcel of land comprised of at least 25 contiguous acres.

(d) *Penalties.* Unless otherwise prescribed by law, any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

Sec. 18-~~2421~~. Gaming vessels.

(a) *Prohibited; exceptions.* The town hereby prohibits within its jurisdiction the docking and embarking or disembarking of passengers aboard gambling vessels, as defined in S.C. Code 1976, § 3-11-100(1), that provide gambling aboard voyages that depart from the town's jurisdiction, leave the territorial waters of the state, sail into United States or international waters, and return to the territorial waters of the state without making an intervening stop, as defined in S.C. Code 1976, § 3-11-100(3). Nothing in this section shall be construed to prohibit, regulate, or otherwise apply to passenger

cruise liners, as defined by S.C. Code 1976, § 3-11-100(5), nor shall this section apply to vessels described in S.C. Code 1976, § 3-11-400(A).

- (b) *Penalties.* Anyone violating this section must be assessed a civil penalty of not more than \$100.00 per passenger for each violation, with an aggregate total in penalties not to exceed \$50,000.00 per gambling vessel for a 24-hour period. For the purposes of this section, the term "per passenger" means the total number of passengers allowed on a vessel pursuant to its United States Coast Guard certificate of documentation or equivalent foreign documentation. In addition, violations of this section are subject to injunctive relief.
- (c) *Validity.* The exceptions for passenger cruise liners and S.C. Code 1976, § 3-11-400(D) in this section are so connected with the other provisions of this section that they are mutually dependent on each other as conditions and considerations for each other, so that the town council would not have adopted this section without them; therefore, should these exceptions be found unconstitutional or invalid, it is the intent of the council that the entire section be found invalid.

Sec. 18-~~2522~~. Prohibited hours of operation for establishments permitting on-premises consumption of beer, ale, etc.; penalty.

The town hereby prohibits any establishment that allows for the on-premises consumption of beer, ale, liquor, porter and/or wine from operating between the hours of 2:00 a.m. and 6:00 a.m. on Mondays through Sundays. A violation of the provisions of this section is punishable by a fine of up to \$500.00 per incident and 30 days in jail and the immediate revocation of the merchant's business license for a period of one year.

Sec. 18-~~2623~~. Restraint of domestic household animals/pets.

(a) *Definitions.* For purposes of this section, the following definitions shall apply, except where the context clearly indicates a different meaning:

- (1) *Competent person.* A person of suitable age and discretion and physically capable of restraining and controlling the domestic animal/pet in his or her care in order to prevent harm to persons, property or to other animals.
- (2) *On a leash.* The domestic household animal/pet is restrained by a competent person using a physical restraint made of cord, rope, strap, chain or other material effective for restraining the type and size of domestic household animal/pet, the physical restraint being no more than 16 feet in length, secured to the animal's collar or harness and continually held by a competent person.
- (3) *Effectively restrained.* The person owning or having possession, charge, custody or control of the domestic household animal/pet restrains the animal from destroying or damaging any property; attacking, threatening to attack, or

interfering with any person in any manner; becoming a nuisance; or straying onto public property or the private property of another.

~~(a)(b)~~ Leash required. No person owning or having possession, charge, custody or control of any domestic household animal/pet shall cause, permit or allow the animal to stray or in any manner to run at large upon public property or upon the property of another unless the animal is effectively restrained on a leash.

~~(b)~~ For purposes of this section, the term "on a leash" shall have the same meaning as contained in section 32-44(a)(4)(d).

~~(c)~~ For purposes of this section the term "effectively restrained" shall mean that the person owning or having possession, charge, custody or control of the animal restrains the animal from destroying or damaging any property; attacking, threatening to attack, or interfering with any person in any manner; becoming a nuisance; or straying onto public property or the private property of another.

(c) Exceptions. The provisions of this section shall not apply on any public property which is subject to the provisions of section 32-44.

(d) Penalties. Unless otherwise prescribed by law, any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

Secs. 18-24—18-29. Reserved.

ARTICLE III. PUBLIC NUISANCES

Sec. 18-30. Prohibited Noise

(a) Purpose. The town seeks to maintain a peaceful environment while recognizing that certain types of noises may be generated by acceptable economic, recreational and social activities which contribute to the overall health and vibrance of the community. The purpose of this section is to balance the impact of such activities with the public health, comfort, safety, welfare and reasonable expectation of peaceful enjoyment by prohibiting certain types of unreasonably loud, disturbing or unnecessary noises which cause discomfort or injury to persons of ordinary sensibilities in the vicinity thereof.

(b) Definitions. For purposes of this section, the following definitions shall apply, except where the context clearly indicates a different meaning:

(1) Amplified sound. Sound which is augmented by any electronic means which increases its level or volume.

- (2) Construction activities. Any lawfully permitted assembly, erection, fabrication, installation, alteration, repair, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not limited to, clearing of land, earth moving, blasting, excavation and site work.
- (3) Decibel (dB). A logarithmic unit for measuring the intensity of sound.
- a. dB(A). A measurement of the intensity of sound in decibels, determined by the "A" weighted scale of a standard sound level meter having characteristics defined by the American National Standards Institute (ANSI) Standard S1.4: Specifications for Sound Level Meters, current edition, or its successor publication(s).
- (4) Decibel meter. An instrument used to measure the intensity of sound in decibels which includes a microphone, amplifier and output meter.
- a. Decibel meter, approved. A decibel meter of standard design and quality which conforms to American National Standards Institute (ANSI) Standard S1.4: Specifications for Sound Level Meters, current edition, or its successor publication(s), and which uses the "A" frequency weighting network for the measurement of sound levels. For purposes of this section, an approved decibel meter shall have a minimum grade of Type/Class 2.
- (5) Landscape maintenance activities. Activities and services which are typically necessary to establish, care for, preserve or remove organic vegetation, whether natural or ornamental, and to maintain areas of a premises containing lawns, gardens, shrubbery, trees, planting beds, natural vegetation, mulch, irrigation systems, pathways and recreational amenities in a healthy, clean, safe and attractive condition. Such activities generally include, but are not limited to, mowing, edging, pruning, trimming, chipping, raking, weeding, fertilizing, planting, harvesting and blowing by way of hand- or machine-powered tools and equipment.
- (6) Noise disturbance. Any unnecessary or unusually loud sound, or any sound which disrupts the peace and quiet of any neighborhood and which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons of ordinary sensibilities.
- (7) Person. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group or agency.
- (8) Plainly audible. A noise or sound which may be clearly heard by a person of normal sensibilities using only unaided auditory senses. Plainly audible shall refer to a sound heard at a volume level above that of normal conversation and shall not include sounds which are just barely audible. With respect to music and amplified

sounds, the detection of rhythmic base reverberating type sound, beat or cadence shall be deemed plainly audible.

(9) Recreational properties. Any lot, plot or parcel of land which is zoned Recreation (RC) or Camp St. Christopher (CSC) according to the official zoning map of the town.

(c) In general. It shall be unlawful for any person to willfully cause, create, continue, permit or allow any activity which produces or constitutes a noise disturbance on or within any premises or public area in the town, except as expressly allowed in this section.

(d) Specific noises prohibited. Unless otherwise specifically provided in this section, the following are declared to constitute prima facie evidence of a noise disturbance in violation of this section:

(1) Alarms, horns and signaling devices (non-emergency). Noise caused by the sounding of any alarm, horn or signaling device, except as required by law or to alert persons of imminent danger or emergency.

(2) Amplified sound generally. Noise caused by amplified sound which is plainly audible from inside a neighboring residence or place of business.

(3) Defective building equipment and systems. Noise caused by defective building equipment and systems including, but not limited to, mechanical, electrical and plumbing systems, which, due to frequent or long-continued occurrence, disturbs the quiet, comfort or repose of persons within a neighboring residence or place of business.

(4) Domestic animals. Noise caused by barking dogs or other domestic animals, either intermittently or continuously, for periods of more than 30 minutes.

(5) Engine noise. Noise caused by the engine exhaust of any motor vehicle, motorcycle, boat, steam engine or stationary internal combustion engine, except through a muffler or other device that effectively muffles noise therefrom.

(6) Noise on the beach. Music or other noise on the beach that is audible more than 100 feet from its source.

(7) Noise from watercraft. Music or other noise emanating from a watercraft in a marina, dock or navigable waterway, other than engine noise, that is audible more than 100 feet from the vessel.

(8) Radios, televisions, musical instruments and similar devices. Noise caused by radios, televisions, musical instruments and similar devices when operated or

played in such a manner as to be plainly audible from inside a neighboring residence or place of business.

(9) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing at any time or place that annoys or disturbs the quiet, comfort, or repose of persons within a neighboring residence or place of business.

(e) *Decibel level prohibitions; exceptions.*

(1) *In general.* Unless otherwise specifically provided in this section, it shall be unlawful for any person to willfully cause, create, continue, permit or allow the emission of noise of any type in excess of the following levels:

a. *Daytime hours.* Between the hours of 8:00 a.m. and 10:00 p.m., sounds in excess of 70 dB(A) are declared to constitute a noise disturbance in violation of this section.

b. *Evening hours.* Between the hours of 10:00 p.m. and 8:00 a.m., sounds in excess of 60 dB(A) are declared to constitute a noise disturbance in violation of this section.

(2) *Exceptions.* The decibel level prohibitions set forth above shall not apply to sounds generated by any of the following; provided, however, where additional conditions are provided, failure to comply with such conditions is declared to constitute a noise disturbance in violation of this section:

a. *Agriculture.* Sounds generated by agricultural and silvicultural activities, subject to the following conditions:

1. All internal combustion engines shall be equipped with a muffler or other device that effectively muffles noise therefrom; and

2. Processing of agricultural products is only exempt if performed on farmlands.

b. *Alarms, horns and signaling devices (emergency).* Sounds generated by the sounding of any alarm, horn or signaling device, when required by law or to alert persons of imminent danger or emergency.

c. *Building maintenance.* Sounds generated by building maintenance activities including, but not limited to, cleaning, washing, vacuuming, the performance of minor repairs and similar activities, subject to the following conditions:

1. Building maintenance activities which may disturb the quiet, comfort or repose of persons within a neighboring residence or place of business shall not commence before 7:00 a.m. and must cease by 10:00 p.m.; and

2. The exception authorized herein shall not apply to activities which are classified as construction activities or landscape maintenance activities.
- d. Construction activities. Sounds generated by lawfully permitted construction activities, subject to the following conditions:
 1. Construction activities which may disturb the quiet, comfort or repose of persons within a neighboring residence or place of business shall not commence before 7:00 a.m. and must cease by 6:30 p.m. on Mondays through Saturdays;
 2. Construction activities shall be prohibited on Sundays, official town holidays and at such other times as may occasionally be prohibited by resolution of town council; and
 3. The conditions specified herein shall not apply to construction activities related to emergency work or work completed by, or on behalf of, a government agency.
 - e. Emergency vehicles and equipment. Sounds generated by emergency vehicles and equipment including, but not limited to, police, fire and emergency transport services.
 - f. Emergency work. Sounds generated by work which is necessary to:
 1. Restore a property or structure to a safe or habitable condition;
 2. Protect persons or property from danger or potential danger;
 3. Repair or restore public or private utility services; or
 4. Repair or restore any public or private road, bridge or drainage structure.
 - g. Fireworks displays. Sounds which are generated by the discharge of fireworks during a public display or exhibition which is lawfully permitted pursuant to Section 16-2.
 - h. Generators. Sounds which are generated by an emergency generator during a power outage or emergency event, or during such periods when the generator is being tested or repaired.
 - i. Government vehicles and equipment. Sounds generated by vehicles and equipment operated by an official, employee or authorized contractor of any municipal, county, state or federal agency, department or unit.

- j. HVAC systems. Sounds generated by properly installed and operating HVAC systems.
- k. Irrigation systems. Sounds generated by properly installed and operating irrigation systems.
- l. Landscape maintenance activities. Sounds generated by landscape maintenance activities, subject to the following conditions:
 - 1. Landscape maintenance activities which may disturb the quiet, comfort or repose of persons within a neighboring residence or place of business shall not commence before 7:00 a.m. and must cease by 6:30 p.m.;
 - 2. In an effort to reduce off-site noise generated by landscape maintenance activities, the town encourages the use of electric-powered tools and equipment where available; and
 - 3. The conditions specified herein shall not apply to landscape maintenance activities at recreational properties.
- m. Parades and public assemblies. Sounds generated by attendees, spectators and participants in parades and public assemblies on public property, provided:
 - 1. The parade or public assembly is lawfully permitted pursuant to Section 24-20, et seq; and
 - 2. The conduct of the parade or public assembly does not unreasonably disturb the use and quiet enjoyment of property owners or visitors within the vicinity of the parade or public assembly.
- n. Pump systems. Sounds generated by properly installed and operating pump systems.
- o. Recreational properties. On all recreational properties within the town, the following activities shall be exempt from the decibel level prohibitions specified in paragraph (1):
 - 1. Sounds generated by landscape maintenance activities between the hours of 6:00 a.m. and 10:00 p.m.;
 - 2. Non-amplified sounds generated by participants, attendees and spectators of permissible recreational events and activities between the hours of 7:00 a.m. and 11:00 p.m.; and

3. Amplified sounds between the hours of 7:00 a.m. and 11:00 p.m., provided the amplified sound does not exceed 75 dB(A) measured from the nearest street, right-of-way or property line.
- p. *Special exemption permits.* Sounds which are generated as part of a special exemption permit approved by town council pursuant to subsection (f) of this section, and subject to any conditions as may be imposed by town council.
- q. *Town-sponsored events and activities.* Sounds generated by attendees, spectators and participants at any outdoor event or activity which is sponsored or co-sponsored by the town and taking place on public or private property. Such examples include, but are not limited to, concerts, festivals, parades, races and similar activities.
- r. *Utility operations.* Sounds generated by the operation of any regulated utility system.
- (f) *Special exemption permits.* Town council may grant a special exemption permit to allow any person to engage in conduct or activities, on a temporary basis, which would otherwise violate the provisions of this section.
- (1) *Application for special exemption permit.* Permit applications shall be submitted to the town administrator using a form made available for that purpose. Applications must be received no less than 10 days prior to the date upon which the applicant seeks to engage in the conduct or activity. Applications shall be forwarded by the town administrator to the town council for consideration at the next available town council meeting.
- (2) *Criteria for approval.* The following information shall be considered by town council in determining whether or not to grant a special exemption permit:
- a. The nature of the proposed conduct or activity and whether there are any feasible and prudent alternatives;
- b. Any adverse impacts and whether there are ways to avoid or mitigate those impacts;
- c. The location of the proposed conduct or activity and any history of noise problems at that address;
- d. The proximity of any residences, places of business or other uses and whether the neighbors within hearing range support or oppose the proposed conduct or activity; and
- e. When the conduct or activity will begin and end.

(3) Conditions. In granting a special exemption permit, town council may impose conditions and safeguards to mitigate any adverse impacts of the conduct or activity.

(4) Permit. Upon approval of a special exemption permit by town council, the permit must be signed by the mayor or his or her designee and shall set forth the following:

a. The name of the person to whom the permit is granted;

b. The location of the property for which permit is issued;

c. A description of the conduct or activity for which the permit is granted; and

d. The date(s) and time(s) for which the permit is effective.

(g) Method of determining violation.

(1) In general. For purposes of determining whether a noise disturbance in violation of this section has occurred, other than those noises specifically prohibited in subsection (d), the sound shall be measured using an approved decibel meter from the street, right-of-way or neighboring property line; provided, however, for noise disturbances originating at or within a condominium, townhome or cluster unit, or within a mixed-use or multi-tenant building, the sound may be measured from a neighboring unit or common area.

(2) Other considerations. In addition to any other criteria established herein, the code enforcement officer may consider the following characteristics and conditions in determining whether a noise disturbance violation exists:

a. The duration and intensity of the noise;

b. Whether the noise is recurrent, intermittent or constant;

c. Whether the noise is usual or unusual or produced naturally or unnaturally;

d. Whether the noise is reasonably necessary due to a hearing impairment or other disability;

e. The time of day or night at which the noise is occurring;

f. The general character of the area where the noise is occurring;

g. The reasonable expectation of quiet that could be expected by individuals on public or private property in the vicinity where the noise is occurring; and

h. The frequency and/or history of prior violations at the property.

