

Town Council Regular Meeting

March 26, 2024 @ 2:30 PM

[Watch Live on YouTube](#)

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



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

AGENDA

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL & FOIA STATEMENT

2. APPROVAL OF MINUTES

A. **Town Council Regular Meeting:** February 27, 2024

3. PRESENTATIONS

A. **Presentation of a Proclamation to the American Red Cross**

Bruce Kleinman, Mayor

B. **St. Johns Fire District Presentation**

Chief Ryan Kunitzer, St. Johns Fire District

C. **Seabrook Island Beach Patrol Presentation**

Robert Edgerton & Michael Sosnowski, Island Beach Services, LLC

D. **Seabrook Island Dolphin Education Program Presentation**

Lauren Rust, Lowcountry Marine Mammal Network

4. PUBLIC HEARING ITEMS

There are no Public Hearing Items.

5. CITIZEN COMMENTS

During the first citizen comment period, any citizen may speak pertaining to any item listed on the meeting agenda which does not require a public hearing. Each speaker shall be limited to three minutes in which to make his or her comments. Town council shall allow no more than 30 minutes for citizen comments. Preference shall be given to individuals who have signed up

or otherwise notified the town clerk/treasurer of a desire to speak prior to the start of the meeting.

6. REPORTS OF TOWN BOARDS, COMMISSIONS AND COMMITTEES

A. Advisory Committees

- Community Promotion and Engagement Committee: Bruce Kleinman, Chair
- Environment and Wildlife Committee: Gordon Weis, Chair
- Public Safety Committee: Dan Kortvelesy, Chair

B. Special Committees:

- Special Committee on Short-Term Rentals: Darryl May, Chair
- Special Committee on Finance: Raymond Hamilton, Chair
- Special Committee on ARPA Expenditures: Mayor Bruce Kleinman, Chair

C. Board of Zoning Appeals: No report

D. Planning Commission: No report

E. State Accommodations Tax Advisory Committee: No report

F. Utility Commission: Jim Ferland, Chair

7. REPORTS OF TOWN OFFICERS

A. Mayor

- What's Happenin'
 - Discussion of goings on for the Town of Seabrook Island Government

B. Town Administrator

- Introduction of new employees (Abby Grooms and Lauren Compasso)
- Update on Debris Removal Services Invitation for Bids (IFB 2024-01)
- Update on Environment & Wildlife Conservation Grants
- Update regarding changes to the speed limit in front of Seabrook Island Town Hall

C. Assistant Town Administrator

- Report of Financials for the Months of December 2023, January 2024, and February 2024 (potentially)

D. Zoning Administrator

- Code Enforcement Summary

E. Communication & Events Manager

- Chow Town Food Truck Rodeo: May 22, June 19, July 17, August 21 (5:00-8:00PM)
- Free Shredding Events: June 5 & October 30 (10:00AM-12:00PM)

8. ORDINANCES FOR SECOND READING

There are no Ordinances for Second Reading.

9. ORDINANCES FOR FIRST READING

- A. **Ordinance 2024-01:** An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article II, Flood Damage Prevention; Section 20-22, County Ordinance Adopted by Reference; Administration of Article; so as to adopt the most recent version of the Charleston County Flood Damage Prevention and Protection Ordinance

10. OTHER ACTION ITEMS

- A. **Vision & Mission Statement:** Request to approve a new vision and mission statement for the Town of Seabrook Island
- B. **Resolution 2024-05:** A resolution to adopt the Town of Seabrook Island's Strategic Priorities for 2024-25
- C. **Resolution 2024-06:** A resolution authorizing the Seabrook Island Utility Commission to apply for a loan in the amount of approximately \$8,000,000 for equipment upgrades and other proposed improvements at the town's wastewater treatment plant
- D. **Resolution 2024-07 through 2024-32:** Resolutions to appoint and commission the following individuals as code enforcement officers for the proper security and general welfare for the Town of Seabrook Island (Beach Patrol):

2024-07: Alexander Huss

2024-08: Alexander Westover

2024-09: Alexander Wall

2024-10: Andrew Mappus

2024-11: Ansley Bucknam

2024-12: Ashley DiBlosi

2024-13: Baxley Crosby

2024-14: Carter Seuffert

2024-15: Charles Cheves

2024-16: Colin McMicking

2024-17: Garison Covell

2024-18: George Mayer

2024-19: Ian Butler

2024-20: Jacob Frederick

2024-21: Kelsie-Blake Weeks

2024-22: Kennedy Drew

2024-23: Kyle Meihls

2024-24: Malek Varner

2024-25: Malia Borg

2024-26: Marisa Maher

2024-27: Michael Sosnowski

2024-28: Richard Hoskins

2024-29: Robert Edgerton

2024-30: Sheppard Davis

2024-31: Trapier Marshall

2024-32: William Bowling

- E. **Beach Patrol Contract:** Request to approve a second addendum to the Beach Patrol Services Contract between the Town of Seabrook Island and Island Beach Services, LLC, so as to extend the contract by renewal through March 31, 2025

- F. **Dolphin Education Program Contract**: Request to approve an agreement with the Lowcountry Marine Mammal Network pertaining to services rendered in support of the 2024 Seabrook Island Dolphin Education Program
- G. **eGroup Emergency Preparedness Contract**: Request to approve the third amendment to the Emergency Preparedness Services Contract between the Town of Seabrook Island and eGroup Enabling Technologies, LLC, so as to extend the contract by renewal through February 28, 2025
- H. **Gateway Sign Replacement**: Request to approve the awarding of a contract for the production and installation of a new gateway sign
- I. **Appointment of Clerk of Court**: Request to approve the appointment of Lauren Compasso as Clerk of Court for the Town of Seabrook Island

11. ITEMS FOR INFORMATION OR DISCUSSION

There are no Items for Information or Discussion.

12. CITIZEN COMMENTS

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

13. EXECUTIVE SESSION ITEMS

- A. **Discussion of items incident to proposed contractual arrangements (Town Prosecutor)**

Please Note: Upon returning to open session, Council may take action on items discussed during Executive Session.

14. COUNCIL COMMENTS

15. ADJOURNMENT

Town Council Regular Meeting

February 27, 2024

[Watch Live on YouTube](#)



MINUTES

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL & FOIA STATEMENT

Mayor Kleinman called the February 27, 2024, Town Council Regular Meeting to order at 2:30 PM. Councilmen Hamilton, Kortvelesy, May, and Weis, Town Administrator Joe Cronin, Zoning Administrator Tyler Newman, and Assistant Town Administrator Katharine Watkins participated in the meeting. The Assistant Town Administrator confirmed the requirements of the SC Freedom of Information Act have been satisfied.

2. APPROVAL OF MINUTES

A. Town Council Regular Meeting: January 23, 2024

Councilman Hamilton moved to approve the previous meeting minutes of January 23rd; Councilman Weis seconded. All voted in favor.

The previous meeting minutes of January 23rd were approved.

B. Special Called Meeting: February 13, 2024

Councilman Hamilton moved to approve the previous meeting minutes of February 13th; Councilman Weis seconded. All voted in favor.

The previous meeting minutes of February 13th were approved.

3. PRESENTATIONS

A. MUSC Update: Tom Crawford, COO MUSC Health

Tom Crawford, COO MUSC Health updated council on the status of the proposed medical facility on Seabrook Island Road adjacent to Seafields.

Discussions were had with members of the audience and Council.

4. PUBLIC HEARING ITEMS

- A. **Ordinance 2023-19:** An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-070, containing approximately 0.225 +/- acres located at 2723 Old Oak Walk, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

Mayor Kleinman opened the public hearing on Ordinance 2023-19 at 3:00 PM.

No comments were made.

Mayor Kleinman closed the public hearing at 3:00 PM.

5. CITIZEN COMMENTS

None.

6. REPORTS OF TOWN BOARDS, COMMISSIONS AND COMMITTEES

A. Advisory Committees

- Community Promotion and Engagement Committee: Bruce Kleinman, Chair

Mayor Kleinman updated the Council on the status of the Community Promotions and Engagement Committee.

- Environment and Wildlife Committee: Gordon Weis, Chair
 - Beach Management Plan Update
 - Recommendation to approve a proclamation for the Seabrook Island Birders Stewardship Program
 - Recommendation to approve program guidelines for the Environment and Wildlife Conservation Grant Program

Councilman Weis summarized the most recent Environment & Wildlife Committee meeting of February 22nd, specifically that the committee recommended approval on the Beach Management Plan Consultant, the Seabrook Island Birders Proclamation, the Environment and Wildlife Conservation Grant Program.

Discussions were had with members of council on each of the items.

Councilman Weis moved to approve program guidelines for the Environment and Wildlife Conservation Grant Program; Councilman Kortvelesy seconded. All voted in favor.

The program guidelines for the Environment and Wildlife Conservation Grant Program were approved.

Councilman Weis moved to approve the proclamation for the Seabrook Island Birders Stewardship Program; Councilman May seconded. All voted in favor.

The proclamation for the Seabrook Island Birders Stewardship Program was approved.

- Public Safety Committee: Dan Kortvelesy, Chair
 - Update on Invitation for Bids (IFB) 2024-01: Debris Management Services
 - Recommendation to change the speed limit on Seabrook Island Road

Councilman Kortvelesy summarized the Public Safety Committee meeting of February 20th, specifically the recommendation for approval on the IFB 2024-01: Debris Management Services, and the Public Safety recommendation regarding the speed limit on Seabrook Island Road.

Councilman Kortvelesy noted the upcoming April 9th there will be a Disaster Recovery Council meeting at Town Hall for all new participants.

Discussions were had with members of council on each of the items.

Mayor Kleinman moved to approve the following:

- a. Removing the reduced speed ahead sign on the inbound lane.
- b. Remove the along with the electric display on the inbound lane and replace with a 25 MPH sign.
- c. Convert the 25 MPH sign on the outbound lane approximately by the Town property.
- d. Match the 35 MPH sign on the outbound lane to the inbound lane speed limit sign.
- e. Task the Public Safety Committee to review getting larger pushbuttons for the crosswalk signs.

Councilman May seconded the motion. A vote was taken as follows:

Ayes: Hamilton, May, Weis, Kleinman

Nays: Kortvelesy

The speed limit change on Seabrook Island Road was approved.

• ~~Public Works Committee~~

B. Special Committees:

- Special Committee on Short-Term Rentals: Darryl May, Chair

Mayor Kleinman thanked the Special Committee on Short-Term Rentals for the committee's hard work on short-term rentals.

Councilman May thanked the committee members for their time on the committee, and updated council on the status of the public forums and next steps for the committee.

- Special Committee on Finance: Raymond Hamilton, Chair

Councilman Hamilton summarized the Special Committee on Finance meeting on February 15th.

Councilman Hamilton commented on Special Committee on Short-Term Rentals and offered the Special Committee on Finance assistance when looking at the revenues.

Discussions were had with members of council.

- Special Committee on ARPA Expenditures: Mayor Bruce Kleinman, Chair

Mayor Kleinman summarized the Special Committee on ARPA Expenditures meetings during the month of February.

C. Board of Zoning Appeals: No report

D. Planning Commission: No report

E. State Accommodations Tax Advisory Committee: No report

F. Utility Commission: Jim Ferland, Chair

Commissioner Ferland summarized the February 21st Seabrook Island Utility Commission meeting and the financials and operations for the month of January.

Commissioner Ferland updated the council on the DHEC required water samples report.

Commissioner Ferland updated the council on the upcoming projects that will need a request to borrow funds for the proposed project.

Discussions were had with members of Council.

7. REPORTS OF TOWN OFFICERS

A. Mayor

- Development of Vision and Mission Statement for the Town

Mayor Kleinman updated members of Council on the development of the vision and mission statement for the Town to update in the Comprehensive Plan.

- What's Happenin'
 - Discussion of goings on for the Town of Seabrook Island Government

Mayor Kleinman noted that the What's Happenin' section will be postponed until the next Town Council Meeting.

B. Town Administrator

- Update on application to Charleston County for FY 2025 Transportation Sales Tax Annual Allocation Projects (Seabrook Island Road)

Town Administrator Cronin updated members of council on the status of the application to Charleston County for FY 2025 Transportation Sales Tax Annual Allocation Projects (Seabrook Island Road).

- FY 2024 Beach Patrol Hours of Operation and Contract Renewal

Town Administrator Cronin summarized the renewal of the Beach Patrol Contract with Island Beach Services and their level of service.

Discussions were had with members of council.

- FY 2024 Dolphin Education Program Contract Renewal

Town Administrator Cronin summarized the renewal for the Dolphin Education Program Contract with Lowcountry Marine Mammal Network for 2024.

Discussions were had with members of Council.

- Joint Work Session with the Planning Commission on March 13th at 1:30 PM

Town Administrator Cronin noted there will be a Joint Work Session with the Planning Commission on March 13th at 1:30 PM.

Town Administrator Cronin added the new Communications & Events Manager will be starting on March 4th, and the staff is still conducting its search for the Administrative Assistant/Clerk of Court.

C. Assistant Town Administrator

- Report of Financials for the Months of December 2023, January 2024

Assistant Town Administrator Watkins noted the third-party accountant is still working on the December 2023 and January 2024 financials.

- Chow Town Dates for 2024

Assistant Town Administrator Watkins noted the upcoming Chow Town Food Truck Rodeos for 2024:

- Chow Town Food Truck Rodeo -- Wed. May 22, 2024 (5:00 PM - 8:00 PM)
- Chow Town Food Truck Rodeo -- Wed. June 19, 2024 (5:00 PM - 8:00 PM)
- Chow Town Food Truck Rodeo -- Wed. July 17, 2024 (5:00 PM - 8:00 PM)
- Chow Town Food Truck Rodeo -- Wed. August 21, 2024 (5:00 PM - 8:00 PM)
- Holiday Extravaganza -- Thu. December 12, 2024 (Times 4:00 PM to 7:00 PM)

D. Zoning Administrator

- Code Enforcement Summary

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

Discussions were had with members of council.

- Gateway Sign Update

Zoning Administrator Newman updated members of council on the status of the new Gateway Sign.

Discussions were had with members of council.

8. ORDINANCES FOR SECOND READING

- A. Ordinance 2023-19:** An ordinance amending the zoning map of the Town of Seabrook Island so as to change the zoning designation for Charleston County Tax Map Number 147-06-00-070, containing approximately 0.225 +/- acres located at 2723 Old Oak Walk, from the Moderate Single Family (R-SF2) District to the Conservation (CP) District.

Zoning Administrator Newman summarized Ordinance 2023-19.

Discussions were had with members of council.

Councilman May moved to approve Ordinance 2023-19; Councilman Weis seconded. All voted in favor.

Ordinance 2023-19 passed second reading and was adopted.

9. ORDINANCES FOR FIRST READING

There are no Ordinances for First Reading.

10. OTHER ACTION ITEMS

A. Appointments to Boards, Commissions, and Committees

- Accommodations Tax Advisory Committee (1 Vacancy)
- Community Promotion and Engagement Committee (1 Council + 4 Vacancies)
- ~~Public Works Committee~~
- Special Committee on ARPA Expenditures (1 Vacancy)

Mayor Kleinman nominated Tina Mainland to fill the cultural vacancy on the ATAX Advisory Committee. All voted in favor.

Ms. Mainland was appointed to the ATAX Advisory Committee.

Mayor Kleinman nominated Jean Conyers, Larry Phillips, Bernie McLaughlin, Susan Soden to the Community Promotions and Engagement Committee. All voted in favor.

Ms. Conyers, Mr. Phillips, Mr. McLaughlin, and Ms. Soden were appointed to the Community Promotions and Engagement Committee.

Mayor Kleinman nominated Sue Myrick to the Special Committee on ARPA Expenditures. All voted in favor.

Ms. Myrick was appointed to the Special Committee on ARPA Expenditures.

11. ITEMS FOR INFORMATION OR DISCUSSION

There are no Items for Information or Discussion.

12. CITIZEN COMMENTS

13. EXECUTIVE SESSION ITEMS

A. Discussion of items incident to proposed contractual arrangements (Town Attorney)

Councilman May moved to enter into executive session; Councilman Weis seconded. All voted in favor.

