

Public Safety Committee

Regular Meeting

March 17, 2026 – 10:00 AM

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



AGENDA

CALL TO ORDER, ROLL CALL, AND FOIA STATEMENT

APPROVAL OF MINUTES

February 17, 2026

Public Safety Committee Regular Meeting

ITEMS FOR INFORMATION AND DISCUSSION

Update and Discussion of the Comprehensive Emergency Plan

- Emergency Preparedness Consultant

Disaster Recovery Council Emergency Preparedness Exercise

- April 29, 2026 – 9:00 AM

Update and Discussion of Amendments to Chapter 32 (Beach Rules)

COMMITTEE COMMENTS

ADJOURNMENT

Public Safety Committee

Regular Meeting

February 17, 2026 – 10:00 AM

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



MINUTES

CALL TO ORDER

Chairman May called the meeting to order at 10:03 am.

ROLL CALL

Committee Members Present: Darryl May, Chairman; Jim Sporn, Jill Boissonault, Mike Sankovich, and Bruce Ludwin

Town Staff Present: Joe Cronin (Town Administrator), Abby Grooms (Communications Director), and Peter Wiggins (Town Clerk).

FOIA STATEMENT

The Town Clerk confirmed that the meeting was advertised in compliance with the requirements of the South Carolina Freedom of Information Act. Agendas were posted and furnished to news media and all others requesting notification.

APPROVAL OF MINUTES

January 20, 2026

Mr. Sankovich motioned to approve the minutes of January 20, 2026, seconded by Mr. Sporn.

Mr. Sankovich's motion was APPROVED unanimously.

ITEMS FOR INFORMATION AND DISCUSSION

Comprehensive Emergency Plan

Chairman May stated that he would be meeting with Mayor Kleinman and Mr. Cronin to discuss what work the Town's Emergency Planning consultant had done over the past two years. He stated the prior committee considered the need for an updated Comprehensive emergency Plan, but never got to a point where they could recommend the adoption of a plan to the Town Council. He stated the current plan is lengthy and repetitive and needs to be cut down. He stated most people would agree a shorter document is more comprehensible rather than a lengthier document whose strategies are buried in too much text. Chairman May closed by stating that once he meets with the mayor and the administrator, the committee can begin to discuss strategies for reducing the length of the plan, what role the consultant will play in the drafting of the plan, and the

mechanical steps that will be required to complete the rewrite and update of the plan.

**Chapter 32 Amendments
(Beach Rules)**

Chairman May stated the Beach Rules will be a little more complex. He stated there was information included in the packet that spelled out the history of the draft Beach Rules ordinance that was tabled by the Town Council in October. Mr. May stated that the redlined text amendments included in the agenda packet were the amendments of last year's Environment & Wildlife Committee. Chairman May continued by stating the committee should not be swayed or influenced by the redline amendments in the draft ordinance, however, he wanted the committee to see the current iteration of the ordinance so they could see what the issues are. Chairman May reminded the committee the recommendation of these Beach Rules amendments will be part of a joint effort with the Environment & Wildlife Committee. Chairman May closed by stating it was his plan along with the Chair of the Environment & Wildlife Committee that each committee take a few issues that have been discussed by the prior Environment & Wildlife Committee, and have a joint workshop for a final recommendation of the Beach Rules.

Low Speed Vehicles

Chairman May stated another potential agenda item that was discussed last year was Low-Speed Vehicles, although he stated he wasn't sure what the committee would do. He stated the committee could review data provided to the committee last year by SIPOA. He reminded the committee that any action taken by the committee would only apply outside the SIPOA security gate. He continued by stating that he would gauge the appetite of the committee on the issue as the year goes along.

**Contracted Code
Enforcement**

Chairman May stated that the committee would also discuss the possibility of the Town contracting with off-duty Charleston County Sheriff's Office deputies to patrol Seabrook Island. He stated these patrols would most likely take place in the evenings when the Town's code enforcement officer is not working. He stated to the committee that during the drafting of the short-term rental ordinances, there was discussion of a noise ordinance that would be in effect from 10:00 pm – 6:00 am. He stated it was pointed out during these discussions that there is no active code enforcement on Seabrook Island during those times, and that ended the discussion of the possibility of a noise ordinance.

EXECUTIVE SESSION ITEMS

Beach Patrol Services RFP

Mr. Sankovich motioned to adjourn into Executive Session for the purpose of discussing contractual matters related to the Town's Beach Patrol Services RFP, seconded by Ms. Boissonnault.

Mr. Sankovich's motion was APPROVED unanimously.

The Public Safety committee entered Executive Session at 10:44 am.

Mr. Sankovich motioned to re-enter open session, seconded by Mr. Ludwin.

Mr. Sankovich's motion was APPROVED unanimously.

The Public Safety Committee re-entered open session at 11:49 am.

Chairman May stated the committee had two choices for a recommendation to the Town Council on the awarding of the Beach Patrol Services contract. He stated the two choices were USA Management and Barrier Island Ocean Rescue.

Ms. Boissonnault motioned to recommend the awarding of the Beach Patrol Services contract to Barrier Island Ocean Rescue, seconded by Mr. Ludwin.

Ms. Boissonnault's motion was APPROVED unanimously.

Chairman May stated the RFP included a request of the bidders to include a price quote for providing services between April 1 and September 30. He stated there was a request to also provide a quote for year-round service.

Mr. Cronin stated the Town has a vendor that provides geospatial data gathered by telecommunications companies that allows the Town to estimate how many people are on the beaches of Seabrook Island in a given day, month, or year. He stated in an average year, peak visitor trips to the beach are between May and September, and the average is approximately 50,000 individuals per month.

Mr. Ludwin motioned that the Town retain the beach patrol service schedule as it is currently, from April 1 through September 30, seconded by Mr. Sporn.

Mr. Sporn stated that given Mr. Cronin's presentation, he didn't see any anomalies that would warrant a change in the schedule, and that this was not even considering the added cost.

Mr. Sankovich stated that the data did not support a need for an additional six months of beach safety services.

Chairman May stated the reality is, is that the extra six months of service is not free. He stated that it is fair to characterize the cost of

the extra six months of service as substantial, and that is something the committee should take into consideration.

Mr. Ludwin's motion was APPROVED unanimously.

ADJOURNMENT

There being no further business before the committee, Chairman May declared the meeting adjourned at 12:06 pm.

Peter D. Wiggins II, MPA
Town Clerk

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2025-08

ADOPTED _____

AN ORDINANCE AMENDING THE TOWN CODE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; CHAPTER 32, WATERWAYS AND BEACHES; SO AS TO AMEND CERTAIN DEFINITIONS; TO AMEND THE REQUIREMENTS FOR FIRES ON THE BEACH; TO AMEND THE RULES PERTAINING TO FISHING AND SWIMMING ON THE BEACH; TO PROHIBIT SWIMMING AND WADING IN CAPTAIN SAMS INLET; TO GRANT BEACH PATROL AND CODE ENFORCEMENT OFFICER THE AUTHORITY TO RECALL SWIMMERS FROM THE WATER; AND OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to Section 5-7-30 of the S.C. Code of Laws, 1976, as amended, each municipality of the state, in addition to the powers conferred to its specific form of government, may enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of the state, including the exercise of powers in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it; and

WHEREAS, pursuant to Sections 5-7-140 of the S.C. Code of Laws, 1976, as amended, the corporate limits of any municipality bordering on the high-tide line of the Atlantic Ocean are extended to include all that area lying between the high-tide line and one mile seaward of the high-tide line. Further, the corporate limits of any municipality bordering on the high-water mark of a navigable body of water, other than the Atlantic Ocean, are extended to include all that area lying between the high-water mark and the low-water mark. In both cases, such areas shall be subject to all the ordinances and regulations that may be applicable to the areas lying within the corporate limits of the municipality, and the municipal courts shall have jurisdiction to punish individuals who are found guilty of violating the provisions of the municipal ordinances where the misdemeanor occurred; and

WHEREAS, pursuant to Section 5-7-145 of the S.C. Code of Laws, 1976, as amended, a coastal municipality may enact and enforce regulations it determines to be necessary for the safety of all persons on the beach; and

WHEREAS, pursuant to Section 5-7-150 of the S.C. Code of Laws, 1976, as amended, every coastal municipality has criminal jurisdiction over piers and other structures and the waters of the ocean, a sound, or an inlet within one mile of those portions of the strand within the corporate limits. The corporate limits of the municipality are extended in a straight line from the strand into the ocean, inlet, or sound from the point where the corporate limits of the municipality reach the high-water mark of the strand. If an extension overlaps with the criminal jurisdiction of another political subdivision, the jurisdiction of each political subdivision extends to the equidistant point from the high-water mark of each strand; and

WHEREAS, Chapter 32 of the Town Code for the Town of Seabrook Island (the “Town Code”) establishes various rules and regulations applicable to beaches and waterways within the Town of Seabrook Island; and

WHEREAS, following a review of its existing rules and regulations, the Mayor and Council for the Town of Seabrook Island desire to amend certain provisions of Chapter 32 of the Town Code to further enhance public health and safety, to protect wildlife and critical habitat areas, and to preserve the integrity of the town’s coastal resources; and

WHEREAS, during a duly called meeting on October 9, 2025, the Town’s Environment and Wildlife Committee reviewed the proposed amendments to the Town Code, at which time the committee made a recommendation in favor of adoption of the same; and

WHEREAS, the Town Council is authorized to amend the Town Code, pursuant to the provisions set forth in Section 1-9 (“Amendments to Code”) and the procedures established in Chapter 2, Article III, Division 2 (“Ordinances and Resolutions”), of the Town Code; and

WHEREAS, the Mayor and Council advertised and held a public hearing on the proposed amendments during a duly called meeting on _____, 2025; and; and

WHEREAS, the Town Council has thoroughly considered this matter and believes the proposed amendments to the Town Code are in the best interest of the Town and will satisfy the objectives set forth 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:**

SECTION I. Amending Chapter 32 of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 32, Waterways and Beaches;; is hereby amended to read as follows:

ARTICLE I. IN GENERAL

Sec. 32-1. Purpose.