(h) Penalties. Failure to comply with the provisions set forth in this section shall be deemed a public nuisance. Unless otherwise prescribed by law, any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

Sec. 18-31. Property maintenance.

(a) Definitions. For purposes of this section, the following definitions shall apply, except where the context clearly indicates a different meaning:

(1) Conservation lands. Any lot, plot or parcel of land which is zoned CP Conservation according to the official zoning map of the town and which contains no principal use or structure. Such lands are generally dedicated or reserved as open space preserves, wetlands and wildlife habitat refuge areas.

(2) Exterior property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

(3) Hazardous tree. A tree which, due to severe disease, death, or irreparable damage due to age, storm or other injury, poses an imminent safety hazard to nearby buildings or structures; obstructs or renders dangerous any street, sidewalk, watercourse or drainage structure; or creates an unreasonable risk of injury in the use of the property or surrounding properties.

(4) Infestation. The presence, within or contiguous to, a structure or premises of insects, rodents, vermin or other pests.

(5) Occupant. Any individual living or sleeping in a building or having possession of a space within a building.

(6) Operator. Any person who has charge, care or control of a structure or premises that is let or offered for occupancy.

(7) Owner. Any person, agent, operator, firm or corporation having legal or equitable interest in the property; or recorded in the Charleston County Register of Deeds as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court of competent jurisdiction.

(8) Pest elimination. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

(9) Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.

(10) Structure. Anything constructed or erected, which requires, more or less, permanent location on the ground or is attached to something having a permanent location on the ground.

(11) Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

(b) Scope. The provisions of this section shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

(c) Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with the requirements set forth in this section. A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this section. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises they occupy and control.

(d) Property maintenance required.

(1) Vacant structures and land; conservation lands.

a. Vacant structures and land. Vacant structures and the premises thereof and vacant land, other than conservation lands, shall be maintained in a clean, safe, secure and sanitary condition, as provided herein, so as not to cause a blighting problem or adversely affect public health or safety.

b. Conservation lands. Conservation lands shall be maintained in a natural condition which is consistent with their conservation purpose and conducive to native flora and fauna. While such lands need not be manicured, they shall be maintained in a clean and sanitary condition and free of hazardous trees and noxious weeds.

(2) Exterior property areas.

a. Sanitation. Exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

- b. Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.
 - c. Hazardous trees. Exterior property and premises shall be maintained free of hazardous trees.
 - d. Weeds. Exterior property and premises shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers, gardens and ornamental ground coverings.
 - e. Rodent harborage. On all developed lots, structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.
 - f. Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another tenant.
 - g. Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
 - h. Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.
- (3) Swimming pools, spas and hot tubs. Swimming pools, spas and hot tubs shall be maintained in a clean and sanitary condition, and in good repair. Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier not less than 48 inches in height above the finished ground level measured on the side of the barrier away from the pool, spa or hot tub; provided, however, a fence or barrier shall not be required for swimming pools with a powered safety cover that complies with ASTM F 1346 or for spas and hot tubs with a lockable safety cover that complies with ASTM F 1346.
- (4) Exterior structure. The exterior of all structures including, but not limited to, protective treatments, premises identification, structural members, foundation walls, exterior walls, roof and drainage systems, decorative features, overhang

extensions, stairways, decks, porches, balconies, chimneys and towers, handrails and guards, windows, skylights, door frames, insect screens, building security features (such as doors, windows and basement hatchways), and gates, shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(5) Interior structure. The interior of all structures and equipment therein including, but not limited to, structural members, interior surfaces, stairs and walking surfaces, handrails and guards, and interior doors, shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

(6) Component serviceability. The components of all structures and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

(7) Handrails and guardrails. Except where exempted by the adopted building code, every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches above the floor or grade below shall have guards. Handrails shall be not less than 30 inches in height or more than 42 inches in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall be not less than 30 inches in height above the floor of the landing, balcony, porch, deck, ramp or other walking surface. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(8) Pest elimination. Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

(e) Notice of violation; contents. Upon discovery of the existence of any violation of the provisions set forth in this section, the town shall provide written notice of violation to the property owner to abate or remove such violation. The notice shall provide for the abatement or removal of the violation within a reasonable time, not to exceed 30 days from the date the notice is mailed or posted on the property, to be determined by the town based upon the severity of the violation and the imminent risk to public health or safety. The notice shall state that unless the violation is abated or removed, the town will cause it to be abated or removed and will charge the costs associated therewith to the owner, as provided in subsection (g).

(f) Penalties. Failure to comply with the provisions set forth in this section shall be deemed a public nuisance. In addition to any remedial or abatement action required pursuant to subsection (g), and unless otherwise prescribed by law, any person who shall fail to abate or remove any violation of the provisions set forth in this section, upon receiving notice from the town, shall be guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

(g) Abatement.

(1) Authority. In addition to any penalties provided in subsection (f), if a violation is not abated or removed within the time provided in the notice of violation, or if the property owner cannot be found, any duly authorized employee of the town or contractor hired by the town shall be authorized to enter upon the property in violation to abate or remove such violation.

(2) Costs to be paid by property owner. All costs associated with the town's abatement or removal of such violation shall be collected as a debt from the property owner.

(3) Nonpayment; collection. If not paid in a timely manner, the costs associated with the town's abatement or removal of such violation shall be assessed against the property owner as provided by law. The town may use any remedy authorized by law to collect such funds which are due and collectible including, but not limited, the filing of a lien against the property or referral of the debt to the setoff debt collection program.

Sec. 18-32. Trash, litter and debris; illegal dumping.

(a) Trash, litter and debris.

(1) In general. Except as otherwise provided herein, it shall be unlawful for any person to accumulate, place, store, allow, or permit the accumulation, placement, or storage of trash, litter, junk or debris on any premises within the town, except in a lawfully permitted disposal facility.

(2) Household waste and debris.

a. Trash and recycling. Household trash and recycling shall be stored in covered watertight storage receptacles designed for the temporary accumulation of trash for a period not to exceed 7 days. Household trash and recycling receptacles shall not be placed curbside prior to 12:00 p.m. on the day prior to the scheduled pick-up and must be removed from the curb by the end of the day of pick-up. At all other times, trash and recycling receptacles must be

removed from the curb and stored in a location which is not plainly visible from the street.

- b. *Yard debris.* Household yard debris shall not be placed curbside prior to dawn on the Saturday prior to the scheduled pick-up date; provided, however, the mayor or council may suspend this provision for up to 180 days following any major storm or debris-generating event, or when deemed necessary to preserve public health and safety. Yard debris shall not be placed on or near storm water catch basins or drainage boxes, or within 15 feet of a fire hydrant.
- c. *Bulk items.* Bulk items such as appliances, electronics, household furnishings, bedding, and similar items shall not be placed curbside prior to 12:00 p.m. on the day prior to the scheduled pick-up date.

(3) *Construction activities.*

- a. *Construction and demolition debris.* Trash, litter and debris generated during the construction, renovation, repair or demolition of structures, roads, bridges and other improvements shall be stored in a dumpster or similar receptacle on the construction site. In lieu of a dumpster, a trailer not more than 16 feet in length may remain on the construction site for the purpose of collecting trash, litter and debris; provided, the trailer shall have solid sides for trash containment or be covered with a tarpaulin while construction activities are not taking place. Any dumpster, receptacle or trailer shall be emptied or removed on a regular basis to ensure that any accumulated trash, litter and debris is not visible from the street.
- b. *Vegetative debris.* Vegetative debris such as trees, limbs, stumps, rocks, soils and other vegetative matter resulting from land clearing or land development activities shall be removed from each construction site by the owner or contractor as often as necessary to keep the site free of such debris.
- c. *Temporary sanitary facilities.* Temporary sanitary facilities, where provided, shall be located off the street right-of-way and screened so they are not visible from the street.

(4) *Littering.* No person shall dispose of trash by dropping, scattering or strewing it upon any public property, street or right-of-way, or upon the property of another.

(5) *Animal waste.* No person shall allow a domestic household animal/pet or livestock to defecate upon any public property, street or right-of-way, or upon the property of another, without removing and disposing the excrement as promptly as is reasonably practicable.

(b) *Illegal dumping.*

(1) In general. No person shall use any part of his or her property, or the property of another, as a dumping site for any type of trash, litter, junk, debris or hazardous materials.

(2) Dumping in waterways and storm sewers prohibited; mitigation. No person shall dump, place, or deposit, or allow the dumping, placing, or depositing, of any trash, litter, junk, debris, hazardous material, fill of any type, or other substances in any channel, stream, ditch, river, marsh, sewer, storm sewer or other waterway within the town. Any violation of this section shall require mitigation along with such fines or penalties as may be imposed.

(c) Penalties. Failure to comply with the provisions set forth in this section shall be deemed a public nuisance. Unless otherwise prescribed by law, any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

Sec. 18-33. Vehicle and equipment parking.

(a) Definitions. For purposes of this section, the following definitions shall apply, except where the context clearly indicates a different meaning:

(1) Carport. An attached or detached structure with a roof and one or more open sides or an area located under a residential dwelling which is designed or used for the storage of vehicles.

(2) Designated parking space. A designated area or space on a single-family lot or within a multi-family development which is used primarily for the parking of passenger vehicles. A designated parking space may be located on a driveway, shared driveway, guest parking area, or within a shared parking lot, as applicable. Designated parking spaces shall be located on an improved surface consisting of any one of more of the following materials:

- a. asphalt or pervious asphalt;
- b. brick or brick pavers;
- c. concrete, pervious concrete or concrete pavers;
- d. crushed stone, gravel or plantation mix; or
- e. stone or stone pavers.

(3) Garage. An attached or detached enclosed structure which is devoted to or designed for the storage of vehicles.

(4) Passenger vehicle. Any type or class of passenger car, sport utility vehicle (SUV), pickup truck or van with a maximum seating capacity of 10 or fewer passengers (including the driver); passenger van with a maximum seating capacity of 15 or fewer passengers (including the driver); moped; motorcycle; golf cart; or low-speed vehicle (LSV); which is manufactured primarily for the purpose of carrying passengers.

(5) Residential area. Any lot, plot or parcel of land which is zoned R-SF1, R-SF2, R-SF3, R-CL, R-TH, or R-MF according to the official zoning map of the town. The term shall also apply to properties in the AGR and MU zoning districts which contain a residential use or structure.

(b) Off-street parking; generally. In all areas of the town, no person shall park, or allow to be parked upon his or her property, any vehicle or equipment, of any type, except as provided herein:

(1) Vehicles and equipment shall not be parked within 15 feet of a fire hydrant;

(2) Vehicles and equipment shall not be parked in any area which has been designated as a fire lane, emergency lane, loading area or no parking area;

(3) Vehicles and equipment shall not be parked in any location which impairs access by emergency vehicles, unreasonably impedes the flow of vehicular or pedestrian traffic, or restricts ingress to or egress from neighboring properties;

(4) Within shared residential parking lots or parking lots in non-residential areas, vehicles and equipment shall not be parked in any aisle or driving lane; and

(5) Parking in handicapped spaces shall be permitted only with a valid government-issued parking permit.

(c) Off-street parking in residential areas. In all residential areas of the town, no person shall park, or allow to be parked upon his or her property, any vehicle or equipment, except as provided herein:

(1) Passenger vehicles shall park only upon designated parking space(s) or within a garage or carport;

(2) Passenger vehicles shall not be parked on or within any yard, grass, landscaped area, median, pathway, or sidewalk, or within any common open space which is used for a purpose other than passenger vehicle parking;

(3) Parking of the following types of vehicles and equipment shall be prohibited:

a. Vehicles larger than a passenger vehicle;

- b. Vehicles containing more than 2 axles;
- c. Commercial vehicles displaying a business sign or logo;
- d. Unlicensed or unregistered vehicles;
- e. Inoperative vehicles;
- f. Vehicles in a state of major disassembly, disrepair, or in the process of being stripped or dismantled;
- g. Recreational vehicles, campers, boats, and trailers; and
- h. Heavy machinery and equipment.

(4) The prohibitions contained in the preceding paragraph (3) shall not apply to the following:

- a. Vehicles and equipment which are actively engaged in providing goods, services, deliveries or service calls to a residential property or to the occupants thereof, such as delivery trucks, moving trucks, landscapers, housekeepers, and similar contractors or vendors;
- b. Vehicles and equipment which are making trips to transport persons or property;
- c. Vehicles and equipment which are being used in conjunction with lawfully permitted construction activities on the property;
- d. Vehicles and equipment which are parked within a garage or other enclosed space;
- e. Vehicles and equipment which are temporarily parked on the property between the hours of 6:00 a.m. and 10:00 p.m. for the purpose of loading, unloading, cleaning or performing minor repairs and maintenance, such as tire or battery replacement; and
- f. Temporary storage units which are lawfully permitted pursuant to Section 2.5(F)(2) of the Development Standards Ordinance.

(d) On-street parking. In addition to the off-street parking requirements specified herein, parking on or within a recorded street or road right-of-way (hereafter "on-street parking") shall be subject to the following:

- (1) No vehicle or equipment of any kind shall be parked on or within any public street right-of-way within the town without the express authorization of the town.

(2) The owner of any private road within the town may impose additional on-street parking requirements including, without limitation, restricting or prohibiting on-street parking on or within any right-of-way under its ownership.

(e) *Exceptions.* The provisions of this section shall not apply to the following:

(1) Vehicles and equipment operated by an official, employee or authorized contractor of any municipal, county, state or federal agency, department or unit;

(2) Vehicles and equipment operated by an official, employee or authorized contractor of any bona fide public safety agency, including, but not limited to, law enforcement, code enforcement, fire suppression and emergency medical services;

(3) Vehicles and equipment operated by an official, employee or authorized contractor of any public or private utility provider; and

(4) Vehicles and equipment operated by an official, employee or authorized contractor of the Seabrook Island Property Owners Association.

(f) *Penalties.* Failure to comply with the provisions set forth in this section shall be deemed a public nuisance. Unless otherwise prescribed by law, any person violating the provisions of this section shall be deemed guilty of a misdemeanor and shall be subject to the penalties set forth in section 1-7.

SECTION 2. Amending Chapter 14, Article II, of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 18, Environment; Article II, Health and Sanitation; is hereby amended to read as follows:

ARTICLE II. HEALTH AND SANITATION

Sec. 14-20. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) *Debris* means any material, including trees, branches, personal property and building material on public or private property that is directly deposited by a debris-generating event.

(b) *Public nuisance* includes any condition or use of any property that in the determination of the town:

- (1) Substantially endangers the public health or safety;
- (2) Creates an unreasonable risk of injury in the use of the property, or of the surrounding properties; or
- (3) Obstructs so as to render dangerous any street, watercourse or drainage structure.

~~Sec. 14-21. Penalty.~~

~~In addition to any remedial or abatement action required under this article, any person who shall cause, maintain or permit the creation of a public nuisance shall be guilty of a misdemeanor and shall be subject to the penalties as set forth in section 1-7.~~

~~Sec. 14-22. Property maintenance required.~~

~~No property within the town shall be used or allowed to deteriorate so as to create a public nuisance.~~

~~Sec. 14-23. Notice to property owner; contents.~~

~~Upon discovery of the existence of a public nuisance, the town shall provide written notice to the property owner to abate or remove such nuisance. The notice shall provide for the abatement or removal of the nuisance within a reasonable time, not to exceed 30 days from the date of notification, to be determined by the town based upon the severity of the nuisance and the imminent risk of public health or safety. The notice shall state that unless such nuisance is so abated, the town will cause it to be abated and will charge the costs associated therewith to the owner.~~

~~Sec. 14-24. Abatement.~~

- ~~(a) Authority. If the public nuisance is not abated within the time provided in section 14-23, or if the property owner cannot be found, the town may cause the abatement or removal of such public nuisance.~~
- ~~(b) Costs to be paid by property owner. All costs associated with the town's abatement of such nuisance shall be collected as a debt from the owner.~~
- ~~(c) Nonpayment; lien. If not paid, the costs, together with interest accrued at the legal rate, shall be assessed against the property as provided by law. The town shall cause to be recorded a sworn statement setting forth the date, place and costs of its abatement actions, which shall be recorded as and constitute a lien against the property, which shall be due and collectible as provided by law.~~

Sec. 14-~~25~~21. Debris-generating event—Removal of debris on public or private property.

