ORDINANCES 1990

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-3
Third Reading Draft - 05/24/90

AN ORDINANCE TO AMEND SECTION 5-4-22 (SR-1 DISTRICT)

WHEREAS, in 1989, City Council amended the City's zoning ordinance and zoning map to provide for an orderly pattern of development within the City; and

WHEREAS, said amendments did not focus on the problems of redevelopment, which the City now faces in the aftermath of Hurricane Hugo; and

WHEREAS, City Council desires to maintain the integrity of established residential neighborhoods, and wishes to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots; and

WHEREAS, City Council notes that in its most restrictive zoning district (SR-1), the minimum lot size is currently 10,000 square feet, as contrasted with a minimum size of 17,500 square feet at Seabrook Island and 30,000 square feet at Sullivan's Island; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 6-7-710 et seq. and 5-23-10 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on this ordinance as proposed.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend Section 5-4-22 (SR-1 District) of the City Zoning Ordinance.

Section 2. SR-1 District Amended.

Section 5-4-22 of the City Code is amended as follows:

(a) In subsection 5-4-22(4)(a), the minimum lot area requirement of "10,000 square feet" is changed to read "17,500 square feet".

(b) Subsection 5-4-22(1)(a) is revised to read as follows:

a. To provide for quiet, low-density residential neighborhoods on comparatively large lots.

(c) A new subsection 5-4-22(1)(e) is added, to read as follows:

e. To maintain the integrity of established residential neighborhoods, and to minimize the disruption of existing residential patterns by the scattered subdivision of comparatively large residential lots.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 24 DAY OF May, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 02/14/90
Public Hearing: 03/28/90
Second Reading: 04/11/90
Third Reading: 05/24/90
Ratification: 05/24/90

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-1.E
Adopted 1/24/90

AN EMERGENCY ORDINANCE TO CONTINUE THE USE OF MOBILE HOMES AND TRAVEL TRAILERS FOR TEMPORARY HOUSING

WHEREAS, in response to the housing destruction caused by Hurricane Hugo, City Council adopted Emergency Ordinance 1989-11.E on October 4, 1989 to allow the use of mobile homes and travel trailers for temporary housing; and

WHEREAS, City Council has held two readings and a public hearing on a permanent ordinance that would extend and modify Emergency Ordinance 1989-11.E; and

WHEREAS, said permanent ordinance is scheduled for third reading at City Council's February 14, 1990 meeting; and

WHEREAS, City Council believes that the housing conditions addressed by Emergency Ordinance 1989-11.E continue to exist, and warrant the continuation of the provisions of (emergency) Section 5-4-16(c) of the City Code pending adoption of the permanent ordinance; and

WHEREAS, City Council is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-250(d) of the South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to continue the use of mobile homes and travel trailers for temporary housing, under the conditions set forth in Emergency Ordinance 1989-11.E.

Section 2. Emergency Provisions Continued.

Emergency Section 5-4-16(c) of the City Code, created in Emergency Ordinance 1989-11.E, is hereby continued and remains in effect until the termination of this Emergency Ordinance.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 24th DAY OF January, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS
RESOLUTION

September 27, 1990

WHEREAS, in response to the destruction caused by Hurricane Hugo, City Council adopted Ordinance No. 1989-11 on March 14,1990, to allow the temporary use of mobile homes and trailers pursuant to detailed and limiting standards; and

WHEREAS, new Section 5-4-16(c)(1) and 5-4-16(d)(1) of the City Code, created by said Ordinance, permit such temporary use of mobile homes and trailers until June 30, 1990, unless extended by resolution by City Council; and

WHEREAS, by Resolution of June 28, 1990, City Council extended such deadline until September 28, 1990; and

WHEREAS, City Council finds that a number of residents and businesses are continuing to use mobile homes and trailers pending reconstruction of their homes and businesses; and

WHEREAS, City Council finds that the limited continuation of the use of mobile homes and trailers by residents and businesses during the process of rebuilding will not violate the spirit of City Ordinances, provided that such mobile homes and trailers comply with all applicable requirements of the City flood ordinance and any state/county regulations regarding tie-down of such facility.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isle of Palms, in Council duly assembled,

1. That pursuant to Section 5-4-16(c)(1) of the City Code, bona fide homeowners/City residents who are in the process of rebuilding a house which was damaged by Hurricane Hugo may continue to occupy travel trailers for residential purposes until June 1, 1991.

2. That pursuant to Section 5-4-16(c)(1) of the City Code, bona fide homeowners/City residents who are in the process of rebuilding a house which was damaged by Hurricane Hugo may continue to occupy mobile homes for residential purposes until June 1, 1991, provided that such mobile homes comply with all requirements of the City flood ordinance (City Code Sections 5-2-1, et seq.).

3. That pursuant to Section 5-4-16(d)(1) of the City Code, the temporary commercial use of mobile homes and trailers in the City's

commercial zoning districts may continue until June 1, 1991, provided that such mobile homes and trailers comply with all requirements of the City flood ordinance (City Code Sections 5-2-1, et seq.).

RESOLVED this 27th day of September, 1990.

ATTEST:

Nellie S. McDuffie
Clerk-Treasurer

Carmen R. Bunch, Mayor
City of Isle of Palms, SC

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-2.E
Adopted 1/24/90

AN EMERGENCY ORDINANCE TO CONTINUE USE OF THE REVISED DEFINITION OF "SUBSTANTIAL IMPROVEMENT" IN CITY CODE SECTION 5-2-5(25)

WHEREAS, in response to the housing destruction caused by Hurricane Hugo, City Council adopted Emergency Ordinance 1989-14.E on November 8, 1989 to revise the definition of "substantial improvement" in City Code Section 5-2-5(25); and

WHEREAS, City Council has held two readings on a permanent ordinance that would adopt such revision in the definition of "substantial improvement; and

WHEREAS, the public hearing and third reading for said permanent ordinance are scheduled for February 14, 1990; and

WHEREAS, City Council believes that the housing conditions addressed by Emergency Ordinance 1989-14.E continue to exist, and warrant the continuation of the revision of (emergency) Section 5-2-5(25) of the City Code pending adoption of the permanent ordinance; and

WHEREAS, City Council is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-250(d) of the South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to continue the use of the revised definition of "substantial improvement" in City Code Section 5-2-5(25), as set forth in Emergency Ordinance 1989-14.E.

Section 2. Emergency Provisions Continued.

Emergency Section 5-2-5(25) of the City Code, as revised in Emergency Ordinance 1989-14.E, is hereby continued and remains in effect until the termination of this Emergency Ordinance.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 24th DAY OF January, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-5.E
Adopted 3/12/90

AN EMERGENCY ORDINANCE TO LIMIT THE TEMPORARY USE OF MOBILE HOMES/TRAILERS IN RESIDENTIAL AREAS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed three readings of permanent Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council is authorized to adopt emergency ordinances affecting the property and safety of the people pursuant to Section 5-3-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Section 2. Residential Use of Mobile Homes and Trailers Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

(6) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989.

(7) Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to September 21, 1989.

(8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.

(9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property; a tenant in possession of the property as of September 21, 1989; a general contractor while said contractor is actively engaged in repair of the house on the same lot, exclusively, where the mobile home/trailer is situated; or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 12th DAY OF March, 1990.

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
REVISED EMERGENCY ORDINANCE NO. 1990-5.E
4/11/90

AN EMERGENCY ORDINANCE TO LIMIT THE TEMPORARY USE OF MOBILE HOMES/TRAILERS IN RESIDENTIAL AREAS

WHEREAS, City Council has passed and extended Emergency Ordinance 1989-11.E, and has passed three readings of permanent Ordinance 1989-11, to help City residents whose homes were damaged or destroyed by Hurricane Hugo; and

WHEREAS, said Ordinances permit the temporary residential use of mobile homes and trailers in zoning districts where such use is otherwise not allowed; and

WHEREAS, Council is aware of abuses of this temporary allowance to use mobile homes, including the use of multiple trailers on individual lots and the use of trailers for transient housing not associated with repair of the home on the lot; and

WHEREAS, Council wishes to allow residents additional time to return to their homes, but believes these abuses must be ended immediately, and that the integrity of the City's zoning ordinance must be upheld; and

WHEREAS, Council adopted Emergency Ordinance 1990-5.E on March 12, 1990 to address this situation; and

WHEREAS, Council has since determined that minor modification of Emergency Ordinance 1990-5.E is needed, pending adoption of a permanent ordinance; and

WHEREAS, Council is authorized to adopt emergency ordinances affecting the property and safety of the people pursuant to Section 5-3-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to limit the residential use of mobile homes in the aftermath of Hurricane Hugo.

Section 2. Residential Use of Mobile Homes and Trailers Further Restricted

The following new subsections are added to Sections 5-4-16(c) of the City Code, to read as follows:

(6) No mobile home or trailer may be situated on a lot which was not developed (i.e., no house) on September 21, 1989; provided that a property owner who is building a house on a previously undeveloped lot to replace a home on the Isle of Palms destroyed by Hurricane Hugo, or demolished as a result of damage caused by Hurricane Hugo, may occupy a mobile home or trailer on the previously undeveloped lot while the replacement house is being constructed.

(7) Only one mobile home or trailer may be situated on any platted lot or tract that was developed (e.g., with a house) on or prior to September 21, 1989.

(8) If a house has been demolished subsequent to September 21, 1989, only the owner may occupy a mobile home or trailer on the lot while a replacement house is being constructed.

(9) Except as further limited hereinabove, occupancy of mobile homes and trailers is limited to the owner of the property; a tenant in possession of the property as of September 21, 1989; a general contractor while said contractor is actively engaged in repair of the house on the same lot, exclusively, where the mobile home/trailer is situated; or volunteers who are actively engaged in repair of the house on the same lot where the mobile home/trailer is situated.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 11th DAY OF April, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-6

Second Reading Draft - 05/24/90

AN ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Section 1-3-1 of the City Code provides that regular meetings of City Council shall be held the second Wendesday of each month, and such meetings have traditionally been held at City Hall; and

WHEREAS, under the City's fire code, prior to Hurricane Hugo, Council chambers in City Hall could accommodate only 30 people; and

WHEREAS, such limitation caused inconvenience for the public, interested parties and City Council, and interferred with the public's ability to attend City Council meetings; and

WHEREAS, as a result of the repairs and renovations to City Hall following Hurricane Hugo, the fire code limits occupancy of Council chambers to 20 people; and

WHEREAS, Council finds such limited capacity is inadequate for purposes of the regular monthly City Council meetings; and

WHEREAS, the Exchange Building, having capacity for very large numbers of people, has been offered for use for City Council meetings; however, its availability is limited, and its use will require Council to change its regular meeting schedule; and

WHEREAS, Council desires to move its regular monthly meetings to the Exchange Building immediately, to enable all interested parties and members of the public to attend Council meetings; and

WHEREAS, City Council is authorized to set its regular monthly meeting dates and amend City Code Section 1-3-1 pursuant to the authority granted in Sections 5-7-250 and 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose

This Ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular meetings.