The purpose of this chapter is to safeguard the public health, safety, and welfare by regulating the use of beaches and waterways within the town. This chapter is intended to:

- (a) Protect the coastal environment, including beaches, dunes, vegetation, waterways, wetlands, and wildlife habitats;
- (b) Preserve water quality and prevent pollution, litter, and other forms of environmental degradation;
- (c) Ensure that swimming, fishing, boating, kayaking, and other recreational activities may be conducted safely and without conflict;

- (d) Reduce risks to persons and property arising from hazardous conditions and unsafe activities;
- (e) Promote the quiet enjoyment of beaches and waterways for residents and visitors alike; and
- (f) Conserve the scenic, cultural, and economic value of the town's coastal and marine resources for the benefit of current and future generations.

Sec. 32-2. Authority.

- (a) Pursuant to Section 5-7-30 of the S.C. Code of Laws, 1976, as amended, each municipality of the state, in addition to the powers conferred to its specific form of government, may enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of the state, including the exercise of powers in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it.
- (b) Pursuant to Section 5-7-140(a) of the S.C. Code of Laws, 1976, as amended, the corporate limits of any municipality bordering on the high-tide line of the Atlantic Ocean are extended to include all that area lying between the high-tide line and one mile seaward of the high-tide line. These areas are subject to all the ordinances and regulations that may be applicable to the areas lying within the corporate limits of the municipality, and the municipal courts have jurisdiction to punish individuals violating the provisions of the municipal ordinances where the misdemeanor occurred in the area defined in this section.
- (c) Pursuant to Section 5-7-140(b) of the S.C. Code of Laws, 1976, as amended, the corporate limits of any municipality bordering on the high-water mark of a navigable body of water, other than the Atlantic Ocean, are extended to include all that area lying between the high-water mark and the low-water mark. These areas are subject to all of the ordinances and regulations that may be applicable to the areas lying within the corporate limits of the municipality, and the municipal courts have jurisdiction to punish individuals violating the provisions of the municipal ordinances where the misdemeanor occurred in the areas defined in this section.
- (d) Pursuant to Section 5-7-145(a) of the S.C. Code of Laws, 1976, as amended, a coastal municipality may enact and enforce regulations it determines necessary for the safety of all persons on the beach.
- (e) Pursuant to Section 5-7-150 of the S.C. Code of Laws, 1976, as amended, Every coastal municipality has criminal jurisdiction over piers and other structures and the waters of the ocean, a sound, or an inlet within one mile of those portions of the strand within the

corporate limits. The corporate limits of the municipality are extended in a straight line from the strand into the ocean, inlet, or sound from the point where the corporate limits of the municipality reach the high-water mark of the strand. If an extension overlaps with the criminal jurisdiction of another political subdivision, the jurisdiction of each political subdivision extends to the equidistant point from the high-water mark of each strand.

Sec. 32-3. Definitions.

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

- (a) *Apparent high-water mark* means the visible line along the shore indicating the highest point regularly reached by water under normal tidal conditions. It is not a fixed elevation, but may be identified by natural indicators including, but not limited to, the wrack line of seaweed, shells, or driftwood; changes in sand color or texture; the absence of non-littoral vegetation; and evidence of scouring or erosion.
- (b) *Beach* means that area lying seaward of the primary front sand dune, bulk head, revetment, or seawall, and landward of the low-water mark of the Atlantic Ocean and North Edisto River, together with those lands which are subject to periodic inundation by tidal and wave actions so that no non-littoral vegetation is established.
- (c) *Dune* means a naturally occurring or artificially created mound or ridge of sand, landward of the beach, formed by wind or wave action and typically stabilized in part by vegetation, which serves to protect upland areas from the effects of wind, waves, tides, and storm events.
- (d) *Fire* means any open flame, combustion, or ignition source, whether contained or uncontained, including, but not limited to, bonfires, campfires, wood-burning fires, fire pits, or similar devices, regardless of size. For purposes of this chapter, “fire” does not include decorative flames, such as candles, lanterns, torches, or battery-operated lights, nor does it include stoves, grills, heaters, or similar devices which are intended for cooking or heating.
- (e) *Primary frontal sand dune* means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes landward of the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal sand dune is at a point where there is a distinct change from a relatively steep shape to a relatively mild slope.
- (f) *SCDES-BCM* means the South Carolina Department of Environmental Services, Bureau of Coastal Management.

Secs. 32-~~41~~—32-19. Reserved.

ARTICLE II. BEACHFRONT MANAGEMENT

DIVISION 1. GENERALLY

Sec. 32-20. Plan adopted.

The updated Comprehensive Beach Management Plan for the Town of Seabrook Island, dated December 17, 2024, is hereby adopted by reference as if fully set forth in this section, and shall constitute the town's comprehensive beach management plan in accordance with applicable South Carolina Law. An official copy of the 2024 Comprehensive Beach Management Plan Update shall be maintained on file in the office of the Town Clerk.

~~Sec. 32-21. Definitions.~~

~~(a) For purposes of this article the term "beach" means (i) for that area bordering on the high-tide line of the Atlantic Ocean, that area lying between the high-tide line and the low-tide line, and (ii) for that area bordering on the high-water mark of the North Edisto River, that area between the high-water mark and the low-water mark.~~

~~(b) For purposes of this article, the term "primary frontal sand dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes landward of the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal sand dune is at a point where there is a distinct change from a relatively steep shape to a relatively mild slope.~~

~~(c) For the avoidance of doubt, (i) excluded from the definitions set forth in this section 32-21 is any property, privately owned, whose seaward boundary extends below the high-tide line or the high-water mark and (ii) the town's police jurisdiction extends one mile seaward of the low-tide line of the Atlantic Ocean.~~

Secs. 32-~~21~~2—32-40. Reserved.

DIVISION 2. RESTRICTIONS

Sec. 32-41. Beach and dune protection.

(a) No person shall alter, destroy or remove any portion of a primary frontal sand dune without first obtaining a permit from all applicable governmental authorities.

(b) Other than (1) emergency personnel, (2) service personnel, (3) Seabrook Island Property Owners Association (SIPOA) personnel and its authorized contractors, each in the performance of their responsibilities, (4) Seabrook Island beachfront property owners and their contractors (with respect to the beach trust property described in Section 31 of the Protective Covenants for Seabrook Island Development, with the prior approval of SIPOA), and (5) members of the Seabrook Island Turtle Patrol and the members of the Turtle Stranding Team in the performance of their South Carolina Department of Natural

Resources (SCDNR) permitted activities, and all activities ancillary thereto, no person shall walk on any portion of the primary frontal sand dune other than at designated beach accesses owned and maintained by SIPOA or privately owned access points constructed in accordance with regulations promulgated by ~~SCDES-BCMthe South Carolina Department of Health and Environmental Control (SCDHEC)~~. This section 32-41(b) shall not in any way impair/remove the necessity to comply with any applicable state and federal law.

- (c) All sand fencing seaward of the primary frontal sand dunes shall comply with ~~SCDES-BCMthe SCDHEC, Office of Coastal Resource Management~~ guidelines contained in the South Carolina Coastal Zone Management Act, and may not be installed until all applicable state, federal and town permits have been issued.
- (d) No alterations shall be made to the natural shoreline, inlet location, dune system, or to existing natural beach elevation without the Town Council's approval and until all applicable state, federal or town permits have been issued.
- (e) For the avoidance of doubt, nothing in this section 32-41 shall limit (1) beachfront property owners and their invited guests and employees and guests of St. Christopher Camp and Conference Center from accessing the beach from their property or accessing their property from the beach in either case by means of private beach accesses constructed in accordance with regulations promulgated by ~~SCDES-BCM~~SCDHEC or (2) the routine landscaping of the beach trust and beachfront private property.

Sec. 32-42. Vehicle use.

- (a) Motor vehicles of any type or kind shall not be driven or operated on the beaches of Seabrook Island, except for those expressly authorized below:
 - (1) Vehicles operated by an official or employee of any municipal, county, state or federal agency, department or unit;
 - (2) Vehicles operated by an official or employee of any bona fide public safety agency, including, but not limited to, law enforcement, code enforcement, fire suppression and emergency medical services;
 - (3) Vehicles operated by an official or employee of any contractor, agency or entity providing goods or services on the beach under contract with or at the request of the town;
 - (4) Vehicles operated by an official or employee of the following community organizations which are necessary for the performance of maintenance services, the provision of security services and/or the transportation of personnel and equipment on behalf of the organization:
 - a. Seabrook Island Property Owners Association;

- b. Seabrook Island Club;
 - c. Seabrook Island Turtle Patrol;
 - d. Seabrook Island Utility Commission;
 - e. St. Christopher Camp and Conference Center;
- (5) Small open motorized vehicles and medical devices may be operated by, or for the benefit of, individuals who have a physical or mental disability which: i) is recognized by state or federal law, and ii) which would otherwise preclude their use and enjoyment of the beach;
- (6) Class 1 pedal-assist electric bicycles which are duly permitted by the Seabrook Island Property Owners Association for use within the Seabrook Island Development and which display a valid SIPOA decal while operating on the beach. For the purposes of this section, "class 1 pedal-assist electric bicycles" shall have the same meaning as "electric-assist bicycles" and "bicycles with helper motors," as defined in S.C. Code of Laws, § 56-1-10; and
- (7) Any other vehicles deemed essential by the town and duly operating under one of the following types of special vehicle use permits:
- a. *Standard vehicle use permits.* Standard vehicle use permit requests shall be submitted to the town administrator in writing no less than 30 days prior to the date upon which the applicant seeks to use a vehicle on the beach. Permit requests shall be forwarded by the town administrator to the town council for consideration at the next available town council meeting. If the town council determines that the use of a vehicle is essential to the applicant's intended purpose, then it may approve the issuance of a permit by resolution. In approving a permit, the town council may attach such reasonable conditions as it deems necessary to protect public health and safety.
 - b. *Emergency permits.* Emergency vehicle use permit requests shall be made to the town administrator, either verbally or in writing, as soon as practicable. If the town administrator determines that the use of a vehicle is necessary to mitigate an immediate threat to public health and safety, he or she may authorize a permit, either verbally or in writing. In approving a permit, the town administrator may attach such reasonable conditions as he or she deems necessary to protect public health and safety.
- (b) Except in cases of an emergency, vehicles which are authorized to be driven or operated on the beach pursuant to this section shall comply with the following requirements at all times:

- (1) Vehicles shall be operated in such a manner so as not to endanger or unreasonably disturb beachgoers, wildlife or marine life, and designated critical habitat areas, including shorebird and turtle nesting areas;
- (2) Vehicles shall not exceed a speed of ten miles per hour when operated on the beach;
- (3) Vehicles shall be operated on the wet sand; vehicles may not be operated on dry sand except to gain access to the wet sand;
- (4) Vehicles shall not be driven onto or within any dune or vegetated area;
- (5) Vehicles shall enter the beach only from authorized access points; and
- (6) All vehicles being operated on the beach, excluding those specified in subsections (a)(5) and (a)(6), shall be equipped with four-wheel drive.

