ORDINANCES 1992

1. 1991-14 2/25/92
2. 1992-2 2/25/92
3. 1992-3 4/28/92
4. 1992-7 6/23/92
5. 1992-8 6/23/92
6. 1992-4 6/23/92
7. 1992-5 6/23/92
8. 1992-1 7/28/92
9. 1992-9 7/28/92
10. 1992-11 9/22/92
11. 1992-13 11/24/92
12. 1992-15 11/24/92
13. 1992-14 12/22/92
14. 1992-16 12/22/92
15. 1992-22 12/22/92

1/20/93

CITY OF ISLE OF PALMS
ORDINANCE NO. 1992-6

AN ORDINANCE TO AMEND CHAPTER 4, ZONING, OF THE CODE OF THE CITY OF ISLE OF PALMS TO PROVIDE NEW STANDARDS FOR LOCATING AND CONSTRUCTING ACCESS DRIVES IN NON-RESIDENTIALLY ZONED AREAS.

WHEREAS, City Council desires to modify the City of Isle of Palms' zoning requirements for locating and constructing access drives in non-residential zones in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend zoning regulations under 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.

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 zoning requirements for locating and constructing access drives in non-residential zones.

Section 2. Section 5-4-13 Amended. Existing Section 5-4-13, item (h) is deleted in its entirety, and substituted, in its place and stead, with the following:

"(h) In the GC-2 zone, an access drive shall not be permitted where it would require a reduction in existing on-street public parking or loading areas."

Section 3. Section 5-4-13 Amended. Existing Section 5-4-13, item (i) is deleted in its entirety, and substituted, in its place and stead, with the following:

"(i) Except in residential zones, access drives shall conform to the following requirements, which shall be determined using the methods shown in figure 5-4-13 - A:

Street speed limit	Max. one-way/ two-way drive width	Minimum radius	Min. spacing between all access drives*	Min. spacing between all drives and intersections
≤20 mph	12/24 ft.	15 ft.	30 ft.	50 ft.
25	15/30	15	40	50
30	15/30	20	50	50
35	18/36	20	50	50
40	20/40	25	50	50

* The distance between adjacent one-way access drives with the inbound drive upstream from the outbound drive can be one-half the distance listed above."

Section 4. Section 5-4-13 Amended. Existing Section 5-4-13 is amended by inserting figure 5-4-13 - A, which is attached to and made a part of this ordinance.

Section 5. Section 5-4-13 Amended. Existing Section 5-4-13, item (j) is deleted in its entirety.

Section 6. 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 7. 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 23rd DAY OF February, 1993.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. McDUFFIE, CLERK-TREASURER

Building Height amend

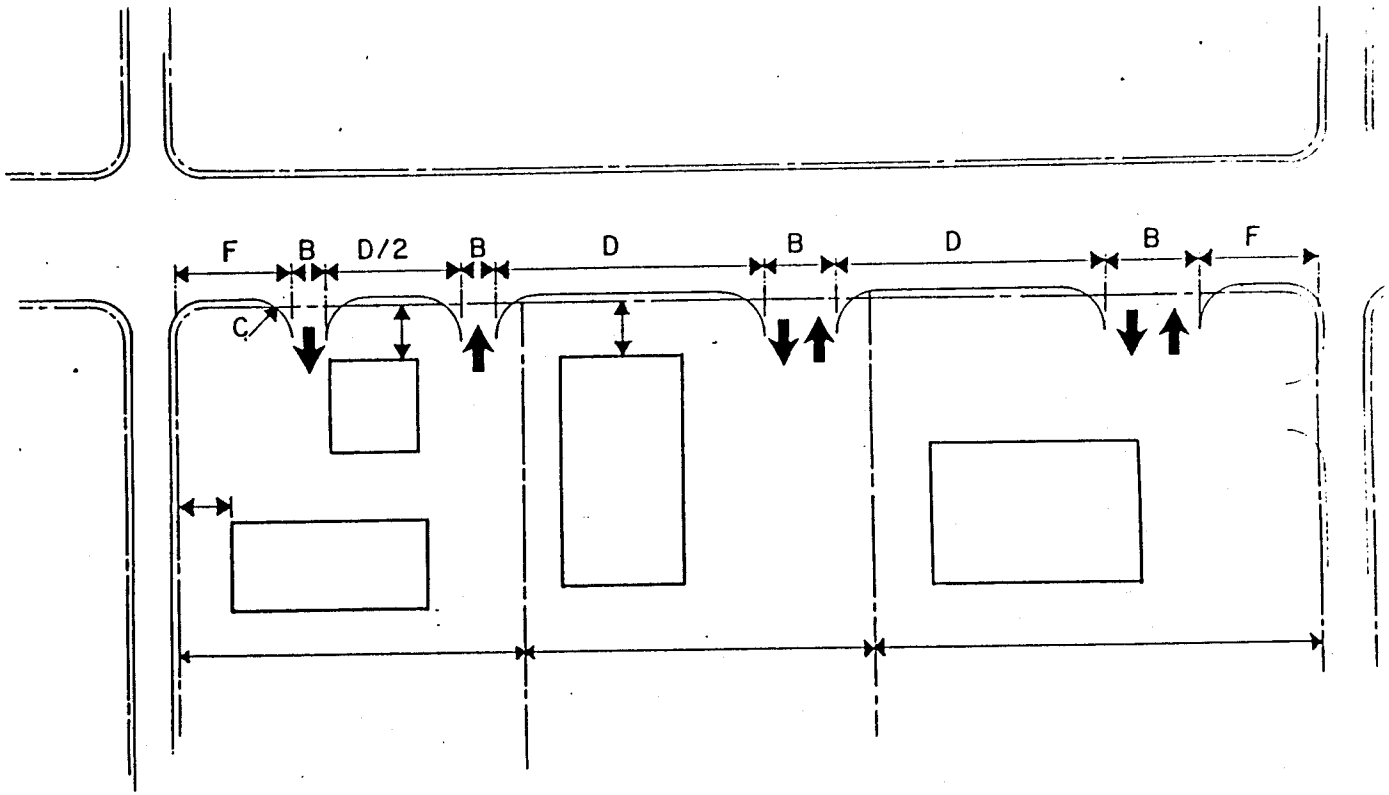


FIGURE 5-4-13 - A.

B. Access drive width
C. Curb radius
D. Access drive separation
F. 50 foot minimum spacing from right-of-way

2nd Reading Draft
January 26, 1993

CITY OF ISLE OF PALMS
ORDINANCE NO. 1992-12

AN ORDINANCE TO REGULATE THE CONSTRUCTION OF FENCES ON ALL PROPERTY ON THE ISLE OF PALMS.

WHEREAS, the City wishes to regulate the construction of fences on all property on the island for the purpose of lessening the hazards caused by debris loading during flooding events; and

WHEREAS, such regulation would constitute an amendment to the City's zoning ordinance; and

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

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 regulate the construction of fences on all property on the Isle of Palms to lessen hazards caused by debris loading during flooding events.

Section 2. New Section Created. A new Section 5-4-19 is added to the City Code, to read as follows:

Section 5-4-19 Fence Regulations.

(a) Definition of a fence: A fence is any man-made barrier that impedes or blocks free physical passage of humans or animals. It may or may not block line-of-sight vision or free flow of wind or water.

(b) Construction regulations for fences by flood zones. Construction or replacement of fences requires a review of a site plan by the Isle of Palms Building Official.

(1) Within the V-zone flood zone. Within the V-zone flood zone as determined by current FEMA maps, fences shall not be constructed which impede the free flow of water. Furthermore, no part of a fence shall be permitted to be constructed with masonry or heavy timber. For the purposes of this Section 5-4-19, heavy timber shall be defined as any piece of wood with a nominal cross section dimension greater than four inches by four inches (4" X 4").

(2) Within the A-zone flood zone. Within the A-zone flood zone as determined by current FEMA maps, fences shall not be constructed which impede the free flow of water.

Fences constructed with masonry and/or heavy timber must incorporate hydrostatic openings below the flood elevation to allow for automatic entry/exit of flood waters. Flood elevations shall be determined using current FEMA maps. Hydrostatic openings shall be a minimum of one square foot in area each with the bottom edge of the opening no more than one foot above grade, and shall not be spaced more than 20 feet apart. Total required area of hydrostatic openings shall equal one square foot for every 50 square feet of fence area (fence area shall be determined by measuring one side of the fence).

(3) Outside V or A flood zones. None of the aforementioned construction regulations of this Section shall apply to fences not located within V or A flood zones as determined using current FEMA maps.

2nd Reading Draft
January 26, 1993

(c) Exceptions.

(1) Nonconforming fences. Any fence so existing as of the ratification of this ordinance shall be considered a legal, non-conforming, pre-existing condition. Upon any side of any non-conforming fence being destroyed whereby more than 50 percent of the surface area of a fence along one side is damaged, that side of the fence being replaced or repaired, shall fully comply with all of the terms and conditions of this section.

(d) Nothing contained in §5-4-19 shall anyway limit the applicability of other ordinances which may be applicable to fences, including, without limitations, those ordinances regulating structures.

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 MEMBERS FOR THE CITY OF ISLE OF PALMS ON THIS 23rd DAY OF February, 1993.

Carmen R. Bunch, Mayor

Nellie S. McDuffie, Clerk-Treasurer

First Reading:	11/24/92
Public Hearing:	1/13/93
Second Reading:	1/26/93
Third Reading:	2/23/93
Ratification:	2/23/93

CITY OF ISLE OF PALMS
ORDINANCE 1992-19

Third Reading Draft - February 23, 1993

AN ORDINANCE TO PROHIBIT THE OPEN PUBLIC DISPLAY OF CERTAIN ANIMALS IN CERTAIN PUBLIC PLACES.

WHEREAS, the Municipal Council is empowered to institute ordinances promoting health and welfare; and

WHEREAS, Council finds the display of certain animal in public areas, specifically large reptiles, amphibians and arachnids,tends to cause significant congestion and curiosity among members of the public; and

WHEREAS, Council finds such displays also have historically and often do still cause significant levels of fear and apprehension in large numbers of persons; and

WHEREAS, the above particularly when occurring simultaneously can create situations which are inherently dangerous and difficult to control in a manner which protects the well being of both the animals and the people involved, all being contrary to the above mentioned public health and welfare;

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

Section 1. Title IV, Chapter 2, Article C. Miscellaneous Animal Provisions is hereby created.

Section 2. Sec. 6-2-21 Purpose. To prohibit the open public display of certain animals in certain public places.

Section 3. Section 6-2-22 Prohibition of Display of Certain Animals of the Isle of Palms Municipal Code is hereby created and reads as follows:

(A) No person shall cause any of the below listed animals to be displayed to the public in an open visible manner on the City's Recreation Department property, beach or on any road, thoroughfare, public parking area or other similar such area.

(1) reptiles or amphibians having a weight greater than one (1) pound;

(2) arachnids larger than two (2) inches in size in a fully extended condition.

(B) The general penalty section of the code shall provide the penalty for any infraction of this section.

(C) Any actions in technical violation of the above section which occur as a necessary consequence of attempts to capture and remove such animals from public areas shall not be deemed as a punishable offense.

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 provision had not been included. If said ordinance, or any provisions thereof, shall be held to be inapplicable to any person, group or 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.

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 23rd DAY OF February, 1993.

Carmen R. Bunch, Mayor

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 10/27/92
Second Reading: 1/26/93
Third Reading: 2/23/93
Ratification: 2/23/93

3rd Reading Draft
February 23, 1993

CITY OF ISLE OF PALMS
ORDINANCE 1992-21

AN ORDINANCE TO AMEND THE CITY'S ZONING REQUIREMENTS RELATING TO SIGNS WITHIN THE ISLE OF PALMS

WHEREAS, Ordinance 1992-1 adopted by Isle of Palms City Council on July 20, 1992, substantially amended existing regulations providing zoning requirements on signs within the Isle of Palms; and

WHEREAS, City Council desires to modify the existing requirements relating to signs in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend zoning regulations under Section 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 Council Members of the Isle of Palms, South Carolina, in City Council duly assembled that:

Section 1. Purpose. This ordinance is adopted to amend City zoning requirements relating to signs as adopted by Ordinance 1992-1.

Section 2. Section 5-4-128(e). Section 5-4-128 Temporary Signs, paragraph (e) is deleted in its entirety and substituted in its place and stead with the following:

(e) Signs announcing civic, philanthropic, educational or religious events, and not exceeding thirty-two (32) **square** feet of sign area, may be erected no more than fourteen (14) days prior to the announced event and shall be removed within two (2) days following the event.

Section 3. Section 5-4-131(19). Section 5-4-131 Prohibited Signs, paragraph (19) is deleted in its entirety and substituted in its place and stead with the following:

(19) Banner Signs, except pre-existing seasonal community signs.

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 23rd DAY OF February, 1993.

Carmen R. Bunch, Mayor

Nellie S. McDuffie, Clerk/Treasurer

First Reading:	11/24/92
Public Hearing:	1/13/93
Second Reading:	1/26/93
Third Reading:	2/23/93
Ratification:	2/23/93

Revised 12/1/92

CITY OF ISLE OF PALMS
ORDINANCE 1992-22

AN ORDINANCE TO AMEND SECTION 7-1-17 OF TITLE 7, CHAPTER 1, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

BE IT ORDAINED by the Mayor and Council Members of the City of Isle of Palms, South Carolina, in council duly assembled that:

Section 1. Purpose. This ordinance is adopted to amend Section 7-1-17 of the Isle of Palms Code of Ordinances as it relates to business licensing.

Section 2. Section 7-1-17. Out of City Businesses. Existing Section 7-1-17 is renumbered subparagraph (a) and the following subparagraph (b) is added to Section 7-1-17.

(b) Non-Resident Rates. Unless otherwise specifically provided, all minimum fees and rates for non-residents and itinerants having no fixed principal place of business within the municipality shall be one hundred fifty percent (150%) of the rates for the applicable class.

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 22nd DAY OF December, 1992.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 11/24/92
Second Reading: 12/22/92
Third Reading: waived
Ratification: 12/22/92

ORDINANCE 1992-16

AN ORDINANCE AMENDING SECTION 1-3-66 OF THE CODE OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, RELATING TO THE USE OF ORDINANCE SUMMONS FOR VIOLATION OF MUNICIPAL ORDINANCES.