- (a) *Intent and purpose.* The primary mission of the town will be to protect lives and property, restore services, and clear streets. Depending on the severity of the disaster and after accomplishment of the primary mission, resources may be available to the town that may not be available to private communities. The intent and purpose of this part is to establish a process by which the town may evaluate and, if necessary, remove debris from the roadways of private communities in the event of an immediate threat to life, public health, and safety after a significant disaster. While the town recognizes, as a general proposition, that the removal of debris from the roadways of private communities is the responsibility of private communities, there are occasions when the magnitude of the disaster may compel the need to remove debris from the roadways of private communities in order to prevent or minimize an immediate threat to the health, safety, and welfare of the community and the economic recovery of the town.
- (b) *Private communities.* The town shall remove debris from the roadways of private communities when such debris is determined to pose an immediate threat to the health, safety, and welfare of the community and the economic recovery of the town under the guidelines set forth in this article. The mayor and town council or their designee shall determine whether there is an immediate threat to the public health, safety, welfare and economic recovery of the town sufficient to warrant removal of all or a portion of said debris from private roadways. The following standards shall be considered in making such determination:
- (1) There is a significant likelihood that emergency and rescue vehicles will be significantly hindered from providing emergency services to residential and commercial property should the debris be allowed to remain in place absent town removal.
 - (2) The debris removal is necessary to effectuate orderly and expeditious restoration of utility services including, but not limited to, electricity, water, sewer, and telephone.
 - (3) The debris has a substantial negative impact in preventing or adversely affecting emergency repairs to buildings and/or property.
 - (4) The debris significantly adversely impacts the town's recovery efforts.
 - (5) The sheer volume of debris is such that it is impractical and unreasonable to remove the debris in an orderly and efficient manner absent action by the town.
 - (6) The debris removal is necessary to ensure the economic recovery of the town and surrounding areas.
- (c) *Waiver.* With regard to eligibility for federal public assistance funding, the Federal Emergency Management Agency (FEMA) may waive the requirement for the mayor

and town council or their designee to evaluate the criteria listed in subsection 14-25(b) as a condition precedent to town action depending on the severity of the situation.

- (d) *Indemnification and hold harmless.* Prior to removal or clearance of debris from private roadways by the town as contemplated herein, the private community association and/or governance board shall by agreement in form and substance reasonably satisfactory to the mayor and town council indemnify and hold harmless, to the maximum extent permitted by law, federal, state, and local governments and all employees, officers, and agents associated with the rendering of such service.

Sec. 14-~~26~~22. Same—Abatement.

- (a) *Authority.* With respect to public nuisances created by a debris-generating event, the town, using its resources, which include, but are not limited to, debris-removal contractors or debris-monitoring services, is unconditionally authorized to take emergency measures to abate the nuisance by entering private property upon which a nuisance exists and removing debris therefrom.
- (b) *Right of entry; notice.* Depending upon the severity of the nuisance and the immanency of the risk to the public interest, the town may, in the mayor's discretion, enter private property and remove debris therefrom without notice to the property owner. Where, in the mayor's discretion, it is practicable to do so, the town shall notify the property owner and allow him a reasonable opportunity to remove, or cause to be removed, debris therefrom.
- (c) *Property owner responsible for costs.* To the extent that any cost associated with the abatement of a public nuisance created by a debris-generating event is attributable to the acts or omissions of the owner of a parcel of property, the town may seek any remedy available to it to recoup such cost, including, but not limited to, the remedies granted by this article.
- (d) Nothing contained in this section of the Seabrook Island Town Code shall be deemed to create any private right or cause of action in favor of any person or entity against the town.

SECTION 3. Repealing Section 22-21 of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 22, Solid Waste; Article II, Garbage and Refuse Collection and Disposal; is hereby amended so as to repeal Section 22-21, Prohibited Practices; in its entirety.

~~Sec. 22-21. Prohibited practices.~~

~~No person shall dump, place, or deposit or allow the dumping, placing, or depositing of any refuse, garbage, fill of any type, or other substances in any channel, stream, ditch, river, marsh, sewer, storm sewer or other waterway within the town. Any violation of this~~

~~section will require mitigation along with such fines or penalties imposed under section 1-7.~~

SECTION 4. Severability.

If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

SECTION 5. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. Effective Date.

This ordinance shall be effective from and after May 1, 2024.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: [November 28, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [December 19, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

Additions Deletions

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-15

ADOPTED _____

An ordinance amending the Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, General Provisions; Section 2.1, General Compliance; so as to repeal subsection (e) pertaining to the placement and storage of trash, litter and junk on premises within the town; Article 9, Conditional Use Requirements; Section 9.4, Specific Use Requirements; so as to amend the conditional use provisions of subsection (O) pertaining to short-term rental units; and Appendix E, Fee Schedule; so as to update the schedule of fees to reflect changes relating to permitting requirements and procedures for short-term rental units within the town

WHEREAS, on [December 19, 2023], the Mayor and Council for the Town of Seabrook Island adopted Ordinance No. 2023-14, which amended Chapter 18 of the Town Code to consolidate and establish regulations pertaining to various public nuisances, including prohibited noise; property maintenance; trash, litter, and debris; illegal dumping; and the parking of vehicles and equipment within the town; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island believe it fitting and proper to amend Section 2.1 of the Development Standards Ordinance for the Town of Seabrook Island (the "DSO") so as to repeal redundant language pertaining to the placement and storage of trash, litter and junk from premises within the town; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island further desire to amend Subsection 9.4(O) of the DSO to amend the conditional use provisions pertaining to short-term rental units within the town; and

WHEREAS, the Mayor and Council for the Town of Seabrook Island further desire to amend Appendix E of the DSO to update the schedule of fees to reflect changes relating to permitting requirements and procedures for short-term rental units within the town; and

WHEREAS, as required by law, the Town of Seabrook Island Planning Commission reviewed the proposed amendments during a regularly scheduled meeting on [November 8, 2023], at which time members of the Planning Commission recommended in favor of [approval/denial] of the proposed amendments; and

WHEREAS, the Mayor and Council advertised and held a public hearing on the proposed amendments during a duly called meeting on [November 28, 2023]; and

WHEREAS, in an effort to protect the public health, comfort, safety and welfare of residents within the town, the Mayor and Council believe it is fitting and proper to amend the DSO to achieve the objectives referenced herein;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND, S.C.:**

SECTION 1. Amending Section 2.1 of the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 2, General Provisions; Section 2.1, General Compliance; is hereby amended so as to repeal subsection (e) pertaining to the placement and storage of trash, litter, and junk on premises within the town. All remaining subsections shall be renumbered to conform.

~~E. Trash, Litter, and Junk.~~

- ~~1. It shall be unlawful for any PERSON to accumulate, place, store, allow, or permit the accumulation, placement, or storage of trash, litter, or junk on premises in the TOWN, except in a lawfully licensed disposal facility; provided, such items may be stored in watertight storage receptacles designed for the temporary accumulation of trash for a period not to exceed seven (7) days.~~
- ~~2. Household waste and debris.~~
 - ~~a. Trash and recycling. Household trash and recycling receptacles shall not be placed curbside prior to 12:00 p.m. on the day prior to the scheduled pick-up and must be removed from the curb no later than 12:00 p.m. on the day following the scheduled pick-up. At all other times, trash and recycling receptacles must be removed from the curb and stored in a location which is not visible from the street or from neighboring residential properties.~~
 - ~~b. Yard debris. Household yard debris shall not be placed curbside prior to dawn on the Saturday prior to the scheduled pick-up date; provided, however, the ZONING ADMINISTRATOR may suspend this provision for up to 180 days following any major storm or disaster event, or when deemed necessary to preserve public health and safety. Yard debris shall not be placed on or near storm water catch basins or drainage boxes, or within 15 feet of a fire hydrant.~~
 - ~~c. Bulk items. Bulk items such as appliances, electronics, household furnishings, bedding, and similar items shall not be placed curbside prior to 12:00 p.m. on the day prior to the scheduled pick-up date.~~
- ~~3. No property owner shall use any area of that property as a dumping site for any type of debris whether natural, construction materials, garbage, or other debris.~~
- ~~4. During new home construction or SUBSTANTIAL REMODELING, BUILDING sites shall be kept clean. A dumpster must be provided on the site and must be emptied before exposed trash is visible. All BUILDING debris, stumps, trees, etc., must be removed from each BUILDING lot by the builder as often as necessary to keep the~~

~~BUILDING site free of debris. Temporary sanitary facilities shall be provided, shall be located off the street right-of-way, and screened so they are not visible from the street.~~

SECTION 2. Amending Subsection 9.4(O) of the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Article 9, Conditional Use Requirements; Section 9.4, Specific Use Requirements; Subsection (O), Short-Term Rental Units; is hereby amended to read as follows:

O. SHORT-TERM RENTAL UNITS.

1. Definitions. For purposes of this subsection, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

a. Authorized agent. An individual or company meeting the qualifications of a qualified local contact who is designated by the owner of a SHORT-TERM RENTAL UNIT to ensure compliance with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code, on the owner's behalf. Any agent so designated shall be authorized to:

- i. Apply for a SHORT-TERM RENTAL permit on behalf of the property owner;
- ii. Advertise, manage, and otherwise operate the SHORT-TERM RENTAL UNIT;
- iii. Ensure that the SHORT-TERM RENTAL UNIT complies with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code;
- iv. Ensure that renters of the SHORT-TERM RENTAL UNIT comply with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code;
- v. Serve as the qualified local contact for the SHORT-TERM RENTAL UNIT; and
- vi. Accept service of process on behalf of the property owner, pursuant to Rule 4(d)(1) of the South Carolina Rules of Civil Procedures.

b. Fossil fuels. Any energy source which is formed in the Earth's crust from decayed organic material, including petroleum, coal, and natural gas. The term shall also include products which are derived from the refinement or fractionation of fossil fuels, including, without limitation, propane, butane, ethane, gasoline, and diesel.

c. Host. An individual or company that uses, rents, or advertises for rent, a DWELLING UNIT as a SHORT-TERM RENTAL UNIT for consideration within the TOWN. By default, the owner of the SHORT-TERM RENTAL UNIT shall be considered the host unless he or she designates an authorized agent to act on his or her behalf, in which case the

authorized agent shall be considered the host; provided, the designation of an authorized agent shall not relieve the property owner from any personal responsibility and personal liability for violations of this subsection, or any other applicable provision set forth in this ordinance or the Town Code.

d. *Overnight hours.* The period between 11:00 pm and 7:00 am.

e. *Qualified local contact.* An individual or company who:

i. Is duly licensed by the South Carolina Department of Labor, Licensing and Regulation (SCLLR) as a property manager-in-charge or broker-in-charge;

ii. Is physically located, or has associates and/or employees who are physically located, within fifty (50) miles of the SHORT-TERM RENTAL UNIT;

iii. Maintains a local 24-hour emergency contact number;

iv. Is accessible and available to respond, on behalf of the property owner, to any emergency situation, alleged violation, inquiry, or inspection request from the TOWN, or any other entity having jurisdiction over the SHORT-TERM RENTAL UNIT, within two (2) hours of receiving notification; and

v. Is authorized, on behalf of the property owner, to send and receive communication to and from the TOWN, as well as occupants of the SHORT-TERM RENTAL UNIT, to ensure the property and its occupants maintain compliance with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code.

f. *Passenger vehicle.* Any type or class of passenger car, sport utility vehicle (SUV), pickup truck or van with a maximum seating capacity of 10 or fewer passengers (including the driver); passenger van with a maximum seating capacity of 15 or fewer passengers (including the driver); moped; motorcycle; golf cart; or low-speed vehicle (LSV); which is manufactured primarily for the purpose of carrying passengers.

g. *Permit year.* The period beginning May 1st of each year and ending April 30th of the following year.

h. *Renter.* Any PERSON or group of PERSONs, including their guests, who rents a SHORT-TERM RENTAL UNIT within the TOWN for a term of less than thirty (30) consecutive days in return for consideration.

i. *SHORT-TERM RENTAL permit cap.* The maximum number of DWELLING UNITS within the TOWN which may be permitted as SHORT-TERM RENTAL UNITS at a given time.

j. *Transfer, exempt.* The transfer of any land and all improvements on the land, tenements, or other realty, from one PERSON to another PERSON, whereby the

recording of the deed is exempt from the deed recording fee pursuant to S.C. Code of Laws, Section 12-24-40. An exempt transfer will generally be marked as “exempt from the deed recording fee” on the Affidavit of Taxable or Exempt Transfer form recorded with the deed. For purposes of this definition, an exempt transfer shall also include transfers by instrument or deed of distribution assigning, transferring, or releasing real property to the distributee of an estate pursuant to Section 62-3-907 as evidence of the distributee's title, and deeds transferring real property from a trust to a trust distributee upon the trust settlor's death, pursuant to the trust terms.

k. *Transfer, non-exempt.* The transfer of any land and all improvements on the land, tenements, or other realty, from one PERSON to another PERSON, whereby the recording of the deed is subject to the deed recording fee pursuant to S.C. Code of Laws, Section 12-24-10 et seq. A non-exempt transfer will generally be marked as “subject to the deed recording fee” on the Affidavit of Taxable or Exempt Transfer form recorded with the deed.