Sec. 32-43. Wildlife and marine life protection.

(a) Harassment of wildlife and marine life prohibited.

- (1) In addition to any other applicable state or federal laws, no person shall harass any of the following species of wildlife and marine life:
 - a. Any species of sea turtle which has been designated as an "endangered" or "threatened" species by any state or federal agency with applicable jurisdiction, including the nests, eggs and young of such species;
 - b. Any species of bird which has been designated as an "endangered" or "threatened" species by any state or federal agency with applicable jurisdiction, including the nests, eggs and young of such species; and
 - c. Any species of marine mammal which is protected by the U.S. Marine Mammal Protection Act of 1972, as amended, or which has been designated as an "endangered" or "threatened" species by any state or federal agency with applicable jurisdiction, including, but not limited to, Atlantic bottlenose dolphins.
- (2) For the purpose of this section, the term "harass" shall mean:
 - a. Any act of pursuit, torment, or annoyance that kills or injures, or has the potential to kill or injure, any protected species listed in subsection (a)(1); and
 - b. Any act that has the potential to harm or otherwise disturb (but not kill or injure) any protected species listed in subsection (a)(1) by disrupting behavioral patterns, including, but not limited to: migration, breathing, nursing, breeding, feeding, or sheltering.

- (3) Nothing herein shall preclude or otherwise limit the activities of any individual, employee, group or organization which has been duly authorized by an agency or department of the state or federal government, including, but not limited to, employees or members of the Avian Conservation Center, the Seabrook Island Turtle Patrol, the Sea Turtle Stranding and Salvage Network, and the South Carolina Marine Mammal Stranding Network.

~~(b) Restrictions on swimming in Captain Sams Inlet.~~

- ~~(1) Except in the case of emergency, it shall be unlawful for any person to swim in the waters of Captain Sam's Inlet:~~

~~a. During the period two hours before to two hours after low tide, as predicted by the National Ocean and Atmospheric Administration (NOAA) for the Kiawah River Bridge Tide Station (NOAA Station ID #8667062); and~~

~~b. When one or more Atlantic bottlenose dolphins are present in the inlet.~~

- ~~(2) In instances when an individual is swimming in Captain Sams Inlet outside of those times where swimming is prohibited pursuant to subsection (b)(1), and one or more dolphins subsequently enter the inlet, the individual swimming in the inlet shall immediately return to the shore and cease swimming upon observing the dolphins or being made aware of their presence in the inlet.~~

~~(e)~~(b) *Beached, injured or stranded animals.*

- (1) Beached, injured or stranded animals shall be reported immediately to the town, Seabrook Island Property Owners Association (SIPOA) security, the Charleston County Sheriff's Office or the South Carolina Department of Natural Resources (SCDNR).

Sec. 32-44. Beach rules for domestic household animals/pets.

- (a) *General requirements for domestic household animals/pets.* Domestic household animals/pets shall not be allowed on any beach within the municipal limits of the town except as provided for herein.

(1) *Restricted area.* A restricted area is hereby established beginning at a line extending from Boardwalk #1 to the Atlantic Ocean and continuing in a northeasterly direction to Captain Sams Inlet. No person shall bring or otherwise allow any domestic household animal/pet into the restricted area at any time, whether on a leash or off of a leash.

(2) *Limited restriction area.* A limited restriction area is hereby established beginning approximately 300 yards northwest of a line extending from Boardwalk #9 (Pelican Watch Boardwalk) to the Edisto River and continuing in a northwesterly direction to

Privateer Creek. No person shall bring or otherwise allow any domestic household animal/pet into the limited restriction area that is not on a leash at all times.

(3) *General beach area.* In all other areas of the beach other than the restricted area and the limited restriction area described above, the following requirements shall apply:

- a. *Peak season:* From April 1 to September 30, no person shall bring or allow any domestic household animal/pet into the general beach area between the hours of 10:00 a.m. to 5:00 p.m. that is not on leash at all times. No person shall bring or allow any domestic household animal/pet into the general beach area from 5:01 p.m. to 9:59 a.m. that is not on a leash or, if not on a leash, is not effectively controlled while on the beach.
- b. *Non-peak season:* From October 1 to March 31, no person shall bring any domestic household animal/pet on the beach that is not on a leash or, if not on a leash, is not effectively controlled while on the beach.

(4) *Definitions.*

- a. For purposes of this section the term "effectively controlled" shall mean that the behavior of a domestic household animal/pet is restrained by a competent person from: (A) entering any area on or adjacent to the beach in which a domestic household animal/pet is prohibited; (B) destroying or damaging any property; (C) attacking or threatening to attack any person or any other domestic household animal/pet in any manner; or (D) being a nuisance to other beach goers.
- b. For purposes of this section, the term "nuisance" shall mean causing annoyance, inconvenience or discomfort to the public health, safety and welfare.
- c. For purposes of this section the term "competent person" shall mean 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.
- d. For purposes of this section, the term "on a leash" shall mean that 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.
- e. For purposes of this section, the term "off a leash" shall mean that the domestic household animal/pet is not on a leash as defined herein. Domestic household animals/pets under voice control or under control of remotely operated devices such as electronic collars shall be considered to be "off of a leash."

- (5) No later than one year from the effective date of this section, council shall review the terms of this section, and determine whether it has worked effectively and achieved the objective of balancing the interests of all users of the beach. Following such review, council shall amend this section, if and to the extent, it deems necessary.

Sec. 32-45. Removal of horse waste.

Every horseback rider or sponsor of horseback rides on the beach shall remove or cleanup any excrement resulting from such horseback ride as promptly as is reasonably practical following the conclusion of each ride.

Sec. 32-46. Littering prohibited.

No person shall leave, or cause or permit to be left, any glass, bottle, glassware, can or pieces thereof, cigarette or cigar butts, or any garbage, waste, litter, trash, debris or refuse of any kind on the beach or within the waters adjacent to the beach.

Sec. 32-47. Negligent operation of vessels.

- (a) *Vessel defined.* The term "vessel" means every description of watercraft on the water, used or capable of being used as a means of transportation on the water.
- (b) *Prohibited.* No person may use any vessel or manipulate any water skis, aquaplane, surfboard, or similar device in a negligent manner so as to endanger the life, limb or property of any person.
- (c) *Use of alcohol, narcotic, etc., prohibited.* No person shall use or retrieve a vessel, or use any water skis, aquaplane, surfboard or similar device while under the influence of alcohol, any narcotic drug, barbiturate, marijuana, or hallucinogen.

Sec. 32-48. Launching or retrieving vessel.

- (a) No person shall launch or retrieve a vessel, excluding sailboats, surfboards, rafts, inner tubes, kayaks or similar devices, anywhere on the beach seaward of the mean high-water mark, except in the case of emergency.
- (b) No person shall propel or cause to move any vessel, except sailboats, surfboards, rafts, inner tubes, kayaks or similar devices from the water onto the sand or anywhere on the beach above the mean low-water mark, except in the case of an emergency.

Sec. 32-49. Vessels on beach.

Vessels may not be left overnight on any part of the beach, except in the case of an emergency.

Sec. 32-50. Overnight storage of beach equipment prohibited.

Unless the town grants special permission in writing, tents, tent frames, chairs, umbrellas, clothing, coolers, toys or other beach equipment left unattended on the beach after sunset shall be deemed abandoned, and the town shall have the right to take possession and dispose of such items.

Sec. 32-51. Fires on the beach.

(a) In general. ~~No~~ It shall be unlawful for any person ~~shall to~~ build, ~~start,~~ ignite, or maintain a fire or open flame on the beach, except as expressly permitted by this section, ~~or use any propane fired grill, cooker, or heating device heated by fire on the beach.~~

(b) Beach fire permits.

(1) Permit required. No person shall build, ignite, or maintain a fire on the beach without first obtaining a beach fire permit from the town.

(2) Application. Beach fire permit applications shall be submitted on a form made available by the town administrator and must include:

- a. The name, address, and contact information of the applicant who, upon issuance, shall serve as the permittee;
- b. The date, start time, end time, and location of the proposed beach fire; and
- c. If the applicant does not own the property where the beach fire is proposed to be located, written authorization from the owner of record.

(3) Due date.

a. Applications must be submitted at least two business days in advance of the proposed bonfire date, as follows:

<u>Proposed Bonfire Date</u>	<u>Application Deadline</u>
<u>Saturday, Sunday, or Monday</u>	<u>By 12:00 p.m. on the preceding Thursday</u>
<u>Tuesday</u>	<u>By 12:00 p.m. on the preceding Friday</u>
<u>Wednesday</u>	<u>By 12:00 p.m. on the preceding Monday</u>
<u>Thursday</u>	<u>By 12:00 p.m. on the preceding Tuesday</u>
<u>Friday</u>	<u>By 12:00 p.m. on the preceding Wednesday</u>

b. If a town holiday falls within the review period, one (1) additional business day shall be required.

c. Same-day and next-day applications will not be accepted.

d. Permits may be issued up to six (6) months prior to the proposed bonfire date.

(4) Non-transferable. Upon issuance, a beach fire permit shall be valid only for the date, time, and location specified therein. Responsibility for the permit may not be transferred to any person other than the permittee.

(5) Denial due to previous violations. The town may deny the issuance of a beach fire permit to any applicant who has been found guilty of one (1) or more violations of this section during the preceding twelve (12) months.

(c) General requirements. All permitted beach fires shall comply with the following:

(1) Permittee requirements. The permittee shall:

- a. Be at least eighteen (18) years of age;
- b. Assume personal responsibility for ensuring compliance with the requirements of this section;
- c. Remain physically present at the beach fire at all times;
- d. Carry a copy of the permit, either in paper or digital form, while the beach fire is active; and
- e. Present a copy of the permit upon request by a fire official or code enforcement officer.

