1999 ORDINANCES

1.	1998-18	1/26/99	Amnt. Schedule - Home Occupations
2.	1999-2	2/23/99	Prohibits gaming vessels
3.	1999-3	3/3/99	Authorize Leasing Help. at marina
4.	1999-4	3/3/99	Amends animals on island (allows pony rides at special event)
5.	1999-5	3/23/99	Authorize Leasing of parking lots
6.	1999-1	4/27/99	Adopt new Zoning code, (5-4-?)
7.	1999-7	4/27/99	Adopt Land Development Regs
8.	1999-8	4/27/99	Planning Commission
9.	1999-9	4/27/99	Board of Adjustment
10.	1999-10	4/27/99	Amend Vehicles on Beach 8-1-19
11.	1999-12	5/25/99	Amend 7-3-3 re vehicles on Beach
12.	1999-13	6/22/99	Budget 1999-2000
13.	1999-14	6/22/99	allow Charter Boat operation
14.	1999-15	6/22/99	Revised Noise Ordinance
15.	1999-22	7/27/99	Multi-Family as Conditional Use
16.	1999-21	7/27/99	Parking in GC-2
17.	1999-24	8/24/99	Amend Election Procedures
~~18.~~	~~1999-20~~	7/27/99	SCE&G Franchise
18.	1999-26	9/28/99	Comcast Franchise
19.	1999-19	10/26/99	Set Millage Rate
20.	1999-27	10/26/99	Business License Revision
21.	1999-25	11/23/99	Regulate septic tanks

ORDINANCE 1999-1

AN ORDINANCE ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF ISLE OF PALMS, S.C. PURSUANT TO THE STATE OF SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Findings.

It is hereby found and declared by the City Council of the City of Isle of Palms ("the Council"), the governing body of the City of Isle of Palms (the "City") as follows:

1. The State of South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. code section 6-29-530, et. seq.) requires the development and adoption of a local Comprehensive Plan and allows the adoption of a zoning code to help implement the Plan.

2. The City's Planning Commission recommended to City Council the adoption of such a plan, said plan being entitled "A Comprehensive Plan for Isle of Palms, South Carolina Prepared by the Isle of Palms Planning Commission, dated March 11, 1998" ("the Plan").

3. On July 28, 1998, Council duly adopted the Plan.

4. Council has made reasonable consideration of the purposes set forth in S.C. Code Section 6-29-710 in connection with the adoption of a new zoning ordinance in furtherance of the Plan.

SECTION 2. Adoption of New Zoning Ordinance.

Pursuant to Section 6-29-710, et. seq., South Carolina Code of Laws (1976), as amended, Council hereby repeals Title 5, Chapter 4, Zoning, in its entirety and adopts the attached new Title 5, Chapter 4, Zoning, in its entirety.

SECTION 3. That Title 5, Chapters 2, 3, and 5, are hereby repealed in their entireties.

SECTION 4. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 5. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 6. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 27th DAY OF April, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 1/26/99
Public Hearing: 3/23/99
Second Reading: 4/27/99
Ratification: 4/27/99

CHAPTER 4

ZONING

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§ 5-4-4 Interpretation of district boundaries.
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ARTICLE 1

General Provisions

Sec. 5-4-1 Effect of this chapter.

(a) The provisions of this chapter are adopted and are to be construed pursuant to Title 6, Chapter 29, §6-29-310, et seq., Code of Laws of South Carolina (1976), as amended. Whenever there is a conflict herein with the provisions of any other city ordinance, regulation or resolution, the more restrictive provision shall apply.

(b) This chapter shall not interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, that where this chapter imposes greater restrictions or limitations upon the property than are imposed or required by such easements, covenants, or agreements, the provisions of this chapter shall control.

Sec. 5-4-2 Definitions.

For purposes of this chapter, the following words and terms are defined as follows:

(1) Accessory building or use. A use or building customarily incidental, subordinate to, and detached from the principal use or building and located on the same lot with such principal use or building.

(2) Adjoining Property. Any piece, parcel or lot of real property abutting any other real property, including real property located directly across streets, water courses, drainage easements or other rights-of-way from other real property.

(3) Adult uses. Sexually oriented businesses which are characterized by the exposure, depiction, or description of "specified anatomical areas", or "specified sexual activities", as defined herein, by any method, manner, or device, including but not limited to the following:

(a) Regularly featuring persons who are nude, whether live, in films, motion pictures, videos, slides, or other photographic reproductions;

(b) Distribution of any one or more of the following: books, magazines, periodicals, printed matter, photographs, films, motion pictures, video cassettes, video reproductions, slides, or other visual representations; or instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities", as defined herein; or

(c) Escort services, massages, baths, saunas, steam baths, hydrotherapy, physical cultures, nude model studios, sexual activities or other similar services.

(d) "Specified anatomical areas" means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

(e) "Specified sexual activities" means and includes the fondling or other erotic touching of human genitals, pubic area, buttocks, anus, or breasts; sexual acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, masturbation, actual or simulated; or excretory functions as part of or in connection with any of the foregoing acts.

(4) Antenna. A device, dish or array utilized by commercial, governmental, or other public or quasi-public users to transmit or receive telecommunications signals.

(5) Building line (or "setback"). A line which represents the minimum distance, when measured at right angles, which a building or structure must be placed from a lot line or a street right-of-way pursuant to this chapter.

(6) Communication tower. A structure of any type which supports communication equipment for signal transmission or reception, and is utilized by commercial, governmental, or other public or quasi-public users, but excluding communication towers used exclusively by amateur radio operators who are duly licensed by the Federal Communications Commission and which are exempt from municipal zoning regulations.

(7) Conditional Use. A use permitted in a zoning district only by complying with additional conditions, restrictions or limitations as set forth in the description of such use.

(8) Diameter breast height (DBH). The diameter of a tree trunk or trunks, measured in inches, at four and one-half (4½) feet above the existing grade of the property.

(9) Drinking place. A business primarily engaged in the sale of alcoholic beverages, beer or wine, for on-premises consumption.

(10) Dwelling. A building or portion of a building used, arranged or designed to provide private human residential occupancy, excluding mobile homes and manufactured homes.

a. Dwelling, single-family. A detached dwelling designed for or occupied exclusively by one (1) family unit, and containing only one kitchen.

b. Dwelling, two-family. A detached or semi-detached building designed for or occupied exclusively by two (2) family units living independently of each other.

c. Dwelling, group. A building or portion of a building occupied or intended for occupancy by several family units, but in which separate cooking facilities are not provided. The term "group dwelling" includes rooming houses, fraternity houses and sorority houses, but excludes a hotel, motel or tourist home.

d. Dwelling, multi-family (also apartment house or residential condominium). A dwelling other than a single-family dwelling, two-family dwelling, or group dwelling.

(11) Eating place, fast food. A business primarily engaged in the sale of ready-to-consume food or beverages for on or off premises consumption. An eating place or restaurant shall be deemed a fast food eating place if: (1) it has a seating capacity of less than twenty (20) persons for service of meals; (2) most food items are already prepared or packaged before the customer places an order; and (3) food and beverages are served primarily with disposable containers and tableware. This definition excludes retail grocery stores, convenience stores, delicatessens, or other businesses selling food or beverages as an accessory use or for off premises preparation and consumption.

(12) Eating place, restaurant. A business primarily engaged in the preparation and sale of food to customers for on premises consumption and having seating capacity for at least twenty (20) persons, including, but not limited to, cafes, lunch counters, cafeterias, eating and drinking establishments, or similar businesses, but excludes a fast food eating place or a Drinking Place. Any carry-out service must be clearly subordinate to the principal business of serving prepared foods for on-premise consumption.

(13) Family Unit. One person; or two (2) or more persons related by blood or marriage living together; or a group of not more than four (4) persons, not related by blood or marriage but living together.

(14) Fence. Any man-made barrier that impedes or blocks free passage of humans or animals. It may or may not block line-of-sight vision or free flow of wind or water.

(15) Front yard. An open area between the front of the building and the front lot line..

(16) Frontage. All of the property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or political subdivision boundary, measured along the street line.

(17) Height of a structure. The vertical distance from either a) the highest elevation of the road centerline immediately adjacent to the lot on which the structure is located, or b) the lowest area within the building footprint, proposed or existing, of an unaltered/unfilled lot, whichever is higher, to the highest point on the structure. Except for height limitations of communication towers and antennae contained in this Chapter, the zoning district height limitations contained in this Chapter shall not apply to church spires, chimneys, antennas, communication towers or aerials.

(18) Home occupation. A use customarily conducted in a dwelling and which is conducted entirely inside the primary residence of the principal owner of the business, and does not constitute a nuisance or otherwise adversely affect the use and development of other property in the neighborhood.

(19) Hotel (also includes motel, tourist home, motor lodge, inn, bed and breakfast, tourist court and auto court). A building or buildings, or portions thereof, which contain multiple units intended to provide sleeping accommodations for transient guests. The following criteria shall be used to distinguish between a Hotel and a multi-family dwelling:

a. If a majority of units have individual kitchen facilities, and there is no common dining room and kitchen in daily operation, the facility is deemed to be a multi-family dwelling.

b. Temporary habitation by transient guests normally involves durations of less than 90 days. If a majority of the facility's occupants reside for more than 90 consecutive days, the facility is deemed to be a multi-family dwelling.

(20) Junk yards or salvage yards. The use of any property for the storage, keeping, abandonment, sale or resale of junk, salvage, waste or scrap materials; or the dismantling, demolition or abandonment of vehicles, machinery, equipment or any parts thereof.

(21) Lot. A parcel of land described by metes and bounds at the Charleston County R.M.C. Office, and having a Charleston County Tax Map System (T.M.S.) number assigned to it.

(22) Lot, double frontage. A lot having a frontage on two (2) streets, other than at their intersection, as distinguished from a corner lot.

(23) Mobile home. A manufactured home as defined by South Carolina state law.

(24) Natural grade. The elevation of the undisturbed natural surface of the property.

(25) Non-conforming lot, structure, or use. A lot, structure or use which does not comply with the regulations of the zoning district in which it is located.

(26) O.C.R.M. The State of South Carolina Office of Ocean and Coastal Resource Management, or its successor.

(27) Rear yard. An open area, excluding accessory buildings, between the rear line of the building and the rear lot line.

(28) Removal of a tree. Any intentional or negligent act which:

a. cuts down or otherwise destroys or removes a tree; or

b. causes a tree to decline and die, including but not limited to:

1. damage inflicted upon the root system of a tree by the application of toxic substances, the operation of machinery, the change of natural grade by excavation or filling above the root system or around the tree trunk;

2. damage from injury or fire which results in pest infestation;

3. damage resulting from the attachment or use of ropes, wires or other similar devices; or

4. damage resulting from improper pruning or trimming.

c. subdivides property in such a manner that a tree is at or near the center of a lot or in a location on the lot that requires the removal of the tree for construction of a dwelling unit or other structure.

(29) Side yard. An open area between the building and the side lot line. Any lot line which is not a rear lot line or a front lot line shall be deemed to be a side lot line.

(31) Significant tree. Any tree having a diameter breast height (DBH) of 24 inches or greater.

(32) Street line. A line separating the street or other right-of-way from a lot.

(33) Structure. Anything constructed or erected which requires a fixed location on the ground, or which is attached to something having a fixed location on the ground, including but not limited to buildings, dwellings, mobile homes, fixtures, towers, signs, billboards, backstops for athletic activities, swimming pools, walls and fences. "Structure" shall be construed to include any part thereof.

(34) Trailer. Any vehicle or structure capable of moving, or being moved, over streets and highways on its own wheels or on flatbeds or other carriers, which is designed or utilized to: (i) provide temporary or permanent quarters for the conduct of a business, profession, trade or occupation; (ii) serve as a carrier of new or used goods, products or equipment; or (iii) be used as a selling, advertising or display device.

(35) Travel trailer. A portable vehicular structure designed and primarily intended by its manufacturer as a temporary dwelling for recreational and vacation uses.

(36) Tree. Any woody plant which has a diameter breast height (DBH) of eight (8") inches or more.

Sec. 5-4-3 Districts designated; zone map; compliance with chapter.

For the purposes of regulating and restricting the location of trades, industries, apartment houses and other uses of property, the number of square feet of lot per family housed, the location and size of yards and height of buildings in the developed portion of the city, the city is hereby divided into zones or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and incorporated as a part of this chapter. The official zoning map shall be identified by the signature of the mayor, attested by the city clerk and bearing the seal of the city under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 5-4-3 of the Zoning Ordinance of the City of Isle of Palms, S.C. adopted on (date of adoption)." If, in accordance with the provisions of this chapter, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by city council, with an entry on the official zoning map as follows: "On (date), by official action of the city council, the following changes were made (change was made) in the official zoning map; (brief description of change)" which entry shall be signed by the mayor and shall be attested by the city clerk. No such change shall become effective until such entry shall have been made on the official zoning map, and signed and attested. Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map shall be in the custody of the city administrator and shall be the final authority as to the current zoning status of lands, buildings, and other structures in the city. In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret by reason of the nature or number of changes and additions, the city council may by

ordinance adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting and other errors or omissions in the prior zoning map, but no such correction shall have the effect of amending the original official zoning map as amended. The new official zoning map shall be marked "This is the official zoning map, adopted (date), of the City of Isle of Palms, S.C." which statement shall be signed by the mayor, attested by the city clerk, and bear the seal of the city. Unless the prior official zoning map is lost or has been totally destroyed, the map or any significant parts thereof remaining after partial destruction shall be preserved, together with all records of the city regarding its adoption and amendment. No structure or premises shall be erected or used except in conformity with the regulations prescribed in this chapter for use, height and area districts in which such structure or premises is located.

Sec. 5-4-4 Interpretation of district boundaries.

When exact distances are not shown on the official zoning map, a district boundary on the map shall be interpreted to run along the center line of an existing street or alley abutting the district and if the exact location of such boundary is still uncertain, it shall be determined by the zoning administrator, with due consideration given to the location as indicated by the scale of the map. Where the streets or alleys on the ground differ from the streets or alleys as shown on the map, the zoning administrator may apply the district designations on the map to the streets or alleys on the ground in such manner as to conform to the intent and purpose of this chapter.

Sec. 5-4-5 Appeals, variances and special exceptions.

(a) Appeals. Pursuant to S.C. Code Section 6-29-780, The City Board of Zoning Appeals is hereby established. Provisions relating to organization, composition and functions of the board are set forth in Section 1-9-21, et. seq. of this Code. Appeals to the Board of Zoning Appeals may be taken from any order or decision of the Zoning Administrator by any person aggrieved or by any officer, department, or board of the City. Unless otherwise provided by rules of the board, an appeal must be made by written application setting forth the grounds of appeal and filed with the Zoning Administrator within thirty (30) days from the date of the order or decision appealed from. The Zoning Administrator shall promptly forward to the board all documents constituting the record upon which the action appealed from was taken. The board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give at least fifteen (15) days' public notice thereof in a newspaper of general circulation in the community and also due notice to the parties in interest, and decide the same within a reasonable period of time. At the hearing, any party may appear in person or by agent or attorney. The board shall adopt rules of procedure for the conduct of hearings. All final decisions and orders of the board shall be in writing and permanently filed in the office of the board as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the board, which must be delivered to parties in interest by certified mail.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal in taken certifies to the board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings may not be stayed other than by a restraining order which may be granted by the board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(b) Variances. Pursuant to Section 6-29-800, Code of Laws of South Carolina (1976), as amended, upon written application filed with the Zoning Administrator, the Board may authorize in specific cases a variance from the terms of the ordinances contained in this chapter when strict application of the provisions of the ordinance would result in unnecessary hardship. Filing fees set by resolution of City Council from time to time must be paid by the applicant at the time of filing of an application for a variance. Such application shall contain information addressing each of the statutory requirements for variances stated in S.C. Code Section 6-29-800, as amended, all of which must be met. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings;

(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property;

(2) Such conditions do not generally apply to other property in the vicinity;

(3) Because with these conditions, the application of the ordinance or resolution of the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;

(4) The authorization of a variance will not be of substantial detriment to an adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance

The board may not grant a variance which has the effect of allowing the establishment of a use not otherwise permitted in a zoning district, to physically extend a nonconforming use, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably if a variance were granted shall not be considered as a ground for a variance.

In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.

(c) Special Exceptions. Upon written application filed with the Zoning Administrator, the board may grant as a special exception any use specified as a special exception in the zoning

district regulations. In addition to the conditions generally required by the applicable zoning district regulations, the board shall apply the following standards in deciding special exception applications:

(1) Adequate provision shall be made for setbacks, fences, buffer or planting strips to protect adjacent properties from adverse impact of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors.

(2) Vehicular traffic and pedestrian movement on adjacent roads must not be hindered or endangered.

(3) Off-street parking and loading areas and the entrances and exits for the use must be adequate in terms of location, number, design and construction to serve the use without adverse impact on adjacent properties.

(4) The proposed use must not adversely affect the property values, the general character or the general welfare of the surrounding vicinity.

In granting a special exception, the board may attach to it such conditions regarding the location, size, character, or other features of the proposed use as the board may consider advisable in order to promote public health, safety, or general welfare. No special exception use may be altered or enlarged without the prior approval of the board.

Sec. 5-4-6 Zoning administrator.

The provisions of this Chapter shall be administered and enforced by the City Zoning Administrator. The Zoning Administrator shall be appointed by, and serve at the pleasure of, City Council. The Zoning Administrator shall have the right to enter upon any premises necessary to fully administer the duties of such office. The Zoning Administrator may issue emergency orders in critical areas pursuant to S.C. Code Section 48-39-130, as amended.

Sec. 5-4-7 Violations and penalties.

(a) It is unlawful to construct, reconstruct, alter, demolish, change the use of or occupy any land, building, or other structure without first obtaining the appropriate permit or permit approval. No permit may be issued or approved unless the requirements of this chapter are complied with. It is unlawful for other officials to issue any permit for the use of any land, building, or structure, or the construction, conversion, demolition, enlargement, movement, or structural alteration of a building or structure without the approval of the zoning administrator. If a building, structure or land is or is proposed to be used in violation of any provision of this chapter, the zoning administrator or other appropriate administrative officer, city attorney, or other appropriate authority of the city, or an adjacent or neighboring property owner who would be specially damaged by the violation, may in addition to other remedies, institute injunction,

mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy of the building, structure, or land.

(b) The zoning administrator and the building official shall withhold building or zoning permits, or both, and shall issue stop orders against any work undertaken by any person not having a proper building or zoning permit, or both.

(c) In case a structure or land is or is proposed to be used in violation of this chapter, the zoning administrator may, in addition to other remedies, issue and serve upon a person pursuing such activity or activities a stop order requiring that such person immediately cease all activities in violation of this chapter.

(d) Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall for each violation upon conviction thereof be punished as provided in Section 1-3-66 of this code. Each day that a violation continues shall constitute a separate offense.

Sec. 5-4-8 Reserved.

Sec. 5-4-9 Severability.

If any section, clause, provision or portion of this chapter shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other section, clause, provision or portion of this chapter.

Sec. 5-4-10 Effective date of chapter.

This chapter shall, except as otherwise provided, be in force and take effect upon its adoption by City Council.

Sec. 5-4-11 Authority and procedure for amending chapter.

(a) City council may, from time to time, on its own motion or on petition, after public notice and hearing, amend any provision of this chapter. Whenever fifty (50%) percent or more of the landowners in any zoning district shall present a petition to City Council duly signed and acknowledged, requesting an amendment of the regulations prescribed for such district, city council shall vote upon such amendment within 90 days of the filing of the same by the petitioners with the city clerk. Petitioners shall pay such filing fee as is established from time to time by resolution of City Council. Zoning amendments may also be initiated by the Planning Commission.

(b) Notice of a public hearing on proposed changes to any provisions of the Chapter shall be given by publication of a display advertisement in the Charleston Post & Courier newspaper, or its successor, not less than 15 days prior to the date of the hearing. The notice shall summarize the proposed change and state the date, time and place of the public hearing. In addition, similar notice of such hearing shall be given by publication of a display advertisement in the Moultrie News or other community weekly newspaper not less than 15 days prior to the date of the hearing. Other notice as required by law shall also be given. When a proposed zoning amendment affects the district classification of property, such notice shall include a general description of the property or properties to be rezoned. In cases involving rezoning, conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. The notice shall state that a petition to rezone has been received and the date, time and place of the public hearing to consider the request. The public hearing shall be conducted by City Council.

(c) Prior to adoption, all proposed zoning amendments shall be referred to the Planning Commission for review and recommendation. The Planning Commission shall make its written report and recommendation thereon to City Council within thirty (30) days from the date of referral. Failure of the Planning Commission to so report shall be deemed to be its recommendation of approval of the amendment, unless such time period is extended by City Council..

Sec. 5-4-12 Additional regulations.

The following additional regulations shall apply to all zoning districts.

(a) No land or building shall hereafter be used or occupied and no building or part thereof shall be constructed, erected, altered, or moved unless done in compliance with all applicable provisions of this chapter. Any use of land or buildings which is not allowed as a permitted use, conditional use, or special exception in the applicable zoning district is strictly prohibited.

(b) The height of a building or structure shall not exceed 40 feet, unless otherwise provided in this chapter.

(c) No lot shall be reduced to a size which does not meet the minimum lot area, lot width, yard areas, or other requirements of the applicable zoning district.

(d) Except as provided in sections 5-4-45 and 5-4-46, no buildings shall be erected, altered or moved to create smaller front yards, side yards, rear yards or other open spaces than are required by the applicable zoning district.

(e) All lots must meet South Carolina Department of Health and Environmental Control minimum lot size requirements for water and wastewater disposal services.

(f) Sills, beltcourse, window air conditioning units, chimneys and cornices may project into a required yard by not more than two (2) feet. Steps may project into a required front yard or rear yard by not more than five (5) feet.

(g) The zoning district front yard setback requirements for dwellings shall not apply to any lot where the average setback of existing buildings located within 100 feet of each side of the dwelling within the same block and fronting on the same street is less than the required front yard setback. In such case the average setback on such lot shall not be less than the average setback of the existing buildings.

(h) Where a lot abuts two (2) non-intersecting streets, front yard set back requirements must be met on both streets.

(i) Where a side yard abuts a street (corner lot), no accessory building shall extend beyond the lot's front yard setback.

(j) No fence, wall, shrubbery, or other structure shall obstruct road traffic vision.

(k) Every building hereinafter erected or moved shall be on a lot abutting a public street, or having legal access to an approved private street. All structures shall be located to allow for safe and convenient access for servicing, fire protection, and off-street parking.

(l) All lots shall be located on a street having a minimum right-of-way of 50 feet. The required 50 feet shall not include any critical area as defined in section 5-4-15 of this chapter.

(m) No access drive shall be permitted which would require a reduction in existing on-street public parking or loading areas.

(n) Except in residential zones, access drives shall conform to the requirements set forth in the following table and Figure 5-4-12-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 abutting one-way access drives, with the inbound drive located upstream of the traffic flow from the outbound drive, can be one-half of the distance listed above.

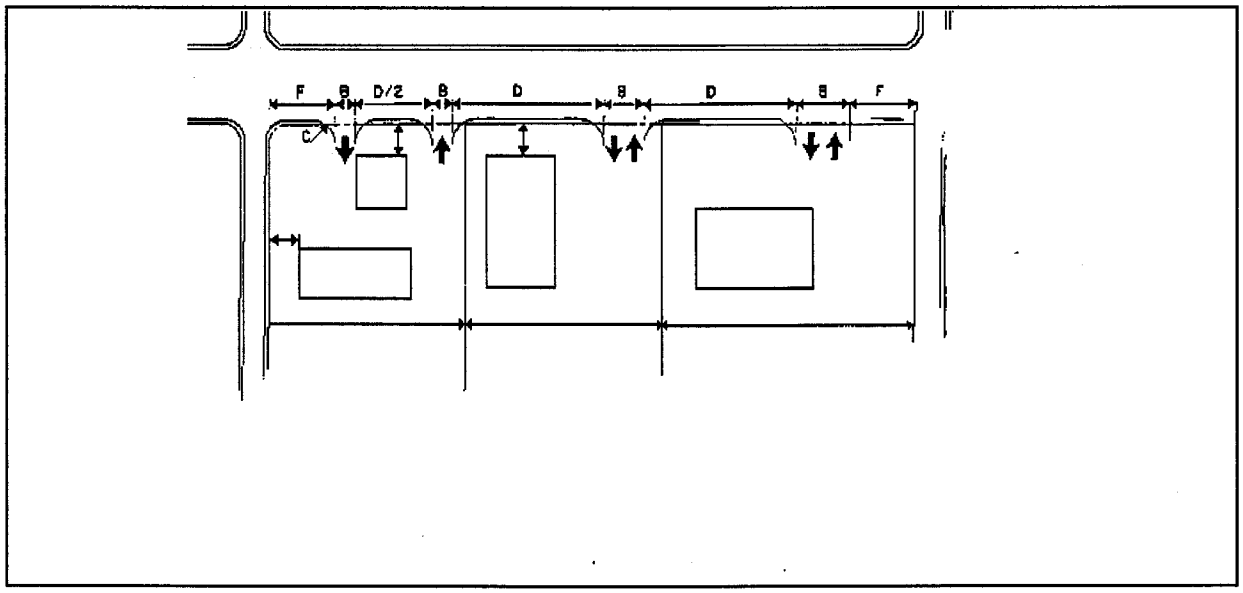


Figure 5-4-12-A

B = Access Drive Width
C = Curb Radius
D = Access Drive Separation
E = 50 Foot Minimum Spacing From Right-of-Way

Sec. 5-4-13 Reserved.

Sec. 5-4-14 Accessory uses.