The council entered into executive session at 4:26 PM.

Councilman Hamilton moved to come back into open session; Councilman Kortvelesy seconded. All voted in favor.

The council entered into open session at 4:56 PM.

B. Appointment of Town Attorney

Mayor Kleinman moved to engage with discussions with Haynsworth Sinkler Boyd as discussed in Executive Session and authorizing the Mayor to sign the contract; Councilman Weis seconded. All voted in favor.

Haynsworth Sinkler Boyd was appointed as the Town Attorney.

14. COUNCIL COMMENTS

Councilman Hamilton inquired about the necessity for those making a public comment to state their name and address for the record, and the May Town Council Regular Meeting Date.

Discussions were had with members of council.

15. ADJOURNMENT

Councilman May moved to adjourn the meeting; Councilman Weis seconded. All voted in favor.

The meeting adjourned at 6:41 PM.

Date: February 27, 2024

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

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



A Proclamation

WHEREAS, the American Red Cross aids families in need every day across the United States and around the world; and

WHEREAS, the Lowcountry Chapter of the Red Cross of South Carolina has been dedicated to local communities since it was chartered in 1917 and is proud to serve residents of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper, Georgetown, and Williamsburg Counties; and

WHEREAS, families throughout the Lowcountry have relied on volunteers from the Red Cross of South Carolina for aid, comfort, and hope while coping with home fires, tornadoes, floods, storms, and other disasters. Last year alone, the Lowcountry Chapter of the Red Cross of South Carolina responded to more than 380 local disasters, including home fires – assisting 1,400 people by distributing more than \$270,000 in direct financial aid following local disasters; and

WHEREAS, each year, the Red Cross of South Carolina collects tens of thousands of units of lifesaving blood and conducts training opportunities in a variety of lifesaving skills, such as CPR, lifeguarding, first aid, and water safety; and

WHEREAS, in commemoration of the birth of Clara Barton, the founder of American Red Cross, the month of March is dedicated to all those who continue to advance her noble legacy;

NOW, THEREFORE, I, Bruce Kleinman, on behalf of the Town Council and residents of the Town of Seabrook Island, do hereby proclaim the month of March 2024 as Red Cross Month in the Town of Seabrook Island, and further, recognize Red Cross Month as a special time to honor the kindness of our neighbors who continue the Red Cross humanitarian mission throughout the South Carolina Lowcountry.

SIGNED AND SEALED on this, the 26th day of March, 2024, in the Town of Seabrook Island, South Carolina.

{SEAL}

Bruce Kleinman, Mayor

Katharine E. Watkins, Town Clerk

Seabrook Island Beach Patrol

Robert Edgerton
Michael Sosnowski



History

- Since 2018, BIOR has provided seasonal Beach Patrol Services for the Town of Seabrook Island.
- In 2021, the Town awarded BIOR a 2 year contract with 3 one-year extensions.

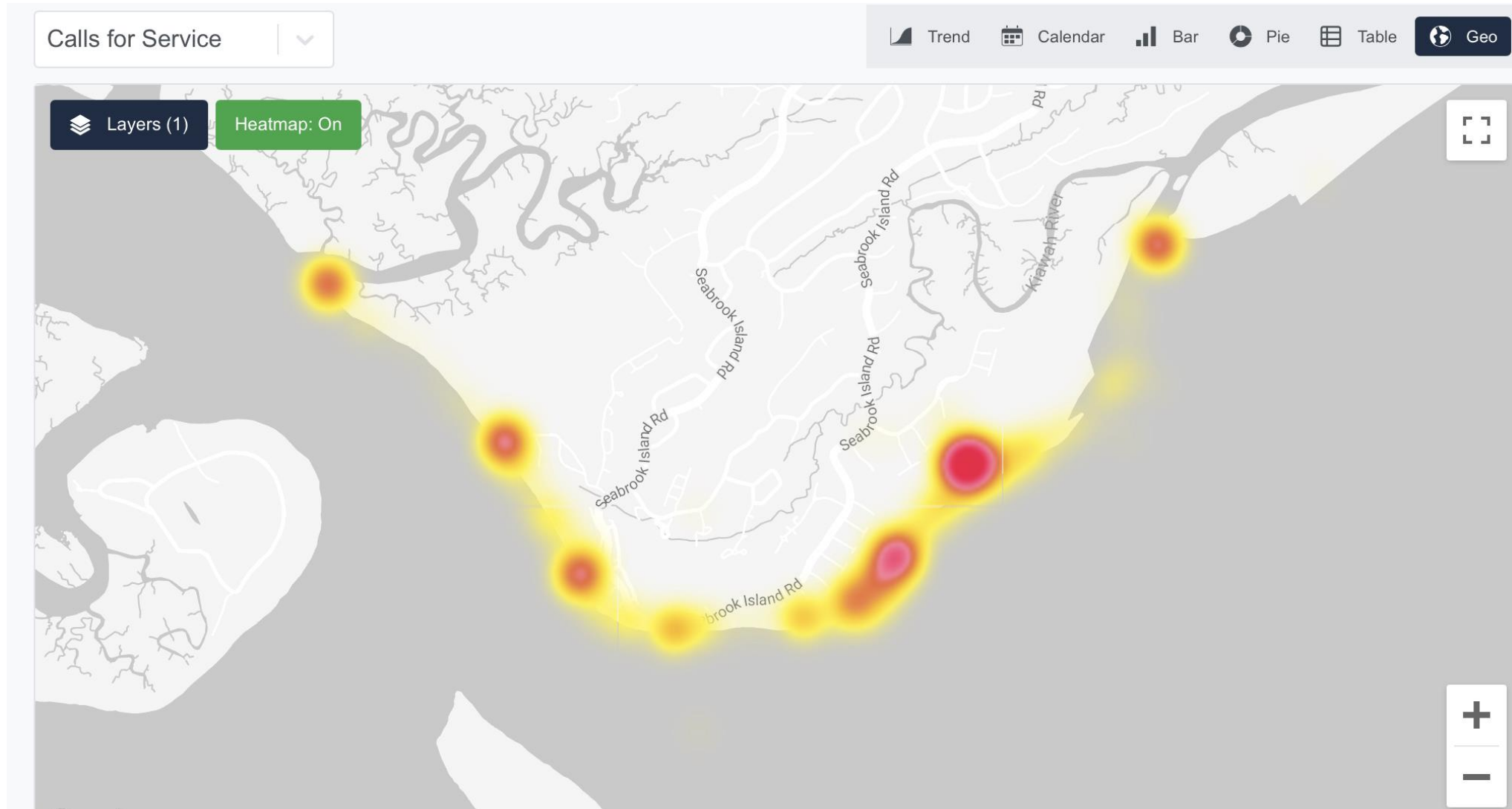


Qualifications

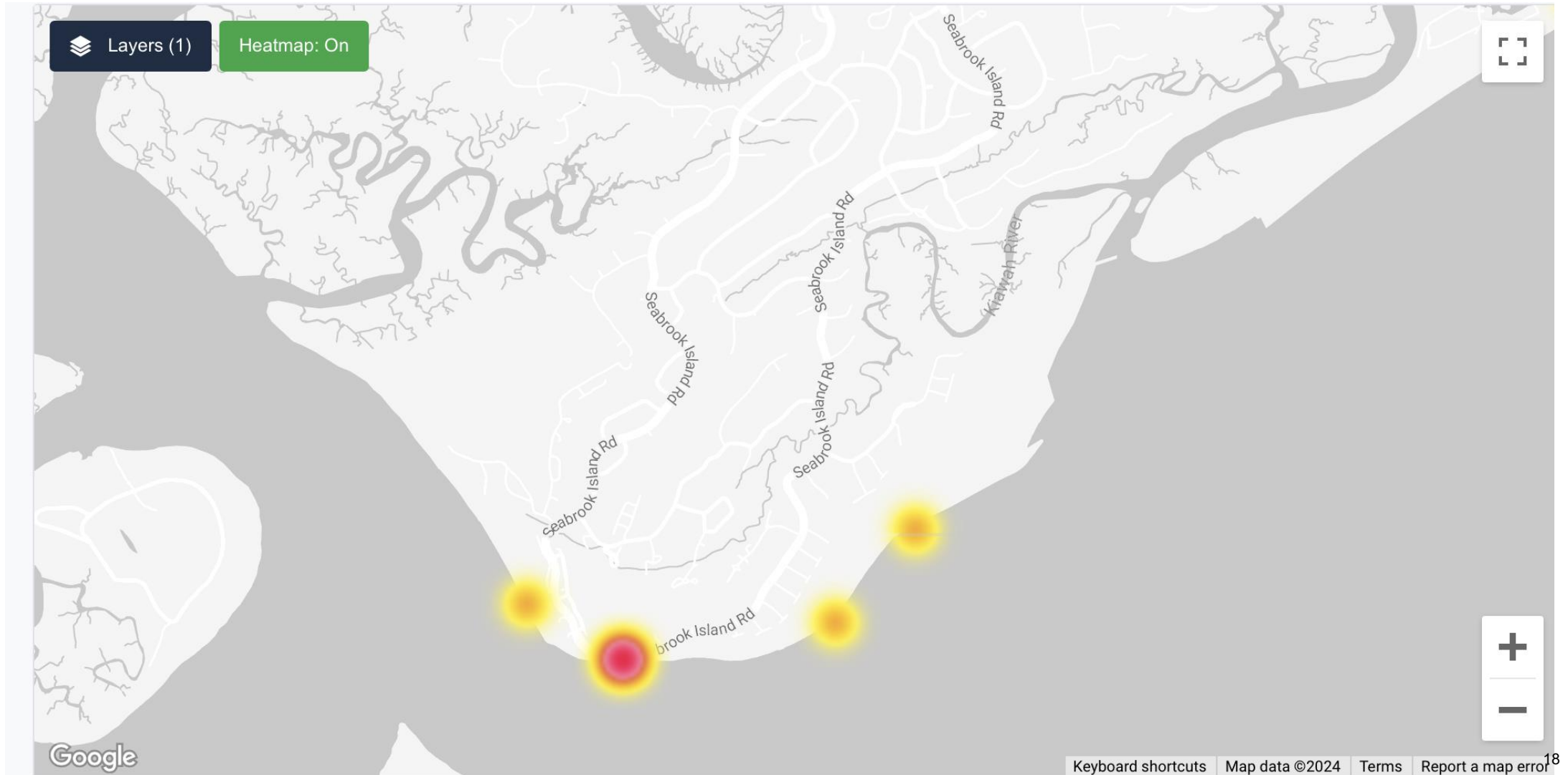


- Since starting service on Seabrook:
 - The USLA year-round Advanced Agency Certification
 - DHEC ALS Rapid Response Agency Certification
 - Formal dispatch notifications integrated into the 911 system for all medical and water-based emergencies on the beach (on-going).

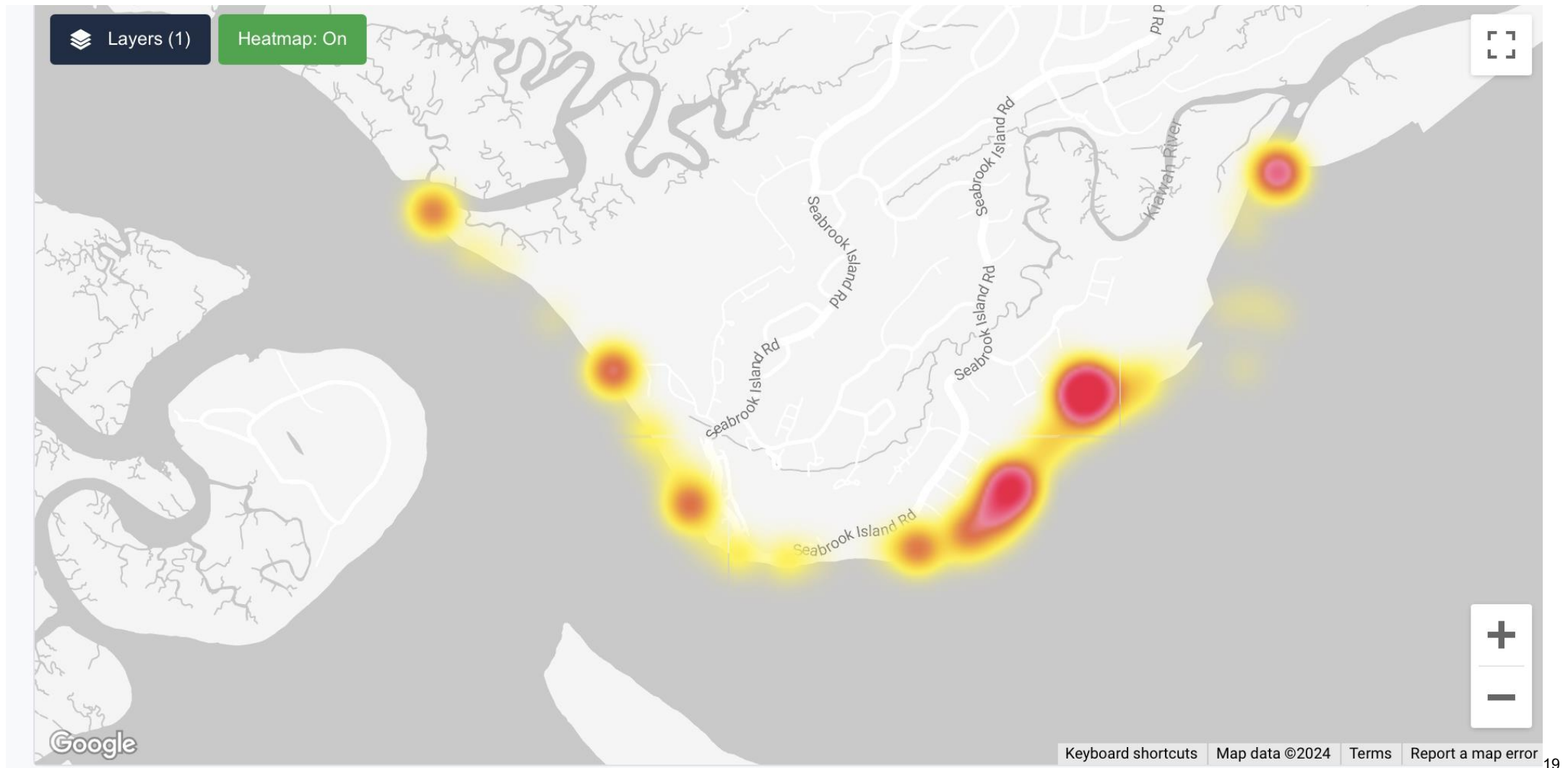
2023 Seabrook Island Activity (917 Incidents)