The regular meeting of city council shall be held the fourth Thursday of each month; provided that when such Thursday shall fall on a legal holiday, the meeting for such month shall be held the following Thursday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 24 DAY OF MAY, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 04/26/90
Second Reading: 05/24/90
~~Third Reading:~~
Ratification: 05/24/90

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-6.E
4/26/90

AN EMERGENCY ORDINANCE TO CHANGE THE REGULAR MEETING DATE OF CITY COUNCIL

WHEREAS, Section 1-3-1 of the City Code provides that regular meetings of City Council shall be held the second Wendesday of each month, and such meetings have traditionally been held at City Hall; and

WHEREAS, under the City's fire code, prior to Hurricane Hugo, Council chambers in City Hall could accommodate only 30 people; and

WHEREAS, such limitation caused inconvenience for the public, interested parties and City Council, and interferred with the public's ability to attend City Council meetings; and

WHEREAS, as a result of the repairs and renovations to City Hall following Hurricane Hugo, the fire code limits occupancy of Council chambers to 20 people; and

WHEREAS, Council finds such limited capacity is inadequate for purposes of the regular monthly City Council meetings; and

WHEREAS, the Exchange Building, having capacity for very large numbers of people, has been offered for use for City Council meetings; however, its availability is limited, and its use will require Council to change its regular meeting schedule; and

WHEREAS, Council desires to move its regular monthly meetings to the Exchange Building immediately, to enable all interested parties and members of the public to attend Council meetings; and

WHEREAS, modification of City Code Section 1-3-1 by emergency ordinance, pursuant to the authority granted in Section 5-7-250, South Carolina Code of Laws, 1976, as amended, will facilitate such immediate change pending adoption of a permanent amendment to the City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to change the regular meeting date of City Council.

Section 2. Section 1-3-1 Amended

Section 1-3-1 of the City Code is amended to read as follows:

Sec. 1-3-1 Regular meetings.

The regular meeting of city council shall be held the fourth Thursday of each month; provided that when such Thursday shall fall on a legal holiday, the meeting for such month shall be held the following Thursday. Council shall announce and publish the place where regular meetings shall be held. Each regular meeting shall be called to order at 7:00 p.m. Council may by resolution change the date, place or time of any regular monthly meeting, provided that such change is published and posted.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26th DAY OF April, 1990.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-7.E
4/26/90

AN EMERGENCY ORDINANCE TO AMEND ZONING REQUIREMENTS RE: NON-CONFORMING STRUCTURES

WHEREAS, Section 5-4-37 of the City Code sets forth the standards under which non-conforming structures may be repaired and altered; and

WHEREAS, such standards do not provide for cosmetic, interior and facade alterations which are not needed to maintain the structural integrity and safety of the structure; and

WHEREAS, in the aftermath of Hurricane Hugo, many owners of non-conforming structures wish to make repairs that would constitute such alterations; and

WHEREAS, City Council believes such alterations are essentially non-structural in character, and may be made without subverting the general intent of Section 5-4-37, provided that the extent of the original non-conformity is not increased; and

WHEREAS, City Council is authorized to make amendments to its zoning requirements pursuant to Sections 5-23-10 et seq. and 6-7-710 et seq., South Carolina Code of Laws, 1976, as amended; and

WHEREAS, City Council is authorized to adopt emergency ordinances involving the property of the people pursuant to Section 5-7-250, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Emergency Ordinance is adopted to amend the City's zoning requirements regarding non-conforming structures.

Section 2. Section 5-4-37 Amended.

a. In Section 5-4-37 of the City Code, existing subsections (d) through (f) are re-numbered as subsections (e) through (g).

b. A new subparagraph 5-4-37(d) is created, to read as follows:

(d) The following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not

increased:

(1) Non-structural facade alterations

(2) Modification or removal of interior walls

(3) Modification of existing windows and exterior doors

(4) Construction or modification of decks and patios, provided that there is no increase in any encroachment into required setbacks

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Emergency Ordinance shall be effective upon its adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26th DAY OF April, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-9.E
4/26/90

AN EMERGENCY ORDINANCE TO ABATE HURRICANE-CAUSED PUBLIC NUISANCES

WHEREAS, City Council finds that although more than six months have elapsed since Hurricane Hugo, some unimproved, privately-owned properties have not been cleared of debris generated by the hurricane; and

WHEREAS, City Council finds that the worsening condition of such properties constitutes a public nuisance and safety hazard, and that there is great and immediate danger to the public health and safety resulting therefrom; and

WHEREAS, City Council believes that many of the owners of such properties are out-of-state residents, and finds that use of the abatement process set forth in City Code Sections 6-1-16 through 6-1-18 would unduly postpone addressing this situation, and further would cause an undue administrative burden on City staff; and

WHEREAS, funding assistance is now available from the Federal Emergency Management Agency to defray the costs of lot clearing and debris removal from said properties; and

WHEREAS, the City is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to abate hurricane-caused public nuisances.

Section 2. Section 6-1-17 Amended.

The existing Section 6-1-17 of the City Code is re-numbered as Section 6-1-17(a).

A new Subsection 6-1-17(b) is created, to read as follows:

(b) If hurricane-caused debris, constituting a great and immediate danger to the public health and safety, is not

removed from unimproved private property within six months of the storm event, the City Administrator may cause the immediate abatement of such hazard as an emergency action, without the provision of notice to the property owner as set forth in Section 6-1-16.

(1) To the extent feasible, such action shall take advantage of funding assistance for hurricane recovery. The City may charge to the property owner any abatement costs not paid by other sources.

(2) For purposes of this section, the term "debris" shall include, but is not limited to, masonry materials; metal products; glass; rubber; creosoted construction materials; refrigerators; stoves; clothes washers; clothes dryers; lawnmowers; bicycles; bathroom fixtures; grills; roofing materials; damaged or disturbed trees, bushes and shrubs; broken, partially broken and severed tree limbs; structural lumber; wood products; plastic; wood furniture; wood cabinets; and cloth items.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26 DAY OF APRIL, 1990.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS

DECLARATION OF NUISANCE AND HEALTH/SAFETY HAZARD

City records indicate that the property designated hereinbelow is unimproved and privately owned, and that debris generated by Hurricane Hugo has not been cleared to date.

Said property is hereby declared to constitute a public nuisance and safety hazard, causing great and immediate danger to the public health and safety.

Pursuant to Isle of Palms Emergency Ordinance 1990-6.E, the City is authorized to enter onto said property to abate such nuisance.

Identification of Property

_____
Mark M. Williams
City Administrator

Date:_____

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-10
Third Reading Draft - 7/26/90

AN ORDINANCE TO REQUIRE REGISTRATION OF THE LOCATIONS OF CONTAINERIZED GAS TANKS

WHEREAS, City Council finds that leaking propane and other gas tanks created a major safety hazard immediately following Hurricane Hugo; and

WHEREAS, the City's Emergency Preparedness Committee has recommended that the location of all containerized gas tanks be mapped, to facilitate the resolution of such a safety hazard if another hurricane hits the City; and

WHEREAS, City Council is authorized to adopt ordinances to protect the public safety pursuant to Section 5-7-30, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to require the registration of the locations of containerized gas tanks.

Section 2. New Sections Created

A new Chapter 3, Containerized Gas Tanks, is created and added to Title 2 of the City Code.

New Sections 2-3-1 and 2-3-2 are created, to read as follows:

CHAPTER 3

Containerized Gas Tanks

Sec. 2-3-1 Preparation of Containerized Gas Map

The Fire Chief is hereby directed to prepare a map of all propane and other containerized gas tanks in use within the City. Said map shall be used by the Fire Chief to identify the locations of potential public safety hazards in the event of hurricane or other disaster.

Sec. 2-3-2 Registration of Containerized Gas Locations

(a) The owners of all gas appliances and heating systems fueled by propane or other containerized gas shall register with the City Fire Department the addresses where such containerized gas tanks are permanently located. Registration shall be made on forms to be provided by the Fire Department.

Registration shall not be required for gas barbeque grills, camping equipment or gas tanks with capacity of less than 150 gallons.

(b) To facilitate the City's identification of the location of containerized gas tanks, each individual or company engaged in the business of installing, filling or repairing containerized gas tanks or appliances within the City shall provide a yearly report by June 1 of each year to the City Fire Chief that identifies the types and locations of containerized gas tanks installed, filled or repaired. Such reports shall be filed on forms to be provided by the Fire Department. Registration shall not be required for gas tanks with capacity of less than 150 gallons.

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or sec of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26 DAY OF July, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 5/24/90
Second Reading: 6/28/90
Third Reading: 7/26/90
Ratification: 7/26/90

ORDINANCE 1990-11

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, 1990 AND ENDING JUNE 30, 1991.

WHEREAS, Subsection 3 of Section 5-7-260 of the S.C. Code of Laws, 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, in Council assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1990 to June 30, 1991, 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 38.00 on every thousand dollars ($1000) 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 not to exceed thirty-eight (38) 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, the County will bill and collect the taxes enumerated herein, and pay the same over to the treasurer of the City of Isle of Palms in the manner prescribed by both parties.

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

SECTION 5. Delinquent property taxes shall be collected by Charleston County in a manner as prescribed by State law.