(A) Accessory uses, as defined by in Section 5-4-2, include but are not limited to the following:

(1) Residential:

a. private garage;

b. shed or tool room for the storage of equipment used on grounds or building maintenance. However, shipping containers, tractor trailer containers, and similar structures are prohibited;

c. children's playhouse;

d. private swimming pool, deck, bathhouse, cabana, private recreating area, and tennis courts;

e. greenhouse;

f. parking.

(2) Commercial:

a. completely enclosed building for storage of supplies. However, shipping containers, tractor trailer containers, and similar structures are prohibited;

b. Parking.

(3) Except for parking, permitted accessory uses or buildings shall not be located in front or side yards, and such uses or buildings shall not be placed within three (3) feet of any side or rear lot line, except that accessory buildings which are not separated from the principal building by at least three (3) feet must meet the minimum yard requirements for the zoning district in which the property is located. A single one or two car garage may be located in the front yard or side yard if the setback requirements for the applicable zoning district are maintained.

(B) The maximum height of an accessory structure shall not exceed 30 feet.

Sec. 5-4-15 Beach Regulations.

(A) No land or building situated in whole or in part in a critical area as defined in S.C. Code Section 48-39-10, as amended, shall be used, occupied, constructed, altered or moved without compliance with the State of South Carolina Beachfront Management Act (S.C. Code Sections 48-39-10, et seq., as amended). (Paragraph (7) added by Ord. 1997-10, adopted 8/26/97)

(B) No land, building or other man-made structure situated in whole or in part landward of the critical area as defined in S.C. Code Section 48-39-10, as amended, but within a 250 foot radius of the mean high water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet, shall be used, occupied, constructed, erected, altered or moved except in compliance with the requirements set forth in this section and all other requirements set forth in the Chapter or any other City ordinance.

(1) Sea walls, revetments, bulkheads, groins, rip-rap or any other hard erosion control structures or devices are strictly prohibited. Hard erosion control structures or devices shall not include bags containing beach-compatible sand with a capacity of five (5) gallons or less per bag but shall include bags with a capacity greater than five (5) gallons per bag. Only beach-compatible sand may be used for any erosion control or beach renourishment activities.

(2) Walkways over sand dunes which meet all of the requirements of S.C. Code Section 48-39-130(D), as amended, and all regulations promulgated thereunder, shall be allowed.

(3) Other than walkways over dunes, no alteration of primary oceanfront sand dunes shall be allowed.

(C) No person shall obstruct any beach or beach access within the City. Violation of this section shall be a misdemeanor, and punished in accordance with the provisions of Section 1-3-66.

(1) For purposes of this section, "Beach access" is defined as any public route of ingress to and egress from the beach.

(2) For purposes of this section, "Obstruct or obstruction is defined as any act or occurrence that inhibits pedestrian use of the beach access, including but not limited to the placement of vegetation or fencing within the beach access, the erection of any barrier within the beach access, any change in topography in the beach access, or the placement of any material in, on, over, under or touching the beach access that impedes or adversely affects pedestrian use.

(3) The City shall have the right to remove all obstructions to the beach or beach accesses. In removing such obstructions, the City, its employees, contractors and agents, may enter onto private property in order to remove the obstruction.

(4) All costs of removal, including costs of personnel and equipment and any reimbursement for damage, shall be borne by the person(s) placing or creating the obstruction.

(5) The following activities are deemed to be obstructions to beach access, and are punishable in accordance with Section 1-3-66 of the City Code:

(a) It shall be unlawful to drive a vehicle on any public beach or beach access, as defined in this Section, except as follows:

(1) Use of the beach or beach accesses approved by City Council

(2) Emergency use of the beach and beach accesses by emergency vehicles

(b) It shall be unlawful to park a vehicle in the public right-of-way in such a manner as to block or obstruct use of a beach or beach access.

Sec. 5-4-16 Temporary uses.

(a) The Zoning Administrator may issue temporary permits for the following uses:

(1) religious meetings in a temporary structure in GC zoning districts for a period not to exceed seven (7) consecutive days;

(2) open lot sale of Christmas trees in the GC and LC zoning districts for a period not to exceed 45 consecutive days;

(3) contractor's office and trailer office for use during construction in any district, except in fully or substantially fully developed residential districts, for a period of 12 consecutive months, provided that such office is placed on the property under construction.

(4) all temporary uses may be renewed at the discretion of the zoning administrator.

Sec. 5-4-17 Sea Turtle Protection Outdoor Lighting Regulations

(a) Definitions. For the purpose of this section, the following terms shall have the meaning set forth in this section:

(1) Artificial light. Any source of light emanating from a man-made device, including but not limited to, incandescent, mercury vapor, metal halide, or sodium lamps, flashlights, spotlights, street lights, vehicular lights, construction or security lights.

(2) Floodlight. Reflector type light fixture which is attached directly to a building and which is unshielded.

(3) Low profile luminary. Light fixture set on a base which raises the source of the light no higher than forty-eight (48) inches off the ground, and designed in such a way that light is directed downward from a hooded light source.

(4) Development. Any existing structure for which a building permit has been duly issued and any new construction or remodeling of existing structures when such remodeling includes alteration of exterior lighting.

(5) Person. Any individual, firm, association, joint venture, partnership, estate, trust, syndicate, fiduciary, corporation, group or unit, or federal, state county or municipal government.

(6) Pole lighting. Light fixture set on a base or pole which raises the source of the light higher than forty-eight (48) inches off the ground.

(b) Development. No artificial light shall illuminate any area of the beach other than in compliance with this section. Building and electrical plans for construction of single-family or multi-family dwellings, commercial or other structures, including electrical plans associated with parking lots, dune walkovers or other outdoor lighting for real property if lighting associated with such construction or development can be seen from the beach, shall be in compliance with the following:

(1) Floodlights shall be prohibited. Wall mounted light fixtures shall be fitted with hoods so that no light illuminates the beach.

(2) Pole lighting shall be shielded in such a way that the point sources of light will not be visible from the beach. Outdoor lighting shall be held to the minimum necessary for security and convenience.

(3) Low profile luminaries shall be used in parking lots and such lighting shall be positioned so that no light illuminates the beach.

(4) Dune crosswalks shall utilize low profile shielded luminaries which shall be turned off from sunset to sunrise during the period of May 1 to October 31 of each year.

(5) Temporary security lights at construction sites shall not be mounted more than fifteen (15) feet above the ground. Illumination from the lights shall not spread beyond the boundary of the property being developed and in no case shall those lights illuminate the beach.

(c) Use of lighting. It is the policy of the City of Isle of Palms for both new and existing development to minimize artificial light illuminating any area of the beach. To adhere to this policy, lighting of structures which can be seen from the beach shall be in compliance with the following:

(1) Lights illuminating buildings or associate grounds for decorative or recreational purposes shall be shielded or screened such that they are not visible from the beach, or turned off from sunset to sunrise during the period of May 1 to October 31 of each year.

(2) Lights illuminating dune crosswalks of any area oceanward of the primary dune line shall be turned off from sunset to sunrise during the period of May 1 to October 31 of each year.

(3) Security lights shall be permitted throughout the night so long as low profile luminaries are used and screened in such a way that those lights do not illuminate the beach.

(d) Publicly owned lighting. Street lights and lighting at parks and other publicly owned beach areas shall be subject to the following:

(1) Street lights shall be located so that most of their illumination will be directed away from the beach. These lights shall be equipped with low pressure sodium bulbs and shades or shields that will prevent backlighting and render them not visible from the beach.

(2) Lights at parks or other public beach access points shall be shielded or shaded or shall not be utilized during the period of May 1 to October 31 of each year.

(e) Enforcement and penalty. Violation of any provision is hereby declared to be a misdemeanor, punishable and enforceable pursuant to the provisions of section 1-3-66 of the City Code.

.Sec. 5-4-18 Required marsh setbacks.

(1) The minimum setback for a structure on a lot abutting the marsh shall be ten (10) feet from the OCRM critical line or lot line, whichever is greater.

(2) In addition, no impervious driveway, parking pad or other paved surface associated with vehicular use shall be located closer than twenty (20) feet to the critical line..

(3) The minimum marsh setback requirements established in this section shall apply to all marsh front lots within the city. If the zoning district in which the property is located imposes a greater setback requirement, the greater setback requirement shall apply.

(4) For purposes of this section, the location of the critical line shall be identified by a South Carolina registered land surveyor and drawn on a site plan of the lot and approved by OCRM. If the OCRM approval is dated more than eighteen (18) months prior to the date of submission of a building permit application, or if the zoning administrator has reason to believe that the location of the critical area has materially changed since OCRM approval was issued, the location of the critical line must be re-established. The location of the critical line shall be

marked on the property in accordance with current OCRM requirements; such markers shall remain in place during the entire time of construction.

Sec. 5-4-19 Fence Regulations.

(a) Construction regulations for fences in special flood zones. Construction or replacement of a fence in a special flood zone requires a permit from the Isle of Palms Building Official, upon the following conditions:

(1) Within the V-zone. Within a flood V- zone as determined by the latest FEMA maps, fences shall not be constructed which impede the free flow of water. Furthermore, no part of a fence shall be constructed with masonry material or heavy lumber. For the purposes of this Section heavy lumber is 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. Within the flood A-zone as determined by the latest FEMA maps, fences shall not be constructed which impede the free flow of water.

Fences constructed with masonry and/or heavy lumber must incorporate hydrostatic openings below the flood elevation to allow for the unimpeded flow of flood waters. Flood elevations shall be determined using current FEMA regulations. 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) Height Limits. No fence in a special flood zone which is also located in a residential zoning district shall have a height greater than six (6) feet except for a fence which faces a non-residential zoning district.

(4) Outside V or A flood zones. None of the aforementioned construction regulations of this Section shall apply to fences outside of special flood zones as determined using the latest FEMA regulations.

(b) Exceptions.

(1) Nonconforming fences. Any fence lawfully erected as of the adoption of this ordinance shall be considered a legal, non-conforming structure. Upon any non-conforming fence being physically damaged or destroyed by 50 percent or more, replacement or repair shall fully comply with all of the terms and conditions of subsection (b) of this section.

Sec. 5-4-20 Communication tower and antennae regulations.

Construction or alteration of a communication tower or antenna may be approved by the zoning administrator as a conditional use subject to a finding that the tower or antenna satisfies the zoning administrator approval conditions listed below. Towers or antennae not meeting the zoning administrator approval conditions may be approved by the Zoning Board of Adjustment as a special exception subject to a finding that the tower or antenna satisfies the special exception requirements listed below. Towers or antennae which cease to be used for signal communication purposes must be dismantled and removed within 120 days of the date the tower or antennae ceases such use.

(a) Zoning administrator approval conditions. The zoning administrator may approve construction or alteration of a communication tower or antenna upon a finding that each of the following conditions are met:

(1) The communication tower and/or antenna is located within the LC (Limited Commercial), GC-1 (General Commercial) or GC-2 use districts; and

(2) The height of the communication tower and/or antenna must not exceed one hundred (100') feet (see definition of height of building or structure in Sec. 5-4-2) or 20 feet above the highest part of a structure existing at the time that this ordinance was adopted. However, existing towers and antennae may not be extended above 100'; and

(3) The communication tower must be located no closer to non-commercially zoned lots than a distance equal to the height of the tower; and

(4) The communication tower and/or antenna must be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining lots (the fall zone shall be determined by an engineer certified in the State of South Carolina in a letter which includes the engineer's signature and seal); and

(5) The communication tower and associated improvements meet applicable landscaping and tree protection requirements; and

(6) The applicant has unsuccessfully attempted in good faith to collocate on existing communication towers, buildings, or other structures and the applicant agrees to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure, frequency considerations, and adequate compensation from the additional user; and

(7) The communication tower and/or antenna is only illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. Night time strobe lighting shall not be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other governmental regulatory agency; When lighting is permitted under this paragraph it shall be oriented inward so

as not to project onto surrounding residential property, subject to such regulatory requirements; and

(8) The color of the communication tower and/or antenna is appropriate to blend in with its surroundings; and

(9) The communication tower and/or antenna, and associated structures, are appropriately secured by means of walls, fences or other devices; and

(10) The communication tower and/or antenna does not include signage of any nature on any portion of the tower and/or antenna.

(b) Board of Zoning Appeals approval standards. The Board of Zoning Appeals may approve construction or alteration of a communication tower and/or antenna as a special exception subject to the requirements of Section 5-4-5(c) and upon a finding that each of the following additional standards are met:

(1) The communication tower and/or antenna is located within the LC (Limited Commercial), GC-1 (General Commercial) or GC-2 use districts; and

(2) The height of the communication tower and/or antenna shall not exceed one hundred sixty (160') feet (see definition of height of building or structure in Sec. 5-4-2) or 30 feet above the highest part of a structure existing at the time that this ordinance was adopted. However, existing towers and antennae may not be extended above 160'; and

(3) In addition to satisfying the zoning administrator approval criteria listed above as (a) (4), (5), (6), (7), (8), (9) and (10), the board must find that the design, location and height of the communication tower and/or antenna will not substantially adversely impact the appearance of adjacent non-commercially zoned areas. The board may request a line of site analysis showing the potential visual and aesthetic impacts of the tower and/or antenna on adjacent non-commercially zoned areas.

(c) Application requirements. Applications for zoning administrator or board approval shall include the following information:

(1) A scaled site plan showing the location of the tower and/or antenna, guy anchors (if any), buildings and other structures or improvements, parking, driveways, fences, and trees affected by the proposed improvements.

(2) The height and typical design of the tower and/or antenna, typical materials to be used, color, and lighting shall be shown on elevation drawings.

(3) Documentation indicating that efforts to collocate on existing towers or structures in the vicinity of the proposed tower were made by the applicant but were unsuccessful, with reasons noted.

(4) Other information as requested by zoning administrator or the board to allow adequate review of approval criteria, including photographs with the tower superimposed to assess visual impact.

(5) Any new or modified towers or antennae must be certified by an engineer certified in the State of South Carolina according to the structural standards for towers and antennae." developed by the Telecommunications Industry Association."

ARTICLE 2

District Regulations

Sec. 5-4-31 Use districts.

(a) In order to implement the policies and objectives stated in the city's comprehensive plan, and to provide for the planned and orderly use and development of land within the city, all land within the city is hereby classified within one of the following use districts:

(1) SR-1 single family residential district;

(2) SR-2 single family residential district;

(3) LC limited commercial district;

(4) GC-1 general commercial district;

(5) GC-2 general commercial district;

(6) MF multi-family residential district;

(7) PDD planned development district; and

(8) CO conservation district.

(b) Unless otherwise stated in this Chapter, within each district, the regulations set forth herein shall apply uniformly to each class or kind of structure, land or use.

Sec. 5-4-32 SR-1 - Single family residential district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the SR-1 district are as follows:

(1) Purpose.

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

b. To discourage unwarranted encroachment by prohibiting commercial uses and to prohibit other uses which would interfere with the development or continuation of single family use.

c. To encourage the cessation of non-conforming uses.

d. To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

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

(2) Permitted uses.

a. Detached, single family dwelling.

b. Residential accessory uses.

(3) Permitted special exceptions.

a. Elementary and secondary schools offering general education courses.

b. Public park, playground.

c. Church, synagogue, or other place of worship.

d. Municipal buildings, including (but not limited to) fire and police stations.

e. Group dwelling.

f. Golf courses.

g. Home occupations meeting the requirements of Section 5-4-44.

(4) Conditional Uses. None.

(5) Minimum lot requirements.

a. Lot area: 17,500 square feet of contiguous highland.

b. Lot width: 70 feet measured at building line.

c. Lot depth: 110 feet.

d. Lot frontage 60 feet on a public or private street;
30 feet on a public or private cul-de-sac.

Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.

(6) Minimum yard requirements.

a. Frontyard: 30 feet.

b. Sideyard: 10 feet.

c. Rearyard: 30 feet.

Exception: Legal Non-conforming lot minimum yard requirements.

a. Frontyard: 24 feet.

b. Sideyard: 10 feet.

c. Rearyard: 24 feet.

(7) Maximum height: 40 feet.

(8) Double frontage lots are prohibited.

Sec. 5-4-33 SR-2 - Single family residential district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the SR-2 district are as follows:

(1) Purpose.

a. To provide quiet, low-density residential neighborhoods on lots having an area of 8,000 square feet or more.

b. To discourage unwarranted encroachments by prohibiting commercial uses and prohibiting uses which would interfere with the development or continuation of single family use.

c. To encourage the cessation of non-conforming uses.

d. To discourage uses which would generate traffic on minor streets other than required to serve residences on those streets.

(2) Permitted uses. All uses permitted in the SR-1 district.

(3) Permitted special exceptions. All special exceptions allowed in the SR-1 District

(4) Conditional Uses. None.

(5) Minimum lot requirements.

a. Lot area: 8,000 square feet of contiguous highland.

b. Lot width: 60 feet measured at building line.

c. Lot depth: 90 feet.

d. Lot frontage: 50 feet on a public or private street;
30 feet on a public or private cul-de-sac.

Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.

(6) Minimum yard requirements.

a. Frontyard: 25 feet.

b. Sideyard: 10 feet.

c. Rearyard: 25 feet.

Exception: Legal Non-conforming lot minimum yard requirements.

a. Frontyard: 20 feet.

b. Sideyard: 10 feet.

c. Rearyard: 20 feet.

(7) Maximum height: 40 feet.

(8) Double frontage lots are prohibited.

Sec. 5-4-34 LC - Limited commercial district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the LC district are as follows:

(1) Purpose.

a. To provide for residential uses or commercial uses which operate during normal business hours and are compatible with residential neighborhoods by limiting square footage, lot coverage and hours of operation.

b. To prevent unwarranted encroachments of retail uses.

(2) Permitted uses. See Section 5-4-37.

(3) Minimum yard requirements.

a. Frontyard: 20 feet.

b. Sideyard: 10 feet.

c. Rearyard: 20 feet.

d. Lot frontage: 20 feet on a public or private street.

Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.

(4) Minimum lot size. 6,000 square feet of contiguous highland.

(5) Maximum building size. 2,500 square feet per each 6,000 square feet of lot.

(6) Maximum height: 40 feet.

(7) Additional requirements. Refuse containers shall be screened from public view with materials compatible with principal structure or landscaping.

Sec. 5-4-35 GC-1 - General commercial district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the GC-1 district are as follows:

(1) Purpose.

a. To encourage the development of a less densely constructed, economically healthy business environment with family-oriented businesses directed primarily to island residents in buildings designed and sited to accommodate automobile and pedestrian traffic.

b. To discourage uses which generate noise, vibration, glare, dust and odor or are offensive to the health, safety and morals of a residential, family-oriented community.

(2) Permitted uses. See Section 5-4-37.

(3) Minimum yard requirements.

a. Frontyard: 25 feet.

b. Sideyard: 10 feet.

c. Rearyard: 15 feet.

d. Lot frontage: 20 feet on a public or private street.

Vehicle access to the lot from a public or private street shall be provided within the required lot frontage.

(4) Maximum height: 40 feet.

(5) Additional development requirements. Refuse containers shall be screened from public view with materials compatible with principal structure or landscaping.

Sec. 5-4-36 GC-2 - General commercial district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the GC-2 district are as follows:

(1) Purpose.

a. To encourage the development of a densely constructed, economically healthy business environment with family-oriented businesses directed primarily to island residents and beach goers in buildings designed and sited to primarily accommodate the pedestrian traffic of the front beach commercial area.

b. To discourage uses which are inherent generators of noise, vibration, glare, dust and odor or are offensive to the health, safety and morals of a residential, family-oriented community.

(2) Permitted uses. See Section 5-4-37.

(3) Minimum yard requirements.

a. Structures, with the exception of permitted dune walk-overs, shall not extend seaward 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.

b. Lot frontage: 15 feet on a public or private street. Vehicle access to the lot from a public or private street, if provided, shall be located within the required lot frontage.

(4) Maximum height: 40 feet.

(5) Additional development requirements. Refuse containers shall be screened from public view with materials compatible with principal structure or landscaping.

(6) Parking requirements. None.

Sec. 5-4-37 Table of permitted uses in commercial districts.

(1) General application. Uses permitted in the LC, GC-1, and GC-2 districts shall be only as set forth in Table B-1, and as modified, limited or restricted by special provisions, exceptions and conditions contained in this section and chapter.

(a) Symbols used in Table B-1 are as follows:
"x" means the indicated use is permitted.
"e" means the indicated use is permitted as a special exception if granted by the Board of Zoning Appeals pursuant to Section 5-4-5.
"c" means the indicated use is permitted as a conditional use.

(b) Any use not specifically allowed in Table B-1 is expressly prohibited.

(c) A code section reference following the use category in Table B-1 means that the use is allowed if it meets the requirements of such section.

(d) The Zoning Administrator may use the Standard Industrial Classification Manual (SIC) or similar reference to make interpretations regarding uses allowed in Table B-1.

(2) Adult uses. Adult uses, as defined in Section 5-4-2, are expressly prohibited within the City, except as a special exception in the GC-2 district subject to Section 5-4-5, and the following conditions: The property on which the adult use is located must be at least one thousand (1,000) feet from property on which a school, church, or park is located, or from any property which is zoned residential.

(3) Drive-through service windows. Drive-through service windows are permitted only in GC-1 as a special exception subject to Sections 5-4-5 upon a finding by the Board of Zoning

Appeals that the facility provides adequate space for the stacking of vehicles based upon the number of drive-through vehicles projected during the peak 15-minute period, the service time involved in processing customers' orders, and the window time necessary to complete the transaction. Drive-through service window facilities, or uses thereof, existing on June 22, 1993, and located in the GC-1 district, shall not be altered or enlarged without approval of a special exception subject to Section 5-4-5 and the criteria stated in this paragraph.

(4) Hours of operation. Within the LC district, any use which conducts regular business operations between the hours of 8:00 p.m. and 7:00 a.m. is permitted only as a special exception pursuant to Section 5-4-5.

(5) Outdoor sale or rental; public events. Outdoor sale or rental of tangible personal property conducted in connection with any business is permitted in commercial districts only by special exception subject to Section 5-4-5. No sale or rental of property, or any public event shall be conducted or held on beaches, public streets or public property without a permit for use of public property issued by City Council.

(6) Telephone communication, electric, gas, sanitary or other utility service facilities. Utility service facilities, except for communication towers and antennae which may be permitted pursuant to Section 5-4-20, may be permitted as special exceptions subject to Section 5-4-5 upon a finding by the Board of Zoning Appeals that the facilities will be adequately screened from public rights-of-way and adjacent properties by landscaping, plants, walls, screens, or fencing, or combination thereof.

(7) Eating places, fast food. Fast food eating establishments may be permitted subject to Section 5-4-5 in zoning districts indicated in Table B-1 as special exceptions.

(8) Tourist homes. Tourist homes providing no more than six (6) bedrooms for guests may be permitted within the GC-1 district as special exceptions subject to Section 5-4-5.

(9) Rooming and boarding houses. Rooming and boarding houses providing no more than six (6) bedrooms for guests may be permitted within the GC-1 district as special exceptions subject to Section 5-4-5.

(10) Parking lots. Automobile parking as an accessory use may be permitted as a special exception within the GC-2 district pursuant to Section 5-4-5 upon a finding by the Board of Zoning Appeals that the lot on which the parking is to be provided contains at least 120 feet of frontage on a public street.