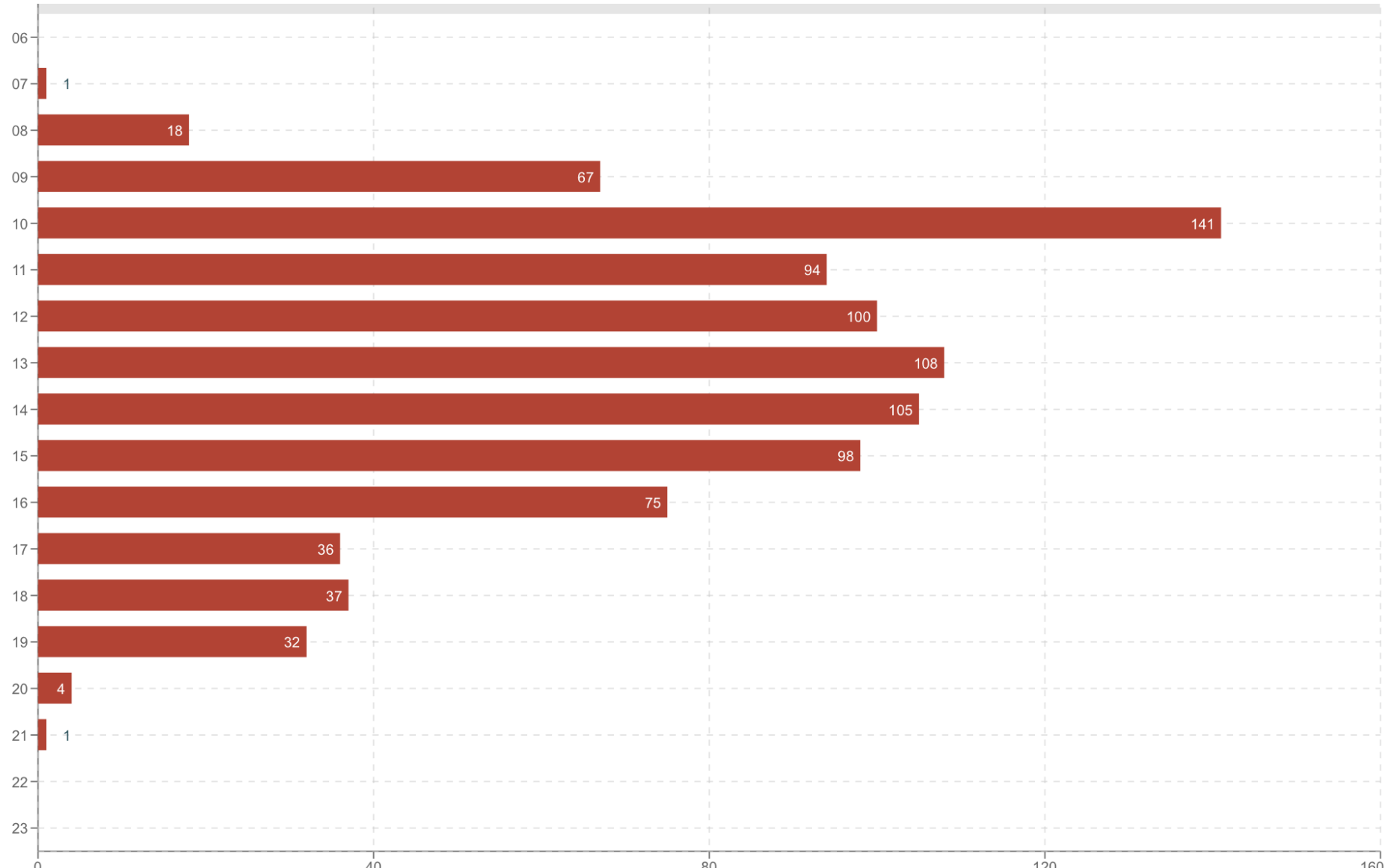
2023 Rescues



2023 Enforcement Activity



Calls by Time of Day





BARRIER ISLAND OCEAN RESCUE

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2024-01

ADOPTED _____

An ordinance amending the Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article II, Flood Damage Prevention; Section 20-22, County Ordinance Adopted by Reference; Administration of Article; so as to adopt the most recent version of the Charleston County Flood Damage Prevention and Protection Ordinance

WHEREAS, pursuant to Section 20-22(a) of the Town Code for the Town of Seabrook Island, South Carolina (the “Town Code”), the Town has adopted, by reference, the Charleston County Flood Damage Prevention and Protection Ordinance, in order to minimize public and private losses due to flood conditions in specific areas of the Town; and

WHEREAS, pursuant to Section 20-22(d) of the Town Code, subsequent changes to the Charleston County Flood Damage Prevention and Protection Ordinance which are adopted by Charleston County Council shall be adopted by ordinance of Town Council; and

WHEREAS, on September 20, 2022, Charleston County Council gave final reading approval to Ordinance No. 2245, which amended the Charleston County Flood Damage Prevention and Protection Ordinance; and

WHEREAS, it is in the best interest of the Town of Seabrook Island to adopt the updated version of the Charleston County Flood Damage Prevention and Protection Ordinance in order for residents and property owners within the Town to be able to receive federal flood insurance through the National Flood Insurance Program (NFIP) and to receive discounts thereto as a result of the Town and County’s participation in the Community Rating System (CRS); and

WHEREAS, the Mayor and Council of the Town of Seabrook Island finds it to be in the public interest and a benefit to the general health, safety and welfare of the residents of Seabrook Island to amend Section 20-22 of the Town Code to adopt, by reference, the most recent version of the Charleston County Flood Damage Prevention and Protection Ordinance;

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

SECTION 1. Amending Section 20-22 of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 20, Planning and Development; Article II, Flood Damage Prevention; Section 20-22, County Ordinance Adopted by Reference; Administration of Article; is hereby amended to read as follows:

Sec. 20-22. - County ordinance adopted by reference; administration of article.

- a) In order to protect public health and safety and minimize public and private losses due to flood conditions in specific areas of the town, the Charleston County Flood Damage Prevention and Protection Ordinance, as adopted by Charleston County Ordinance No. ~~2124-2245~~ on ~~October 6, 2020~~ September 20, 2022, is hereby adopted and incorporated by reference as if fully set forth in this section, mutatis mutandis.
- b) The Town of Seabrook Island declares that the Charleston County Flood Insurance Study, which was adopted by Charleston County Ordinance No. 2124 on October 6, 2020, and which includes the Flood Insurance Rate Maps (FIRM), dated January 29, 2021, copies of which are on file in the office of the town's Zoning Administrator, the Charleston County Building Inspection Services Department, and online at charlestoncounty.org and msc.fema.gov, is hereby adopted and incorporated by reference as if fully set forth in this section. Letters of Map Change (LOMC) to these adopted maps which are duly authorized by the National Flood Insurance Program (NFIP) shall become effective immediately upon the date established by the NFIP.
- c) The requirements of this section shall be administered by the town in conjunction with the administration of building and zoning permits, as required by chapter 6 and the Town of Seabrook Island Development Standards Ordinance (DSO).
- d) Subsequent changes to the Charleston County Flood Damage Prevention and Protection Ordinance which are adopted by Charleston County Council following the effective date of this ordinance shall be adopted by ordinance of town council.

SECTION 2. Severability.

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

SECTION 3. Conflicting Ordinances Repealed.

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

SECTION 4. Effective Date.

This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ___ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ___ day of _____, 2024.

First Reading:
Public Hearing:
Second Reading:

TOWN OF SEABROOK ISLAND

Bruce Kleinman, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

**AN ORDINANCE
REPLACING CHAPTER 9 OF THE CODE OF ORDINANCES, CHARLESTON
COUNTY, ENTITLED “FLOOD DAMAGE PREVENTION AND PROTECTION” AND
OTHER MATTERS RELATED THERETO:**

WHEREAS, it is in the best interests of the citizens of Charleston County to have an updated Ordinance for the management of the flood hazard areas in the County in order for the citizens of Charleston County to be able to receive federal flood insurance through the National Flood Insurance Program, and to receive discounts thereto as a result of the participation by Charleston County in the Community Rating System; and

WHEREAS, the Charleston County flood insurance rate maps have been updated by the Federal Emergency Management Agency (FEMA) into a County-wide format that provides more accurate risk data then previously available; and

WHEREAS, as the environment changes, rising floodwaters due to sea level rise, increasing rainfall events, and outdated or incomplete drainage systems is a growing concern in Charleston County; and

WHEREAS, this Ordinance takes strides to reduce flooding risk in adaptive and innovative ways to protect citizens and build resilience; and

WHEREAS, Charleston County Council finds it in the public interest and a benefit to the general health, safety and welfare of the residents of Charleston County to adapt this Ordinance replacing the County’s current floodplain management regulations.

NOW, THEREFORE, BE IT ORDAINED by Charleston County Council, in meeting duly assembled, that Chapter 9 of the *Code of Ordinances, Charleston County, South Carolina* is amended by replacing the provisions of the “Flood Damage Prevention and Protection” Ordinance as follows:

ARTICLE I.
IN GENERAL

Sec. 9-1. Statutory authorization.

The Legislature of the State of South Carolina has in Code of Laws, §4-9-30(5), delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the County Council, of Charleston County, South Carolina, does ordain these flood damage prevention and protection regulations.

Sec. 9-2. Findings of fact.

1. The flood hazard areas of Charleston County are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in flood plains, rising ocean and tidal waters, increasing intensity and duration of rainfall events, and outdated or incomplete drainage systems, causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood proofed, or otherwise unprotected from flood damage.
3. In order for owners of property located in Charleston County to obtain flood insurance through the National Flood Insurance Program, through regulations promulgated by the Federal Emergency Management Agency (FEMA), Charleston County is required to enact floodplain regulations designed to reduce the amount of potential flood losses and to reduce the development of a property negatively impacting surrounding property, which is detrimental to the public benefit.

Sec. 9-3. Statement of purpose.

It is the purpose of this Ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to the effects of hurricanes and flood conditions in specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that structures vulnerable to floods, including appurtenant structures, be protected against flood damage.

Sec. 9-4. Objectives.

The objectives of this Ordinance are:

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;

5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodplains;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;
7. To ensure that potential homebuyers are notified that property is in a flood area;
8. To provide protection to assets and infrastructure against sea level rise;
9. To build resilience throughout the community to better respond to recurrent burdens and sudden disasters;
10. To increase property protection for all structures during flooding events due to hurricanes and rainwater flooding, and;
11. To protect the natural floodplain functions and capacity for flooding within the community.

Secs. 9-5 - 9-9. Reserved.

ARTICLE II. **DEFINITIONS**

Sec. 9-10. Definitions.

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application in light of its stated objectives. Where it states “means” is the literal definition.

“*A*” *Zones* is an area subject to inundation by the 1-percent-annual-chance flood event. Because detailed hydraulic analyses have not been performed, no Base Flood Elevations (BFEs) or flood depths are shown.

“*AE*” *Zones* is an area subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. BFEs are shown within these zones.

Accessory residential structure is a structure on the same parcel of property as the principal structure, used for parking of vehicles or typical residential equipment, or for limited storage. A SMALL ACCESSORY STRUCTURE is defined as one that has a footprint of less than 120 square feet, and a LOW VALUE ACCESSORY STRUCTURE as one that has a value of less than \$1,000.

Addition is an extension or increase in the floor area or height of a building or structure. Where a firewall or load-bearing wall is provided between the addition and the existing

building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

Appeal is a request for a review of the Building Official's interpretation of any provision of the chapter to the Construction Board of Adjustment and Appeals.

Appurtenant Structure is a structure which is on the same parcel of property as the principal structure, the use of which is incidental to the use of the principal structure in light of its stated objectives.

Area of Special Flood Hazard is the land in the floodplain within a community, subject to a one (1) percent or greater chance of flooding in any given year. For purposes of these regulations, the term "special flood hazard area (SFHA)" is synonymous in meaning with the phrase "area of special flood hazard".

Base Flood is the flood having a one (1) percent chance of being equaled or exceeded in any given year.

Basement is area of a building having its floor subgrade (below ground level) on all sides.

Breakaway Wall is a wall that is not part of the structural support of a building that is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building see structure.

Building Official is the individual charged with administration and enforcement of the building codes for the County.

Building Permit includes mechanical, electrical, plumbing, and any other permits issued by the County Building Official.

CLOMR see *Conditional Letter of Map Revision*

Coastal "A" Zone is an area subject to inundation by at least 1-percent-annual-chance flood event as determined by detailed methods, and where wave action is expected with wave heights between 1.5 and 3.0 feet. Coastal A Zones are landward of the VE Zone up to the Limit of Moderate Wave Action (LiMWA) line.

Coastal High Hazard Area is an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to flooding and high velocity waters caused by, but not limited to, hurricane wave wash.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum National Flood Insurance Program (NFIP) requirements for such projects with respect to delineation

of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS). Upon submission and approval of certified as-built documentation, a Letter of Map Revision (LOMR) may be issued by FEMA to revise the effective FIRM. Building permits and/or flood development permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

Critical Facility is a structure or facility that:

1. Produces, uses, or stores highly volatile, flammable, explosive, toxic and/or water-reactive materials; or
2. Is a hospital, nursing home, or housing likely to contain occupants who may not be sufficiently mobile to avoid death or injury during a flood; or
3. Is a police station, fire station, vehicle/equipment storage facility, shelter, school or emergency operations center that is needed for flood response activities before, during or after a flood; or
4. Is a public or private utility facility that is vital to maintaining or restoring normal services to flooded areas before, during or after a flood.

Critical Feature is an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Curvilinear Line is the border on either a FHBM or FIRM that delineates the special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazard areas and consists of a curved or contour line that follows the topography.

Datum is National Geodetic Vertical Datum of 1929 (NGVD 29) on FIRMs dated November 17, 2004 or before and North American Vertical Datum of 1988 (NAVD 88) on FIRMs dated after November 17, 2004.

Design Flood Elevation is the base flood elevation (BFE) plus freeboard.

Development is any man-made change to improved or unimproved real estate, including but not limited to building, construction, renovation, paving, mining, extraction, dredging, filling, excavation, drilling, storage of equipment or materials, or comparable activity or operation; any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; any change in the intensity of use of land (such as an increase in the number of dwelling units in a structure); any change from one use of another use; and any activity that alters a river, stream, lake, pond, canal, woodland, wetland, endangered species habitat, or other natural resource area. Development does include agriculture and forestry operations.

Director of Public Works is the director of the Charleston County Department of Public Works.

Elevated Building is a non-basement building which has its lowest elevated floor raised above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls.

Existing Construction is, for the purposes of determining rates, structures for which the start of construction commenced before November 15, 1973. “Existing construction” may also be referred to as “existing structures” or “Pre-FIRM Structure”.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before November 15, 1973.

Expansion to an Existing Manufactured Home Park or Subdivision is the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Farm Structure is a structure which is constructed on a farm, other than a residence or a structure attached to it, for use on the farm including, but not limited to, barns, sheds and poultry houses, but not including public livestock areas.

FEMA is the Federal Emergency Management Agency.

FIS see Flood Insurance Study

Flood or *Flooding* is a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Note: A flood inundates a floodplain. Most floods fall into three major categories: riverine flooding, coastal flooding, and shallow flooding. Structures could fall in the floodplain.

Flood Elevation Study is an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Hazard Boundary Map (FHBM) is an official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) and related erosion areas having special hazards have been designated.

Flood Insurance Rate Map (FIRM) is an official map of a community, on which the Federal Insurance Administrator has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. A FIRM that has been made available

digitally is called a Digital Flood Insurance Rate Map (DFIRM). A FIRM may also refer to a Flood Insurance Risk Map.

Flood Insurance Study see flood elevation study.

Floodplain or Flood-prone Area is any land area susceptible to being inundated by water from any source.

Floodplain Management is the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations is such federal, state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood Proofing is any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway see regulatory floodway.

Floodway Encroachment Lines is the lines marking the limits of floodways on federal, state and local floodplain maps.

Freeboard is a factor of safety usually expressed in feet above a mandatory base flood elevation for purposes of flood plain management.

Functionally Dependent use is a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding or ship repair. The term does not include long-term storage or related manufacturing facilities.

Hazardous Velocities is the hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than 5 feet per second), foundation systems other than solid foundations walls should be considered so that obstructions to damaging flood flows are minimized.

Highest Adjacent Grade (HAG) - is an elevation of the highest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Historic Building see historic structure.

Historic Structure is any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places as approved by Council.

Increased Cost of Compliance (ICC) – applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Improvement is any alteration, addition, or structural repair to an existing structure where “substantial improvement” or “substantial damage” is not a factor.

Land Characteristic is an attribute of land that can be measured or estimated.

Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map. A LOMA establishes a property's or structure's location in relation to the special flood hazard area (SFHA). LOMAs are usually issued because a property or structure has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.

Letter of Map Change (LOMC): An official FEMA determination, by letter, to amend or revise effective flood insurance rate maps, flood boundary and floodway maps, and flood insurance studies. LOMCs are issued in the following categories:

Letter of Map Revision (LOMR): FEMA's modification to an effective flood insurance rate map (FIRM) or a flood boundary and floodway map (FBFM) or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations (BFEs), or the special flood hazard area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the flood insurance study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

Letter of Map Revision Based On Fill (LOMR-F): FEMA's modification of the special flood hazard area (SFHA) shown on the flood insurance rate map (FIRM) based on the

placement of fill outside the existing regulatory floodway. The LOMR-F does not change the FIRM, FBFM, or FIS report.