WHEREAS, Section 56-7-80 of the South Carolina Code of Laws, 1976, as amended, authorizes municipalities to adopt by ordinance and use an ordinance summons for violation of municipal ordinances other than those regulating the use of motor vehicles on the public roads of South Carolina; and

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

SECTION 1. Purpose. This ordinance is adopted to enact authorization to utilize municipal uniform ordinance summons granted by Act 328 of the South Carolina General Assembly 1992.

SECTION 2. Section 1-3-66 Amended. Existing Section 1-3-66 is amended as follows:

1. Existing paragraph is renumbered as paragraph (a).

2. Paragraph (b) is added to read as follows:

"(b) Any person or entity violating any provision of the Code of Ordinances of the City of Isle of Palms, or any code adopted pursuant thereto, within the corporate limits of the City of Isle of Palms may be issued a uniform ordinance summons. Issuance of the uniform ordinance summons shall vest jurisdiction in the Municipal Court to hear and dispose of the charge for which the uniform ordinance summons was issued and served. The uniform ordinance summons may be issued by any City law enforcement officer or any other city employees designated by the City Administrator as code enforcement officers. The bond amount for violations shall be prescribed by the chief municipal court judge. City law enforcement or code enforcement officers are prohibited from accepting bonds. Bonds are to be posted in the manner prescribed in the uniform ordinance summons. The uniform ordinance summons shall not be used to perform a custodial arrest. This ordinance does not apply to any ordnance which regulates the use of motor vehicles on the public roads."

Section 3. The attached form is hereby adopted as the City of Isle of Palms uniform ordinance summons.

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 pas 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 become 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 22nd DAY OF December, 1992.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

First Reading:	10/27/92
Second Reading:	11/24/92
Third Reading:	12/22/92
Ratification:	12/22/92

UNIFORM ORDINANCE SUMMONS

CITY/TOWN _____ NO. 1001

VERSUS

LAST NAME	FIRST NAME	MIDDLE NAME
ADDRESS		
SOCIAL SECURITY NUMBER		

YOU ARE SUMMONED TO APPEAR BEFORE THE MUNICIPAL JUDGE AT _____

[address] _____

ON | DATE OF TRIAL | AT | TIME OF TRIAL AM PM |

FOR TRIAL FOR VIOLATION OF CITY ORDINANCE:

Ordinance Section No.		Date Issued	Bond Amount $
Description of Ordinance			
Date of Violation	Time of Violation AM PM	Place of Violation	
Name of Issuing Officer		Title	

Failure to appear in court without first posting bond or obtaining a continuance is a misdemeanor punishable by fine up to $200 or imprisonment for up to 30 days.

Post Bond Prior To Trial Date

The issuing officer cannot accept the bond. Bond must be posted by cash or money order [not personal check] delivered or mailed [do not mail cash] to the above address of the court, or to:

_____.

Requested Disposition. Indicate the disposition you desire and return this summons or a copy with the bond payment:

[ ] Forfeit Bond - No Court Appearance.
[ ] Bond Posted - Trial by the Municipal Judge.
[ ] Bond Posted - Trial by Jury.

_____ _____
Signature of Defendant Date

Maximum penalty which may be imposed by court for this offense is $200 and/or imprisonment for 30 days.

DEFENDANT COPY

UNIFORM ORDINANCE SUMMONS

CITY/TOWN _____ NO. 1001

VERSUS

LAST NAME	FIRST NAME	MIDDLE NAME
ADDRESS		
SOCIAL SECURITY NUMBER		

YOU ARE SUMMONED TO APPEAR BEFORE THE MUNICIPAL JUDGE AT _____

[address] _____

ON | DATE OF TRIAL | AT | TIME OF TRIAL AM PM |

FOR TRIAL FOR VIOLATION OF CITY ORDINANCE:

Ordinance Section No.		Date Issued	Bond Amount $
Description of Ordinance			
Date of Violation	Time of Violation AM PM	Place of Violation	
Name of Issuing Officer		Title	

Failure to appear in court without first posting bond or obtaining a continuance is a misdemeanor punishable by fine up to $200 or imprisonment for up to 30 days.

Post Bond Prior To Trial Date

The issuing officer cannot accept the bond. Bond must be posted by cash or money order [not personal check] delivered or mailed [do not mail cash] to the above address of the court, or to:

_____.

Requested Disposition. Indicate the disposition you desire and return this summons or a copy with the bond payment:

[ ] Forfeit Bond - No Court Appearance.
[ ] Bond Posted - Trial by the Municipal Judge.
[ ] Bond Posted - Trial by Jury.

_____ _____
Signature of Defendant Date

Maximum penalty which may be imposed by court for this offense is $200 and/or imprisonment for 30 days.

DEFENDANT COPY

ORDINANCE 1992-15

AN ORDINANCE TO RAISE REVENUE BY ESTABLISHING A TAX MILLAGE RATE FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 1992, AND ENDING JUNE 30, 1993

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

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, 1992, to June 30, 1993, 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 $54.00 on every thousand dollars ($1,000) in assessed value of real state 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 fifty four (54) 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. 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 3. 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 4. Delinquent property taxes shall be collected by Charleston County in a manner as prescribed by State Law.

SECTION 5. If, for any reasons, any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

SECTION 6. This ordinance shall become effective immediately upon its ratification by City Council.

APPROVED:

Carmen R. Bunch

Carmen R. Bunch, Mayor

ATTEST:

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

First Reading: 10/27/92
Second Reading: 11/24/92
Ratification: 11/24/92

THIRD READING 12/22/92

CITY OF ISLE OF PALMS

ORDINANCE NO. 1992-14

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE I OF THE MUNICIPAL CODE SO AS TO RENDER THE SAME CONSISTENT WITH SECTIONS 5-11-10 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.

WHEREAS, the "Code of Ordinances of the City of Isle of Palms, South Carolina" was adopted by the Mayor and Council on February 19, 1985, and;

WHEREAS, at that time the City of Isle of Palms was operating under a Mayor-Council form of government pursuant to Sections 5-9-10 et seq. of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, pursuant to a binding referendum, the City of Isle of Palms now operates under the Council form of government pursuant to Sections 5-11-10 et seq. of the Code of Laws of South Carolina, 1976, as amended; and

WHEREAS, Council for the City of Isle of Palms enacted Ordinance No. 1990-21 on December 20, 1990, whereby Council employed an administrator to administer the affairs of the City and implement the policies of the municipal council, and;

WHEREAS, Ordinance No. 1990-21 provides in part that Code sections inconsistent with the administration of the City as set forth in Ordinance 1990-21 are inoperative, and;

WHEREAS, Council is desirous of amending or deleting the following Code sections in accordance with Ordinance No. 1990-21 and for the purpose of making the effected Code sections consistent with Sections 5-11-10 et seq. of the Code of Laws of South Carolina, 1976, as amended.

NOW, THEREFORE, BE IT ORDAINED, BY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AND CITY COUNCIL ASSEMBLED, THAT THE FOLLOWING CODE SECTIONS ARE HEREBY AMENDED AS FOLLOWS:

1. Sec. 1-1-1 Form of Government Adopted. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-1-1 Form of Government Adopted. Adopting the Council form of government for the City of Isle of Palms pursuant to Title 5, Chapter 5, South Carolina Code of Laws.

WHEREAS, Section 6 of the Act 283 of 1975 required each municipality to adopt by ordinance the form of government most nearly corresponding to the form in effect on March 7, 1974; and

WHEREAS, pursuant to Section 5-5-10 of the South Carolina Code, the governing body of the City of Isle of Palms determined at that time that said City had the form of government most nearly corresponding to the Mayor-Council form provided for in Chapter 9, Title 5, Section 5-9-10 et seq. of the South Carolina Code of Laws; and

WHEREAS, pursuant to Section 5-5-10 of the South Carolina Code, a public meeting upon such form of government to be selected was held on July 15, 1976, at the Exchange Club building in the City of Isle of Palms; and

WHEREAS, the governing body of the City of Isle of Palms is composed of the Mayor and Council members with non-partisan at-large public elections for four (4) year terms of office; and

WHEREAS, the former adoption of the Mayor-Council form as set forth in Chapter 9, Title 5 produced no change in government of the

City of Isle of Palms existing on March 7, 1974; and

WHEREAS, pursuant to a binding referendum, the City of Isle of Palms now operates under the Council form of government pursuant to Sections 5-11-10 et seq. of the Code of Laws of South Carolina; and

NOW, THEREFORE, be it ordained by Council of the City of Isle of Palms, South Carolina and City Council assembled, this _____ day of _____, 1992, that the Council form of municipal government, with a Mayor and eight (8) council members with non-partisan, at-large public elections for four (4) year terms of office as provided in Sections 5-15-10 through 5-15-40 of the Code of Laws of South Carolina, is hereby adopted for the City of Isle of Palms to be effective as of December 20, 1990 pursuant to Ordinance 1990-20, which is hereby replaced in its entirety with Ordinance 1992-14. This statement in no way is to be interpreted as inconsistent with the council form of government as set forth in Sections 5-15-10 through 5-15-40 of the Code of Laws of South Carolina.

2. Sec. 1-1-2 Seal of the City. Section should remain the same.

3. Sec. 1-2-1 Mayor. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-2-1 Mayor. The Mayor shall be the official representative of the City and the chief presiding officer of Council.

4. Sec. 1-2-2 City Council. Section should remain the same.

5. Sec. 1-2-3 Compensation. Section should remain the same.

6. Sec. 1-2-4 Oath of Mayor and Council Members. Section should remain the same.

7. Sec. 1-2-5 Emergency Powers of Mayor. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-2-5 Emergency Powers of Council.

(a) Upon the happening of any one or more of the following events, to-wit, the Mayor, or if a majority of Council so decides it may appoint a designee who must be another elected council member, and if so, either Mayor or other council member shall have the emergency powers:

(1) The formation of any unruly mob;

(2) The existence of a state of war, whether declared or not, or of any insurrection;

(3) The occurring of any tornado, hurricane, cyclone, earthquake, flood or any other act of God, or force which disrupts or threatens to disrupt the normal activities of the community; and/or

(4) The occurrence of multiple acts of arson; or of any acts which unduly alarm and/or threaten the public.

The Mayor, or the Council designee as set forth herein above, may declare a statement of emergency to exist within the corporate limits of the City. The state of emergency shall be declared by proclamation signed by the Mayor, or a designee appointed by a majority of Council, and posted on the main door of

the City Hall, and shall be legally effective immediately upon posting. The proclamation shall be substantially the following language:

"It has been determined that (here state the event giving rise the emergency) has occurred within the corporate limits of the City of Isle of Palms, South Carolina, and that accordingly a state of emergency does in fact exist. Therefore, under powers duly delegated by Council, the City hereby proclaims a state of emergency and evokes the provisions of Section 1-2-5 of the Code of Ordinances, City of Isle of Palms, South Carolina."

(b) In the event a state of emergency is declared by the Mayor under the provisions of subsection (a) hereof, the Mayor shall become vested with the following extraordinary powers, which may be exercised at the discretion of that official, otherwise Council's designee shall have these powers:

(1) To establish curfew to be effective within the corporate limits;

(2) To prohibit the sale of gasoline, explosives, dynamite and/or any other type of inflammable or explosive materials; firearms or any other materials or supplies or any component parts thereof which could readily be utilized as weapons;

(3) To mobilize and deputize an auxiliary police force under the command of the Mayor, or the Council's designee whichever applies;

(4) To disburse assemblies of congregations of people; and/or

(5) To suspend issuance of parade permits.

(c) Any orders issued by the Mayor, or Council's designee whichever applies, or a majority of his/her/their Council whichever applies, under his extraordinary powers during a declaration of state of emergency shall be effective immediately with the posting of the orders upon the main door of the City Hall, or upon verbal communication by the Mayor, or Council designee, directly to the persons or person whom the order is intended to affect.

(d) The state of emergency shall legally end when the Council determines that the peace and good order of the City are no longer threatened and declares this by proclamation which shall be posted upon the main door of the City Hall.

(e) Any powers of auxiliary police, as authorized under subsection (b)(3) of this Section, shall only be exercised after mobilization by the Mayor, or Council's designee, whichever applies, and shall immediately cease upon the proclamation of the end of the state of emergency.

(f) Anyone violating any provision of this Section or any orders issued by the Mayor or Council's designee, shall, upon conviction, be punished as provided in Section 1-3-66 of this Code.

The rest of this Section should be omitted.

8. Sec. 1-3-1 Regular Meetings. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-3-1 Regular Meetings. The regular meeting of City Council shall be held the fourth Tuesday of each month, except when such Tuesday shall fall on a legal holiday, in which event the meeting for such months shall be held the following Tuesday. Each regular meeting shall be called to order at 7:00 p.m. (Ord. No. 1989-9, 11/11/81, as amended by Ord. No. 1983-1, 1/14/83 _____ _____).

9. Sec. 1-3-2 Special Meetings. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-3-2 Special Meetings. Special meetings shall be held at any time on the call of a majority of Council members. (Ord. No. 1981-9, 11/11/81, as amended by Ord. No. 1982-7, 5/12/82)

10. Sec. 1-3-3 Mayor Pro Tempore. This Section should remain the same.

11. Sec. 1-3-4 Presiding Officer; Clerk of Court; Parliamentarian. This Section should remain the same.

12. Sec. 1-3-5 Annual Meeting; Appointment of City Officers, Boards and Commissions. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-3-5 Annual Meeting; Appointment of City Officers, Boards and Commissions. Nominations will be made by Council and appointments approved by a majority vote of Council. Appointments will be announced by the Mayor at the first regular Council meeting in January.