TABLE B-1

TABLE OF PERMITTED USES IN COMMERCIAL DISTRICTS

Legend: x = permitted use in the district
e = only as special exception granted by Board of Zoning Appeals
c = only as conditional use granted by zoning administrator

USE	LC	GC-1	GC-2
74. Veterinary services		e	
781. Landscape planning	x	x	x
782. Lawn & garden services		x	
783. Ornamental shrub & tree services		x	
151. Building construction - general contractors & operative builders - Office only		x	
171. Construction - special trade contractors - Office only		x	
41. Local & suburban transit, inter-urban highway passenger transportation, & related service facilities		x	
4227. Storage in an enclosed building utilized by only one business which maintains an office in the City.		x	
43. U.S. Postal Service		x	
4493. Marinas, wet-slip sections		e	
472. Arrangement of passenger transportation		x	x
481. Telephone communications (except comm. tower & antenna)	e	e	e
482. Communication towers and antennae [Sec. 5-4-20]	c/e	c/e	c/e
491. Electric substations (sec. 5-4-37(6)	e	e	e
492. Gas production & distribution	e	e	e
493. Combination utilities	e	e	e
494. Water supply	e	e	e
523. Paint, glass, wallpaper (sec. 5-4-37(5)		x	x

USE	LC	GC-1	GC-2
525. Hardware stores		x	x
531. General Merchandise Department stores		x	x
533. Variety stores		x	x
539. Miscellaneous general merchandise stores		x	x
541. Grocery stores		x	x
542. Meat and fish (seafood) markets, including Freezer provisions		x	x
543. Fruit & vegetable markets		x	x
546. Retail bakeries		x	x
549. Miscellaneous food stores		x	x
553. Automobile & home supply stores		e	
554. Gasoline service stations & boat fuel docks		e	
555. Boat dealers		x	
56. Apparel & Accessory Stores		x	x
57. Home Furniture, Furnishings & Equipment Stores		x	x
5812. Eating place, restaurant (sec. 5-4-37(2)		x	x
5813 Drinking place			x
5814 Eating place, fast food [§5-4-37(3) & (7)]		e	e
592. Liquor stores		x	x
593. Used merchandise stores		x	x
594 Miscellaneous shopping goods stores		x	x
5961 Mail order houses		x	x
5962 Automatic merchandising machine operators		x	x
598 Fuel & ice dealers		x	
5992 Florists		x	x

USE	LC	GC-1	GC-2
5993 Tobacco stores & stands		x	x
5994 News dealers & stands		x	x
5995 Optical goods stores		x	x
5996 Bait & tackle stores		x	x
5999 Miscellaneous retail stores [§5-4-37(2)]		x	x
60. Banking, financial and investment services		x	x
62. Security and commodity brokers, dealers, exchanges and services	x	x	x
63 Insurance carriers		x	x
64 Insurance agents, brokers, and service	x	x	x
65 Real estate sales , rental or development	x	x	x
67 Holding and other investment offices		x	x
701. Hotels & motels (except tourist homes)		x	x
7011 Tourist homes [§5-4-37(8)]		e	e
702 Rooming & boarding homes [See §5-4-37(9)]		e	x
704 Organization hotel & lodging house, membership			x
7211 Power laundries		x	x
7212 Garment pressing & agents		x	x
7215 Coin operated laundries		x	x
7216 Dry cleaning plants, except rug cleaning		x	x
722 Photographic studios		x	x
723 Beauty shops		x	x
724 Barber shops		x	x
725 Shoe repair shops		x	x
729. Miscellaneous personal services, except spas & Massage parlors [§5-4-37(2)]	x	x	x

USE	LC	GC-1	GC-2
7291 Tax return preparation services	x	x	x
7311 Advertising agencies		x	x
732 Consumer credit reporting	x	x	x
7334 Photocopying & duplicating		x	x
7335 Commercial photography		x	x
7336 Commercial art & graphics		x	x
7342 Disinfecting & pest control		e	
7349 Building cleaning/maintenance		x	
737 Computer & data processing		x	x
7389 Office work for business services not elsewhere classified	e	e	e
751 Automotive rental, without driver		x	
752 Vehicular parking as principal use, surface lot only		e	
7522. Parking as an accessory use surface lot only (5-4-37(10))	x	x	x
753. Automotive repair shops		e	
7542 Car washes		e	
7549 Automotive services, except repair		e	
762 Electrical repair shops		x	
763 Watch, clock & jewelry repair		x	x
781 Motion picture production [§5-4-37(2)]		x	x
7832 Motion picture theaters, except drive-ins		x	x
784 Video tape rental		x	x
791 Dance studios [§5-4-37(2)]		x	x
792 Theatrical producers, bands, orchestras & entertainers		x	x

USE	LC	GC-1	GC-2
7991 Physical fitness facilities		x	x
7992 Public golf course	e	x	x
7993 Coin-operated amusements		x	x
7998 Educational boat tours or charters, using boats duly certified by the U.S. Coast Guard which have a capacity of not more than 49 passengers.		x	
7999 Carnivals or circuses	e	e	e
801 Physician offices & clinics	x	x	x
802 Dentist offices & clinics	x	x	x
804 Offices & clinics of other health practitioners	x	x	x
805 Nursing & personal care		x	
81 Legal Services.	x	x	x
82 Elementary & secondary schools	e	x	
822 Colleges & professional schools		x	
823 Libraries		x	x
835 Child day care services		x	
841 Museums & art galleries		x	x
861 Business associations		x	x
862 Professional membership associations		x	x
863 Labor unions & organizations		x	x
864 Civic, social & fraternal organizations		x	x
865 Political organizations		x	x
866 Religious organizations		x	x
871 Engineering, architectural & surveying services	x	x	x
872 Accounting, auditing & bookkeeping services	x	x	x
874 Management & public relations	x	x	x

USE	LC	GC-1	GC-2
8811 Dwellings, detached single family only	x	x	x
911 Municipal administrative offices	x	x	x
912 Municipal facilities	x	x	x
919 County or state agencies & facilities	e	e	e
921 County or state courts	e	e	e
922 Municipal court, police or fire facilities	x	x	x
923 Public parks & recreation facilities	e	e	e

Sec. 5-4-38 MF - Multi-family residential district.

In addition to all other applicable requirements of this chapter and other city ordinances, the requirements for the MF district are as follows:

(1) Purpose.

a. To provide for quality medium density and high density residential development on lots having a minimum area of 6,000 square feet.

b. To discourage commercial uses capable of affecting the residential character of the district.

c. To discourage any use that would generate traffic on minor streets other than as required to serve residences on those streets.

(2) Permitted uses. Within the MF residential district, a building or land shall only be used for the following:

a. All permitted uses in the SR-2 residential district.

b. Multi-family dwellings.

c. Rooming, boarding, tourist or lodging house, or other group dwelling.

d. Residential Accessory uses.

(3) Conditional uses. None.

(4) Height requirements. 40 feet

(5) Minimum yard requirements.

a. Frontyard: 35 feet.

b. Sideyard (combined width): 35 feet.

c. Sideyard (width on one (1) side): 15 feet.

d. Rearyard: 25 feet.

(6) Lot frontage: 40 feet on a public or private street. Vehicle access to the lot from a public or private street shall be provided within the required frontage.

(7) Minimum lot size.

a. Minimum lot size shall be 6,000 square feet.

b. The minimum lot area per dwelling unit shall be 2,500 square feet.

(8) Maximum density. Eight (8) units per acre of highland.

(9) Minimum lot width for multi-family projects. No multi-family unit may be erected on a lot which has a width at the building line of less than 100 feet.

(10) Additional development requirements.

a. Placement of drives and parking areas: No drive or parking area shall be located closer than 10 feet from any lot line unless there is adequate buffering as determined by the Zoning Administrator.

b. Spacing of buildings: Detached principal or accessory buildings shall not be placed closer than 10 feet to any other building.

c. Recreation area required: No less than eight percent (8%) of net development acreage shall be designated for recreational usage. Said eight percent (8%) of land area shall not include land used to provide minimum yard requirements, parking areas or streets.

Sec. 5-4-39 PDD - Planned Development District.

(1) Purpose of district. The purpose of the PDD district is to permit a mixture of different types of housing with compatible commercial uses, shopping centers, office parks and other mixed use developments. Flexibility in design, character and quality of development and preservation of natural and scenic features are made possible through the approval of a plan which describes the specific uses, densities, setbacks, and other requirements for a planned development. The approved plan constitutes the district regulations for a particular planned development.

(2) District Regulations. The following regulations shall apply to all uses in PDD districts, other provisions in this chapter to the contrary notwithstanding:

Minimum site area:	ten (10) acres
Minimum lot area for structure:	Set in approved plan.
Minimum lot width, yards, setbacks:	Set in approved plan.

Maximum structure height:	Forty (40) feet
Off street parking and loading requirements:	Set in approved plan.
Screening:	Set in approved plan, but not less than landscaping required by this chapter
Signs:	Set in approved plan, but not greater than signs allowed by this chapter
Subdivision regulations:	Applicable regulations must be met.
Additional development regulations	See Sec. 5-4-12 and Sec. 5-4-15

(3) PDD Application and Review Procedures. The following procedures shall apply to establishment of a PDD district, other provisions in this ordinance to the contrary notwithstanding:

a. Zoning amendment required:	PDD districts are established by amendment to the zoning ordinance in the manner prescribed for rezoning.
b. District regulations:	The applicable regulations in this Section and those in the approved plan and descriptive statement shall constitute the PDD district regulations for the site.
c. Pre-application conference optional:	An applicant for PDD zoning is encouraged, but not required, to contact the Planning Commission prior to submission of the application for information and review of the regulations and procedures applicable to the proposed plan and descriptive statement.
d. Amendment application required:	Initiation of a PDD amendment shall be by submission of an application form provided by the Zoning Administrator with required attachments.
e. Development plans required:	A site development plan is a required attachment to application for PDD amendment. The site development plan shall indicate the proposed uses of all land areas and such other information as the Zoning Administrator deems reasonably necessary for review.

f. Descriptive statement required :	A descriptive statement is a required attachment to the application for PDD amendment. The descriptive statement shall indicate the characteristics and standards to be used for development of the site, and shall include at least the following items: 1. legal description of site boundaries, and total area of the site; 2. area and location of each type of use; 3. number and density of dwelling units by type; 4. description of open space locations, uses and proposed dedication for public use; 5. ownership and maintenance of streets, and proposed dedication to public; 6. methods for dealing with parking and the impact of projected traffic on the uses on the site and adjacent districts and streets; 7. steps proposed to comply with sediment control and storm drainage regulations; 8. steps proposed to comply with landscaping regulations; 9. details of association or organization involved in ownership and maintenance, including procedures and methods of operation; 10. outline for development phasing with anticipated time frames; 11. design standards, procedures and methods demonstrating that development will result in an integrated use district, functional and compatible with the area; 12. proposed restrictive covenants to be recorded to assure future compliance with the standards in the plan; and 13. such other information as may be appropriate for planning commission review.
g. Planning Commission review:	Upon determination that the application meets above requirements, the Zoning Administrator shall forward the application to the Planning Commission for review and recommendation to City Council as required for zoning amendments.

h. City Council action:	Upon receipt of the Planning Commission recommendation, City Council shall conduct a public hearing as required for zoning amendments, and may approve, approve with modifications accepted by applicant, or disapprove the proposed amendment.

i. Zoning and building permits:	Zoning and building permits shall not be issued until the zoning is approved by City Council, and approved plats, the approved descriptive statement and all required restrictive covenants are filed for record with the City Clerk and the Charleston County R.M.C. Office, and all required bonds are posted with the City Clerk.
j. District map:	The site development plan approved by City Council shall be the zoning district map for the PDD and shall be the basis for issuance of zoning and building permits.
k. Changes to plan:	1. Minor changes. Changes proposed in writing by the applicant which do not alter district boundaries and which involve revision of minor characteristics of the PDD such as relocation of driveways, revision of floor plans, facades, landscaping, relocation of required parking, drainage structures, and features which do not materially affect the approved plan concept or violate any applicable regulations may be approved by the Zoning Administrator. Approval or rejection of the change is subject to review and final determination by the Planning Commission if the applicant or any party whose property is adversely affected files a written objection with the Planning Commission within ten (10) days after action by the Zoning Administrator. An applicant may submit a rejected change as an amendment to the plan under the normal zoning amendment procedures. 2. Major changes. Changes proposed in writing by the applicant which alter district boundaries or which materially affect the characteristics of the PDD shall be submitted under normal zoning amendment procedures applicable to establishment of the PDD. 3. Permits. No zoning or building permits involving a minor or major change of the PDD descriptive statement or map shall be issued until the written change is filed with the City Clerk and recorded in the Charleston County R.M.C. Office.

l. Failure to begin; failure to progress; failure to complete	If the responsible party fails to begin, fails to progress, or fails to complete development as agreed in the descriptive statement, City Council may charge the developer with violation of the zoning ordinance, may rezone the property, or may take any combination of these actions. In any event, if the planned development is not initiated within two years of its establishment, the Planning Commission shall initiate the rezoning of the property to an appropriate district classification in conformity with the comprehensive plan.

(4) Wild Dunes PRD. The existing Wild Dunes PRD development is hereby recognized as a legal non-conforming PDD district under this ordinance. Any future modification to the Wild Dunes PRD agreement shall be subject to the requirements of this Section.

Sec. 5-4-40 CO - Conservation district.

(1) Purpose.

a. To provide for an appropriate valuation that reflects the conservation use of land.

b. To ensure the preservation of significant and vital natural resources.

c. To lessen the hazards of loss of property, life, and the reduction of health and public safety due to periodic flooding by restricting uses in such areas.

d. To provide for improved public recreation activities.

e. To provide for scenic easements to preserve the community heritage.

(2) District boundary. As shown on the official zoning map, the C O District consists of all area within the corporate limits of the City of Isle of Palms between (i) a line beginning at a point at the centerline of Breach Inlet between the Isle of Palms and Sullivan's Island at Highway 703 and running southwardly along the centerline of Breach Inlet to a point opposite the low water mark of the Atlantic Ocean, thence running eastwardly along the low water mark of the Atlantic Ocean on the front beach of the Isle of Palms to the centerline of Dewees Inlet to the Intracoastal Waterway opposite the low water mark thence running westwardly along the centerline of the Intracoastal Waterway to the centerline of Hamlin Creek, and thence running southwardly to the point of beginning; and (ii) all property situated in the City which is designated as critical area by OCRM.

(3) Permitted uses. Within the CO district, land may be used for the following purposes, provided that such use does not degrade water quality or the natural character of the district, and has received all applicable governmental regulatory approval.

a. Outdoor recreational uses including swimming, fishing, beach-going, surfing, boating, boat ramps, docks, piers, lifeguard stations, and natural preserves.

b. Public utility lines.

Sec. 5-4-41 Additional SR-1 and SR-2 Residential district regulations.

(a) In a SR-1 or SR-2 district no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used for MF, GC-1, GC-2, or LC district use. No building or premises shall be used, and no building shall be erected, which is arranged, intended or designed to be used for other than a SR-1 or SR-2 use.

(b) Any dwelling must have a minimum enclosed floor area of 1,000 square feet.

(c) Mobile homes are strictly prohibited.

Sec. 5-4-42 Reserved.

Sec. 5-4-43 Accessory uses residential districts.

An accessory use customarily incident to an SR-1, SR-2 or MF district use shall be permitted in, respectively, an SR-1, SR-2 or MF district. In a residential district, a private garage permitted as an accessory use shall not provide storage for more than one (1) motor vehicle for each 2,000 square feet of the lot area. In a multi-family residential district, a private garage permitted as an accessory use shall not provide storage for more than one (1) motor vehicle for each 500 square feet of the lot area. No billboard, sign board or advertising shall be permitted as an accessory use, except "for sale" or "for rent" signs which comply with all applicable provisions of this Chapter. A store, trade or business shall not be permitted as an accessory use; except for a licensed home occupation. A garage apartment is permitted as an accessory use only in an MF District.

Sec. 5-4-44 Home Occupation

(A) A home occupation as defined in Section 5-4-2 may be permitted in a dwelling unit in any residential zoning district as a special exception granted by the Board of Zoning Appeals after consideration of the criteria contained in Section 5-4-5 and upon a finding by the board that all requirements and conditions set forth in this section are satisfied. In granting approval of a home occupation, the board may impose reasonable restrictions on the conduct and use of the home occupation, including a limit on the number of home occupation-related visitors per day

and the frequency of product or material deliveries. There shall be no fee charged for a home occupation application. The requirements and conditions are as follows:

(1) The occupation, profession or trade is a use allowed under Section 5-4-27, Table B-1, and is conducted wholly within the principal building of the lot.

(2) Not more than 25 percent of the floor area of the principal building, or 750 square feet, whichever is less, shall be used for any part of the home occupation.

(3) No accessory building or outside storage shall be used in connection with the home occupation.

(4) No signs, merchandise or other articles shall be displayed for advertising purposes, or be visible from outside of the dwelling.

(5) There shall be no alteration of the residential character of the building or premises.

(6) The home occupation shall not generate greater vehicular or pedestrian traffic volume than that which normally occurs in the neighborhood. All parking generated by the home occupation shall be located solely within the boundaries of the property upon which the home occupation is conducted and shall not be located in the required front yard.

(7) Only one home occupation shall be allowed per dwelling unit.

(8) No electrical, mechanical, chemical or other equipment that is not a normal domestic or household equipment shall be allowed in connection with the home occupation and such occupation shall not generate noise, vibration, electrical interference, heat, glare, dust, smoke, odors, fumes, or unsafe conditions which are detectable to the normal human senses off of the lot or which adversely affect the health, safety or welfare of the neighborhood.

(9) No home occupation shall be conducted using assistants or associates working in whole or in part within the home, except for family members living on the premises.

(10) Only passenger vehicles shall be allowed in connection with the home occupation. For purposes of this section, passenger vehicles are limited to motorcycles, mopeds, automobiles, pickup trucks and vans.

B) Inspections. Home Occupation permittees shall allow reasonable, periodic inspections of the premises by any zoning or building official to determine compliance with the home occupation permit.

C) Any home occupation lawfully operating on October 27,1998, and which is in violation of subsection (A) or (B) of this section shall be deemed a nonconforming use. The nonconforming use may continue for a period not to exceed three (3) years from October 27,1998, unless sooner terminated for any reason or voluntarily discontinued for a period of one year or more. Such nonconforming uses shall not be increased, enlarged, extended or altered other than to a conforming use.

Sec. 5-4-45 Non-conforming lots, structures and uses, generally.

(a) The City recognizes that as a result of this chapter, some existing lots and structures will not comply with applicable zoning requirements. In addition, some existing uses will be made non-conforming by this Chapter; and some long-standing non-conforming uses will continue to be non-conforming.

(b) As a general policy, non-conformities in the use and development of land and buildings are discouraged; and should be brought into compliance with the applicable zoning requirements over time as the uses of land and structures change. However, with the limitations and exceptions set forth in this Chapter, it is the intent of The City that the lawful use of land and structures existing at the effective date of this chapter may continue, although such use does not conform to the provisions of this chapter.

(c) Any use, building or structure lawfully existing at the time of this chapter which does not conform with the provisions of said Chapter shall be deemed to be legal non-conforming uses, buildings or structures.

Sec. 5-4-46 Non-conforming lots.

(a) Subject to the limitations set forth in this Chapter, a non-conforming lot may continue to be used without change in boundaries.

(b) Any lot which is made conforming by combining with other lots shall be recognized as a conforming lot and shall fully comply with this chapter.

Sec. 5-4-47 Non-conforming structures.

(a) Except as allowed in this section, no structural alterations shall be made to a non-conforming structure other than those necessary to assure the safety of the building or structure.

(b) Subject to other applicable provisions of this Chapter and other City Ordinances, an existing structure, excluding stairs, which fails to meet the zoning district setback requirements of this chapter may be altered or enlarged so long as the encroachment of such structure , excluding stairs, into the required setback(s) is not increased. For purposes of illustration, if an existing structure has an actual five (5) foot sideyard setback including stairs and an eight (8)

foot sideyard setback excluding stairs, and is located in a zoning district which requires a ten (10) foot sideyard setback, an alteration or addition to such structure is allowed if such alteration or addition is no closer than eight (8) feet to the side lot line, excluding stairs. Provided, however, that in connection with any such alteration or addition, no stair encroachment into the required setback(s) shall be increased.

(c) Subject to all other applicable provisions of this Chapter and other City Ordinances, the following alterations are considered to be non-structural, and may be made to a non-conforming structure, provided that the extent of the non-conformity is not increased:

(1) Non-structural facade alterations;

(2) Modification or removal of interior walls;

(3) Modification of existing windows and exterior doors;

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

(d) Repairs or maintenance may be made to a non-conforming structure as required to keep it in safe condition.

(e) Any non-conforming structure damaged 50 percent or more of its appraised value at the time of such damage shall not be repaired, rebuilt or altered in such a manner as to increase the extent of its pre-damage non-conformity; provided that a destroyed or removed structure may be rebuilt in its original footprint. Reconstruction or repair must be conducted pursuant to the city's building codes, and must be commenced within six (6) months from the date of such damage or removal.

(f) Where existing vehicular parking is insufficient to meet the standards set forth in this chapter, no structure may be enlarged unless the requirements for off-street parking are met for the entire structure(s) and uses.

Sec. 5-4-48 Non-conforming uses.

(a) A non-conforming use of a structure or lot shall not be changed to another non-conforming use.

(b) Whenever a non-conforming use is changed to a conforming use, such use shall not thereafter revert to a non-conforming use.

(c) Whenever a non-conforming use is discontinued, for a period of 365 days, such use shall not be re-established and all subsequent use shall conform to the provisions of this chapter.

(d) A non-conforming use may not be enlarged or extended.

Sec. 5-4-49 Cessation of certain non-conformities required.

(a) Non-conforming signs.

(1) A non-conforming sign shall be made to conform, or be replaced with a sign that conforms with this chapter, 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 a non-conforming sign is 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 equals or exceeds fifty (50) percent of the sign's appraised value. Substantial repair, improvement or redevelopment of buildings or improvements on a lot shall occur when the cost of the repair, improvement or redevelopment equals or exceeds fifty (50) percent of the total appraised value of the improvements thereon at the time of said repair, improvement or redevelopment.

(b) Non-conforming fences, hedges, shrubbery and signs which impede vision at street intersections shall be brought into compliance by removal, relocation or alteration within 90 days from the effective date of this chapter.

Sec. 5- 4-50 through 5-4-60 reserved

ARTICLE 3

Landscaping and Tree Removal Regulations

Sec. 5-4-61 Permit required for removal a of tree.

(a) Removal of a tree, as defined in section 5-4-2, requires the prior issuance of a valid tree removal permit issued by the zoning administrator to the owner of the property.

(b) For new construction, an application for a tree removal permit shall accompany the application for the zoning permit required by this chapter, and shall be considered part of such application. No trees shall be cut down or removed from the property prior to the issuance of a tree removal permit. Compliance with all conditions set forth in the tree removal permit shall be required before a certificate of occupancy will be issued by the city.

(c) For subdivisions or property line adjustments where any tree is to be removed, as defined in Section 5-4-2, a tree removal permit must be obtained prior to an application for subdivision approval. Plats which create lots or alter existing lots in such a way that a tree is at or near the center of a lot or in a location on the lot that will require the removal of the tree for construction of a structure, will not be approved unless a tree removal permit has been obtained pursuant to the provisions of this chapter. No site work shall begin and no trees shall be removed prior to the issuance of a tree removal permit and the approval of a subdivision plat.

(d) Any property owner applying for a permit to remove a tree, shall submit a written application to the city which contains the following information:

(1) name and address of applicant;

(2) written proof of ownership of the property;

(3) if applying through an agent, written proof of authority of such agent;

(4) address of the property;

(5) a copy of a current plat of the property, including a statement of the acreage of the lot or parcel from which a tree will be removed; and

(6) a tree survey overlay at the same scale as the plat of the property, which locates all trees by diameter breast height and species and identifies trees to be removed and trees to be retained. Dead or diseased trees shall be identified. Groups of trees in close proximity, (i.e., those within five feet of each other) may be designated as a clump of trees, with the predominant species, estimated number and average diameter indicated. All tree surveys shall be prepared by a licensed landscape architect, surveyor or engineer registered in South Carolina at

the owner's expense and shall have an accuracy of plus or minus three feet (±3'). The owner shall conspicuously tag the trees proposed to be removed with bright orange tape prior to submitting a tree removal permit.

(e) A tree removal permit shall not be required for the trimming or pruning of trees, provided that such activity is not so extensive as to constitute the removal of the tree(s) as defined herein above.

Sec. 5-4-62 Requirements for tree removal.

(a) Under the conditions and limits set forth herein below, trees may be removed from a lot or tract provided that a minimum density of 20 trees per acre is maintained.

(b) If the pre-removal density is less than 20 trees per acre, the zoning administrator may issue a permit for the removal of trees pursuant to the requirements and limitations set forth herein below.

(c) Except as provided in section 5-4-64, no significant tree may be removed from any lot or tract within the city.

(d) If the siting of a building footprint and the accessory driveway and parking areas requires the removal of trees to a density of less than 20 per acre, the zoning administrator may issue a permit to remove trees below such destiny under the following conditions:

(1) the applicant must demonstrate that, within the applicable setback requirements, no locations for a building and driveway/parking exist which comply with the 20 trees per acre requirement;

(2) removal of trees shall be limited to either the fewest number or the least total DBH necessary for siting of the building and the least destructive configuration of driveway/parking, as determined by the zoning administrator;

(3) except as provided herein below, no significant trees may be removed;

(4) upon completion of construction, trees shall be planted on the property to establish a density of not less than 20 trees per acre, or the pre-removal density if less than 20 per acre; such plantings shall be done pursuant to section 5-4-66.

Sec. 5-4-63 Removal of dead or diseased trees.

(a) As limited by sections 5-4-62 and 5-4-64, dead or diseased trees may be removed by the landowner pursuant to a tree removal permit.

(b) When a dead or diseased tree constitutes a hazard to life and/or property, or harbors insects or disease which constitute a substantial threat to other trees within the city, a permit for its removal may be issued even though its removal decreases the density of trees on a lot or parcel below the minimum density standards. Replacement of trees removed pursuant to this section is encouraged but not required.

(c) An owner seeking to remove a tree pursuant to this section shall submit written proof that the tree(s) to be removed meets the requirements of this section. When there is a question as to the viability or health of a tree for which a removal permit is requested pursuant to this section, the city may require that the applicant consult with, and provide documentation from, a forestry professional (urban forester) as a part of the permit process.

(d) The city shall have the right to cause the removal of dead or diseased trees when such trees constitute a hazard to life and/or property, or harbor insects or disease which constitute a substantial threat to other trees within the city. To require removal of dead or diseased trees pursuant to this section, the zoning administrator or his designee shall notify in writing the owner of any such tree, and shall require removal at the owner's expense within 60 days from the date of giving notification (by either personal delivery or certified mail to the owner's address listed on the Charleston County Auditor's records). In the event the owner fails to comply with such provisions, the city shall have the authority to remove any such tree and assess the cost of removal to the owner.

Sec. 5-4-64 Removal of significant trees.

(a) Significant trees may be trimmed, cut or removed only under the following circumstances:

(1) upon proof by the owner that trimming, cutting, or removal of a significant tree is necessary to make reasonable beneficial economic use of the property. Such proof must demonstrate that there is no feasible alternative that would preserve the tree, and must be made for each significant tree proposed for trimming, cutting, or removal.

(2) for improvements, expansion and/or new construction of infrastructure services, including systems for wastewater disposal, water distribution and streets, but only if no reasonable alternatives are available;

(3) for the removal of dead or diseased trees, pursuant to the requirements and procedures set forth in section 5-4-63;

(4) for the siting of one (1) single-family dwelling on a lot, provided that the applicant can demonstrate that there is no feasible alternative design or siting that would preserve the tree; or

(5) for the siting of a multi-family or commercial structure that meets one (1) of the exceptions set forth in subsections (1) through (4) above, or that has been previously approved in a conceptual site plan; provided that there is no feasible alternative that would preserve the tree, and provided further that removal of significant trees pursuant to this subsection shall be limited to either the fewest number of trees or the least total DBH necessary for siting of the building footprint(s) and the least destructive configuration of driveway/parking as determined by the zoning administrator.

