Original

Ordinance

1987

Ordinance: 1987-1

AN ORDINANCE

An Ordinance to Amend Section 5-1-35 of the Isle of Palms Code of Ordinances.

WHEREAS, it is in the best interest of the City of Isle of Palms to have consistently applied requirements for inspection and testing of electric facilities under construction, or where service has been terminated and is being renewed, and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that Section 5-1-35 of the Isle of Palms Code of Ordinances be amended to read as follows:

Section 5-1-35 Inspections. It shall be unlawful for any person controlling any electrical wiring in or of houses or buildings within the City for which electrical inspections are required as set out below to allow any electrical current to be turned on or consumed in any building without having first had an inspection thereof made by the Isle of Palms Building Department and a certificate of approval therefore being issued.

Electrical inspections by the Isle of Palms Building Department shall be required for:

1. All premises at which new electric service is to be established for the first time, excluding temporary service for construction.

2. All premises at which existing electric facilities have been replaced by new or modified facilities.

3. All premises at which the service point or meter for electric service has been moved to a new location on such premises.

4. All premises at which electric service has been discontinued for one year or more.

5. All premises at which existing service has been discontinued by the electric utility because of unsafe facilities at the premises.

The issuance of an inspection certificate by the Isle of Palms Building Department shall not limit the ability of the electric utility to refuse electric service pursuant to other regulatory or statutory authority.

First Reading: 11 February 1987
Second Reading: 11 March 1987
Third Reading: 8 April 1987
Ratification: 8 April 1987

Attest: Nellie S. McDuffie
Nellie S. McDuffie
Clerk-Treasurer

Approved: Carmen R. Bunch
Carmen R. Bunch
Mayor

Ordinance: 1987-2

AN ORDINANCE

An Ordinance to prohibit careless operation of a vehicle.

WHEREAS, under the police powers granted to municipalities under Section 5-7-30 of the South Carolina Code of Laws, 1976, as amended, municipalities have authority to adopt traffic regulations, and

WHEREAS, it is determined that careless operation of a vehicle is an offense whose adjudication is desirable in Recorder's Court;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the City of Isle of Palms, South Carolina, in City Council assembled, that the following is adopted as Section 8-1-20 of the Isle of Palms Code of Ordinances:

Section 8-1-20. Careless Operation of a Vehicle.

It shall be unlawful for any person to operate any vehicle without care and caution and full regard for the safety of persons and property. Any person failing so to do shall be guilty of careless driving or riding. The operation of any vehicle when the same or any of its appliances is not in proper or safe condition shall be prima facie evidence of careless driving or riding.

First Reading: 8 April 1987

Second Reading: 13 May 1987

Third Reading: 10 June 1987

Ratification: 10 June 1987

ATTEST: Nellie S. McDuffie
Nellie S. McDuffie
Clerk/Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch
Mayor

Ordinance: 1987-3

AN ORDINANCE

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1987 AND ENDING JUNE 30, 1988.

WHEREAS, Subsection 3 of Section 5-7-260 of the Code of Laws of South Carolina 1976, as amended, requires that a municipal Council shall act by ordinance to levy taxes and adopt a budget pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, City Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1987 to June 30, 1988, both inclusive for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Isle of Palms for the use and service thereof; i.e., a tax of $3.00 on every thousand dollars ($1,000.00) in assessed value of real estate and personal property of every description owned and used in the City of Isle of Palms, South Carolina, except such as is exempt from taxation under the Constitution and laws of the State of South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Isle of Palms for the corporate purposes, permanent improvements, current expenses and the payment of interest and retirement of outstanding bonds and debts of the City of Isle of Palms, making a total levy of thirty (30) mills for tax purposes. Such tax is levied on such property as is assessed by the Charleston County Tax Assessor for County and State purposes.

SECTION 2. The prepared budget and estimated revenue for the payment of the same is hereby adopted and made a part hereof as if fully incorporated herein and a copy thereof is attached hereto.

SECTION 3. By mutual agreement between the City of Isle of Palms and Charleston County, Charleston County will bill and collect the taxes enumerated herein, and pay the same over to the treasury of the City of Isle of Palms in the manner as prescribed by both parties.

SECTION 4. The billing dates, the penalty dates and the amount of the penalty which shall be levied for delinquent taxes shall be the same as those adopted by Charleston County Council.