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
Clerk/Treasurer

APPROVED: Carmen R. Bunch
Carmen R. Bunch
Mayor

First Reading: 06/14/90

Public Hearing: 06/28/90

Second Reading: 06/28/90

Ratification: 06/28/90

City of Isle of Palms, S. C.
Operating Budget for the Fiscal Year
July 1, 1990 -- June 30, 1991

Adopted by City Council June 28, 1990

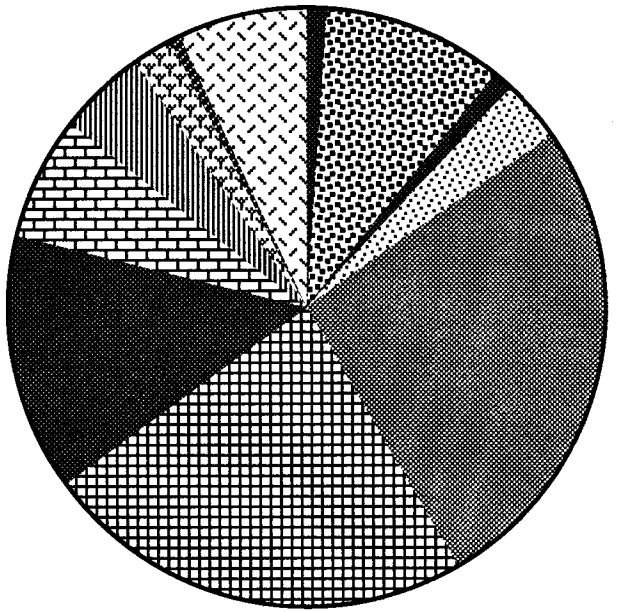
GENERAL FUND BUDGET

July 1, 1990 -- June 30, 1991

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1989-90	5/31/90 REVENUES COLLECTED YTD FY 1989-90	38 mils ESTIMATE FY 1990-91
103100001	Property Taxes	1,372,371	1,270,073	1,063,596
103210001	Business License Fees	270,000	346,397	280,000
103210003	Insurance License Fees	80,000	74,379	90,000
103210004	Public Utilities Fees	206,000	32,585	125,000
103210005	Animal License Fees	300	180	300
103210015	Building Permit Fees	50,000	335,802	180,000
103300001	Narcotics Seizures	0	0	40,000
103300002	Narcotics Grant Revenue	15,666	6,040	37,205
103400001	Court Generated Revenue	81,000	34,012	110,000
103450001	Beer & Wine Rebate	26,050	24,970	24,780
103450005	Liquor Tax Rebate	18,750	16,646	17,140
103450010	Bank Tax Rebate	0	405	210
103450015	Motor Transport Rebate	5,300	6,171	4,980
103450020	Income Tax Rebate	19,600	18,245	19,270
103450030	Intergovernmental Transfers	57,500	47,000	24,000
103450032	Intergov. Transfers- Narc.	0	105,069	0
103450033	Vehicle I.D. Fees	0	0	10,000
103450034	Disaster Relief- State	0	1,444,214	281,082
103450035	Broker's Premium Tax	1,830	0	1,590
103450036	Disaster Relief-Insurance	0	807,704	0
103450038	Gasoline Tax Rebate	0	8,644	12,000
103500001	Miscellaneous Income	5,000	5,470	12,009
103500002	Recycling Revenue	0	141	250
103500005	Parking Lot Revenue	55,000	24,986	45,000
103500015	Plat Application Fees	500	1,005	1,000
103500020	Sale of Assets	500	7,900	50,500
103500030	Interest Income	33,000	60,757	53,000
103500050	Transfer from Acc. Tax Fund	25,000	25,000	25,000
103500060	Recreation Instructors' Income	18,100	22,277	22,300
103500070	Recreation Program Income	11,872	2,462	13,150
Operating Transfer In from Capital Projects Fund		0	0	260,252
TOTAL GENERAL FUND REVENUES		**$2,353,339**	**$4,728,534**	**$2,803,614**

General Fund Expenditures By Department



Mayor & Council	1.0%
General Government	9.8%
Finance Department	1.2%
Police Narcotics Unit	3.2%
Police Department	26.4%
Fire Department	23.3%
Public Works Department	14.0%
Building/Planning	6.5%
Recreation Department	4.8%
Judicial & Legal	2.2%
Parking Lot Department	0.5%
Hurricane Related Expenses	7.0%

EXPENDITURES

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	5/31/90 GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104090001	Mayor & Council Salaries	10,800		10,500		10,800	
104090004	Fica Expense	818		761		826	
104090005	Retirement Expense	739		506		740	
104090006	Group Health Insurance	13,176		4,566		12,421	
104090007	Workman's Compensation	0		0		0	
104090015	Meetings & Seminars	1,000		-275		500	
104090016	Vehicle Fuel & Oil	0		0		1,200	
104090017	Vehicle Maintenance	0		0		500	
104090053	Blanket Bond	100		0		100	
104090062	Insurance	2,934		0		2,317	
104090087	Council Special Fund	0	0	0		1,500	
104090088	Mayor's Special Fund	3,000	0	2,421	0	2,500	0
	DEPARTMENT SUB TOTALS	**$32,567**	**$0**	**$18,479**	**$0**	**$33,404**	**$0**
	GRAND TOTAL		**$32,567**		**$18,479**		**$33,404**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104100001	Salaries-Supervisor	36,750		35,340		38,220	
104100002	Salaries-Employees	56,126		62,053		56,181	
104100003	Salaries-Part Time	5,103		3,651		0	
104100004	Fica Expense	7,427		7,649		7,222	
104100005	Retirement Expense	6,712		6,767		6,466	
104100006	Group Health Insurance	5,856		5,587		6,187	
104100007	Workman's Compensation	3,640		3,608		3,862	
104100008	Unemployment Compensation	500		0		500	
104100009	Debt Service- Principal	40,000		40,000		45,000	
104100010	Printing & Office Supplies	6,500		5,733		7,850	
104100011	Debt Service- Interest	57,737	57,737	58,170	58,177	56,088	56,087
104100014	Memberships & Dues	1,860		1,356		2,247	
104100015	Meetings & Seminars	1,000		959		250	
104100016	Vehicle Fuel & Oil	1,400		1,298		1,200	
104100017	Vehicle Maintenance	500		3,638		500	
104100020	Electricity & Gas	2,000		1,413		2,000	
104100021	Telephone/ Cable	3500		4,946		6,720	
104100022	Water & Sewer	300		201		300	
104100026	Maintenance/Service Contracts	3,000		1,940		4,080	
104100027	Machinery/Equipment Repair	1,000		123		500	
104100041	Uniforms	500		206		250	
104100044	Cleaning/ Sanitary Supplies	200		92		200	
104100053	Blanket Bond	150		100		100	
104100061	Advertising	2,400		5,175		2,400	
104100062	Insurance	10,123		3,052		4,925	
104100063	Rents & Leases	2,500		1,928		5,200	
104100064	Employee Training	0		0		0	
104100065	Professional Services	30,666		17,215		12,400	
104100068	Election Expenses	1,200		4,109		1,200	
104100071	Special Department Expenses	0		0		0	
104100079	Miscellaneous Expenses	1,000		3,032	5	1,500	
104100085	Capital Outlay	0		1,039	33,262	0	
	Tourism Promotion	0	42,250	0	0	0	17,500
	DEPARTMENT SUB TOTALS	**$289,649**	**$99,987**	**$280,380**	**$91,444**	**$273,548**	**$73,587**
	GRAND TOTAL		**$389,636**		**$371,824**		**$347,135**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104150001	Salaries- Supervisor	25,364		24,400		26,378	
104150002	Salaries- Employees	0		0		0	
104150003	Salaries-Part Time	0		0		0	
104150004	Fica Expense	1,923		1,817		2,018	
104150005	Retirement Expense	1,737		1,696		1,807	
104150006	Group Health Insurance	1,464		1,397		1,547	
104150007	Workman's Compensation	0		0		0	
104150008	Unemployment Compensation	100		0		0	
104150010	Printing & Office Supplies	0		0		0	
104150015	Meetings & Seminars	250		0		0	
104150020	Electricity & Gas	0		0		0	
104150021	Telephone/ Cable	0		0		0	
104150022	Water & Sewer	0		0		0	
104150026	Maintenance/Service Contracts	0		0		0	
104150053	Blanket Bond	575		450		575	
104150062	Insurance	326		374		448	
104150064	Employee Training	0		0		0	
104150079	Miscellaneous Expenses	0		0		100	
104150085	Capital Outlay	0	0	0	0	0	0
	DEPARTMENT SUB TOTALS	**$31,739**	**$0**	**$30,134**	**$0**	**$32,873**	**$0**
	GRAND TOTAL		**$31,739**		**$30,134**		**$32,873**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104200002	Salaries- Employees	22,608		26,869		46,850	
104200004	Fica Expense	1,714		1,910		3,584	
104200005	Retirement Expense	2,419		2,875		3,209	
104200006	Group Health Insurance	1,464		1,397		3,094	
104200010	Printing & Office Supplies	0		0		0	
104200016	Vehicle Fuel & Oil	0		0		0	
104200017	Vehicle Maintenance	0		1,036		0	
104200021	Telephone & Cable	0		394		3,000	
104200041	Uniforms	0		0		1,000	
104500049	Medical & Lab Supplies	0		0		200	
104200062	Insurance	0		4,446		4,402	
104200063	Rents & Leases	3,960		0		0	
104200071	Special Department Expenses	0		2,253		0	
104200079	Miscellaneous Expenses	0		154		0	
104200080	Drug Buys	0		0		2,000	
104200085	Capital Outlay	0	0	2,118	0	22,460	0
	DEPARTMENT SUB TOTALS	**$32,165**	**$0**	**$43,452**	**$0**	**$89,799**	**$0**
	GRAND TOTAL		**$32,165**		**$43,452**		**$89,799**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	5/31/90 GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	6/28/90 OTHER FUNDS ESTIMATE FY 1990-91
104210001	Salaries- Supervisor	27,000		13,754		33,800	
104210002	Salaries- Employees	417,188		405,014		434,358	
104210003	Salaries- Part Time	10,080		6,114		11,155	
104210004	Fica Expense	34,434		31,668		36,667	
104210005	Retirement Expense	48,607		41,414		51,286	
104210006	Group Health Insurance	27,816		28,489		34,030	
104210007	Workman's Compensation	11,374		11,276		12,069	
104210008	Unemployment Compensation	1,000		0		1,000	
104210010	Printing & Office Supplies	6,500		6,918		6,500	
104210014	Memberships & Dues	1,000		630		650	
104210015	Meetings & Seminars	500		540		500	
104210016	Vehicle Fuel & Oil	17,205	10,000	22,968	2,944	27,205	
104210017	Vehicle Maintenance	12,200	5,000	15,745		9,200	
104210020	Electricity & Gas	5,000		3,199		4,000	
104210021	Telephone/ Cable	8,660		10,617		9,000	
104210022	Water & Sewer	600		300		600	
104210026	Maintenance/Service Contracts	2,500		4,033		2,500	
104210027	Machinery/Equipment Repair	4,200		6,334		4,200	
104210031	Small Hand Tools	200		72		200	
104210041	Uniforms	5,000	6,000	10,254	4,424	9,000	
104210044	Cleaning/ Sanitary Supplies	600		512		600	
104210049	Medical & Lab Supplies	2,000		85		1,000	
104210053	Blanket Bond	100		100		100	
104210062	Insurance	22,013		20,619		26,000	
104210063	Rents & Leases	8,390	2,000	11,472		8,500	
104210064	Employee Training	5,000		2,420		3,500	
104210071	Special Department Expenses	3,000		1,842		2,500	
104210079	Miscellaneous Expenses	2,700		1,862	1,570	2,200	
104210081	Canine Kennel Expenses	0		0		3,500	
104210085	Capital Outlay	16,000	0	43,739	14,183	3,700	0
	DEPARTMENT SUB TOTALS	**$700,866**	**$23,000**	**$701,990**	**$23,121**	**$739,521**	**$0**
	GRAND TOTAL		**$723,866**		**$725,111**		