Limit of Moderate Wave Action (LIMWA) is the line shown on FIRMs to indicate the inland limit of the area expected to receive 1.5-foot or greater breaking waves during a 1-percent-annual flood event.

Limited storage - an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the design flood elevation in an A, AE and A1-A30 zone it must meet the requirements of ARTICLE V SECTION 9-40 & 9-41 of this ordinance. If the area is located below the design flood elevation in a V, VE and V1-V30 zone it must meet the requirements of ARTICLE V SECTION 9-40 & 9-42 of this ordinance.

LOMA see Letter of Map Amendment

LOMC see Letter of Map Change

LOMR see Letter of Map Revision

LOMR-F see letter of Map Revision Based on Fill

Low Value Structure see “Accessory Structure.”

Lowest Adjacent Grade (LAG) - is an elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). Unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access, or storage in an area other than a basement area is not considered a building’s lowest floor; provided such enclosure is not built so as to render the structure in violation of this Ordinance.

Mangrove Stand means an assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one (1) or more of the following species: Black mangrove (*Avicennia nitida*); Red mangrove (*Rhizophora mangle*); White mangrove (*Longunculariaracemosa*); and buttonwood (*Conocarpus erecta*).

Manufactured Home means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed to meet HUD standards, for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Home Permanent Foundation is a foundation designed by a Professional Engineer registered in South Carolina, with said design subject to the approval of the building official. A bolt-on/bolt-off foundation system is considered as a permanent foundation for mobile homes placed into a manufactured home park.

Mean Sea Level is, for the purpose of this ordinance, the Nations Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community's Flood Insurance Rate Maps (FIRM) are shown.

Modular Building Unit is a building or set of building components manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site, and built in accordance to the Modular Construction Act of the State of South Carolina. This term is not to be limited to residential dwellings.

New Construction is, for flood plain management purposes, structures for which the start of construction commenced on or after the effective date of a Flood Plain Management Ordinance adopted by the community, November 15, 1973 and includes subsequent improvements to such structures. Also known as Post-FIRM structure. (Exception: An addition to an existing structure (built prior to November 15, 1973) is not considered "new construction" unless it is a substantial improvement.)

New Development is any of the following actions undertaken by any person, including, without limitation, any public or private individual entity: a) division or combination of lots, tracts, or parcels or other divisions by plat or deed; b) the construction, installation, or alteration of land, a structure, impervious surface or drainage facility; c) clearing, scraping, grubbing or otherwise significantly disturbing the soil, vegetation, mud, sand or rock of a site, or changing the physical drainage characteristics of the site; or d) adding, removing, exposing excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise disturbing the soil, vegetation, mud, sand or rock of a site. The transition from native landscapes to a developed condition reduces the infiltration, evapotranspiration, and surface roughness onsite, regardless of the amount of green space and BMPs implemented into the site design.

New Manufactured Home Park or Subdivision is a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after November 15, 1973.

NFIP is the National Flood Insurance Program

Planning and Zoning Official is the individual charged with administration and enforcement of planning and zoning for the County.

Post-FIRM Structure is a building for which construction or substantial improvement occurred after November 15, 1973 See “new construction.”

Pre-Development is the conditions that existed prior to the initiation of the land disturbing or redevelopment activity, or at the time of application, whichever is earlier, in terms of topography, vegetation, land use and rate, volume, quality, and direction of stormwater runoff.

Pre-FIRM Structure is a building for which construction or substantial improvement occurred on or before November 15, 1973. See “existing construction”

Primary Frontal Sand Dune is a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Recreational Vehicle is a vehicle, for flood insurance purposes, which is:

1. Built on a single chassis;
2. Four Hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Redevelopment is development on a previously developed site where the impervious surface on the previously developed site is equal to or greater than 20 percent of the total site or where any repair, reconstruction, or improvement to that site or to any structures located on that site such that the cumulative costs of repairs, reconstruction, or improvements, over a five-year period equals or exceeds 49 percent of the fair market value of the property and the structures located on that property. The cost of repairs, reconstruction, or improvements includes remodeling of existing building interiors, resurfacing of paved areas, and exterior building changes. The cost of repairs excludes ordinary maintenance activities that do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Regulatory Floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation to a designated height.

Remedy a Violation means to bring the structure or other development into compliance with state or local flood plain management regulations, or, if this is not reasonably possible as provided in the standards for grant of a variance, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions

of the Ordinance or otherwise deterring future similar violations, or reducing federal, state or local financial exposure with regard to the structure or other development.

Repetitive Loss – a building covered by a contract for flood insurance that has incurred flood-related damages on 2 occasions during a 10 year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

Repetitive Loss Area is an area with one or more repetitive loss structures and includes at-risk properties for flooding who may or may not be in a special flood hazard area (SFHA) as well as those who have made a flood insurance claim previously but do not qualify as a repetitive loss property.

Repetitive Loss Property is any insurable building for which two or more claims of more than \$1,000 were paid by the National Flood Insurance Program (NFIP) within any rolling ten-year period, since 1978. A RL property may or may not be currently insured by the NFIP.

Resilience is the ability of a community to respond, adapt, and thrive under changing conditions, including, but not limited to, recurrent burdens and sudden disasters.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sand Dune is a naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Sea Level Rise is an increase in sea level that is primarily related to climate change: added water from melting ice sheets and glaciers and the expansion of seawater as it warms. Global sea level has been increasing over the past century, and the rate has increased in recent decades.

Section 1316 of the National Flood Insurance Act of 1968 - The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

60-year Setback is a distance equal to sixty (60) times the average annual long term recession rate at a site, measured from the reference feature.

Severe Repetitive Loss Property is a properties with at least four claims for buildings and/or contents of more than \$5,000 or at least two building-only payments that cumulatively exceeded the value of the property.

Small Accessory Structure see “accessory structure”

Special Flood Hazard Area (SFHA) see “area of special flood hazard.”

Special Hazard Area is an area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards, and shown on a flood hazard boundary map or flood insurance rate map.

Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement, and means the date the construction permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stem Walls are a solid perimeter foundation wall on a continuous spread footing backfilled to the underside of the floor slab. Refer to Flood Elevation Diagram Number 1B.

Structure is, for floodplain management purposes, a walled and roofed building, including gas or liquid storage tanks that is principally above ground, as well as modular and manufactured homes.

Subdivision is all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combination of lots of record. (Stormwater and Planning/Zoning)

Substantial Damage is damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed forty-nine (49) percent of the market value of the structure before the damage occurred as determined by the Building Official. Floodplain management requirements for new construction apply to substantial damage.

Substantial Improvement is any reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any five (5) consecutive years in the life of

a building, the cumulative cost of which equals or exceeds forty-nine (49) percent of the market value of the existing structure at the date of “start of construction” of the improvement as determined by the Building Official. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designation as a historic structure by the Department of Interior.

30 year Setback is a distance equal to thirty (30) times the average annual long term recession rate at a site, measured from the reference feature.

Unnumbered A Zone is a zone without base flood elevations determined. These are still considered special flood hazard areas.

“VE” Zone is a high risk areas subject to inundation by at least a 1-percent-annual-chance flood event as determined by detailed methods, and where wave action is expected with wave heights of more than 3.0 feet. BFEs or base flood depths are shown within these zones.

Variance is a grant of relief from the requirements of this Ordinance which permits construction in a manner otherwise prohibited by this Ordinance where specific enforcement would result in exceptional hardship.

Violation is the failure of a structure or other development to be fully compliant with the county’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

Watersheds are areas of land that drains to a single point, bounded by higher elevations at the edges. Within a watershed, water travels over land until it reaches a body of water, and as the water passes farther downstream, draining a larger area, eventually everything leads to the ocean. In coastal areas, wetlands border the land, and many of the local streams and creeks enter wetlands before discharging to the ocean. Wetlands perform a crucial function in the watershed, intercepting pollutants carried downstream and removing them from the water in a natural treatment process. Additionally, wetlands slow the water down, acting as a buffer for hurricanes and reducing severity of flooding.

Water Surface Elevation is the height, of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

“X” Zone (Shaded) is the moderate risk areas within the 0.2-percent-annual-chance floodplain, areas of 1-percent-annual-chance flooding where the average depths are less than one (1) foot. No BFEs or base flood depths are shown within these zones

“X” Zone (Unshaded) is the minimal risk areas outside the 1-percent and 0.2-percent-annual-chance floodplains. No BFEs or base flood depths are shown within these zones.

100 Year Flood see Base Flood.

Secs. 9-11 - 9-19. Reserved.

ARTICLE III. **GENERAL PROVISIONS**

Sec. 9-20. Lands to which this Ordinance applies.

This Ordinance shall apply to all areas of special flood hazard within the jurisdiction of Charleston County.

Sec. 9-21. Basis for establishing the areas of special flood hazard.

Charleston County declares that the Charleston County Flood Insurance Study, including the FIRMS, dated January 29, 2021, copies of which are on file in the Office of Building Inspection Services and online at charlestoncounty.org and msc.fema.gov, is hereby adopted and declared to be as fully a part of this chapter as if set forth herein. **Letters of Map Change (LOMC) to these adopted maps authorized by the National Flood Insurance Program (NFIP) shall become effective immediately upon the date established by the NFIP. Permits of any kind from the Building Inspection Services Department will only be issued based on the current effective data set by the most recent applicable FIRM or LOMC authorized by the National Flood Insurance Program/FEMA.**

Sec. 9-22. Warning and disclaimer of liability.

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of Charleston County or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

Sec. 9-23. Severability.

If any provision of this Ordinance or its application to any circumstance is held by a court of competent jurisdiction to be invalid for any reason, then this holding does not affect other provisions or applications of this Ordinance which can be given effect without the

invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

Secs. 9-24 - 9-29. Reserved.

ARTICLE IV.
ADMINISTRATION

Sec. 9-30. Designation of Building Official.

The County Building Official (“Building Official”), and/or his designee, is hereby appointed to administer and implement the provisions of this Ordinance.

Sec. 9-31. Duties and responsibilities of the Building Official.

1. Duties of the Building Official shall include, but not be limited to:
 - a. Review all applications for construction permits to assure that proposed work meets all of the requirements of this Ordinance, the requirements of 44 CFR, and are adequate to determine whether proposed building sites will be reasonably safe from flooding.
 - b. Review Application for a construction permit prior to authorizing the commencement of any construction activities. The following information, as a minimum, is required to be reviewed:
 - i. A complete set of building plans drawn to scale and showing, at a minimum, elevations for each exterior wall; floor plan(s); foundation and wall sections and details; stair details; and electrical, plumbing and mechanical riser diagrams. The plans shall give a full description of proposed construction including a site plan identifying area(s) having special flood related hazards as applicable.
 - ii. Plans shall indicate the Base Flood Elevation (BFE) and the Design Flood Elevation (DFE) elevation of the proposed building, verification that materials proposed below the DFE are flood resistant per FEMA Technical Bulletin 2; If applicable, include flood proofing certification (non-residential), hydrostatic venting information, breakaway wall details and certifications from a Registered Architect/Engineer.
 - c. Maintain permanent copy of building permits issued and copies of all required certifications for the life of the structure.
 - d. Where interpretation is needed as to the exact location and elevation of all areas of special flood hazard (for example, where there appears to be a conflict

between a mapped boundary and actual field conditions), the Building Official shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.

- e. Maintain a copy of letter of map changes (LOMC) issued by FEMA in the Office of the Building Official.
- f. Maintain on file for public access flood maps issued by the Federal Emergency Management Agency (FEMA).
- g. Review violations that occur during the course of construction. Failure of the contractor to make required changes shall be cause for issuance of a stop-work order for the project.
- h. When base flood elevation or floodway data have not been provided by the applicants, the Building Official shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source.
- i. Advise owners that no new flood insurance coverage may be provided for any new construction of, or substantial improvement to, a structure located within the coastal barrier resources system as defined in Section 4 of the Coastal Barrier Resources Act.
- j. Determine the elevation requirement for construction in flood zones.
- k. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and that no adverse impact occurs during the development process as authorized by the 44 CFR 59 and 60.
- l. Notify adjacent communities and the South Carolina Department of Natural Resources prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency.
- m. Ensure that maintenance and inspections are provided within the altered or relocated portion of watercourses so that the flood-carrying capacity is not diminished, and maintain records of the same until completion of the project.
- n. Notify all repetitive loss area structures of their risk of flooding and the services available to them.

Sec. 9-32. Duties and responsibilities of the Planning and Zoning Official shall include, but not be limited to: require a zoning permit to be issued in conformance with

the provisions of the Charleston County Zoning and Land Development Regulations, as amended, and/or the *Charleston County Comprehensive Plan* prior to the commencement of any development or construction activities. The permit shall give a full description of proposed construction.

Sec. 9-33. Duties and responsibilities of the Public Works Official shall include, but not be limited to: requiring stormwater permit approval in conformance with the provisions of the Charleston County Stormwater Management Program, and the Charleston County Stormwater Program Permitting Standards and Procedures Manual prior to the commencement of any land disturbance or development activities and requiring encroachment permit approval in conformance with the Encroachment Permit Procedure prior to impacting public right-of-way or easement. The stormwater approval should provide a full description of the proposed construction.

1. To coordinate, implement, maintain, and manage Charleston County's drainage systems.
2. To deny an applicant connection to Charleston County stormwater systems or facilities if County requirements are not met.

Sec 9-34 – 9-39. Reserved.

ARTICLE V. **PROVISIONS FOR FLOOD HAZARD REDUCTION**

Sec. 9-40. General standards.

1. All new construction and substantial improvements within the areas of special flood hazard and when established as a flood area outside the special flood hazard areas shall comply with the following:
 - a. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and debris impact.
 - b. Be constructed to meet or exceed the required Design Flood Elevation (DFE), which is the base flood elevation plus two (2) feet of freeboard.
 - c. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction.
 - d. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base

flood elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.

- e. Be constructed with Class 4 or 5 materials resistant to flood damage as per FEMA Technical Bulletin 2, entitled "Flood-Resistant Materials Requirements for Buildings Located in Special Flood Hazard Areas", incorporated herein by reference, in all areas below the design flood elevation,
 - f. Be constructed by methods and practices that minimize potential for flood damages.
 - g. A temporary construction trailer may only be permitted to be on site for fewer than 180 consecutive calendar days at a time, and must be fully ready for highway use, and shall be attached to the site only by quick disconnect type utilities and security devices.
 - h. Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of the base flood plus (2) feet of freeboard.
 - i. Be constructed with methods and practices outlined in ASCE24 or an at least equally stringent standard.
2. Elevation Certificate Requirements when a structure is constructed or substantially improved in the area of special flood hazard:
- a. A certified under construction Elevation Certificate is required, after the lowest floor is completed and before any further inspections are accepted and vertical construction commences.
 - b. Floodproofing Certificate for non-residential construction including flood-proofing level is required immediately after the flood-proofing is completed. When flood-proofing is utilized for non-residential structures, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same.
 - c. A certified finished construction Elevation Certificate shall be provided after completion of construction including final grading of the site. No Final Inspections can occur without an approved finished construction Elevation Certificate on file with the BIS Department.
 - d. Elevation Certificates shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same.
 - e. Any work undertaken prior to approval of these certifications shall be at the permit holder's risk. The Building Official shall review the above referenced certification data submitted. Deficiencies detected by such review shall be

- corrected by the permit holder immediately and prior to further work being allowed to proceed.
- f. Failure to submit certification or failure to make the corrections required hereby shall be cause to issue a stop work order for the project and/or the Certificate of Occupancy may be withheld.
3. New development in the area of special flood hazard shall minimize disruption to shorelines, stream channels, stream banks, and the regulatory floodway.
 4. Water Supply Systems - All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system. Sanitary Sewage Systems – New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
 5. Existing buildings and structures **(Pre-FIRM Structures):**
 - a. Where substantial improvement or substantial damage is not a factor, replacement of electrical, heating, plumbing, heating and air conditioning equipment to existing structures shall be elevated to at least the existing lowest floor level or to the design flood elevation; and replacement ductwork installed below DFE shall be designed so as to prevent water from entering or accumulating within during conditions of flooding.
 - b. Improvements to a structure where substantial improvement or substantial damage is not a factor shall be designed and constructed so as to meet the requirements of this Ordinance, with an exception that the minimum elevation of the lowest floor of an improvement may match the existing legally non-conforming structure existing lowest floor.
 6. Modular construction shall be consistent with the South Carolina Modular Building Construction Act (South Carolina Code Section 23-43-10 *et seq.*) as may be amended from time to time, which is incorporated herein by reference.
 7. Enclosures below the design flood elevation, shall be the minimum necessary to allow for parking of vehicles, limited storage, or entry to the living area.
 8. An exterior door with a landing shall be installed at the top of the stairs that provides access to the building.
 9. Accessory Residential Structure Specific Standards:

- a. New construction or substantial improvements to residential accessory structures that contain habitable space shall meet the requirements of new construction as contained in this Ordinance.
- b. Small and/or low value accessory structures that do not contain habitable space may be exempted from the elevation requirements in AE Zones only (not applicable to Coastal A), provided the following conditions are met:
- c. The building is constructed of flood-resistant materials below the design flood elevation.
- d. Exterior perimeter walls are provided with openings to relieve hydrostatic pressure and the interior is not partitioned or finished into separate rooms.
- e. Electrical, heating, ventilation, plumbing, air conditioning, and other service facilities are prohibited, except for essential lighting and power circuits. Flood elevation certificates may be required to determine the elevation of electric or other utility services provided to the accessory structure. Services facilities such as electrical and heating equipment shall be elevated or floodproofed to DFE.
- f. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
- g. The building is used only for parking of vehicles and/or limited storage of equipment used to service the principal building.