(2) Location requirements. All beach fires shall be located:

- a. On dry sand;
- b. At least ten (10) feet landward of the apparent high-water mark;
- c. At least twenty-five (25) feet from any boardwalk, walkover, dune, dune vegetation, bulkhead, revetment, or seawall;
- d. At least fifty (50) feet from another beach fire, an authorized vehicle access point, or a marked turtle nest; and
- e. In a location designated by the town administrator as suitable for beach fires. Designated locations shall be reviewed no less than annually in consultation with the fire marshal and other appropriate parties.

(3) Other requirements.

- a. Beach fires must be contained within a fire pit at least three (3) feet in diameter and twelve (12) inches deep.

- b. The use of chemical accelerants, including, but not limited to, gasoline, kerosene, lighter fluid, and similar substances, is strictly prohibited.
- c. Only clean, dry firewood may be burned. The burning of treated or painted wood, wood containing nails or other hardware, glass, metals, plastics, and other materials is strictly prohibited.
- d. Beach fires may not be ignited before 5:00 p.m. and must be extinguished by 10:00 p.m.
- e. Beach fires must be extinguished with water until cold to the touch.
- f. Ashes and unburned wood must be removed from the beach or buried at least twelve (12) inches below the surface.
- g. All holes and pits must be filled and the surface restored to its natural condition before leaving the beach.
- h. The surrounding area must be cleared of all trash and debris before leaving the beach.

(d) Permit cancellation and revocation.

(1) Authority. Beach fire permits may be cancelled or revoked by the town administrator, fire marshal, or code enforcement officers of the town whenever such action is deemed necessary to protect public health, safety, or welfare.

(2) Cancellation. Grounds for permit cancellation shall include, but are not limited to:

- a. Hazardous weather or environmental conditions, such as high winds, drought, extreme heat, or the issuance of state or county burn bans; and
- b. The declaration of a state of emergency within the town.

(3) Revocation. Grounds for permit revocation shall include, but are not limited to:

- a. Violation of any condition or requirement of the permit or this section;
- b. Use of prohibited materials or accelerants;
- c. Failure to properly attend, control, or extinguish a fire;
- d. Any circumstance in which the fire poses a threat to life, property, wildlife, or natural resources; or
- e. Submitting false, misleading, or incomplete information in the permit application.

(4) Notice. Notice of permit cancellation or revocation shall be provided to the permittee as soon as practicable by phone, email, text message, or other reasonable means.

(e) Authority to extinguish. Fire officials and code enforcement officers of the town may order the immediate extinguishment of any fire that is unpermitted, unsafe, or otherwise in violation of this section. Failure to comply shall constitute a violation of this section.

(f) Prohibited activities. Notwithstanding any other provision or requirement to the contrary, the following activities are strictly prohibited on the beach:

(1) The ignition, operation, or use of any grill, stove, heater, or similar device intended for cooking or heating, regardless of fuel or power source; and

(2) The ignition or display of decorative open flames, including, but not limited to, candles, lanterns, tiki torches, and similar items.

~~For the avoidance of doubt, nothing in this section 32-51 shall prohibit or otherwise limit anyone with permission from the Seabrook Island Property Owners Association from building, starting, igniting or maintaining a fire above the high water mark.~~

Sec. 32-52. Fireworks on the beach restricted.

No person shall use, fire, shoot, discharge or ignite fireworks on the beach, except as permitted by the town in writing.

Sec. 32-53. Glass containers prohibited.

All glass containers are prohibited on the beach, except those in coolers or other appropriate container. Glass containers may temporarily be removed briefly from coolers or container for the purpose of transferring the contents to a paper or plastic cup.

Sec. 32-54. Holes/structures on the beach.

Anyone digging a hole in or creating a structure on the beach must restore the sand surface to its natural condition before leaving the beach.

Sec. 32-55. Commercial activity.

No person shall sell or offer for sale any goods or merchandise, or solicit any trade or business on the beach.

Sec. 32-56. Chumming.

- (a) For purposes of this section, "chumming" means the depositing into water chopped or ground bait consisting of raw meat or fish parts including blood and oil thereof, but excluding poultry, in an attempt to catch fish.
- (b) No chumming shall be allowed on or within 600 feet of the beach.
- (c) Nothing in this section shall affect or prohibit the baiting of crab traps or the placement of natural bait upon a hook and line.

Sec. 32-57. Fishing on the beach.

~~If a code enforcement officer determines that the simultaneous occurrence of fishing and swimming within the same waters adjoining the beach creates a safety hazard to any person, the officer is authorized to order the immediate cessation of one or both activities. Such order shall remain in effect until such time as the officer indicates that it is safe to resume. In the officer's discretion, an alternative location on the beach may be designated for the continuation of fishing or swimming during the pendency of the order. Failure to comply with any order issued pursuant to this section shall constitute a violation thereof. Code enforcement officers shall have the authority to require persons engaged in fishing from the beach to cease fishing if, in their judgement, circumstances indicate that cessation of fishing is in the interest of public safety. In the event the code enforcement officer determines that fishing from the beach may be unsafe for other users of the beach, the code enforcement officer may order any person engaged in fishing from the beach to immediately cease fishing until such time as he or she indicates that it is safe to resume fishing. The code enforcement officer may indicate that fishing may occur at an alternative location on the beach during the time that the cease fishing order is effective. Failure to comply with an order of the code enforcement officer shall be deemed a violation of this section.~~

Sec. 32-58. Swimming and wading prohibited in Captain Sams Inlet.

~~Except in the case of emergency, it shall be unlawful for any person to swim or wade in the waters of Captain Sams Inlet.~~

Sec. 32-59. Power to recall swimmers.

~~Code enforcement officers of the town are hereby vested with the authority to recall any person from the waters adjoining the beach when, in the officer's discretion, such person is in danger of drowning, is otherwise imperiled, poses a risk to the safety of others, or when conditions of wind, water, weather, or any other hazard, including the physical or mental condition of the person in the water, are such that continued presence in the waters would endanger the health, life, or safety of that person, rescue personnel, or others. Failure to comply with any order issued pursuant to this section shall constitute a violation thereof.~~

Sec. 32-60. Penalties.

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

SECTION 2. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. 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 4. Effective Date. This ordinance shall be effective from and after **January 1, 2026.**

SIGNED AND SEALED this ____ day of _____, 2025, having been duly adopted by the Mayor and Council for the Town of Seabrook Island on the ____ day of _____, 2025.

First Reading: October 28, 2025
Public Hearing:
Second Reading:

TOWN OF SEABROOK ISLAND

Bruce Kleinman, Mayor

LEGAL REVIEW

ATTEST

Stafford J. McQuillin, Town Attorney

Peter D. Wiggins II, Town Clerk

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Aircraft			Defines aircraft as airplanes, gliders, ultra-lights, helicopters, parasails, or any other craft capable of sustained flight. Then prohibits launching or landing such within boundaries of town or operating within 50 feet of land and waters of town, unless permit has been issued by the town.		Except for emergencies, unlawful for any person owning or operating an aircraft or helicopter from landing or taking off within the boundaries of the town at any location other than the Hilton Head Island Airport.	
Alcohol		Prohibited.	Prohibited.	Prohibited. "Beverages containing zero alcohol as a percentage of weight are allowed on the beach in cups. Any cans or non glass bottles must remain in the cooler at all times provided they may be removed briefly for the purpose of transferring the contents to a cup. Kegs, small or large, are considered cans and shall not be allowed on the beach." Limited exceptions for city approved events.	Prohibited. Ordinance does allow for an exception: "when consumption is specifically authorized by permit or license of the SC Alcoholic Beverage Control Commission." Code states that "The possession of any opened container of alcoholic liquor, beer, or wine on the beaches shall be prohibited and shall constitute prima facie evidence of the consumption of the alcoholic liquor at the prohibited place."	
Balloons	Prohibited.	Prohibited.		Prohibited.	Under prohibitions on certain types of signs, balloons are listed.	No reference to beach, but possession of balloons of any type for use, sale, demonstration, disbursement or release is prohibited in Bay Street Park, which is within city.
Bicycles	Bikes specifically prohibited in the dunes, and must be walked over boardwalks to the beach.	Allowed with no current language categorizing type (e.g. self-propelled).				
Business (commercial activity)	Commercial business is prohibited on the beach except under license from the Town.	No commercial activity (w/ carve out for photography) except pursuant to a franchise granted by city council. Zoning ordinance also includes "No sale or rental of property at any public event shall be conducted on beaches, public streets or public property without a permit for use of public property issued by the City Council."	Commercial activity of any kind prohibited, "including, but not limited to, the sales of goods, food or drink and the providing of services, regardless of the amount or kind of consideration paid or exchanged."	No commercial activity on the beach unless the business has a franchise from the city, is approved by city council, or is being operated as part of a special approved event. The town code divides beach into two sections and then sets types of standards for franchise agreements allowed in each section. <i>(Detailed language in ordinance on defining/regulating franchise agreements that could be referenced for SI.)</i>	No commercial activity of any kind which operates in whole or part on the beach unless there is a franchise agreement entered into between the business and the town. Detailed requirements for the franchise agreement, including fee schedule, terms to be decided by town council and administered by town administrator, and requirements for safety and beach preservation/cleanliness of operation.	