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104220001	Salaries- Supervisor	29,000		27,900		33,000	
104220002	Salaries- Employees	377,323		358,085		411,098	
104220003	Salaries- Part Time	9,039		5,732		9,325	
104220004	Fica Expense	31,484		28,327		34,687	
104220005	Retirement Expense	44,444		41,739		48,516	
104220006	Group Health Insurance	30,305		27,936		32,483	
104220007	Workman's Compensation	9,223		9,144		9,787	
104220008	Unemployment Compensation	1,000		0		500	
104220010	Printing & Office Supplies	750		2,688		900	
104220014	Memberships & Dues	850		388		500	
104220015	Meetings & Seminars	1,500		368		600	
104220016	Vehicle Fuel & Oil	2,000	2,000	3,689	430	4,000	
104220017	Vehicle Maintenance	3,500	6,500	6,755	83	10,000	
104220020	Electricity & Gas	4,000		3,426		4,000	
104220021	Telephone/ Cable	2,000	2,000	4,226		4,000	
104220022	Water & Sewer	350		188		350	
104220026	Maintenance/Service Contracts	3,000	2,500	2,259		3,500	
104220027	Machinery/Equipment Repair	2,000	3,000	11,489		5,000	
104220031	Small Hand Tools	500		1,003		250	
104220041	Uniforms	2,800	3,700	3,170		5,880	
104220044	Cleaning/ Sanitary Supplies	1,500		737		1,000	
104220049	Medical & Lab Supplies	4,000		263		4,000	
104220053	Blanket Bond	200		63		100	
104220062	Insurance	17,012	3,300	12,763		18,343	
104220063	Rents and Leases	0		200		1,920	
104220064	Employee Training	4,500		877		2,000	
104220065	Professional Services	750		245		900	
104220079	Miscellaneous Expenses	4,000		607		4,000	
104220085	Capital Outlay	23,000	0	7,470	2,907	2,700	0
	DEPARTMENT SUB TOTALS	**$610,030**	**$23,000**	**$561,737**	**$3,420**	**$653,339**	**$0**
	GRAND TOTAL		**$633,030**		**$565,157**		

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	5/31/90 GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104300001	Salaries- Supervisor	28,878		27,780		30,033	
104300002	Salaries- Employees	168,375		134,015		172,406	
104300003	Salaries- Part Time	11,050		11,970		13,708	
104300004	Fica Expense	15,789		12,838		16,535	
104300005	Retirement Expense	14,269		11,801		14,806	
104300006	Group Health Insurance	20,496		19,434		23,202	
104300007	Workman's Compensation	14,724		14,597		15,624	
104300008	Unemployment Compensation	2,000		0		1,500	
104300010	Printing & Office Supplies	300		259		300	
104300016	Vehicle Fuel & Oil	6,000	10,000	9,886	2,157	16,000	
104300017	Vehicle Maintenance	15,000	10,000	16,695	1,563	24,000	
104300020	Electricity & Gas	27,000		19,731		25,000	
104300021	Telephone/ Cable	850		957		1,000	
104300022	Water & Sewer	250		0		250	
104300026	Maintenance/Service Contracts	1,500		324		1,000	
104300027	Machinery/Equipment Repair	1,000		188		1,000	
104300031	Small Hand Tools	1,000		738		750	
104300041	Uniforms	3,987	3,013	2,961	655	6,000	
104300044	Cleaning/ Sanitary Supplies	2,000		483		2,000	
104300049	Medical & Lab Supplies	200		0		200	
104300054	Street Signs	2,500		1,252		2,500	
104300062	Insurance	14,011		17,419		18,398	
104300063	Rents & Leases	3,000		600		1,500	
104300065	Professional Services	0		0		0	
104300068	Contracted Services	2,700		137		2,500	
104300079	Miscellaneous Expenses	2,000		411		500	
104300085	Capital Outlay	10,400	0	374	37,787	0	0
	DEPARTMENT SUB TOTALS	**$369,279**	**$23,013**	**$304,850**	**$42,162**	**$390,712**	**$0**
	GRAND TOTAL		**$392,292**		**$347,012**		**$390,712**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	5/31/90 GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104450001	Salaries- Supervisor	30,830		29,660		32,063	
104450002	Slaries- Employees	16,102		52,512		87,566	
104450003	Salaries- Part Time	4,700		4,308		4,700	
104450004	Fica Expense	3,914		6,473		9,511	
104450005	Retirement Expense	3,537		5,972		8,517	
104450006	Group Health Insurance	2,928		5,526		9,281	
104450007	Workman's Compensation	496		492		526	
104450008	Unemployment Compensation	0		0		0	
104450010	Printing & Office Supplies	2,100		6,314		3,300	
104450014	Memberships & Dues	100		97		100	
104450015	Meetings & Seminars	800		0		500	
104450016	Vehicle Fuel & Oil	1,200		2,200		4,000	
104450017	Vehicle Maintenance	1,000		164		1,000	
104450020	Electricity & Gas	750		1,557		4,000	
104450021	Telephone/ Cable	2,100		4,055		5,800	
104450022	Water & Sewer	400		0		1,000	
104450026	Maintenance/Service Contracts	200		637		750	
104450027	Machinery/Equipment Repair	250		0		150	
104450044	Clean/Sanitation Supplies	0		143		250	
104450053	Blanket Bond	0		100		100	
104450062	Insurance	1,399		3,688		3,282	
104450063	Rents and Leases	0		835		3,360	
104450064	Employee Training	100		0		1,000	
104450065	Professional Services	8,000		2,602		2,000	
104450079	Miscellaneous Expenses	250		0		250	
104450085	Capital Outlay	0	0	1,640	0	0	0
	DEPARTMENT SUB TOTALS	**$81,155**	**$0**	**$128,975**	**$0**	**$183,006**	**$0**
	GRAND TOTAL		**$81,155**		**$128,975**		**$183,006**

ACCT. NO.	RECREATION DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104500001	Salaries- Supervisor	19,500		18,760		20,280	
104500002	Salaries- Employees	26,245		19,810		40,896	
104500003	Salaries- Part Time	9,468		2,594		0	
104500004	Fica Expense	4,185		3,084		4,680	
104500005	Retirement Expense	3,782		2,744		4,191	
104500006	Group Health Insurance	4,392		2,429		6,187	
104500007	Workman's Compensation	1,902		1,886		2,018	
104500008	Unemployment Compensation	250		435		250	
104500010	Printing & Office Supplies	1,150		2,284		1,500	
104500014	Memberships & Dues	1,700		395		1,700	
104500015	Meetings & Seminars	200		288		300	
104500016	Vehicle Fuel & Oil	250		705		750	
104500017	Vehicle Maintenance	700		10		500	
104500020	Electricity & Gas	7,000		4,168		6,000	
104500021	Telephone/ Cable	1,000		1,264		1,200	
104500022	Water & Sewer	500		490		500	
104500026	Maintenance/Service Contracts	4,000		2,384		1,500	
104500027	Machinery/Equipment Repair	750		311		800	
104500031	Small Hand Tools	100		8		75	
104500041	Uniforms	600		0		400	
104500044	Cleaning/ Sanitary Supplies	800		1,031		1,000	
104500049	Medical & Lab Supplies	300		243		200	
104500053	Blanket Bond	100		100		100	
104500062	Insurance	1,957		2,101		2,471	
104500063	Rents & Leases	2,000		954		2,400	
104500064	Employee Training	100		65		200	
104500071	Special Department Expenses	16,622		13,080		17,000	
104500079	Miscellaneous Expenses	100		60		200	
104500085	Capital Outlay	6,500	0	5,938	0	0	0
	DEPARTMENT SUBTOTAL	**$116,153**	**$0**	**$87,621**	**$0**	**$117,298**	**$0**

	REC. INSTRUCTION EXPENSES			
104500090	Crafts	0	1,712	1,500
104510091	Gymnastics	900	1,404	1,500
104510092	Mother's Morning Out	3,000	0	0
104510093	Day Camp	675	650	4,200
104510094	Dancing	1,500	735	1,125
104510095	Karate	8,250	4,170	8,250
104510096	Slimnastics	0	152	600
104510097	Men's Softball	0	847	0
104510098	Men's Basketball	0	264	0
104510099	Tennis	0	210	600
	DEPARTMENT SUB TOTALS	**$14,325**	**$10,144**	**$17,775**
	GRAND TOTAL	**$130,478**	**$97,765**	**$135,073**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104600002	Salaries- Employees	14,496		13,773		15,470	
104600003	Salaries- Part Time	4,000		3,667		4,000	
104600004	Fica Expense	1,402		1,321		1,489	
104600005	Retirement Expense	1,267		1,212		1,334	
104600008	Group Health Insurance	1,464		1,336		1,547	
104600010	Printing & Office Supplies	500		2,040		1,000	
104600021	Telephone/ Cable	0		537		900	
104600053	Blanket Bond	0		100		100	
104600062	Insurance	652		409		490	
104600063	Rents and Leases	0		725		1,000	
104600065	Professional Services	30,000		52,636		35,000	
104600085	Capital Outlay	7,500	0	7,718	0	0	0
	DEPARTMENT SUB TOTALS	**$61,281**	**$0**	**$85,474**	**$0**	**$62,330**	**$0**
	GRAND TOTAL		**$61,281**		**$85,474**		**$62,330**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104800003	Salaries- Part Time	10,460		4,013		11,400	
104800004	Fica Expense	793		302		872	
104800005	Retirement Expense	0		26		0	
104800007	Workman's Compensation	0		0		0	
104800008	Unemployment Compensation	0		0		0	
104800062	Insurance	1,926		0		0	
104800063	Rents & Leases	200		113		200	
104800065	Professional Services	0		0		0	
104800071	Special Department Expenses	300		1,714		1,000	
104800085	Capital Outlay	250	0	0	0	0	0
	DEPARTMENT SUB TOTALS	**$13,929**	**$0**	**$6,168**	**$0**	**$13,472**	**$0**
	GRAND TOTAL		**$13,929**		**$6,168**		**$13,472**