Prior to the issuance of a permit for the cutting or removal of a significant tree, the zoning administrator shall confirm in writing that one or more of the circumstances enumerated herein above exist.

(b) The permit for cutting or removal of a significant tree shall require the owner to comply with the requirements set forth in sections 5-4-65 and 5-4-66 and the following additional conditions:

(1) each removed significant tree shall be replaced with two or more trees of the same or similar species. Each replacement tree shall have a minimum DBH of two and one-half (2½) inches and meeting the requirements of Section 5-4-66; such replacement tree shall be considered to be one tree for purposes of complying with the density requirements established in this article; and

(2) such other conditions in furtherance of the content of this Article as may be imposed by the zoning administrator.

Sec. 5-4-65 Tree protection during development.

(a) On each lot or tract on which construction is ongoing pursuant to a validly issued building permit, protective barricades shall be placed around all trees which are to be retained, and shall remain in place until all development activities are complete. Barricades shall be constructed using 2 X 4 wooden boards and crossbars, or materials which provide similar protection as approved by the zoning administrator. The areas lying within the protective barricades shall remain free of all building materials, dirt or other construction debris, vehicles and construction activities. Barricades shall be erected in accordance with requirements determined by the zoning administrator. Where practical, the zoning administrator shall require barricades be located according to the following standards:

(1) For each tree ten inches (10") or less DBH, protective barricades shall be placed a minimum distance of ten feet (10') from the base of each tree; and

(2) For trees greater than ten inches (10") DBH, protective barricades shall be placed a minimum distance from the base of each tree equal to ten feet (10') plus an additional one foot (1') for each additional one inch (1") DBH greater than ten inches (10") DBH.

(b) Construction within the protective barricade. Changes in grade or construction of impervious surfaces or utilities within a required protective barricade shall be permitted subject to the following guidelines:

(1) Changes in grade or construction within a protective barricade must be approved by the zoning administrator prior to beginning construction. Plans must be submitted which illustrate in detail protective measures to be used as described in Section 2.10 of Erosion and Sediment Control Practices for Developing Areas, by the South Carolina Land Resources Conservation Commission, Erosion and Sediment Control Division; and

(2) All tree roots outside the protective barricade to be removed during construction shall be severed clean and a two inch (2") layer of mulch shall be applied over the surface of exposed roots during development.

Sec. 5-4-66 Standards for tree planting and replacement.

(a) Pursuant to permit. Each tree planted and/or replaced pursuant to a tree permit in accordance with the requirements or this article shall have a minimum size of two and one-half inches (2½") caliper or twelve feet (12') in height at the time of planting and be the same species or a similar species which will provide similar or better environmental benefit to the tree being replaced. Palm trees shall not be permitted as replacements for canopy trees.

(b) Pursuant to citation of violation. If commercially available within the State of South Carolina, replacement trees planted pursuant to a citation of violation of this article shall be of the same type (species) and size (height and DBH) as the tree(s) being replaced. If not so available, the type and size of such replacement trees shall be as close to that of the tree(s) being replaced as is commercially available within the state.

(c) All replacement trees shall be vigorous, well shaped, branched and foliated, and shall be planted in accordance with the specifications described in Section 1.94 of Erosion and Sediment Control Practices for Developing Areas, by the South Carolina Land Resources Conservation Commission, Erosion and Sediment Control Division. The owner of the property shall be responsible for maintaining all remaining and replacement trees. The zoning administrator shall have the right to inspect any replacement tree one (1) year after planting to insure that it is surviving in healthy condition. A replacement tree found to be dead or in a declining condition as a result of negligence of the owner shall be replaced by the owner within thirty (30) days of notification from the zoning administrator, who shall then have the right to reinspect such tree one (1) year later.

Sec. 5-4-67 Penalties for unlawful removal of trees.

Any person who violates sections 5-4-61 through 5-4-66 of the city code shall be subject to the following fines and restrictions:

(1) Violation of this article shall be a misdemeanor, and shall be punished as provided in Section 1-3-66 of this code. Each day any violation of this article continues shall constitute a separate offense.

(2) In addition to the penalties imposed in subsection (1) herein above, the party or parties found to be in violation of this article shall be required to plant or replace trees, pursuant to the requirements of section 5-4-66(2); provided that this penalty shall not be imposed where the removal of trees occurred without a valid tree removal permit but was otherwise in compliance with the requirements of this article. The requirements of this subsection are mandatory, and shall apply regardless of any other penalties imposed for violations of this article.

(3) Where a violation of this article is associated with construction pursuant to a city zoning permit and/or building permit, a certificate of occupancy pursuant to section 5-4-101 of the city code shall not be issued until such violation has been remedied and trees are planted or replaced, pursuant to the requirements of section 5-4-66, as necessary to meet the requirements of this article. The requirements of this subsection are mandatory, and shall apply regardless of any other penalties imposed for this article.

Sec. 5-4-68 Appeals of tree permit actions.

Appeals of decisions and actions of the zoning administrator, or his designee pursuant to this article shall be made to the city's board of zoning appeals, pursuant to section 5-4-5 of the city code.

Sec. 5-4-69 Exceptions.

This article shall not apply to commercial timber operations or utility companies maintaining safe clearance around utility lines.

Sec. 5-4-70 Buffer yards.

(a) Any commercial, municipal or other non-residential use shall be separated and buffered from adjoining properties as follows:

(1) Abutting to residential property:

a. fifteen (15) foot landscaped buffer yard set back

b. eight (8) foot painted, wooden stockade fence; and

c. three (3) canopy trees and six (6) understory trees per 100 feet of frontage.

(2) Abutting to commercial property or abutting street with residentially zoned property across said street:

a. five (5) foot landscaped buffer yard set back

b. two (2) canopy trees and two (2) understory trees per 100 feet of frontage.

(b) Canopy trees shall be a minimum of two and one-half (2½) inches in caliper. Understory trees shall be a minimum of six (6) feet in height.

(c) Existing plant materials which satisfy the requirements of this section may be counted toward satisfying the requirements of this section.

(d) All buffer yards shall be seeded with lawn grass or other suitable ground cover.

(e) Structures may be substituted with approval of the planning commission.

(f) Landscaping shall be required on all new developments and any old building with renovation or remodeling equal to or greater than 25 percent of the building's appraised value.

(g) All required landscaping shall be completed prior to the issuance of a certificate of occupancy.

Sec. 5-4-71 through Sec. 5-4-80 reserved.

ARTICLE 4

Zoning Permit

Sec. 5-4-81 Zoning permit required.

Except as provided in section 5-4-85, a zoning permit issued by the zoning administrator is required in advance of:

(1) the issuance of a building permit;

(2) excavation prior to the construction of a structure for which a building permit is required;

(3) improving any property by grading, filling, excavating, or surfacing or by constructing driveways or by constructing or enlarging parking areas containing more than six (6) parking spaces in preparation for a new or changed use of the lot;

(4) changing the use of any part of a structure or lot, including any increase in the number of families or dwelling units occupying a building or zoning lot; and/or

(5) installation of a sign requiring a sign permit.

Sec. 5-4-82 Application for zoning permit.

Each application for a zoning permit shall be filed with the building official on a form furnished by him which form may contain an application for a certificate of occupancy and may be combined with the application for the building permit required under the building code. The application shall be signed by the owner or his duly authorized agent.

Sec. 5-4-83 Information required for zoning permit.

(a) In addition to such information as may be required in an application for a building permit under the building code, each application for a zoning permit shall be accompanied by a plan in duplicate, drawn to scale, superimposed on a plat or scaled plat of the lot/parcel or tract as approved by the building official showing:

(1) the shape and dimensions of the lot;

(2) the size and location of all existing structures;

(3) the lines within which any proposed structures shall be erected, altered, or moved; the locations of any officially approved building setback lines;

(4) the height of each proposed structure or any part thereof;

(5) the existing and proposed use of each structure and part thereof;

(6) the use of adjoining properties;

(7) the number of families or dwelling units in each existing building and the number that each proposed building is intended to accommodate;

(8) the size and location of all proposed driveways, off-street loading areas, and off-street parking areas containing more than six (6) parking spaces, if the zoning lot is in or contiguous to a residential district; and

(9) such other reasonable and pertinent information with regard to the zoning lot or neighboring lots as the building official may find necessary for the enforcement of this chapter.

(b) Each application for a zoning permit for a new structure, an addition to an existing structure, and/or the moving of a structure onto or within a zoning lot shall be accompanied by a plat of the lot in duplicate, drawn to scale, showing the lot's exact location, shape, and dimensions; if the lot does not consist solely of one (1) or more entire lots in an approved recorded plat, the application plat shall be based on a new, approved survey of the lot.

(c) All plats and plans shall bear the signature of the owner or his duly authorized agent and shall reference, directly or separately, the date and application number for plat approval in addition to the recorded book, page and date in the Charleston County R.M.C., Office. One (1) copy of each plat and plan shall be retained by the building official as a public record.

Sec. 5-4-84 Action on application for zoning permit.

(a) When the zoning administrator receives an application for a zoning permit whose proposed improvement and use described and illustrated conforms to all requirements of this chapter, he shall issue a zoning permit and return a signed copy of the application, including plan, to the applicant within 10 days of receipt of the application.

(b) When the zoning administrator receives an application for a zoning permit whose proposed improvement and use described and illustrated does not conform to this chapter, he shall not issue a zoning permit, but shall within 10 days of receipt of the application return the application, including plan, to the applicant with his denial of the permit. The denial shall state the reasons therefor, and shall cite the particular sections of this chapter with which the application does not comply.

(c) When the application for zoning permit includes a request for a variance or is an appeal from an administrative decision, the zoning administrator shall within 10 days of receipt, deliver such application together with all supporting information to the Board of Zoning Appeals for hearing. Upon receipt of a written order from the board after hearing, the zoning administrator shall comply with any ordered action within five (5) days of receipt of the order.

Sec. 5-4-85 Conditions of the zoning permit.

(a) After a zoning permit is issued for construction requiring a building permit, the building official shall issue a building permit when the requirements of the building code have been met.

(b) After a zoning permit is issued for a use or construction not requiring a building permit, the applicant may proceed to carry out the improvement described in the zoning permit and approved.

(c) Any zoning permit issued for construction requiring a building permit shall become invalid if a building permit is not issued within six (6) months after the issuance of the zoning permit. Any zoning permit

issued for a use or construction not requiring a building permit shall become invalid if the development authorized by it is not commenced within six (6) months of its issuance or if the work or development authorized by such permit is suspended or abandoned for a period of one (1) year after the work or development is commenced; provided that extensions of time for successive periods of 90 days each shall be allowed in writing by the building official if timely applied for. No more than six (6) such 90 day extensions shall be allowed.

Sec. 5-4-86 through 5-4-100 reserved.

ARTICLE 5

Certificate of Occupancy

Sec. 5-4-101 Certificate of occupancy required.

(a) No structure or zoning lot or part thereof for which a zoning permit has been issued shall be used or occupied until the building official has, after final inspection, issued a certificate of occupancy indicating that compliance has been made with all the requirements of this chapter's zoning permit, and subdivision regulations when applicable. Such certificates may be combined with or made a part of the certificate of occupancy required under the building code.

(b) Except for temporary electrical and water service utilized during construction on a lot, no electrical, gas, telephone, or cable televison or other utility service shall be provided to the property until the Building Official has issued a certificate of occupancy.

Sec. 5-4-102 through 5-4-110 reserved.

ARTICLE 6

Parking and Loading

Sec. 5-4-111 Purpose of requirements.

Unless otherwise stated in this chapter, areas suitable for parking or storing automobiles in off-street locations shall be required in all zoning districts at the time of the initial construction of any principal building; or when a structural alteration or other change in a principal building results in an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or which changes the use so as to require more parking to serve such use, or when a change in use occurs. Such off-street parking area shall have direct access to a street or alley, and shall be landscaped in accordance with a plan as approved by the zoning administrator.

Sec. 5-4-112 Required parking spaces.

The number of off-street parking spaces shall be calculated on the basis of the use of the land or principal building on a lot, according to requirements indicated in columns 2 and 3:

Column 1	Column 2	Column 3
USE OR USE CATEGORY	PARKING SPACES REQUIRED	ADDITIONAL REQUIREMENTS
Residential Uses:		
One-family dwelling	1 space (does not have to be paved)	
Two-family dwelling	2 spaces (same as above)	
Multi-family dwelling townhouse/condominium	2 spaces per dwelling unit	
Boarding rooming house	1 space per each sleeping room	Plus 1 space per employee
Group dwelling	space per each 2 bedrooms	
Public and Semi-Public Uses:		
Medical and dental office office and out-patient clinic	1 space per each 200 square feet of gross floor space (minimum of 4 spaces)	

Column 1 USE OR USE CATEGORY	Column 2 PARKING SPACES REQUIRED	Column 3 ADDITIONAL REQUIREMENTS
Church or other places of worship	1 space per 5 fixed seats in main assembly hall	Or 5 spaces per classroom whichever is greater
Places of public assembly or recreation containing main assembly room	1 space per each 100 square feet of gross floor area in the main assembly room	
Country club or golf club	1 space per each 5 members	Plus 1 space / 2 employees
Library, museum, art gallery or similar building	10 spaces	Plus 1 space per ea. 500 sq. ft. of floor area
Club, fraternity, sorority or lodge	1 space per sleeping room or suite	Or 1 space/5 members whichever is greater, 1 space per ea. 3 employees
Commercial Uses:		
Office buildings	1 space per 300 ft. of gross floor area (4 spaces minimum)	
Bank, savings & loan or similar lending establishment	1 space per ea. 200 sq. ft. of gross floor space	
Service or repair establishments	1 space per ea. 250 sq. ft. of gross floor area not used for storage	
Retail business not otherwise specifically mentioned	1 space per ea. 250 sq. ft. of gross gross retail floor space not used for storage (3 spaces minimum)	Plus 1 space per employee
Theater, night club, bar and similar places of assembly	2 spaces per each 4 seating accommodations	Plus 1 space per each 3 employees on shift of greatest employment
Automobile service stations	1 space per employee but in all cases, a minimum of 5 spaces	Plus 1 space per ea. grease rack or wash rack

Column 1	Column 2	Column 3
USE OR USE CATEGORY	PARKING SPACES REQUIRED	ADDITIONAL REQUIREMENTS
Motel, hotel and tourist court	1 space per sleeping room or suite	Plus 1 space per ea. 3 employees
Furniture, home furnishings, appliance, machinery, equipment, automotive farm & boat sales & service	1 space per 300 sq. ft. of retail floor area (3 spaces minimum)	Except that automobile sales & service must have 10 spaces min.
Shopping center	5.5 spaces per 1,000 sq. ft. of gross leaseable area	
Restaurant	1 space per ea. 4 seats	Plus 1 space per ea. 3 employees on shift of greatest employment
Drive-in restaurant	1 space per ea. 35 sq. ft. of gross building area	Plus 1 space per ea. 3 employees on shift of greatest employment
Take-out restaurant	1 space per ea. 100 sq. ft. of gross building area	Plus 1 space per ea. 3 employees on shift of greatest employment

Sec. 5-4-113 Application of parking requirements.

(a) Location of off-street parking areas. Except as provided in section 5-4-115, all parking spaces required herein shall be located on the same lot with the principal building or use or uses served.

(b) Mixed uses. Where more than one principal or accessory use or uses, whether with the same or different parking requirements, occupy the same building or premises or in the case of joint use of a building or premises, by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

(c) Change in use, alteration of use, or extension of use. Off-street parking spaces shall be provided in accordance with these regulations whenever a building or use is changed, altered,

or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise.

(d) Requirements for uses not specifically listed. The parking space requirements for a use not specifically listed in section 5-4-112 shall be the same as for a listed use of similar characteristics of parking demand, as determined by the zoning administrator.

(e) Compilation of total employment. Except as otherwise provided, the number of employees shall determined based on the maximum number of employees at the premises at any one time on an average day or average night, whichever number is greater. Seasonal variations in employment may be considered in determining an average day.

(f) Fractional computation. Where fractional spaces result, the parking spaces required shall be construed to be the next higher whole number.

Sec. 5-4-114 Area and paving required for parking spaces.

Excluding aisles, maneuvering space, turn-around space, and drives, each required off-street parking area, lot, or other facility shall contain a minimum of 180 square feet, nine (9) feet in width and 20 feet in length for each automobile to be accommodated. No parking or maneuvering area shall be located in any public right-of-way. Off-street parking spaces are not required to be paved. A scale drawing or layout of all required parking areas showing the location, size, and arrangement of the individual parking spaces, loading spaces, drives, lighting diagram and landscaped areas and the type of surface material used in the parking and drive areas shall be submitted to the zoning administrator for his approval.

Sec. 5-4-115 Joint use of off-street parking areas.

Two or more principal uses may utilize a common area in order to comply with off-street parking requirements, provided that the total number of individual parking spaces available in such common area is not less than the sum of the parking spaces required for the individual uses as separately computed in accordance with the provisions of this section, and provided that where such space is not located on the same lot as the principal use or uses, the owner of such space relinquishes through a covenant agreement with the city his development rights over the property until such time as parking space is provided elsewhere or on the same premises as the principal use or uses.

Sec. 5-4-116 Off-street loading area required.

Areas suitable for loading and unloading motor vehicles in off-street locations and specifically designated for such purpose, shall hereafter be required at the time of the initial construction or alteration or conversion of any building or structure used or arranged to be used for commercial, industrial, governmental, or multi-family residential purposes. Such off-street

areas shall have access to a public alley or street and shall be provided and maintained in accordance with the following requirements, the computation of which shall not be included in the off-street parking requirements.

Sec. 5-4-117 Number of off-street loading spaces required.

The number of off-street loading spaces shall be calculated on the basis of the use of the land or principal building on a lot, according to the requirements indicated in this section.

TYPE OF USE	SQ. FT. IN TOTAL FLOOR AREA	SPACES REQUIRED
Retail and personal service establishments	0-1,999	None
	2,000-24,999	1
	For each add'l 25,000	1 additional
Wholesale, manufacturing, governmental & institutional (incl. places of public assembly), educational institution, recreation, business, service, terminal & similar business uses	0-24,000	None
	25,000-49,999	1
	50,000-99,000	2
	100,000-249,000	3
	250,000-999,000	4
	1,000,000 or more	5
Offices or office buildings	0-4,999	None
	5,000-9,999	1
	10,000-20,000	2
	For each additional 50,000	1 additional
Multi-family dwelling project, mobile home development, hotel motel, tourist home, or similar establishment	0-9 units	None
	10-20 units	1
	For each additional 10 units	1 additional

Sec. 5-4-118 Amount of area required for each loading space.

Each off-street loading and unloading space required by the provisions of this chapter shall be at least 12 feet wide, 40 feet long and 14 feet high. Such space shall be clear and free of obstruction at all times.

Sec. 5-4-119 Location of off-street loading areas.

Required off-street loading and unloading areas must be located on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading

space be considered as part of the area provided to comply with off-street parking requirements as stated herein.

Sec. 5-4-120 Loading area.

All uses, whether or not specified in this chapter, shall provide off-street loading areas. Loading areas shall be located so that no vehicle being loaded or unloaded in connection with normal operations shall obstruct or project into a public street, walk, alley or way.

Sec 5-4-121 through 130 reserved

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ARTICLE 7

Signs

Sec. 5-4-131 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 proper 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 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 legal non-conforming signs and shall be subject to the provisions of Section 5-4-49. 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 non-conforming signs and shall be subject to removal by the City of Isle of Palms as prescribed in Section 5-4-140.

Sec. 5-4-132 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 such signs, shall be exempt from the permit requirement.

(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 5-4-133 Definitions.

(a) Sign. A structure or device designed or intended to attract attention to, or convey information to, or co 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) Awning or canopy sign. A sign that is mounted, painted, or attached to an awning or canopy. See Figure H-1.

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

(3) 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.

(4) 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.

(5) 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.

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

(7) 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.

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

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

(10) 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.

(11) 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.

(12) Permanent Real Estate Rental Signs. A sign that advertises real estate for rent for a term of less than one year and which is not removed from view at the time of each rental.

(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 5-4-134 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 letter 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 5-4-135 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 Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, or its successor, 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 and any other agency having jurisdiction over the subject area.

(2) Setback from right-of-way. All free-standing signs must be set back at least five (5) feet from the street right-of-way. Awning, canopy or 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 glare hazardous to pedestrians or auto drivers or so as to create a nuisance to adjacent residential area. Illuminated signs within residential zoning districts must be shielded to prevent illumination from being case into residences within 100 feet thereof. Neon signs are considered excessive and are prohibited, except that one neon "Open" and one neon "Closed" sign shall be allowed for each business.

Section 5-4-136 Sign regulations for SR-1, SR-2 and PDD 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) Permanent Real Estate Rental Signs. One sign with surface dimensions not exceeding eighteen and one-half (18.5") inches in width and twelve and ½ (12.5") inches in height, with an maximum sign height of forty (40") inches, and attached to the building or mounted on a post or rod. Such signs shall not be located closer than five (5') feet to the boundary of the right-of-way of any abutting street, road or alley.

(c) Churches or other institutional uses. One sign, bulletin, or announcement board, or entrance marker for each lot or parcel not exceeding twenty (20) square feet in sign area, except that if the street frontage of such lot or parcel 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 such lot or parcel. No such sign shall exceed a height of seven (7) feet.

(d) Commercial and recreational uses within the PDD. Buildings used for commercial or recreational uses within the PDD may have canopy or awning signs with a maximum sign area on each awning or canopy of three (3) square feet. (Ord. No. 1994-13, 8/30/94)

(e) 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.

(f) 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 5-4-137 Sign regulations for LC, GC-1, GC-2 and MF districts.

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

(1) A lot containing a structure with more than 30,000 square feet of heated floor space shall be permitted one free-standing sign. Such 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) A lot containing a structure with 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:

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:

Any combination of wall signs, projecting signs, awning or canopy signs with a total sign area shown below is permitted except that the maximum sign area permitted on each awning or canopy is three (3) square feet. 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 bldg(s) for lot with 50 or less of frontage	Total sign area allowed on bldg(s) for lot with more than 50' frontage; sq. ft. per frontage ft.
0-99 feet	50 sq. feet	1 sq. foot

100 feet or more	100 sq. feet	2 sq. feet

(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 5-4-138 Temporary signs.

The following types of signs are classified as "temporary signs", and are allowed 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) Signs advertising real estate for sale or for rent for a term of one year or more shall comply with the following requirements:

1) No more than one sign advertising real estate for sale and one sign advertising real estate for rent shall be allowed per parcel of land. Provided, however that no temporary for rent sign is allowed on a property which has a Permanent Real Estate Sign displayed. No off-premises signs advertising real estate for sale or for rent are allowed except that one "open house" sign may be placed on the shoulder of a street right-of-way between the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays, and City legal holidays.

2) No sign shall exceed a maximum surface area of five (5) square feet in any zoning district.

3) No on-premises sign shall be located closer than five (5) feet to the boundary of the right-of-way of any abutting street, road or alley.

4) No sign located in any zoning district shall have a height greater than five (5) feet.

5) Any such signs shall be removed from view within fourteen (14) days from the date of the closing of the sale or the renting of the property, as applicable.

6) The Zoning Administrator shall give one written warning to the owner of any sign placed in violation of this subsection (c).

7) Any person violating any provision of this subsection (c) at any property after written warning from the Zoning Administrator shall be guilty of a misdemeanor and punished as follows:

a) For a first offense, by a fine of Twenty ($20.00) Dollars.

b) For a second and each subsequent offense, by a fine of Fifty ($50.00) Dollars.

c) Each day of such violation shall constitute a separate offense.

d) Any violation hereunder, with or without warning, shall result in the immediate confiscation of all signs placed in violation hereof.

8) No City business license shall be issued or renewed until all fines outstanding against the applicant are paid in full.

(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.

(e) Signs announcing civic, recreational, 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.

(f) 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 5-4-139 Application requirements.

The Building Department of the City of Isle of Palms is authorized to grant permits for repair, alteration, erection or placement of signs upon demonstration by the applicant that the

sign or signs comply with the regulations of this Article. Applicants 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 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 5-4-140 Enforcement.

(a) The zoning 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 zoning administrator 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 zoning administrator is authorized to remove the sign without notice to the owner thereof.

(c) For signs on private property: Where it is determined by the zoning administrator 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 zoning administrator shall notify the owner of the violation. If the violation is not corrected within two (2) business days following notification, the zoning administrator may have the sign removed, and the land owner will be charged for the costs incurred by the city. The city may place a lien upon such owner's property and foreclose the same to collect the charges.

Section 5-4-141 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 of 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 exit way.

(10) Any sign or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic 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 and any other governmental agency having jurisdiction over the subject area.

(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.

Sections 5-4-142 through 5-4-150 reserved.

ARTICLE 8

Flood Damage Prevention

§ 5-4-151 Statutory authorization.
§ 5-4-153 Findings of fact.
§ 5-4-153 Statement of purpose.
§ 5-4-154 Objectives.
§ 5-4-155 Definitions.
§ 5-4-156 Areas in which this chapter applies.
§ 5-4-157 Basis for establishing the areas of special flood hazard.
§ 5-4-158 Establishment of building and/or zoning permit.
§ 5-4-159 Compliance.
§ 5-4-160 Abrogation and greater restrictions.
§ 5-4-161 Interpretation.
§ 5-4-162 Warning and disclaimer of liability.
§ 5-4-163 Penalties for violation.
§ 5-4-164 Administration; designation of building official.
§ 5-4-165 Permit procedures.
§ 5-4-166 Duties and responsibilities of the building official.
§ 5-4-167 Variance procedures.
§ 5-4-168 Provisions for flood hazard reduction; general standards.
§ 5-4-169 Same; specific standards.