1.2. General provisions requirements for SHORT-TERM RENTAL UNITS.

a. *In general.* Except as otherwise provided in this subsection, no BUILDING, STRUCTURE, or premises shall be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT, and no PERSON shall use, rent, or advertise for rent, any BUILDING, STRUCTURE, or premises, as a SHORT-TERM RENTAL UNIT, except in conformity with the conditions and requirements set forth in this subsection.

b. *Permit required.* ~~Effective January 1, 2021, a~~ Subject to the conditions, requirements, and procedures set forth in this subsection, an annual SHORT-TERM RENTAL permit shall be required for all residential ~~dwellings~~ DWELLING UNITS which are used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT within the ~~town~~ TOWN, ~~including those which were previously rented prior to January 1, 2021.~~ A separate permit shall be required for each SHORT-TERM RENTAL UNIT. A SHORT-TERM RENTAL permit shall remain valid only during the ~~license permit~~ year ~~during for~~ which it ~~was~~ is issued, unless the permit is modified, suspended, revoked, ~~or~~ cancelled, ~~or~~ abandoned, pursuant to the criteria and procedures set forth in this subsection.

c. *Inspections.* Subject to the notice requirements set forth in subsection 9.4 O.5.c, all SHORT-TERM RENTAL UNITS shall be subject to inspection by the TOWN to verify compliance with the conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code.

d. *Property owner responsibility.* A property owner who uses, rents, or advertises for rent, any DWELLING UNIT within the TOWN as a SHORT-TERM RENTAL UNIT shall comply with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code. A property owner shall not be relieved from any personal responsibility and personal liability for violations of any applicable law, rule, or regulation which are committed, or allowed to be committed, at, within, or upon the premises of, a SHORT-TERM RENTAL UNIT

which he or she owns, regardless of whether such violation was committed by the property owner, authorized agent, qualified local contact, or renters of the SHORT-TERM RENTAL UNIT.

e. *Authorized agent.* A property owner may designate an authorized agent to comply with all conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code, on the owner's behalf; provided, the designation of an authorized agent shall not relieve the property owner from any personal responsibility and personal liability. An authorized agent shall be jointly and severally liable for violations of any applicable law, rule or regulation which are committed, or allowed to be committed, at, within, or upon the premises of, a SHORT-TERM RENTAL UNIT which the agent is authorized to manage. Upon issuance of a SHORT-TERM RENTAL permit, any change to the authorized agent of record, including changes in contact information, shall be filed with the ZONING ADMINISTRATOR within five (5) business days by way of a permit modification.

f. *Qualified local contact.* If the property owner does not maintain a permanent place of residence within fifty (50) miles of the SHORT-TERM RENTAL UNIT, the property owner shall designate a qualified local contact. If the event a property owner designates an authorized agent, as provided in paragraph (d), the authorized agent shall serve as the qualified local contact. Upon issuance of a SHORT-TERM RENTAL permit, any change to the qualified local contact of record, including changes in contact information, shall be filed with the ZONING ADMINISTRATOR within five (5) business days by way of a permit modification.

g. *Qualifying event.* The occurrence of any one (1) or more of the following:

i. *Change of property ownership as a result of an exempt transfer;*

ii. *Change in legal name, mailing address, or contact information of a property owner, authorized agent, and/or qualified local contact;*

iii. *Change of address, unit number, or tax map number of the DWELLING UNIT;*

iv. *Designation of a new authorized agent;*

v. *Designation of a new qualified local contact; and*

vi. *Change of overnight occupancy limit and/or maximum number of overnight vehicles as a result of the addition or deletion of code-compliant bedrooms within the DWELLING UNIT.*

3. *Specific conditions for SHORT-TERM RENTAL UNITS.*

a. *General requirements.*

- i. Allowable Dwelling DWELLING UNIT types. A SHORT-TERM RENTAL permit may only be issued for a conforming or legally NONCONFORMING residential ~~dwelling~~ DWELLING UNIT. ~~Accessory structures~~ ACCESSORY BUILDINGS and STRUCTURES, including, but not limited to, ACCESSORY DWELLINGS ~~units~~, pool houses, ~~storage sheds~~, GARAGES, and finished rooms over a GARAGE, shall not be permitted as a stand-alone SHORT-TERM RENTAL UNIT, ~~but may be included under a SHORT-TERM RENTAL permit issued for the principal dwelling.~~ No vehicle, boat, RECREATIONAL VEHICLE, storage unit, or non-residential ~~structure~~ BUILDING or STRUCTURE may be ~~permitted or occupied~~ used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT.
- ii. Allowable Rental types. A ~~dwelling~~ DWELLING UNIT which is permitted to operate as a SHORT-TERM RENTAL UNIT may only be used, rented, or advertised for rent, and rented as an entire unit. A permit holder may not use, rent, or advertise for rent, or rent a portion of a dwelling less than an entire DWELLING UNIT, such as an individual bed or bedroom, or a BUILDING or STRUCTURE which is accessory to the principal DWELLING UNIT. Nothing herein is intended to prohibit or limit a property owner's ability to lock or otherwise restrict ~~guest renter~~ access to individual rooms, closets, or ~~accessory structures~~ ACCESSORY BUILDINGS or STRUCTURES, within, or upon the premises of, a DWELLING UNIT.
- iii. Limitations on other uses. No host or renter shall conduct, or allow to be conducted, any commercial activities at, within, or upon the premises of, a SHORT-TERM RENTAL UNIT while renters are occupying the unit. Notwithstanding the foregoing, the following activities shall be expressly permitted:
- (a) Commercial activities undertaken by a host or renter which are clearly incidental to the RESIDENTIAL USE and which do not affect the residential character of the DWELLING UNIT, including, by way of example, professional services which are provided remotely, remote processing of payments or other business transactions, engaging in remote meetings or electronic communications, and similar activities; and
- (b) Outside vendors and contractors who are providing goods or services to the host or renters, or who are providing goods or services necessary for the continued operation and MAINTENANCE of the SHORT-TERM RENTAL UNIT.
- iv. Restrictions for DWELLING UNITs following work by an unlicensed residential builder or specialty contractor. If a property owner has obtained an exemption from the Charleston County Building Inspections Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work on a DWELLING UNIT which would otherwise be required to be completed by a licensed residential builder or specialty contractor, the DWELLING UNIT may not be permitted as a SHORT-TERM RENTAL UNIT until two (2) years after the work has been completed or a certificate of occupancy has been issued.

v. Restrictions for DWELLING UNITS which are under construction or renovation. Except as otherwise provided in this subsection, a DWELLING UNIT which is actively under construction or renovation may not be permitted as a SHORT-TERM RENTAL UNIT until the construction or renovation work has been completed or a certificate of occupancy has been issued.

vi. Restrictions for unsafe STRUCTURES. Except as otherwise provided in this subsection, a DWELLING UNIT which has been damaged beyond REPAIR, destroyed, or condemned by the Charleston County Building Inspections Department as unfit for human occupancy, or which is rendered unsafe due to damage (other than damage beyond REPAIR), disrepair, or neglect, may not be permitted as a SHORT-TERM RENTAL UNIT until the work necessary to reconstruct, REPAIR, or restore the DWELLING UNIT to a safe condition has been completed or a certificate of occupancy has been issued.

vii. SHORT-TERM RENTAL permit cap. There is hereby imposed a cap on the number of DWELLING UNITS which may be permitted as SHORT-TERM RENTAL UNITS within the TOWN. Except as expressly authorized by this subsection, the maximum number of SHORT-TERM RENTAL UNITS within the TOWN shall not exceed 650 at any given time. The SHORT-TERM RENTAL permit cap shall be implemented pursuant to the permitting procedures set forth in subsection 9.4 O.4.

~~b. Designated agent. Subject to the provisions of Section 9.4.O.4.c., a property owner may designate an agent, including, but not limited to, a professional property manager or property management company, who shall be authorized to comply with the conditions and requirements of this section and who may send and receive written communication on behalf of the property owner.~~

~~c. Local contact. If the property owner or designated agent does not reside within fifty (50) miles of the rental property, the property owner or designated agent shall identify an individual or individuals who shall serve as a local contact. The local contact must reside within fifty (50) miles of the rental property and, within two (2) hours of receiving notification, be accessible and available to respond to any emergency situation, alleged violation, inquiry or inspection request from the town or any other entity having jurisdiction over the rental property. Changes to the local contact shall be communicated in writing to the ZONING ADMINISTRATOR within three (3) business days.~~

b. License and tax requirements.

i. TOWN ~~B~~business license required. The ~~property owner and designated agent, if applicable, host~~ shall possess a valid ~~town~~ TOWN business license for the operation of a SHORT-TERM RENTAL UNIT, as required by Article 8 of the Town Code.

ii. *South Carolina Retail License.* If the SHORT-TERM RENTAL UNIT will be rented for more than one (1) week in any calendar quarter, ~~the host shall possess a valid South Carolina Retail License. the property owner or designated agent~~The host shall annually furnish evidence of a valid South Carolina Retail License with the required SHORT-TERM RENTAL permit application.

iii. *Payment of state and local taxes and fees.* If the SHORT-TERM RENTAL UNIT ~~is will~~be rented for more than fifteen (15) days during any calendar year, the ~~property owner or designated agent~~host shall collect and remit all required state and local taxes and fees on the gross proceeds derived from the rental of accommodations. The host shall annually furnish evidence of the payment of all required state and local taxes and fees, as specified below, with the required SHORT-TERM RENTAL permit application:

(a) State and local sales taxes (8%);

(b) State accommodations tax (2%);

(c) Charleston County accommodations ~~tax~~fee (2%);

~~(c)~~(d) Town of Seabrook Island local accommodations tax (1%); and

~~(d)~~(e) Any other taxes or fees which may be imposed after the effective date of this subsection.

~~d.c. Occupancy limits~~Maximum occupancy.

i. *Overnight occupancy limit.* ~~All~~ SHORT-TERM RENTAL UNITS shall be subject to a ~~maximum occupancy limit~~limit on the total number of occupants during the overnight hours, as provided herein. ~~The maximum occupancy for any SHORT-TERM RENTAL UNIT shall be as follows:~~

(a) SHORT-TERM RENTAL UNITS shall be limited to two (2) occupants per code-compliant bedroom, plus two (2) additional occupants for the entire unit; provided, in no instance shall the maximum overnight occupancy be permitted to exceed twelve (12) occupants.

~~(a) For SHORT-TERM RENTAL UNITS with less than 2,500 square feet of total finished living area, the maximum occupancy of the unit shall be limited to two (2) occupants per code-compliant bedroom, plus two (2) additional occupants for the entire unit.~~

~~(b) For SHORT-TERM RENTAL UNITS with 2,500 square feet of total finished living area or more, the maximum occupancy of the unit shall be limited to two (2) occupants per code-compliant bedroom, plus four (4) additional occupants for the entire unit.~~

~~(e)~~(b) Children under the age of two (2) shall not be counted toward the ~~maximum-overnight~~ occupancy limit specified herein.

~~(d)~~(c) The ~~maximum-overnight~~ occupancy limit specified herein shall apply to the unit as a whole and is not intended to limit the number of individuals within any specific bedroom or other living area.

~~(e)~~(d) The ~~maximum-overnight~~ occupancy limit specified herein shall not apply in instances when the SHORT-TERM RENTAL UNIT is occupied exclusively by:

- (i) the property owner(s) of record;
- (ii) the property owner(s) of record and their non-paying guests; or
- (iii) non-paying guests who are related by blood, adoption, or marriage to the property owner(s) of record.

~~(f)~~(e) ~~Determination of maximum occupancy.~~ To determine the ~~maximum-overnight~~ occupancy limit of a SHORT-TERM RENTAL UNIT, the ZONING ADMINISTRATOR shall use the total number of bedrooms ~~and the total finished living area for that unit~~ for the DWELLING UNIT, as shown in the current Charleston County tax records. Any host who wishes to appeal the total number of code compliant bedrooms within a SHORT-TERM RENTAL UNIT shall contact the Charleston County Building Inspections Department to verify the accuracy of the information shown on the current tax records. If the Charleston County Building Inspections Department determines that the actual number of bedrooms is different than the number shown on the current tax records, the host shall provide written confirmation of the county's findings to the ZONING ADMINISTRATOR. Upon receipt, the ZONING ADMINISTRATOR shall use the revised bedroom count from the Charleston County Building Inspections Department to adjust the overnight occupancy limit.

~~ii. Administrative appeals.~~ Property owners or designated agents who believe that the total number of code-compliant bedrooms and/or total finished living area shown in the current Charleston County tax records is incorrect may submit an administrative appeal, as follows:

~~iii. Appeal of number of bedrooms.~~ Property owners or designated agents who wish to appeal the total number of code-compliant bedrooms within a SHORT-TERM RENTAL UNIT shall contact the Charleston County Building Inspections Department to verify the accuracy of the information shown on the current tax records. If the Charleston County Building Inspections Department determines that the actual number of bedrooms is different than the number shown on the current tax records, the property owner or designated agent shall provide written

~~confirmation of the county's findings to the ZONING ADMINISTRATOR. Upon receipt, the ZONING ADMINISTRATOR shall use the revised bedroom count from the Charleston County Building Inspections Department to determine the unit's maximum occupancy.~~

~~iv. Appeal of total finished living area. Property owners or designated agents who wish to appeal the total finished living area of a SHORT-TERM RENTAL UNIT shall submit an appraisal report completed by a licensed South Carolina appraiser no more than five (5) years prior to the date upon which the appeal is submitted. Upon receipt, the ZONING ADMINISTRATOR shall use the total finished living area from the appraisal report to determine the unit's maximum occupancy.~~

e-d. Parking requirements.

i. ~~Minimum off-street parking~~OFF-STREET PARKING ~~required.~~ A ~~dwelling~~DWELLING UNIT which is permitted to operate as a SHORT-TERM RENTAL UNIT shall have a minimum of one (1) ~~off-street parking space~~OFF-STREET PARKING SPACE. The required ~~off-street parking~~OFF-STREET PARKING may be provided on the same ~~property premises~~ as the ~~rental unit~~SHORT-TERM RENTAL UNIT or, if the unit is located within a CLUSTER UNIT, TOWNHOME, or multi-family developmentMULTI-FAMILY DEVELOPMENT with a common ~~parking area~~PARKING LOT, within that development's common ~~parking area~~PARKING LOT.

ii. ~~Maximum number of overnight vehicles.~~ The maximum number of passenger vehicles which may be parked at any SHORT-TERM RENTAL UNIT during the overnight hours shall be limited to one (1) ~~passenger vehicle per code-compliant bedroom~~; provided, in no instance shall the maximum number of passenger vehicles permitted during the overnight hours be less than two (2).

iii. ~~Other requirements.~~ No host or renter shall park, or allow to be parked, any vehicle or equipment of any type which violates the parking provisions set forth in Section 18-33 of the Town Code.

ii. ~~General requirements for off-street parking.~~ The following general requirements shall apply to the parking of vehicles in all areas of the town, with the exception of recorded street rights-of-way (public or private):

~~(a) Renters and their guests shall park only within designated parking space(s);~~

~~(b) Vehicles shall not be parked on or within any yard, landscaped area, fire lane, loading area, median, pathway, or sidewalk, or within any common OPEN SPACE which is used for a purpose other than vehicle parking;~~

~~(c) Vehicles shall not be parked within fifteen (15) feet of a fire hydrant;~~

- ~~(d) Vehicles shall not be parked in any area which has been designated as a “no parking” area;~~
- ~~(e) Within shared driveways and PARKING LOTS, vehicles shall not be parked in any aisle or driving lane;~~
- ~~(f) Parking in handicapped spaces shall be permitted only with a valid government-issued parking permit; and~~
- ~~(g) Parked vehicles shall not impair access by emergency vehicles, unreasonably impede the flow of vehicular or pedestrian traffic, or restrict ingress to or egress from neighboring properties.~~

~~iii. Commercial vehicles, oversized vehicles, and equipment.~~

- ~~(a) The following types of vehicles shall be prohibited on the premises of a SHORT-TERM RENTAL UNIT while the unit is being occupied by renters and their guests:
 - ~~(i) Commercial vehicles larger than a passenger vehicle, pickup truck, or van;~~
 - ~~(ii) Vehicles with more than two (2) axles;~~
 - ~~(iii) Trailers; and~~
 - ~~(iv) Heavy machinery and equipment.~~~~
- ~~(b) The restrictions contained herein shall not apply to any vehicle, trailer, or heavy machinery and equipment which is actively engaged in providing goods or services to the property or to the occupants thereof, such as delivery trucks, moving trucks, landscapers, housekeepers, and other contractors.~~

~~iv. On-street parking. In addition to the off-street parking requirements specified herein, parking on or within a recorded street right-of-way (hereafter “on-street parking”) shall be allowed for short-term renters and their guests, subject to the following limitations:~~

- ~~(a) On-street parking shall be prohibited on or within any public street right-of-way;~~
- ~~(b) Vehicles parked on or within a street right-of-way shall not impair access by emergency vehicles, unreasonably impede the flow of vehicular or pedestrian traffic, or restrict ingress to or egress from neighboring properties; and~~
- ~~(c) The owner of any private street within the town may impose stricter parking requirements than those specified herein including, without limitation,~~

~~restricting or prohibiting on-street parking, on or within any street right-of-way under its ownership.~~

e. Advertising, posting, and signage requirements.

i. Advertising requirements. When placing an advertisement for a SHORT-TERM RENTAL UNIT on any rental platform (such as Airbnb, VRBO, Trip Advisor, etc.) or within any print or online publication (such as brochures, classified ads, website listings, Craigslist, Facebook Marketplace, etc.), ~~the property owner or designated agent shall clearly list the unit's current town business license number and maximum occupancy~~ the following items shall be conspicuously posted within the content of each advertisement:

(a) The current SHORT-TERM RENTAL permit number;

(b) The overnight occupancy limit; and

~~(d)~~(c) The maximum number of passenger vehicles which may be parked at the unit during the overnight hours.

v-ii. Posting requirements. ~~A SHORT-TERM RENTAL permit placard shall be provided by the ZONING ADMINISTRATOR to each host upon the issuance of a SHORT-TERM RENTAL permit. The property owner or designated agent shall post permit placard shall contain, at a minimum, the unit's current business license~~ SHORT-TERM RENTAL permit number, maximum overnight occupancy limit, maximum number of passenger vehicles which may be parked during the overnight hours, fire extinguisher location, and the name and phone number of a 24-hour emergency the qualified local contact. The host shall post a copy of the permit placard in a conspicuous location on, or adjacent to, the inside of the door serving as the primary point of ingress and egress to and from the SHORT-TERM RENTAL UNIT at all times the unit is occupied by renters.