ACCT. NO.	HURRICANE RELATED EXP ACCOUNT NAME	GEN. FUND BUDGETED FY 1989-90	OTHER FUNDS BUDGETED FY 1989-90	GEN. FUND EXPENDED YTD FY 1989-90	OTHER FUNDS EXPENDED YTD FY 1989-90	GEN. FUND ESTIMATE FY 1990-91	OTHER FUNDS ESTIMATE FY 1990-91
104900003	Salaries- Part Time			29,676			
104900004	Fica Expense			2,245			
104900007	Workman's Compensation			0			
104900010	Printing /Office Supplies			5,987			
104900016	Vehicle Fuel & Oil			15,409			
104900017	Vehicle Maintenance			23,811			
104900021	Telephone and Cable			3,358			
104900026	Maintenance/Service Contracts			1,240,715		4,000	
104900027	Machinery/Equipment Repairs			695			
104900031	Small Hand Tools			6,013			
104900041	Uniforms			2,622			
104900054	Street Signs			189			
104900063	Rents and Leases			171,157		111,456	
104900067	Contracted Expenses			95,452		81,082	
104900071	Special Dept. Expenses			11,814			
104900079	Miscellaneous Expenses			11,695			
104900085	Capital Outlay			172,687		0	0
				$1,793,525		**$196,538**	**$0**
GEN FUND TOTAL EXPENDITURES		**$2,353,139**		**$4,052,929**		**$2,803,614**	
OTHER FUNDS TOTALS		**$169,000**		**$160,147**		**$73,587**	
TOTAL BUDGET		**$2,522,139**		**$4,213,076**		**$2,877,201**	

FY 1990-1991 BUDGET
ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	BUDGETED FY 1989-90	04/30/89 COLLECTED FY 1989-90	ESTIMATED FY 1990-91	
503010001	Acc. Tax Revenue	180,000	154,261	95,000	
	Transfer to General Fund	-25,000	-25,000	-25,000	
	Minus 25% Restricted Fund	-38,750	-32,315		
503020001	Interest Income	16,000	6,770	3,587	
	TOTAL REVENUES	$132,250	$103,716	$73,587	-44.36%

FY 1990-91 BUDGET
ACCOMMODATIONS TAX FUND
EXPENDITURES

		BUDGETED FY 1989-90	5/31/90 EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91
	GENERAL GOVERNMENT			
504100009	Debt Service- Principal	57,737	58,177	56,087
504100011	Debt Service- Interest	0	0	
504100079	Miscellaneous Expenses	0	0	
504100085	Capital Outlay	0	0	
504100090	Tourism Promotion Expense	0	0	17,500
	DEPARTMENT TOTAL	$57,737	$58,177	$73,587
	POLICE DEPARTMENT			
504210010	Printing & Office Supplies			
504210016	Vehicle Fuel & Oil	10,000	2,944	
504210017	Vehicle Maintenance	5,000	0	
504210021	Telephone/ Cable	0	0	
504210026	Maintenance/ Service Contracts	0	0	
504210027	Machinery/ Equipment Repair	0	0	
504210041	Uniforms	6,000	4,424	
504210062	Insurance	0	0	
504210063	Rents & Leases	2,000	0	
504210079	Miscellaneous Expenses	0	1,570	
504210085	Capital Outlay	0	14,182	0
	DEPARTMENT TOTAL	$23,000	$23,120	$0

		BUDGETED FY 1989-90	5/31/90 EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91
	FIRE DEPARTMENT			
504220010	**Printing & Office Supplies**	0	0	0
504220016	**Vehicle Fuel & Oil**	2,000	430	0
504220017	**Vehicle Maintenance**	6,500	83	0
504220021	**Telephone/ Cable**	2,000	0	0
504220026	**Maintenance/ Service Contracts**	2,500	0	0
504220027	**Machinery/ Equipment Repairs**	3,000	0	0
504220041	**Uniforms**	3,700	0	0
504210062	**Insurance**	3,300	0	0
504220079	**Miscellaneous Expenses**	0	0	0
504220085	**Capital Outlay**	0	0	0
	DEPARTMENT TOTAL	**$23,000**	**$513**	**$0**

		BUDGETED FY 1989-90	5/31/90 EXPENDED YTD FY 1989-90	ESTIMATE FY 1990-91
	PUBLIC WORKS DEPARTMENT			
504300010	**Printing & Office Supplies**	0	0	0
504300016	**Vehicle Fuel & Oil**	10,000	2,157	0
504300017	**Vehicle Maintenance**	10,000	1,563	0
504300026	**Maintenance/ Service Contracts**	0	0	0
504300027	**Machinery/ Equipment Repairs**	0	0	0
504300041	**Uniforms**	3,013	655	0
504300079	**Miscellaneous Expenses**	0	0	0
504300085	**Capital Outlay**	0	37,787	0
	DEPARTMENT TOTAL	**$23,013**	**$42,162**	**$0**

	ACCOMMODATIONS TAX FUND TOTAL	**$126,750**	**$123,972**	**$73,587**	-41.94%

TOTAL REVENUES--ALL FUNDS		
	GENERAL FUND	**$2,803,614**
	ACCOMMODATIONS TAX FUND	**$73,587**
	TOTAL	**$2,877,201**
TOTAL EXPENDITURES--ALL FUNDS		
	GENERAL FUND	**$2,803,614**
	ACCOMMODATIONS TAX FUND	**$73,587**
	TOTAL	**$2,877,201**

SIGNIFCANT EXPENSES IN FY 1990-91 GENERAL FUND BUDGET

PERSONNEL AND ASSOCIATED COSTS		**$1,980,265**
OPERATION OF VEHICLES (Gas and Repairs)		**$98,355**
UTILITIES (Electricity, Water, Gas, Phones)		**$75,720**
INSURANCE (Tort, Auto, Property)		**$76,674**
DEBT SERVICE (Parking Lot)		**$157,175**
CAPITAL OUTLAY (Equipment)		**$6,400**
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)		**$50,300**
UNIFORMS		**$21,530**
OTHER OPERATIONS EXPENSES		**$337,195**
	TOTAL	**$2,803,614**

CITY OF ISLE OF PALMS
ORDINANCE NO. 1990-12
Revised Third Reading Draft - 12/20/90

[formerly proposed as Ordinance 1989-4]

AN ORDINANCE TO AMEND THE CITY'S REQUIREMENTS RELATING TO THE SUBDIVISION OF PROPERTY

WHEREAS, City Council desires to modify and expand upon the City of Isle of Palms' existing requirements relating to the subdivision of property in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend subdivision regulations under Sections 5-23-600 et seq. and Sections 6-7-1010 et seq. of the South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held concerning this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's requirements relating to the subdivision of property.

Section 2. Existing Sections Re-numbered. Existing Sections 5-4-81 through 5-4-85 of the City Code are re-numbered as Sections 5-4-91 through 5-4-95 respectively. Sections 5-4-96 through 5-4-100 are reserved.

Section 3. Subdivision Requirements Amended. Existing Sections 5-4-71 and 5-4-72 are deleted, and replaced by the following sections, to read as follows:

ARTICLE D

Subdivision Approval and Subdivision Regulations

Section 5-4-71 Subdivision Approval Required

Approval of any subdivision of property within the City of Isle of Palms shall be required as set forth hereinbelow. These requirements shall be referred to as the "Subdivision Regulations" of the City of Isle of Palms.

(1) Scope: Within the jurisdiction of the City of Isle of Palms, no subdivision shall be made, platted, or recorded for any purpose, nor shall parcels resulting from such subdivisions be sold or offered for sale, unless such subdivision meets all requirements of these regulations.

(2) Subdivision Defined: For purposes of these regulations, a subdivision shall be defined to be any division of a tract, parcel, or lot into two or more lots, or any division of land involving the dedication of a street or other public right-of-way, or any division of land involving a change in existing streets.

(3) Compliance with Zoning Requirements: All applications for subdivision shall also be required to meet all of the requirements of this Title.

(4) Plats Required to Be Stamped: All plats for the subdivision of property within the City of Isle of Palms shall bear the stamp of the City of Isle of Palms as a condition precedent to registration with the Charleston County Register of Mesne Conveyance.

Section 5-4-72 Stages in the Subdivision Approval Process

The following steps describe the procedure for obtaining approval of land subdivision with the City of Isle of Palms:

(1)	CONCEPTUAL PLAN:	Submission and review are OPTIONAL.
(2)	PRELIMINARY PLAT:	Submission, review and approval are REQUIRED.
(3)	CONDITIONAL PLAT:	Submission, review and approval are OPTIONAL.
(4)	FINAL PLAT:	Submission, review, approval and recording are REQUIRED.

Step (1) is optional, at the selection of the subdivider. Step (2) shall be completed prior to clearing, grading or making any street or other improvements or installing any utilities. Either Step (3) or Step (4) shall be completed prior to building construction and/or sale of any lots within the proposed

subdivision. Step (4) shall be completed prior to the occupancy of any structures.

Section 5-4-73 Conceptual Plan

(a) Purpose

Conceptual Plans are encouraged but are **NOT** required. The purpose of Conceptual Plan review is to assist the subdivider prior to extensive site planning and expenditures.

(b) Rights Afforded by Conceptual Plan Review

None. Conceptual Plan review is purely advisory to the subdivider. Conceptual Plan review does not entail an approval, and creates no vested rights or rights of reliance on the part of the subdivider.

(c) Information Required for Review

Conceptual Plan submissions shall contain at least the following data, legibly drawn to scale, but not necessarily showing precise dimensions:

(1) North arrow, written and graphic scales, and a location map showing the relationship between the proposed subdivision and the surrounding area.

(2) Tract boundaries and total acreage.

(3) Significant topographical and physical features including the location of critical area and water courses within and abutting the tract, flood hazard areas and designation of flood hazard zone.

(4) The location, names and rights-of-way widths of existing streets.

(5) Tentative street and lot arrangement showing acreage, proposed minimum lot size and the number of lots.

(6) Existing and proposed land uses throughout the subdivision.

(7) Zoning classification(s) and TMS numbers.

(8) Existing and proposed drainage and utility easements.

(9) Statement for proposed method of sanitary sewerage disposal.

(10) The location of the critical area as defined by the SC Coastal Council, and delineation of the marsh setback required by City Code Section 5-4-18. All wetland areas under the jurisdiction of the S.C. Coastal Council or the U.S. Army Corps of Engineers shall be shown.

(11) Flood hazard zone(s); the SC Coastal Council critical line, baseline and construction setback line and the City's beachfront setback line shall be shown if applicable.