13. Sec. 1-3-6 Notice of Meetings. This Section should remain the same.

14. Sec. 1-3-7 Council Agenda. This Section should remain the same.

15. Sec. 1-3-8 Council Minutes. This Section should remain the same.

16. Sec. 1-3-9 Pledge of Allegiance; Prayer; Quorum. This Section should remain the same.

17. Sec. 1-3-10 Order of Business. This Section should remain the same.

18. Sec. 1-3-11 Duty to Attend Meetings; Penalty for Unexcused Absences. This Section should remain the same.

19. Sec. 1-3-12 Addressing the Council. This Section should remain the same.

20. Sec. 1-3-13 Recognition of Speakers. This Section should remain the same.

21. Sec. 1-3-14 How Often Members May Speak. This Section should remain the same.

22. Sec. 1-3-15 Motions and Resolutions Generally. This Section should remain the same.

23. Sec. 1-3-16 Manner of Voting and Recording of Votes. This Section should remain the same.

24. Sec. 1-3-17 Explanation of Vote. This Section should remain the same.

25. Sec. 1-3-18 Members Having Personal or Pecuniary Interests Not to Vote. This Section should remain the same.

26. Sec. 1-3-19 Roll Call Vote; Tie Votes. This Section should remain the same.

27. Sec. 1-3-20 Voting by Mayor. This Section should remain the same.

28. Sec. 1-3-21 Decision of Chair; Appeals. This Section should remain the same.

29. Sec. 1-3-22 Majority Vote Required; Exception. This Section should remain the same.

30. Sec. 1-3-23 Rules; Rescinded, Suspended or Altered. This Section should remain the same.

31. Sec. 1-3-24 Executive Session. This Section should remain the same.

32. Sec. 1-3-25 Additional Rules. This Section should remain the same.

33. Secs. 1-3-26 through 1-3-30 Reserved. This Section should remain the same.

34. Sec. 1-3-31 Standing Committees; Responsibilities. All committees will consist of three (3) Council members selected from Mayor and Council. Each Council member shall serve on at least one committee.

The standing committees and their respective areas of responsibility are as follows:

(1) Ways and Means, which shall consist of three (3) members.

a. assist the city administrator, at his request, in the annual budget ordinance through:

1. review of all sources of revenue and development of annual income estimates;

2. review of all departmental, committee, board, general government, or other expense budgets;

b. review monthly cash on hand reports and budget status and recommend revisions if necessary;

c. review all policies and procedures regarding ways and means and make recommendations as appropriate;

d. review all other matters pertaining to city finances and which the name of the committee implies;

e. carefully examine into and report upon all petitions and other matters referred to them by the mayor and council, using due diligence thereon; and

f. review all matters regarding the city parking lot.

(2) Public Safety Committee, which shall consist of three (3) members. The committee's duties are to:

a. assist the city administrator, at his request, in the preparation of the annual expense budget for the police and fire departments;

b. review policies and procedures regarding the police and fire departments and make recommendations as appropriate; and

c. carefully examine into and report upon all petitions referred to them by the mayor and council, using due diligence thereon.

(3) Public Works, which shall consist of three (3) members. The committee's duties are to:

a. assist the city administrator, at his request, in the preparation of the annual expense budget for the public works

department;

b. review policies and procedures regarding the public works department and make recommendations as appropriate;

c. review requests for street lights and periodically review the street lighting system within the city; and

d. carefully examine into and report upon all petitions and other matters referred to them by the mayor and council, using due diligence thereon.

(4) Parks, Playground and Recreation, which shall consist of three (3) members. The committee's duties are to:

a. assist the city administrator, at his request, in the preparation of the annual expense budget for the recreation department;

b. review policies and procedures regarding the recreation department and make recommendations as appropriate;

c. work in cooperation with the citizen recreation commission to provide enjoyment opportunities for all citizens and report to the council on the condition of the recreation center and activities; and

d. carefully examine into and report upon all petitions and other matters referred to them by the mayor and council, using due diligence thereon.

(5) Engrossed Bills, which shall consist of three (3) members. The committee's duties are to:

a. reduce to their final legal form all bills referred to said committee by the city council presenting same for ratification

at the next regular meeting or as directed by council; and

b. carefully examine into and report upon all petitions and other matters referred to them by the mayor and council, using due diligence thereon. (Ord. No. 1981-9, 11/11/81, as amended by Ord.No. 1983-6, 8/10/83; Ord. No. 1988-12, 4/13/88; Ord. No. 1988-16, 5/11/88)

Amendment Note: Ord. No. 1988-12 included the fire department in the provisions of Subsec. (2) and deleted provisions concerning street lights. Ord. No. 1988-16 added provisions concerning street lights to Subsec. (3) of the above section.

35. Sec. 1-3-32 Appointment of Members; Vacancy. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-3-32 Appointment of Members; Vacancy.

(a) At the first regular meeting of City Council in January of each year, the Mayor shall receive nominations from Council members whereupon Council shall vote to appoint the Chairman and members of each Standing Committee; such appointments subject to the consent of a majority of Council.

(b) The Council may, from time to time, make such changes in the membership of the Standing Committees as may be necessary or conducive to the convenience of the members.

(c) A vacancy in any committee or chairmanship shall be filled by Council as soon as practicable after the occurrence of same. (Ord. No. 1981-9, 11/11/81)

36. Sec. 1-3-33 Members' Duties; Generally. This Section should remain the same.

37. Sec. 1-3-34 Committee Chairman; Duties Generally. This Section should remain the same.

38. Sec. 1-3-35 Standing Committees; General Duties. This Section should remain the same.

39. Sec. 1-3-36 Committee Meetings. This Section should remain the same.

40. Sec. 1-3-37 Committee Meetings Open; Executive Sessions. This Section should remain the same.

41. Secs. 1-3-38 through 1-3-50 Reserved. This Section should remain the same.

42. Sec. 1-3-51 Ordinances; Duty to Enact. This Section should remain the same.

43. Sec. 1-3-52 Enacting Clause. This Section should remain the same.

44. Sec. 1-3-53 Procedure for Enactment. This Section should remain the same.

45. Sec. 1-3-54 Ordinance Book; Notation of Amending and Repealing Ordinances. This Section should remain the same.

46. Secs. 1-3-55 through 1-3-60 Reserved. This Section should remain the same.

47. Sec. 1-3-61 How Code Designated and Decided. This Section should remain the same.

48. Sec. 1-3-62 Definitions and Rules of Construction. This Section should remain the same.

49. Sec. 1-3-63 Catch Lines of Sections. This Section should remain the same.

50. Sec. 1-3-64 Effective Repeal of Ordinances. This Section should remain the same.

51. Sec. 1-3-65 Severability of Parts of the Code. This Section should remain the same.

52. Sec. 1-3-66 General Penalties; Continuing Violations. This Section should remain the same.

53. Sec. 1-4-1 Departmental Organization. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-4-1 Departmental Organization.

(a) The administrative organization of the City shall be divided into the following departments which are hereby created:

(1) General Government;

(2) Police;

(3) Fire;

(4) Public Works;

(5) Recreation; and

(6) Buildings and Engineering.

(b) Department heads shall be appointed by a majority of City Council.

54. Sec. 1-4-2 Bonds of Officers and Employees. This Section should remain the same.

55. Secs. 1-4-3 through 1-4-10 Reserved. This Section should remain the same.

56. ARTICLE B
CITY ADMINISTRATOR
STATE LAW REFERENCE:

This portion of the Code is hereby repealed in its entirety and replaced with the following:

State Law Reference: Authority to employ City Administrator under Council form of government, S.C. Code 1976, Sec. 5-11-40.

57. Sec. 1-4-11 Office Established; Duties.

(a) The Office of the City Administrator is hereby created. The City Administrator shall be appointed by a majority of Council.

(b) The City Administrator shall be responsible for the overall administration of the City.

(c) Council shall employ an administrator to administer the affairs of the City and implement the policies of the Municipal Council.

(d) 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.

(e) The administrator shall be the chief administrative 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.

58. Secs. 1-4-12 through 1-4-20 Reserved.

59. Sec. 1-4-21 Position Created; Election; Salary. This Section should remain the same.

60. Sec. 1-4-22 Duties. This Section should remain the same.

61. Sec. 1-4-23 Persons Authorized to Act During Absence or Disability. This Section is here repealed in its entirety and replaced with the following:

Sec. 1-4-23 Persons Authorized to Act During Absence or Disability.

(a) The Clerk-Treasurer shall seal and attest all contracts of the City and all licenses, permits, ordinances, resolutions and such other documents as shall require this formality.

(b) The Clerk-Treasurer shall pay out only on vouchers or orders properly signed by two (2) out of three (3) signatures from either the Clerk-Treasurer, the Mayor or the City Administrator.

(c) In case of the unavoidable absence or sickness of the Clerk-Treasurer, Council shall appoint a Clerk Pro Tempore, who, during such appointment, shall perform all duties of the Clerk. (Code 1970, Sec. 2-3, as amended by Ord. No. 1977-36, 10/26/77)

62. Secs. 1-4-24 through 1-4-30 Reserved. This Section should remain the same.

63. Sec. 1-4-31 Term; Qualifications; Appointment; Duties. This Section should remain the same.

64. Sec. 1-5-1 Adoption of the Budget. This Section should remain the same.

65. Sec. 1-5-2 Administration of Budget; Transfers of Appropriations. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-5-2 Administration of Budget; Transfers of Appropriations. The City Administrator shall administer the budget, being responsible to City Council for same and may authorize the transfer of appropriated funds within and between departments with the approval of City Council as necessary to achieve the goals of the budget.

66. Sec. 1-5-3 Expenditures by Mayor or City Administrator. The City Administrator and, in his absence, the Mayor shall have the authority to spend up to $1,000 of unbudgeted expenditures. Any such unbudgeted expenditures shall be approved by city council and reported to the Ways and Means Committee at its next regularly scheduled meeting.

67. Sec. 1-5-4 Property Tax Levied. This Section should remain the same.

68. Sec. 1-5-5 Payment of Taxes. This Section should remain the same.

69. Sec. 1-5-6 Penalties for Non-Payment of Taxes. This Section should remain the same.

70. Sec. 1-5-7 Taxes to Constitute Lien on Property. This Section should remain the same.

71. Secs. 1-6-1 through 1-6-13 and Secs. 1-7-1 through 1-7-7 and Secs. 1-8-1 through 1-8-5. These Sections should remain the same.

72. Sec. 1-9-1 Creation. This Section should remain the same.

73. Sec. 1-9-2 Composition and Appointment. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-9-2 Composition and Appointment. The Commission shall be composed of seven (7) qualified electors of the City who shall be appointed by a majority of Council. All members of the Commission shall serve as such without compensation, and shall hold no other office in the City. Additionally, one Council member shall serve in an ex-officio capacity on this Commission. (Ord. No. 1986-13, 12/10/86)

74. Sec. 1-9-3 Terms of Office. This Section should remain the same.

75. Sec. 1-9-4 Removal of Members. This Section should remain the same.

76. Sec. 1-9-5 Officers, Meetings and Quorum. This Section should remain the same.

77. Sec. 1-9-6 Rules and Records. This Section should remain the same.

78. Sec. 1-9-7 Duties and Powers. This Section should remain the same.

79. Secs. 1-9-8 through 1-9-20 Reserved. This Section should remain the same.

80. Sec. 1-9-21 Established; Composition; Appointment and Term of Office of Members. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-9-21 Established; Composition; Appointment and Term of Office of Members. The Board of Adjustment shall consist of five (5) citizen members, each to be appointed by a majority of Council. The term of office of member shall be for three (3) years from the date of appointment. An appointment to fill a casual vacancy shall be only for the unexpired portion of the term. A secretary and chairperson shall be elected at the first meeting of each year.

81. Sec. 1-9-22 Meetings. This Section should remain the same.

82. Sec. 1-9-23 Application to Board of Adjustment. This Section should remain the same.

83. Sec.1-9-24 Appeals from Decisions from Board of Adjustment. This Section should remain the same.

84. Sec. 1-9-25 Denial of Request for a Variance. This Section should remain the same.

85. Secs. 1-9-26 through 1-9-30 Reserved. This Section should remain the same.

86. Sec.1-9-31 Established. This Section should remain the same.

87. Sec. 1-9-32 Composition; Appointment of Members; Quorum. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-9-32 Composition; Appointment of Members; Quorum. The Board of Beach Patrol and Control shall consist of six (6) members, appointed by a majority of Council. In addition to the six (6) members, one (1) Council member shall serve ex-officio on the Board. A majority of the members of the Board shall constitute a quorum for all purposes.

88. Sec. 1-9-33 Powers Generally. This Section should remain the same.

89. Secs. 1-9-34 through 1-9-40 Reserved. This Section should remain the same.

90. Sec. 1-9-41 Established. This Section should remain the same.

91. Sec. 1-9-42 Purpose. This Section should remain the same.

92. Sec. 1-9-43 Composition; Qualifications and Appointment of Members. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 1-9-43 Composition; Qualifications and Appointment of Members. The Recreation Commission shall consist of five (5) members who shall reside within the City, all of whom shall be appointed by majority of Council. In addition the director of the Recreation Department shall be a non-voting advisory member of the Commission.

93. Sec. 1-9-44 Term of Office of Members. This Section should remain the same.

94. Sec. 1-9-45 Quorum. This Section should remain the same.

95. Sec. 1-9-46 Election of Officers. This Section should remain the same.

96. Sec. 1-9-47 Duties. This Section should remain the same.

97. Secs. 1-9-48 through 1-9-60 Reserved. This Section should remain the same.

98. Secs. 1-9-61 through 1-9-70 Reserved. This Section should remain the same.

99. Sec. 1-9-71 Members, Powers and Duties. This Section should remain the same.

100. Sec. 2-1-1 Control of Police Department. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 2-2-1 Control of Police Department. The management, direction and control of the police department of the City shall be vested in Council and such authority as delegated to the City Administrator.

101. Sec. 2-1-2 Chief of Police. This Section is hereby repealed in its entirety and replaced with the following:

Sec. 2-1-2 Chief of Police.

(a) The Council, at the first meeting of City Council in January of each year shall appoint the chief of the police department. The chief of the police department shall carry out and enforce this code and all other applicable ordinances and perform such other duties as may be required of him by city council or the

City Administrator. He shall receive such salary as may be provided by City Council.

102. Section 8. 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 person, property, kind of property, circumstances of set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

103. Section 9. 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 22nd DAY OF December, 1992.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. MCDUFFIE,
CLERK TREASURER

FIRST READING: 10/27/92

SECOND READING: 11/24/92

THIRD READING: 12/22/92

RATIFICATION: 12/22/92

~~9/30/92~~
10/20/92

CITY OF ISLE OF PALMS
ORDINANCE NO. 1992-13

AN ORDINANCE TO AMEND CHAPTER 4, ZONING, OF THE CODE OF THE CITY OF ISLE OF PALMS TO PROVIDE A CONSISTENT METHOD FOR DETERMINING PERMITTED BUILDING HEIGHTS.

WHEREAS, the methods for determining building heights specified in the zoning ordinance are not consistent with one another; and

WHEREAS, City Council desires to modify the City of Isle of Palms' zoning requirements to establish one method for determining building heights in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend zoning regulations under 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.