Sec. 5-4-151 Statutory authorization.

Pursuant to section 6-29-710, Code of Laws of South Carolina (1976), as amended, the Legislature of the State of South Carolina has delegated the authority to local governments to adopt regulations designed to protect against and secure safety from floods. Therefore, the City Council hereby adopts the following provisions.

Sec. 5-4-152 Findings of fact.

(a) The flood hazard areas of the city are subject to periodic inundation which can result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affects the public health, safety and general welfare.

(b) These flood losses are caused by the cumulative effect of obstructions in flood plains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

Sec. 5-4-153 Statement of purpose.

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

(1) restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

(2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(3) control the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters; and

(4) regulate developments which may increase erosion or flood damage; and, regulate the construction of structures which will unnaturally divert flood waters which may increase flood hazards to other lands.

Sec. 5--4-154 Objectives.

The objectives of this article are:

(1) to protect human life and health;

(2) to minimize expenditure of public money for costly flood control projects;

(3) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(4) to minimize prolonged business interruptions;

(5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains;

(6) to help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;

(7) to encourage notification to potential real property buyers that a property is located in a special flood hazard area..

Sec. 5-4-155 Definitions.

For purposes of this Article, the following words and terms are defined as follows:

(1) Appeal: a request for a review of the building official's interpretation of any provisions of this chapter or a request for a variance.

(2) Area of special flood hazard: the land in the flood plain within a community subject to a one percent (1%) or greater chance of flooding in any given year.

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

(4) Base flood elevation: the water surface elevations of the base flood as determined by the Federal Insurance Administrator of the national Flood Insurance Program.

(5) Basement: any area of the building having its floor subgrade (below ground level) on all sides.

(6) Building: any structure built for support, shelter, or enclosure for any occupancy or storage.

(7) Coastal high hazard area: an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

(8) Development: any man-made change to improved or unimproved real estate, including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

(9) Expansion to an existing manufactured home park or manufactured home subdivision: the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets). Any expansion is considered "new construction".

(10) Fair market value of a structure: (i) the appraised value of the structure prior to the start of the initial repair or improvement, or (ii) in the case of damage, the appraised value of the structure prior to the damage occurring.

(11) Flood or flooding: a general and temporary condition of partial or complete inundation of normally dry land areas from:

a. the overflow of inland or tidal waters;

b. the unusual and rapid accumulation of runoff of surface waters from any source.

(12) Flood Hazard Boundary Map (FHBM): an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

(13) Flood Insurance Rate Map (FIRM): an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

(14) Flood Insurance Study: the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary-Floodway Map and the water surface elevation of the base flood.

(15) Floor: the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

(16) Functionally dependent use: a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking or port facilities necessary for the loading and unloading of cargo or passengers, shipbuilding and ship repair facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

(17) Highest adjacent grade: the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

(18) Mean sea level: the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. For purposes of this chapter the term is synonymous with National Geodetic Vertical Datum (NGVD).

(19) Manufactured home: a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

(20) National Geodetic Vertical Datum (NGVD) (as corrected in 1929): a vertical control used as reference for establishing varying elevations within the flood plain.

(21) New construction: structures for which the "start of construction" commenced on or after the effective date of this chapter.

(22) New manufactured home park or manufactured home subdivision: a parcel or contiguous parcels of land divided into two (2) or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this chapter.

(23) Sand dunes: naturally occurring or man-made accumulations of sand in ridges or mounds landward of the active beach.

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

(25) Structure: a walled and roofed building that is principally above ground, a manufactured home or a gas or liquid storage tank.

(26) Substantial damage: damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition equals or exceed 50 percent of the fair market value of the structure before the damage occurred.

(27) Substantial improvement: any combination of repairs, reconstruction, alteration, additions or improvements to a structure occurring within a continuous period of five (5) years, measured from the date of the start of construction of improvement in which the cumulative cost equals or exceeds fifty percent (50%) of the fair market value of the structure before the start of construction. The term does not, however, include either (i) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications identified by the Building Official which are the minimum necessary to assure safe living conditions, or (ii) any alteration of a structure listed on a National Register of Historic Places or a State Inventory of Historic Places provided that the alteration will not preclude the structure's continued designation a "historic structure".

(28) Variance: a grant of relief to a property owner from the requirements of this article which permits construction in a manner otherwise prohibited by this Article where specific enforcement would result in unnecessary hardship to the owner.

Sec. 5-4-156 Areas in which this chapter applies.

This article applies to all property in the City designated as areas of special flood hazard by the National Flood Insurance Program, as amended.

Sec. 5-4-157 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency in its latest FIRM, with accompanying maps and other supporting data, which are adopted herein by reference thereto and declared to be a part of this chapter.

Sec. 5-4-158 Establishment of building and/or zoning permit.

A building/zoning permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities.

Sec. 5-4-159 Compliance.

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this chapter and other applicable regulations.

Sec. 5-4-160 Abrogation and greater restrictions.

Where this article and any other provision of the City Code conflict or overlap, whichever provision imposes the more stringent restrictions shall prevail. If two (2) or more flood zones transect a structure, the structure shall conform to the most stringent zone.

Sec. 5-4-161 Interpretation.

(a) In the interpretation and application of this article all provisions shall be:

(1) considered a minimum requirement;

(2) liberally construed in favor of the governing body; and

(3) deemed neither to limit nor repeal any other powers granted under state statutes.

(b) In the event any section, subsection, sentence, clause or phrase contained in this chapter shall be declared or adjudicated to be invalid or unconstitutional by a court of competent jurisdiction, all the remaining provisions of this chapter shall be and remain in full force and effect.

Sec. 5-4-162 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This chapter shall not create liability on the part of the city or by any officer or employee thereof for any flood damage that results from reliance on or compliance with this chapter or any administrative decision made hereunder.

Sec. 5-4-163 Penalties for violation.

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be punished as provided in Section 1-3-66 of this code, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent, enjoin or remedy any violation.

Sec. 5-4-164 Administration; designation of building official.

The building official is hereby appointed to administer and implement the provisions of this article.

Sec. 5-4-165 Permit procedures.

Application for a building/zoning permit shall be made to the building official on forms provided by him, prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following information is required:

(1) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.

(2) Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed.

(3) A certificate from a registered professional engineer or architect that the non-residential flood-proofed structure meets the flood-proofing criteria in section 5-2-19(2).

(4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(5) A floor elevation or flood-proofing certification after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to coastal high hazard areas, after placement of the horizontal structural members of the lowest floor. Within 21 calendar days of establishment of the lowest floor elevation, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the building official a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest habitable floor, whichever is applicable, as built, in relation to the mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the 21 calendar period and prior to submission of the certification shall be at the permit holder's risk. The building official shall review the floor elevation survey date submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby may result in the issuance of a stop-work order for the project from the Building Official.

Sec. 5-4-166 Duties and responsibilities of the building official.

Duties of the building official shall include, but not be limited to, the following:

(1) Review all building and zoning permits to assure compliance with this chapter.

(2) Advise permittees that additional federal or state or city permits may be required, and, if specific federal or state or city permits are known to the Building Official, require that copies of such be provided and maintained on file with the building/zoning permit.

(3) Notify adjacent communities and the State Coordinator, Flood Mitigation Program, S.C. Land, Water and Conservation Division of the South Carolina Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

(5) Verify and record the actual elevation (in relation to mean seal level) of the lowest floor (including basement) of all new or substantially improved structures, in accordance with section 5-4-165 (5).

(6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with section 5-2-15(5).

(7) In coastal high hazard areas, certification shall be obtained from a registered professional engineer or architect that the structure is securely anchored to adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave-wash.

(8) In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section 5-2-19(4)h.

(9) When flood-proofing is utilized for a particular structure, the building official shall require certification from a registered professional engineer or architect.

(10) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the building official shall make the necessary interpretation.

(11) When a base flood elevation data has not been provided in accordance with section 5-2-157, then the building official shall obtain, review, and utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of sections 5-4-168 through 5-4-170.

(12) Before a certificate of occupancy is issued for a structure, the building official shall inspect the premises to assure that the requirements of this chapter have been met.

(13) All records pertaining to the provisions of this chapter shall be maintained in the office of the city clerk and shall be made available for public inspection.

Sec. 5-4-167 Variance procedures.

(a) The City's Board of Zoning Appeals shall hear and decide appeals and requests for variances hereunder.

(b) The Board of Zoning Appeals shall hear and decide appeals when it is alleged that there is an error in any requirements, decisions, or determinations made by the building official in the enforcement or administration of this Article.

(c) Any person aggrieved by the decision of the board may appeal such decision to a court of competent jurisdiction as provided by law.

(d) Notwithstanding any other provision in this article to the contrary, variances may be issued for repair or rehabilitation of historic structures listed on the National Register of Historic Places or the State Inventory of Historic Places upon a finding by the board that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(e) In considering appeals or request for variances, the board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article and:

(1) the danger that materials may be swept onto other lands to the injury of others;

(2) the danger to life and property due to flooding or erosion damage;

(3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(4) the importance to the community of the services provided by the proposed facility;

(5) the necessity to the facility of a waterfront location, where applicable;

(6) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(7) the compatibility of the proposed use with existing and anticipated development;

(8) the relationship of the proposed use to the comprehensive plan and flood plan management program for that area;

(9) the safety of access to the property during floods for emergency and non-emergency vehicles;

(10) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

(11) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

(f) The board may attach such conditions to the granting of a variance hereunder as it deems necessary to further the purposes of this Article.

(g) Variances shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

(h) Requirements for variances.

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) Variances shall only be issued upon (i) a showing of good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant; and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(3) Any applicant to whom a variance is granted shall be given written notice by the board that the issuance of a variance to construct a structure below the base flood level will result in substantially increased premium rates for the flood insurance as specified by the federal law.

(4) The city clerk shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency as required by law.

Sec. 5-4-168 General standards.

In all areas of special flood hazard the following provisions are required:

(a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(b) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(c) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.

(d) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

(f) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(g) Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this chapter, shall meet the requirements of "new construction" as contained in this chapter.

(h) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during flooding.

Sec. 5-4-169 Specific standards.

In all areas of special flood hazard where base flood elevation date has been provided as set forth in section 5-4-157, or section 5-4-166 (11), the following provisions are required:

(a) Residential construction. New construction, substantial improvement or the repair of substantial damage of any residential structure shall have the lowest floor, including basement, elevated no lower than the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwater shall be provided.

(b) Non-residential construction. New construction , substantial improvement or the repair of substantial damage of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated no lower than the level of the base flood elevation. Structures located in A-zones may be flood-proofed in lieu of elevation provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in section 5-4-169(c) below.

(c) Elevated buildings. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

1. a minimum of two openings having a total net area of not less than one square inch per square foot of enclosed area subject to flooding shall be provided. For the purpose of compliance with this article, windows are not included;

2 the bottom of all opening shall be no higher than one (1) foot above grade;

3. openings may be equipped with screens, louvers, valves or other coverings or devices, provided they permit the unimpeded entry and exit of floodwaters

4. the interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

(d) Temporary structure. No temporary structures shall be placed in a floodway or coastal high hazard area, or in any area of special flood hazard within the corporate limits of the city unless a permit is obtained from the zoning administrator. No such permit shall be issued unless the latest FEMA guidelines regarding such structures are met.

(e) Coastal high hazard areas (V zones). Located within the areas of special flood hazard established in section 5-4-157 are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave-wash, therefore, the following provisions shall apply:

1 All new construction and substantial improvement shall be located landward of the reach of the mean high tide.

2 All new construction and substantial improvement shall be elevated so that the lowest support horizontal member (excluding pilings or columns) is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action and in accordance with section 5-4-169(e) 8.

3 All new construction and substantial improvement shall be securely anchored on pilings or columns.

4. All pile and column foundations and structures attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to the effect of wind and water loads acting simultaneously on all building components. Water loading values shall equal or exceed the base flood. Wind loading values shall equal or exceed the base flood. Wind loading values shall be in accordance with the latest edition of the Standard Building Code..

5 Compliance with provisions contained in this section 5-4-169 (e) 2 and 4. shall be certified by a licensed professional engineer or architect.

6. There shall be no fill used as structural support.

7. There shall be no alteration of sand dunes, which would increase potential flood damage.

8. Lattice work or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to breakaway, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:

a no solid walls are allowed; and

b materials shall consist of open wooden lattice or insect screening intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

9. If aesthetic lattice works or screening are utilized, such enclosed space shall not be used for human habitation.

10. Prior to construction, plans for any structure that will have lattice work or decorative screening must be submitted to the building official for approval.

11. Any alteration, repair, reconstruction or improvement to a structure shall not enclose the space below the lowest floor except for lattice work or decorative screening, as provided for in section 5-4-169(5) 8. and 9.

ORDINANCE 1999-26

AN ORDINANCE GRANTING TO COMCAST CABLEVISION OF CAROLINA, INC. A FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN A BROADBAND CABLE COMMUNICATIONS SYSTEM IN THE CITY OF ISLE OF PALMS, SOUTH CAROLINA: SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE: PROVIDING FOR THE REGULATION AND USE OF THE FRANCHISE, PROVIDING FOR PAYMENT TO THE CITY FOR THE PRIVILEGE OF SAID FRANCHISE, AND PRESCRIBING PENALTIES FOR VIOLATION OF THE FRANCHISE PROVISIONS.

WHEREAS, pursuant to S.C. Code of Laws, 1976, 58-12-10, et seq, and in compliance thereto, City Council for the City of Isle of Palms, S.C. hereby exercises its power and authority to regulate the operation of any cable television system which serves customers within the City of Isle of Palms; and

WHEREAS, Comcast Cablevision of Carolina, Inc. a South Carolina Corporation, has heretofore submitted plans and qualifications, and has requested that City Council grant a Franchise to it to build and operate a cable television system with the City of Isle of Palms; and

WHEREAS, following public notice, the City Council of the City of Isle of Palms held a public hearing on such franchise request and the qualifications of the applicant, at which time representatives of the applicant and interested citizens were given an opportunity to be heard in a public proceeding affording due process; and

WHEREAS, City Council finds from all the evidence that Comcast Cablevision of Carolina, Inc. fully meets all the legal, character, financial, and technical qualifications, as well as all other qualifications, necessary to assure that the City will be provided with a sufficient and adequate cable television system and that the construction arrangements in existence and proposed by Comcast Cablevision of Carolina, Inc. are adequate and feasible and further finds that the Franchise should be granted in accordance with terms and conditions set out in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED :

SECTION 1. Short Title. This Ordinance shall be known and may be cited as the "The City of Isle of Palms Cable Television Ordinance".

SECTION 2. Definitions. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein, unless the context clearly indicates that another meaning is intended. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the

singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(1) "Affiliate" means a parent, subsidiary, or other entity under common control or ownership of the Grantee.

(2) "Agency" means the City Administrator, or his designee.

(3) "Auxiliary Services" means any communications service in addition to "Basic Subscriber Services", including, but not limited to Pay TV, burglar alarm service, data transmission, facsimile service, home shopping service, specialized programming for which a per-channel charge is made, etc.

(4) "Basic Cable Service" means any service tier which includes the retransmission of local television broadcast signals (FCC Section 602.[3]).

(5) "Broadband Communications System" is a facility that distributes communications services including, but not limited to any facility that in whole or part, receives directly, or indirectly, over the air, and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more television or radio stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service.

(6) "Cable Act" means the Cable Communications Policy Act of 1984, 47 U.S.C. § 521, et. seq., and any amendments thereto, including but not limited to the 1996 Federal Telecommunications Act, and the Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385, 106 Stat. 1460 (1992).

"Cable Service" is: (A) the one-way transmission to Customers of (i) video programming, or (ii) other programming service, and (B) Customer interaction, if any, which is required for the selection or use of such video programming or other programming service.

"Cable System" means a facility, consisting of a set of closed transmission paths and associated signal generation, reception, and control equipment that is designed to provide Cable Service which includes video programming and which is provided to multiple Customers within a community, but such term does not include (A) a facility that serves only to retransmit the television signals of one or more television broadcast stations; (B) a facility that serves Customers without using any public right-of-way; (C) a facility of a common carrier which is subject, in whole or in part, to the provisions of Title II of the Cable Act, except that such facility shall be considered a Cable System (other than for purposes of Section 621 (c) to the extent such facility is used in the transmission of video programming directly to Customers, unless the extent of such use is solely to provide interactive on-demand service; (D) an open video system that complies with section 653 of the Cable Act; or (E) any facilities of any electric utility used solely

for operating its electric utility systems.

(7) "Channel" is a band of frequencies 6 megahertz wide in the electromagnetic spectrum capable of carrying either one audio-visual television signal and a few non-video signals or a large number of non-video signals.

(8) "Federal Communications Commission", or "FCC", is the present federal agency of that name as constituted by the Cable Communications Act of 1934, or any successor agency created by the United States Congress.

(9) "Franchise" is an authorization granted by the City Council which permits the construction, operation and maintenance of a cable television system within the Franchise Area under the terms of this Ordinance.

(10) "Franchise Area" means that portion of the Franchise Entity for which a Franchise is granted under the authority of this Ordinance. The Franchise Area may, or may not, be conterminous with the Franchise Entity.

(11) "Franchise Authority" is the City Council of the City of Isle of Palms, South Carolina.

(12) "Franchise Entity" is the City of Isle of Palms, South Carolina, as presently constituted and including any area henceforth annexed thereto during the term of the Franchise granted hereunder.

(13) "Grantee" is Comcast Cablevision of Carolina, Inc. or any person who succeeds it in accordance with the provision of this Franchise, and such other legal entity as may be awarded a Franchise hereunder.

(14) "Gross Revenue" means any and all revenue actually received from the provision of Cable Service over the Cable System within the Franchise Area. "Gross Revenue" shall include monthly basic, premium and pay-per-view service fees, installation fees, and converter rental fees, but shall not include bad debt nor any taxes imposed and/or assessed by law on Subscribers that the Grantee collects and pays in full to the applicable authority.

(15) "Major Shareholder" is a beneficial owner, directly or indirectly of twenty (20%) percent or more of the issued and outstanding voting stock of any corporation.

(16) "Person" or "Persons" means people, firms, corporations, associations, or other legally recognized entities.

(17) "Public Street" is the surface of and the space above and below any public street, avenue, highway, boulevard, concourse, driveway, bridge, tunnel, park, parkway,

waterway, dock, bulkhead, wharf, pier, alley, right-of-way, public utility easement, and any other public ground or water within or belonging to the Franchise Entity.

(18) "Service tier" means a category of cable services or other services provided by the Grantee and for which a separate rate is charged by the Grantee (FCC Section 602[16]).

(19) "Subscriber" means any Person or user of the Cable System who lawfully receives Cable Service therefrom with the Grantee's express permission.

SECTION 3. Grant of Authority. There is hereby granted to Comcast Cablevision of Carolina, Inc., a South Carolina Corporation, the right to operate a Broadband Communications System which serves customers in the Franchise Area, and the right, privilege and Franchise to have, acquire, construct, reconstruct, maintain, use and operate in the Franchise Area a Cable System, and to have, acquire, construct, reconstruct, maintain, use and operate in, over, under and along the present and future streets of the Franchise Area as well as other easements and right-of-way held by the City all necessary or desirable poles, towers, anchors, wires, cables, electronic conductors, underground conduits, manholes and other structures and appurtenances necessary for the construction, maintenance and operation of a Cable System in the Franchise Area of the City. Nothing in this Ordinance shall be construed to prohibit the Grantee from offering any service over its Cable System that is not prohibited by federal, state or local law.

SECTION 4. Franchise to Operate Necessary. It shall be unlawful to commence or engage in the construction, operation or maintenance of a cable television system without a Franchise issued under this Ordinance. The Franchising Authority may, by ordinance, award a Franchise to construct, operate and maintain a cable television system within all or any portion of the Franchise Entity to any person, whether operating under an existing Franchise or not, who makes application for authority to furnish a cable television system which complies with the terms and conditions of this Ordinance. This section shall not be deemed to require the grant of a Franchise to any particular person or to prohibit the Franchise Authority from restricting the number of Grantees should it determine such a restriction would be in the public interest.

SECTION 5. Term of Franchise.

(1) The Franchise granted by the Franchise Authority under this Ordinance shall be for a term of ten (10) years following the date such Franchise is accepted in writing by the Grantee. If the Franchise is not accepted in writing by the Grantee within 14 days from the effective date of this Ordinance, then this Ordinance shall expire and be of no further force or effect.

(2) Pursuant to the provisions of Sections 5(3) and 5(4) below, the Franchise Authority may terminate this franchise in accordance with the provisions of this Ordinance in the event Grantee refuses or neglects to comply with any material requirement or limitation contained in this Ordinance.

(3) Should the Franchise Authority reasonably determine that Grantee is not in compliance with the material terms of this Ordinance and the Franchise issued hereunder, it shall so notify Grantee in writing, and Grantee shall, within 45 days following receipt of such notice, bring the Franchised system into compliance or, in the event that, by nature of the default, such default cannot be cured within the forty-five (45) day period, promptly initiate reasonable steps to bring the Franchised system into full compliance and report in writing to the Franchise Authority the corrective action taken and the projected date of full compliance.

(4) If the Franchise Authority is not satisfied that compliance has been achieved, or that good faith progress is being made toward compliance, it may schedule a public hearing to determine whether the Franchise should be revoked. The Grantee and the public shall be given at least sixty (60) days notice of such a hearing, and all interested parties shall be heard at such hearing. At the conclusion of the public hearing, the Franchise Authority shall determine whether the Franchise should be terminated and shall set forth, in writing, the facts and reasons upon which its decision is based. The Grantee may appeal such determination to an appropriate court, which shall have the power to review the decision of the Franchising Authority "de novo" and to modify or reverse such decision as justice may require. Such appeal to the appropriate court must be filed within thirty (30) days of the issuance of the determination of the Franchising Authority.

In the event of a final determination of termination, the Grantee shall have six (6) months from date of termination to sell the Cable System to a qualified buyer or remove the system, but shall remain subject to all terms and conditions of this Franchise Agreement including payment of all franchise fees which may accrue during such period. If not sold within six (6) months, then the system shall be removed by Grantee, at Grantee's expense. The Grantee shall be a party to all such proceedings hereunder and any other proceedings in which its rights, privileges or interests may be affected and shall at all times be afforded such due process rights as may be available under applicable laws, ordinances, rules and regulations.

SECTION 6. Limitations of Franchise.

(1) The Franchise granted under this Ordinance shall be non-exclusive and nothing herein shall be construed to prevent the Franchise Authority from granting identical or similar Franchises to more than one person, within all or any portion of the Franchise Entity, provided, however, that no such franchise agreement shall contain terms or conditions more favorable or less burdensome to the competitive entity than the material terms and conditions herein, including, but not limited to, franchise fees; insurance; system build-out requirements; performance bonds or similar instruments; public, education and government access channels and capital support; customer service standards; required reports and related record keeping; liquidated damages and other sanctions; and universal service. If, any such additional and/or competitive franchise is granted by the Franchising Authority which, in the reasonable opinion of the Grantee, contains more favorable or less burdensome terms or conditions than this Franchise

Agreement, then the Grantee may give written notice to the Franchising Authority stating the specific terms and/or conditions in the competitive franchise that are move favorable or less burdensome than those contained in this Franchise Agreement. Upon receipt of any such notice, if the Franchising Authority, acting reasonably, agrees with the Grantee's assertion, then the Franchising Authority shall modify this Ordinance to include any more favorable or less burdensome term or condition, provided, the Grantee agrees, upon the request of the Franchising Authority, to also modify this Ordinance to include any term or condition contained in the competitive franchise that is more favorable to the Franchising Authority or more burdensome to the competitive entity, in order that one operator not be granted an unfair competitive advantage over another, and to provide all parties equal protection under the law.

(2) The Grantee shall, at all times during the term of this Franchise, be subject to the lawful exercise of the Franchise Entity's police power and such reasonable regulations as the Franchise Authority may subsequently promulgate thereunder. Nothing contained in this Ordinance shall be deemed to prohibit in any way the right of Franchise Entity to levy non-discriminatory business license taxes on any activity conducted by Grantee. All subcontractors who perform any services for the Grantee shall obtain business licenses from the Franchise Entity prior to performing any services.

(3) All privileges prescribed by this Franchise shall be subordinate to any prior lawful occupancy of the public streets, and the Franchise Authority reserves the right to reasonably designate where a Grantee's facilities are to be placed within the public ways.

(4) (a) The Franchise shall be a privilege which is personal to the original Grantee. It shall not be sold, transferred, leased, assigned, or disposed of, in whole or in part, either by sale, merger, consolidation or otherwise, without the prior consent of the Franchise Authority expressed by ordinance, and then only under such conditions as may therein be prescribed. Any such transfer or assignment shall be made only by an instrument in writing, which shall include an acceptance of all terms and conditions of the Franchise by transferee, a duly executed copy of which shall be filed with the Agency within thirty (30) days after any such transfer or assignment.

(b) Consent of the Franchise Authority shall not be granted until it has examined the proposed assignee's legal, financial, technical, character and other qualifications to construct, operate and maintain a cable television system in the Franchise Entity and has afforded all interested parties notice and an opportunity to be heard on the question.

(c) Consent of the Franchise Authority shall not be unreasonably withheld; provided, that the proposed assignee possesses the requisite qualifications and agrees, in writing, to comply with all provisions of the Franchise and this Ordinance.

(d) Transfer of 50% or more of the voting securities of a corporate Grantee to a person not presently a shareholder shall be deemed to be a transfer of control.