10. Manufactured Home Additional Specification Standards:

- a. Permits shall be obtained for placement of manufactured homes or temporary construction trailers.
- b. All manufactured homes permitted to be placed shall be installed using methods and practices which minimize flood damage, which include but are not limited to elevating the lowest floor of the manufactured home on a permanent foundation, as defined herein as a *manufactured home permanent foundation*, to or above the design flood elevation in A or AE zones only.
 - i. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement.
 - ii. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors.

- iii. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- iv. Designs for manufactured home permanent foundations are subject to approval of the Building Official.

11. Recreational Vehicles Additional Specific Standards:

All recreational vehicles, other than those parked at another permanent structure temporarily while not in use, placed or sited within special flood hazard areas must:

- a. Be on the site for fewer than 180 consecutive calendar days, and
- b. Be fully registered and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- c. If the vehicle is to remain in an A or AE zone, it must be elevated in accordance with requirements for manufactured homes as provided in section 9-41 of this article.

Sec. 9-41. Specific standards in addition to 9.40 general standards for Unnumbered A Zones and AE Zones

- 1. All new construction and substantial improvements of residential structures shall be elevated so that the top of the lowest floor level (including basement) is elevated to or above the design flood elevation.
- 2. All new construction and substantial improvements of non-residential structures may be floodproofed below DFE if they are designed so that below the design flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy including attendant utilities and sanitary facilities.
 - a. Where a non-residential structure is intended to be made watertight below the base flood level,
 - i. A Registered Professional Engineer or Architect licensed in South Carolina shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this Ordinance, including but not limited to *Floodproofing Non- Residential Buildings* (FEMA P-936) as published by the Federal Emergency Management Agency incorporated herein by reference, and

- ii. A record of such certificates which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained with the Building Official.
3. Enclosed areas below the design flood elevation, including foundation crawl space areas, shall be designed to automatically equalize hydrostatic and hydrodynamic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered Professional Engineer or Architect licensed in South Carolina or meet or exceed the following minimum criteria.
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - b. The bottom of all openings shall be no higher than one foot above grade.
 - c. Only the portions of openings that are below the design flood elevation (DFE) can be counted towards the required net open area.
 - d. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.
 - e. The area of the opening is the net clear opening calculated as the open area (excluding area of screening or other coverings that prohibit the free flow of water through the opening).
 - f. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.
4. In special flood hazard areas without base flood elevation data, new construction or substantial improvements of structures shall be elevated to at least two (2) feet above the anticipated flood elevation during a *base flood*, as determined through an engineering analysis meeting the Federal Emergency Management Agency guidelines for flood insurance studies with the floodway to be established with no more than 0.5 ft. rise.

Sec. 9-42. Specific standards in addition to 9.40 general standards for VE and Coastal A Zones.

1. VE zones and Coastal A Zones are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave wash, and therefore, the following provisions shall apply:
 - a. All new construction and buildings that are substantially damaged or improved within VE zones and Coastal A Zones are to be located landward of the reach of 2 feet above the nationally recognized mean high tide.

- b. Provide that all new construction and substantial improvements in zone VE and Coastal A Zone on the Charleston County FIRM, are elevated on pilings or columns so that:
 - i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the design flood elevation, and
 - ii. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by the *International Building Code* or *International Residential Code* as adopted and periodically amended by the State.
 - iii. A Registered Professional Engineer or Architect licensed in South Carolina shall develop and/or review the structural design, specifications and plans for construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions.
- c. New construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. A breakaway wall shall be permitted only if a Registered Professional Engineer or Architect licensed in South Carolina certifies that the designs proposed meet the following conditions:
 - i. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,
 - ii. The elevated portion of the building and supporting foundations system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non- structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.
 - iii. Electrical, mechanical and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads.
- d. There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided

the fill will wash out from storm surge, thereby rendering the building free of obstruction prior to generating excessive loading forces, ramping effects, or wave deflection. The Building Official shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an Engineer, Architect, and/or Soil Scientist licensed in South Carolina which demonstrates that the following factors have been fully considered:

- i. Particle composition of fill material does not have a tendency for excessive natural compaction;
 - ii. Volume and distribution of fill will not cause wave deflection to adjacent properties; and,
 - iii. Slope of fill will not cause wave run-up or ramping.
- e. Man-made alteration of sand dunes and mangrove stands within VE and Coastal A Zones which would increase potential flood damage shall be prohibited.
 - f. Pre-construction and as-built design and breakaway wall certifications, where applicable, shall be provided by Registered Professional Engineers and/or Architects licensed in South Carolina for new and substantially improved structures in VE and Coastal A Zones on the Charleston County FIRM. These certificates shall also be provided for all lateral additions to structures in the VE and Coastal A Zones.
 - g. Enclosed areas below the lowest floor shall be the minimum necessary to allow for parking of vehicles, limited storage, and access to the primary occupancy.
 - h. Walls intended to break away under flood loads as specified shall have flood openings that meet the criteria in the general standards section for enclosed space below design flood elevation.
2. Appurtenant features; defined as swimming pools, decks, gazebos, fences, and other features as determined by the building official as potentially causing an obstruction in the *coastal high hazard area*; must comply with the Federal Emergency Management Agency (FEMA) Technical Bulletin 5, *Free of Obstruction Requirements*, or any revisions thereto, incorporated herein by reference.
 3. Any and all other obstructions located in the VE Zone and Coastal A shall meet all applicable requirements of this Ordinance.
 4. Additional Specifications for Manufactured Homes and Recreational Vehicles in VE and Coastal A Zones:

- a. New or replacement manufactured homes (e.g. those designed to meet HUD standards) shall not be placed within property located in VE and Coastal A Zones.
 - b. Existing manufactured homes in VE and Coastal A Zones may be permitted to remain as long as the structure complies with minimum health and safety standards and is anchored to resist flotation, collapse, lateral movement or debris impacts.
 - c. The placement of a permanent recreational vehicle is prohibited in VE and Coastal A Zones.
5. ~~In Coastal A Zones, stem wall foundations supporting a floor system above and backfilled with soil or gravel to the underside of the floor system shall be permitted provided that the foundations are designed to account for wave action, debris impact, erosion and local scour. Where soils are susceptible to erosion and local scour, stem wall foundations shall have deep footings to account for the loss of soil. Stem walls are to be limited to a height of two feet above existing grade.~~

Sec. 9-43. Standards for Floodways.

1. Areas of special flood hazard established as regulatory floodways in the Charleston County Flood Insurance Rate Map (FIRM) and/or the Charleston County Flood Insurance Study are the Charleston County designated floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:
 - a. Prohibition of encroachments, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice in accordance with the Charleston County Flood Insurance Study or as otherwise deemed appropriate by FEMA or the Building Official, certified by a South Carolina licensed Engineer, that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharges.
 - b. Encroachments may be permitted within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the applicant first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of §65.12 of 44 CFR and receives the approval of the federal insurance administrator.
2. Standards for streams with established base flood elevations but without floodways along rivers and streams where base flood elevation data is provided but no floodway is identified for a Special Flood Area on the FIRM or in the FIS. The following provisions apply within such areas:

- a. No encroachments, including fill material, new construction, or substantial improvement shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point.
- b. The area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of more than 0.5 foot at any point.

Sec. 9-44. Standards for subdivision proposals and other development.

Standards for subdivision proposals shall meet or exceed the following minimum criteria:

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. Base flood elevation data shall be provided for all subdivision proposals (including manufactured home parks and subdivisions).
4. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage.
5. In all areas of special flood hazard where base flood elevation data is not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments.

Secs. 9-45–9-49. Reserved.

ARTICLE VI.
APPEALS AND VARIANCES

Sec. 9-50. Appeal and variance procedures.

1. The Charleston County Construction Board of Adjustment & Appeals as established by County Council shall hear and decide appeals and requests for variance meeting the following provisions from the requirements of this Ordinance:
 - a. Public notice of all meeting of the Board shall be provided by at least electronic delivery to the news television stations, the newspaper of general circulation, the radio communication companies, and several individual town/jurisdictional distribution papers.
 - b. Decisions on which a variance or appeal pertinent to floodplain management issue is requested shall be those made by the Building Official or his designee.
 - c. Requests for a hearing for a variance or appeal of a decision shall be in writing, and shall be received in the Office of the Building Official within 30 calendar days of notice to the appellant of the decision.
 - d. The appellant shall be the owner of the property affected by the decision or his or her duly authorized representative.
2. This Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Building or the Planning and Zoning Official in the enforcement or administration of this Ordinance.
3. Any person aggrieved by the decision of this Board or any taxpayer may appeal such decision, as provided in §4-9-30 of the S.C. Code of Laws.
4. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
5. Variances may be issued for a new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that requirements of this article are met and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
6. Variances may be issued to wet flood proof an expansion to an existing farm structure in accordance with Technical Bulletin 7, *Wet Flood Proofing Requirements for Structures Located in Special Flood Hazard areas in accordance with the National Flood Insurance Program* available from the Federal Emergency Management Agency. The structure must meet all of the conditions and considerations for variances otherwise established within this Ordinance. In addition, the following standards shall apply:
 - a. Use of the structure must be limited to agricultural purposes such as pole frame buildings with open or closed sides used exclusively for the storage of

farm machinery and equipment; steel grain bins and steel frame corn cribs; and general purpose barns for temporary feeding of livestock;

- b. The expansion to an existing farm structure must be built or rebuilt, in the case of an existing building which is substantially damaged, with flood resistant materials for building elements below the base flood elevation;
 - c. The expansion to an existing farm structure must be adequately anchored to prevent flotation, collapse or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic and debris impact forces;
 - d. The expansion to an existing farm structure shall meet the requirements for hydrostatic venting requirements of this Ordinance.
 - e. Electrical, mechanical or other utility equipment must be located at or above the design flood elevation, or must be maintained in a flood proofed enclosure complying with this Ordinance which is capable of resisting damage during flood conditions;
 - f. The expansion to an existing farm structure must comply with floodway encroachment provisions of this Ordinance;
 - g. Major equipment or machinery must be protected from damage by flooding, which may include safely removing the contents of an expansion to an existing farm structure to a specified site out of the flood plain upon notification of potential flooding event.
7. In passing upon such applications, this board shall consider all staff reports and technical evaluations, all relevant factors and all standards specified in other sections of this Ordinance, and
- a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity of the facility to a waterfront location, in the case of a functionally dependent usage;
 - f. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

- g. The conformance of the proposed use to the *Charleston County Comprehensive Plan* and the *Charleston County Zoning and Land Development Regulations*;
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - i. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site during a base flood event, and
 - j. The costs of providing governmental services to the site during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems, and streets and bridges.
8. The Board may attach such reasonable conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance.
9. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result, nor shall a variance be based on financial hardship alone; nor solely due to existing or as-built elevation deficiencies that will cause extreme hardship.
10. Conditions for variances:
- a. Variances shall be issued only on a determination that the variance is the minimum necessary needed to afford relief considering the flood hazard; and in the instance of an historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building;
 - b. Variances shall be issued only upon:
 - i. a showing of good and sufficient cause; and
 - ii. a determination that failure to grant the variance would result in exceptional hardship; and
 - iii. a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, creation of a nuisance, fraud on or victimization of the public, or conflict with other existing laws or Ordinances.
 - c. Any applicant to whom a variance is granted shall be given written notice specifying the differences between the base flood elevation and the elevation of which the building is to be built and a statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation, and

- d. The Building Official shall maintain the records of all appeal actions and report any variances granted to the Federal Emergency Management Agency upon request.
- e. Variances may not be issued when the variance will make the structure in violation of other federal, state or local laws, regulations or Ordinances.

Secs. 9-51 – 9-59. Reserved.

ARTICLE VII.
COMPLIANCE FOR PROPOSED REAL ESTATE TRANSACTIONS

Section 9-60. Provision for Inspections.

1. For the purpose of establishing pre-existing conditions which may not be in compliance with the Charleston County Flood Damage Prevention and Protection Ordinance, it is hereby established that the Building Services Department is authorized to conduct inspections of existing structures at the request or with the consent of the owner of the structure or his agent for compliance with the Charleston County Flood Damage Prevention and Protection Ordinance when requested for a proposed real estate transaction or insurance policy issue.
2. The County Building Official may promulgate regulations for the implementation of this program, consistent with the intent hereof and with the terms of the remainder of Chapter 9 of the code of Ordinances of Charleston County.
3. These inspections are to be conducted at a convenient time for the property owner or his agent and during the normal operating hours of the Building Services Department.
4. Reports generated as a result of these inspections are to be considered public records and are to be maintained in the Office of the Building Official in accordance with the County Records Retention schedule.

Secs. 9-61-9-69. Reserved.

ARTICLE VIII.
NUISANCES, PENALTIES, ORDINANCE CUMULATIVE, EFFECTIVE DATE

Sec. 9-70. Nuisances within a special flood hazard area.

1. Certain nuisances defined: Notwithstanding anything to the contrary set forth in the *Code of Ordinances, Charleston County, South Carolina*, the following activities occurring within a special flood hazard area constitute a danger to the health, safety, and welfare of the residents of the county, are hereby defined as public nuisances and are prohibited within any special flood hazard area.
 - a. The manufacture, processing, blending, mixing or refining of the following products as defined in the *International Fire Code* as adopted by County Council:
 - i. explosives;
 - ii. blasting agents
 - b. Storage of the products listed in subsection (a) above, except that the retail sale of packages products off-the-shelf at properly licensed and otherwise authorized retail sales outlets, is allowed.
2. *Defense* – Prior use of property. It shall be a defense to prosecution pursuant to section (1) above if:
 - a. Property located within a special flood hazard zone was being used for a purpose defined as a nuisance in section (a) above, before August 3, 1971, has been continuously used for such purpose thereafter, and such use:
 - i. Was a permitted use pursuant to the County zoning Ordinance as of August 3, 1971; or
 - ii. Constituted a lawful non-conforming use under the County’s Zoning Ordinance on August 3, 1971; and
 - b. Property which becomes located within a special flood hazard area as the result of an amendment to the County’s FIRM was being used for a purpose defined as a nuisance in section (a) above, before the effective date of the amended FIRM, has been continuously used for such purpose thereafter, and such use:
 - i. Was permitted use pursuant to the County’s Zoning Ordinance as of the effective date of the FIRM; or
 - ii. Constituted a lawful non-conforming use under the County’s Zoning Ordinance on the effective date of the FIRM.

Sec. 9-71. Penalties.