SECTION 5. The City Clerk shall be responsible for the collection of delinquent taxes in accordance with the provisions established for the collection of the same with Charleston County.

SECTION 6. The City Administrator shall administer the budget and may authorize the transfer of appropriated funds within departments as necessary to achieve the goals of the budget as established by City Council.

SECTION 7. If for any reason any sentence, clause or provision of this Ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 8. This Ordinance shall become effective immediately upon its ratification by City Council.

Attest: Nellie S. McDuffie
Nellie S. McDuffie
City Clerk

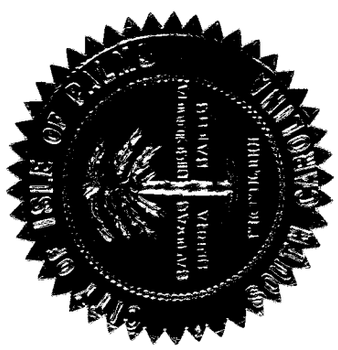
Approved: Carmen R. Bunch
Carmen R. Bunch
Mayor

First Reading: 27 May 1987

Second Reading: 10 June 1987

Third Reading: 24 June 1987

Ratification: 24 June 1987



Ordinance 1987-4

AN ORDINANCE

An ordinance to prohibit the use, firing, shooting or discharging of fireworks.

BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that the following be adopted as Sections 9-2-9 through 9-2-11.

Section 9-2-9. Discharge; sparklers excepted.

It shall be unlawful for any person to use, fire, shoot, or discharge any fireworks within the corporate limits of the city except for use in public display or exhibit under the provisions of section 9-2-10, except as provided by section 9-2-11, and except that the provisions of this article shall not include nor prevent the possession or use of toy cap pistols and toy pistol paper caps which contain not more than twenty hundredths (.20) of a grain of explosive mixture and fireworks known as "sparklers." The use and possession of such toy cap pistols, toy pistol paper caps and sparklers shall be permitted at all times.

Section 9-2-10. Public exhibitions. It shall be unlawful for any person to use fireworks in public displays or exhibits; provided that, such displays or exhibits of fireworks shall be lawful only where the person desiring to give the same shall have first obtained written approval therefor from the committee on public safety of the city council. The committee on public safety of the city council may, in its absolute discretion, grant or refuse to grant the permission so applied for, or may grant the same subject to such restrictions and limitations as it may, in its absolute direction, deem to be in the interest of public safety in connection with such display or exhibit.

Section 9-2-11. Use of signal fireworks. Nothing contained in this article shall be construed as prohibiting the use of signals necessary for the safe operation of buses, trucks or boats within

this city, nor shall the provisions of this article apply to any common carrier, while acting as such, lawfully transporting or having custody of fireworks in interstate commerce or for delivery within this city for use as provided in this article.

Section 9-2-12 Sale of Fireworks. In order to obtain a permit or business license authorizing the retail sale of fireworks, all retail establishments offering fireworks for sale must prominently display the following notice at or near where fireworks are arranged for sale:

> "Notice: It is unlawful for any person to use, fire, shoot or discharge fireworks within the corporate limits of the City of Isle of Palms."

The notice to be posted in the retail establishments shall be provided by the City of Isle of Palms.

First Reading: 24 June 1987

Second Reading: 12 August 1987

Third Reading: 9 September 1987

Ratification: 9 September 1987

ATTEST: Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

APPROVED: Carmen R. Bunch

Carmen R. Bunch
Mayor

ORDINANCE 1987-7

An ordinance to amend Section 5-4-11(b) of the City of Isle of Palms Code of Ordinances. This amendment is proposed following Public Notice and a Public Hearing held July 29, 1987.

Be it ordained by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that Section 5-4-11(b) is hereby amended to read as follows:

Section 5-4-11(b)

Notice of the Public Hearing on proposed changes in zoning districts and/or regulations shall be accomplished by publication of a notice not less than 15 days prior to the date of the Hearing. When a proposed zoning amendment affects the district classification of property, such notice shall include a general description of the property or properties to be re-zoned. The property or properties to be re-zoned shall also be posted with a sign indicating that a petition to re-zone has been received and the date that the Public Hearing will be held to consider the request.