(e) No such consent shall be required for a transfer:

(i) in trust, of system assets by mortgage or by other hypothecation, to secure an indebtedness;
(ii)to a parent or subsidiary or affiliate of Grantee;
or
(iii)to a corporation whose stock is held by the same shareholders as Grantee;

(iv)of less than thirty (30%) percent of the voting securities of a corporate Grantee unless such transfer also results in a transfer of voting control;

(v)of Stock from one shareholder to another shareholder unless such transfer also results in a transfer of voting control.

(f) A foreclosure or other judicial sale of the system shall be deemed to be a transfer of control of the Franchise subject to the provisions of this section.

(5) For any proposed transfer or assignment of this franchise by grantee for which consent is required by the Franchise Authority, a non-refundable $2,500.00 transfer application fee shall be due from grantee to City at the time of the transfer request.

(6) Nothing herein shall be deemed to in any way impair or affect the right of the Franchise Entity to acquire the property of the Grantee, either by purchase or through the exercise of the right of eminent domain, at a price reflective of its fair market value as an ongoing concern, and nothing herein shall be construed to constitute a waiver or bar to the exercise of any governmental right or power of the Franchise Entity.

SECTION 7. Liability and Indemnification.

(1) The Grantee shall pay, and by its acceptance of the Franchise specifically agrees to pay, any and all damages or penalties which the Franchise Entity may be legally required to pay as a result of Grantee's installation, operation or maintenance of a Franchise cable television system under this Ordinance whether or not the acts or omissions complained of are authorized, allowed or prohibited by the Franchise Entity. Notwithstanding the foregoing, Grantee shall not be required to indemnify the Franchise Entity against liability for damages caused by or resulting from the gross negligence or willful misconduct of the Franchise Entity, its agents, or employees or any contractors acting on the Franchise Entity's behalf.

(2) The Grantee shall also pay all reasonable expenses incurred by the Franchise Entity in defending itself with regard to any and all damages and penalties mentioned in subsection 1, above. These expenses shall include all out-of-pocket expenses, including

reasonable attorneys' fees and experts' fees.

(3) The Grantee shall maintain, throughout the term of the Franchise, liability insurance insuring the Franchise Entity and the Grantee with regard to all damages mentioned in subsection (1), above, caused by Grantee or its agents, in the minimum amounts of:

(a) Workers' compensation insurance as provided by the laws of the State of South Carolina.
(b) $1,000,000 combined single limits coverage for bodily injury or death from any one occurrence.
(c) $500,000 for property damage resulting from any one claim. The insurance policies obtained by the Grantee in compliance with this section shall be issued by a company or companies acceptable to the Franchise Entity, and a current certificate or certificates of insurance, along with written evidence of payment of all required premiums, shall be filed and maintained with the Agency during the term of the Franchise. Said policies shall name the Franchise Entity as an additional insured and shall contain a provision that a written notice of cancellation or other change in coverage of said policy shall be delivered to the Franchise Entity 30 days in advance of the effective date thereof.

SECTION 8. Bankruptcy. The Franchise Entity shall have the right to cancel this Franchise, subject to any applicable law, one hundred twenty (120) days after the appointment of a receiver or trustee to take over and conduct the business of Grantee, unless such receivership or trusteeship shall have been vacated prior to the expiration of said one hundred twenty (120) days, or unless within one hundred twenty (120) days after his selection or appointment, such receiver or trustee shall have (i) fully complied with all the provisions of this Franchise and remedied all defaults hereunder or (ii) executed an agreement whereby such receiver or trustee assumes and agrees to be bound by each and every provision of this Franchise.

SECTION 9. Technical Requirements - Channel Capacity. The Cable system to be constructed by Grantee shall be installed, maintained, and operated at all times in full compliance with the technical and channel capacity standards of the Federal Communications Commission. The results of annual performance tests conducted in accordance with Sec. 76.601(c), FCC Rules (or such other section of the Rules as shall be incorporated in substance) shall be retained for at least 5 years and available for inspection by the Franchise Entity.

SECTION 10. Safety Requirements. The Grantee shall, at all times:

(1) Install and maintain its wires, cables, fixtures and other equipment in accordance with the requirements of Franchise Entity's Building Code and Electrical Safety Ordinances, and in such manner that they will not interfere with any installations of the Franchise Entity or any then existing utilities.

(2) Keep and maintain in a safe, suitable, substantial condition, and in good order and repair, all structures, lines, equipment, and public ways or places of the Franchise Entity, wherever situated or located.

(3) The Grantee shall have authority to trim trees upon and overhanging the public street so as to prevent the branches of such trees from coming into contact with Grantee's wires and cables, except that all trimming must be in accordance and permitted under the Landscaping Ordinance of the City of Isle of Palms and at the option of the Franchise Authority, such trimming may be done by it or under its supervision and direction. In no event shall the Grantee cut or otherwise injure said trees to any greater extent than is reasonably necessary.

SECTION 11. Service Standards - Business Office - Resolution of Complaints. Throughout the life of its Franchise, the Grantee shall:

(1) Maintain all parts of its system in good condition and in accordance with standards generally observed by the cable television industry. Sufficient employees shall be retained to provide safe, adequate and prompt service for all of its facilities.

(2) Maintain a business office and service center located in Charleston County, S.C. to which subscribers may telephone without incurring added message units or toll charges. This office shall be open during normal business hours, and be so operated that complaints and requests for repairs or adjustments may be received by telephone at any time when any television signals are being broadcast.

(3) Dispatch personnel to investigate all service complaints and equipment malfunctions within 24 hours and strive to resolve such complaints as promptly as possible. Planned interruption of service shall be only for good cause as reasonably determined by Grantee. Insofar as possible, planned service interruption shall be preceded by notice, be of brief duration, and occur during minimum viewing hours.

(4) Maintain a complete list of all written complaints received, including the name of the complaining party, nature of the complaint, and the measures taken to resolve them in form to be approved by Agency. This list shall be available to the Agency for inspection and copying upon request.

(5) Permit the Agency to inspect and test the system's technical equipment and facilities, at Agency's cost and expense, upon 24 hours advance notice.

(6) The Grantee shall allow to the Agency to adjust, settle or compromise any controversy or dispute against the Grantee regarding the quality of service, equipment malfunctions and similar matters arising from the operations of the Grantee on behalf of either the Franchise entity or any subscriber in accordance with the best interest of the public; provided

that any person aggrieved by a decision of the Agency may appeal the matter to the Franchise Authority for hearing and determination. The Franchise Authority may, in its reasonable discretion, accept, reject, or modify the decision of the Agency, and may adjust, settle, or compromise any controversy arising from the operations of the Grantee under any Franchise granted pursuant to this Ordinance; provided that any person aggrieved by the decision of the Franchise Authority may appeal the decision to a court of competent jurisdiction. No adjustment, settlement, or compromise, whether instituted by the Agency or by the Franchise Authority shall be contrary to the provisions of this Ordinance or of the Franchise agreement, and neither the Agency nor the Franchise Authority in the adjustment, settlement, or compromise of any controversy shall have the right or authority to add to, modify, or delete any provision of this Ordinance or of the Franchise. The Grantee shall notify subscribers at the time of initial subscription to the system of the procedure for reporting and resolving complaints by delivering to each subscriber a notice in form approved by Agency.

SECTION 12. Conditions on Street Occupancy.

(1) Any pavements, sidewalks, curbing or other paved area taken up or any excavations made by the Grantee shall be done under permits issued for work by the proper officials of the Franchise Entity, and shall be done in such manner as to give the least inconvenience to the inhabitants of the Franchise Entity. The Grantee shall, at its own cost and expense, and in a manner approved by the Agency, replace and restore any such pavements, sidewalks, curbing or other paved areas in as good a condition as before the work involving such disturbance was done, and shall also make and keep full and complete maps and records designating the general area locations of its facilities located within the public streets, ways, and easements of the Franchise Entity. The Grantee agrees to provide exact locations on site within 72 hours notice by the proper authority. These maps shall be available for inspection at any time during business hours by Agency.

(2) The Grantee shall, at its expense, protect, support, temporarily disconnect, relocate, or remove, any of its property when required by the Franchise Entity by reason of traffic conditions, public safety, road construction, change of street grade, installation of sewers, drains, water pipes, power lines, signal lines, tracks, or any other type of municipal improvements; provided, however, that the Grantee shall, in all such cases, have the privilege of abandoning any property in place. The Grantee acknowledges that new water and sewer lines will be run which will require substantial interruption and relocation of Grantee's property which shall be at the sole cost and expense of Grantee.

(3) The Grantee shall, on the request of any person holding a building moving permit issued by the Franchise Entity, temporarily raise or lower its wires to permit the moving of buildings. The expense of such temporary removal or raising or lowering of wires shall be paid by the person requesting same, and the Grantee shall have the authority to require such payment in advance. The Grantee shall be given not less than 48 hours advance notice to arrange for such temporary wire changes.

(4) In all sections of the Franchise Area where the cable, wires and other facilities of all public utilities are placed underground, the Grantee shall place its cables, wires or other like facilities underground, simultaneously with the other public facilities, but not earlier than the date on which all such facilities are located to be underground.

SECTION 13. Area of Coverage and Construction.

(1) The area covered by this Ordinance granting the right to the Grantee to serve is all of the incorporated areas of the Isle of Palms. The Grantee agrees to provide signal distribution capabilities to all citizens in the Franchise Area wherein the population density is sufficient to support the installation on a reasonable, practical business basis. For the purposes of determining compliance with this provision, and to provide a reasonable policy requiring extension of energized trunkline, Grantee shall extend such lines to those areas of the Franchise Area having a minimum of thirty-five (35) homes per street mile from the existing trunkline.

(2) The Grantee shall extend the installation of cables, amplifiers, and related equipment throughout the area covered by its Franchise as rapidly as practicable and, as new contiguous areas are developed, service shall be extended throughout such area within six (6) months.

(3) The Grantee shall file a map and progress report with the Agency at the close of each calendar year, showing the exact areas of the Franchise Entity being served by the cable television system and the location and identification of major component parts of the system.

(4) Failure on the part of the Grantee to commence and diligently pursue each of the foregoing requirements and to complete each of the matters set forth in this Section 13, shall be grounds for termination of its Franchise pursuant to the terms of Section 5 (2) hereof.

(5) In the event such system has been installed in any public street without complying with the requirements of the Grantee's Franchise, the Grantee shall within thirty (30) days of receipt of written notice from the Franchise Entity cure such non-compliance or if such non-compliance by its nature is unable to be cured within the thirty (30) day period, immediately initiate reasonable steps to bring the Franchised system into full compliance and report in writing to the Franchise Authority the corrective action taken and the projected date of full compliance.

(6) Upon the failure of the Grantee to satisfactorily complete any work upon the public streets as may be required by law or the terms of its Franchise within the time prescribed, the Franchise Entity, at its option, may cause such work to be done and the Grantee shall pay to the Franchise Entity the cost thereof within thirty (30) days after receipt of an itemized report.

SECTION 14. Indemnity Bond.

(1) Concurrently with the acceptance of its Franchise, the Grantee shall file with the Agency a bond with an acceptable surety in the amount of $100,000 to indemnify the Franchise Entity against any losses it may suffer in the event the Grantee fails to comply with one or more of the provisions of its Franchise. Said bond shall be obtained at the sole expense of the Grantee and remain in effect for the full term of the Franchise or any renewal thereof, and during the six (6) month period set forth in SECTION 5 (4) of this Ordinance. The Grantee and its surety shall be jointly and severally liable under the terms of the bond for any damages or loss suffered by the Franchise Entity as a result of the Grantee's nonperformance including the full amount of any compensation, indemnification, or cost of removal of any property of the Grantee in the event of default, plus a reasonable allowance for attorneys' fees and costs, up to the full amount of the bond. The bond shall provide for thirty (30) days prior written notice to the Franchise Authority of any intention on the part of the Grantee to cancel, fail to renew, or otherwise materially alter its terms.

(2) Neither the filing of an indemnity bond with the Agency, nor the receipt of any damages recovered by the Franchise Authority thereunder, shall be construed to excuse faithful performance by the Grantee or limit the liability of the Grantee under the terms of its Franchise for damages, either to the full amount of the bond or otherwise.

SECTION 15. Franchise Payments.

(1) The Grantee shall pay to the Franchise Entity each year during the term of the Franchise, a Franchise fee in the amount of 3 percent of its annual Gross Revenues actually received from its operation of the Cable System within the Franchise Area limits. Upon ninety (90) days prior written notice to Grantee, the Franchise Entity shall be entitled to increase the franchise fee up to five (5%) percent of Grantee's annual Gross Revenues derived from its operation of the franchised cable television system within the Franchise Area limits.

(2) The Grantee shall file with the Agency, within forty-five (45) days after the expiration of any calendar year or portion thereof during which its Franchise is in force, a financial statement certified by a responsible officer of the Grantee, showing in detail the Gross Revenues, as defined herein, of the Grantee during the preceding calendar year or portion thereof. It shall be the duty of the Grantee to pay the Franchise Entity at the time for filing such statement, the sum prescribed above or any unpaid balance thereof for the calendar year covered by such statements.

(3) The Franchise Entity shall have the right upon thirty (30) days written notice to inspect the Grantee's records showing the Gross Revenues from which its Franchise payments are computed and conduct an annual audit and re-computation of any and all amounts paid under the Ordinance. No acceptance of payment shall be construed as a release or as an accord and satisfaction of any claim the Franchise Entity may have for further or additional sums payable under this Ordinance or for the performance of any other obligation hereunder. All accountings rendered to the Franchise Entity shall be retained by the Grantee for a period of three (3) years.

(4) In the event any payment of Franchise fees is not made when due, and the Grantee shall have failed to cure such nonpayment within thirty (30) days after written notice form the Franchise Entity, interest on the amount due shall accrue from the expiration of such thirty (30) day period at the legal rate of interest until paid.

SECTION 16. Parental Control. The Grantee will provide parental control devices upon request.

SECTION 17. Rates to Customers.

(1) A Grantee shall have the right to charge and collect reasonable compensation from all persons to whom its video and audio signals are being furnished (including installation and connection work), but such compensation shall be subject to the laws and regulations of the Federal Communication Commission.

(2) A Grantee shall not charge any late fees or penalties for service which has not yet been received by the customer.

(3) The City reserves the right to regulate the rates charged by the Grantee to the fullest extent permitted by the Cable Television Consumer Protection and Competition Act of 1992, as amended, and any lawful ordinance of the City of Isle of Palms not inconsistent therewith.

(4) If the Federal Communications Commission ceases its regulation of rates and technical performance, the City shall have the right to regulate by ordinance such rates and technical performance, to the extent permitted by federal and state law.

(5) Throughout the term of its Franchise, a Grantee shall keep on file with the Franchise Authority a current rate card.

(6) Credit to Subscribers: Grantee agrees to give a prorata credit to subscribers whenever they are out of service for more than twenty-four (24) hours, provided said outage is not due to any act, either directly or indirectly, of the subscriber and the subscriber notifies the Grantee of such outage within thirty (30) days.

SECTION 18. Removal of Facilities Upon Request. Upon termination of service to any subscriber, the Grantee shall promptly remove all its facilities and equipment from the premises of such subscriber upon his request at no cost to the subscriber.

SECTION 19. Public Service Requirements. The Grantee shall:

(1) Provide at least one preferred "Basic Cable" service outlet to all departments within all City facilities and one service outlet for libraries and public schools within its

Franchise Area at no cost to the City or school involved, and shall charge only its time and material costs for any additional service outlets to such facilities, and in no event will there be a monthly service or cable charge at said locations. These service requests will be in accordance with the density requirements in Section 13 above. All existing service will be grandfathered.

(2) Make its facilities immediately available to the Franchise Entity upon request during the course of any emergency or disaster.

SECTION 20. Amendment of Ordinance and Franchises. The Franchise Authority shall amend this Ordinance to the extent that it is not in conflict with applicable laws upon its own motion or the application of the Grantee whenever amendment is necessary to enable the Grantee to comply with any modifications in the Rules of the FCC. No amendment shall be adopted except after full, open public hearing affording due process, and no amendment amending the existing rights and obligations of the Grantee shall be adopted without Grantee's consent.

SECTION 21. Renewal Procedures.

(1) Upon the written request of the Grantee, this Franchise may be renewed in accordance with the provisions of Section 626 of the Cable Act by the Franchise Authority at its option without soliciting additional applications, and in accordance with any modifications the Franchise Authority may require, for a period of up to ten (10) years. Such a renewal request shall be filed at least six (6), but not more than eighteen (18) months prior to the expiration of the Franchise and shall be accompanied by a non-refundable application fee in an amount determined by the Franchise Authority.

SECTION 22. Government Access Channels. The Grantee shall set aside one channel on the Cable System for the non-exclusive use of the communities served by the Grantee. The Grantee agrees to add an additional channel for Government Access programming upon request of the communities served by the Government and upon demonstration by the Communities served by the Grantee that the existing Government Access channel is carrying original programming for at least 80% of the time between 6 a.m. and 12 a.m. for eight (8) consecutive weeks. Character generated and repeat programming shall not be considered for the purposes of this section. It is understood that the Grantee shall be entitled to program any such channel, in its sole discretion, in any period during which such channel is not otherwise being programmed.

SECTION 23. Tampering, Unauthorized Connections, etc.

(a) It shall be unlawful for any person, without the consent of the owner, to willfully tamper with, remove or injure any cables, wires or equipment used for distribution of television signals, radio signals, pictures, programs or sound within the Franchise Entity.

(b) It shall be unlawful for any person, firm or corporation to make use of

any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of a Franchise cable television system within the Franchise Entity for the purpose of enabling himself or others to receive any television signal, radio signal, picture, program or sound, without payment to the owner of said system.

SECTION 24. Continued Use of Individual Antennas Protected. It is not the Franchise Authority's intention to prohibit the erection or continued use of individual television antennas, and no one is or will be required to receive cable television service or connect with a cable television system.

SECTION 25. Grantee May Promulgate Rules. The Grantee shall have the authority to promulgate such rules, regulations, terms and conditions of its business as shall be reasonably necessary to enable it to exercise its rights and perform its services under this Ordinance and the Rules of the FCC, and to assure uninterrupted service to each and all of its subscribers. Such rules and regulations shall not be deemed to have the force of law. Grantee shall provide Agency with current copies of all such rules, regulations, terms and conditions as the same may be amended from time to time.

SECTION 26. Most Favored Nation Provision Regarding Renewal. Grantee agrees that if Grantee has any Franchise agreement with any similar size entity within Charleston County or Berkeley County or enters into any new or renewal of a Franchise agreement with any similar size municipality which is currently being negotiated and such Franchise agreement is on financial terms more favorable than the financial terms of this Franchise then the Grantee agrees to allow this Franchise to be modified to enable the Franchise authority to benefit from the more favorable terms.

SECTION 27. Emergency Use of Facilities. A Grantee shall provide an emergency audio override capability to permit the City to interrupt and cablecast an audio message on all cable channels simultaneously in the event of disaster or public emergency. This emergency override system will be shared by other counties and municipalities of the Tri-County area (Berkeley, Dorchester, and Charleston counties).

SECTION 28. Delegation of Powers. Any delegable right, power or duty of the Franchise Authority, the Franchise Entity, the Agency, or any official of the Franchise Entity may be transferred or delegated by resolution to an appropriate officer, employee, or department of the Franchise Entity.

SECTION 29. Notices. Every direction, notice, or order to be served upon the Grantee shall be delivered, or sent by certified mail or by facsimile with confirmation of receipt to the local office described in Section 11 (2), supra, with a copy to: Comcast Cable Communications, Inc., 1500 Market Street, Philadelphia, PA, Attn: General Counsel; Fax (215) 981-7794. Every notice to be served upon the Franchise Entity shall be delivered by certified mail or by facsimile

with confirmation of receipt to the Agency at: 1301 Palm Boulevard, Isle of Palms, South Carolina 29451, Fax (843) 886-8005. The delivery of such notice shall be deemed to have been at the time of receipt.

SECTION 30. Compliance with Laws, Regulations and Ordinances.

(1) All new and renewal Franchise agreements enacted hereafter are governed by and subject to all applicable rules and regulations of the Federal Communications Commission, specifically including but not limited to Part 76, and by the laws of the United States and the State of South Carolina, each as may be amended from time to time. Should there be any modifications of the provisions of the Rules and Regulations of the Federal Communications Commission which must be incorporated into this Franchise, the Franchise Authority and Grantee agree that such incorporation shall be accomplished within one (1) year after the effective date of the FCC's adoption of the modification or upon renewal of the Franchise, whichever occurs first. The Franchise Authority reserves the right to implement or enforce, or not to implement or enforce, provisions of such laws and regulations that are optional or discretionary with the Franchise Authority, at any given time, with adequate notice to Franchises and Franchise holders in accordance with applicable laws and regulations.

(2) A Grantee shall, at all times during the term of this Franchise, be subject to all lawful exercise of the police power of the Franchise Authority and to such reasonable regulation as the Franchise Authority shall hereafter by resolution or ordinance provide; provided that such additional resolutions or ordinances shall be reasonable, shall not conflict with or alter in any manner the rights granted herein, and shall not conflict with the laws of the State of South Carolina, the laws of the United States of America, or the rules of the Federal Communications Commission, as presently enacted or as they may, hereafter, be from time to time amended.

(3) The construction, operation and maintenance of a Cable System by the Grantee shall be in full compliance with the National Electric Code as from time to time is amended and revised, and in full compliance with all other applicable rules and regulations now in effect or hereinafter adopted by the FCC, the United States Government, the State of South Carolina, and the Franchise Authority.

SECTION 31 Force Majeure. The Grantee shall not be held in default under, or in noncompliance with, the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default (including termination, cancellation or revocation of the Franchise), where such noncompliance or alleged defaults occurred or were caused by strike, riot, war, earthquake, flood, tidal wave, unusually severe rain or snow storm, hurricane, tornado or other catastrophic act of nature, or governmental, administrative or judicial order or regulation that is reasonably beyond the Grantee's ability to anticipate or control, provided that Grantee timely submits sufficient documentation to City supporting the factual basis for the applicability of this Section. This provision also covers work delays caused by waiting for utility providers to service or monitor their own utility poles on which the Grantee's cable or equipment is attached,

as well as unavailability of materials or qualified labor to perform the work necessary.

SECTION 32. Rights and Remedies are Cumulative. The rights and remedies reserved to the parties by this Ordinance are cumulative and shall not add or subtract from any other rights or remedies which they may have with respect to the subject matter of this Ordinance, and waiver thereof at any time shall not affect any other time.

SECTION 33. Right of Franchise Entity to Intervene. The Franchise Entity hereby reserves to itself the right to intervene in any suit, action, or proceeding involving any provision of this Ordinance.

SECTION 34. Invalid Provision. If any part of this Ordinance is held invalid by a court or administrative agency of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 35. Repeal of Other Ordinances. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 28 th DAY OF SEPTEMBER, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 6/30/99
Second Reading: 7/28/99
Ratification: 7/28/99

ACCEPTANCE

Comcast Cablevision of Carolina, Inc., a South Carolina Corporation, does hereby accept the within Franchise and agrees to abide by and be obligated to the terms and conditions contained therein.

Comcast Cablevision of Carolina, Inc,
a South Carolina corporation

By: _____

Title: SVP

Oct 5, 1999, 1999.

ORDINANCE 1999-27

AN ORDINANCE AMENDING THE CODE PROVIDING FOR BUSINESS LICENSE TAXES FOR THE CITY OF ISLE OF PALMS, S.C. PURSUANT TO THE STATE OF SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

WHEREAS, it is in the interest of the City and the operators of businesses within the City that the business license ordinance be revised and updated.

SECTION 1. That all prior business license ordinances are repealed and the following business license ordinance is adopted.

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this Ordinance is effective for all licenses due in the year 2000.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 26th DAY OF October, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet B. Mauldin

City Clerk

First Reading: 09/28/99
Public Hearing: —
Second Reading: 10/26/99
Ratification: 10/26/99

CITY OF ISLE OF PALMS
BUSINESS LICENSE ORDINANCE
ORDINANCE 1999-27

Sec. 1. License Required.

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Isle of Palms, South Carolina, is required to pay an annual license fee and obtain a business license as herein provided.

Sec. 2. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

"*Business*" means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

"*Charitable Purpose*" means benevolent, philanthropic, patriotic, or eleemosynary purpose which does not result in personal gain to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization. A charitable organization shall be deemed a business subject to a license tax unless the entire net proceeds of its operation, after necessary expenses, are devoted to charitable purposes. Compensation in any form to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

"*Classification*" means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

"*Gross Income*" means the total revenue of a business, received or accrued, for one calendar year collected or to be collected from business done within the City, excepting therefrom income from business done wholly outside of the City on which a license tax is paid to some other City or a county and fully reported to the City. Gross income for brokers or agents means gross commissions received or retained. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

"*License Inspector*" means a person designated by the City Administrator to administer this ordinance.

"*City*" means the City of Isle of Palms, South Carolina.

"Person" means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

Sec. 3. Purpose and Duration.

The business license levied by this ordinance is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by Council.

Sec. 4. License Fee.

a. The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before the first day of January of each year, except for those businesses in Rate Class 8 for which a different due date is specified.

b. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business which is discontinued.

Sec. 5. Registration Required.

a. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year, except that a new business shall be required to have a business license prior to operation within the City.

b. Application shall be on a form provided by the License Inspector which shall contain the Social Security Number and/or the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, and all

information about the applicant and the business deemed appropriate to carry out the purpose of this ordinance by the License Inspector. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

c. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes on business property due and payable to the City have been paid.

d. Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Inspector. An insurance agent not employed by a company shall be licensed as a broker.