1. *Criminal penalties:* Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall

constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred (\$500.00) dollars or imprisoned for not more than thirty (30) days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Charleston County from taking such other lawful actions as are necessary to prevent or remedy any violation.

2. *Civil Remedies:* In addition to any other criminal or civil remedies that may be available to the County, the County may seek and obtain an injunction against the owner or owner's representative with control over the property in accordance with applicable laws and procedures.

Sec. 9-72. Ordinance cumulative.

The provisions of this Ordinance are to be cumulative of all other Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior Ordinances or parts of Ordinances inconsistent with or in conflict with any of the provisions of this Ordinance, including, but not limited to, Ordinance No. 2164, 2124, 2075 2035, 1838, 1526, and 1349, are hereby expressly repealed to the extent of any such inconsistency or conflict. The enactment of this Ordinance shall not serve to terminate or be cause for the termination of the prosecution of any civil or criminal actions under the prior Ordinances which were pending at the time of the enactment hereof.

Sec. 9-73. Abrogation and Greater Restriction:

This Ordinance shall not in any way impair/remove the necessity of compliance with any other applicable laws, Ordinances, regulations, etc. Where this Ordinance imposes a greater restriction, the provisions of this Ordinance shall control.

Sec. 9-74. Effective date is as follows:

This Ordinance shall be effective immediately for all new permits issued on or after date of ratification.



VISION STATEMENT

The Town of Seabrook Island will continue to thrive as a beautiful, safe, and resilient coastal community where thoughtful development is harmonious with the natural environment and where all stakeholders are valued for their contributions to the overall health and wellbeing of the island.

MISSION STATEMENT

Guided by a commitment to strong partnerships, meaningful engagement, and responsible stewardship of resources, the Town of Seabrook Island strives to deliver exceptional public services which enhance the quality of life and add value to the community.

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-05

ADOPTED _____

**A RESOLUTION TO ADOPT THE TOWN OF SEABROOK ISLAND'S
STRATEGIC PRIORITIES FOR 2024-25**

WHEREAS, the Mayor and Council of the Town of Seabrook Island recognize the value of prioritizing its strategic goals and objectives in order to articulate a shared vision for future actions to be taken by Council, and to ensure the most efficient and effective use of limited public resources; and

WHEREAS, on February 13, 2024, the Mayor and Council of the Town of Seabrook Island held a strategic planning workshop to identify and rank the town's strategic priorities the 2024-25 term; and

WHEREAS, the Mayor and Council of the Town of Seabrook Island believe it is fitting and proper to formalize the results of this workshop by adopting and publishing its Strategic Priorities for 2024-25;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council for the Town of Seabrook Island hereby adopts the "Strategic Priorities for 2024-25," attached hereto as Exhibit A and incorporated by reference as if set forth fully herein;

BE IT FURTHER RESOLVED, that the items contained within the attached "Strategic Priorities for 2024-25" shall be considered as a guide for future actions which may be undertaken by the Mayor and Council in the furtherance of the town's strategic goals and objectives;

BE IT FURTHER RESOLVED, that the Town Administrator is hereby directed to post the "Strategic Priorities for 2024-25" on the town's website, to otherwise disseminate the Strategic Priorities as he deems appropriate, and to make copies of the same available to the public upon request.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

EXHIBIT A

TOWN OF SEABROOK ISLAND STRATEGIC PRIORITIES FOR 2024-25

CRITICAL PRIORITIES (“MUST DO”)

- (1) **Comprehensive Beach Management Plan:** Develop and adopt a five-year update to the town’s Comprehensive Beach Management Plan.

Assigned To: Environment & Wildlife Committee, Town Administrator, Zoning Administrator/Chief Code Enforcement Officer

- (2) **Short-Term Rental Ordinance:** Complete a comprehensive review of the town’s existing short-term rental ordinance; evaluate and recommend possible changes to existing short-term rental regulations; if applicable, adopt an ordinance to implement recommended changes.

Assigned To: Special Committee on Short-Term Rentals, Planning Commission, Town Administrator, Zoning Administrator/Chief Code Enforcement Officer, Short-Term Rental Compliance Manager, Town Attorney

- (3) **Comprehensive Marsh Management Plan:** Develop and adopt a Comprehensive Marsh Management Plan for the town.

Assigned To: Environment & Wildlife Committee, Planning Commission, Town Administrator, Zoning Administrator/Chief Code Enforcement Officer

SIGNIFICANT PRIORITIES (“SHOULD DO”)

- (4) **Beach Maintenance:** Evaluate the town’s ability to participate in beach renourishment and other beach maintenance activities under state and federal law; identify and pursue funding source(s) for future beach maintenance activities; coordinate with SIPOA and affected property owners on permitting and execution of future beach maintenance projects to the extent allowed by law and available funding levels.

Assigned To: Environment & Wildlife Committee, Finance Committee, Accommodations Tax Advisory Committee, Town Administrator, Town Attorney

- (5) **Seabrook Island Road:** Address drainage, elevation, flooding, and pavement conditions along the town-maintained portion of Seabrook Island Road; identify and pursue funding source(s) for planned improvements; coordinate planned improvements with neighboring property owners such as Bohicket Marina, MUSC, Seafields, SIPOA, and the Seabrook Island Club; address drainage issues along the inbound and outbound pathways adjacent to Seabrook Island Road; continue efforts to maintain and beautify Seabrook Island Road and the adjacent right-of-way.

Assigned To: Finance Committee, Town Administrator, Buildings & Grounds Manager

- (6) **External Relationships:** Improve relationships and coordination with outside organizations,

including SIPOA and the Seabrook Island Club.

***Assigned To:** Community Promotions & Engagement Committee, Environment & Wildlife Committee, Public Safety Committee, Town Administrator, Communications & Events Manager, Buildings & Grounds Manager, Code Enforcement Officers, License & Permit Official, Short-Term Rental Compliance Manager, Zoning Administrator/Chief Code Enforcement Officer*

MODERATE PRIORITIES (“COULD DO”)

- (7) **Town Hall:** Assess current and future staffing needs; determine long-term capital needs for additional office space, storage capacity, and other public facilities; evaluate and pursue options for the future expansion or replacement of town hall; identify and pursue funding source(s) for future expansion or replacement of town hall.

***Assigned To:** Finance Committee, Town Administrator, Buildings & Grounds Manager, Zoning Administrator/Chief Code Enforcement Officer*

- (1) **Communications:** Continue to diversify and enhance the town’s communication capabilities; develop and implement additional tools to communicate news, emergency alerts, and other information with the public; ensure that communication tools and strategies are accessible to all demographics; improve coordination with public safety agencies.

***Assigned To:** Community Promotions & Engagement Committee, Public Safety Committee, Town Administrator, Communication & Events Manager*

- (8) **Eliminate 15 MPH Zone:** Eliminate the 15 MPH speed zone in front of Seabrook Island Town Hall.

***Assigned To:** Public Safety Committee, Town Administrator, Buildings & Grounds Manager*

TOWN OF SEABROOK ISLAND, SOUTH CAROLINA

RESOLUTION NO. 2024-06

ADOPTED _____

A RESOLUTION AUTHORIZING THE SEABROOK ISLAND UTILITY COMMISSION TO APPLY FOR A LOAN IN THE AMOUNT OF APPROXIMATELY \$8,000,000 FOR EQUIPMENT UPGRADES AND OTHER PROPOSED IMPROVEMENTS AT THE TOWN’S WASTEWATER TREATMENT PLANT

WHEREAS, the South Carolina Water Quality Revolving Fund Authority (the “State Authority”) provides low-interest loan financing for the construction of publicly owned wastewater treatment facilities from the Water Pollution Control Revolving Loan Fund (the “Fund”) pursuant to the Federal Clean Water Act and Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, the Town of Seabrook Island, South Carolina (the "Town"), is a legally constituted municipal corporation in the State of South Carolina and is authorized to incur revenue debt pursuant to Title 6, Chapter 21, Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to Ordinance No. 1997-01 enacted on February 5, 1997, as heretofore amended (as amended, the “General Bond Ordinance”), and Ordinance No. 2005-04 enacted on September 27, 2005, the Town has issued the \$1,000,717 original principal amount Promissory Note of the Town dated November 10, 2005 (the "2005 Loan"), payable to the South Carolina Water Quality Revolving Fund Authority for South Carolina Drinking Water Revolving Loan Fund Loan No. X3-025-05-1010009-01 to the Town; and

WHEREAS, pursuant to the General Bond Ordinance and Ordinance No. 2011-07 enacted on January 24, 2012, the Town has issued the \$1,700,000 original principal amount Promissory Note of the Town dated January 30, 2012 (the "2012 Loan"), payable to the South Carolina Water Quality Revolving Fund Authority for South Carolina Clean Water Revolving Loan Fund Loan No. X1-149-12-727-01 to the Town; and

WHEREAS, pursuant to the General Bond Ordinance and Ordinance No. 2015-05 enacted on June 23, 2015, the Town has issued the \$5,300,000 original principal amount Water and Sewer System Refunding Revenue Bonds, Series 2015, dated July 1, 2015 (the "2015 Bonds"); and

WHEREAS, the Seabrook Island Utility Commission (the "Commission") has requested the Town Council of the Town (the "Council") adopt this Resolution in order to make application to the State Authority for a loan described in Section 1 hereof; and

WHEREAS, the Town has determined that it is in the best interests of the Town to apply to the State Authority for a loan from the Fund;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town, in a meeting duly assembled:

1. That the Council hereby authorizes the Chair of the Commission to complete, execute and submit an application to the State Authority for a loan from the Fund in the amount of approximately \$8,000,000 to finance the costs of improvement, extension and enlargement of the System (as defined in the General Bond Ordinance) to wit: installation of a new intermediate pump station to pump effluent from the existing chlorine contact basin to the effluent holding pond, raising the effluent holding pond dikes by five feet to increase the effective storage volume by 9 million gallons (MG) and replacing and raising the existing effluent pump station to be above the FEMA 100-year floodplain elevation. The Chair of the Commission is authorized to take such other actions as may be necessary or convenient to complete the application process.

2. Pursuant to an ordinance to be enacted, the Town will grant to the State Authority a pledge of, and lien on, Net Revenues (as defined in the General Bond Ordinance) of the System, for repayment of the loan on a parity with the 2005 Loan, the 2012 Loan and the 2015 Bonds.

3. That the final terms and conditions of the loan and the loan documents shall be subject to the approval of this Council.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of March 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine Watkins, Town Clerk

March 26, 2024

South Carolina Water Quality
Revolving Fund Authority
Columbia, South Carolina

Re: Application by the Town of Seabrook Island to South Carolina Water Quality Revolving Fund Authority for Water Pollution Control Revolving Fund Loan – 2024 (the “2024 Loan”)

We are acting as bond counsel to the Seabrook Island Utility Commission (the “Commission”) in connection with the loan application to the South Carolina Water Quality Revolving Fund Authority (the “State Authority”) submitted by the Commission which operates, controls and manages the water and sewer system (the “System”) for the Town of Seabrook Island, South Carolina (the “Town”). The loan application requests a loan from funds available in the Water Pollution Control Revolving Loan Fund pursuant to Title 48, Chapter 5 of the Code of Laws of South Carolina 1976, as amended. We have reviewed the following ordinances of the Town relating to the System:

(a) Ordinance No. 1997-01, as amended (as so amended, the “General Bond Ordinance”) authorizing and providing for the issuance of Water and Sewer System Revenue Bonds of the Town enacted by the Town Council of the Town (the “Town Council”) on February 5, 1997.

(b) Ordinance No. 2005-04 approving a borrowing by the Town from the State Authority enacted by the Town Council on September 27, 2005.

(c) Ordinance No. 2011-07 approving a borrowing by the Town from the State Authority enacted on January 24, 2012.

(d) Ordinance No. 2015-05 providing for the issuance and sale of not exceeding \$5,500,000 Water and Sewer System Refunding Revenue Bonds, Series 2015, of the Town (the “2015 Bonds”) enacted by the Town Council on June 23, 2015.

We have examined and reviewed such other documents and matters of law as we have determined relevant for purposes of rendering this opinion. As to questions of fact material to the opinion set forth herein (including, but not limited to, the outstanding principal balances of the bonds set forth below), we have relied upon certifications of public officials and others furnished to us without undertaking to verify the source by independent investigation. Based on such examination, we are of the opinion that Net Revenues (as defined in the General Bond Ordinance) of the System are subject to no liens, encumbrances, or pledges except the following:

South Carolina Water Quality

Revolving Fund Authority

March ____, 2024

Page 2

1. The \$1,000,717 original principal amount Promissory Note of the Town, dated November 10, 2005, payable to the State Authority for South Carolina Drinking Water Revolving Loan Fund Loan No. X3-025-05-1010009-01 (the "2005 Loan").

2. The \$1,700,000 original principal amount Promissory Note of the Town, dated January 30, 2012, payable to the State Authority for South Carolina Clean Water Revolving Loan Fund Loan No. X1-149-12-727-01 (the "2012 Loan").

3. The \$5,300,000 original principal amount Water and Sewer System Refunding Revenue Bonds, Series 2015, dated July 1, 2015 (the "2015 Bonds").

The 2005 Loan, the 2012 Loan and the 2015 Bonds are payable from the Net Revenues of the System. It is anticipated that the 2024 Loan to be purchased by the Authority will be issued on a parity with the 2005 Loan, the 2012 Loan and the 2015 Bonds and, thus, payable from the Net Revenues.

This opinion is given as of the date hereof, and we assume no obligation to revise or supplement this opinion to reflect any facts or circumstances that may hereafter come to our attention or any changes in law that may hereafter occur.

Sincerely,

BURR & FORMAN LLP

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-07

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ALEXANDER HUSS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ALEXANDER HUSS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ALEXANDER HUSS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ALEXANDER HUSS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-08

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ALEXANDER WESTOVER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ALEXANDER WESTOVER** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ALEXANDER WESTOVER** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ALEXANDER WESTOVER** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-09

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ALEXANDER WALL AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ALEXANDER WALL** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ALEXANDER WALL** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ALEXANDER WALL** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-10

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ANDREW MAPPUS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ANDREW MAPPUS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ANDREW MAPPUS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ANDREW MAPPUS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-11

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ANSLEY BUCKNAM AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ANSLEY BUCKNAM** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ANSLEY BUCKNAM** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ANSLEY BUCKNAM** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-12

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ASHLEY DIBLOSI AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ASHLEY DIBLOSI** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ASHLEY DIBLOSI** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ASHLEY DIBLOSI** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-13

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION BAXLEY CROSBY AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **BAXLEY CROSBY** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **BAXLEY CROSBY** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **BAXLEY CROSBY** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-14

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION CARTER SEUFFERT AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **CARTER SEUFFERT** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **CARTER SEUFFERT** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **CARTER SEUFFERT** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-15

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION CHARLES CHEVES AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **CHARLES CHEVES** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **CHARLES CHEVES** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **CHARLES CHEVES** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-16

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION COLIN MCMICKING AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **COLIN MCMICKING** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **COLIN MCMICKING** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **COLIN MCMICKING** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-17

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION GARISON COVEL AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **GARISON COVEL** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **GARISON COVEL** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **GARISON COVEL** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-18

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION GEORGE MAYER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **GEORGE MAYER** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **GEORGE MAYER** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **GEORGE MAYER** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-19

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION IAN BUTLER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **IAN BUTLER** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **IAN BUTLER** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **IAN BUTLER** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-20

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION JACOB FREDERICK AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **JACOB FREDERICK** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **JACOB FREDERICK** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **JACOB FREDERICK** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-21

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION KELSIE-BLAKE WEEKS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **KELSIE-BLAKE WEEKS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **KELSIE-BLAKE WEEKS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **KELSIE-BLAKE WEEKS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-22

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION KENNEDY DREW AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **KENNEDY DREW** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **KENNEDY DREW** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **KENNEDY DREW** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-23

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION KYLE MEIHLS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **KYLE MEIHLS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **KYLE MEIHLS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **KYLE MEIHLS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-24

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION MALEK VARNER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **MALEK VARNER** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **MALEK VARNER** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **MALEK VARNER** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-25