First Reading: 12 August 1987

Second Reading: 9 September 1987

Third Reading: 14 October 1987

Ratification: 14 October 1987

ATTEST: Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

APPROVED: Carmen R. Bunch

Carmen R. Bunch
Mayor

Ordinance 1987-5

AN ORDINANCE

An ordinance to repeal Sections 6-2-15 (a)(1)(2)(3) and (b) and substitute in their place the following as Sections 6-2-15 (a)(b) and (b)(1).

Sec. 6-2-15 Running at large prohibited; vicious dogs; penalties

(a) No person owning, having an interest in, harboring, or having charge, care, control, custody or possession of any dog shall cause or permit the dog to be off the premises of its owner, unless such dog is securely confined by a strong leash, securely and continuously held by a competent person owning, having an interest in, harboring, or having charge, care, control, custody, or possession of the dog, or unless the dog is confined within a vehicle, within an enclosure surrounded by an adequate fence or within a house.

(b) Any dog that has attacked and bitten a person or other animal without provocation or has attempted to bite a person or other animal without provocation shall be deemed a vicious dog.

(1) It shall be unlawful for any person to cause, permit, accompany or be responsible for the presence of any vicious or diseased dog on the streets or public places of the city or allow the dog to run on the premises of another, at any time; unless and in addition to the other requirements of this chapter the dog shall be securely muzzled to effectively prevent it from biting any person or other animal.

First Reading: 24 June 1987

Second Reading: 12 August 1987

Third Reading: 9 September 1987

Ratification: 9 September 1987

ATTEST: Nellie S. McDuffie
Nellie S. McDuffie
Clerk-Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch
Mayor

ORDINANCE: 1987-6

ORDINANCE

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ISLE OF PALMS, S. C. BY ADDING A DEFINITION FOR HOME OCCUPATION TO SECTION 5-4-2, "DEFINITIONS" OF CHAPTER 4 "ZONING" OF TITLE 5 AND BY ADDING A NEW SECTION 5-4-26 HOME OCCUPATION. THESE AMENDMENTS ARE PROPOSED FOLLOWING PUBLIC NOTICE AND A PUBLIC HEARING HELD JULY 29, 1987.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF THE CITY OF ISLE OF PALMS, S. C. ASSEMBLED:

Section 1. That Title 5, Chapter 4 of the Code of Ordinances of the City of Isle of Palms, S. C. is hereby amended by adding the following paragraph 7.5 to Section 5-4-2 "Definitions" and inserting it after the paragraph entitled "7". Height of a Building" and before the paragraph entitled "8. Hotel":

7.5 Home Occupation. Any use customarily conducted entirely within the dwelling and carried on by the resident of record not constituting a nuisance or adversely affecting the use and development of adjoining properties in the neighborhood. Home occupation shall include, in general, but not be limited to, personal services such as furnished by an artist, musician, seamstress or instructor, but shall not include such occupations as motor vehicle repairs, beauty parlors, tea rooms, tourist homes, animal kennels or hospitals, physicians, dentists or other offices for diagnosis, prevention, alleviation or cure of disease or disability, or the conduct of retail business or manufacturing.

Section 2. That Title 5 Chapter 4 of the Code of Ordinances of the City of Isle of Palms, S. C. be and the same is hereby amended by adding a new Section 5-4-26 as follows:

"Section 5-4-26. Home Occupations may be established in a dwelling unit in any residential zoning district as an exception, by special zoning permit, where the City Administrator, after reviewing a written request, finds that the

definition and following conditions are met.

a. The occupation, profession or trade is carried on wholly within the principal building.

b. Not more than twenty-five (25) percent of the floor area of the principal building is used for the conduct of said home occupations;

c. No signs, no merchandise or articles are displayed for advertising purposes, nor are displayed in such a way as to be visible from outside the dwelling;

d. No merchandise or articles are stored other than inside the principal building;

e. There is no alteration of the residential character of the building or premises;

f. No person other than a resident of the premises is employed.

g. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;

h. The occupation, profession or trade is licensed by the City of Isle of Palms, and generates no noise, vibration, heat, glare, smoke, odor, or dust perceptive to adjacent uses.

First Reading: 12 August 1987

Second Reading 9 September 1987

Third Reading: 14 October 1987

Ratification 14 October 1987

ATTEST: Nellie S. McDuffie
Nellie S. McDuffie
Clerk-Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch
Mayor