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 zoning requirements for determining the height of buildings.

Section 2. Section 5-4-2 Amended. Existing Section 5-4-2, item (7) is deleted in its entirety.

Section 3. Section 5-4-2 Amended. Existing Section 5-4-2, item (11) is deleted in its entirety, and substituted, in its place and stead, with the following:

"(11) Height of building or structure. The vertical distance from either the highest elevation of the road centerline immediately adjacent to the lot on which the building is located, or from the lowest area within the building footprint, proposed or existing, of an unaltered/unfilled lot, whichever is higher, to the highest point on a building or structure. The height limitation shall not apply to church spires, chimneys, antennas, transmission towers or aerials."

Section 4. Section 5-4-12 Amended. Existing Section 5-4-12, paragraph (2) is deleted in its entirety, and substituted, in its place and stead, with the following:

"(2) The height of buildings or structures shall not exceed 40 feet."

Section 5. 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 6. 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 24th DAY OF November, 1992.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

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

Building Height amend

CITY OF ISLE OF PALMS
ORDINANCE 1992-11

AN ORDINANCE TO AMEND SECTIONS 5-4-36, NON-CONFORMING LOTS, OF THE CITY OF ISLE OF PALMS ZONING REQUIREMENTS BY DELETING THE PROVISION WHICH ALLOWS THE ZONING ADMINISTRATOR TO REDUCE REQUIRED SETBACKS FOR NON-CONFORMING LOTS BY UP TO AN AGGREGATE TOTAL OF 20 PERCENT.

WHEREAS, City Council desires to modify the City of Isle of Palms' existing requirements relating to non-conforming lots in order to promote the orderly growth and development of the City; and

WHEREAS, the City is authorized to adopt and amend zoning regulations under Sections 6-7-710, 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 duly assembled, that:

Section 1. Purpose. This Ordinance is adopted to amend the City's zoning requirements for non-conforming lots.

Section 2. Section 5-4-36 Amended. Existing Section 5-4-36, Paragraph (b) is deleted in its entirety, and existing Paragraph (c) is reordered to become new Paragraph (b).

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 CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 22nd DAY OF September, 1992.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Nellie S. McDuffie

Nellie S. McDuffie, Clerk/Treasurer

First Reading:	6/23/92
Second Reading:	8/25/92
Third Reading:	9/22/92
Ratification:	9/22/92

ORDINANCE 1992-9

AN ORDINANCE TO ESTABLISH REGULATIONS FOR THE USE OF METERED PARKING

WHEREAS, by resolution of the Isle of Palms City Council, the City will install parking meters along Ocean Boulevard between 10th Avenue and 14th Avenue; and

WHEREAS, Section 56-5-710 of the S. C. Code of Laws, 1976, as amended, confers powers on local authorities to exercise police power with the intent of regulating the standing or parking of vehicles.

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

Section 1. Purpose. The following are adopted as Section 8-1-41 through Section 8-1-44 to create regulations for the use of metered parking.

Section 8-1-41 Owner's Responsibility for Illegal Parking.

No person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street in the city in violation of any of the provisions of this code or other ordinance of this city regulating the standing or parking of vehicles.

Section 8-1-42 Duty to Deposit Coins, Overtime Parking.

(a) No person shall park a vehicle within a parking meter zone adjacent to any parking meter unless he shall immediately deposit in such meter a legal United States coin or coins, as required by the lettering on such meter, and he shall forthwith put such meter in operation.

(b) No person shall park a vehicle in any such parking meter zone for longer that the period designated on such meter for the coin which he shall have placed in such meter. No person shall cause, allow, permit or suffer any vehicle registered in his name or operated or controlled by him to stand in a parking meter zone during any time when the adjacent meter is showing a signal indication that such space is illegally in use.

Section 8-1-43 Occupancy of Two Metered Spaces by One Vehicle.

No vehicle shall protrude beyond the marking designating a metered parking space, except that a vehicle too large to be parked within a single metered parking space may occupy two (2) adjacent spaces when coins have been deposited in both meters as required by the lettering on such meters.

Section 8-1-44 Depositing Slugs Prohibited.

No person shall deposit or attempt to deposit or cause to be deposited in any parking meter any slug, device or substitute for a lawful coin of the United States.

Section 2. 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 3. Effective Date. This ordinance shall be effective upon its ratification by the City Council of the City of Isle of Palms.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 28th DAY OF July, 1992.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Attest:

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

First Reading: 6/23/92
Second Reading: 7/28/92
Third Reading: waived
Ratification: 7/28/92

CITY OF ISLE OF PALMS
ORDINANCE 1992-4

AN ORDINANCE TO AMEND THE CITY'S ZONING REQUIREMENTS FOR PROPERTIES IN THE GC-2 GENERAL COMMERCIAL DISTRICT WITHIN THE CITY OF ISLE OF PALMS TO ESTABLISH A MAXIMUM BUILDING SETBACK FROM OCEAN BOULEVARD.

WHEREAS, existing zoning requirements do not limit the depth of buildings as measured from the right-of-way of Ocean Boulevard, within the GC-2 General Commercial District; and

WHEREAS, City Council desires to modify the City of Isle of Palms' zoning requirements for the GC-2 General Commercial District to limit the depth of new buildings in order to promote orderly growth and development in the City and protect the general welfare of the community; and

WHEREAS, the City is authorized to adopt and amend zoning regulations under Sections 6-7-710 et seq, South Carolina Code of Laws, 1976, as amended; and

WHEREAS, a properly noticed public hearing has been held on 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 zoning requirements for the GC-2 General Commercial District.

Section 2. Section 5-4-27 Amended. Existing Section 5-4-27, Paragraph (4), Section (a) is deleted in its entirety, and substituted in its place and stead with the following:

"a. Structures, with the exception of permitted walk-overs, shall not extend back more than two-hundred (200) feet from the right-of-way of Ocean Boulevard. No other setbacks are required, provided that the structures comply with the requirements established for the city fire district."

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 23rd DAY OF June, 1992.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Nellie S. McDuffie

Nellie S. McDuffie, Clerk/Treasurer

First Reading: 4/28/92
Second Reading: 5/26/92
Third Reading: 6/23/92
Public Hearing: 3/16/92
Ratification: 6/23/92

ORDINANCE 1992-5

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, 1992, AND ENDING JUNE 30, 1993.

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 City Council of the City of Isle of Palms, South Carolina, in council duly assembled, that the following provisions are hereby adopted and enacted:

Section 1. 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 2. 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 3. 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 4. This ordinance shall become effective immediately upon its ratification by City Council.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: Clarence R. Bench
Mayor

(SEAL)

ATTEST:

Nellie B. McDuffie
Clerk/Treasurer

First Reading: 6/15/92

Public Hearing: 6/23/92

Second Reading: 6/23/92

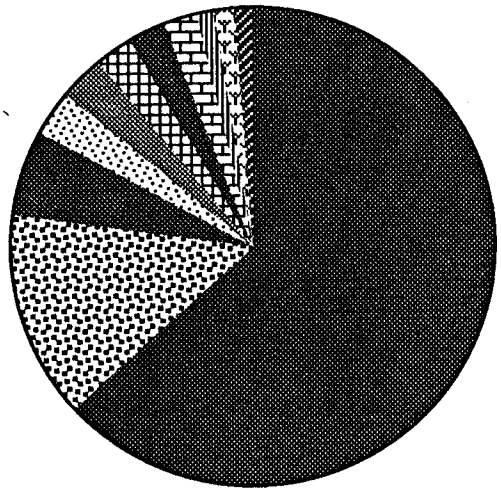
Ratification: 6/23/92

City of Isle of Palms
South Carolina

Fiscal Year Operating Budget
July 1, 1992 - June 30, 1993

General Fund
Accommodations Tax Fund

Revenue Categories in FY '92-'93



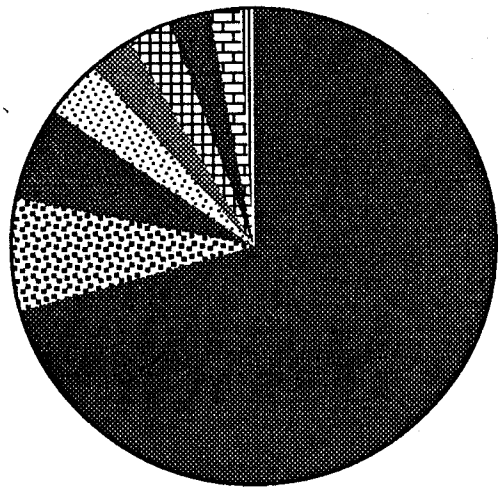
Property & Local Option Sales Taxes	63.2%
Business & Insurance License Fees	14.0%
Public Utilities Fees	5.7%
Building Permits & Fees	3.3%
Court Generated Revenue	2.9%
State Shared Funds	2.6%
Parking Lot & Meter Revenue	2.5%
Recreation Department Income	2.2%
Transfer from Accommodations Tax	1.2%
Grant Income	1.3%
Intergovernmental Transfers	1.1%

GENERAL FUND BUDGET
July 1, 1992 -- June 30, 1993

REVENUES

ACCT. NO.	ITEM ACCOUNT NAME	BUDGETED FY 1991-92	5/30/92 COLLECTED YTD FY 1991-92	54 mills ESTIMATE FY 1992-93
1031004001	Property Taxes	1,517,649	1,505,753	1,569,266
1031004002	Local Option Sales Tax	0	132,478	165,000
1032104006	Business License Fees	225,000	236,240	285,000
1032104007	Insurance License Fees	98,000	99,150	100,000
1032104008	Public Utilities Fees	140,000	147,422	155,000
1032104009	Building Permits & Fees	130,000	71,860	90,000
1032104010	Animal License Fees	300	448	500
1032104011	Vehicle ID Fees	0	115	0
1033004031	Narcotics Grant Revenue	0	4,383	0
1033004032	Narcotics Seizures	59,116	20,000	10,000
1034004075	Court Generated Revenue	110,000	60,236	80,000
1034504106	Intergovernmental Transfers	30,000	27,500	30,000
1034504109	Disaster Relief- State	25,000	3,161	0
1034504110	Disaster Relief-Insurance	0	5,000	0
1034504111	Grant Income	0	0	36,451
1034504115	State Shared Funds	80,968	76,928	71,132
1045004500	Parking Meter Revenue	0	0	22,686
1035004501	Miscellaenous Revenue	10,000	4,552	6,758
1035004502	Parking Lot Revenue	45,000	35,399	45,000
1035004503	Plat Application Fees	1,000	720	1,000
1035004504	Sale of Assets	15,000	9,335	10,000
1035004505	Interest Income	30,000	19,642	17,000
1035004506	Recreation Instructor's Income	17,000	25,440	24,000
1035004507	Recreation Program Income	26,900	44,660	36,000
1035004508	Recycling Revenue- Cans & Paper	4,000	1,146	0
1035004509	Kennel Revenues	0	0	250
1035004510	Donations to Dare Program	2,000	2,482	0
1035004511	Transfer Fm Accom. Tax Fund	25,000	29,940	33,000
1034504113	Oper. Transfer Capital Projects	28,000	28,000	0
	TOTAL GENERAL FUND REVENUES	**$2,619,935**	**$2,591,990**	**$2,788,043**

Expenditure Categories in FY '92-'93



Personnel and Associated Expenses	70.8%
General Operating Expenses	7.6%
Debt Service	6.2%
Operation of Vehicles	4.1%
Utilities	2.9%
Capital Outlay	2.8%
Professional Services	2.7%
Insurance	2.1%
Uniforms	0.8%

EXPENDITURES

5/30/92

ACCT. NO.	MAYOR & COUNCIL ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1040105001	Mayor & Council Salaries	10,800	10,500	10,800
1040105004	Fica Expense	826	794	826
1040105005	Retirement Expense	740	534	740
1040105006	Group Health Insurance	18,360	11,995	19,116
1040105007	Workman's Compensation	0	0	0
1040205015	Meetings & Seminars	0	0	1,000
1040205016	Vehicle Fuel & Oil	200	0	200
1040205017	Vehicle Maintenance	500	56	500
1040205053	Blanket Bond	100	0	100
1040205062	Insurance	1,546	4,012	4,339
1040205087	Council Special Fund	0	0	0
1040205088	Mayor's Special Fund	2,000	1,672	2,000
	TOTAL	**$35,072**	**$29,563**	**$39,621**

ACCT. NO.	GENERAL GOVERNMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1041105001	Salaries-Supervisor	44,704	41,471	46,262
1041105002	Salaries-Employees	47,281	45,929	50,138
1041105003	Salaries-Part Time	0	0	0
1041105004	Fica Expense	7,037	6,614	7,375
1041105005	Retirement Expense	6,301	5,987	6,603
1041105006	Group Health Insurance	6,120	5,198	6,372
1041105007	Workman's Compensation	4,566	3,519	4,960
1041105008	Unemployment Compensation	0	0	0
1041205009	Debt Service- Principal	50,000	50,000	100,000
1041205010	Printing & Office Supplies	6,000	3,738	5,000
1041205011	Debt Service- Interest	88,241	106,126	74,178
1041205014	Memberships & Dues	1,890	1,415	1,890
1041205015	Meetings & Seminars	0	240	500
1041205016	Vehicle Fuel & Oil	2,000	668	1,500
1041205017	Vehicle Maintenance	750	635	750
1041205020	Electricity & Gas	2,100	2,545	2,500
1041205021	Telephone/ Cable	5,650	4,233	5,650
1041205022	Water & Sewer	750	1,022	1,300
1041205026	Maintenance/Service Contracts	2,000	2,162	2,450
1041205027	Machinery/Equipment Repair	300	373	500
1041205041	Uniforms	400	293	400
1041205044	Cleaning/ Sanitary Supplies	200	481	500
1041205053	Blanket Bond	100	100	100
1041205061	Advertising	4,000	4,990	4,000
1041205062	Insurance	2,106	2,522	3,303
1041205063	Rents & Leases	4,600	3,510	2,945
1041205064	Employee Training	0	0	0
1041205065	Professional Services	18,950	13,625	18,375
1041205068	Election Expenses	2,500	2,540	0
1041205071	Special Department Expenses	0	0	0
1041205072	Vehicle ID Expense	0	0	0
1041205079	Miscellaneous Expenses	1,500	19,673	1,500
1041205085	Capital Outlay	0	170	0
	TOTAL	**$310,046**	**$329,779**	**$349,051**