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Dogs (domestic pets)	Dogs allowed with restrictions. No dogs ever allowed in posted critical habitat areas. In defined dog-use area (from Beach Club to Ocean Course Clubhouse), dogs allowed off leash under control year-round from 7am to 7pm Pets must be leashed in this area from 7pm-7am. Outside dog-use area, March 16-Oct 31, pets must be leashed at all times. From Nov 1-March 15, dogs allowed off leash from 7am-7pm everywhere on beach except in the critical habitat area. Pets must be leashed from 7pm-7am. Owners must always have leash in event there is a need to leash dog, or if requested by other beachgoers or Beach Patrol. Electronic leashes prohibited.	May be off leash Sept 15-March 31 from 4pm-10am, and from April 1-Sept 14 from 5-9am. When off-leash must be in close proximity, in control, and have leash in hand ready to use if needed. Town recommends and issues free permits for dogs but permit no required.	No dogs allowed on beach or in adjacent waters from 10am-6pm from May 1 thru Sept 30; dogs may be on beach and off leash from 5am-10am during those months and from 5am-Noon from October 1 thru April 30. Dogs may also be on beach if on leash (no longer than 10ft) from 6pm-5am from May 1 thru Sept 30 and from Noon to 5am from Oct 1 thru April 30. Town code also specifies: No person may allow a dog "to disturb nesting sea turtles, turtle nests or turtle hatchlings;" and/or to enter a designated critical habitat area unless signs permit pets and dog is on controlled leash. Dogs required to be permitted by the town.	An dogs or other domestic animals are allowed on the beach from 10am-6pm from May 1-Sept 30. Individuals who are members in good standing of the Folly Island Dog Owners (FIDO) Club, and dogs have special tags and training, may allow their dogs off leash on the beach from sunrise until sunset from Oct 1-April 30, and may be on the beach from 7am to 9am during the months of Sept and May. "No domestic animals whatsoever are allowed to trespass on any dunes and/or vegetation beyond the last eastern most point of the island on which is located a constructed barrier, as well as a manmade rock revetment barrier."	Generally, no dogs on the beach from 10am-5pm in the summer. Specifically: Dogs on the beach must be on a leash from 10am-5pm from April 1 thru the Thursday before Memorial Day weekend, and from the Tuesday after Labor Day weekend through Sept 30. No dog or any other animal on the beach that is not on a leash or under positive voice control between evening hours of 5pm and 10am from April 1 thru Sept 30. Dogs must be on a leash or under voice control Sept 30-March 31. Animal control may seize dogs. Must cleanup excrement on the beach.	Dogs must be on a leash May 1-Oct 31, at all other times dogs must always be under owner control. Owners must cleanup pet excrement.
Drones (model aircraft)	All drones prohibited on beach, Extensive language in town code about drone/model aircraft restricted and prohibited operation within town limits.					
Dune Protection Re: Flora and Fauna	Unlawful for any person to cut, collect, break or otherwise destroy sea oat plants, Venus flytrap plants or any part thereof on public property or on private property without the owner's consent.	Prohibited to destroy/remove any portion of sand dune w/o valid permit. Unlawful to "cut, collect, break, or otherwise destroy sea oat plants or other native dune grasses" on beach/sand dunes, or private property w/o owner's consent.		"Unlawful to damage, destroy, alter, level or remove any sand dune or any part thereof within the city, or any vegetation, shrubbery, trees on the sand dune or beaches within the city without having first obtained a written permit from the city... The presence of any person, vehicle, cart or watercraft, on the sand dunes without permit shall be unlawful." Unlawful for any person to cut, break or otherwise destroy sea oat plants or any part thereof on public or private property within the city. Unlawful to plant or cause to be planted Vitex rotundifolia (Beach Vitex) on any property located in the city. If upon inspection, Beach Vitex is found to be planted or growing on any property, the city shall have the right to enter the property and remove the plant.	Unlawful to harm, harass, or remove any live beach fauna (sea turtles, birds, or their eggs; sand dollars, conchs, starfish) Unlawful to damage sea oats or other dune flora. It shall be unlawful for any person to alter, remove or otherwise destroy sea oats or any other vegetative matter growing out of the sand dunes with the exception of permitted elevated dune walkovers or similar beach access for accessibility or pruning of dune vegetation when authorized by the town, in accordance with accepted International Society of Arboriculture practices, and land management ordinance (LMO) sections 16-6-104.B.2.viii and 16-6-103.F. The LMO official may allow removal of nonnative invasive vegetation in the dune systems, including but not limited to, Chinese tallow or beach vitex. In addition, the administrator may approve the removal of trees below six (6) inches in diameter, with the exception of live oaks, or grant a tree removal permit for trees of protected size if determined by the administrator it is needed to create a view corridor. All trees removed must be cut flush with existing	Unlawful to damage, walk upon, vandalize, place objects or items upon, remove, or in any other manner disrupt or disturb, the vegetation and fencing located on the beach, beach accesses, street ends adjacent to the beach, or any town-owned land immediately adjacent to the beach at any time. For purposes of this section "vegetation" shall mean plants, bushes, grass, flowers, shrubs and trees planted in the subject areas by the town.

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Dune Protection Re: Critical Habitat		In accordance with its beach management plan, the city "shall" identify and designate w/ signage critical habitat areas that consider seasonal, temporal, and spatial usage. It is then prohibited to enter critical habitat if intent is contrary to reasons for its designation.		Unlawful for any person to take away or remove any sand, earth or soil from the beaches of the city without the written permission of the city. (separate section of town code from that above)	Unlawful to alter, destroy or remove any portion of a sand dune, except by obtaining a valid permit for construction or development from all required governmental authorities, including the town.	Unlawful to remove public beach sand deposited on private property by the operation of turbulent weather and/or storm surge without permit from the town. Property owners with permit from town allowed to reclaim sand moved into waterways by turbulent weather and/or storm surge to restore the lot to pre-storm condition. Unlawful for any person to climb upon, sit upon, occupy or damage any groins along the beaches within the town.
Enforcement	<i>Beach Patrol (currently contracted with the same company providing service on SI.) code enforcement officers</i>	<i>City fire and police departments.</i>	<i>City fire and police departments. dog pound</i>	<i>Public Safety Department, also office of animal-control with sworn enforcement officers</i>	<i>City fire and police departments.</i>	<i>City fire and police departments Town may hire and commission beach patrol as enforcement officers but cannot make custodial arrests (part of police department for supervision), but can exercise power on public and private property.</i>
Fires	No open burning within the town limits except in emergency situations as determined by the town. Ceremonial or recreational fires on the beach prohibited from the dune line to mean low-water mark, or in any open area, without first having submitted an application for a permit to the town, setting forth the proposed date, time, location, and responsible party. The application must be reviewed and approved in writing by fire department before being submitted to the town. <i>No permits shall be granted for any fire from dusk to dawn between May 1-Oct 31.</i> Open burning at residential properties in connection with the preparation of food for immediate consumption will be exempt with rules and restrictions.	No open fires on beach except at city-sponsored events. IOP adopts SCDHEC rules on open burning in city.	Fires on beach only allowed if permitted by fire department at least 24 hours in advance and when refundable deposit paid by cash or cashier check at town hall (\$250 for resident and/or property owner; \$500 for visitor). Location of beach fire part of permit approval. Strict limits of materials that can be used: no treated wood of any kind; no toxic materials, including trash or debris, of any kind; fires out by 11pm. Fire permits granted/cancelled at discretion of fire chief. No permits will be granted when a drought exists; no permits will be granted when a state red flag watch is declared. Other conditions for cancelling include strong onshore winds, flood tides, turtle nesting season. The deposit will be refunded only if, by 10am the morning following, the fire site is clean of all debris, trash, unburned wood, coals, ashes and litter within a 100-foot radius. Generally, no open burning in town except during daylight hours and then only in suitable metal incinerator meeting the approval of the fire chief.	No open fires on the beach at any time. Any form of open burning is prohibited on public property, including the beach, beach accesses, parking areas, and protected lands (dunes and wetlands), with limited exceptions: Gas grills may be used on the beach and in any areas designated by the Department of Public Safety for gas grills in the Folly River Park and other parks; permanently mounted grills may be used if they are provided in a city or county park; and special events on public property may use outdoor fires for cooking in other than designated areas if permits are issued by the Resident Fire Marshal or Building Official. Open burning of construction debris, garbage, hazardous waste, man-made trash and natural trash is prohibited throughout the city. Ordinance includes list of regulations for permissible burning (grilling/firepits) on private property.	Fires prohibited. Fires for cooking allowed but are limited to portable-fueled cooking stoves/grills.	Bonfires on beach prohibited. <i>"Unlawful to build or maintain any fire or use any propane fired grill or other cooker heated by fire on the beach, beach access, street end adjacent to the beach, or any town-owned land immediately adjacent to the beach at any time."</i> Propane fired grills or cookers are permitted for organized events on the beach with written permit from the town. Permit must be requested no later than 15 days prior to the event and must first have the endorsement of the police chief and the fire chief. Also detailed general burning ordinance for the town, including: <i>No person shall kindle or maintain any bonfire or outdoor rubbish fire within the town limits and on the sandy beach unless a permit is secured from the fire department. A permit can be issued after an inspection of the premises and a review of the relative proximity to adjacent structures, purpose of burning and current weather conditions. The issuance of a permit is based solely on the discretion of the fire chief or his designee.</i>

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Fireworks	Fireworks prohibited, and subject to confiscation, anywhere within the town's corporate limits unless permitted by both the town and fire department, and only fireworks professionals are eligible for permit. Specific exemption provided for toy cap pistols and sparklers at any time during the year.	Fireworks prohibited except at city-sponsored events.	The "fire committee of the town council" may grant permission for certain fireworks displays within the town.	Distribution and discharge of fireworks prohibited (any where in city) unless written approval is given by city council for fireworks at an event.	Fireworks prohibited except by permit from the town manager for planned fireworks displays.	Unlawful to explode, ignite, detonate or discharge any fireworks on the beach or within the town limits without written permission of the fire department.
Fishing	South Carolina saltwater fishing license required. Town code includes limits on the taking, having possession of, or selling certain gamefish. Also includes some restrictions on crabbing. As per town code, Kiawah "adopts by reference title 50, Fish, Game and Watercraft, chapters 1, 5, 9, 11, 13, 15, 17, 20, and 21 of the Code of Laws of South Carolina, 1976, and any subsequent amendments thereto."	Prohibited in swimming zones when lifeguards are on duty, but no other language specific to beach. There is a fishing pier.		Any person who surf fishes must obtain a valid South Carolina surf fishing license. Surf fishing unlawful in city-designated swimming zone(s). Any person who is surf fishing outside swim zone or is fishing from a pier at any time of the year, "shall not fish in a manner that presents an unsafe condition to any beach goers, sun bathers, swimmers, or any other person and shall keep a safe distance from them." Unlawful for any person to attempt to catch any shark or other marine animals that may endanger the public. Lifeguards, deputies, or public safety officers have authority to supervise and regulate surf and pier fishing.	No "bating or fishiing for sharks" on the beach or "inside of an area four hundred (400) yards from the water's edge" on the beach.	Unlawful for any person to use chum of any type for the purpose of shark fishing from the waters of the town and adjacent streams.
Glass on Beach	Glass Prohibited.	Glass Prohibited. Also includes language prohibiting "tossing" any glass or refuse into the water adjacent to the beach.	Glass Prohibited.	Glass and cans prohibited. Cans are allowed if they remain in a cooler at all times except when removed briefly for the purpose of transferring the contents to a paper or plastic cup.	Any form of glass prohibited on the beach and in the water.	Glass prohibited "on the sand beach."
Horses		No horses on the beach (and no horses may be stabled/coraled within city limits).	No horses may be ridden on beach (and no horse or other equine animal may be kept within limits of town).	Horses cannot be kept or ridden within city limits.	Prohibited to "ride or drive" horses on the beach, except for the annual "marsh tacky race" as permitted by the town and sponsored by the Native Island Business and Community Affairs Association or the Coastal Discovery Museum.	No specific reference to horses on the beach but maintaining horses and certain other livestock prohibited within city limits.