Sec. 6. Deductions, Exemptions, and Charitable Organizations.

a. No deductions from gross income shall be made except income from business done wholly outside of the City on which a license tax is paid to some other City or a county, taxes collected for a governmental entity, or income which cannot be taxed pursuant to State or federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof.

b. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the City, unless exempted by State or federal law. The License Inspector shall determine the appropriate classification for each business in accordance with the latest issue of the North American Industry Classification System (NAICS) for the United States published by the Office of Management and Budget. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax by reason of the application of this ordinance.

c. Charitable organizations which have exemptions from state and federal income taxes shall be exempt from a business license tax only in cases where the sponsors, organizers, directors, trustees, or persons who exercise ultimate control of the organization receive no part of the proceeds of operation, and all proceeds are devoted to charitable purposes as defined by this ordinance. Payment of necessary costs of operation and wages to non-management employees will not disqualify a charitable organization from exemption.

Sec. 7. False Application Unlawful.

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

Sec. 8. Display and Transfer.

a. All persons shall display the license issued to them on the original form provided by the License Inspector in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the City.

b. A change of address must be reported to the License Inspector within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification of the License Inspector and compliance with zoning and building codes. Failure to obtain the approval of the License Inspector for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of a controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

Sec. 9. Administration of Ordinance.

The License Inspector shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the municipal attorney and assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

Sec. 10. Inspection and Audits.

a. For the purpose of enforcing the provisions of this ordinance the License Inspector or other authorized agent of the City is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records, and it shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that false information has been filed by the licensee, the costs of the audit shall be added to the correct license fee and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of license fee shall constitute a separate offense.

b. The License Inspector shall make systematic inspections and random audits of all businesses within the City to insure compliance with the ordinance. Records of inspection and audits shall not be deemed public records, and the License Inspector shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee, provided that statistics compiled by classifications may be made public.

Sec. 11. Assessments, Payment under Protest, Appeal.

a. When a person fails to obtain a business license or to furnish the information required by this ordinance or the License Inspector, the License Inspector shall proceed to examine such records of the business or any other available records as may be

appropriate and to conduct such investigations and statistical surveys as the License Inspector may deem appropriate to assess a license tax and penalties as provided herein.

b. A notice of assessment shall be served by certified mail. An application for adjustment of the assessment may be made to the License Inspector within five (5) days after the notice is mailed or the assessment will become final. The License Inspector shall establish by regulation the procedure for hearing an application for adjustment of assessment and issuing a notice of final assessment.

c. A final assessment may be appealed to the City Council only by payment in full of the assessment under protest within five (5) days and the filing of written notice of appeal within ten (10) days after payment pursuant to the provisions of this ordinance relating to appeals to Council.

Sec. 12. Delinquent License Fees, Partial Payment.

a. For non-payment of all or any part of the correct license fee, the License Inspector shall levy and collect a late penalty of five (5%) percent of the unpaid fee for each month or portion thereof after February 1 of the year in which the fee is due, until paid. Penalties shall not be waived. If any license fee shall remain unpaid for sixty (60) days after its due date, the License Inspector shall make a report to the municipal attorney for appropriate legal action. Penalties on license fees for those businesses in Rate Class 8 due at a date later than January 1 shall run from the due date.

b. Partial payment may be accepted by the License Inspector to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

Sec. 13. Notices.

The License Inspector may, but shall not be required to, mail written notices that license fees are due, but if notices are not mailed there shall be published a notice of the due date in a newspaper of general circulation within the City three (3) times prior to the due date in each year. Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax due or grounds for waiver of penalties.

Sec. 14. Denial of License.

The License Inspector shall deny a license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a license is sought is unlawful or constitutes a public nuisance *per se*. A decision of the License Inspector shall be subject to appeal to Council as herein provided. Denial shall be written with reasons stated.

Sec. 15. Suspension or Revocation of License.

When the License Inspector determines that:

A. A license has been mistakenly or improperly issued or issued contrary to law; or
B. A licensee has breached any condition upon which the license was issued or has failed to comply with the provision of this ordinance; or
C. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
D. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
E. A licensee has engaged in an unlawful activity or nuisance related to the business;

the License Inspector shall give written notice to the licensee or the person in control of the business within the City by personal service or certified mail that the license is suspended pending a hearing before Council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Council meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

Sec. 16. Appeals to Council.

a. Any person aggrieved by a decision, final assessment, revocation, suspension, or a denial of a business license by the License Inspector may appeal the decision to the City Council by written request stating the reasons therefor, filed with the License Inspector within ten (10) days after the payment of the assessment under protest or notice of denial is received. Payment under protest shall be a condition precedent to appeal.

b. An appeal or a hearing on revocation shall be held by the City Council within thirty (30) days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice, unless continued by agreement. At the hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council shall govern the hearing. Council shall by majority vote of members present render a written decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives and shall be final unless appealed to a court of competent jurisdiction within ten (10) days after service.

c. No person shall be subject to prosecution for doing business without a license until the expiration of ten (10) days after notice of denial or revocation which is not appealed or until after final judgment of a circuit court upholding denial or revocation.

Sec. 17. Permission to use streets required.

It shall be unlawful for any person to construct, install, maintain or operate in, on, above or under any street or public place under control of the municipality any line, pipe, cable, pole, structure or facility for utilities, communications, cablevision or other purposes without a consent agreement or franchise agreement issued by the municipal council by ordinance which prescribes the term, fees and conditions for use.

Sec. 18. Consent, franchise or business license fee required.

The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided by the franchise or consent agreement.

Sec. 19. Confidentiality.

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns.

Sec. 20. Violations.

Any person violating any provision of this ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to $500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

Sec. 21. Separability.

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

Sec. 22. Classification and Rates.

a. The sectors of businesses included in each Rate Class are listed with the United States North American Industry Classification System (NAICS) codes. The alphabetical index in this ordinance is a tool for classification, not a limitation on businesses subject to a license tax. The License Inspector shall determine the proper class for a business according to the applicable NAICS manual, whether or not the business is listed in the alphabetical index. A business class which is not listed in the rate class or numerical indexes is not subject to a license tax. Standard Industrial Classification (SIC) codes included in the index are for administrative use in converting to NAICS codes.

b. The license fee for each Class of businesses subject to this ordinance shall be computed in accordance with the following rates.

RATES

RATE CLASS	INCOME: 0 - $2000 MINIMUM FEE	ALL OVER $2000 Rate per Thousand or fraction thereof
1	$75.00	$2.00
2	$80.00	$2.05
3	$85.00	$2.10
4	$90.00	$2.15
5	$95.00	$2.20
6	$100.00	$2.25
7	$105.00	$2.30
8	See individual business	in Class 8.

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 City shall be 150% of rates for the applicable class .

CLASS 8 RATES

Each NAICS Number designates a separate subclassification. The businesses in this section are treated as separate and individual subclasses due to provisions of State law, regulatory requirements, service burdens, tax equalization considerations, etc., which are deemed to be sufficient to require individually determined rates. Non-resident rates do not apply except where indicated.

SIC 15, 16 & 17; NAICS 23 - **Contractors, Construction, All Types**

A. Having permanent place of business within the municipality
Minimum on first $2,000..... $110.00 PLUS
Per $1,000, or fraction over $2,000 from all work..... $ 2.35

B. Non-resident (no permanent place of business in the municipality)
Minimum on first $2,000..... $165.00 PLUS
Per $1,000, or fraction, over $2,000)..... $ 3.48
(non-resident double rates do not apply

A trailer at the construction site, or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

The total fee for the full amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per $1,000 of the contract amount shall be paid prior to commencement of new work. Only one base fee shall be paid in a calendar year.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Inspector a list of sub-contractors furnishing labor or materials for each project.

SIC 481 - NAICS 513 - **Telephone Companies:**

a. Notwithstanding any other provisions of the Business License Ordinance, business license taxes for retail telecommunications service as defined in S. C. Code §58-9-2200, including but not limited to those services described in Standard Industrial Classification (SIC) 481 and North American Industry Cassification System (NAICS) 5133, shall pay an annual business license fee based on gross income.

b. Pursuant to S. C. Code § 58-9-2220, the following business license tax schedule shall apply to the gross income from retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality.

Rate for license taxes due in the years 1999 through 2003:
three tenths of one percent (0.3 %) of gross income for the preceding year;

Rate for license taxes due in the year 2004 and each year thereafter:
seventy-five hundredths of one percent (0.75 %) of gross income for the preceding year.

For a business in operation for less than one year, the amount of business license tax authorized by this section shall be computed on a twelve-month projected income.

c. The rate for business licenses for retail telecommunications service for 1999 shall be 0.3% of 1998 gross income, due on October 1, 1999, and payable by January 31, 2000, without penalty.

d. The telecommunications business license tax shall be due on January 1 in each year, beginning in the year 2000. Declining rates shall not apply. Taxes are payable without penalty by January 31 following the due date. After January 31, the delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.

e. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

f. Nothing in this ordinance shall be interpreted to interfere with a franchise agreement or contractual agreement entered into with a telecommunications provider prior to December 31, 1997.

g. Fees imposed by a franchise or contractual agreement with a telecommunications provider entered into prior to December 31, 1997, which expires prior to December 31, 2003 shall continue in effect until December 31, 2003.

h. All fees collected under such franchise agreement or contractual agreement shall be in lieu of fees or taxes which might otherwise be authorized by this ordinance.

i. A business license tax ordinance, adopted prior to December 31, 1997, which levied a business license tax paid by a telecommunications company higher than that levied under this ordinance, shall remain in effect through December 31, 2003.

j. As authorized by S. C. Code § 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code § 58-9-2200 in the form attached hereto is approved, and the Mayor is authorized to execute it.

SIC 4841; NAICS 51322 - **Television**, Cable or Pay, using streets.. Consent or Franchise
Cable television services not using public streets:
Minimum on first $2,000..... $110.00 PLUS
Per $1,000, or fraction, over $2,000..... $ 3.00

SIC491; NAICS 22112 - **Electric Power Distribution** ..... Consent or Franchise

SIC 492; NAICS 22121 - **Natural Gas Distribution** ..... Consent or Franchise

SIC 5093; NAICS 42193 - **Junk or Scrap Dealers** [Non-resident rates apply]
Minimum on first $2,000..... $110.00 ,PLUS
Per $1,000, or fraction, over $2,000..... $ 3.00

SIC 55; NAICS 441 - **Automotive, Motor Vehicles, Boats, Farm Machinery, Retail**

Minimum on first $2,000	$75.00	PLUS
Per $1,000, or fraction, over $2,000		$2.00

One sales lot not more than 400 feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership. **Gross receipts for this classification shall include full sales price without deduction for trade-ins.** Dealer transfers shall not be included in gross receipts.

SIC 5813; NAICS 72241 - **Drinking Places** (Alcoholic beverages consumed on premises)

Minimum on first $2,000	$110.00	PLUS
Per $1,000, or fraction, over $2,000		$3.00

SIC 5932; NAICS 522298 - **Pawn Brokers** - All Types

Minimum on first $2,000	$110.00	PLUS
Per $1,000, or fraction, over $2,000		$ 3.00

SIC 5963; NAICS 45439 - **Peddlers, Solicitors, Canvassers, Door-To-Door Sales**, direct retail sales of merchandise. [Non-resident rates apply]

A. Regular activities [more than two sale periods of more than three days each per year]

Minimum on first $2,000	$110.00	PLUS
Per $1,000, or fraction, over $2,000		$ 2.35

B. Seasonal activities [not more than two sale periods of not more than three days each year, separate license required for each sale period]

Minimum on first $2,000	$15.00	PLUS
Per $1,000, or fraction, over $2,000		$ 2.35

SIC 63; NAICS 52 - **Insurance Companies:**

On gross premiums collected through offices or agents located in the municipality, wherever the risk is located, or collected on policies written on property or risks located in the municipality, wherever the premiums are collected. Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute doing business within the municipality whether or not an office is maintained therein. A premium collected on property or a risk located within the municipality shall be deemed to have been collected within the municipality. [Declining rates shall not apply.]

SIC 631-632; NAICS 52411 - **Life, Health and Accident** .... 0.75% of Gross Premiums

SIC 633-635; NAICS 524126 - **Fire and Casualty** (Licensed in SC) ..... 2% of Gross Premiums

SIC 636; NAICS 524127 - **Title Insurance** ..... 2% of Gross Premiums

SIC 6411; NAICS 524210 - **Brokers for Fire & Casualty Insurers - non-admitted**:

On gross premiums collected on policies of companies not licensed in South Carolina, the agent or broker shall pay annually, with copy of the report showing location of the risks insured ..... 2% of Gross Premiums

[Premiums for non-admitted business are not included in gross commissions for license under Rate Class 7 for other business.]

Notwithstanding any other provision of this ordinance, license taxes for insurance companies and brokers for non-admitted insurers shall be payable on or before May 31 in each year without penalty. Pursuant to S.C. Code §5-7-300, the agreement with the Municipal Association of South Carolina on file with the Clerk for Collection of current and delinquent license taxes from insurers and brokers is approved.

SIC 7993; NAICS 713120 - **Amusement Machines, coin operated (except gambling)**

Music machines, kiddie rides, and amusement machines licensed pursuant to S.C. Code §12-21-2720(A)(1) and (A)(2) -

1. Operator of machine ..... $12.50 per machine, [§12-21-2746] PLUS $12.50 business license for operation of all machines (not on gross income).

2. Distributor selling or leasing machines (not licensed by the State as an operator pursuant to §12-21-2728) - [Nonresident rates apply.] -
   Minimum on first $2,000 ..... $110.00 PLUS
   Per $1,000, or fraction, over $2,000 ..... $2.35

SIC 7993; NAICS 713290 - **Amusement Machines, coin operated, gambling**

Video poker and amusement machines licensed pursuant to S.C. Code §12-21-2720(A)(3) -

1. Operator of machine (owner of business)..... $180.00 per machine, [§12-21-2720(B)] PLUS $12.50 business license for operation of all machines (not on gross income).

2. Distributor selling or leasing machines (not licensed by the State as an operator pursuant to §12-21-2728) - [Nonresident rates apply.] -
   Minimum on first $2,000 ..... $110.00 PLUS
   Per $1,000, or fraction, over $2,000 ..... $2.35

SIC 7999; NAICS 713990 - **Billiard or Pool Rooms**, all types -
$5.00 stamp per table PLUS
Minimum on first $2,000 ..... $110.00 PLUS
Per $1,000, or fraction, over $2,000 ..... $2.35

SIC 7999; NAICS 711190 - **Carnivals and Circuses** -

Minimum on first $2,000	$110.00	PLUS
Per $1,000, or fraction, over $2,000		$2.35

RATE CLASS INDEX

RATE CLASS 1

NAICS	Business Sector
4413	Automotive Parts, Tire Stores
445	Food and Beverage Stores
446	Health and Personal Care Stores
447	Gasoline Stations
448	Clothing and Accessory Stores
452	General Merchandise Stores
722	Eating Places, Food Services, Restaurants, Caterers, except drinking places
813	Membership Organizations

RATE CLASS 2

NAICS	Business Sector
11	Agriculture, Forestry, Fishing and Hunting
31-33	Manufacturing
42	Wholesale Trade
442	Furniture and Home Furnishing Stores
443	Electronics and Appliance Stores
444	Building Material, Garden Equipment and Supply
712	Museums, Historical Sites, Zoos, Gardens

RATE CLASS 3

NAICS	Business Sector
451	Sporting Goods, Hobby, Book, Music Stores
453	Miscellaneous Store Retailers
454	Nonstore Retailers, except peddlers
454210	Vending Machines
48	Transportation, except rail
49	Warehousing and Couriers
512	Motion Pictures, theaters, production
522	Consumer Finance, Mortgage Brokers, Credit Card Issuing, except banks and pawnshops
711	Arts, Sports and Promoters of Events
713	Amusement and Recreation, except coin-operated machines & gambling
721	Accommodation, Hotel, Motel, Inn, Camp

RATE CLASS 4

NAICS	Business Sector
5131	Radio and Television Broadcasting
5141	Information Services
5142	Data Processing Services
811	Repair and Maintenance Services

RATE CLASS 5

NAICS	Business Sector
21	Mining
511	Information
523	Security and Commodity Brokers

RATE CLASS 6

NAICS	Business Sector
2213	Water and Sewerage Systems
56	Administrative and Support, Waste Management and Remediation Services
812	Personal Care, Barber, Beauty, Laundry

RATE CLASS 7

NAICS	Business Sector
5242	Insurance Agencies, except brokers for non-admitted insurers
53	Real Estate and Rental Services (except 53111 - lessors of residential buildings)
54	Professional, Scientific, and Technical Services
55	Management of Companies and Enterprises
61	Education Services
62	Health Care and Social Assistance

RATE CLASS 8

NAICS	Business Sector
2211	Electric Utilities
2212	Gas Utilities
23	Construction
4411	Automobile Dealers
4412	Other Motor Vehicle Dealers
454390	Peddlers, Direct Selling
482	Rail Transportation
5132	Cable Television
5133	Telecommunications
522298	Pawnshops
5241	Insurance Carriers
52421	Brokers for Non-admitted Insurance Carriers
711190	Carnivals, Circuses
7131	Amusement Arcades, nongambling
7132	Gambling Industries, Video Poker
713990	Billiard Parlor, Pool Tables
722410	Drinking Places, Bars (alcoholic)

NAICS NUMERICAL INDEX

NIACS Code	Rate Class	NAICS Sector Description
11	2	Agriculture, Forestry, Fishing and Hunting
21	5	Mining
2211	8	Electric Utilities
2212	8	Gas Utilities
2213	6	Water and Sewerage Systems
23	8	Construction
31-33	2	Manufacturing
42	2	Wholesale Trade
44-45		Retail Trade
4411	8	Automobile Dealers
4412	8	Other Motor Vehicle Dealers
4413	1	Automotive Parts, Tire Stores
442	2	Furniture and Home Furnishing Stores
443	2	Electronics and Appliance Stores
444	2	Building Material, Garden Equipment and Supply
445	1	Food and Beverage Stores
446	1	Health and Personal Care Stores
447	1	Gasoline Stations
448	1	Clothing and Accessory Stores
451	3	Sporting Goods, Hobby, Book, Music Stores
452	1	General Merchandise Stores
453	3	Miscellaneous Store Retailers
454	3	Nonstore Retailers, except peddlers
454210	3	Vending Machines
454390	8	Peddlers, Direct Selling
48	3	Transportation, except rail
482	8	Rail Transportation
49	3	Warehousing and Couriers
511	5	Information
512	3	Motion Pictures, theaters, production
5131	4	Radio and Television Broadcasting
5132	8	Cable Television
5133	8	Telecommunications
5141	4	Information Services
5142	4	Data Processing Services
522	3	Consumer Finance, Mortgage Brokers, Credit Card Issuing, except banks and pawnshops
522298	8	Pawnshops
523	5	Security and Commodity Brokers

NIACS Code	Rate Class	NAICS Sector Description
5241	8	Insurance Carriers
5242	7	Insurance Agencies, except brokers for non-admitted insurers
52421	8	Brokers for Non-admitted Insurance Carriers
53	7	Real Estate and Rental (except 53111 - lessors of residential buildings)
54	7	Professional, Scientific, and Technical Services
55	7	Management of Companies and Enterprises
56	6	Administrative and Support, Waste Management and Remediation Services
61	7	Education Services
62	7	Health Care and Social Assistance
711	3	Arts, Sports and Promoters of Events
711190	8	Carnivals, Circuses
712	2	Museums, Historical Sites, Zoos, Gardens
713	3	Amusement and Recreation, except coin-operated machines & gambling
7131	8	Amusement Arcades, nongambling
7132	8	Gambling Industries, Video Poker
713990	8	Billiard Parlor, Pool Tables
721	3	Accommodation, Hotel, Motel, Inn, Camp
722	1	Eating Places, Food Services, Restaurants, Caterers, except drinking places
722410	8	Drinking Places, Bars (alcoholic)
811	4	Repair and Maintenance Services
812	6	Personal Care, Barber, Beauty, Laundry
813	1	Membership Organizations
92	N/A	Public Administration

ALPHABETICAL
BUSINESS CLASSIFICATION INDEX

This index is not intended to be a complete listing of all types of businesses. It is an aid in finding classifications by common name and reference to the SIC or NAICS Code. All businesses not exempt by law which are in the major groups or sectors listed under each rate class are subject to a license tax whether found in the alphabetical index or not. The License Inspector shall determine the proper classification of a business not listed.

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY A
2011	**311**611	2	Abattoirs
8200	**611**310	7	Academies, college or university
7322	**561**440	6	Account collection services
8721	**541**211	7	Accounting (CPAs) services, certified public
8721	**541**219	7	Accounting services (except CPAs)
7929	**711**510	3	Actors, independent
8049	**621**111	7	Acupuncturists
7331	**511**140	5	Address list publishers
7389	**561**110	6	Administrative management services
7311	**541**810	7	**Advertising** agencies
2752	**323**110	2	Advertising materials printing
2721	**511**120	5	Advertising periodical publishers
7312	**541**850	7	Advertising services, indoor or outdoor display
7991	**713**940	3	Aerobic dance and exercise centers
5088	**421**860	2	Aeronautical equipment and supplies, wholesaling
6411	**524210**	7	**Agencies**, insurance
6531	**531**210	7	Agencies, real estate
7389	**711**410	3	Agents for artists, authors, entertainers, models, sports and public figures, etc.
01-09	**11**	2	**Agriculture** (See type of operation) 111 Crop production 112 Animal production 113 Forestry and logging 114 Fishing, hunting and trapping 115 Agriculture and forestry support activities
5080	**421**820	2	Agricultural machinery and equipment, sale
7623	**811**412	4	Air-conditioner, window, repair and maintenance services
1711	**235**110	8	Air-conditioning installation contractors
4522	**481**211	3	**Aircraft** charter services, passenger
5599	**441**229	1	Aircraft dealers, retail
5088	**421**860	2	Aircraft equipment and supplies, wholesaling
4581	**488**119	3	Aircraft hangar rental
4581	**488**190	3	Aircraft maintenance and repair services
7359	**532**411	7	Aircraft rental and leasing
5812	**722**310	1	Airline food service contractors
4729	**561**599	6	Airline ticket offices
4111	**485**999	3	Airport limousine services (shuttle)
7382	**561**621	6	**Alarm** systems sales with installation, maintenance, or monitoring services
5571	**441**221	1	All-terrain vehicle (ATV) dealers
4119	**621**910	7	Ambulance services, air or ground
7993	**713**120	8	Amusement device parlors (except gambling), coin-operated; arcades
7993	**713**290	8	Amusement, gambling machines, coin-operated (video poker)