vi-iii. Information packets required. ~~A SHORT-TERM RENTAL information packet shall be provided by the ZONING ADMINISTRATOR to each host upon the issuance of a SHORT-TERM RENTAL permit. The information packet shall contain, at a minimum, a summary of the TOWN's SHORT-TERM RENTAL rules and regulations, a summary of other community rules and regulations, a list of local emergency resources and contacts, and such other information as may be deemed necessary and proper by the ZONING ADMINISTRATOR to protect the public health, safety, and welfare of renters and the public. The property owner or designated agent~~ host shall provide or make available an a copy of the SHORT-TERM RENTAL information packet, either in printed or electronic format, to all short-term renters. The information packet may be provided prior to, or during, the check-in process (either in printed or electronic format) or. Alternatively, a printed copy of the SHORT-TERM rental packet may be maintained in a conspicuous location

~~insidewithin~~ the rental unit at all times. ~~The information packet shall contain, at a minimum:~~

- ~~(a) The name and phone number of the unit's 24-hour emergency contact;~~
- ~~(b) A current copy of the "SHORT-TERM RENTAL Rules" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;~~
- ~~(c) A current copy of the "Community Rules" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;~~
- ~~(d) A current copy of the "Emergency Contacts List" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;~~
- ~~(e) A current copy of "Emergency Resources" flyer which shall be made available by the ZONING ADMINISTRATOR on or before April 30th of each year;~~
- ~~(f) Notice of any temporary restrictions or requirements currently in place resulting from a declared state of emergency, the issuance of any executive order, or the adoption of any emergency ordinance; and~~
- ~~(g) Such other information as may be deemed necessary and proper by the ZONING ADMINISTRATOR to protect the health, welfare, and safety of renters, their guests, and the public.~~

~~vii.iv.~~ Signage. No signage which advertises or identifies a ~~dwelling~~DWELLING UNIT as a SHORT-TERM RENTAL UNIT shall be allowed on the ~~exterior or~~ premises of any ~~dwelling~~DWELLING UNIT ~~whichthat~~ is permitted as a SHORT-TERM RENTAL UNIT; provided, ~~however,~~ this requirement shall not apply to letters or numbers which are used for addressing purposes, or for unit identification in a ~~multi-family building~~CLUSTER UNIT, TOWNHOME, or MULTI-FAMILY DEVELOPMENT.

~~f. Unlicensed work~~. If a property owner has obtained an exemption from the Charleston County Building Services Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work on a dwelling which would otherwise be required to be completed by a licensed residential builder or specialty contractor, that dwelling may not be operated as a SHORT-TERM RENTAL UNIT for a period of two (2) years after completion of the work.

~~g. Other uses~~. No property owner, designated agent, renter, or their guest shall conduct, or allow to be conducted, any commercial activities within, or on the premises of, a SHORT-TERM RENTAL UNIT while the unit is being occupied as a SHORT-TERM RENTAL. Notwithstanding the foregoing, the following activities shall be expressly permitted:

- ~~i. Commercial activities undertaken by a renter or their guest which are clearly incidental to the residential use of a dwelling and which do not affect the residential character of the residence, including, for example, professional services which are provided remotely, remote processing of payments or other business transactions, engaging in remote meetings or electronic communications, and similar activities; and~~
- ~~ii. Outside vendors and contractors who are providing goods or services to renters and their guests, or who are providing goods or services necessary for the continued operation and maintenance of the SHORT TERM RENTAL UNIT.~~
- ~~h. *Inspections.* Subject to the notice requirements contained herein, all SHORT TERM RENTAL UNITS shall be subject to inspection by the town to verify compliance with the requirements of this section.~~
 - ~~i. *Routine Inspections.* In instances when an inspector must access the interior of a SHORT TERM RENTAL UNIT for the purpose of conducting a routine inspection to verify compliance with the requirements of this section, he or she shall provide a minimum of 24 hours' notice to the property owner, designated agent, or local contact, as applicable, and the notified party shall provide access to the unit at the appointed time. Except for emergency inspections and inspections undertaken prior to the issuance of a new SHORT TERM RENTAL permit, routine inspections shall be avoided between Memorial Day and Labor Day when possible. All routine inspections shall be conducted between the hours of 9:00 am and 5:00 pm.~~
 - ~~ii. *Emergency inspections.* In instances when an inspector determines that a condition may exist within a SHORT TERM RENTAL UNIT which substantially endangers public health or safety, he or she shall provide a minimum of two (2) hours' notice to the property owner, designated agent or local contact, as applicable, and the notified party shall provide access to the unit at the appointed time to verify that such a condition exists and, if possible, to abate that condition. If the inspector determines that the condition was caused by a violation of any provision of this section, he or she may initiate enforcement action pursuant to paragraph 4. (violations).~~
 - ~~iii. *Exceptions to notice requirements.* In instances when either a notified party or the occupant of a SHORT TERM RENTAL UNIT waive the applicable notice requirements contained in paragraphs q (i) or (ii), an inspector may enter the unit immediately upon authorization, or as soon as practicable thereafter.~~
 - ~~iv. The ZONING ADMINISTRATOR shall have the authority to request copies of all licenses, permits, receipts, reports, or similar information which may be necessary and proper to ensure compliance with the requirements of this section. Upon~~

~~request, the property owner or designated agent shall furnish all requested documentation to the ZONING ADMINISTRATOR within three (3) business days.~~

i.f. Safety requirements for SHORT-TERM RENTAL UNITS.

- i. *Smoke alarms.* SHORT-TERM RENTAL UNITS shall be equipped with a working smoke alarm inside each bedroom and outside of each sleeping area. At least one (1) smoke alarm shall be installed on each level of the unit.
- ii. *Fire extinguishers.* SHORT-TERM RENTAL UNITS shall be equipped with at least one (1) working fire extinguisher with a minimum rating of 1A:10B:C. The required fire extinguisher shall be located under the kitchen sink or in another location which is easily accessible to renters ~~and their guests.~~
- iii. *Carbon monoxide detectors.* SHORT-TERM RENTAL UNITS shall be equipped with At least one (1) working carbon monoxide detector shall be required on each level ~~of the SHORT-TERM RENTAL UNIT~~ if the unit-DWELLING UNIT is equipped with any one (1) or more of the following:
 - (a) Any type of heater or appliance which burns fossil fuels;
 - (b) Any type of generator which burns fossil fuels;
 - (c) Any type of fireplace or stove which burns wood or fossil fuels;
 - (d) An enclosed GARAGE which is attached to the SHORT-TERM RENTAL UNIT.

~~iv. For purposes of this section, the term "fossil fuels" shall include any energy source formed in the Earth's crust from decayed organic material, including petroleum, coal, and natural gas. The term shall also include products which are derived from the refinement or fractionation of fossil fuels, including, without limitation, propane, butane, ethane, gasoline, and diesel.~~

v-iv. Sprinkler system. If the SHORT-TERM RENTAL-DWELLING UNIT has is equipped with a fire sprinkler system, the system shall be maintained in good working order. The ~~property owner or designated agent~~host shall be responsible for having a qualified professional inspect the sprinkler system no less than once every 12 months. Upon request, the ~~property owner or designated agent~~host shall furnish documentation of this inspection to the ZONING ADMINISTRATOR within ~~three~~ five (5) business days.

vi-v. General maintenance. The ~~property owner or designated agent~~host shall be responsible for ensuring that all structures, equipment, and exterior property are maintained in compliance with the property maintenance requirements set forth in Section 18-31 of the Town Code, and that the premises of each SHORT-TERM RENTAL UNIT shall remain free of trash, litter, and debris, in compliance with the

~~requirements set forth in Section 18-32 of the Town Code structural elements (including the interior and exterior of the dwelling, associated DECKs, stairs, handrails, guardrails, boardwalks, docks, and accessory structures), as well as all mechanical, electrical, and plumbing systems, are maintained in good working order. Safe means of ingress and egress to and from the unit shall be maintained at all times, and areas of the property which are under the owner's control shall remain clear of litter and debris.~~

2.4. Permitting requirements and procedures.

a. ~~Annual permit required.~~

i. ~~Permit Required. A property owner or designated agent Subject to the conditions, requirements, and procedures set forth in this subsection, any host who wishes to operate use, rent, or advertise for rent, any DWELLING UNIT within the TOWN as a SHORT-TERM RENTAL UNIT within the town shall apply for and obtain an annual SHORT-TERM RENTAL permit. A separate permit shall be required for each SHORT-TERM RENTAL UNIT. Each yearly Except as otherwise provided in this subsection, annual permits shall be issued for the twelve (12)- month period of beginning May 1st to and ending April 30th and shall remain valid only during the permit year for which it is issued, unless the permit is modified, suspended, revoked, or cancelled, pursuant to the criteria and procedures set forth in this subsection.~~

ii. *Application.* SHORT-TERM RENTAL permit applications shall be submitted on a form made available by the ZONING ADMINISTRATOR for that purpose. The application shall be accompanied by a non-refundable application fee, as provided in Section 18.3, and any required supplemental materials. Only completed applications will be accepted. A separate application and fee shall be required for each SHORT-TERM RENTAL UNIT.

iii. *Due date.*

~~(a) Permit renewals. Applications to renew a SHORT-TERM RENTAL permit must be submitted annually no later than April 30th.~~

~~(a)(b) New permits. Applications for a new SHORT-TERM RENTAL permit may be submitted at any time during the license-permit year; provided, however, the unit no DWELLING UNIT may not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT until a permit has been issued for the respective license-permit year.~~

~~(b) Permit renewals. Applications to renew a SHORT-TERM RENTAL permit must be submitted annually no later than April 30. A SHORT-TERM RENTAL UNIT which was duly permitted and in good standing as of April 30 of the preceding license year may continue to operate beyond May 1 of the subsequent license~~

~~year as long as a completed renewal application for that unit was received by the town on or before April 30.~~

iv. Permitting procedures.

(a) Permit renewals. During the annual permit renewal process, the ZONING ADMINISTRATOR shall give priority to permit renewal applications. Any permit which was in good standing as of April 30th of the preceding permit year, including those which were suspended pursuant to the provisions of paragraphs (a), (f), and (g) of subsection 9.4 O.6.a.ii, may be renewed for the subsequent permit year without regard to the SHORT-TERM RENTAL permit cap, provided:

(i) The SHORT-TERM RENTAL UNIT continues to meet the criteria for approval, as set forth in subsection 9.4 O.4.a.v.(a);

(ii) A completed renewal application was received by the TOWN on or before the renewal deadline specified herein;

(iii) The DWELLING UNIT did not have a non-reported sale or transfer during the preceding permit year;

(iv) The SHORT-TERM RENTAL permit was not cancelled, revoked, or ineligible for renewal as of April 30th of the preceding permit year;

(v) The host reported at least \$3,000.00 in gross income from rental activities during the preceding permit year; provided, in the event the gross income from rental activities was less than \$3,000.00, the ZONING ADMINISTRATOR may allow the host to demonstrate that the SHORT-TERM RENTAL UNIT was available and advertised for rent while the permit was active; and

(vi) If the SHORT-TERM RENTAL is suspended pursuant to the provisions of paragraphs (a), (f), and (g) of subsection 9.4 O.6.a.ii, the property owner has obtained, or is in the process of obtaining, the permits necessary to reconstruct, REPAIR, or restore the DWELLING UNIT to a safe condition.

(b) New permits. All other permit applications shall be processed as new permit applications. Upon completion of the annual permit renewal process, new permit applications shall be processed in the order they were received. New permit applications shall be subject to the SHORT-TERM RENTAL permit cap imposed pursuant to subsection 9.4 O.3.a.vii. New permit applications meeting the criteria for approval, as set forth in subsection 9.4 O.4.a.v.(a); may be approved by the ZONING ADMINISTRATOR until the SHORT-TERM RENTAL permit cap is reached.

(c) *Waiting list.* In the event the SHORT-TERM RENTAL permit cap is reached at any point during the permit year, all remaining new permit applications shall be added to a waiting list in the order they were received. In the event a new permit becomes available, the ZONING ADMINISTRATOR shall notify the applicant who has been on the waiting list the longest. Upon receiving notice from the ZONING ADMINISTRATOR, the host shall have ten (10) business days to provide the TOWN with any and all information necessary to ensure the application is current and otherwise complies with the conditions and requirements of this subsection. If the applicant fails to respond and/or provide current information within ten (10) business days, the ZONING ADMINISTRATOR shall remove the applicant from the waiting list and repeat the process until a SHORT-TERM RENTAL permit has been issued, or all of the applicants on the waiting list have been notified.

v. *Criteria for approval review.*

(a) *Criteria for approval.* The ZONING ADMINISTRATOR shall approve the issuance of a SHORT-TERM RENTAL permit only if he or she finds that the ~~dwelling application~~ meets all of the conditions and requirements ~~of set forth~~ in this subsection, and any all other applicable provisions of set forth in this ordinance and the Town Code. Prior to acting on an application, the ZONING ADMINISTRATOR, ~~or his or her designee,~~ may inspect the property for compliance with the provisions of this subsection. The ZONING ADMINISTRATOR may also require the ~~applicants host~~ to provide documentation or certify, under penalty of perjury, that the property satisfies any one (1) or more of the conditions contained herein.

(b) *Reasons for denial.* Except as otherwise provided in this subsection, the ZONING ADMINISTRATOR may deny the issuance of a SHORT-TERM RENTAL permit for any one (1) or more of the following reasons:

(i) *Submittal of an incomplete or inaccurate SHORT-TERM RENTAL permit application;*

(ii) *The application fails to meet any one (1) or more of the conditions or requirements set forth in this subsection;*

(iii) *The host has not applied for or obtained, or is not eligible to apply for or obtain, a valid TOWN business license;*

(iv) *The host is delinquent in the payment of any fines, fees, or penalties imposed pursuant to this ordinance or the Town Code, including, without limitation, court fines, court assessments, and surcharges;*

(v) *The host is delinquent in the payment of any taxes which are required to be paid pursuant to subsection 9.4 O.3.b.iii;*

- (vi) The DWELLING UNIT is subject to recorded covenants of a duly authorized HOMEOWNERS ASSOCIATION and/or HORIZONTAL PROPERTY REGIME which conflict with, or prohibit, the proposed use as a SHORT-TERM RENTAL UNIT;
- (vii) The DWELLING UNIT is actively under construction, reconstruction, or renovation;
- (viii) The DWELLING UNIT has been damaged beyond REPAIR, destroyed, or condemned by the Charleston County Building Department as unfit for human habitation;
- (ix) The DWELLING UNIT has been deemed by the ZONING ADMINISTRATOR to be unsafe due to damage (other than damage beyond REPAIR), disrepair, or neglect;
- (x) The owner of the DWELLING UNIT obtained an exemption from the Charleston County Building Inspections Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work which would otherwise be required to be completed by a licensed residential builder or specialty contractor, within the previous two (2) years;
- (xi) The prior SHORT-TERM RENTAL permit was revoked within the previous twelve (12) months due to advertising and/or renting while the permit was suspended, as provided in subsection 9.4 O.6.b.ii.(a), unless the property has been sold or transferred via a non-exempt transfer;
- (xii) The prior SHORT-TERM RENTAL permit was revoked within the previous twelve (12) months due to the occurrence of a gross violation, as provided in subsection 9.4 O.6.b.ii.(d), unless the property has been sold or transferred via a non-exempt transfer; and/or
- (xiii) The prior SHORT-TERM RENTAL permit was revoked within the previous twelve (12) months due to the occurrence of three (3) or more violations, as provided in subsection 9.4 O.6.b.ii.(e), unless the property has been sold or transferred via a non-exempt transfer.

iv-vi. *Action on application.* The ZONING ADMINISTRATOR shall render a decision on each permit application within thirty (30) calendar days following receipt. If the ZONING ADMINISTRATOR requests additional information from the applicant in order to complete his or her review, the review period shall be tolled until the requested information is supplied by the applicant. Failure to provide the requested information ten (10) business days shall be deemed a withdrawal of the permit application.