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Lifeguards	Only as hired by Charleston County for Beachwalker Park. No lifeguards on private beach.	City does regularly employ lifeguards and also relies on enforcement officers for beach rules. There is a swimming zone established by code that abuts property owned and operated by the Charleston County Park and Recreation Commission, and County employs lifeguards.			Unlawful to wear unauthorized lifeguard badge, uniform, emblem, insignia or lettering designating, identifying or tending to identify a person to be a lifeguard.	No lifeguards on duty.
Littering	Prohibited with fines.	Specific language prohibiting and requiring deposit of litter in receptacles.		Leaving any trash or debris on the beach prohibited unless deposited in proper trash receptacles.	Unlawful "to place or deposit litter including but not limited to cans, garbage, waste or refuse, or any part thereof, on the beach or within the waters adjacent to the beach."	Unlawful to throw or leave any trash, rubbish or other debris of any kind on the beaches or any area of the town unless such trash, rubbish or other debris is deposited in a trash receptacle.
Minors			Persons 17 years old or younger are prohibited on the beach between 11pm and 5am unless accompanied by parent or other responsible adult.			
Music/Noise	Nothing specific to beach but town has a detailed noise ordinance, including "Except as allowed in this article, no person shall willfully engage in any activity on any premises or public area in the town, which produces or constitutes a noise disturbance on occupied neighboring premises or public area."	Ordinance reads: "No person shall attempt to attract the attention of the public to any political or commercial activity by the use of a loudspeaker or other sound amplification device either located on the beach or directed toward or intended to attract users of the beach, or to otherwise unreasonably disturb the peace of any person on the beach."	Under "disturbing the peace," beach not specified, only public spaces where it is "unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the streets, sidewalks, parks or other public places."	Town code include a noise ordinance which prohibits "Noise on the beach that is audible more than 100 feet from the source of the noise, including noise coming from residential or business properties as well as from noise sources on the beach." Also restricted is noise from a watercraft, other than engine noise, that is audible more than 100 feet from the vessel.	Unlawful to attempt to attract the attention of the public to any political or commercial activity by the use of a loudspeaker or other sound amplification device, or to otherwise unreasonably disturb the peace.	
Nudity Lewd behavior	Public nudity prohibited. The town code includes general definitions and prohibition on disorderly conduct that is not specific to just the beach, including being grossly intoxicated in public.	Nudity prohibited (and nudity defined in detail: <i>A person shall be found in a state of nudity when his clothing or absence of clothing uncovers or exposes to public view such person's genitals, pubic area, buttocks, or the nipple or any portion of the areola of the human female breast.</i>) Public "disrobing" also limited if produces "public nudity." Also detailed nuisance ordinance that is not specific to activities on the beach.	Nudity not used specifically, but unlawful to "substantially annoy, injure or endanger the comfort, health, repose or safety of the public"; or "greatly offend the public morals or decency." Elsewhere in code prohibits urinating in public	Town code does not include specific language for beach but does include extensive definitions/rules about disorderly conduct within town limits. Elsewhere code prohibits any person on public property from "recklessly" exposing his or her private parts or engaging in masturbation; engaging in sexual conduct; or engaging in conduct that to an ordinary observer would appear to be sexual conduct or masturbation. Exception for breast-feeding of infants.	Nudity is prohibited on the beach, but no detailed definition of nudity as in other ordinances. Disorderly conduct is prohibited on the beach, including "public drunkenness."	Nudity prohibited. Unlawful <i>to intentionally appear on any public beach, beach access, in the public waters, any other public property, or in view of the public in such a state of dress or undress so as to expose to the view of others specified anatomical areas.</i> (Listed in detail.) Unlawful <i>to simulate or engage in specified sexual activities on any public beach, public beach access, street end adjacent to the beach, or any government land immediately adjacent to the beach, or in the waters adjacent to the public beach.</i> (Sexual activities listed in detail.) Breastfeeding of infants is not an act of nudity. Unlawful to use <i>vulgar, profane or indecent language on any public street or other public place or in any public dance hall, pavilion, beach or place of business open to public patronage.</i>

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Overnight (and/or camping)	No sleeping on beach after dark/overnight.	No person shall sleep on the beach or in the sand dunes between 8pm and 10am.		Unlawful to camp or sleep between 10pm and 6am on beach, in the dunes, or on any other public property in any vehicle or trailer.	No sleeping on the beach from midnight to 6am.	Unlawful to camp on the beaches of the town and on beach accesses. Unlawful to erect any tent, canvas awning, or umbrella on the beach from sunset to sunrise daily.
Personal Property	No overnight storage on the beach of personal beach equipment.	Specific language prohibiting abandoning personal property after sunset unless disposed of in proper trash receptacle. Tents, canopies, chairs, etc may be on beach after dark only if attended by user(s). No personal property within 25 feet of turtle nests. Town has right to dispose of abandoned personal property. (There is an exception that allows Hobie Cat style sailboats or poles supporting volleyball nets adjacent to commercially zoned property to be left on the beach after sunset.		Unlawful for any person to leave or abandon any personal property of any kind whatsoever on the beaches of the city unless such property is deposited in a trash receptacle placed on or near the beach for such purpose. Tents, canopies, beach chairs, kites, volleyball nets, coolers, beach umbrellas, boats or other watercraft, and similar property, which are left on the beach after sunset, shall be deemed abandoned and the city shall have the right to take possession and dispose of the property. No personal property, boat or other watercraft shall be located within 25 feet of any emergency beach access or turtle nest.	Personal property (as defined in ordinance) left unattended between sunset to sunrise, as determined by the National Weather Service, shall be deemed a public nuisance and be subject to removal and disposal by the town or authorized personnel, with no liability for doing so for either.	No personal property shall be located within 25 feet of any beach access or any turtle nest. <i>"Tents, canopies, beach chairs, kites, volleyball nets, coolers, beach umbrellas and similar property, which are left unattended on the beach after sunset shall be deemed abandoned and the town shall have the right to take possession of the property. The property shall belong to, and be subject to disposal by, the town."</i>
Parasailing		No parasailing within police jurisdiction of the city.			Prohibited within jurisdiction of the town.	No parasailing within the jurisdiction of the town.
Pet Waste		Owner/custodian of an animal shall immediately collect, remove and dispose of all excrement deposited on the beach.				Specific language that dog owners must remove pet waste.
Photography		Professional photo/video permitted but requires permit granted by city council at least 14 days in advance. EXCEPT commercial photographer not soliciting, only shooting stills for a fee under prior contract, does not need permit but then one hour allowed on beach per day for such activity.	Any type of commercial still photography or filming requires permit and is subject to a \$250 franchise fee and guidelines set by town.			
Picnics			Code has language regarding "picnics and outings" of more than 10 people on the beach; such requires permit from fire chief. Permit must be obtained at least 24 in advance; event must be over by 11pm. Vague exception for "private family and guests" from having their "regular" meal(s) on the beach.			

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Plastics (Styrofoam)	No plastic carryout bags, plastic straws, Styrofoam.	No single-use plastic bags, plastic straws, or Syrofoam (polystyrene) coolers.	"To improve and maintain the pristine beach and ocean environment" single-use plastic bags, plastic straws, polystyrene coolers and food containers prohibited.	All single-use plastic carryout bags, all balloons, and all plates, bowls, cups, containers, lids, trays, coolers, ice chests, and similar articles that consist of expanded polystyrene foam (Styrofoam) prohibited.	Plastic ordinance but no specific reference to plastics on beach.	Prohibition on the sale and distribution within the town of single-use plastic bags, plastic straws, and polystyrene coolers and food containers, but no specific prohibition about bringing and/or using these products on the beach.
Shovels/Holes	Changing the contour of the beach and the use of metal shovels is prohibited. Plastic shovels are allowed but can be no longer than 14" in length.			Holes greater than 12" prohibited, and any holes or structures must be restored to natural state before leaving the beach, and no later than 30 minutes before sunset. Metal shovels of any type are prohibited; however, shovels intended for use by children are allowed. Exemption provided for persons performing work for turtle patrol and work approved by the city.	Shovels prohibited except those that are made of wood and/or plastic and are less than 30" in length and 6" in width. Unlawful to dig a hole in the sand that is more than 12" deep. Anyone digging a hole or creating a sand structure on the beach must restore the sand to its natural condition before leaving the beach and "no later than thirty (30) minutes prior to sunset as stated by the National Weather Service." Shovels prohibited except those made of wood and/or plastic and less than thirty (30) inches in length and six (6) inches in width,. Holes deeper than 12 inches prohibited. "Authorized personnel, including members of the Sea Turtle Patrol, town employees performing work related to beach preservation, and others approved by the town shall be exempt from the application of this section"	"It shall be unlawful for any person, firm or corporation within the corporate limits of the town to dig into the sand on any part of the sand beach greater than 12 inches deep without having an adult person attending the area to prevent any person or persons from walking into any existing hole and risking personal injury, and to permit public safety vehicles the ability to respond to emergencies without risk of damage to equipment or personal property." "It shall be unlawful for a person responsible for the creation of a hole greater than 12 inches deep on the sandy beach to leave the area, without filling the hole to level with the surrounding area and leaving the area in the same general condition in which it was found."