(12) The tree survey required in City Code Section 5-4-61.

(13) Owner's and subdivider's name, address and telephone number.

(d) Review Process

The applicant shall submit a proposed Conceptual Plan to the City Administrator, who shall forward the proposed Conceptual Plan to the City Building Official and the Planning Commission for advisory review. The Planning Commission shall provide the applicant with the advisory and non-binding results of its review within 45 days following submission of the proposed Conceptual Plan. City Council herewith delegates to the Planning Commission the review of any Conceptual Plan submissions made to City Council pursuant to any PRD zoning district requirement, with the stipulations (1) that the Planning Commission shall not have the authority to approve any such Conceptual Plans, and (2) that City Council may request the applicant to submit such Conceptual Plans to Council for information only.

(e) Duration of Approval

Conceptual Plans are **NOT** approved pursuant to this section; consequently, no duration is associated with the results of Conceptual Plan review. Documents bearing the name "Conceptual Plan" that were approved by City Council pursuant to a PRD requirement or previous subdivision regulation, now superseded, shall remain in effect and maintain any legal rights associated

therewith for a period of one (1) year following the adoption of this revised section.

Section 5-4-74 Preliminary Plat

(a) Preliminary Plat Required

Submission and approval of the Preliminary Plat is the first formal stage of the Subdivision Regulation process. Approval is required before site improvements may be made.

(b) Rights Afforded by Preliminary Plat Approval

Issuance of a Preliminary Plat authorizes the subdivider to proceed with the installation of site improvements and with the preparation of final plats. Preliminary Plat approval does **NOT** authorize the sale or transfer of lots, nor the commencement of construction of structures.

(c) Information Required for Review

Preliminary Plats shall be drawn to scale no smaller than 1" = 200'. Where large areas are being platted, they may be drawn on one or more sheets not to exceed twenty-two (22) inches by thirty-four (34) inches in size. For small areas being platted, a scale of 1" = 100' shall be used, provided the drawing does not exceed twenty-two (22) inches by thirty-four (34) inches increase in size.

In addition to the data required for Conceptual Plan review in Section 5-4-73(c), the following information shall be required:

(1) The courses and distances of the perimeter of the land involved shall be shown.

(2) References to a known point or points such as street intersections and railroad crossings.

(3) Zoning classifications, total acreage and total number of lots.

(4) The TMS numbers of adjacent properties and street names where known or available shall be given and all intersecting boundaries or property lines shall be shown.

(5) Proposed divisions to be created shall be shown, including the right-of-way widths, roadway widths, easement widths, and names of streets; the location of proposed utility installations, lot lines; sites reserved or deeded for public uses.

(6) The title, scale (including graphic scale), north arrow (magnetic, grid or true), date, name of the subdivider and the name of the licensed professional who prepared the plat, together with his/her South Carolina Registration Number shall be shown on each sheet.

(7) Drainage features shall be shown.

(8) When required by the City Building Official or other requirements, a drainage plan showing profiles, plans and drainage specifications for existing and/or proposed on-site stormwater drainage facilities and off-site facilities to be used to carry stormwater from the site.

(9) Accompanying data as listed below:

(a) The Preliminary Plat shall be accompanied by a statement indicating what provisions are to be made for water supply and sewage disposal.

(d) Criteria for Review

The application for Preliminary Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Preliminary Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the

plat and two (2) copies of the required supplemental material shall be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall make its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The recommendation shall be for approval, approval with conditions, or disapproval.

(3) Following Commission action, the proposed plat, Commission recommendation, written comments from City staff/consultants and a brief statement describing the plat and the reason(s) for its submittal shall be forwarded to City Council before its next regularly scheduled meeting. The plat shall appear on the agenda at that meeting of City Council; however, no final action shall be required at said meeting, and consideration and/or final action may be postponed to the next regularly scheduled City Council meeting. City Council shall approve, approve with conditions or disapprove the application on or before its second regularly scheduled meeting following action by the Planning Commission.

(4) When a complete application for approval of a Preliminary Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(5) No improvements shall be made, nor shall permanent markers or monuments be installed, prior to City Council's approval of the Preliminary Plat.

(6) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

(f) Duration

Approval of a Preliminary Plat shall apply for one (1) year from the date of approval. Where a subdivision is being developed in sections, the one (1) year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a Preliminary Plat, the developer may apply for and be granted a one (1) year extension of time by City Council; no more than four (4) such extensions may be granted. There is no automatic right to receive any one or more extensions, and Council has the discretion to require the subdivider to apply for a new Preliminary Plat; Council shall consider the applicant's progress or lack thereof in proceeding with the development as well as changed circumstances and restrictions in determining whether or not to grant an extension. In addition, Council may terminate an approval, for cause, any time after one year.

Section 5-4-75 Conditional Plat

(a) Conditional Plat Submittal

Submission and approval of the Condition Plat is an **OPTIONAL** second formal stage of the Subdivision Regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are secured to ensure that required improvements will be completed.

(b) Rights Afforded by Conditional Plat Approval

Issuance of a Conditional Plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this Title, on lots covered by a Conditional Plat. However, Conditional Plat approval does **NOT** authorize the issuance of a Certificate of Occupancy for any structures constructed; approval, issuance and recording of a Final Plat is required prior to the issuance of Certificates of Occupancy.

(c) Information Required for Review of Conditional Plats

In addition to the information required for review of a Preliminary Plat submission, the following information is required:

(1) The applicant shall submit a bond or other financial guarantees meeting the criteria set forth in Section 5-4-79.

(2) The following Conditions shall be written on the plat:

a. This is conditional approval. Final approval is contingent upon completion and approval of all required improvements. No property as subdivided on the preliminary plat may be occupied in any manner until a final plat is approved by the City of Isle of Palms. No building permits will be issued until the road base and water system are installed.

b. It shall be the duty of an attorney, real estate agent and/or broker involved in the subdivision to bring notice of these conditions of approval to all prospective purchasers of any parcel shown hereon.

c. Failure to comply with any of the conditions of approval listed hereon constitutes cause for refusal to issue and/or revocation of any certificate of occupancy.

(d) Criteria for Review

The application for Conditional Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

The application for Conditional Plat shall follow the same process set forth for the approval of a Preliminary Plat pursuant to Section 5-4-74.

(f) Duration

In the event required improvements are not completed within one (1) year of the approval of a Conditional Plat, the City shall have the right to call upon the applicable financial guarantees and complete construction of the required improvements. The developer may apply for and be granted an extension of time of up to one (1) year by City Council to complete the required

improvements, provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted, and the City has the right to call upon the applicable financial guarantees rather than extend the duration of the Conditional Plat.

Section 5-4-76 Final Plat

(a) Final Plat Required

Submission and approval of the Final Plat is the final stage of the Subdivision Regulation process. Approval is required before a certificate of occupancy will be issued.

(b) Rights Afforded by Approval of a Final Plat

Issuance of a Final Plat authorizes the subdivider to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon a showing of compliance with the conditions of Section 5-4-101.

(c) Information Required for Review

The Final Plat shall be drawn in ink on a material specified by the Register of Mesne Conveyance for Charleston County as acceptable for recording, on sheets not to exceed twenty-two (22) inches by thirty-four (34) inches, and at a scale of 1" = 100' or larger. Minimum plat size to be eight and one-half (8 1/2) inches by eleven (11) inches. Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.

In addition to the information required for review of the Preliminary Plat in Section 5-4-74, the following information shall be required:

(1) All information required on the Preliminary Plat, with the exception of topographic data.

(2) All property lines with distances, accurate bearings or deflection angles. If a control traverse is run between any two points on any property lines, then it shall be noted. For property lines which are curves or are in part curves, the arc length and radius shall be shown.

(3) Curve data for all curves shall consist of the following:

The Delta angle, the degree of the curve, the tangent distance, the length of curve by arc method, and the radius. This information should be calculated along the centerline or other defined traverse line for the entire curve, beginning to end as one set of data.

(4) The location of all points of curvature and tangency.

(5) The location of points of intersection where circular curves are not used.

(6) Block and lot numbers suitably arranged by simple system.

(7) Certificate of Accuracy: A Certificate of Accuracy shall be lettered or printed on the face of the Final Plat. The signature, seal and certification of a registered professional land surveyor to the effect that the Final Plat accurately reflects a "Class A" survey, that all monuments shown thereon actually exist and their position is accurately shown, and that all dimensional details are correct.

(8) In subdivisions where existing public water and public sewer systems have been extended and/or a new system installed, the applicant shall submit a letter of operation and maintenance agreement from the system and certifications of inspection from the SC Department of Health & Environmental Control.

(9) A statement of the private covenants, if they are brief enough to be put directly on the plat; otherwise, a statement as follows: "This plat is subject to the covenants set forth in the separate document(s) attached hereto dated _____, which hereby becomes a part of this plat", recorded _____, and signed by the owner.

(10) Accurate location, material and description of monuments and markers. Monuments to be placed after final street improvements shall be designated as "future".

(11) Certificates, as follows:

(a) A surveyor's certificate as to accuracy of survey and plat. "I, name of surveyor, a registered surveyor

of the State of South Carolina do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____" (state actual precision). The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the S.C. Board of Engineering Examiners.

(b) A statement of dedication by the property owner of streets, rights-of-way, easements, and any other sites for public use. If any change in ownership is made subsequent to the submission of the plat and prior to the granting of final approval, the statement of dedication shall be corrected accordingly.

(c) The signature and seal of the registered land surveyor in accordance with the current Minimum Standard Manual for the Practice of Land Surveying in South Carolina.

(d) The date of the field survey upon which Final Plat is based.

(d) Criteria for Review

The application for Final Plat approval must contain all required elements. Incomplete submissions may be returned to the applicant without review. All returned submissions shall identify the additional elements which must be submitted as a condition for review.

(e) Review Process

(1) The applicant shall submit a proposed Final Plat to the City Administrator, who shall forward the application to the Planning Commission, the City Building Official and all other applicable City departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the Planning Commission will be placed on the Commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled Commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall

be submitted. The application must include all elements required. Incomplete applications will be returned for revision/completion prior to Planning Commission review.

(2) The Commission shall review each application and shall make its recommendations to City Council for action. The Commission may request additional information or documentation from the applicant to facilitate its review, and may postpone forwarding a recommendation to City Council until such information has been provided and reviewed by both City staff and the Commission. The recommendation shall be for approval, approval with conditions, or disapproval.

(3) If the Final Plat conforms to the approved preliminary plat and the requirements of these regulations, final approval shall be recommended by the Planning Commission of the City of Isle of Palms and granted by City Council of the City of Isle of Palms.