~~v.vii.~~ *Notification.* The ZONING ADMINISTRATOR's decision shall be communicated in writing to the ~~property owner or designated agent~~ host. For the purposes of this subsection, the issuance of a SHORT-TERM RENTAL permit shall constitute notice of approval.

~~vi.viii.~~ *Expiration.* Upon issuance, an annual SHORT-TERM RENTAL permit shall remain valid for the remainder of the ~~license permit~~ year ~~during for~~ which it was issued, unless the permit is subsequently modified, suspended, revoked, or cancelled, ~~or abandoned~~, pursuant to the criteria and procedures set forth in this subsection. A SHORT-TERM RENTAL UNIT which was duly permitted and in good standing as of April 30th of the preceding ~~license permit~~ year may continue to ~~operate be used, rented, and advertised for rent, beyond May 1st of the subsequent permit year while a permit application is pending review if as long as a completed renewal the permit~~ application for the subsequent ~~license permit~~ year was received by the TOWN on or before the renewal deadline specified herein.

b. *Permit Modifications of existing SHORT-TERM RENTAL permits.*

i. *Permit modification required.* Subject to the conditions, requirements, and procedures set forth in this subsection, any host who wishes to modify an existing SHORT-TERM RENTAL permit following the occurrence of a qualifying event shall apply for and obtain a SHORT-TERM RENTAL permit modification. A separate permit modification shall be required for each SHORT-TERM RENTAL permit which is proposed to be modified. Except as otherwise provided in this subsection, modified permits shall remain valid only for the remainder of the permit year for which the original permit was issued, unless the permit is further modified, suspended, revoked, or cancelled, pursuant to the criteria and procedures set forth in this subsection.

ii. *Eligibility.* An existing SHORT-TERM RENTAL permit may only be modified following the occurrence of a qualifying event.

iii. *Application.* ~~A property owner or designated agent~~ Any host who wishes to modify an existing SHORT-TERM RENTAL permit which is in good standing shall first apply for a permit modification. The application shall be made on a form made available by the ZONING ADMINISTRATOR for that purpose. The application shall be accompanied by a non-refundable application fee, as provided in Section 18.3, and any required supplemental materials. Only completed applications will be accepted. A separate application and fee shall be required for each SHORT-TERM RENTAL permit which is proposed to be modified.

iv. *Due date.* Applications to modify an existing SHORT-TERM RENTAL permit must be submitted no later than five (5) business days following the occurrence of the qualifying event.

~~(a) An existing SHORT-TERM RENTAL permit may be modified for any one (1) or more of the following reasons:~~

~~(i) Transfer of property ownership to one (1) or more individuals who are related by blood, adoption, or marriage to the current owner of record;~~

~~(ii) Transfer of property ownership to a trust, partnership, corporation, or similar entity in which the current owner of record retains an ownership stake of at least 50 percent;~~

~~(iii) Transfer of property ownership to the heirs of the current owner of record following their death;~~

~~(iv) Transfer of property ownership resulting from a court order;~~

~~(v) Any change to the rental unit's maximum occupancy due to the addition or deletion of code-compliant bedrooms within the dwelling; and~~

~~(vi) Designation of a new agent.~~

~~ii.v.~~ Criteria for approval review. The ZONING ADMINISTRATOR shall approve the issuance of a SHORT-TERM RENTAL permit modification only if he or she finds that the dwelling application continues to meet all of the conditions and requirements ~~of set forth in this subsection, and any all~~ other applicable provisions set forth in this ordinance and of the Town Code. Prior to acting on an application, the ZONING ADMINISTRATOR, ~~or his or her designee,~~ may inspect the property for compliance with the provisions of this subsection. The ZONING ADMINISTRATOR may also require the applicant's host to provide documentation or certify, under penalty of perjury, that the property satisfies any one (1) or more of the conditions or requirements contained herein.

~~iii.vi.~~ Action on application. The ZONING ADMINISTRATOR shall render a decision on each modification request within ~~thirty ten (30) calendar business days~~ following receipt. If the ZONING ADMINISTRATOR requests additional information from the applicant in order to complete his or her review, the review period shall be tolled until the requested information is supplied by the applicant. Failure to provide the requested information within ten (10) business days shall be deemed a withdrawal of the modification request. A SHORT-TERM RENTAL UNIT which was duly permitted as of the date the modification request was received may continue to operate be used, rented, and advertised for rent, while the modification request is under review.

~~iv.vii.~~ Notification. The ZONING ADMINISTRATOR's decision shall be communicated in writing to the ~~property owner or designated agent~~ host. For purposes of this subsection, the issuance of a permit modification shall constitute notice of approval.

v.viii. Expiration. Upon issuance, a modified SHORT-TERM RENTAL permit shall remain valid for the remainder of the ~~license-permit~~ year ~~during-for~~ which it was issued, unless the permit is further modified, suspended, revoked, or cancelled, ~~or abandoned~~, pursuant to the criteria and procedures set forth in this subsection. A SHORT-TERM RENTAL UNIT with a permit which was duly modified and in good standing as of April 30th of the preceding permit year may continue to be used, rented, and advertised for rent, beyond May 1st of the subsequent permit year as long as a completed renewal application for the subsequent permit year was received by the TOWN on or before the renewal deadline specified herein.

c. Temporary permits.

i. In general. Notwithstanding any conditions, requirements, or procedures to the contrary, the ZONING ADMINISTRATOR may issue a temporary SHORT-TERM RENTAL permit for any DWELLING UNIT which meets the eligibility criteria set forth herein.

ii. Eligibility; conditions. Following the sale or transfer of a duly permitted SHORT-TERM RENTAL UNIT, in lieu of applying for a new SHORT-TERM RENTAL permit, or if the SHORT-TERM RENTAL permit cap has been reached, the new host may apply for and obtain temporary SHORT-TERM RENTAL permit, subject to the following conditions:

(a) The prior SHORT-TERM RENTAL permit must have been in good standing on the date of transfer;

(b) The application for a temporary SHORT-TERM RENTAL permit must be submitted no later than five (5) business days following the date of transfer;

(c) The temporary SHORT-TERM RENTAL permit application must be accompanied by a fully executed copy of the SCLLR State of South Carolina Residential Property Condition Disclosure Statement showing that the DWELLING UNIT was subject to one (1) or more pre-existing SHORT-TERM RENTAL agreements which will commence no later than ninety (90) days following the date of transfer;

(d) The new host may only honor those SHORT-TERM RENTAL agreements which were in place on the date of transfer;

(e) The new host shall not advertise or accept any new SHORT-TERM rental agreements without applying for and obtaining a new SHORT-TERM RENTAL permit; provided, in the event the SHORT-TERM RENTAL CAP has been reached, the new permit application shall be added to the waiting list;

- (f) The temporary SHORT-TERM RENTAL permit shall be subject to all other conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code; and
- (g) The temporary SHORT-TERM RENTAL permit shall automatically expire one hundred and twenty (120) days following the date of issuance.
- iii. Application. Temporary SHORT-TERM RENTAL permit applications shall be submitted on a form made available by the ZONING ADMINISTRATOR for that purpose. The application shall be accompanied by a non-refundable application fee, as provided in Section 18.3, and any required supplemental materials. Only completed applications will be accepted. A separate application and fee shall be required for each eligible SHORT-TERM RENTAL UNIT.
- iv. Due date. Any host who wishes to obtain a temporary SHORT-TERM RENTAL permit must submit a completed application no later than five (5) business days following the date of transfer.
- v. Criteria for review. The ZONING ADMINISTRATOR shall approve the issuance of a temporary SHORT-TERM RENTAL permit only if he or she finds that the application meets all of the applicable conditions and requirements set forth in this subsection, and all other applicable provisions set forth in this ordinance and the Town Code. Prior to acting on an application, the ZONING ADMINISTRATOR may inspect the property for compliance with the provisions of this subsection. The ZONING ADMINISTRATOR may also require the host to provide documentation or certify, under penalty of perjury, that the property satisfies any one (1) or more of the conditions or requirements contained herein.
- vi. Action on application. The ZONING ADMINISTRATOR shall render a decision on each application within ten (10) business days following receipt. If the ZONING ADMINISTRATOR requests additional information from the applicant in order to complete his or her review, the review period shall be tolled until the requested information is supplied by the applicant. Failure to provide the requested information within ten (10) business days shall be deemed a withdrawal of the temporary permit application. A SHORT-TERM RENTAL UNIT which was duly permitted as of the date the temporary permit application was received may continue to be rented while the application is under review.
- vii. Notification. The ZONING ADMINISTRATOR's decision shall be communicated in writing to the host. For the purposes of this subsection, the issuance of a temporary permit shall constitute notice of approval.
- viii. Expiration. A temporary SHORT-TERM RENTAL permit shall remain valid for one hundred and twenty (120) following the date of issuance, at which time the

permit will be automatically cancelled, unless it is earlier suspended, revoked, or cancelled, pursuant to the criteria and procedures set forth in this subsection. A temporary SHORT-TERM RENTAL permit which is issued during the final one hundred and twenty (120) days of the permit year may continue into the subsequent permit year without the need to renew; provided, the total duration of the temporary permit shall not exceed one hundred and twenty (120) days. Upon expiration, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.

e.d. Appeals. Any ~~person~~-PERSON who is aggrieved by a decision of the ZONING ADMINISTRATOR to approve or deny the issuance of a new, renewal, or modified, or temporary SHORT-TERM RENTAL permit may appeal the decision to the Board of Zoning Appeals, pursuant to Section 20.2 of this ordinance.

3.5. Violations Administration and enforcement.

- a. *Violations defined.* It shall be a violation of this subsection to use, rent, or advertise for rent, any BUILDING, STRUCTURE, or premises within the TOWN, as a SHORT-TERM RENTAL UNIT, except in conformity with the conditions and requirements set forth in this subsection.
- ~~i. Operate a SHORT-TERM RENTAL UNIT without complying with the conditions and requirements of this section and any other applicable provision of the Town Code;~~
 - ~~ii. Advertise, offer, or otherwise make available a property as a SHORT-TERM RENTAL UNIT without complying with the conditions and requirements of this section and any other applicable provision of the Town Code;~~
 - ~~iii. Falsify or misrepresent material facts on a SHORT-TERM RENTAL permit application;~~
 - ~~iv. Advertise the maximum occupancy of a SHORT-TERM RENTAL UNIT in excess of the number allowed pursuant to this section;~~
 - ~~v. Increase the maximum occupancy of a SHORT-TERM RENTAL UNIT without obtaining town approval of a permit modification;~~
 - ~~vi. Advertise or rent an accessory structure, including, but not limited to, an ACCESSORY DWELLING unit, pool house or finished room over a GARAGE, as an independent SHORT-TERM RENTAL UNIT;~~
 - ~~vii. Advertise or rent only a portion of a dwelling for short-term occupancy, such as an individual bed or bedroom;~~

~~viii. Conduct any commercial activity within, or on the premises of, a SHORT-TERM RENTAL UNIT while the unit is being occupied as a SHORT-TERM RENTAL, unless expressly allowed by this section;~~

~~ix. Fail to respond to any emergency situation, alleged violation or public complaint communicated by the town, or any inquiry or inspection request made pursuant to the notification requirements of subsection 9.4 O.1.q; and~~

~~x. Advertise or rent any SHORT-TERM RENTAL UNIT after receiving notice of suspension, abandonment, revocation, or cancellation of a SHORT-TERM RENTAL permit.~~

b. ~~Administration and enforcement~~Authority. The ZONING ADMINISTRATOR shall be vested with the authority to administer and enforce the provisions of this subsection. Notwithstanding any provisions to the contrary, whenever the ZONING ADMINISTRATOR determines that a violation of this subsection has occurred, he or she shall contact the ~~property owner, designated agent, host~~ or qualified local contact, as applicable, to indicate the nature of the violation and to direct the notified party to take such action as may be necessary and proper to correct the violation and/or prevent further violations from occurring. Any notice made in accordance with the foregoing may be communicated by phone, email, in writing or in person, and shall include a reasonable time during which the notified party shall correct the violation. If the notified party fails to correct the violation within the time specified by the ZONING ADMINISTRATOR, the ZONING ADMINISTRATOR may issue an ordinance summons. In the event the ZONING ADMINISTRATOR deems a violation to present a substantial threat to public health or safety, or in instances when a SHORT-TERM RENTAL UNIT has received multiple notices for the same violation, the ZONING ADMINISTRATOR may immediately issue an ordinance summons. In fulfilling the requirements of this subsection, the ZONING ADMINISTRATOR may designate one or more individuals, including inspectors and code enforcement officers of the ~~town~~TOWN, to act on his or her behalf.

c. Inspections. Subject to the notice requirements contained herein, all SHORT-TERM RENTAL UNITS shall be subject to inspection by the TOWN to verify compliance with the conditions and requirements set forth in this subsection. Failure to permit access to a SHORT-TERM RENTAL UNIT for the purposes of conducting an inspection shall be a violation of this subsection.

i. Routine Inspections. In instances when an inspector must access the interior of a SHORT-TERM RENTAL UNIT for the purpose of conducting a routine inspection, he or she shall provide a minimum of 24 hours' notice to the host or qualified local contact, as applicable, and the notified party shall provide access to the unit at the appointed time. Except for emergency inspections and inspections undertaken prior to the issuance of a new SHORT-TERM RENTAL permit, routine

inspections shall be avoided between Memorial Day and Labor Day when possible.

ii. Emergency inspections. In instances when an inspector determines that a condition may exist within a SHORT-TERM RENTAL UNIT which substantially endangers public health or safety, he or she shall provide a minimum of two (2) hours' notice to the host or qualified local contact, as applicable, and the notified party shall provide access to the unit at the appointed time to verify that such a condition exists and, if possible, to abate that condition. If the inspector determines that the condition was caused by a violation of any provision of this subsection, he or she may initiate appropriate enforcement action.

iii. Exceptions to notice requirements. In instances when either a notified party or a renter waive the applicable notice requirements contained in paragraphs (i) or (ii) above, an inspector may enter the unit immediately upon authorization, or as soon as practicable thereafter.

iv. The ZONING ADMINISTRATOR shall have the authority to request copies of all licenses, permits, receipts, reports, and similar information which may be necessary and proper to ensure compliance with the conditions and requirements set forth in this subsection. Upon request, the host shall furnish all requested documentation to the ZONING ADMINISTRATOR within five (5) business days.

~~e.d.~~ Penalties. Any ~~person~~ PERSON found guilty of violating any provision of this subsection shall be subject to the penalties and fines ~~specified set forth~~ in Article 22. Punishment for any violation shall not relieve the offender of any liability for delinquent ~~taxes, fines, fees, penalties, taxes, and/or~~ any other costs. In addition to all applicable fines, fees, and penalties which may be imposed pursuant to this ordinance and the Town Code, the ZONING ADMINISTRATOR shall have the authority suspend or revoke a SHORT-TERM RENTAL permit, subject to the criteria and notification requirements set forth in subsections 9.4 O.6.a and 9.4 O.6.b.

~~d.~~ Liability of property owners. A property owner shall not be relieved from any personal responsibility and personal liability for noncompliance with any applicable law, rule or regulation pertaining to the advertising, use and rental of a dwelling as a SHORT-TERM RENTAL UNIT, regardless of whether such noncompliance was committed by the property owner's designated agent, local contact, renters, or their guests.

~~e.~~ Liability of designated agents. A designated agent shall be jointly and severally liable for noncompliance with any applicable law, rule or regulation pertaining to the advertising, use and rental of a dwelling as a SHORT-TERM RENTAL UNIT which occurs at a SHORT-TERM RENTAL UNIT managed by the agent within the town.