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Smoking/Vaping		Town code includes detailed no-smoking rules, including prohibiting smoking and vaping on beach and beach access paths.	Smoking and "smoking materials" prohibited on beach (and on waterways and in public areas and all town facilities).	Smoking and vaping prohibited. Any smoking materials must be disposed of in designated waste receptacles.	Detailed smoking ordinance but nothing prohibiting smoking specifically on the beach.	No specific reference to smoking on the beach, but smoking prohibited in all enclosed public places within the town, including all places of employment, and is prohibited in certain outdoor areas when the use involves a gathering of the public, regardless of the number actually assembled for the event, performance, or competition.
Surfing/Surfboards		Surfing prohibited within 200 ft of any fishing pier and 100 ft of any bather. Surfboard leashes must be used when surfing within 200 ft of any bather. A commercial surf instructor allowed w/ permission from city council, business license, and w/ conditions, including cannot advertise or solicit students on beach.		Unlawful to use any device commonly known as surfboard, skimboard, paddle board, kayak, kiteboard, windsurfboard, or any other similar hard surface device within swimming zone from May 15-Sept 15 between the hours of 10am and 6pm. If surf conditions are deemed unsafe for swimming and posted as such by the appropriate authorities, surfboards are permitted in the swimming zone regardless of the date or time. From Sept 16-May 14, no restrictions on surfing except it is always prohibited within 200 feet of any fishing pier. At all times of the year persons surfing are required to wear a surf leash.		
Swimmer Recall	Beach patrol has power to recall swimmers when dangerous conditions exist.	Law enforcement and lifeguards employed by the city may recall swimmers for their safety (such as water conditions) and if swimmer is imperiling safety of others.		Ocean rescue lifeguards, deputies or public safety officers at their discretion have the power to recall swimmers if weather or other hazardous conditions exist. They also "have the power and authority to recall from the ocean waters and the surf adjoining the waters any person who shall be in the ocean waters a distance of more than 50 yards from the point where the waters adjoin the strand, or who shall be more than chest deep at any time, or when such person shall be in danger of drowning or becoming imperiled or may imperil the safety of others."	Authorized enforcement personnel have "the power and authority to recall from the waters and the surf adjoining the waters, any person who, in their discretion, shall be in danger of drowning or becoming imperiled, or who may imperil the safety of others, or when the condition of the wind, water, weather or any hazard, including the physical or mental condition of the person in the waters, shall be such as to constitute a danger to the health, life or safety of that person, rescue personnel, or other persons within the waters."	Beach patrol has discretionary authority to recall from the ocean waters any person in the water a distance of more than 50 yards from the point where the ocean adjoins the public beach, or who shall be more than chest deep when standing flat-footed at any time, or who shall be engaging in any aquatic activity whatsoever within 75 yards of any pier; or when the person shall be in danger of drowning or becoming imperiled, or may imperil the safety of others. Beach patrol has discretionary authority to recall any person in the water when the condition of the wind, water, weather or a hazard, including the physical or mental condition of the person in the water so indicates the need for public safety.

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Swimming	Unlawful to wade or swim in the waters in and around Captain Sams Inlet.	City designates swimming zones. When lifeguards are on duty swimming zones limited to swimming/wading and all other water activities are prohibited, including surfing, kite boarding, kayaking, skim boarding and fishing.		City designates swimming zone "for the enjoyment and safety of individuals who want to swim, play, or just stand in the ocean. No other activity shall be allowed in said zone."	City designates swim areas/zones, then from April thru Sept, from sunrise to sunset, prohibits in those swim zones fishing or surfcasting, surfboards, boogie boards, frisbees, team sports using a ball, use of balls, games with metal components, including metal horseshoes, games, and flying of stunt kites.	Designated swimming areas.
Tents				"Beach umbrellas and other beach paraphernalia which might obstruct the view of the ocean rescue lifeguard will be placed at a distance of at least ten feet to the rear (inland side) of the ocean rescue lifeguard stands. No obstruction shall be placed in such a position that it interferes with an ocean rescue lifeguard's ability to see the water and the ocean rescue lifeguard stands on either side of him or her."		Unlawful to erect any tent, canvas awning, or umbrella on the beach from sunset to sunrise daily. Beach patrol officers may restrict beach use, object, structure placement or aquatic activities, when in their discretion, the use, object or structure placement, or activity constitute a danger to the health, life or safety of that person or to other persons in the water or on the beach. Beach patrol in exigent circumstances may create zones on the beach and then restrict certain aquatic activities or beachfront activities, including erecting structures, in those zones for public safety, including at times of hazardous weather conditions. These zones must be marked in such a fashion to be readily identifiable with flags, buoys, or signs.
Vehicles: motorized	No motor vehicle of any kind on the beach/dunes seaward of the OCRM-40 year setback lines, with the usual exemptions for emergency vehicles, the HOA, turtle patrol, and other town-permitted/approved uses and activities. In addition, ordinance reads: "...individuals who have physical handicaps 1) which are recognized by state law, and 2) which would otherwise preclude their use and enjoyment of the beach may drive on the beach an appropriate small open motorized vehicle designed to transport one such handicapped individual, at speeds not in excess of ten miles per hour."		No vehicles on beach whatsoever except for police and emergency vehicles. Prohibition may be waived by town council upon written request by showing that allowing vehicle for specific purpose "will not be injurious to the public health, safety and welfare or injurious to natural resources and habitats."	Unlawful to operate any vehicle on the beach with exception for emergency and law enforcement vehicles.	No unauthorized motor vehicles with the exception for governmental vehicles operated while cleaning or working on the beach, law enforcement vehicles, emergency vehicles, or vehicles operating with special permit from town. In addition, individuals who have physical handicaps 1) which are recognized by state law, and 2) which would otherwise preclude their use and enjoyment of the beach, may drive on the beach an appropriate small open motorized vehicle designed to transport one such handicapped individual, at speeds not in excess of 10mph.	Unlawful to drive or operate any motor vehicle of any kind or nature on the beach within the town with the exception of emergency, law enforcement, other governmental vehicles operated while cleaning or working on the beach, or any vehicle permitted by the town. <i>"Individuals who have physical handicaps that are recognized by state law, and that would otherwise preclude their use and enjoyment of the beach, may drive on the beach an appropriate small open motorized vehicle designed to transport one such handicapped individual at speeds not in excess of ten miles per hour."</i>

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Vehicles: wind-powered			Any wind-driven vehicles prohibited on beach for any purpose.		Unlawful to operate a sand sailor or other wind-powered vehicle on the beach during the hours of 10am-6pm April 1 thru Sept 30. All kites must be under manual control. Stunt kites are prohibited in designated swimming areas. Elsewhere, the use of stunt kites is prohibit 10am-6pm from April 1 thru Sept 30.	
Watercraft:	Unlawful to operate, anchoring, or launch any motorized watercraft within the police jurisdiction fo the town. Includes jet skis.	Prohibited to launch, beach, or propel across sand above low mean water line any motorboat or jet ski; exception for emergency vehicles.	Re any watercraft--residents may purchase annual permit. Boats/trailers may be manually pulled through dunes at public access paths. Trailers must be pulled to foot of dunes after launching watercraft. Watercraft without green permits must be launched only within their designated zones. "No trailers or watercraft shall be placed in the dunes at any time. No trailers or watercraft shall be left on the beach from dusk to dawn. Except, however, that persons who are property owners in the town, and are 55 years or older, shall be eligible to be issued one special permit which shall allow said watercraft owners to keep one watercraft on their property or in the area above the high water mark immediately seaward of their property." From Memorial Day to Labor Day watercraft operators w/o permit must use areas designated for landing and launching, and no watercraft shall be operated within 100 yards of the beach outside designated areas.	Unlawful to anchor, moor or ground on public land or waters of the city, or on private property without permission of the property owner, any derelict vessel; with detailed definitions for "derelict. Unlawful to abandon watercraft or outboard motor on public land or waters of state or city or on private property without permission of the property owner. Exception for emergency but owner/operator of abandoned watercraft must make "bona fide attempt" to recover the watercraft. Persons mooring or anchoring a vessel <u>overnight</u> within the territorial boundaries of the city must obtain and conspicuously display a mooring permit. Detailed requirements/restrictions for permit. Within territorial limits the city, mooring or anchoring is prohibited within one mile of any public boat landing or bridge or within 100 feet of any other legally anchored vessel, any private, properly permitted mooring, or any private, properly permitted dock or marina without the written permission of the owner. No person owning, possessing or	Unlawful to operate, anchor, launch motorized watercraft, including jet skis, and waverunners, and boats of that class, within town jurisdiction, except motorboats allowed in certain designated areas. Authorized emergency watercraft shall not be prohibited from operation, anchoring or launching within the police jurisdiction of the town.	No motorized watercraft can be on or launched from the beach. No boat or watercraft of any kind can be launched or recovered over the grassy portion of the dunes through use of trailer or cart of any kind. Beach accesses can be used for launching or recovery of sailboats, kayaks, or non-motorized craft, but any trailer or cart of any kind used for transport must be manually operated and removed and not used to transport the craft over the dunes to the water.