(4) Following Commission action, the proposed Final Plat, Commission recommendation, written comments from City staff/consultants and a brief statement describing the plat and the reason(s) for its submittal shall be forwarded to City Council before its next regularly scheduled meeting. The plat shall appear on the agenda at that meeting of City Council; however, no final action shall be required at said meeting, and consideration and/or final action may be postponed to the next regularly scheduled City Council meeting. City Council shall approve, approve with conditions or disapprove the application on or before its second regularly scheduled meeting following action by the Planning Commission.

(5) When a complete application for approval of a Final Plat has been submitted to the Planning Commission, in accordance with these regulations, more than fourteen (14) days prior to its regularly scheduled meeting, and no action was taken by the Planning Commission at such meeting, the subdivider may request City Council to review the application at its next regularly scheduled meeting without a recommendation by the Commission.

(6) When City Council has approved a Final Plat, it shall cause its action to be duly noted on the face of the original drawing which is to be recorded. Such approval shall not be noted on the plat until all the requirements of these regulations are met.

(7) The City reserves the right to require the following statements to be placed upon the plat if the proposed roads and

drainage have not been constructed in conformance with standards and specifications of the Charleston County Road Code:

(a) "The approval of this plat does not obligate the City of Isle of Palms in any way to accept for maintenance any of the roads or easements shown hereon."

(8) The City reserves the right to require additional statements to be placed upon the plat. Any such notes shall be specified in the approval of the Final Plat by City Council.

(9) No property may be sold or transferred prior to the approval and recording of the Final Plat, except pursuant to a Conditional Plat issued under Section 5-4-75.

(10) No Certificate of Occupancy pursuant to Section 5-4-101 shall be issued prior to the approval and recording of the Final Plat.

(11) Fees as set forth in City Code Section 5-4-82 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

Section 5-4-77 Design Standards

(a) Location

Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of the SC Coastal Council, US Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(b) Easements

(1) Easements for drainage, and water or sewer lines, may be required along rear and side property lines where necessary. Drainage easements across lots shall not be allowed. Redesign of the lot arrangement may be required to meet extreme drainage conditions.

(2) Drainage easements shall be provided and dedicated in accordance with the requirements of the SC Coastal Council and the current edition of the Charleston County Road Code.

(3) Easements shall center along or be adjacent to a common property line where practical.

(4) No subdivision shall block or obstruct the natural drainage of an adjoining area.

(5) Existing natural drainage shall be retained or adequately relocated.

(c) Lots

Lot requirements are contained in Sections 5-4-22 through 5-4-30, with special requirements and exceptions contained in additional sections of this Title.

(d) Other Requirements

(1) All land subdivisions in the City of Isle of Palms shall be in accord with (Class A) Urban Land Surveys as promulgated by the Code of Laws of South Carolina 1976, Title 40, Chapter 21 as amended July 1, 1977, and described by the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.

(2) Beachfront Property. All plats for beachfront property shall contain the following Note:

> The Isle of Palms City Council, at the time of the approval of this Plat, states for the record that it strongly opposes the future issuance of any permits for any kind of beach erosion control structures (i.e., seawalls, rip-rap, bulkheads, etc.) should any measures be requested by property owners as a result of erosion to these properties shown on this Plat.

Section 5-4-78 Required Improvements

(a) Markers

(1) Markers shall be placed as specified below:

(a) A marker shall be set on the right-of-way line at the ends of the block for every block length of street. when blocks occur that have a curve or curves in them, markers shall be set on both sides of the street at the ends of tangents. Markers shall also be set on right-of-way line (on each side of the centerline) at angle points when curves are not used. All interior lot corners shall be marked.

(b) Markers shall be one of the following:

1. A reinforced concrete marker with a brass or copper pin in the top. Concrete markers shall be a minimum of three (3) feet long and have a minimum cross sectional area of nine (9) square inches. they shall protrude above the ground not less than two (2) inches and not more than six (6) inches.

2. An iron pipe or pins having a minimum diameter or three-fourths (3/4) inches hollow or one-half (1/2) inches solid steel. Such iron pins will be a minimum of two (2) feet in length and shall extend above the ground at least one (1) inch.

(2) Markers shall be installed prior to the submission of and approval of the Final Plat.

(3) The location and type of all markers used shall be indicated on the Final Plat.

(b) Utility, Drainage and Street Improvements

(1) Utility, drainage and street improvements shall be as required by and in conformance with the standards and specifications of the current edition of the Charleston County Road Code.

(2) The developer shall install public water lines where public water service is available within five hundred (500) feet of the property.

(3) The developer shall install public sanitary lines where public sanitary sewer service is available within five hundred (500) feet of the property.

(4) Street name signs in accordance with the requirements of the current edition of the Charleston County Road Code shall be installed. Should another type be desired, exceeding these standards, plans shall accompany the preliminary plat for approval.

(5) All required drainage facilities shall be properly constructed in accordance with the standards and specifications of the Charleston County Road Code.

(6) All lots not exceeding two hundred (200) feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70% to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in the SC Coastal Council stormwater guidelines and approved by the City Building Official and Public Works Department as consistent with the drainage patterns for surrounding properties.

Section 5-4-79 Financial Guarantees

(1) In lieu of completing the required improvements listed hereinabove, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a cashier's check may be accepted by the City Council; provided that the City attorney has in each instance reviewed each letter of credit or bonding agreement and has presented his opinion that the interests of the City are fully protected. Where a cashier's check is utilized, opinion of counsel may be waived.

The amount of the bond for a corporate surety, irrevocable bank letter of credit, or cashier's check will be determined by the appropriate governmental body that exercises operational control. Surety shall be sufficient to guarantee completion of the required improvement one and a quarter (125% of the actual cost of the improvement with a minimum of $2,000.00), within a time period specified by the government agency not to exceed two (2) years. The governmental agency determining the amount of bond, (bond holder), irrevocable bank letter of credit, or cashier's check shall provide a letter to the Planning and Zoning Commission (copy to the subdivider) setting forth the amount of bond, conditions of acceptance and the period covered. The Planning and Zoning Commission will inform all interested governmental agencies.

(2) Upon completion of the improvements as required by this section, written notice thereof shall be given by the subdivider to the bond holder, who shall cause an inspection of the improvements to be made. The bond holder will within thirty (30) days of the date of notice, authorize in writing the release of the security given, provided improvements have been completed in accordance with the required specifications. Should the improvements not be completed in accordance with the required specifications by the date originally stipulated in writing by the bond holder, the funds derived from said bond or cashier's check will be used by the bond holder to complete the improvements according to required specifications, at the earliest reasonable time. Where it appears that the bond was insufficient to finance the required improvements after the subdivider has defaulted, City Council will assess the individual subdivider the cost of the improvements over and above the surety amount.

(3) In no instance will the bond holder be authorized to extend for the subdivider the completion date originally stipulated.

(4) Pro-rata refunds based on a percentage of overall completion shall not be authorized, with the exception of an irrevocable bank letter of credit. City Council, upon recommendation of the Planning and Zoning Commission, may at its discretion, refund no more than 90% of the original estimated completion cost of that portion of the project requested by the developer.

(5) City Council shall review, approve, or reject each acceptance of surety in lieu of completion of improvements. In making its determination City Council shall give due consideration to the commitments made by the subdivider to individual purchases.

Section 5-4-80 Exceptions

For a proposed subdivision, or modification of an existing lot or subdivision, which does not involve the construction or improvement of any street or drainage system, an applicant may submit the following information to the City Administrator:

1. The information required for review of a Conceptual Plan, as set forth in Section 5-4-73(c).

2. County Health Department approval for lots that will utilize on site sanitary sewerage disposal systems.

3. A letter confirming the availability of water and/or sewer service from the applicable utility.

Review shall follow the procedures set forth for Final Plats in Section 5-4-76(e); provided that if Building Official determines that street or drainage system modifications are required, the application shall be construed as one for issuance of a Preliminary Plat pursuant to Section 5-4-74.

Section 5-4-81 Variances

Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Zoning Board of Adjustment for a variance pursuant to Section 5-4-5. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.

The application for a variance shall clearly and definitely state the reason(s) why a variance is needed. Consideration will be given to the following factors:

(1) Special conditions affecting the property.

(2) Undue hardships that will result from ordinary adherence to the requirements.

(3) Grants of variance shall not be detrimental to adjacent property or to the public interest.

Section 5-4-82 Fees

Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the Building Official and approved by resolution of City Council. Such Schedule of Fees may be amended from time to time by resolution of City Council.

Section 5-4-83 Penalties

Any violation of these regulations or amendments thereof shall be a misdemeanor, and shall be punishable pursuant to Section 5-4-7; and in addition, the City shall be authorized to enforce these

regulations pursuant to the remedies set forth in Section 5-4-7(a).

Section 4. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 20th DAY OF December, 1990.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 6/28/90
Public Hearing: 8/8/90
Second Reading: 9/27/90
Third Reading: 12/20/90
Ratification: 12/20/90

CITY OF ISLE OF PALMS
EMERGENCY ORDINANCE NO. 1990-18.E
Adopted 08/06/90

AN EMERGENCY ORDINANCE TO RESTRICT THE USE OF JET SKIS WITHIN THE CITY OF ISLE OF PALMS

WHEREAS, City Code Sections 7-3-6 and 7-3-7 restrict the use of jet skis within the jurisdiction of the City of Isle of Palms; and

WHEREAS, City Council finds that jet skis continue to be operated recklessly and in close proximity to other recreational uses, thereby endangering the safety of individuals using the beach and the waters of the City; and

WHEREAS, City Council further finds that serious accidents involving the use of jet skis have continued to occur;

WHEREAS, City Council believes it has a responsibility to the City's residents and visitors to protect them from the proven and unwarranted danger resulting for the use of jet skis within the City; and

WHEREAS, City Council is authorized to adopt emergency ordinances affecting the health and safety of the people pursuant to Section 5-7-250 of the South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This emergency ordinance is adopted to protect the health and safety of persons using the waters of the City of Isle of Palms for recreational purposes.

Section 2. Section 7-3-2 Amended.

In Section 7-3-2(1) of the City Code, the figure "150 yards" is changed to read "250 yards".

Section 3. Section 7-3-7 Amended.

The following new Subsection is added to Section 7-3-7 of the City Code, to read as follows:

(d.) In Breach Inlet, Dewees Inlet, Hamlin Creek and the Intracoastal Waterway, the use and operation of jet skies shall be limited to the area shown in Exhibit "A", in order to minimize the creation of safety hazards between users of jet skis and persons engaged in swimming, wading, crabbing, fishing and similar recreational pursuits.