4.6. Suspension, revocation, and cancellation of SHORT-TERM RENTAL permits.

a. Suspension of permit ~~Permit suspension.~~

i. Criteria for suspension*In general*. In addition to all other applicable fines, fees, and penalties imposed pursuant to this ordinance and the Town Code, the ZONING ADMINISTRATOR may suspend a SHORT-TERM RENTAL permit, as follows: subject to the criteria and notification requirements set forth herein.

ii. Criteria for suspension.

(a) Suspension due to damage beyond REPAIR, destruction, or condemnation. In the event the ZONING ADMINISTRATOR determines that a lawfully permitted SHORT-TERM RENTAL UNIT is damaged beyond REPAIR, destroyed, or condemned by the Charleston County Building Inspections Department as unfit for human occupancy, the ZONING ADMINISTRATOR may immediately suspend the SHORT-TERM RENTAL permit. The suspension shall remain in place until the unit is reconstructed, repaired, or restored to a safe condition. If the property owner fails to obtain the necessary permits to reconstruct, REPAIR, or restore the unit to a safe condition within six (6) months following the effective date of the suspension (twelve (12) months if the damage, destruction, or condemnation resulted from a declared emergency or disaster event), or if the building permit expires prior to completion of the work or issuance of a certificate of occupancy, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(b). A SHORT-TERM RENTAL permit which is suspended due to damage beyond REPAIR, destruction, or condemnation may be renewed in subsequent permit years as long as the permit otherwise remains in good standing; provided, the permit shall remain suspended until the reconstruction, REPAIR, or restoration work is completed and the permit is reinstated, as provided herein.

(b) Suspension due to non-reported change of authorized agent or qualified local contact. In the event a host fails to modify a SHORT-TERM RENTAL permit within five (5) business days following any change to the unit's authorized agent or qualified local contact of record, as required by subsections 9.4 O.2.e and 9.4 O.2.f, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit until the permit is modified. If the host fails to modify the permit with the new authorized agent or qualified local contact within thirty (30) days following the effective date of the suspension, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(f).

(c) Suspension due to unlicensed business activities. In the event a host fails to obtain a valid business license, as required by Chapter 8 of the Town Code, or if the business license is suspended or revoked, the ZONING ADMINISTRATOR may immediately suspend the SHORT-TERM RENTAL permit until a valid business license has been obtained. If the host fails to obtain a valid business license within thirty (30) days following the effective date of the suspension, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(h).

(d) Suspension due to unpaid fines, fees, or penalties. In the event a host is delinquent by sixty (60) days or more in the payment of any fines, fees, or penalties imposed pursuant to this ordinance or the Town Code, including, without limitation, court fines, court assessments, and surcharges, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit until all required fines, fees, and penalties have been paid in full. If the host fails to pay the required fines, fees, or penalties within thirty (30) days following the effective date of the suspension, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(i).

(e) Suspension due to unpaid taxes. In the event a host is delinquent by sixty (60) days or more in the payment of any taxes which are required to be paid pursuant to subsection 9.4 O.3.b.iii, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit until all required taxes have been paid in full. If the host fails to pay the required taxes within thirty (30) days following the effective date of the suspension, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(i).

(f) Suspension due to unsafe conditions. In the event the ZONING ADMINISTRATOR determines that a lawfully permitted SHORT-TERM RENTAL UNIT is rendered unsafe due to damage (other than damage beyond REPAIR), disrepair, or neglect, the ZONING ADMINISTRATOR may immediately suspend the SHORT-TERM RENTAL permit. The suspension shall remain in place until the unit is repaired or restored to a safe condition. If the property owner fails to obtain the necessary permits to REPAIR or restore the unit to a safe condition within ninety (90) days following the effective date of the suspension, or if the building permit expires prior to completion of the work, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(k). A SHORT-TERM RENTAL permit which is suspended due to unsafe conditions may be renewed in subsequent permit years as long as the permit otherwise remains in good standing; provided, the permit shall remain suspended until the REPAIR or restoration work is completed and the permit is reinstated, as provided herein.

(g) Voluntary suspension due to reconstruction or renovation. In instances when a property owner desires to reconstruct or substantially renovate a lawfully permitted SHORT-TERM RENTAL UNIT, the property owner or host may request a voluntary suspension of the unit's SHORT-TERM RENTAL permit by filing a written request with the ZONING ADMINISTRATOR at the time the reconstruction or renovation permits are filed with the TOWN. Upon approval by the ZONING ADMINISTRATOR, the voluntary suspension shall remain in place until the reconstruction or renovation work is completed. If the property owner fails to initiate construction activities within ninety (90) days following the effective date of the voluntary suspension, or if the property owner fails to complete the reconstruction or renovation work within twenty-four (24)

months following the effective date of the voluntary suspension, the SHORT-TERM RENTAL permit may be revoked, as provided in subsection 9.4 O.6.b.ii.(m). A SHORT-TERM RENTAL permit which is voluntarily suspended due to reconstruction or renovation may be renewed in subsequent permit years as long as the permit otherwise remains in good standing; provided, the permit shall remain suspended until the reconstruction or renovation work is completed and the permit is reinstated, as provided herein.

~~(b) If the property owner and/or designated agent fail to possess a valid town business license for the operation of a SHORT-TERM RENTAL UNIT, as required by Article 8 of the Town Code, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit for that unit until all required business licenses have been obtained.~~

~~(c) If the property owner or designated agent is found guilty by admission or by the Municipal Judge of committing three (3) or more violations of any other condition or requirement specified in this section during the preceding 12 months, the ZONING ADMINISTRATOR may suspend the SHORT-TERM RENTAL permit for that unit for a period of 60 days. A suspension during the final 60 days of any license year shall continue into the following license year.~~

iii.iii. Notification. In instances where a SHORT-TERM RENTAL permit has been suspended pursuant to the criteria set forth herein~~this section~~, the ZONING ADMINISTRATOR shall provide a written notice of suspension to the ~~property owner and, if applicable, the designated agent~~host by certified mail or hand delivery. The notice shall include the reason(s) for the suspension, the effective date of the suspension, the criteria for reinstatement, the penalties for using, renting, or advertising for rent, a SHORT-TERM RENTAL UNIT while the permit is suspended, and method of appeal. In the event the host may not be reached by mail or hand delivery, the ZONING ADMINISTRATOR may communicate the notice of suspension to the host by email and/or by posting a conspicuous notice upon the door serving as the primary point of ingress and egress to and from the SHORT-TERM RENTAL UNIT.

iii.iv. Cessation of operation. Upon receipt of the notice of suspension, the ~~property owner or designated agent~~host shall immediately cease operation of the SHORT-TERM RENTAL UNIT and remove all advertisements for future SHORT-TERM RENTAL reservations. ~~The property owner and designated agent, if applicable, of any property which is being advertised to, or occupied by, short-term renters and their guests~~Any host who continues to use, rent, or advertise for rent, a SHORT-TERM RENTAL UNIT after receiving the a notice of suspension shall be subject to the enforcement and penalty provisions of this ordinance. Failure to comply with the notice of suspension may also result in the immediate revocation of the SHORT-TERM RENTAL permit, as provided in subsection 9.4 O.6.b.ii.(a).

~~v. Reinstatement. A property owner or designated agent host may apply for reinstatement of a suspended SHORT-TERM RENTAL permit by submitting a completed application for reinstatement along with a non-refundable reinstatement fee, as provided in Section 18.3. The ZONING ADMINISTRATOR shall not reinstate ~~the a suspended~~ SHORT-TERM RENTAL permit ~~if he or she finds that~~ unless the host has satisfied all criteria for reinstatement, as set forth in the notice of suspension, and corrected any applicable violations to the satisfaction of the ZONING ADMINISTRATOR.~~

~~iv-vi. Time extensions. Pursuant to the variance provisions set forth in Article 20, a property owner whose SHORT-TERM RENTAL permit was suspended pursuant to paragraphs (a), (f), or (g) above may request an extension of the time limits set forth herein. If the Board of Zoning Appeals determines that the property owner is unable to obtain the permits necessary to reconstruct, REPAIR, or restore the DWELLING UNIT to a safe condition due to extraordinary or exceptional conditions which are outside the control of the property owner, the board may grant a reasonable extension of the time limits set forth herein. The board shall also be empowered to attach reasonable conditions to any extension so authorized.~~

~~(a) The property owner or designated agent has corrected all outstanding violations to the satisfaction of the ZONING ADMINISTRATOR;~~

~~(b) The property owner and designated agent have paid all applicable fees and penalties in full; and~~

~~(c) For permits suspended due to three (3) or more violations during the preceding 12 months, a minimum of 60 days has lapsed from the date upon which the permit was suspended.~~

~~v. Abandonment. If a property owner or designated agent fails to apply for reinstatement within ninety (90) days from the date upon which the permit was suspended, the permit shall be deemed abandoned. Once a SHORT-TERM RENTAL permit has been abandoned, any request to re-establish a SHORT-TERM RENTAL UNIT on the property shall be treated as a new application.~~

b. ~~Revocation of p~~Permit revocation.

~~i. Criteria for revocation~~In general. In addition to all other applicable fines, fees, and penalties imposed pursuant to this ordinance and the Town Code, the ZONING ADMINISTRATOR may revoke a SHORT-TERM RENTAL permit, subject to the criteria and notification requirements set forth herein. ~~due to any one (1) or more of the following:~~

~~ii. Criteria for revocation; limitations on re-establishment.~~

- (a) *Revocation due to advertising and/or renting while suspended.* In the event a host continues to use, rent, or advertise for rent, a SHORT-TERM RENTAL UNIT after receiving a notice of suspension, as provided in subsection 9.4 O.6.b.(i), the ZONING ADMINISTRATOR may immediately revoke the SHORT-TERM RENTAL permit. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, unless the unit is sold or transferred via a non-exempt transfer, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until one (1) year after the effective date of the revocation.
- (b) *Revocation due to destruction, damage beyond REPAIR, or condemnation.* In the event a SHORT-TERM RENTAL permit has been suspended due to damage beyond REPAIR, destruction, or condemnation of the SHORT-TERM RENTAL UNIT, as provided in subsection 9.4 O.6.b.i.(a), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the property owner fails to obtain the necessary permits to reconstruct, REPAIR, or restore the unit to a safe condition within six (6) months following the effective date of the suspension (twelve (12) months if the damage, destruction, or condemnation resulted from a declared emergency or disaster event), or if the building permit expires prior to completion of the work or issuance of a certificate of occupancy; provided, any extension granted by the Board of Zoning Appeals pursuant to subsection 9.4 O.6.a.vi shall supersede the time limits set forth herein. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until the reconstruction, REPAIR, or restoration work is completed or a certificate of occupancy is issued.
- (c) *Revocation due to falsification or misrepresentation of material facts.* In the event the ZONING ADMINISTRATOR determines that a host falsified or misrepresented one (1) or more material facts on the SHORT-TERM RENTAL permit application or provided false or misleading information on any license, permit, receipt, report, or other documentation provided in connection with the permitting or inspection provisions of this subsection, the ZONING ADMINISTRATOR may immediately revoke the SHORT-TERM RENTAL permit. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.
- (d) *Revocation due to gross violation.* In the event a property owner, authorized agent, qualified local contact, or renter is found guilty, either by admission or

by the Municipal Judge, of committing, or allowing to be committed, any violation at, within, or upon the premises of, a SHORT-TERM RENTAL UNIT which results in death or gross bodily injury to any PERSON, which causes substantial damage to or destruction of property, or which creates a substantial threat to public health and safety, the ZONING ADMINISTRATOR may immediately revoke the SHORT-TERM RENTAL PERMIT. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, unless the unit is sold or transferred via a non-exempt transfer, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until one (1) year after the effective date of the revocation.

(e) *Revocation due to multiple violations.* In the event a property owner, authorized agent, qualified local contact, or renter is found guilty, either by admission or by the Municipal Judge, of committing, or allowing to be committed, three (3) or more violations of any condition or requirement set forth in this subsection, or any other applicable provision set forth in this ordinance or the Town Code, at, within, or upon the premises of, the SHORT-TERM RENTAL UNIT, in any twelve (12) month period, the ZONING ADMINISTRATOR may immediately revoke the SHORT-TERM RENTAL PERMIT. For purposes of this paragraph, in instances when summonses are issued to multiple PERSONs for the same violation, at the same property, and on the same date, it shall be considered a single violation. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, unless the unit is sold or transferred via a non-exempt transfer, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until one (1) year after the effective date of the revocation.

(f) *Revocation due to non-reported change of authorized agent or qualified local contact.* In the event a SHORT-TERM RENTAL permit has been suspended due to a non-reported change of authorized agent or qualified local contact of record, as provided in subsection 9.4 O.6.b.i.(b), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the host fails to modify the permit with the new authorized agent or qualified local contact within thirty (30) days following the effective date of the suspension. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.

- (g) *Revocation due to non-reported sale or transfer of unit.* In the event a lawfully permitted SHORT-TERM RENTAL UNIT is sold or transferred, the host of record shall notify the ZONING ADMINISTRATOR within five (5) business days following the date of transfer. If the existing permit is not cancelled or modified on or before the fifth business day following the sale or transfer of the unit, the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the new host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.
- (h) *Revocation due to unlicensed business activities.* In the event a SHORT-TERM RENTAL permit has been suspended due to unlicensed business activities, as provided in subsection 9.4 O.6.b.i.(c), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the host fails to obtain a valid business license within thirty (30) days following the effective date of the suspension. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.
- (i) *Revocation due to unpaid fines, fees, or penalties.* In the event a SHORT-TERM RENTAL permit has been suspended due to unpaid fines, fees, or penalties, as provided in subsection 9.4 O.6.b.i.(d), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the host fails to pay all required fines, fees, or penalties within thirty (30) days following the effective date of the suspension. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.
- (j) *Revocation due to unpaid taxes.* In the event a SHORT-TERM RENTAL permit has been suspended due to unpaid taxes, as provided in subsection 9.4 O.6.b.i.(e), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the host fails to pay all required fines, fees, or penalties within thirty (30) days following the effective date of the suspension. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.
- (k) *Revocation due to unsafe conditions.* In the event a SHORT-TERM RENTAL permit has been suspended due to unsafe conditions, as provided in subsection 9.4 O.6.b.i.(f), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the property owner fails to obtain the

necessary permits to REPAIR or restore the unit to a safe condition within ninety (90) days, or if the building permit expires prior to completion of the work; provided, any extension granted by the Board of Zoning Appeals pursuant to subsection 9.4 O.6.a.vi shall supersede the time limits set forth herein. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until the REPAIR or restoration work is completed and the unit is restored to a safe condition.

(l) *Revocation due to work by an unlicensed residential builder or specialty contractor.* In the event the owner of a lawfully permitted SHORT-TERM RENTAL UNIT obtains an exemption from the Charleston County Building Inspections Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work which would otherwise be required to be completed by a licensed residential builder or specialty contractor, the ZONING ADMINISTRATOR may immediately revoke the SHORT-TERM RENTAL permit upon the issuance of the exempt permit. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until two (2) years after the work is completed or a certificate of occupancy is issued.

(m) *Revocation following voluntary suspension due to reconstruction or renovation.* In the event a SHORT-TERM RENTAL permit has been voluntarily suspended by the property owner due to reconstruction or renovation of the SHORT-TERM RENTAL UNIT, as provided in subsection 9.4 O.6.b.i.(g), the ZONING ADMINISTRATOR may revoke the SHORT-TERM RENTAL permit if the property owner fails to initiate construction activities within ninety (90) days following the effective date of the voluntary suspension, or if the reconstruction or renovation work is not completed within twenty-four (24) months following the effective date of the voluntary suspension; provided, any extension granted by the Board of Zoning Appeals pursuant to subsection 9.4 O.6.a.vi shall supersede the time limits set forth herein. Upon revocation, the unit shall not be used, rented, or advertised for rent, as a SHORT-TERM RENTAL UNIT unless the host applies for and obtains a new SHORT-TERM RENTAL permit. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv; provided, the unit shall not be eligible for a new SHORT-TERM RENTAL permit until the reconstruction or renovation work is completed or a certificate of occupancy has been issued.