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
motorized				<p>controlling a boat or other watercraft shall place or allow it to be placed on the public beach for any period in excess of 12 hours or at any time after sunset.</p> <p>(D) The bringing onto or removal from the beach of any boat or watercraft which results in damage to primary or secondary dunes, or damage to sea oat or dune vegetation, is prohibited. Any boat or watercraft which is placed or located at any time atop any primary or secondary dunes shall be fined \$500 and may be subject to immediate impoundment.</p> <p>(E) The Public Safety Department is hereby authorized to remove and tow away, or have removed and towed away, any boat or watercraft in violation of this section. In addition to the penalties provided for in § 151.99, the owner shall pay all costs incurred by the city or its designee in the impoundment and storage of such boat or watercraft.</p>		
<p>Watercraft: wind-powered</p> <p>Kites</p>		Kite boards restricted in same manner as surf boards.			<p>Prohibited to operate a sand sailor or other wind powered vehicle on the beach during the hours of 10am to 6pm from April 1 through September 30.</p> <p>All kites must be under manual control. The use of "stunt" kites is prohibited in designated swimming areas. Elsewhere, the use of stunt kites is prohibited between the hours of 10am-6pm. from April 1 through September 30.</p>	<p>Temporary overnight storage of sailboats on the sandy beach allowed.</p> <p>No sailboats, kayaks, or other non-motorized boats shall be transported on the dunes, the grassy areas of the beach and dunes, or the areas of the sand fencing. Sailboats, kayaks, or other non-motorized boats shall only be permitted to be transported on the sandy beach utilizing manually operated sand dollies, carts, or other manually operated transportation devices specifically manufactured for that purpose.</p>

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Weapons	Not specific to beach but town code includes general prohibition: Unlawful for any person to negligently or carelessly discharge or publicly brandish any loaded or unloaded firearm of any kind -- with language exempting personal protection on personal property and law enforcement.		With exceptions for law enforcement, private property, permitted hunting, no weapons on beach. Code actually reads, "Any person having in his or her possession a pistol, rifle, shot gun, dirk, slingshot, metal knuckles, razor or other deadly weapon usually used for the infliction of personal injury, either concealed or unconcealed, about his or her person shall be guilty of a misdemeanor, and upon conviction thereof, shall forfeit to the town the weapon.			
Weddings Memorial Services Special Events				Wedding receptions on beach prohibited. Weddings okay: Special events defined as any activity on private/public property other than the normal use for which property is zoned or ordinarily used, and this includes weddings on the beach. Any special event on the beach must comply with all beach rules, including no alcohol, and all provisions to protect wildlife and environmental. Permit is required for special events on public property, including beach, that are expected to involve more than 25 people. Events on the beach involving more than 75 people require approval from City Council. Applicants for special event permits must be at least 21 years old. Weddings on beach are exempt from permit requirement but still must provide as notice to the city: time, place, duration, and number of expected participants, name and contact information, including cell phone numbers, of the person(s) responsible for responding to problems.	Weddings allowed but only with permit from town; permit is free.	Weddings may be sited anywhere along the beach and no permission is required if guest list is under 50. Permission is needed if guest list is over 50 or if renting a home for the reception and wish to have entertainment that extends beyond 10 pm noise ordinance. If either of these conditions applies, special event request form must be submitted to town for approval at least 45 days in advance. \$30.00 fee. Tents and chairs may be set up on the beach for guests but must be removed by dusk.

	KIAWAH ISLAND	ISLE OF PALMS	SULLIVAN'S ISLAND	FOLLY BEACH	HILTON HEAD	EDISTO
Wildlife	<p>Unlawful to molest or kill any of the birds of prey within the town. Birds of prey include all hawks, eagles, falcons, kites, vultures, owls, and ospreys.</p> <p>Instructions to never approach sea turtles, hatchlings, nests.</p> <p>May -October – all outdoor lighting visible from the beachfront turned off from 9pm to dawn to protect nesting sea turtles.</p>	<p>In addition to any other applicable State or Federal laws, no person shall physically harm, harass, or otherwise disturb any sea turtle (including eggs and hatchlings) or any sea bird (including eggs and young). Beached or stranded sea turtles, whales, or dolphins shall be reported immediately to the City Police Department.</p>	<p>All areas within town limits are declared a bird sanctuary; and "unlawful for any person to kill, injure, harm or molest any bird within the police jurisdiction of the town, or to destroy, injure, rob or molest the eggs or the nests and breeding places of such birds, except domestic birds and fowl."</p>	<p>Separate from beach ordinance, town code declares the city a bird sanctuary and states "that sometimes certain areas have to be specifically designated as protected areas..." Also, "It shall be unlawful to kill, maim or injure any wild or migratory bird or to destroy or to rob or molest eggs or nests in breeding places of any birds."</p>	<p>In addition to any other applicable state or federal laws, unlawful to physically harm, harass, or otherwise disturb any sea turtle, its eggs or hatchlings, any sea bird, its eggs or young, or any other beach fauna.</p>	<p>To protect sea turtles, stated policy of the town is that no artificial light shall illuminate any area of the beaches of the town during the period of May 1 through Oct 31 of each year from dusk to dawn. Policy includes lighting requirements and development restrictions on private property. Specifies that no unfiltered light shall be shown directly on adult turtles, eggs or hatchlings. Individual use of unfiltered lights on the beach (any color spectrum except red), including but not limited to flashlights, cellular phones, and cameras) is prohibited from dusk to dawn between May 1 and October 31.</p>
NOTES	<p>Beachwalker County Park at west end of Kiawah Island is the only public beach in the Town and is operated by the Charleston County Park and Recreation Commission.</p> <p>The park year-round offers dressing area, drink vending, and picnic area with grills, boardwalk and handicap-accessible ramp, restrooms. Seasonal amenities have included beach chair and umbrella rentals, snack bar, lifeguards, outdoor showers, beach-accessible wheelchairs.</p> <p>From Beachwalker beach, prohibited to wade or swim "in the waters in or around" Cap'n Sams Inlet</p>			<p>The SC Beach Preservation Act of 2014 authorizes qualifying coastal municipalities to impose a beach preservation fee not to exceed 1% of the gross proceeds derived from the rental or charges for accommodations furnished to transients.</p> <p>--The City of Folly Beach is a qualifying coastal municipality with shoreline on the Atlantic Ocean, a <u>public</u> beach, and a local accommodations tax not exceeding 1½%.</p> <p>--An additional 1% beach preservation fee is hereby added to the accommodations tax for the purpose of nourishment, renourishment, maintenance, erosion mitigation, monitoring of beaches, dune restoration and maintenance, including planting of sea grass, sea oats or other vegetation useful in preserving the dune system, and maintenance of public beach accesses within the corporate limits of the City of Folly Beach.</p>		<p>Town code includes rules for issues listed for Bay Sttree Park, but city park is not on the beach.</p>

Definitions

- Amend the definition of what is considered the “beach”

Amendments to Existing Sections

- Beach fires
 - Any person wishing to build, start or maintain a fire seaward of the frontal sand dune shall apply for and obtain a fire permit from the town
 - General requirements for fire permits:
 - Dates (ALTERNATIVE #1): Beach fires shall be prohibited between May 1 – October 31 (turtle nesting season)
 - Dates (ALTERNATIVE #2): Beach fires shall be prohibited on the day before, the day of and the day after the following holidays: Memorial Day, Independence Day and Labor Day
 - No more than 6 beach fire permits will be issued by the town per day
 - Beach fires must be located on dry sand between the high-water mark and the frontal sand dune or revetment (must also have approval from SIPOA or applicable property owner)
 - Beach fires must be located at least 50 feet from dune vegetation
 - Beach fires must be located at least 100 feet from any marked turtle nest, boardwalk, dune vegetation or dune walkover
 - Permittees must be at least 18 years of age
 - Beach fires may not be started prior to 5:00 pm and must be extinguished by 10:00 pm
 - Beach fires must be attended by the permittee at all times
 - The permittee must maintain a copy of the permit on his or her person at all times and must be able to present a copy of the permit to code enforcement officers upon request
 - Fire pits must be no greater than 3 feet in diameter
 - Burning of non-wood items such as glass, plastics, or cans; or wood containing items such as nails, screws, wire, or other foreign material, is prohibited
 - Fires must be completely extinguished (cold to the touch) upon termination of use
 - Ashes and unburned wood must be removed from the beach or buried at least 12 inches below ground
 - The area must be cleaned of all trash and debris before leaving the beach
 - Permits are valid only for the date issued
 - Fire permits may be cancelled at the discretion of fire marshal due to environmental conditions (high winds, drought conditions, etc.) or by the mayor/town administrator during states of emergency
 - Persons violating any town requirements may be subject to civil and/or criminal penalties, as well as permit revocation
 - Devices with a flame, including, but not limited to, cookers, fryers, grills, heaters, lanterns, open flame torches (eg. tiki torches), prohibited

- Commercial activities
 - Redefine what constitutes “commercial activities”
 - Allow exemptions for businesses operating under a town franchise or contract
 - Allow exemptions for photography and videography, under certain conditions
 - Establish permitting procedures for commercial filming
- Fishing rules
 - Fishing poles must be attended by the person engaged in fishing activities
 - Limit of 3 poles per person
 - Prohibit fishing by bow and arrow, spearing and trotlines
 - SCDNR fishing license required
 - No chumming within 300 yards of the beach (increased from 200 yards)
 - No surf fishing in designated swimming areas (between Boardwalks 1-9) between 10:00 am and 5:00 pm during the peak season (April 1 – September 30); OK at all other times and locations (*intended to mirror the leash rules for pets*)

New Sections

- Additional prohibitions
 - Anchoring of motorized boats and vessels (within 100 yards of the beach)
 - Blocking or impeding public beach access (including authorized vehicles)
 - Damage, destruction or defacing of beach signage and buoys
 - Damage or destruction of sea oats, beach grass, beach vegetation and sand fencing
 - Disturbing the peace (Unreasonable noise, loudspeakers, etc.)
 - Holes over two feet in depth
 - Jetskis (within 100 yards of the beach)
 - Metal shovels
 - Nudity
 - Overnight sleeping/camping on the beach
 - Parasailing / windsurfing (within 100 yards of the beach)
 - Public drunkenness and lewd behavior
 - Single-use plastics, polystyrene and balloons
 - Swimming and wading in Captain Sams Inlet
 - Wind and solar powered vehicles
- Gatherings
 - Gatherings (weddings, memorial services, special events, etc.) with 25 or fewer participants are allowed without a permit
 - Town permit required for gatherings with more than 25 participants
 - Gatherings may not block public or private beach access points, unreasonably interfere with the public’s use of the beach, or interfere with the operation of beach patrol or emergency services.
 - Gatherings must comply with all other requirements of the ordinance (eg. No commercial services allowed, no open flames, no littering, etc.)
- Kites
 - Kites must remain under manual control at all times and may not be anchored on the beach or left unattended

- Prohibit “stunt kites” capable of being maneuvered to perform rapid ascents and dives between 10:00 am and 5:00 pm during the peak season (April 1 – September 30)
- Swimmer recall
 - Add power to recall swimmers due to unsafe conditions
 - Add power to close waters to swimmers due to unsafe conditions
- Tents and shade structures:
 - Tents and other shade structures must be properly secured to avoid becoming airborne in high winds