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION MALIA BORG AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **MALIA BORG** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **MALIA BORG** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **MALIA BORG** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-26

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION MARISA MAHER AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **MARISA MAHER** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **MARISA MAHER** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **MARISA MAHER** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-27

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION MICHAEL SOSNOWSKI AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **MICHAEL SOSNOWSKI** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **MICHAEL SOSNOWSKI** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **MICHAEL SOSNOWSKI** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-28

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION RICHARD HOSKINS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **RICHARD HOSKINS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **RICHARD HOSKINS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **RICHARD HOSKINS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-29

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION ROBERT EDGERTON AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **ROBERT EDGERTON** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **ROBERT EDGERTON** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **ROBERT EDGERTON** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-30

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION SHEPPARD DAVIS AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **SHEPPARD DAVIS** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **SHEPPARD DAVIS** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **SHEPPARD DAVIS** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-31

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION TRAPIER MARSHALL AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **TRAPIER MARSHALL** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **TRAPIER MARSHALL** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **TRAPIER MARSHALL** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

TOWN OF SEABROOK ISLAND

RESOLUTION NO. 2024-32

ADOPTED _____

A RESOLUTION TO APPOINT AND COMMISSION WILLIAM BOWLING AS A CODE ENFORCEMENT OFFICER FOR THE PROPER SECURITY AND GENERAL WELFARE FOR THE TOWN OF SEABROOK ISLAND

WHEREAS, the Seabrook Island Town Council, in the exercise of its general police power, is empowered to protect the health and safety of residents and visitors of the Town; and

WHEREAS, the Seabrook Island Town Council is further authorized by Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended, to appoint and commission as many Code Enforcement Officers as may be necessary for the proper security, general welfare, and convenience of the Town; and

WHEREAS, pursuant to Sec. 18-2 of the Town Code, the Mayor of Seabrook Island has recommended the appointment of **WILLIAM BOWLING** as a Code Enforcement Officer of the Town;

NOW, THEREFORE, BE IT RESOLVED that **WILLIAM BOWLING** is hereby appointed and commissioned as a Code Enforcement Officer of the Town of Seabrook Island for the purpose of providing for the proper security, general welfare, and convenience of the Town, replete with all the powers and duties conferred by law upon constables, in addition to such duties as may be imposed upon him by the governing body of this Town, including the enforcement of the Town's beach regulations and restrictions, and the use of an ordinance summons, and with all the powers and duties conferred pursuant to the provisions of Section 5-7-32 of the Code of Laws of South Carolina 1976, as amended.

BE IT FURTHER RESOLVED that this appointment shall remain in effect until the earlier of 1) March 31, 2025; 2) The termination of the contract between the Town of Seabrook Island and Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island; or 3) at such time as **WILLIAM BOWLING** is no longer employed by Island Beach Services, LLC, d/b/a Barrier Island Ocean Rescue, for the provision of Beach Patrol Services in the Town of Seabrook Island.

SIGNED AND SEALED this ____ day of _____, 2024, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2024.

Signed: _____
Bruce Kleinman, Mayor

Witness: _____
Katharine E. Watkins, Town Clerk

SECOND ADDENDUM
to the
BEACH PATROL SERVICES CONTRACT
between the
TOWN OF SEABROOK ISLAND
and
ISLAND BEACH SERVICES, LLC

WHEREAS, the Town of Seabrook Island, a public body corporate and politic and political subdivision of the State of South Carolina, whose principal office is located at 2001 Seabrook Island Road, Seabrook Island, SC 29455 (hereafter, the "Town") and Island Beach Services, LLC, D/B/A Barrier Island Ocean Rescue, a South Carolina Limited Liability Corporation, the address of which is 32 Sora Rail Road, Kiawah Island, SC 29455 (hereafter, the "Contractor"), ("Party" as to each; collectively the "Parties"), entered into a contract for the provision of Beach Patrol Services within the Town with an effective date of March 24, 2021 (hereafter, the "Contract"); and

WHEREAS, the initial term of the Contract was for a period of two (2) years, expiring on March 31, 2023; and

WHEREAS, under the terms of the Contract, the Town has the option to renew the Contract for three (3) additional one (1) year periods; provided, however, any changes to the dates of coverage, hours of operation and price shall be agreed to in writing by the Parties and made part of the Contract by addendum; and

WHEREAS, on March 28, 2023, the Parties agreed to extend the Contract by renewal for an additional period of one (1) year, upon such terms, conditions and amendments as were mutually agreeable to both Parties (hereafter, the "First Addendum"); and

WHEREAS, the Parties have agreed to extend the Contract by renewal for an additional period of one (1) year, upon such terms, conditions and amendments as are mutually agreeable to both Parties, as outlined herein;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby execute this second addendum (hereafter, the "Second Addendum") to extend the Contract by renewal for an additional period of one (1) year, for the period beginning April 1, 2024, and ending March 31, 2025 (hereafter, the "Second Renewal Period"). Unless further modified herein, the Contract shall remain subject to the same terms and conditions as the original Contract, inclusive of any amendments incorporated in the First Addendum, mutatis mutandis. The Parties further agree to the following additional amendments to the Contract, as follows:

AMENDMENT #1: Section 3 of the Contract (Contract Price: Payment Terms) is hereby amended to add the following:

SECTION 3
Contract Price: Payment Terms

The Town agrees to pay two hundred thirty-nine thousand sixty-six dollars (**\$239,066.00**) (hereafter, the "Second Renewal Period Contract Price") to the Contractor for the Contractor's performance of the Services during the Second Renewal Period, as amended herein, plus all reasonable expenses, pre-approved in writing by the Town Administrator, necessary to accomplish and complete the Services, in accordance with all terms and conditions as stated herein. The Second Renewal Period Contract Price shall be paid in monthly installments, as follows:

Installment #	Dates Covered (Installment Period)	Payment Amount
1	April 1 – April 30, 2024	\$ 39,844.33
2	May 1 – May 31, 2024	\$ 39,844.33
3	June 1 – June 30, 2024	\$ 39,844.33
4	July 1 – July 31, 2024	\$ 39,844.33
5	August 1 – August 30, 2024	\$ 39,844.33
6	September 1 – September 30, 2024	\$ 39,844.35
TOTAL		\$ 239,066.00

Note: The contract price may change if council selects Option 2 for Hours of Operation

The Contractor shall invoice the Town for each Payment Amount within five (5) business days following the closing date of each Installment Period. In no event shall the aggregate total of the invoices for Services so submitted exceed the Second Renewal Period Contract Price.

AMENDMENT #2: Section 4 of the Contract (Term of Contract; Time and Dates of Performance) is hereby amended to add the following:

SECTION 4
Term of Contract, Time and Dates of Performance

The term of the original Contract shall be extended by renewal for an additional one (1) year period to incorporate the continuation of Services during the Second Renewal Period. During the Second Renewal Period, the Contractor shall perform the Services on the dates and times and with the personnel and vehicles as follows:

Hours of Operation

Insert selected option here. [See Options on Page 5]

During the Second Renewal Period, the Contractor shall provide all necessary staff, vehicles and equipment to service up to six (6) trash receptacles on the beach (hereafter, "Trash Service"). Trash Service shall be provided as follows:

Dates of Coverage	# Times Serviced Per Week	Days of Service *
April 1 – May 23, 2024	3	Wed, Fri, Sun
May 24 – August 15, 2024	5	Mon, Wed, Fri, Sat, Sun

August 16 – September 30, 2024	3	Wed, Fri, Sun
Total		

** Days of Service may be amended by mutual agreement of both Parties.*

In order to facilitate the provision of Trash Service, the Town shall be responsible for:

- Installing all trash receptacles on the beach on or before April 1st;
- Providing trash bags to the Contractor on an as-needed basis; and
- Providing a dumpster or container(s) for the storage and disposal of trash collected from the beach by the Contractor.

Upon request by the Town, and subject to reasonable notice being provided by the Town to the Contractor, the Contractor agrees to provide additional days of Trash Service during the Second Renewal Period beyond the intervals specified herein. The Contractor shall invoice the Town, and the Town agrees to pay, for such additional Trash Service at a rate of \$75.00 per day for each day such additional Trash Service is provided.

Upon reasonable notice to the Contractor during the Second Renewal Period, the Town may request Services on dates other than those specified above. In such event, the Contractor shall use reasonable efforts to accommodate the Town's request at a cost approximately proportional to the Second Renewal Period Contract Price. Any changes in the Second Renewal Period Contract Price, dates of coverage and hours of coverage shall be agreed to in writing by both Parties and attached hereto as an addendum.

The Town reserves the right to renew the initial Contract, as amended herein, for one (1) additional one-year period if it determines renewal to be in its best interest. Any request for a price increase must be made in writing at least ninety (90) days prior to the anniversary date of the Contract, or sooner if so requested by the Town. Any request will be evaluated prior to exercising the option to renew. The Town will be the sole judge as to whether any price increase will be approved. If the Town exercises its right of renewal, any changes to the dates of coverage, hours of operation and Contract Price will be agreed in writing and made part of the Contract by addendum.

The Contractor expressly acknowledges that time is of the essence in completion of this Contract and that the time limits and dates herein are critical components of the Contract. The Contractor warrants and represents that it has taken these facts into consideration and has determined that it can complete the Services within these time limits, including time for likely delays caused by weather or from other sources. The Contractor will not be compensated for any delays beyond the time set forth herein. The Contractor's only remedy for delays may be an extension of time to perform the Services. Due consideration will be given to claims for an extension of time due to extraordinary circumstances only.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment by their duly authorized officers or representatives:

TOWN OF SEABROOK ISLAND

By: _____

Name: Bruce Kleinman

Title: Mayor

Date: _____

ISLAND BEACH SERVICES, LLC

By: _____

Name: Robert Edgerton

Title: Owner

Date: _____

OPTION 1:**Maintain current hours and practices**

Dates	# Days	Shift	# Vehicles	# Personnel	Shift Times Start/End	On Beach Times Start/End (Approx)
Apr 1 – May 23	53	1	2	2	9:00 AM – 5:00 PM (8 hours)	9:45 AM – 4:15 PM (6.5 hours)
May 24 – Aug 15	84	1	2	2	8:00 AM – 4:00 PM (8 hours)	8:45 AM – 3:15 PM (6.5 hours)
		1 / 2	2	4	<i>Overlap Period</i>	12:45 PM – 3:15 PM (2.5 hours)
		2	2	2	12:00 PM – 8:00 PM (8 hours)	12:45 PM – 7:15 PM (6.5 hours)
Aug 16 – Sep 30	46	1	2	2	9:00 AM – 5:00 PM (8 hours)	9:45 AM – 4:15 PM (6.5 hours)
Total	183	Total Man Hours/Season ►			4,272 hours	3,471 hours
		Total Hours with Beach Patrol Coverage/Season ►				1,525.5 hours

Total Cost: \$239,066.00 (No Change from 2023)

OPTION 2:**Increase shift times so that personnel are on the beach during published hours**

Dates	# Days	Shift	# Vehicles	# Personnel	Shift Times Start/End	On Beach Times Start/End (Approx)
Apr 1 – May 23	53	1	2	2	8:15 AM – 5:45 PM (9.5 hours)	9:00 AM – 5:00 PM (8 hours)
May 24 – Aug 15	84	1	2	2	7:15 AM – 4:45 PM (9.5 hours)	8:00 AM – 4:00 PM (8 hours)
		1 / 2	2	4	<i>Overlap Period</i>	12:00 PM – 4:00 PM (4 hours)
		2	2	2	11:15 AM – 8:45 PM (9.5 hours)	12:00 PM – 8:00 PM (8 hours)
Aug 16 – Sep 30	46	1	2	2	8:15 AM – 5:45 PM (9.5 hours)	9:00 AM – 5:00 PM (8 hours)
Total	183	Total Man Hours/Season ►			5,073 hours	4,272 hours
		Total Hours with Beach Patrol Coverage/Season ►				1,800 hours

Total Cost: \$286,625.00 (\$47,559.00 Increase from 2023)

Seabrook Island Dolphin Education Program Agreement

THIS AGREEMENT is made and entered into this ____ day of _____, 202~~4~~³ by and between Lowcountry Marine Mammal Network, ("LMMN"), a 501(c)(3) organization focused on protecting marine mammals (dolphins, whales and seals) in South Carolina, with a principal office at 1367 Clearbrook Street, North Charleston, SC 29405, and the Town of Seabrook Island, (the "Town") a South Carolina municipality, with a principal office at 2001 Seabrook Island Road, Seabrook Island, South Carolina.

WHEREAS, "Strand feeding" is a unique hunting behavior in which bottlenose dolphins (*Tursiops truncatus*) work together in small groups to herd fish towards the shore. They then use a powerful wave to push the fish onto the shore and then lunge onto the shore to grab the fish; and

WHEREAS, the Town is one of a few locations in the U.S. that dolphins are known to strand feed; and

WHEREAS, Giving the dolphins their space while strand feeding is important to ensure they are not harassed and this specialized hunting strategy is not disrupted; and

WHEREAS, The Department of Fisheries of the National Oceanic and Atmospheric Administration ("NOAA") has received reports of beachgoers trying to interact with (touch, chase, or swim with) or hand feed the dolphins as they strand feed on the beaches of Seabrook Island, South Carolina in apparent violation of the Marine Mammal Protection Act (the "MMPA"); and

WHEREAS, the parties hereto wish to undertake a project called the Seabrook Island Dolphin Education Program, (hereinafter, the "Project") the purpose of which is to reduce disturbance to strand feeding dolphins and minimize violations of the MMPA, as well as better understand the local dolphin population and this feeding strategy. Components of the Project include community outreach on/near the beaches where dolphins are known to strand feed, as well as distribution of outreach materials throughout the Town. Data will be collected to help biologists better understand this unique strand feeding behavior (i.e., frequency, number of dolphins, photo documentation).

NOW THEREFORE in consideration of the foregoing premises and the mutual covenants and conditions contained herein, the parties hereto agree as follows:

1. Expected Project Outcomes; Publication of Findings: The expected results of the Project include a reduction in disturbance by beachgoers to strand feeding dolphins, an increased number of residents and visitors to the Town educated about dolphin conservation, and a better

understanding of dolphin strand feeding behavior, local bottlenose dolphin population, and MMPA violations. The Project will also allow LMMN to monitor the strand feeders to gain more insight into their behavior, and will help it understand if the behavior is increasing or decreasing among animals, identify individual strand feeders through photo-identification and determine if there is seasonality relevance to strand feeding. The information obtained as a result of the Project will allow LMMN to continue to monitor the behavior and understand the risks of human interactions. With this information, LMMN could, subject to the provisions of Section 9 hereof, publish its findings in a peer-reviewed publication and provide information content for the Town's website.

2. Project Team: LMMN will establish a project team consisting of two (2) individuals (hereinafter, the "Project Team") to be assigned to the Project. The Project Team will establish relationships with the Town to better understand the value of this behavior to the community while working together towards the conservation of a rare and unique behavior. A list of all Project Team members and their qualifications are attached hereto as Exhibit A.

3. Project Period: The Project will start once the Principal Investigator (hereinafter, the "PI") is able to recruit and train sufficient volunteers from among Seabrook Island residents. It is anticipated that the project will begin on or around April 1, 202~~3~~⁴ and it will conclude on or around December 31, 202~~3~~⁴ (hereinafter, the "Project Period"). LMMN will assign not less than one (1) person (hereinafter, the "Project Team Members") on the beach during peak times for strand feeding to observe and record dolphin behavior and engage the public about maintaining a safe viewing distance.

4. Goals of the Project: The Project goals will include the following:

- A. Increase awareness of residents of and visitors to the Town about conservation of the bottlenose dolphin population that resides in and around Capt. Sam's Inlet;
- B. Education of both local residents and visitors about dolphin strand feeding behavior. Project Team Members will provide beach goers with information about the unique behavior, laws protecting wild dolphins from illegal feeding and harassment, as well as ways to safely view the behavior and animals without disturbing them;

- C. Enhance understanding about habitat use and individual strand feeding dolphins to help understand the broader impact of habitat destruction and its effects on this population of dolphins;
- D. Reduce instances of marine mammal harassment; and
- E. Assist Town code enforcement officers with the identification of potential violations of the Town's beach and wildlife protection ordinances.