(a) ~~The property owner to whom the SHORT-TERM RENTAL permit was issued is no longer the owner of record and neither the current owner nor the former~~

~~owner modified the permit, as provided herein, within thirty (30) days following the date upon which the property was transferred;~~

- ~~(b) The dwelling has been destroyed, damaged beyond REPAIR, or condemned by the Charleston County Building Inspections Department as unfit for human habitation;~~
- ~~(c) The property owner has obtained an exemption from the Charleston County Building Services Department, pursuant to S.C. Code of Laws, Section 40-59-260, to undertake work which would otherwise be required to be completed by a licensed residential builder or specialty contractor;~~
- ~~(d) The ZONING ADMINISTRATOR determines that the property owner or designated agent falsified or misrepresented one (1) or more material facts on the SHORT-TERM RENTAL permit application;~~
- ~~(e) The property owner or designated agent continues to advertise and/or rent a SHORT-TERM RENTAL UNIT after receiving notice of suspension;~~
- ~~(f) The SHORT-TERM RENTAL permit has been suspended two (2) or more times in any twenty-four (24) month period; or~~
- ~~(g) The occurrence of any violation which results in death or gross bodily injury to any person, causes substantial damage or destruction of property, or creates a substantial threat to public health and safety, regardless of whether the violation was committed by the property owner, designated agent, local contact person, renter, or their guest.~~

~~ii.iii.~~ Notification. In instances where a SHORT-TERM RENTAL permit has been revoked pursuant to the criteria set forth hereinthis section, the ZONING ADMINISTRATOR shall provide a written notice of revocation to the ~~property owner and, if applicable, the designated agent~~host by certified mail or hand delivery. The notice shall include the reason(s) for the revocation, the effective date of the revocation, the requirements for obtaining a new SHORT-TERM RENTAL permit, the penalties for using, renting, or advertising for rent, a SHORT-TERM RENTAL UNIT without a valid SHORT-TERM RENTAL permit, and method of appeal. In the event the host may not be reached by mail or hand delivery, the ZONING ADMINISTRATOR may communicate the notice of suspension to the host by email and/or by posting a conspicuous notice upon the door serving as the primary point of ingress and egress to and from the SHORT-TERM RENTAL UNIT.

~~ii.iv.~~ Cessation of operation. Upon receipt of the notice of revocation, the ~~property owner or designated agent~~host shall immediately cease operation of the SHORT-TERM RENTAL UNIT and remove all advertisements for future SHORT-TERM RENTAL reservations. ~~The property owner and designated agent, if applicable, of any property which is being advertised to, or occupied by, short-term renters and~~

~~their guests~~ Any host who continues to use, rent, or advertise for rent, a SHORT-TERM RENTAL UNIT after receiving ~~the~~ notice of revocation shall be subject to the enforcement and penalty provisions of this ordinance.

~~Re-establishment.~~ A ~~property owner or designated agent~~ may not apply for a new SHORT-TERM RENTAL permit at the same location for a period of 12 months following the date of revocation.

c. ~~Appeals.~~ Any PERSON who is aggrieved by a decision of the ZONING ADMINISTRATOR to suspend or revoke a SHORT-TERM RENTAL permit may appeal the decision to the Board of Zoning Appeals, pursuant to Section 20.2 of this ordinance.

~~e.d. Cancellation of p~~ Permit cancellation. A ~~property owner or designated agent~~ host may request the cancellation of a SHORT-TERM RENTAL permit at any time and for any reason. All requests for cancellation shall be submitted in writing to the ZONING ADMINISTRATOR. Upon receiving the request, the ZONING ADMINISTRATOR shall cancel the SHORT-TERM RENTAL permit and provide written confirmation to the ~~property owner and, if applicable, the designated agent~~ host. Any ~~property owner or designated agent~~ host who cancels a permit while the permit is in good standing may reapply for a new permit at any time. New permit applications shall be subject to the permitting procedures set forth in subsection 9.4 O.4.a.iv.

7. Special provisions applicable during states of emergency.

a. Restriction or suspension by emergency order. In the event a state of emergency is declared within the TOWN's corporate limits, the mayor, pursuant to the emergency powers vested by Section 2-205(d) of the Town Code, may restrict or prohibit trade and commercial activities within the TOWN, including the restriction or suspension of SHORT-TERM RENTAL activities. Any orders issued by the mayor to restrict or suspend SHORT-TERM RENTAL activities during a declared state of emergency shall be effective immediately or at such other time as the mayor shall specifically designate and shall remain in effect until ended by the mayor or by a majority vote of COUNCIL.

b. Restriction or suspension by emergency ordinance. Pursuant to Section 2-345 of the Town Code, the COUNCIL may adopt emergency ordinances to meet public health emergencies affecting the life, health, safety, or the property of the people. Any emergency ordinance which suspends or restricts SHORT-TERM RENTAL activities shall be effective immediately upon enactment and shall expire automatically on the sixty-first (61st) day following the date of enactment.

c. Notification. In instances where SHORT-TERM RENTAL activities are restricted or suspended by the mayor or COUNCIL pursuant to paragraphs (a) or (b) above, the ZONING ADMINISTRATOR shall provide notification to all hosts and qualified local contacts, if applicable, using the most efficient and effective means possible.

d. Cessation of operation. Upon receiving notice from the ZONING ADMINISTRATOR, the host shall immediately comply with all emergency provisions imposed by the mayor

or COUNCIL. Any host who continues to use, rent, or advertise for rent, a SHORT-TERM RENTAL UNIT in violation of such emergency provisions shall be subject to the enforcement and penalty provisions of this ordinance.

d.e. Mandatory evacuation required. If state or local authorities order a mandatory evacuation of an area that includes the SHORT-TERM RENTAL UNIT, the renters occupying the unit shall comply with the evacuation order.

SECTION 3. Amending Appendix E to the DSO. The Development Standards Ordinance for the Town of Seabrook Island, South Carolina; Appendix E, Fee Schedule; is hereby amended so as to repeal and replace the existing Appendix E in its entirety with a new Appendix E, a copy of which is attached hereto as “Exhibit A.” The attached “Exhibit A” is hereby adopted by reference as if fully set forth within this section.

SECTION 4. Severability.

If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, ~~property~~property, or circumstances.

SECTION 5. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. Effective Date.

This ordinance shall be effective for the permit year beginning May 1, 2024.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: [November 28, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [December 19, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

DRAFT

EXHIBIT A

To Ordinance 2023-15

Appendix E: Fee Schedule

DRAFT

Fee Schedule

**APPENDIX
E**

DRAFT

Town of Seabrook Island
Development Standards Ordinance



Fee Schedule

Table E-1. Fee Schedule	
Service	Fee Amount
Zoning Permit Fees (Including Site Plan Review)	
A. Residential Zoning Permit: Single-Family, Two-Family & Cluster Home Dwellings	
1. New Construction	Construction Value ¹ x 0.15% (Min. \$350.00)
2. Addition or Modification to Principal Structure	\$250.00
3. Renovation (No Change to Building Footprint)	
a. ≤ 50% Building Fair Market Value (Minor)	\$50.00
b. > 50% Building Fair Market Value (Major)	\$250.00
4. Minor Repairs & Maintenance ²	No Charge
5. Accessory Building, Structure or Site Improvement ³	
a. ≤ 150 Sq Ft	\$50.00
b. > 150 Sq Ft	\$150.00
6. Accessory Dwelling Unit	\$350.00
B. Residential Zoning Permit: Townhome & Multi-Family Dwellings	
1. New Construction	Construction Value ¹ x 0.15% (Min. \$500.00)
2. Addition or Modification to Principal Structure	
a. < 10% Current Floor Area (Max. 5,000 Sq Ft)	\$250.00
b. ≥ 10% Current Floor Area (Or 5,000+ Sq Ft)	\$400.00
3. Renovation (No Change to Building Footprint)	
a. Single-Unit Renovation (≤ 50% Building FMV)	\$50.00
b. ≤ 50% Building Fair Market Value (Minor)	\$250.00
c. > 50% Building Fair Market Value (Major)	\$400.00
4. Minor Repairs & Maintenance ²	No Charge
5. Accessory Building, Structure or Site Improvement ³	
a. Single-Unit Accessory Structure (≤ 150 Sq Ft)	\$50.00
b. Single-Unit Accessory Structure (151-600 Sq Ft)	\$150.00
c. ≤ 600 Sq Ft (Administrative Review)	\$250.00
d. > 600 Sq Ft (Planning Commission Review)	\$400.00
6. Parking Lot Construction / Expansion (No Building)	\$400.00
C. Non-Residential Zoning Permit	
1. New Construction	Construction Value ¹ x 0.15% (Min. \$500.00)
2. Addition or Modification to Principal Structure	
a. < 10% Current Floor Area (Max. 5,000 Sq Ft)	\$250.00
b. ≥ 10% Current Floor Area (Or 5,000+ Sq Ft)	\$400.00
3. Renovation/Upfit (No Change to Building Footprint)	
a. ≤ 50% Building Fair Market Value (Minor)	\$250.00
b. > 50% Building Fair Market Value (Major)	\$400.00
4. Minor Repairs & Maintenance ²	No Charge
5. Accessory Building, Structure or Site Improvement ³	
a. ≤ 600 Sq Ft (Administrative Review)	\$250.00
b. > 600 Sq Ft (Planning Commission Review)	\$400.00
6. Parking Lot Construction / Expansion (No Building)	\$400.00
7. Wireless Communication Towers and Antennae	
a. New Wireless Communications Tower	\$2,500.00
b. New/Replacement Antenna Installation	\$250.00

Table E-1. Fee Schedule	
D. Change of Use / Occupancy Permit	
1. Change of Use / Occupancy Permit	\$100.00
E. Home Occupation Permit	
1. Home Occupation Permit	\$50.00
F. Short-Term Rental Permit	
1. Short-Term Rental Permit - New	\$450.00
2. Short-Term Rental Permit - Renewal	\$450.00
3. <u>3.</u> Short-Term Rental Permit - Temporary	\$150.00 <u>\$150.00</u>
3.4. <u>3.4.</u> Modification of Existing Short-Term Rental Permit	\$25.00 <u>\$25.00</u>
a. Change of Owner, Agent or Local Contact	\$25.00
b. All Other Modifications	\$100.00
4.5. <u>4.5.</u> Reinstatement of Suspended Short-Term Rental Permit	\$225.00 <u>\$100.00</u>
5.6. <u>5.6.</u> Late Application Fee (If Received After Renewal Deadline or Commenced Renting Prior to Issuance)	
a. ≤ 31 Days Late	Permit Fee + \$150.00
b. 32-61 Days Late	Permit Fee + \$300.00
c. > 61 Days Late	Permit Fee + \$450.00
G. Temporary Use Permit	
1. Uses, Events & Activities ≤ 10 Days in Duration	\$50.00
2. Uses, Events & Activities > 10 Days in Duration	\$100.00
3. Permit Renewal (Administrative Review)	\$25.00
H. Sign Permit	
1. Freestanding Sign	\$100.00
2. Building Sign (Awning, Door, Wall, Window, etc.)	\$50.00
3. Reface or Repair of Existing Sign	\$30.00
4. Temporary Sign	\$15.00
I. Tree Removal Permits	
1. Protected Tree Removal Permit	\$50.00 Per Tree
2. Post Facto Tree Removal Permit	\$500.00 Per Tree
3. Payment in Lieu of Mitigation	150% of Actual Replacement Cost of the Species to be Removed (Min. 6" Caliper)
J. Post Facto Surcharge	
A "Post Facto Surcharge" equal to 100% of the permit amount shall be assessed in instances where work has commenced prior to obtaining a required permit. This surcharge shall be in addition to any other fines penalties which may be assessed, if applicable. The surcharge shall not apply to Short-Term Rental Permits, which are subject to the Late Application Fee, or Tree Removal Permits, which are subject to a separate post facto fee.	
Building Permit and Inspection Fees	
A. Building Permits & Inspections (Charleston County)	
Pursuant to Section 6-2 of the Town Code, all fees imposed by Charleston County for permitting and inspection services are adopted by reference and shall be paid directly to the County.	
Subdivision Plat Review and Recording Fees	
A. Plat Review Fees	
1. Exempt Plat	\$75.00
2. Preliminary Plat	
a. Minor Subdivision (≤ 10 Lots)	\$500.00
b. Major Subdivision (> 10 Lots)	\$500.00 + \$20.00 Per Lot
3. Final Plat	

Table E-1. Fee Schedule	
a. Minor Subdivision (\leq 10 Lots)	\$250.00
b. Major Subdivision ($>$ 10 Lots)	\$250.00 + \$10.00 Per Lot
B. Recording Fees	
1. Plat Recording Fee	\$100.00 + \$25.00 Per Page
Boundary, Map and Text Amendment Fees	
A. Boundary Amendments	
1. Application for Annexation	\$250.00
B. Map Amendments (Rezoning)	
1. Application for Rezoning / Zoning Upon Annexation	
a. CP Zoning Designation	No Charge
b. All Zoning Designations Except CP and MU	\$350.00
c. MU Zoning Designation	\$1,500.00
Board and Commission Review Fees	
A. Board of Zoning Appeals	
1. Application for Appeal of Administrative Decision	\$250.00 ⁴
2. Application for Special Exception	\$500.00
3. Application for Variance	\$500.00
B. Planning Commission	
1. Application for Address Change	\$50.00
2. Application for Appeal of Administrative Decision	\$250.00 ⁴
3. Application for Encroachment Permit (Curb Cut)	
a. New Curb Cut	\$500.00
b. Modification of Existing Curb Cut	\$250.00
4. Application for Street Name Change	\$250.00
Other Services	
A. Copies (Printed)	
1. Comprehensive Plan (Color Copy)	\$25.00
2. Development Standards Ordinance (Color Copy)	\$65.00
3. Zoning Map (Large Color Copy)	\$35.00
4. Standard Copies: Black & White	
a. 8.5 inches x 11 inches	\$0.10 Per Page
b. 11 inches x 17 inches	\$0.20 Per Page
5. Standard Copies: Color	
a. 8.5 inches x 11 inches	\$0.25 Per Page
b. 11 inches x 17 inches	\$0.50 Per Page
B. Field Verification Fee	
1. At the Zoning Administrator's discretion, a field verification fee may be charged in lieu of submitting a property survey in instances when the Zoning Administrator reasonably believes that compliance may be determined by field verification.	\$75.00 Per Hour (One Hour Minimum)
C. Outside Professional Services & Consultants	
1. The Zoning Administrator may engage outside professional service providers and consultants (such as architects, attorneys, engineers engineers, and other professionals) when such services are deemed necessary to review or evaluate an application or request.	Actual Cost + 10% Administrative Fee
D. Verification Letters	
1. Flood Zone Verification Letter	\$35.00

Table E-1. Fee Schedule

2. Zoning District Verification Letter	\$35.00
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- ¹ The valuation of any proposed construction will be based on the greater of the following: 1) the actual contract price indicated on the permit application or 2) the value calculated using the most recent "Square Foot Construction Cost Table," as published by the International Code Council (ICC).
- ² For purposes of this fee schedule, "minor repairs and maintenance" generally includes service, repairs, and maintenance to existing structures and building systems. (A zoning permit will generally be required for all new installations, modifications and replacements of such structures and systems.)
- ³ For purposes of this fee schedule, "accessory building, structure or site improvement" includes the following:
- Air conditioning and mechanical equipment (including associated stands);
 - Awnings;
 - Boardwalks and walkovers;
 - Detached garages and carports;
 - Docks;
 - Driveways and walkways;
 - Elevators and lifts;
 - Equipment stands;
 - Fences and walls (including retaining walls);
 - Fire pits;
 - Generators;
 - Outdoor showers;
 - Patios;
 - Playgrounds and play systems;
 - Propane tanks (above and below ground);
 - Ramps;
 - Sheds;
 - Swimming pools and spas;
 - Uncovered decks, stairways, and stoops; and
 - Similar structures which are customarily incidental and subordinate to a principal building and located on the same lot as the principal building or use.
- ⁴ The application fee for the appeal of an administrative decision shall be refundable if the appeal is successful.