Section 4. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set or circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 5. Effective Date

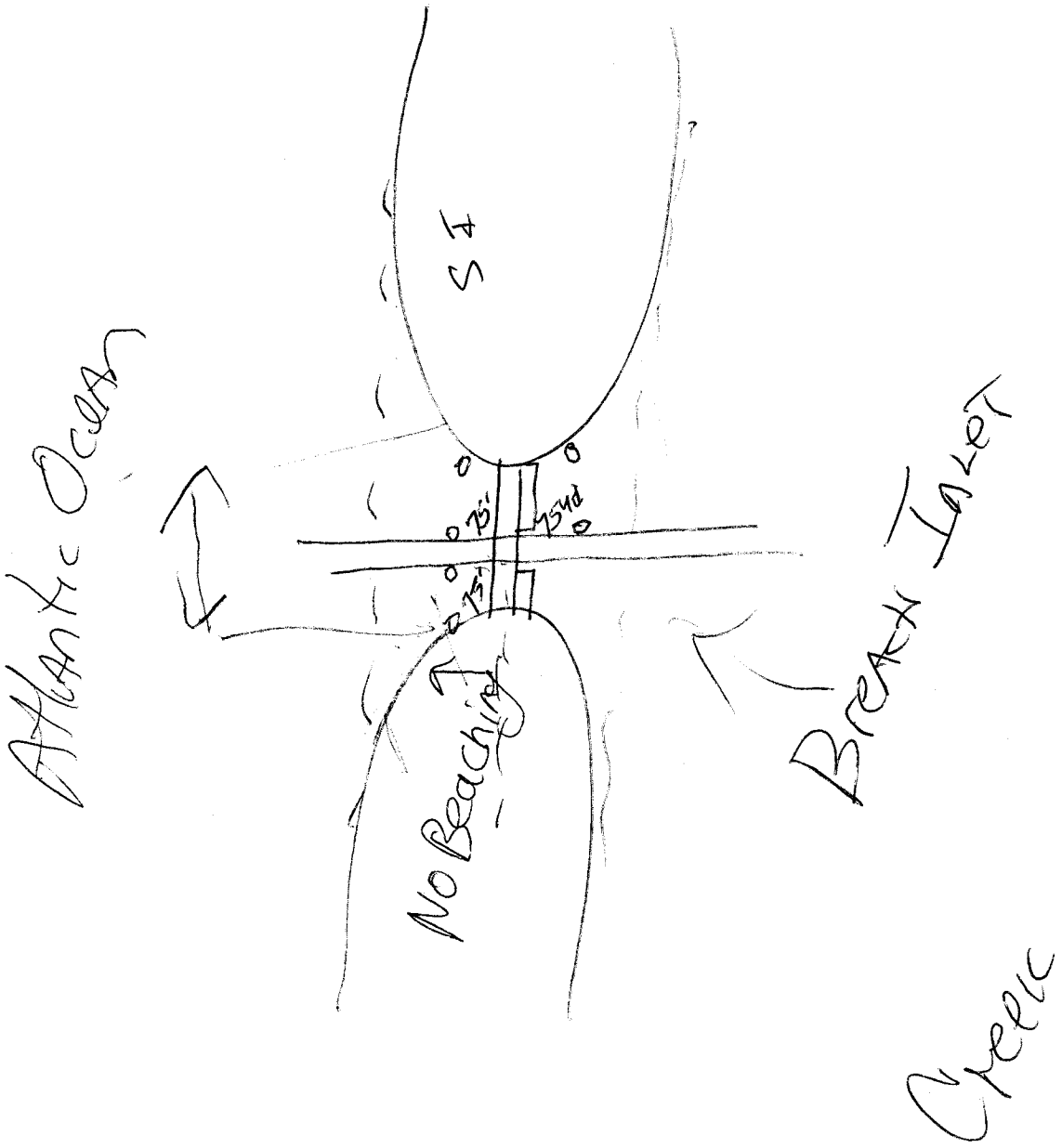
This ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS OF THIS 6TH DAY OF AUGUST, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. MCDUFFIE, CLERK/TREASURER

EXHIBIT "A"
CITY COUNCIL MEETING
AUGUST 6, 1990



CITY OF ISLE OF PALMS, SC
EMERGENCY ORDINANCE NO. 1990-19.E
Adopted 10/25/90

AN EMERGENCY ORDINANCE TO EXTEND THE PERIOD FOR ABANDONMENT OF NON-CONFORMING USES FOLLOWING HURRICANE HUGO

WHEREAS, City Council finds that prior to Hurricane Hugo, a number of residential duplexes held the status of legal, non-conforming uses within the City's single-family residential zoning districts; and

WHEREAS, City Council finds that many of these residential structures were damaged by Hurricane Hugo, and have not yet been repaired; and

WHEREAS, under City Code Section 5-4-38, the legal non-conforming status of this use ceased to exist on September 22, 1990 if residential use as two dwellings had not re-established; and

WHEREAS, in the aftermath of Hurricane Hugo, City Council has approved a number of temporary modifications to the City's zoning and building ordinances to allow residents to re-construct and re-occupy their homes; and

WHEREAS, City Council wishes to afford the same opportunity to the owners and residents of legal, non-conforming duplexes within the City; and

WHEREAS, City Council is authorized to amend its zoning ordinance pursuant to Sections 5-23-10 et seq. and Sections 6-7-710 et seq., South Carolina Codes of Laws, 1976, as amended; and

WHEREAS, the City is authorized to adopt emergency ordinances affecting the health, safety and property of the people pursuant to Section 5-7-260, South Carolina Code of Laws, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose.

This Emergency Ordinance is adopted to extend the period for abandonment of non-conforming uses following Hurricane Hugo.

Section 2. Section 5-4-38(c) Amended. Section 5-4-38(c) of the City Code is amended by adding the following phrase at the end of the section:

provided that for legal, non-conforming uses discontinued as of September 21, 1989 as a result of Hurricane Hugo, such uses may be continued if re-established by June 1, 1991.

Section 3. Severability.

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date.

This Ordinance shall be effective upon adoption by the City Council for the City of Isle of Palms, and shall remain in effect for a period of sixty (60) days, unless sooner superseded by adoption of a permanent ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 25th DAY OF OCTOBER, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

CITY OF ISLE OF PALMS
ORDINANCE # 1990-20
THIRD READING DRAFT - 12/20/90

Pursuant to §5-5-20, South Carolina Code of Laws as amended, a binding referendum was held on November 6, 1990; and

WHEREAS, the electorate of the City of Isle of Palms has voted to operate under the Council form of government;

NOW, THEREFORE, be it Ordained, by the City Council of the City of Isle of Palms in Council duly assembled:

1. That the form of Government of the City of Isle of Palms is the Council form, as authorized by §5-10-10 et seq. of the South Carolina Code of Laws, 1976, as amended; and

2. That further the Council form shall become effective immediately upon approval by the United States Department of Justice.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 20th **DAY OF** December, **19** 90.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. MCDUFFIE, CLERK-TREASURER

First Reading:	11/9/90
Second Reading:	12/6/90
Third Reading:	12/20/90
Ratification:	12/20/90

CITY OF ISLE OF PALMS
ORDINANCE #1990-21
THIRD READING DRAFT - 12/20/90

An Ordinance to provide for administration of the affairs and policies of the City of Isle of Palms and its Municipal Council.

WHEREAS, the electorate of the City of Isle of Palms has voted in a binding referendum for The City of Isle of Palms, S.C. to operate under the Council form of government in accordance with S.C. Code §5-11-10 et seq.;

WHEREAS, pursuant to state statute, S.C. Code §5-11-10 et seq., Council is responsible for the administration and management of the City; and

WHEREAS, Council finds employment of a professional administrator to be in the best interest of the City;

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Councilmembers of the Isle of Palms, South Carolina, in City Council assembled, that:

1. Council shall employ an administrator to administer the affairs of the City and implement the policies of the Municipal Council;

2. The term of employment of the administrator shall be at the pleasure of the Council and he shall be entitled to such compensation for his services as the Council may determine. The Council may, in its discretion, employ the administrator for a definite term;

3. The administrator shall be the chief executive officer and head of the administrative branch of the municipal government. He shall be responsible to the municipal Council for the proper administration of all affairs of the municipality. All municipal department heads shall report to him. He shall prepare the budget annually, submit it to the municipal Council and be responsible for its administration after adoption. He shall assume such other responsibilities as Council may from time to time assign to him.

4. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such provision had not been included. If said Ordinance, or any provision thereof, shall be held 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 person, property or circumstances.

5. This Ordinance shall be effective on the same date that the Council form of government becomes effective for the City of the Isle of Palms.

6. Present Code sections inconsistent with the above are hereby rendered inoperative.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 20th **DAY OF** December, **19** 90.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. MCDUFFIE, CLERK-TREASURER

First Reading: 11/9/90
Second Reading: 12/6/90
Third Reading: 12/20/90
Ratification: 12/20/90

CITY OF ISLE OF PALMS, SC
ORDINANCE NO. 1990-17

AN ORDINANCE TO CALL FOR A REFERENDUM TO AUTHORIZE THE CITY TO PROVIDE WATER AND SEWER SERVICE.

WHEREAS, City Council had determined that residents should have the opportunity to determine whether or not to purchase the water and sewer facilities of the Isle of Palms Water Company, and

WHEREAS, Article VIII, Section 16, of the South Carolina Constitution requires that the City receive approval of a majority of its electors prior to acquisition of water and sewer facilities, and

WHEREAS, City Council wishes to schedule such election as quickly as possible to expedite acquisition of the Water Company facilities if requested by the voters.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council members of the Isle of Palms, South Carolina, in City Council assembled, that:

Section 1. Purpose. This Ordinance is adopted to call for a referendum to authorize the City to provide water and sewer service.

Section 2. Referendum Scheduled. Pursuant to Article VIII, Section 16, of the South Carolina Constitution, the Municipal Election Commission is directed to schedule a referendum for Tuesday, November 27, 1990, on the following questions:

1. Shall the city of Isle of Palms be authorized to provide public water and public sewer service, as permitted under State law?
Yes ___ No ___

2. Shall the City of Isle of Palms purchase the water and sewer service facilities of the Isle of Palms Water Company?
Yes ___ No ___

Section 3. Severability. If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provision thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

Section 4. Effective Date. This Ordinance shall be effective upon its ratification by the City Council for the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 20TH DAY OF SEPTEMBER, 1990.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. McDUFFIE, CLERK-TREASURER

First Reading: 09/13/90
Second Reading: 09/20/90
Ratification: 09/20/90