5. Project Undertakings by LMMN: The Project will include the following actions and activities to be undertaken by LMMN during the Project Period:

- A. Project Team Members will identify feeding hotspots to allow the parties hereto to focus conservation efforts on those areas as well as understand the impacts on individual strand feeders if these habitats are lost or if the behavior is abandoned. Information regarding the locations of the feeding hotspots will be provided by LMMN to the Town as promptly as possible.
- B. Beach observations will be the main focus of the Project. During these observations, Project Team Members and volunteers will collect dolphin behavior data and will have an opportunity to talk with beach goers and answer questions about strand feeding behavior and encourage responsible viewing. Observations will be conducted once weekly by the PI, while interns and volunteers will cover the remainder of the week. Observations will take place for approximately four (4) hours each day during the Project Period. LMMN will seek to obtain volunteers among the Town's residents to conduct observations on the days Project Team Members are not anticipated to be present so the week is covered during the Project Period. LMMN will provide the Town with the name of each Seabrook Island volunteer as promptly as is reasonably practicable.
- C. Project Team Members will educate local residents and visitors of the Town about dolphin conservation, with the goal of reducing disturbance to strand feeding dolphins. Project Team Members will inform residents and visitors that the Town is very unique because it is one of the few places where dolphins are known to strand feed and the public can easily access the area where strand feeding occurs and view this behavior, and advise beach goers of the factors which threaten these dolphins.

- D. Project Team Members will request local businesses (e.g., hotels, shops and marinas) to help distribute outreach materials.
- E. A primary objective of the Project is to educate beach goers about the importance of reducing human interference, both from the beach and water, during strand feeding for fear that the dolphins will abandon this behavior on the Town's beaches. Project Team Members will be present on the beach each weekday during the peak season (June-August) during the Project Period and 4 days per week, including peak weekends, during other parts of the year, at times in which biologists believe strand feeding is most likely to occur (approximately two hours before to two hours after low tide). Project Team Members will ask beach goers to follow the following viewing guidelines to reduce disturbance to strand feeding dolphins:
 - (A) View dolphins from a distance and get a better view using binoculars;
 - (B) Give dolphins sufficient space and keep dogs away from the shore where dolphins may be present during periods of strand feeding;
 - (C) Avoid loud or sudden movements near the dolphins while they are strand feeding; and
 - (D) Avoid feeding or attempting to feed dolphins, as such activities are both harmful and illegal (this includes throwing fish on the shore back to dolphins while they are strand feeding).

In discharging their responsibilities under this Section 5E, Project Team Members will treat beach goers with respect and will respect the beach goers right and ability to enjoy his or her beach experience. Project Team Members will not engage beach goers who express no interest in the education effort.

- F. Project Team Members will collect data that could be used by LMMN to better understand the resident population of dolphins, the number of dolphins in the immediate area, the number of dolphins participating in stand feeding and whether and to what extent MMPA violations occur. Copies of all data and information collected by Team Members will be provided to the Town as promptly as is reasonably practicable.
- G. Project Team Members will take photographs of dorsal fin dolphin which will be used to identify individual dolphin which will then be compared to a long-standing photo-

id catalogue housed at NOAA/National Ocean Service. Copies of all photographs taken by Project Team Members will be given to the Town as promptly as is reasonably practicable.

- H. During the Project Period, Project Team Members will set up dolphin conservation educational displays at local events and presentations on the Project will be given to local community groups and water enthusiasts and local community groups.
- I. Project Team Members may install interpretive signs about strand feeding only after receiving prior written permission from the Town.
- J. Project Team Members will wear tee shirts and identification tags approved by the Town at all times when they are on the Town's beaches.
- K. While Project Team Members are not charged with enforcing violations of the Town's beach and/or wildlife protection ordinances, Project Team Members who observe a violation are encouraged to report alleged violations to Town code enforcement officers for investigation and possible enforcement. When Beach Patrol officers are present on the beach (daily April through September), alleged violations may be reported by phone or text message to (843) 718-6083. At all other times, alleged violations may be reported to Seabrook Island Town Hall by phone at (843) 768-9121.

6. Project Undertakings by the Town: The Town shall (A) request access for Project Team Members as required through the Seabrook Island Property Association gate, (B) assist LMMN in obtaining Seabrook Island volunteers to conduct observations and (C) arrange for introductions of Project Team Members to merchants and local community groups.

7. Compensation, Materials, and Travel Expenses; Payment: For the beach observations, data collection and volunteer coordination, as described herein, the Town shall pay to LMMN the amount of six thousand, seven hundred and seventy-two dollars (\$6,772.00) in nine (9) equal monthly installments of seven hundred fifty-two dollars and forty-four cents (\$752.44) each. Such amounts shall be due and payable upon receipt of invoice as of the last day of each month during the Project Period.

In addition, the Town shall reimburse LMMN for its reasonable and necessary travel expenses in an amount not to exceed in the aggregate one thousand nine hundred and forty-four dollars

(\$1,944.00). The Town shall reimburse LMMN for such travel expenses upon presentation of invoices therefore, together with appropriately documented receipts for such expenses.

It is anticipated that LMMN will incur additional expenses for site visits, training, island events, tee shirts and educational materials in an amount not to exceed, in the aggregate, one thousand three hundred and ten dollars (\$1,314.00). The Town shall reimburse LMMN for such miscellaneous expenses upon presentation of invoices therefore, together with appropriately documented receipts for such expenses.

8. Cancellation for Non-Allocation of Funds: This Agreement shall be subject to cancellation without damages or further obligation when funds are not appropriated or otherwise made available to support continued performance of this Agreement by the Town.

9. Anticipated Project Benefit; Limitation on Public Release of Information: The main anticipated benefit of the Project is the safety of both humans and dolphins on Seabrook Island. However, a collateral benefit to LMMN will be an increase of its understanding of the use of Capt. Sam's Inlet as a preferred location for strand feeding. The information LMMN will obtain from implementation of the Project will allow it to provide scientific data on how the development of Capt. Sam's Inlet could affect the dolphin's behavior. It is a condition precedent of the Town's participation in the Project and shall be an express undertaking by LMMN that any and all information obtained by LMMN, Project Team Members or volunteers, and / or LMMN's conclusions and interpretation of such information and / or recommendations based on such information must be reviewed and approved by the Town in writing prior to any public release or publication thereof or the distribution thereof to any third-party including NOAA/NOS. For the avoidance of doubt, any publication or distribution of the information and data collected by LMMN, Project Team Members or volunteers by reason of their participation in the Project or publication of any analysis, study, evaluation, conclusion or recommendation based directly or indirectly on such data must be approved in writing by the Town in advance of such publication.

LMMN shall not issue any press release or other statement for public distribution identifying the Town's participation in the Project without first having obtained the prior written consent of the Town.

LMMN shall promptly notify the Town of any relevant meetings, events, training opportunities, and/or similar activities which will take place in the Town, and the Town shall take reasonable efforts to assist LMMN with public outreach and marketing of such meetings, events, training opportunities, and/or similar activities.

10. Release; Waiver; Hold Harmless and Indemnity: In consideration for allowing LMMN to undertake the Project and data collections as described herein, LMMN hereby releases, waives, discharges and covenants not to sue the Town, its elected officials, employees or agents or volunteers (hereinafter referred to as “Releasees”) with respect to any and all liability, claims, demands, actions and causes of action whatsoever arising out of or related to any loss, damage, or injury, including death, that may be sustained by it, or any of its employees or agents or any property belong to it, whether caused by the negligence of the Releasees or otherwise, while participating in the Project or while in or on the way to the Town. LMMN shall ensure that each Project Team Member and volunteer executes and delivers to the Town releases in their individual capacity. LMMN further agrees to indemnify, defend (with counsel reasonably acceptable to the Releasees) and hold harmless the Releasees and each of them from and against any loss, liability, damage or cost, including court costs and attorney’s fees, that any or all of them may occur by reason of the Town’s participation in the Project.

11. Contract Administration: Any questions or issues arising after the execution of this contract shall be directed to the Town Administrator of the Town.

12. Non-Assignment: Neither this Agreement nor any right or obligation hereunder may be assigned, sublet, or transferred without the prior written consent of the Town.

13. Governing Law: This Agreement and any dispute, claim or controversy relating thereto (other than issues relating to conflict of laws) shall in all respects be interpreted, construed, enforced and governed under the laws of the state of South Carolina. All disputes, claims or controversies relating to the Agreement shall be resolved in the circuit court of Charleston County, South Carolina. LMMN agrees that any act by the Town regarding this Agreement is not a waiver of the Town’s immunity under the South Carolina Tort Claims Act or any other applicable laws.

14. **Notice.** Any notice which may be or is otherwise required to be given under this Agreement shall be given in writing and shall be delivered (i) in person, (ii) by certified mail, postage prepaid return receipt request, (iii) by commercial overnight courier that guarantees next day delivery or (iv) by e-mail, and such notices shall be addressed as follows:

If to LMMN: Lauren Rust
 Executive Director, LMMM
 1367 Clearbrook Street
 North Charleston, SC 29405
 lauren@lowcountrymarinemammalnetwork.org

If to the Town: Joseph M. Cronin, Town Administrator
 Town of Seabrook Island
 2001 Seabrook Island Road
 Seabrook Island, SC 29455
 jcronin@townofseabrookisland.org

15. **Collaborations:** It is anticipated and agreed that LMMN will collaborate with the National Oceanic Atmospheric Administration / National Ocean Service (hereinafter “NOAA/NOS”) as they have 30 years’ experience working with dolphin population and a network of volunteers that can provide additional help if needed. Their input into the Project design and dolphin biology will help steer the educational program. NOAA/NOS also holds the Bottlenose Dolphin Charleston Estuarine System Stock photo-id catalogue, which include sightings taken off of the Town’s beaches, and will be instrumental in matching individual dolphins from this study.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day, month and year first above written.

LOWCOUNTRY MARINE MAMMAL NETWORK

TOWN OF SEABROOK ISLAND

By: _____

Lauren Rust, Executive Director

By: _____

~~John Gregg~~ Bruce Kleinman, Mayor

Attest: _____

Attest: _____

EXHIBIT A

PROJECT TEAM MEMBERS & QUALIFICATIONS

LAUREN RUST: Lauren Rust is the executive director and founder of the Lowcountry Marine Mammal Network, a registered 501(c)3 nonprofit dedicated to increasing the community's knowledge about our local marine mammals and ways to conserve their habitats. Lauren holds a BS in Marine Biology from The College of Charleston and MS in Ecology from the University of Wales in which she focused on dolphin daily behavioral budgets. She has 15 years' experience working with several marine mammal species in a variety of settings including nonprofit and government agencies such as NOAA, NIST and The Marine Mammal Center. She has lived in Charleston for over 12 years and is well connected in the environmental community.

WAYNE MCFEE: Wayne McFee is the PI of the Coastal Marine Mammal Assessment division at the National Ocean Service in Charleston, SC. Mr. McFee has nearly 25 years of experience handling stranding events in South Carolina, and has authored or co-authored nearly 40 manuscripts in peer-reviewed journals related to dolphin life history (diet, pathology, reproduction, age, etc), contaminants, and human interaction. He is a member of numerous government sponsored working groups including the Crab Pot/Dolphin interaction working group, the Mid-Atlantic Unusual Mortality Event Population Dynamics Team, and the Southeast Regional Wildlife Impacts from Marine Debris working group. Mr. McFee received a MS degree in Biology from Northeastern University where he studied mass strandings of pilot whales on Cape Cod.

THIRD AMENDMENT
to the
EMERGENCY PREPAREDNESS SERVICES CONTRACT
between the
TOWN OF SEABROOK ISLAND
and
EGROUP ENABLING TECHNOLOGIES, LLC

WHEREAS, the Town of Seabrook Island, a public body corporate and politic and political subdivision of the State of South Carolina, whose principal office is located at 2001 Seabrook Island Road, Seabrook Island, SC 29455 (hereinafter referred to as the "Town") and eGroup Enabling Technologies, LLC, a South Carolina limited liability corporation, the address of which is 482 Wando Park Boulevard, Mount Pleasant, SC 29464 (hereinafter referred to as the "Contractor"), ("Party" as to each; collectively the "Parties"), entered into a contract for the provision of emergency preparedness services with an effective date of July 28, 2020 (hereinafter referred to as the "Contract"); and

WHEREAS, the initial term of the Contract was for a period of one (1) year, expiring on July 27, 2021; and

WHEREAS, on September 23, 2021, Town exercised its option to extend the Contract for a term of one (1) year, retroactive to July 28, 2021, and expiring on July 27, 2022 (hereinafter referred to as the "First Amendment"); and

WHEREAS, on February 28, 2023, Town exercised its option to extend the Contract for an additional term, retroactive to July 28, 2022, and expiring on February 28, 2024 (hereinafter referred to as the "Second Amendment"); and

WHEREAS, under the terms of the Contract, as modified by the Second Amendment, the Town has the option to extend the Contract for an additional term of one (1) year under the same terms and conditions as the original Contract, as amended by the Second Amendment; and

WHEREAS, the Parties have agreed to extend the Contract by renewal for an additional term, retroactive to March 1, 2024, upon such terms, conditions and amendments as are mutually agreeable to both Parties;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby execute this third amendment to extend the Contract by renewal for the period beginning March 1, 2024, and ending February 28, 2025, under the same terms and conditions as the original Contract, mutatis mutandis (hereinafter referred to as the "Third Amendment"), unless expressly modified herein. The Parties agree to the following amendments to the Contract, as follows:

AMENDMENT #1: Section 3 of the Contract is hereby amended to read as follows:

Section 3. Contract Price; Payment Terms

The Town agrees to pay for the performance of the Services described in this Contract, including all items necessary to accomplish and complete the Services, in accordance with all terms and conditions as stated herein on the following basis:

Service Description	Price per Instance
Disaster Recovery Council Meetings (including all deliverables up to single substantive revision of summary report)	\$1,300.00/Meeting
Comprehensive Emergency Plan Updates (including all deliverables)	\$2,600.00/Update
Tabletop Exercises (including all deliverables up to single substantive revision of summary report)	\$5,500.00/Eight Hours of Session(s)
Services not otherwise specified and requested by Town (“On Call Services”)	\$275.00/Hour

Contractor shall submit invoices to Town for charges for Services incurred hereunder. Payment for Services shall be made within thirty (30) days of Town’s receipt of Contractor’s invoice. Payments shall be net of any outstanding credit for payments made and not reflected on Contractor’s invoice.

AMENDMENT #2: Section 4 of the Contract is hereby amended to read as follows:

Section 4. Time; Term of Contract

The Town hereby contracts with Contractor to provide the Services specified herein for the period beginning on March 1, 2024, and ending on February 28, 2025.

The Town reserves the right to extend this Contract for an additional term of one (1) year, if it is determined to be in its best interest. Any request for a price increase must be made in writing at least ninety (90) days prior to the anniversary date of the Contract, or sooner if so requested by the Town. Any request will be evaluated prior to exercising the option to extend. The Town will be the sole judge as to whether any price increase will be approved.

The Contractor expressly acknowledges that time is of the essence in performance of Services of this Contract and that the time limits set forth for Services in Exhibit A are critical components of the Contract. The Contractor warrants and represents that it has taken these facts into consideration and has determined that it can complete the Services within these time limits, including time for likely delays caused by weather or from other sources. The Contractor will not be compensated for any delays beyond the time set forth herein. The Contractor's only remedy for delays may be an extension of time to perform the Services. Due consideration will be given to claims for an extension of time due to extraordinary circumstances only.

IN WITNESS WHEREOF, the parties hereto have made and executed this Third Amendment by their duly authorized officers or representatives:

TOWN OF SEABROOK ISLAND

EGROUP HOLDING COMPANY, LLC

By: _____

By: _____

Name: Bruce Kleinman, Mayor

Name: _____

Title: Mayor

Title: _____

Date: _____

Date: _____