

**TITLE II
PUBLIC SAFETY**

**CHAPTER 1
LAW ENFORCEMENT**

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§2.1.10 Fireworks; Discharge; Sparklers Excepted

It shall be unlawful for any person to use, fire, shoot, or discharge any firework within the corporate limits of The Town of Seabrook Island except for use in public display or exhibit under the provisions of §2.1.20, except as provided by §2.1.30, and except that the provisions of this Chapter shall not apply to the possession or use of toy cap pistols and toy pistol paper caps which contain not more than twenty-hundredths (.20) of a grain of explosive mixture and fireworks known as "sparklers". The use and possession of such toy cap pistols, toy pistol paper caps and sparklers shall be permitted at all times. (Ordinance 95-10, 8/10/95)

§2.1.20 Fireworks; Public Exhibitions

It shall be unlawful for any person to use fireworks in public displays or exhibits except as follows: Such displays or exhibits of fireworks shall be lawful if the person or organization sponsoring the display shall have obtained written approval from the local Fire Chief or his/her designate and a permit as he deems to be in the best interest of public safety. A permit granted may contain restrictions and limitations. Only experienced fireworks professionals shall be eligible for a permit. (Ordinance 95-10, 8/10/95)

§2.1.30 Use of Signals

Nothing contained in §2.1.10 and §2.1.20 shall be construed as prohibiting the use of signals necessary for the safe operation of all vehicles or boats within the Town nor shall such provisions apply to any common carrier, while acting as such, lawfully transporting or having custody of fireworks in interstate commerce or for delivery within The Town of Seabrook Island for use as provided in §2.1.10 and §2.1.20. (Ordinance 95-10, 8/10/95)

§2.1.40 Permits Required to Rally

No person shall engage in, participate in, aid, form or start any rally unless a permit has been obtained from the Town Administrator under the terms and conditions of this ordinance. Any person or persons engaging in any rally for which a permit has been issued shall not violate any of the provisions of such permit. A rally is defined as a gathering or meeting of more than ten people for some common purpose on property not zoned and approved for group meetings or the particular use being proposed. By way of example, a meeting scheduled by the Town such as a Town Council meeting, a meeting of a civic or community group in its own building or a facility approved for such gatherings and a group meeting in a restaurant or convention center shall not be considered a rally. Seabrook Island Town Hall is designated as a facility zoned for such gatherings, however, its parking lots and overflow parking lots are not approved for such gatherings.

A permit is valid only for the time period specified during any one (1) calendar day. Applicants wishing to conduct a multi-calendar day rally must submit one application form for each calendar day during which the planned rally is intended to occur.

§2.1.41 Time Period for Filing Application. A person seeking issuance of a permit shall file an application with the Town Administrator on forms provided by such officer. An application for such a permit must be filed not less than two weeks nor more than thirty days before the date on which it is proposed to conduct the rally.

§2.1.42 Permit Requirements. An application for a rally shall set forth the following information:

- (a) The name, address and telephone number of the person seeking to conduct such rally;
- (b) If the rally is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing and responsible head of such organization;
- (c) The name, address and telephone number of the person who will be the rally chairman and who will be responsible for its conduct;
- (d) The date when the rally is to be conducted;
- (e) The proposed starting and terminating times for the rally;
- (f) The approximate number of persons who will attend such rally; and

- (g) Any additional information which the Town Administrator should find reasonably necessary to a fair determination as to whether a permit should be issued including, but not limited to, a statement from the Charleston County Sheriff's Department as to the costs of providing standard law enforcement services necessary and to be provided as well as the fact that all such costs have been paid in full.

In addition, if a permit is approved and Town property is to be utilized as authorized by §2.1.46, the applicant shall pay a fee in the amount of \$500 to the Town. These funds will be used to provide bathroom facilities and related sanitary services at the rally site.

The Town Administrator will notify an applicant whether the application for a rally has been approved or denied within two (2) business days following filing of such application.

§2.1.43 Standards for Issuance of Permit. The Town Administrator shall issue a permit as provided for hereunder when, from consideration of the application, and from such other information as may otherwise be obtained, he finds that:

- (1) The conduct of the rally will not substantially interrupt the safe and orderly movement of other traffic, pedestrian and vehicular, contiguous to its location;
- (2) The convenience of the public in the use of Town streets and Town property will not be unduly disturbed by the conduct or timing of the rally;
- (3) Proper police protection is available and will be provided by the Charleston County Sheriff's Department at the expense of the organizer with such costs, as determined by the Charleston County Sheriff's Department, having being paid in advance of the rally by the applicant or organization conducting the rally;
- (4) The concentration of persons and vehicles at the assembly point will not unduly interfere with proper access for emergency services and police protection of areas contiguous to such assembly areas; and
- (5) The conduct of the rally is not reasonably likely to cause injury to persons or property, to promote disorderly conduct or to create a disturbance.

§2.1.44 Appeals. Any person aggrieved by a decision of the Town Administrator shall have the right to appeal his decision to the Town Council. The appeal shall be taken within forty-eight (48) hours after notice of the decision is provided. The Town

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Council shall act upon the appeal at its next regularly scheduled meeting, but not later than ten (10) days from the time of receipt of the appeal.

The Town Administrator shall have the authority to revoke a rally permit issued hereunder for violation of the standards set forth in this Ordinance.

§2.1.45 Use of Public Property. A rally may not be conducted on any public street, road or right of way within the Town of Seabrook Island. A rally may not be conducted in the Seabrook Island Town Hall. The Town Administrator may, in his discretion, designate certain portions of publicly owned property to be generally available for rallies under such terms and conditions as are necessary to protect the property as well as the public health, safety, and welfare of the town, its property and its residents, provided such are not inconsistent with the terms of this ordinance. The use of Seabrook Island Town Hall shall only be as set forth in the "Policy for use of Town Hall", a copy of which is attached hereto as an exhibit and incorporated by reference. (Ordinance 2001-02, 5/22/01) (Ordinance 2004-06, 8/24/04)

CHAPTER 2
FIRE PREVENTION AND PROTECTION

Section 2.2.10 Fire Services to be Provided

§2.2.10 Fire Services to be Provided

It is agreed that fire prevention and protection services for the Town of Seabrook Island will be provided by the St. Johns Fire Department. (Ordinance 2004-03, 8/24/04)

CHAPTER 3
Emergency Preparedness

Section 2.3.10 Emergency Operations Plan Adopted

Section 2.3.20 Mayor to Implement Plan

§2.3.10 Emergency Operations Plan Adopted

The "Town of Seabrook Island Emergency Operations Plan", dated February 28, 1989, amended on April 10, 1989, a copy of which was attached to Ordinance 1989-03 upon adoption, is hereby adopted. Such Plan shall be used to guide the Town's responses to emergency situations as outlined therein. (Ordinance 1989-03, 6/8/89)

§2.3.20 Mayor to Implement Plan

The Mayor is herewith empowered to implement and staff the Emergency Operations Plan, pursuant to his powers as set forth therein and in Town Code §1.2.50, and the individual assigned responsibilities under the Plan are herewith empowered to exercise their specified duties and responsibilities under the terms and conditions set forth therein; provided that the Mayor shall submit for approval to Town Council all non-budgeted expense items necessary for the implementation of the Plan. (Ordinance 1989-03, 6/8/89)