ACCT. NO.	FINANCE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1042105001	Salaries- Supervisor	30,176	28,164	30,512
1042105002	Salaries- Employees	0	0	0
1042105003	Salaries-Part Time	0	0	0
1042105004	Fica Expense	2,308	2122	2,334
1042105005	Retirement Expense	2,067	1929	2,090
1042105006	Group Health Insurance	2,040	1862	2,124
1042105007	Workman's Compensation	0	0	0
1042105008	Unemployment Compensation	0	0	0
1042205010	Printing & Office Supplies	0	0	0
1042205015	Meetings & Seminars	0	0	0
1042205020	Electricity & Gas	0	0	0
1042205021	Telephone/ Cable	0	0	0
1042205022	Water & Sewer	0	0	0
1042205026	Maintenance/Service Contracts	0	0	0
1042205053	Blanket Bond	450	450	450
1042205062	Insurance	436	111	121
1042205064	Employee Training	0	0	0
1042205079	Miscellaneous Expenses	100	0	0
1042205085	Capital Outlay	0	0	0
	TOTAL	**$37,577**	**$34,638**	**$37,630**

ACCT. NO.	POLICE NARCOTICS UNIT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1043105002	Salaries- Employees	45,575	45,877	47,170
1043105004	Fica Expense	3,486	3,346	3,609
1043105005	Retirement Expense	3,122	4,909	5,047
1043105006	Group Health Insurance	4,080	3,724	4,248
1043105062	Insurance	2,853	0	0
	TOTAL	**$59,116**	**$57,856**	**$60,074**

ACCT. NO.	POLICE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1044105001	Salaries- Supervisor	35,152	32,448	41,000
1044105002	Salaries- Employees	415,553	390,879	459,464
1044105003	Salaries- Part Time	8,397	9,004	10,157
1044105004	Fica Expense	34,999	31,749	39,063
1044105005	Retirement Expense	48,953	41,851	54,636
1044105006	Group Health Insurance	43,180	37,914	47,068
1044105007	Workman's Compensation	14,217	9,046	15,500
1044105008	Unemployment Compensation	1,000	0	0
1044205010	Printing & Office Supplies	6,500	6,964	8,800
1044205014	Memberships & Dues	800	75	800
1044205015	Meetings & Seminars	700	414	1,769
1044205016	Vehicle Fuel & Oil	25,114	28,958	21,914
1044205017	Vehicle Maintenance	11,000	12,138	14,000
1044205020	Electricity & Gas	5,000	3,054	2,500
1044205021	Telephone/ Cable	9,000	13,675	9,900
1044205022	Water & Sewer	1,000	807	1,000
1044205026	Maintenance/Service Contracts	3,000	772	4,500
1042205027	Machinery/Equipment Repair	4,200	1,939	4,200
1044205031	Small Hand Tools	0	8	0
1044205041	Uniforms	10,000	3,942	10,000
1044205044	Cleaning/ Sanitary Supplies	1,400	471	1,000
1044205049	Medical & Lab Supplies	2,500	967	2,500
1044205053	Blanket Bond	100	100	100
1044205062	Insurance	22,218	21,654	19,200
1042205063	Rents & Leases	7,800	7,005	7,586
1044205064	Employee Training	4,000	2,491	4,500
1044205071	Special Department Expenses	2,000	1,706	2,000
1044205074	DARE Program Expenses	2,000	2,679	2,000
1044205079	Miscellaneous Expenses	1,800	161	1,800
1044205081	Canine Kennel Expenses	500	62	500
1042205085	Capital Outlay	2,945	3,153	39,749
	TOTAL	**$725,028**	**$666,086**	**$827,206**

ACCT. NO.	FIRE DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1045105001	Salaries- Supervisor	34,320	31,680	0
1045105002	Salaries- Employees	399,023	360,795	392,396
1045105003	Salaries- Part Time	7,030	7,614	7,280
1045105004	Fica Expense	33,689	29,148	30,575
1045105005	Retirement Expense	47,120	42,455	42,765
1045105006	Group Health Insurance	42,840	36,476	38,232
1045105007	Workman's Compensation	11,571	13,527	12,570
1045105008	Unemployment Compensation	500	0	0
1045205010	Printing & Office Supplies	1,771	2,059	2,000
1045205014	Memberships & Dues	800	150	800
1045205015	Meetings & Seminars	1,200	0	0
1045205016	Vehicle Fuel & Oil	5,000	5,493	6,000
1045205017	Vehicle Maintenance	8,000	8,083	10,000
1045205020	Electricity & Gas	3,500	5,266	6,940
1045205021	Telephone/ Cable	5,700	4,047	3,400
1045205022	Water & Sewer	1,200	1,115	1,300
1045205026	Maintenance/Service Contracts	5,500	1,259	3,000
1045205027	Machinery/Equipment Repair	5,000	5,321	5,000
1045205031	Small Hand Tools	750	70	300
1045205041	Uniforms	6,000	1,407	6,000
1045205044	Cleaning/ Sanitary Supplies	2,000	972	2,000
1045205049	Medical & Lab Supplies	9,500	3,078	5,000
1045205053	Blanket Bond	100	63	100
1045205062	Insurance	12,979	11,299	13,000
1045205063	Rents and Leases	1,920	1,755	2,300
1045205064	Employee Training	4,500	1,982	4,500
1045205065	Professional Services	800	725	800
1045205079	Miscellaneous Expenses	4,000	194	1,000
1045205080	Volunteer Fire Points	0	3,000	3,000
1045205085	Capital Outlay	0	708	11,350
	TOTAL	**$656,313**	**$579,741**	**$611,609**

ACCT. NO.	PUBLIC WORKS DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1046105001	Salaries- Supervisor	31,324	28,838	32,420
1046105002	Salaries- Employees	170,276	145,076	178,088
1046105003	Salaries- Part Time	14,400	6,025	14,917
1046105004	Fica Expense	16,524	12,905	17,245
1046105005	Retirement Expense	14,796	11,952	15,442
1046105006	Group Health Insurance	30,600	28,019	31,860
1046105007	Workman's Compensation	17,472	10,323	20,060
1046105012	Reimbursed Workmans' Comp	0	-291	0
1046105008	Unemployment Compensation	1,000	2,737	1,000
1046205010	Printing & Office Supplies	500	435	1,000
1046205016	Vehicle Fuel & Oil	19,000	16,370	24,000
1046205017	Vehicle Maintenance	21,000	25,164	30,000
1046205020	Electricity & Gas	23,000	22,752	28,000
1046205021	Telephone/ Cable	1,200	699	1,425
1046205022	Water & Sewer	1,000	1,034	1,200
1046205026	Maintenance/Service Contracts	500	177	500
1046205027	Machinery/Equipment Repair	750	-378	750
1046205031	Small Hand Tools	650	609	3,000
1046205041	Uniforms	5,000	4,093	5,000
1046205044	Cleaning/ Sanitary Supplies	1,000	806	900
1046205049	Medical & Lab Supplies	500	464	500
1046205054	Street Signs	2,000	1,929	2,500
1046205062	Insurance	17,218	14,050	14,750
1046205063	Rents & Leases	500	0	500
1046205065	Professional Services	0	200	0
1046205067	Contracted Services	1,500	330	1,500
1046205068	Election Expenses	0	0	0
1046205073	Recycling Expense	2,000	0	0
1046205079	Miscellaneous Expenses	500	447	500
1046205085	Capital Outlay	2,000	2,319	22,100
	TOTAL	**$396,210**	**$337,084**	**$449,157**

ACCT. NO.	BUILDING/PLANNING ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1047105001	Salaries- Supervisor	33,345	30,778	34,512
1047105002	Salaries- Employees	47,989	37,525	42,429
1047105003	Salaries- Part Time	4,935	4,524	0
1047105004	Fica Expense	6,600	5,400	5,886
1047105005	Retirement Expense	5,909	4,989	5,270
1047105006	Group Health Insurance	6,120	5,839	7,392
1047105007	Workman's Compensation	622	549	680
1047105008	Unemployment Compensation	1,000	5,706	1,000
1047205010	Printing & Office Supplies	2,500	2,174	2,500
1047205014	Memberships & Dues	125	65	125
1047205015	Meetings & Seminars	1,000	220	1,000
1047205016	Vehicle Fuel & Oil	3,000	1,854	2,000
1047205017	Vehicle Maintenance	1,000	191	1,000
1047205020	Electricity & Gas	3,000	1,901	2,000
1047205021	Telephone/ Cable	4,600	3,642	3,100
1047205022	Water & Sewer	1,200	42	1,200
1047205026	Maintenance/Service Contracts	750	259	750
1047205027	Machinery/Equipment Repair	150	0	150
1047205044	Clean/Sanitation Supplies	1,800	283	1000
1047205053	Blanket Bond	100	100	100
1047205062	Insurance	2,349	1,479	1,500
1047205063	Rents and Leases	3,360	3,087	3,400
1047205064	Employee Training	500	0	0
1047205065	Professional Services	1,000	0	4,935
1047205079	Miscellaneous Expenses	250	0	250
1047205085	Capital Outlay	0	0	0
	TOTAL	**$133,204**	**$110,607**	**$122,179**

ACCT. NO.	RECREATION DEPARTMENT ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1048105001	Salaries- Supervisor	21,091	19,468	21,829
1048105002	Salaries- Employees	44,606	40,545	46,167
1048105003	Salaries- Part Time	0	0	500
1048105004	Fica Expense	5,026	4,591	5,240
1048105005	Retirement Expense	4,500	4,111	4,692
1048105006	Group Health Insurance	8,160	7,447	8,496
1048105007	Workman's Compensation	2,386	1,337	2,600
1048105008	Unemployment Compensation	250	0	0
1048205010	Printing & Office Supplies	2,500	2,172	2,100
1048205014	Memberships & Dues	2,000	433	600
1048205015	Meetings & Seminars	500	190	500
1048205016	Vehicle Fuel & Oil	1,000	1,111	1,500
1048205017	Vehicle Maintenance	500	283	500
1048205020	Electricity & Gas	6,000	6,223	6,500
1048205021	Telephone/ Cable	2,280	1,776	2,150
1048205022	Water & Sewer	500	809	900
1048205026	Maintenance/Service Contracts	1,700	1,999	2,200
1048205027	Machinery/Equipment Repair	800	176	500
1048205031	Small Hand Tools	100	24	100
1048205041	Uniforms	200	0	0
1048205044	Cleaning/ Sanitary Supplies	1,500	1,275	1,500
1048205049	Medical & Lab Supplies	100	98	100
1048205053	Blanket Bond	100	100	100
1048205062	Insurance	1,509	1,746	2,000
1048205063	Rents & Leases	2,400	814	0
1048205064	Employee Training	400	33	100
1048205071	Special Department Expenses	8,470	7,194	8,000
1048205079	Miscellaneous Expenses	100	109	100
1048205085	Capital Outlay	0	1,491	2,450
	SUB-TOTAL	**$118,678**	**$105,555**	**$121,424**

	REC. INSTRUCTION EXPENSE	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1048305090	Crafts	1,200	0	0
1048305091	Gymnastics	2,300	2,882	2,800
1048305092	Special Activities	0	391	400
1048305093	Day Camp	6,000	4,413	8,500
1048305094	Dancing	1,200	396	0
1048305095	Karate	7,500	11,372	9,000
1048305096	Aerobics	600	4,134	8,000
1048305097	Adult Sports	11,000	18,955	15,000
1048305098	Youth Sports	8,500	14,821	10,000
1048305099	Tennis	1,000	1,483	1,800
	SUB-TOTAL	**$39,300**	**$58,847**	**$55,500**
	TOTAL	**$157,978**	**$164,402**	**$176,924**

ACCT. NO.	JUDICIAL & LEGAL ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1049105002	Salaries- Employees	17,447	16,102	17,036
1049105003	Salaries- Part Time	0	0	0
1049105004	Fica Expense	1,335	1,212	1,303
1049105005	Retirement Expense	1,195	1,103	1,167
1049105006	Group Health Insurance	2,040	1,862	2,124
1049205008	Unemployment Insurance	0	0	0
1049205010	Printing & Office Supplies	1,000	1,624	1,200
1049205015	Meetings & Seminars	0	33	150
1049205021	Telephone/ Cable	900	833	1,000
1049205053	Blanket Bond	100	100	370
1049205062	Insurance	0	51	0
1049205063	Rents and Leases	300	250	0
1049205065	Professional Services	43,600	48,144	52,000
1049205085	Capital Outlay	0	0	0
	TOTAL	**$67,917**	**$71,314**	**$76,350**

ACCT. NO.	PARKING LOT DEPART. ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1050105003	Salaries- Part Time	12,400	5,621	13,800
1050105004	Fica Expense	949	430	1,056
1050105005	Retirement Expense	0	41	0
1050105007	Workman's Compensation	0	0	0
1050105008	Unemployment Compensation	0	0	0
1050205062	Insurance	0	0	0
1050205063	Rents & Leases	0	75	100
1050205065	Professional Services	0	0	0
1050205071	Special Department Expenses	318	161	600
1050205085	Capital Outlay	0	0	0
	TOTAL	**$13,667**	**$6,328**	**$15,556**

HURRICANE EXPENSES ACCT. NO.	ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1055205026	Maint. & Service Contracts	0	4,680	
1055205063	Rents & Leases	27,806	36,442	
1055205071	Special Dept. Expenses	0	109	
1055205085	Capital outlay	0	3,200	
	TOTAL	**$27,806**	**$44,431**	

PUBLIC RESTROOM DEPT. ACCT. NO.	ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1056205020	Electric & Gas	0	87	0
1056205022	Water & Sewer	0	331	0
1056205027	Machinery/Equipment Repair	0	40	0
1056205031	Small Hand Tools	0	0	0
1056205044	Cleaning/Sanitary Supplies	0	730	0
1056205067	Contracted Services	0	2150	0
1056205071	Special Dept. Expenses	0	42	0
1056205079	Miscellaneous Expenses	0	0	0
	TOTAL	**$0**	**$3,380**	**$0**

PARKING METER DEPT. ACCT. NO.	ACCOUNT NAME	GEN. FUND BUDGETED FY 1991-92	GEN. FUND EXPENDED YTD FY 1991-92	GEN. FUND ESTIMATE FY 1992-93
1057205009	Debt Service- Principal	0	0	17,954
1057205011	Debt Service- Interest	0	0	1,732
1057205010	Printing & Office Supplies	0	0	0
1057205026	Maintenance & Service Contracts	0	0	0
1057205027	Machinery & Equipment Repair	0	0	300
1057205062	Insurance	0	0	0
1057205065	Professional Services	0	0	0
1057205079	Miscellaneous Expenses	0	0	500
1057205085	Capital Outlay	0	0	2,200
	TOTAL	**$0**	**$0**	**$22,686**
GEN FUND TOTAL EXPENDITURES		**$2,619,935**	**$2,435,210**	**$2,788,043**

ACCOMMODATIONS TAX FUND
REVENUES

ACCT. NO.	ITEM	5/30/92 COLLECTED FY 1991-92	ESTIMATED FY 1992-93
5034504105	Acc. Tax Revenue	123,759	185,000
	Transfer to General Fund	-29,938	-25,000
	Add. 5% Trans to Gen Fund	0	-8,000
	Minus 30% Restricted Funds	-29,627	-48,000
5035004501	Miscellaneous Income	116,369	0
503504505	Interest Income	2,324	2,500
	Tourism Related Revenue	$182,887	$106,500

ACCOMMODATIONS TAX TOURISM RELATED FUND
EXPENDITURES

		BUDGETED FY 1991-92	5/30/92 EXPENDED FY 1991-92	ESTIMATED FY 1992-93
	GENERAL GOVERNMENT			
5041205009	Debt Service- Principal	0	0	0
5041205011	Debt Service- Interest	54,500	54,666	101,175
5041205079	Miscellaneous Expenses	0	3,221	5,325
5041205085	Capital Outlay	0	144,364	0
5041205090	Tourism Promotion Expense	0	52,436	0
	DEPARTMENT TOTAL	$54,500	$254,687	$106,500
	POLICE DEPARTMENT			
5044205010	Printing & Office Supplies	0	0	0
5044205016	Vehicle Fuel & Oil	0	0	0
5044205017	Vehicle Maintenance	0	0	0
5044205021	Telephone/ Cable	0	0	0
5044205026	Maintenance/ Service Contrac	0	0	0
5044205027	Machinery/ Equipment Repair	0	0	0
5044205041	Uniforms	0	0	0
5044205062	Insurance	0	0	0
5044205063	Rents & Leases	0	0	0
5044205079	Miscellaneous Expenses	0	0	0
5044205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$0	$0	$0

	FIRE DEPARTMENT	BUDGETED FY 1991-92	EXPENDED FY 1991-92	ESTIMATED FY 1992-93
5045205010	Printing & Office Supplies	0	0	0
5045205016	Vehicle Fuel & Oil	0	0	0
5045205017	Vehicle Maintenance	0	0	0
5045205021	Telephone/ Cable	0	0	0
5045205026	Maintenance/ Service Contrac	0	0	0
5045205027	Machinery/ Equipment Repairs	0	0	0
5045205041	Uniforms	0	0	0
5045205062	Insurance	0	0	0
5045205079	Miscellaneous Expenses	0	0	0
5045205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$0	$0	$0

	PUBLIC WORKS DEPARTMENT	BUDGETED FY 1991-92	3/31/92 EXPENDED FY 1991-92	ESTIMATED FY 1992-93
5046205010	Printing & Office Supplies	0	0	0
5046205016	Vehicle Fuel & Oil	10,000	0	0
5046205017	Vehicle Maintenance	10,000	0	0
5046205026	Maintenance/ Service Contrac	0	0	0
5046205027	Machinery/ Equipment Repairs	0	0	0
5046205041	Uniforms	3,013	0	0
5046205079	Miscellaneous Expenses	0	0	0
5046205085	Capital Outlay	0	0	0
	DEPARTMENT TOTAL	$23,013	$0	$0
	ACCOMMODATIONS TAX FUND TOTAL	$77,513	$254,687	$106,500

REVENUES	
GENERAL FUND	$2,788,043
ACCOMMODATIONS TAX FUND	$106,500
TOTAL	$2,894,543
EXPENDITURES	
GENERAL FUND	$2,788,043
ACCOMMODATIONS TAX FUND	$106,500
TOTAL	$2,894,543

Significant Expenditures in FY '92-'93 Budget

PERSONNEL AND ASSOCIATED COSTS	$1,975,243
OPERATION OF VEHICLES (Gas and Repairs)	$113,164
UTILITIES (Electricity, Water, Gas, Phones)	$80,965
INSURANCE (Tort, Auto, Property)	$58,213
DEBT SERVICE (Parking Lot, '91 G. O. Bonds)	$174,178
CAPITAL OUTLAY (Equipment)	$77,849
PROFESSIONAL SERVICES (Attorneys, Auditors, Consultants)	$76,110
UNIFORMS	$21,400
OTHER OPERATIONS EXPENSES	$210,921
TOTAL	$2,788,043

ORDINANCE 1992-8

AN ORDINANCE AUTHORIZING THE ISSUANCE OF $500,000 AGGREGATE PRINCIPAL AMOUNT OF TAX ANTICIPATION NOTES, 1992, OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA; PROVIDING FOR THE PAYMENT OF THE NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; PROVIDING FOR THE FORM OF THE NOTES AND AUTHORIZING THE SALE THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, AS FOLLOWS:

Section 1. The City Council (the "Council") of the City of Isle of Palms, South Carolina (the "Issuer"), hereby finds and determines:

(a) Pursuant to Section 5-5-10, Code of Laws of South Carolina, 1976, as amended (the "Code"), and the results of a referendum held in accordance therewith, the Council form of government was adopted and the Council constitutes the governing body of the City.

(b) Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), authorizes municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or license fees under such terms and conditions as the General Assembly may prescribe by general law.

(c) Act No. 125 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1977 (codified as Section 11-27-40 of the Code), authorizes and empowers municipalities to incur general obligation debt in anticipation of the collection of ad valorem taxes or licenses (tax anticipation notes). Tax anticipation notes shall be expressed to mature not later than ninety (90) days from the date as of which such taxes or license fees shall be paid without penalty.

(d) The City, by Ordinance 1992-5 (the "Budget Ordinance"), proposes for the fiscal year beginning July 1, 1992 and ending June 30, 1993, has authorized general fund expenditures of the City in the amount of $2,788,043 for said fiscal year.

(e) Notices for the collection of ad valorem taxes on real property will be mailed to the respective taxpayers of the City, by the Charleston County Treasurer, on or about October 1, 1992, and such taxes are payable without penalty before January 15, 1993.

(f) The City Administrator of the City has advised the Council that funds for general City purposes will be insufficient to meet operational expenditures of the City from July 1, 1992, to December 31, 1992.

(g) The cost of conducting the operations of the City must be met prior to the last respective date on which payment of the aforesaid ad valorem taxes are payable without penalty.

(h) No previous moneys have been borrowed by the City in anticipation of the collection of ad valorem taxes levied for fiscal year 1992-93, and no pledge of the proceeds of such ad valorem taxes has heretofore been made.

Section 2. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby authorized to be issued $500,000 aggregate principal amount of tax anticipation notes (the "Notes") in anticipation of the collection of ad valorem taxes heretofore levied pursuant to the Budget Ordinance for the fiscal year beginning July 1, 1992, and ending June 30, 1993. Council expects an actual cash flow deficit of approximately $500,000 as reflected in the attached Exhibit A.

The Notes shall be in bearer or registered form at the option of the successful purchaser thereof; shall be dated as of _____, 1992, or such other dated not later than _____, 1992; shall be in the denomination of $15,000 or any integral multiple thereof; shall be numbered from 1 or R-1 upward; shall mature on April 15, 1993; shall bear interest from their date at a rate of interest approved by subsequent resolution of the City; provided, however, that the Mayor is authorized to accept on behalf of the Council the lowest rate if such rate does not exceed 6.5% per annum; and shall not be subject to redemption prior to maturity.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts at the office of the successful purchaser of the Notes.

The Notes shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City and attested by the manual or facsimile signature of the Clerk/Treasurer of the City Council directed to authenticate the Notes. In the absence or incapacity of either or both such persons, the person and persons authorized to act in their stead are authorized to execute and authenticate the Notes.

Section 3. The Mayor is hereby authorized to solicit proposals for the purchase of the Notes.

Section 4. If requested by the purchase, the Notes may be registered in the name of the successful purchaser thereof, as the registered owner on registry books to be kept for that purpose, in the offices of a registrar to be named by the successful purchaser and such registration shall be noted on the registration attached to the Notes, after which no transfer of such Notes shall be effective unless made on such books by the registered owner in person, or its duly authorized legal representative and similarly noted on the Notes.

Section 5. The City covenants that it has not issued, nor will it cause to be issued, any other notes or certificates of indebtedness of any type in anticipation of the collection of the ad valorem taxes pledged to the payment of the Notes, except the Notes authorized by this Ordinance; provided, however, the City may issue notes or other certificates of indebtedness junior, inferior and subordinate in all respects to the pledge herein made to secure the Notes. The Notes will be junior and inferior to the Notes authorized by this Ordinance.

Section 6. The proceeds derived from the sale of the Notes shall be deposited with the Treasurer of the City and shall be expended in the manner and for the purposes which the ad valorem taxes heretofore levied by the City are to be expended.

Section 7. For the payment of the principal of and interest on the Notes as the same respectively mature, there are hereby pledged (a) collection of the ad valorem taxes levied by the Budget Ordinance; and (b) the full faith, credit and taxing power of the City.

Section 8. Both the principal of and interest on the Notes shall be exempt, in accordance with the provisions of Section 12-1-60 of the South Carolina Code, from all State, county, municipal, school district, and all other taxes or assessments, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

Section 9. The City covenants that no use of the proceeds of the sale of the Notes shall be made which, if such use had been reasonably expected on the date of issue of the Notes, would have caused the Notes to be "arbitrage bonds",

as defined in the United States Internal Revenue Code of 1986, as amended (the "Code"); and to that end the City hereby shall:

(a) establish such funds, make such calculations and pay such amounts, in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States;

(b) make such reports of such information at the times and places required by the Code; and

(c) take such other action as may be required in order that the Notes and the use of the proceeds thereof comply with the provisions of the Code.

Section 10. The Council ratifies all actions heretofore taken by the Mayor in connection with the sale of the Notes.

Section 11. The Council hereby authorizes the Mayor and the Clerk/Treasurer of the City (or in their absence or incapacity, anyone authorized to act in their stead) to execute such documents and instruments as necessary to effect the issuance of the Notes.

Section 12. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

Section 13. This Ordinance shall forthwith be codified in the Code of City Ordinances in the manner prescribed by law.

CITY OF ISLE OF PALMS, SOUTH CAROLINA

By: Carmen R. Bunch
Carmen R. Bunch, Mayor

(SEAL)

ATTEST:

Nellie S. McDuffie
Nellie S. McDuffie, Clerk/Treasurer

First Reading: 5/23/92
Second Reading: 6/15/92
Third Reading: 6/23/92
Ratification: 6/23/92

AN ORDINANCE TO ACCEPT AN ASSIGNMENT OF RIGHTS FROM THE BEACH CO. TO CITY OF ISLE OF PALMS FOR THE ENFORCEMENT OF CERTAIN COVENANTS AND RESTRICTIONS AFFECTING CERTAIN PROPERTY WITHIN CITY OF ISLE OF PALMS.

WHEREAS, Section 5-7-30 of the South Carolina Code of Laws, 1976, as amended, empowers municipalities to enact ordinances for preserving health, peace, order and good government; and,

WHEREAS, Section 5-7-260 of the South Carolina Code of Laws, 1976, as amended, sets forth the form and procedures for introducing and passing ordinances; and,

WHEREAS, The Beach Co. is desirous of assigning all rights of enforcement of certain covenants and restrictions as evidenced by the attached Assignment of Rights.

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

Section 1. Purpose. This Ordinance is adopted for the purpose of accepting the attached Assignment of Rights from The Beach Co. to the City of Isle of Palms, South Carolina. Said attached Assignment of Rights, attachments thereto, and any subsequent amendments thereto are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 2. Ordinance. The City of Isle of Palms is hereby empowered to enforce The Beach Co.'s right, title and interest in and to the covenants and restrictions contained in the deeds (the "Deeds") described on Exhibit A attached to the Assignment of Rights and further the City of Isle of Palms is entitled to the benefits of any notes or covenants contained in the plats described on Exhibit B attached to the Assignment of Rights, including, but not limited to, the right to enforce compliance with such covenants and restrictions.

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 person, property, kind of property, circumstances of 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 28th DAY OF April, 1992.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie
NELLIE S. MCDUFFIE,
CLERK TREASURER

FIRST READING: 2/25/92

SECOND READING: ~~2/25/92~~ 4/28/92

THIRD READING: none

RATIFICATION: 4/28/92

2/25/92

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ASSIGNMENT OF RIGHTS

THIS ASSIGNMENT OF RIGHTS is made as of this 21st day of April, 1992, by THE BEACH CO. in favor of the CITY OF ISLE OF PALMS.

W I T N E S S E T H :

WHEREAS, The Beach Co. has previously conveyed those lots (the "Lots") listed on Exhibit A hereto; and

WHEREAS, the Lots are more particularly shown on a plat (the "First Plat") entitled "City of Isle of Palms, Charleston County, S.C., Plat of Lots 8A-12A Block 50 Section B, Lots 1A-10A Block 57 Section B, Lots 1A-10A Block 61 Section B, Lots 1A-12A Section C-1, Lots 13A-36A Section C-2, and Lots 37A-36A Owned by The Beach Co.," which was recorded in the R.M.C. Office for Charleston County in Plat Book CD, at Page 153 and on a plat (the "Second Plat," and together with the First Plat, the "Plats") entitled "City of Isle of Palms, Charleston County, S.C., Plat of Lots 1A and 6A BL. B1 Section D, Lots 1A and 6A BL. C1 Section D, Lots 1A and 6A BL. D1 Section D, Lots 1A and 6A BL. 75 Section D, Lots 1A and 5A BL. 74 Section D, Lot X Block 73 Section D, Lots 1A and 6A BL. 63 Section D, Lots 1A and 6A BL. 62 Section D, Lots 1A and 6A BL. 61 Section D, Lots 1A and 6A BL. 60 Section D, Lots 7A, 8A, 9A, 10A, and 11A BL. A Tract A, Lots 7A, 8A, 9A, 10A, and 11A BL. B Tract A, Lots 7A, 8A, 9A, 10A, and 11A BL. C Tract A, Lots 7A, 8A, 9A, 10A, and 11A BL. D Tract A Owned by The Beach Co.," which was recorded in the R.M.C. Office for Charleston County in Plat Book CD, at Page 151; and

WHEREAS, the deeds by which The Beach Co. conveyed such lots contain covenants and restrictions regarding their use; and

WHEREAS, said covenants and restrictions are to be enforced by The Beach Co. and its successors and assigns; and

WHEREAS, The Beach Co. is now minded to assign its right to enforce these covenants and restrictions to the City of Isle of Palms;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE BEACH CO. in the State aforesaid for and in consideration of the foregoing premises the mutual covenants contained herein, and other good and valuable consideration to it in hand paid at or before the sealing of these presents by the CITY OF ISLE OF PALMS in the State aforesaid, the receipt whereof is hereby acknowledged, has granted,

bargained, sold and released, and by these Presents does grant, bargain, sell and release unto the said CITY OF ISLE OF PALMS all of its interest in and to the following described property, to wit:

> All of The Beach Co.'s right, title and interest in and to (a) the covenants and restrictions contained in the deeds by which the Lots were conveyed and (b) the benefits of any notes or covenants contained in the Plats, including but not limited to, the right to enforce compliance with such covenants and restrictions.

TOGETHER WITH all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Rights, belonging, or any wise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Rights before mentioned unto the CITY OF ISLE OF PALMS, its successors and assigns forever.

IN WITNESS WHEREOF, The Beach Co. has duly executed this Assignment as of the day and year first above written.

Dora C. Bryant

Katherine M. Brown

THE BEACH CO.

By _____
Charles S. Way, Jr. President

By Betty R Crow
Betty R. Crow, Secretary

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named THE BEACH CO., by Charles S. Way, Jr., and Betty R. Crow, its President and Secretary, respectively, sign, seal and as its act and deed, deliver the within written Assignment of Rights, and that (s)he with the other witness above named witnessed the execution thereof.

Lisa C. Bryant

SWORN to before me this
21st day of April, 1992.

Katherine M. Brown
Notary Public for South Carolina
My Commission Expires: 12/02/2001

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EXHIBIT A
TO
ASSIGNMENT OF RIGHTS

Lots 8 through 12, Block 50, Section B

Lots 1 through 7, 9 and 10, Block 57, Section B

Lots 1 through 10, Block 61, Section B

Lots 1 through 12, Section C-1

Lots 13, 14, 16, 17, 19 through 36, 39 through 56, 58 through 77, 79, and 81 through 85, Section C-2

Lot 6, Block B1, Section D

Lots 1 and 6, Block C1, Section D

Lots 1 and 6, Block D1, Section D

Lots 1 and 6, Block 60, Section D

Lots 1 and 6, Block 61, Section D

Lots 1 and 6, Block 62, Section D

Lots 1 and 6, Block 63, Section D

Lots 6 and 8, Block 64, Section D

Lots 1 and 5, Block 74, Section D

Lots 1 and 6, Block 75, Section D

CITY OF ISLE OF PALMS

Ordinance No. 1991 - 14

AN ORDINANCE TO AMEND SECTION 7-2-1, ALCOHOL BEVERAGES

WHEREAS, Section 7-2-1 of the Isle of Palms City Code provides that it shall be unlawful to possess open containers of beer and alcohol on public property; and

WHEREAS, public safety interests are better promoted by making possession of open containers of beer and alcohol on public beaches unlawful;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Isle of Palms, South Carolina, in City Council duly assembled, that Section 7-2-1 is amended to read as follows:

Section 1. Sec. 7-2-1 drinking on streets, beaches, etc., prohibited. It shall be unlawful for any person to drink or to possess open containers of beer, wine or alcoholic liquors in publicly owned areas to include, but not limited to streets, sidewalks, thoroughfares, public parking lots, beach areas or on any city owned property (See exemption):

Exemption: Any person or group requesting and being permitted by city council following consideration of public safety committee recommendation to hold a "special event" within the city limits of Isle of Palms and further wishing to allow the consumption of beer and/or wine at the "special event" may, at the discretion of City

Council, receive a special permit for the consumption of beer and/or wine during the "special event". Application for a "special event" can be made at the police department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday; provided however, that no permit for a "special event" shall be granted so as to allow for the same on any City of Isle of Palms Recreation Department property.

It shall be unlawful for any person to possess containers of beer and/or wine or alcoholic liquors on the beach area within the city.

Section 2. 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 3. Effective date. On that period 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 THE ISLE OF PALMS ON THIS 25th **DAY OF** February, **1992.**

Carmen R. Bunch

Carmen R. Bunch, Mayor

Nellie S. McDuffie

Nellie S. McDuffie
Clerk-Treasurer

First Reading: 12/16/91

Second Reading: 2/25/92

Third Reading: —

Ratification: 2/25/92

2/18/92

ORDINANCE 1992-7

AN ORDINANCE TO TRANSFER THE MANAGEMENT OF THE WATERWORKS SYSTEM OF THE CITY OF ISLE OF PALMS TO THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF ISLE OF PALMS

WHEREAS, heretofore in pursuance of the authorizations of the Constitution and Statutes of the State or South Carolina, the City of Isle of Palms in the year 1991 acquired a waterworks system; and

WHEREAS, Section 5-31-210 of the Code of Laws of the State of South Carolina, 1976 as amended, provides for the procedure under which the Commissioners of Public Works of the City of Isle of Palms can be established; and

WHEREAS, on May 12, 1992, pursuant to Ordinance 1992-2, ratified February 19, 1992, an election was held in the City of Isle of Palms, whereby the Commissioners of Public Works were elected; and

WHEREAS, the Commissioners of Public Works is authorized by Section 5-31-210 et seq. of the Code of Laws of the State of South Carolina, 1976 as amended, to operate the water and wastewater systems of the City of Isle of Palms;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ISLE OF PALMS:

Section 1. Effective as of July 1 ,1992, the water and wastewater systems of the City of Isle of Palms shall be under the full control and management of the Commissioners of Public Works of the City of Isle of Palms, which shall be fully empowered to operate, maintain, enlarge, and improve the same, and to establish such rates, tolls, and charges as it may deem proper for the services of facilities afforded by said water and wastewater systems, in accordance with Section 5-31-250 of the Code of Laws of the State of South Carolina, 1976 as amended.

Section 2. Severability. If any part of this ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass such 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 provisions 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 circumstance.

Section 3. Effective Date. This ordinance will take effect upon ratification by the Isle of Palms City Council.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THIS 23rd DAY OF JUNE, 1992.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Nellie S. McDuffie

Nellie S. McDuffie, Clerk-Treasurer

First Reading:	5/26/92
Second Reading:	6/23/92
Third Reading:	waived
Ratification:	6/23/92

Ordinance 1992-2

AN ORDINANCE TO ESTABLISH A COMMISSIONERS OF PUBLIC WORKS FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA

WHEREAS, Section 5-31-610 of the South Carolina Code of Laws, 1976, as amended, empowers municipalities to purchase, operate and maintain waterworks facilities, and;

WHEREAS, pursuant to Section 5-31-640 of the South Carolina Code of Laws at least 25% of the resident freeholders of the City of Isle of Palms petitioned the city that an election be held on the questions of whether the City is authorized to provide public water and public sewer service and whether the City was authorized to purchase the water and sewer facilities of the Isle of Palms Water Company, and;

WHEREAS, a Special Municipal Election was held on November 27, 1990 whereby the two (2) questions above stated received the approval of a majority of the electors, and;

WHEREAS, Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, provides that after such election the City Council shall declare the results by ordinance, and;

WHEREAS, Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, provides for the election of commissioners of public works who shall have the authority and powers enumerated in Sections 5-31-250, 5-31-260 and 5-31-270 of the South Carolina Code of Laws, 1976, as amended.

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

Section 1. Purpose. This Ordinance is adopted for the purpose of complying with Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended.

Section 2. Ordinance. Pursuant to Section 5-31-660 of the Code of Laws of South Carolina, 1976, as amended, Council for the City of Isle of Palms hereby declares that the results of the November 27, 1990 election authorize the City to purchase and operate the existing water and sewer service facilities owned by the Isle of Palms Water Company.

Additionally, pursuant to Section 5-31-210 of the South Carolina Code of Laws, 1976, as amended, Council for the City of Isle of Palms hereby authorizes that an election of three (3) persons to serve as commissioners of public works be held on May 12, 1992.

Section 3. Terms of Office. The commissioners of public works shall be elected for a term of six (6) years; provided, however, pursuant to Section 5-31-210 of the Code of Laws of South

Carolina, 1976, as amended, after the election scheduled for May 12, 1992 the initial term of each person elected shall be determined by lot, specifically, to wit: one person elected as commissioner shall serve an initial term of two (2) years, one person elected as a commissioner shall serve an initial term of four (4) years and one person elected as a commissioner shall serve an initial term of six (6) years. Thereafter, at the first election following the two (2) year term holder, one such commissioner shall be elected for a term of six (6) years and at the next election following the four (4) year term holder one such commissioner shall be elected for a term of six (6) years.

Section 4. Method of Election. The commissioners of public works shall be elected from the city at large, on a staggered term basis as provided in Section 3 hereof.

Section 5. Nonpartisan Elections; Procedure.

(a) All regular and special elections for the offices of commissioner of public works shall be nonpartisan general elections pursuant to state law.

(b) Nomination petitions for the offices of commissioners of public works shall be filed with the municipal election commission at least 45 days prior to the date for the election and shall bear the signatures of not less than five percent (5%) of the qualified electors of the municipality. The clerk-treasurer shall certify the nominees to the municipal election commission 30 days prior to the election.

(c) A second election shall be conducted two (2) weeks after the first election between one more than the number of candidates necessary to fill offices for which no candidates received a majority of the votes cast and the second election shall be between the candidates receiving the largest number of votes in the first election. The candidates receiving the highest number of votes cast in the second election in number equal to the number of offices to be filled shall be declared elected.

(d) No political party affiliation shall be placed on any ballot for any candidate.

Section 6. Time of Elections; Notice.

(a) Elections for commissioners of public works shall be held on the first Tuesday of November of odd numbered years.

(b) The council shall give public notice of the general city election at least 60 days prior to the date of the election.

Section 7. Time of Taking Office; Contested Election.

(a) Newly elected commissioners of public works being elected at the May 12, 1992 election shall be sworn in as soon after forty-

eight (48) hours following certification of the election as possible. In subsequent elections newly elected commissioners of public works shall not be qualified pursuant to state law until the first Monday of January next following the date of the general election.

(b) If the results of the election are contested, the incumbent who fills that contested office shall hold over until the contest is finally determined.

Section 8. 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 person, property, kind of property, circumstances of set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 9. 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 25th DAY OF February, 1992.

Carmen R. Bunch

CARMEN R. BUNCH, MAYOR

Nellie S. McDuffie

NELLIE S. MCDUFFIE,
CLERK TREASURER

FIRST READING: 2/18/92

SECOND READING: 2/25/92

THIRD READING: _____

RATIFICATION: 2/25/92

2/25/92

CITY OF ISLE OF PALMS
ORDINANCE NO. 1992-1

AN ORDINANCE TO AMEND THE CITY'S ZONING REQUIREMENTS RELATING TO SIGNS WITHIN THE ISLE OF PALMS

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

WHEREAS, the City is authorized to adopt and amend zoning regulations under 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 the City's zoning requirements relating to signs.

Section 2. Section 5-4-39 Amended. Existing Section 5-4-39, Paragraph (a) is deleted in its entirety, and substituted, in its place and stead, with the following:

"(a) Non-conforming signs.

(1) Each banner sign, sandwich board sign, off-premise sign or roof sign, and all temporary signs made non-conforming by the adoption of Ordinance 1992-1 shall be amortized and brought into compliance with Article H Signs, by January 1, 1993.

(2) All other signs having a valid city permit, or having been entitled to one, and made non-conforming by Ordinance 1992-1 shall be grandfathered, except that a non-conforming sign shall be made to conform, or be replaced with a sign that conforms to Article H Signs, when a non-conforming sign is removed, or whenever a substantial renovation, change or repair to a non-conforming sign becomes

necessary, or when a building or improvement on a lot on which the non-conforming sign(s) is/are located undergoes substantial repair, improvement or redevelopment.

Substantial renovation, change or repair of a sign shall occur when the cost of renovation, change or repair exceeds fifty (50) percent of the sign's replacement cost. Substantial repair, improvement or redevelopment of buildings or improvements on a lot shall occur when the cost of the repair, improvement or redevelopment exceeds fifty (50) percent of the total value of the lot and improvements/buildings thereon at the time of said repair, improvement or redevelopment."

Section 3. Sign Requirements Amended. Existing Sections 5-4-121 through 5-4-124 are deleted in their entirety, and substituted, in their place and stead, with the following:

"ARTICLE H

Signs

Section 5-4-121 Intent.
Section 5-4-122 Permits.
Section 5-4-123 Definitions.
Section 5-4-124 Calculation of sign area.
Section 5-4-125 Sign standards applicable to all signs.
Section 5-4-126 Sign regulations for SR-1, SR-2 and PRD.
Section 5-4-127 Sign regulations for LC, GC-1, GC-2 and MF.
Section 5-4-128 Temporary signs.
Section 5-4-129 Application requirements.
Section 5-4-130 Enforcement.
Section 5-4-131 Prohibited signs.

Section 5-4-121 Intent.

The intent of this Article is to establish limitations on signs to ensure that they are appropriate to the land, building or use to which they are appurtenant and are adequate, but not excessive, for their intended purpose. Any display of off-premises, outdoor advertising (billboards) is considered inappropriate to the character and sound development of the city, and it is intended by this Article that such display shall not be permitted within the City.

(a) Compliance with the Zoning Ordinance. It is intended that all signs,

temporary or permanent, erected, placed or used within the corporate limits of the City of Isle of Palms and visible from any public land, thoroughfare, beach or waterway shall comply with the regulations set forth in this Article. All existing signs which comply with this Article shall hereinafter be subject to the provisions of this Article. Signs existing on the effective date of this ordinance which have a valid permit or would have been entitled to one, but do not comply with this Article, shall hereinafter be designated as non-conforming signs and shall be subject to the provisions of **Section 5-4-39**. Signs existing on the effective date of this ordinance which do not have a valid permit or would not have been entitled to one, shall be considered illegal signs and shall be subject to removal by the City of Isle of Palms as prescribed in Section **5-4-130**.

Section 5-4-122 Permits.

(a) Required. No sign, except for those signs described in subsection (b) of this Section, shall be erected, placed, altered, painted or repaired within the corporate limits of the city unless a permit is secured from the city in accordance with the provisions of this Article.

(b) Exceptions. The following signs, or alterations or repairs to existing signs, shall be exempt from requiring permits.

(1) An official sign or notice issued by any court, public agency or office.

(2) Directional, warning or information signs authorized by the City of Isle of Palms or any agency of the State of South Carolina.

(3) "No trespassing," "no hunting," "no loitering" and like signs not exceeding one (1) square foot in sign area.

(4) Window signs which comply with this Article.

(5) Real estate signs and construction signs which comply with this Article.

(6) Political signs which comply with this Article.

(7) The changing of copy on a permitted changeable copy sign.

(8) The painting of the surface of a sign face or sign structure of a permitted sign which conforms to this Article so as to maintain the appearance of such sign as it was permitted.

Section 5-4-123 Definitions.

(a) Sign. A structure or device designed or intended to attract attention to, or convey information about the subject thereof, to the public, and which is visible from a public right-of-way, public access, or public beach.

(b) Types of signs.

(1) Banner sign. A sign made of fabric or any nonrigid material with no enclosing framework.

(2) Building-mounted sign. A sign attached to, painted on, inscribed, or deriving its major support from any part of a building, including a canopy sign, projecting sign and wall sign.



figure H-1.

(3) Directional sign. A sign authorized by the City of Isle of Palms or any agency of the State of South Carolina that provides information about, or directions to areas and activities within or outside the City of Isle of Palms.

(4) Free-standing sign. A sign supported by one or more columns, uprights or braces, in or upon the ground and wholly independent of any building or vehicle. A sign attached to a flat surface such as a fence or wall not a part of the building shall be considered a free-standing sign. See figure H-1.

(5) Off-premises sign. An outdoor advertising sign or billboard which directs attention to a for-profit commercial activity, commodity, service or event that is conducted, sold or offered at a location other than the premises on which the sign is located.

(6) On-premises sign. A sign which (a) directs attention to a business, commodity, service or event that is conducted, sold or offered on the premises on which the sign is located, or (b) identifies, advertises or directs attention to a venture or message of a non-commercial or not-for-profit nature regardless of the location of such venture or message.

(7) Projecting sign. A building-mounted sign attached to and projecting from the wall or face of a building. See figure H-1.

(8) Temporary sign. Any sign or information transmitting structure intended to be erected or displayed for a limited period.

(9) Wall sign. A building-mounted sign attached to, painted on, inscribed, or deriving its major support from a wall, and which projects less than twelve (12) inches from the wall. See figure H-1.

(10) Window sign. A sign painted, stenciled, or affixed on or inside a window, which is visible from a public right-of-way or public beach access. See figure H-1.

(c) Business establishment. A business duly licensed with a current City of Isle of Palms Business License.

(d) Frontage. The length of the property line of a lot which abuts a public right-of-way.

(e) Height of sign. The vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.

(f) Non-conforming sign. Any sign which has a valid permit, was erected or displayed prior to the effective date of this Article or any subsequent amendment hereto and does not conform with this Article or any subsequent amendments

thereto, or the sign restrictions which preceded this Article. Non-conforming signs shall be regulated by Section 5-4-39.

Section 5-4-124 Calculation of sign area.

Sign area shall be calculated as the entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The area of signs composed of individual letters, numerals, or other devices shall equal the area of the smallest rectangle or other geometric figure encompassing said letters or devices. The calculation for a double-faced sign shall be one face only. Double faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than twenty-four (24) inches apart.

Section 5-4-125 Sign standards applicable to all signs.

(a) Content. Any signs, display or device allowed under this ordinance may contain, in lieu of any other copy, an otherwise lawful non-commercial message that does not direct attention to a business operated for profit, or to a commodity of service for sale, and that complies with size, construction, lighting, and location requirements of this ordinance.

(b) Location.

(1) No sign shall be erected or displayed in a public right-of-way, public beach or public beach access, salt marsh area or on land subject to periodic inundation by tidal salt water, in any critical area as defined by the regulations promulgated by the South Carolina Coastal Council, or in wetlands as defined by the Federal Clean Water Act and/or as defined by the regulations promulgated by the South Carolina Coastal Council, unless authorized by the City of Isle of Palms or any agency of the State of South Carolina, except for political signs which may be erected within public rights-of-way.

(2) Setback from right-of-way. All free-standing signs and free-standing sign structures, except for political signs, must be set back at least five (5) feet from the street right-of-way. Projecting signs shall not project over a public right-of-way. No signs shall be located so as to obstruct or impair driver vision at driveways or street intersections.

(c) Construction. The design, selection of materials, supports, installation, and electrical wiring for all permanent signs shall conform to the Standard Building Code and the National Electrical Code.

(d) Illumination. Signs may be illuminated only by steady, stationary lights of reasonable intensity. Externally spotlighted signs shall utilize only white lights which are shielded from all adjacent residential buildings, beach areas and streets, directed solely at the signs, and not of such brightness so as to cause glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent residential areas. Illuminated signs within residential zoning districts must be shielded to prevent illumination from being cast into residences within 100 feet thereof.

Neon signs are considered excessive and are prohibited, except that one neon "Open" and "Closed" signs shall be allowed for each business.

Section 5-4-126 Sign regulations for SR-1, SR-2 and PRD districts.

(a) Residential uses. One sign, not exceeding three (3) square feet in sign area, attached to the building or on a rod or post not more than five (5) feet high and stating only the street number, cottage name or name of the occupants of the lot or both. Those numbers or letters attached to the owner's home shall not be counted in calculating sign area.

(b) Churches or other institutional uses. One sign, bulletin, or announcement board, or entrance marker for each church or institution not exceeding twenty (20) square feet in sign area, except that if the street frontage of such church or institution exceeds one hundred (100) feet, one such sign for each one hundred (100) feet of frontage computed to the nearest one hundred (100), but in no event more than two (2) such signs for each church or institution.

(c) Non-conforming uses. One free-standing or building sign advertising legal non-conforming, non-residential uses on the lot not to exceed five (5) square feet of sign area. A free-standing sign, if used, shall not exceed six (6) feet in height.

(d) Subdivision entrance signs. Residential subdivisions may have one sign at the entrance identifying only the subdivision, not exceeding twenty-eight (28) square feet in sign area and not more than seven (7) feet high.

Section 5-4-127 Sign regulations for LC, GC-1, GC-2 and MF districts.

(a) Free-standing signs for non-residential uses:

(1) Lots containing more than 30,000 square feet of heated floor space shall be permitted one free-standing sign. Said sign shall not exceed a height of twenty-five (25) feet and shall not have more than one-hundred eighty (180) square feet of sign area.

(2) Lots containing 30,000 square feet or less of heated floor space shall be permitted one free-standing sign. Said sign shall not exceed a height of twenty (20) feet or a sign area of fifty (50) square feet. For lots containing more than one business establishment, the sign area of a free-standing sign for that lot may be increased five (5) square feet for each additional business establishment to allow a free-standing sign of up to eighty-five (85) square feet.

(Example: A lot which contains four business establishments as defined by this ordinance, within 10,000 square feet of heated floor space, is permitted to have one free-standing sign with a sign area not exceeding sixty-five (65) square feet.)

(b) Free-standing signs for residential uses:

(1) Multi-family development signs. Multi-family developments may have one sign per driveway, but no more than two signs, identifying only the multi-family development, not exceeding twenty-eight (28) square feet in area and seven (7) feet in height.

(c) Building-mounted signs:

(1) Any combination of wall signs and projecting signs with a total sign area shown below is permitted. Projecting signs shall not project more than five (5) feet from the building facade nor have a bottom less than ten (10) feet from grade and top no higher than the eaves of the facade on which the sign is mounted.

Distance from street (property line boundary to building front)	Total sign area allowed on building(s) for lot with 50 feet or less of frontage	Total sign area allowed on building(s) for lot with more than 50 foot frontage; Sq. foot per frontage foot
0 - 99 feet	50 Sq. feet	1 Sq. foot
100 feet or more	100 Sq. feet	2 Sq. foot

(Example: A building set back forty-five (45) feet from the front property line and located on a lot with sixty-five (65) feet of frontage, is allowed a total sign area of sixty-five (65) square feet for any combination of wall and projecting signs.)

(d) Window signs, which otherwise comply with this Article, may be displayed without a permit provided no more than twenty-five (25) percent of the area of a window is occupied by said signs.

Section 5-4-128 Temporary signs.

The following types of signs are classified as "temporary signs", and may be permitted as follows:

(a) Building-mounted "Grand opening" and "going-out-of-business" signs, not exceeding thirty-two (32) square feet in sign area, may be erected for businesses and services in non-residential districts for one period only not to exceed thirty (30) days.

(b) Construction signs. For any construction, remodeling, or landscaping activity, signs which identify the designer, contractor, developer, finance organization, subcontractor or materials vendor involved with the activity may be erected on the construction site upon the issuance of a building permit, or when work begins if no building permit is required, and shall be removed within thirty (30) days following the issuance of a certificate of occupancy (CO), or completion of work if no CO is required. Construction signs shall not exceed a maximum sign area of twenty (20) square feet in residential districts or thirty-two (32) square feet in non-residential districts and shall not require the issuance of a sign permit.

(c) Real estate signs for each licensed realtor under contract and the property owner listing the property upon which the sign is placed for sale, lease or rent, or as sold may be permitted but must be removed within thirty (30) days following the sale, lease or renting of the property. Each real estate sign shall not exceed a maximum sign area of eight (8) square feet in residential districts or thirty-two (32) square feet in non-residential districts and shall not require issuance of a permit.

(d) Political campaign signs may be erected not more than thirty (30) days prior to the occurrence of the event to which they pertain and must be removed within two (2) days after said event. Political signs shall not exceed a maximum sign area of eight (8) square feet and shall not require the issuance of a permit. Each political sign erected within the public right-of-way must include identification on the sign of the owner's name, address and phone number.

(e) Signs announcing civic, philanthropic, educational, or religious events and not exceeding thirty-two (32) square feet of sign area, may be erected no more than thirty (30) days prior to the announced event and shall be removed within two (2) days following the event.

(f) Signs for special events may be displayed for up to twenty-four (24) hours with the approval of the City Council.

(g) Height. The maximum height of free-standing temporary signs shall not exceed eight (8) feet, while the lower edge shall not exceed four (4) feet in height.

Section 5-4-129 Application requirements.

The Building Department of the City of Isle of Palms shall be authorized to grant permits for repair, alteration, erection or placement of signs upon a showing by the applicant that the sign or signs comply with the regulations of this Article. Applications for permits shall be accompanied by information necessary to adequately review the application for compliance, including but not limited to the following:

(1) Scaled drawings showing the dimensions of the sign, method of construction and illumination, and, where applicable, the dimensions of the wall surface of the building to which it is to be attached;

(2) The dimensions of the sign's supporting members;

(3) The maximum and minimum height of the sign;

(4) The proposed location of the sign in relation to the face of the building, in front of or on which it is to be erected;

(5) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated;

(6) The building frontage as it exists (or is to be constructed) on the lot, and the setback of the building from the front property line; and

(7) For temporary signs, the length of time the sign will be displayed.

Section 5-4-130 Enforcement.

(a) The City Administrator and duly authorized staff shall be empowered to enter upon the premises on any person subject to this Article for the purpose of enforcing the provisions herein. Any person violating provisions of this Article shall be subject to penalties as specified in Section 5-4-7, Penalties.

(b) For signs within any public right-of-way, public beach, public beach access or other public lands: Where the chief building official determines that a sign is illegal, abandoned, not being maintained, or no longer being used for the purposes under which the original permit was issued, the chief building official shall be authorized to remove the sign without notice to the owners thereof.

(c) For signs on private property: Where it is determined by the chief building

official that a sign is illegal, abandoned, not being maintained, or is no longer being used for the purposes under which the original permit was issued, the chief building official shall notify the owner of the violation. If the violation is not corrected within two (2) business days following notification, the city may have the sign removed, and the land owner will be charged or a lien will be placed on the property for the costs incurred by the city.

Section 5-4-131 Prohibited signs.

Except as may be specifically permitted, it shall be unlawful after the effective date of this ordinance, for any person to erect, place or use within the city, when visible from any public way or beach, any of the following signs:

(1) Off-premises signs, outdoor advertising signs and billboards..
(2) Any signs within the Conservation (CO) district unless authorized by the City of Isle of Palms or any agency of the State of South Carolina.
(3) Signs which contain any moving, flashing, or animated lights, visible moving or movable parts, or give the appearance of animation.
(4) Neon signs, except for "Open" and "Closed" signs.
(5) Inflatable signs.
(6) Roof signs. Signs erected upon, against, or directly above a roof or roof eaves, or on top or above the parapet.
(7) Vehicle signs. A permanent or temporary sign affixed to, painted on or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view under circumstances which indicate that the primary purpose of said display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.
(8) Any sign which emits a sound, odor or visible matter.
(9) Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exitway.
(10) Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.
(11) Signs using the words "stop," "danger" or any other word, phrase, symbol or character in a manner that misleads, confuses or distracts a vehicle driver.
(12) Electronic message boards. An electrical sign which utilizes lights or other electronic devices to form a message or messages capable of being electronically programmed or modified by electric processes.
(13) Moving message boards.
(14) Signs within a public right-of-way, public beach or public beach access, unless authorized by the City of Isle of Palms or any agency of the State of South Carolina, with the exception of political signs.

(15) Signs painted on or attached to trees, rocks or other natural features, telephone or utility poles or painted on the roofs of buildings visible from any public thoroughfare.
(16) Abandoned or dilapidated signs.
(17) Any sign which exhibits statements, words or pictures of obscene or pornographic subjects
(18) Portable signs. A sign not permanently affixed to the ground.
(19) Banner signs, except in compliance with Section 5-4-128 Temporary Signs, paragraph (a), paragraph (e), and paragraph (f).
(20) Canopy signs. A sign that is part of, or attached to an awning, canopy, or other fabric, plastic, or structural protective cover."

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 28th DAY OF Juky, 1992.

Carmen R. Bunch
CARMEN R. BUNCH, MAYOR

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