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	A
0752	**812**910	6	**Animal** grooming services	
0742	**541**940	7	Animal hospitals	
7399	**561**421	6	Answering services, telephone	
1799	**235**990	8	Antenna installation construction contractors	
5731	**444**112	2	Antenna, satellite, sales and installation	
5521	**441**120	8	**Antique** auto dealers	
7641	**811**420	4	Antique furniture repair and restoration shops	
5932	**453**310	3	Antique shops	
651	**531**110	7	Apartment rental or leasing	
5691	**448**150	1	**Apparel** accessory stores	
7216	**812**320	6	Apparel pressing services	
5641	**448**130	1	Apparel stores, children's and infants' clothing	
5611	**448**110	1	Apparel stores, men's and boys' clothing	
5933	**453**310	3	Apparel stores, used clothing	
5621	**448**120	1	Apparel stores, women's and girls' clothing	
7359	**532**210	7	**Appliance** rental	
5722	**443**111	2	Appliance stores, household-type	
5932	**453**310	3	Appliance stores, household-type, used	
7629	**811**412	4	Appliance, household-type, repair and maintenance services	
5074	**421**720	2	Appliances, gas (except dryers, freezers, refrigerators), wholesaling	
5064	**421**620	2	Appliances, household-type (except gas ranges, gas water heaters), wholesaling	
7371	**541**511	7	Applications software programming services, custom computer	
7389	**541**990	7	**Appraisal** (except real estate) services	
6531	**531**320	7	Appraisal services, real estate	
8422	**712**130	2	Aquariums	
7389	**541**990	7	Arbitration and conciliation services (except by attorney, paralegal)	
7993	**713**120	8	**Arcades**, amusement	
8712	**541**310	7	Architectural (except landscape) services	
0781	**541**320	7	Architectural services, landscape	
6512	**711**310	3	Arena operators	
7694	**811**310	4	Armature rewinding services	
7381	**561**613	6	Armored car services	
8299	**611**610	7	**Art** (except commercial or graphic) instruction	
5999	**453**920	3	Art dealers	
8412	**712**110	2	Art galleries (except retail)	
5999	**453**920	3	Art galleries retailing art	
2741	**511**199	5	Art publishers	
8249	**611**519	7	Art schools, commercial or graphic	
7336	**541**430	7	Art studios, commercial	
5999	**453**998	3	Art supply stores	
6512	**711**310	3	Arts event managers with facilities	
7922	**711**320	3	Arts event managers without facilities	
1799	**562**910	6	Asbestos removal contractors	
8051	**623**311	7	Assisted-living facilities with on-site nursing facilities	
8361	**623**312	7	Assisted-living facilities without on-site nursing care facilities	
8111	**541**110	7	Attorneys' private practices	
5999	**453**998	3	Auction houses (general merchandise)	
5099	**421**990	2	**Audio** and video tapes and disks, prerecorded, wholesaling	
5731	**443**112	2	Audio equipment stores (except automotive)	
7359	**532**490	7	Audio visual equipment rental or leasing	
8721	**541**211	7	Auditing services (CPA services), accounts	
5531	**441**310	1	Auto supply stores	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	A
5044	**421**420	2	Automatic teller machines (ATM) wholesaling	
4226	**493**190	3	**Automobile** dead storage	
5511	**441**110	8	Automobile dealers, new only or new and used	
5521	**441**120	8	Automobile dealers, used only	
8299	**611**692	7	Automobile driving schools	
6159	**522**220	3	Automobile finance leasing companies	
6141	**522**220	3	Automobile financing	
5013	**421**120	2	Automobile glass wholesaling	
7515	**532**112	7	Automobile leasing	
7521	**812**930	6	Automobile parking garages or lots	
5531	**441**310	1	Automobile parts dealers	
7514	**532**111	7	Automobile rental	
4119	**485**320	3	Automobile rental with driver (except shuttle service, taxis)	
7389	**561**491	6	Automobile repossession services	
7389	**561**920	6	Automobile show promoters	
7532	**811**121	4	**Automotive** body shops	
7539	**811**118	4	Automotive brake repair shops	
7948	**711**212	3	Automobile racetracks	
7542	**811**192	4	Automotive detailing services (cleaning, polishing)	
7533	**811**112	4	Automotive exhaust system repair and replacement shops	
7539	**811**118	4	Automotive front end alignment shops	
7536	**811**122	4	Automotive glass shops	
7549	**811**191	4	Automotive oil change and lubrication shops	
7532	**811**121	4	Automotive paint shops	
5013	**421**120	2	Automotive parts, new, wholesaling	
7539	**811**118	4	Automotive radiator repair shops	
7538	**811**111	4	Automotive repair and replacement shops, general	
5531	**441**320	1	Automotive tire dealers	
7537	**811**113	4	Automotive transmission repair shops	
7539	**811**118	4	Automotive tune-up shops	
7532	**811**121	4	Automotive upholstery shops	
7542	**811**192	4	Automotive washing and polishing	
8299	**611**512	7	Aviation schools	
			BUSINESS ACTIVITY	B
8351	**624**410	7	Babysitting services, child day care	
7389	**812**990	6	Bail bonding services	
5421	**445**210	1	Baked ham stores	
5461	**445**291	1	Bakery stores, retailing only	
8299	**611**610	7	Ballet schools (except academic)	
7929	**711**130	3	Bands, dance	
7241	**812**111	6	Barber shops	
5813	**722**410	8	**Bars,** drinking places, lounges, taverns, alcoholic	
7999	**532**292	7	Beach chair, umbrella rental	
5699	**448**190	1	Beachwear stores, retail	
7231	**812**112	6	**Beauty** salons	
7011	**721**191	3	Bed and breakfast inns	
4812	**513**321	8	Beeper (i.e., radio pager) communication carriers	
5963	**722**330	1	Beverage stands, nonalcoholic, mobile	
5941	**451**110	3	**Bicycle** (except motorized) shops	
7999	**532**292	7	Bicycle rental	
7699	**811**490	4	Bicycle repair and maintenance shops without retailing bicycles	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY B
5571	**441**221	8	Bicycle shops, motorized
7322	**56**1440	6	Bill collection services
7312	**54**1850	7	**Billboard** display advertising services
7999	**713**990	8	Billiard rooms, parlors
8721	**54**1219	7	Billing services
7999	**713**290	8	**Bingo** halls, parlors
8099	**62**1410	7	Birth control clinics
7334	**56**1439	6	Blueprinting services
8099	**62**1999	7	Blood pressure screening services
7299	**812**990	6	Blood pressure testing machine concession, coin-operated
0752	**11**5210	2	**Boarding** horses
7021	**721**310	3	Boarding houses
8211	**611**110	7	Boarding schools, elementary or secondary
0752	**812**910	6	Boarding services, pet
5551	**441**222	8	**Boat** dealers, new and used
5551	**441**222	8	Boat trailer dealers
7999	**48**7210	3	Boat, fishing charter, sightseeing, dinner cruises, operation
3732	**811**490	4	Boat, pleasure, repair & maintenance, not retailing new boats
4493	**713**930	3	Boating clubs with marinas
7997	**713**990	3	Boating clubs without marinas
5091	**42**1860	2	Boats (except pleasure) wholesaling
3732	**33**6612	3	Boats (i.e., suitable or intended for personal use) manufacturing
7999	**713**940	3	**Body** building studios, physical fitness
7532	**811**121	4	Body shops, automotive
1711	**23**5110	8	Boiler contractors
6211	**523**120	5	Bond brokerages
4225	**49**3110	3	Bonded warehousing, general merchandise
3555	**32**3121	2	**Book** binding shops
2731	**511**130	5	Book publishers
5942	**451**211	3	Book stores
8721	**54**1219	7	Bookkeeping services
2732	**32**3117	2	Books printing without publishing
5192	**42**2920	2	Books, wholesaling
1794	**23**5930	8	Boring contractors, building construction
5149	**42**2490	2	Bottled water (except water treating) wholesaling
5963	**454**390	3	Bottled water providers, direct selling
7933	**713**950	3	**Bowling** alleys, centers
5091	**42**1910	2	Bowling equipment and supplies, wholesaling
5941	**451**110	3	Bowling equipment and supply stores
7941	**711**310	3	Boxing event promoters
1741	**23**5410	8	Bricklaying construction contractors
5032	**42**1320	2	**Bricks** (except refractory) wholesaling
3251	**32**7121	2	Bricks, clay, manufacturing
5632	**448**190	1	Bridal gown shops (except custom)
7299	**53**2220	7	Bridal wear rental
6211	**523**120	5	Brokerages, securities
6411	**524**210	7	**Brokers'** offices, insurance (see Class 8 for non-admitted rate)
6163	**522**310	3	Brokers' offices, loan, mortgage
6531	**53**1210	7	Brokers' offices, real estate
			Brokers - see heading under type of operation
7349	**56**1720	6	**Building** cleaning services, janitorial
1541	**23**3310	8	Building construction, industrial, general construction contractors

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY B
1522	**233**220	8	Building construction, residential
5211	**444**110	2	Building materials supply dealers, home centers
5171	**422**710	2	Bulk gasoline stations
7353	**532**412	7	Bulldozer rental or leasing without operator
7382	**561**621	6	Burglar alarm sales with installation, maintenance, or monitoring
4141	**485**510	3	Bus charter services (except scenic, sightseeing)
4729	**561**599	6	Bus ticket offices
8244	**611**410	7	Business colleges or schools
8748	**541**611	7	Business management consulting services
5421	**445**210	1	Butcher shops

			BUSINESS ACTIVITY C
8721	**541**211	7	CPAs' (certified public accountants) offices
4121	**485**310	3	Cab (taxi) services
1751	**235**510	8	Cabinet work on site construction contractors
4841	**513**220	8	Cable TV providers (except networks)
1623	**234**920	8	Cable laying
5812	**722**310	1	Cafeteria food service contractors (e.g., office, hospital, school)
5812	**722**212	1	Cafeterias
7359	**532**210	7	Camcorder rental
5043	**421**410	2	**Camera** equipment and supplies, photographic, wholesaling
5946	**443**130	2	Camera shops, photographic
7519	**532**120	7	Camper rental
7033	**721**211	3	Campgrounds
7999	**713**990	3	Camps (except instructional), day
5441	**445**292	1	Candy stores, packaged, retailing only
5145	**422**450	2	Candy wholesaling
7999	**532**292	7	Canoe rental
5963	**722**330	1	Canteens, mobile
5199	**422**990	2	Canvas products wholesaling
5963	**454**390	8	**Canvassers** (door-to-door), direct retail sale of merchandise
7542	**811**192	4	**Car** detailers
7515	**532**112	7	Car leasing
7514	**532**111	7	Car rental agencies
7538	**811**111	4	Car repair shops, general
7542	**811**192	4	Car washes
5947	**453**220	3	Card shops, greeting
5112	**422**120	2	Cards, greeting, wholesaling
7999	**711**190	8	Carnival traveling shows
1751	**235**510	8	Carpentry
7359	**532**490	7	**Carpet** and rug cleaning equipment rental
7217	**561**740	6	Carpet cleaning plants, services, including on premises cleaning
5713	**442**210	2	Carpet stores
5812	**722**211	1	Carryout restaurants
5087	**421**850	2	Caskets, burial, wholesaling
7841	**532**230	7	Cassette, prerecorded video, rental
5812	**722**320	1	Caterers
1742	**235**420	8	Ceiling construction contractors

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	C
5063	**444**190	2	Ceiling fan stores	
4812	**513**322	8	**Cellular** telephone services	
5999	**443**112	2	Cellular telephone stores	
5032	**42**1320	2	Cement wholesaling	
6553	**812**220	6	Cemeteries	
5032	**42**1320	2	Ceramic construction materials (except refractory) wholesaling	
5211	**444**190	2	Ceramic tile stores	
6282	**523**930	5	Certified financial planners, customized, fees paid by client	
8721	**54**1211	7	Certified public accountants' (CPA) offices	
6141	**522**210	3	Charge card issuing	
4522	**48**1212	3	**Charter** air freight services	
4522	**48**1211	3	Charter air passenger services	
4141	**48**5510	3	Charter bus services (except scenic, sightseeing)	
8731	**54**1710	7	**Chemical** research and development laboratories or services	
5169	**42**2690	2	Chemicals (household, industrial, photographic) wholesaling	
5191	**42**2910	2	Chemicals, agricultural, wholesaling	
5144	**42**2440	2	**Chicken** & chicken products (except packaged frozen) wholesaling	
0252	**11**2310	2	Chicken egg production	
7999	**48**7210	3	Charter fishing boat operation	
6099	**522**390	3	Check cashing services	
0251	**11**2320	2	Chicken production (except egg laying)	
2015	**31**1615	2	Chickens, slaughtering and dressing	
8351	**624**410	7	**Child** day care	
7349	**56**1790	6	Chimney cleaning services	
5719	**442**299	2	Chinaware stores	
8041	**62**1310	7	Chiropractors' offices (centers, clinics)	
5947	**453**220	3	**Christmas** stores	
0181	**111**421	2	Christmas tree growing	
5199	**42**2990	2	Christmas trees (artificial, cut) wholesaling	
5261	**454**390	3	Christmas trees, cut, direct selling	
5993	**453**991	3	**Cigarette** stands, permanent	
5194	**42**2940	2	Cigarettes wholesaling	
7999	**711**190	8	Circuses	
6411	**524**291	7	Claims adjusting, insurance	
7219	**81**2320	6	**Cleaners**, drycleaning and laundry service	
7349	**56**1790	6	Cleaning (power sweeping, washing) buildings, parking lots	
7217	**56**1740	6	Cleaning carpets	
7349	**56**1720	6	Cleaning homes, offices, new building interiors, shopping centers	
7217	**56**1740	6	Cleaning services, carpet and rug	
7389	**56**1790	6	Cleaning swimming pools	
8093	**62**1498	7	Clinics/centers, health practitioners practicing in same office	
8999	**514**199	4	Clipping services, news	
7631	**811**490	4	**Clock** repair shops without retailing new clocks	
5944	**448**310	1	Clock shops	
4841	**513**220	8	Closed circuit television (CCTV)	
5699	**448**150	1	**Clothing** accessories stores	
7219	**811**490	4	Clothing repair shops, alterations only	
5651	**448**140	1	Clothing stores, family	
5136	**42**2320	2	Clothing, men's and boys', wholesaling	
5137	**42**2330	2	Clothing accessories, women's, children's, infants', wholesaling	
5989	**454**319	3	Coal dealers, direct selling	
5699	**448**190	1	Coat stores	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	C
5813	**722**410	8	Cocktail lounges	
5812	**722**213	1	Coffee shops, on premise brewing	
7993	**713**120	8	**Coin-operated** amusement devices; arcade (parlor), nongambling	
7215	**812**310	6	Coin-operated drycleaners and laundries	
7993	**713**290	8	Coin-operated gambling device concession operators (video poker)	
5099	**421**990	2	Coin-operated game machines wholesaling	
7993	**713990**	8	Coin-operated nongambling amusement device operators	
7299	**812**990	6	Coin-operated personal service machine (e.g., photo, scales, etc.)	
4222	**493**120	3	Cold storage locker services	
5947	**453**220	3	Collectible gift shops (e.g., crystal, pewter, porcelain)	
7322	**561**440	6	Collection agencies	
7699	**811**310	4	**Commercial** & industrial machinery repair & maintenance services	
8741	**233**320	8	Commercial and institutional building construction management	
7336	**541**430	7	Commercial art services	
2051	**311**812	2	Commercial bakeries	
1542	**233**320	8	Commercial building construction	
6512	**531**120	7	Commercial building rental or leasing	
7323	**561**450	6	Commercial credit reporting bureaus	
7335	**541**922	7	Commercial photography services	
6531	**531**312	7	Commercial property managing	
6531	**531**210	7	Commercial real estate agencies	
7812	**512**110	7	Commercials, television, production	
6221	**523**140	5	Commodity contracts brokers' offices	
1731	**235**310	8	**Communication** equipment construction contractors	
7629	**811**213	4	Communication equipment repair and maintenance services	
5065	**421**690	2	Communications equipment wholesaling	
4111	**485**113	3	Commuter bus operation	
5099	**421**990	2	Compact discs (CDS), prerecorded, wholesaling	
5169	**422**690	2	Compressed gases (except LP gas) wholesaling	
7378	**811**212	4	**Computer** equipment repair and maintenance services	
5734	**443**120	2	Computer equipment stores	
7375	**514**191	4	Computer - internet service providers (ISP)	
8243	**611**420	6	Computer operator training	
7371	**541**511	7	Computer program or software development, custom	
7377	**532**420	7	Computer rental or leasing	
8243	**611**519	7	Computer repair training	
7376	**541**513	7	Computer systems facilities management and operation services	
7374	**514**210	4	Computer time leasing	
7841	**532**230	7	Computer video game rental	
7373	**541**512	7	Computer-aided design systems integration design services	
3571	**334**111	2	Computers, manufacturing	
5734	**443**120	2	Computers, retailing	
5045	**421**430	2	Computers, wholesaling	
7993	**713990**	8	**Concession** operators, amusement device (except gambling), ride	
5963	**722**330	1	Concession stands, food, mobile	
3273	**327**320	2	**Concrete** batch plants, ready-mix manufacture and distribution	
5032	**421**320	2	Concrete building products wholesaling	
1771	**235**710	8	Concrete finishing construction contractors	
6531	**531**311	7	Condominium managers' offices	
6512	**531**120	7	Conference center, no promotion of events, rental or leasing	
5932	**453**310	3	Consignment shops, used	
7353	**532**412	7	**Construction** machinery and equipment rental without operator	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY C
7699	**811**310	4	Construction machinery & equipment repair, maintenance services
5082	**421**810	2	Construction machinery and equipment wholesaling
1541	**233**320	8	Construction management firms, commercial and institutional
7323	**561**450	6	Consumer credit reporting bureaus
6141	**522**291	3	Consumer finance companies
8059	**623**311	7	Continuing care retirement communities
15-17	**23**	8	**Contractors**, construction and special trade - all types
8051	**623**110	7	Convalescent homes or convalescent hospitals
5411	**445**120	1	Convenience food stores
5541	**447**110	1	**Convenience** food with gasoline stations
7389	**561**920	6	Convention promoters, managers, services
7359	**532**420	7	Copier rental or leasing
7334	**561**439	6	**Copy** shops
5044	**421**420	2	Copying machines wholesaling
6719	**551**114	7	Corporate offices
5999	**446**120	1	**Cosmetics** stores
5122	**422**210	2	Cosmetics wholesaling
7231	**812**112	6	Cosmetology salons or shops (beauty shops)
7231	**611**511	7	Cosmetology schools
5699	**448**150	1	**Costume** jewelry stores
5094	**421**940	2	Costume jewelry wholesaling
7299	**532**220	7	Costume rental
0724	**115**111	2	Cotton ginning
8322	**624**190	7	Counseling services
1799	**235**990	8	Counter top construction contractors
7997	**713**910	3	Country clubs
4215	**492**110	3	Courier services
7389	**561**920	6	**Craft** fair managers, organizers, promoters
5945	**451**120	3	Craft supply stores
7353	**532**412	7	Crane rental or leasing without operator
7323	**561**450	6	Credit agencies, investigating services, reporting bureaus
6141	**522**210	3	Credit card issuing (other than banks)
7261	**812**220	6	Crematories (except combined with funeral homes)
0721	**115**112	2	Crop dusting
	111	2	Crop production, agriculture
4729	**561**599	6	Cruise ship ticket offices
5947	**453**220	3	Curio shops
5714	**442**291	2	**Curtain** and drapery stores, packaged
7219	**812**320	6	Curtain cleaning services
7349	**561**720	6	Custodial services
2541	**337**212	2	Custom architectural millwork and fixtures, manufacturing on a job shop basis
1521	**233**210	8	Custom built house construction
2389	**315**211	2	Cut and sew apparel contractors, men's and boys'
2389	**315**212	2	Cut and sew apparel contractors, women's, girls', and infants'

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY D
5451	**445**299	1	Dairy product stores
5143	**422**430	2	Dairy products, wholesaling
7929	**711**130	3	**Dance** bands
7997	**713**940	3	Dance centers, aerobic
7911	**713**990	3	Dance halls, dance schools, studios

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY D
7374	**514**210	4	**Data** processing computer services
2741	**511**140	5	Database and directory publishers
8322	**624**120	7	**Day care** centers, adult
8351	**624**410	7	Day care centers, child or infant
7389	**541**410	7	Decorating consulting services, interior
5411	**722**211	1	Delicatessen restaurants
4215	**492**210	3	Delivery service
1795	**235**940	8	Demolition of buildings or other structures, construction contractors
8072	**339**116	2	**Dental** laboratories
8021	**621**210	7	Dentists' offices (e.g., centers, clinics)
5086	**421**450	2	Dentists' professional supplies wholesaling
5311	**452**110	1	Department stores
8011	**621**111	7	Dermatologists' offices
7338	**561**410	6	Desktop publishing services
7381	**561**611	6	**Detective** agencies
8093	**621**420	7	Detoxification centers and clinics
7549	**811**198	4	Diagnostic centers without repair, automotive
7219	**812**331	6	Diaper supply services
7338	**561**410	6	Dictation services
7299	**812**191	6	Diet centers, non-medical
2759	**323**115	2	Digital printing
5812	**722**110	1	**Diners**, full service
4489	**487**210	3	Dinner cruises
5812	**711**110	3	Dinner theaters
7331	**541**860	7	Direct mail advertising services
5963	**454390**	8	**Direct selling** of merchandise (door-to-door, vehicles, stalls, street vendors)
2741	**511**140	5	Directory and database publishers
7911	**713**990	3	Discotheques (except those serving alcoholic beverages)
7299	**812**990	6	**Discount** buying services
5311	**452**110	1	Discount department stores
4491	**488**310	3	Docking facility operations
7334	**561**439	6	Document copying services
5399	**452**990	1	Dollar stores
1751	**235**510	8	Door and window construction contractors
5812	**722**110	1	Doughnut shops
7389	**541**340	7	Drafting services
7699	**561**790	6	Drain cleaning services
1629	**234**990	8	Dredging, general construction contractors
5813	**722**410	8	**Drinking places** (i.e., bars, lounges, taverns), alcoholic
5812	**722**211	1	Drive-in restaurants
8299	**611**692	7	Driver education
7999	**713**990	3	Driving ranges, golf
5912	**446**110	1	**Drug** stores
5122	**422**210	2	Drugs wholesaling
7212	**812**320	6	Drycleaners
1742	**235**420	8	Drywall construction contractors\
7349	**561**790	6	Duct cleaning services

			BUSINESS ACTIVITY E
7299	**812**199	6	Ear piercing services
7353	**532**412	7	Earth moving equipment rental or leasing without operator
1629	**234**990	8	Earth moving not connected with building construction

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY E
5812	**722**110	1	**Eating places**
0252	**11**2310	2	Egg production, chicken
7699	**811**310	4	**Electric** motor repair and maintenance services
4900	**221**122	8	Electric power distribution systems - franchise
5722	**444**190	2	Electrical supply stores
1731	**23**5310	8	Electrical repair construction contractors
7539	**811**118	4	Electrical repair shops, automotive
5722	**444**190	2	Electrical supply stores
7993	**713**120	8	Electronic game arcades, nongambling
5065	**42**1690	2	Electronic parts, wholesaling
7629	**811**412	4	Electronic repair
1796	**23**5950	8	Elevator, escalator installation contractors
7261	**812**210	6	Embalming services
7361	**56**1310	6	Employment agencies
7538	**811**111	4	**Engine** repair and replacement shops, automotive
7699	**811**411	4	Engine repair, small engine (e.g., lawnmowers)
8711	**54**1330	7	Engineering services
7929	**711**510	3	Entertainers, independent
8999	**54**1620	7	Environmental consulting services
1799	**56**2910	6	Environmental remediation services
0851	**11**5310	2	Estimating timber
7991	**713**940	3	**Exercise** centers
7999	**53**2292	7	Exercise equipment rental
5941	**451**110	3	Exercise equipment stores
7538	**811**112	4	Exhaust system repair and replacement shops, automotive
7342	**56**1710	6	Exterminating services

			BUSINESS ACTIVITY F
5949	**451**130	3	Fabric shops
5131	**42**2310	2	Fabrics, textile (except burlap, felt), wholesaling
7629	**811**213	4	Facsimile machine repair and maintenance services
8093	**62**1410	7	Family planning counseling services
5191	**42**2910	2	Farm supplies wholesaling
5812	**722**211	1	Fast food restaurants
5191	**444**220	2	Feed stores
1799	**23**5990	8	Fence construction contractors
0782	**56**1730	6	Fertilizing lawns
7941	**711**310	3	Festival promoters
1731	**23**5310	8	Fiber optic cable construction contractors
6141	**522**291	3	**Finance** companies
6282	**523**930	5	Financial investment or planning services
2261	**31**3311	2	Finishing plants, broadwoven fabric
7382	**56**1621	6	Fire alarm sales, installation, maintenance, or monitoring services
5989	**454**319	3	Firewood dealers, direct selling
5999	**453**998	3	Fireworks shops + $50 State license
7999	**48**7210	3	Fishing boat charter operation
5941	**451**110	3	Fishing supply stores

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	F
5421	**445**220	1	**Fish** markets	
7999	**713**940	3	Fitness centers	
6512	**531**120	7	**Flea market** space, rental or leasing	
5963	**454**390	3	Flea markets, direct selling - peddlers	
7999	**713**210	8	Floating casinos (i.e., gambling cruises, riverboat casinos)	
1752	**235**520	8	Floor laying, finishing, or refinishing construction contractors	
7389	**561**422	6	Floral wire services	
5992	**453**110	3	**Florists**	
5992	**453**110	3	Flower shops	
7389	**561**920	6	Flower show promoters	
5193	**422**930	2	Flowers wholesaling	
8299	**611**512	7	Flying instruction	
5411	**445**110	1	**Food**, grocery stores	
5499	**446**191	1	Food, health supplement stores	
5963	**722**330	1	Food carts, mobile	
5812	**722**310	1	Food service contractors, concession operator, or cafeteria	
5661	**448**210	1	Footwear stores	
5139	**422**340	2	Footwear wholesaling	
0851	**115**310	2	Forestry services	
7299	**532**220	7	Formal wear rental	
	812990		Fortune-telling services - PROHIBITED	
6794	**533**110	7	Franchise agreements, leasing, selling or licensing only	
5431	**445**230	1	Fruit and vegetable markets or stands, permanent	
5983	**454**311	3	**Fuel oil** (i.e., heating) dealers, direct selling	
5172	**422**720	2	Fuel oil wholesaling	
7261	**812**210	6	Funeral homes	
7359	**532**299	7	**Furniture** rental centers	
5712	**442**110	2	Furniture and appliance stores, new	
7217	**561**740	6	Furniture cleaning services	
7641	**811**420	4	Furniture refinishing, repair, or reupholstery shops	
5932	**453**310	3	Furniture stores, used	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	G
7993	**713**290	8	Gambling device arcades or parlors, coin-operated	
4953	**562**111	6	Garbage collection services	
5261	**444**220	2	**Garden** centers	
7699	**811**411	4	Garden equipment repair and maintenance services	
0782	**561**730	6	Garden maintenance services	
5261	**444**210	2	Garden power equipment stores	
7359	**532**490	7	Garden tractor rental or leasing	
7219	**811**490	4	Garment alteration and/or repair shops	
7216	**812**320	6	Garment cleaning services	
1623	**234**910	8	Gas main construction	
4900	**221**210	8	Gas, natural, distribution - franchise	
5171	**422**710	2	**Gasoline** bulk stations and terminals	
5541	**447**110	1	Gasoline stations with convenience stores	
5541	**447**190	1	Gasoline stations without convenience stores	
5172	**422**720	1	Gasoline wholesaling (except bulk stations, terminals)	
5399	**452**990	1	General stores	
8713	**541**370	7	Geographic information system (GIS) base mapping services	
5947	**453**220	3	Gift shops and greeting card shops	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY G
0724	**115**111	2	Ginning cotton
1793	**235**920	8	**Glass** installation (except automotive) construction contractors
7536	**811**122	4	Glass shops, automotive
5231	**444**190	2	Glass stores
5719	**442**299	2	Glassware stores
7992	**713**910	3	**Golf** courses and country clubs
7992	**713**990	3	Golf courses, miniature, pitch-n-putt, driving ranges
5941	**451**110	3	Golf pro shops, sporting goods stores
5499	**445**299	1	Gourmet food stores
2041	**311**211	2	Grain mills
7336	**541**430	7	Graphic art and related design services
5141	**422**410	2	Groceries, general-line, wholesaling
5411	**445**110	1	**Grocery stores**
8351	**624**410	7	Group day care centers, child or infant
8059	**623**110	7	Group homes for the disabled
7381	**561**612	6	Guard services
7011	**721**199	3	Guest houses
7999	**713**990	3	Guide services
5941	**451**110	3	Gun shops, gunsmiths

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY H
8010	**621**491	7	HMO (health maintenance organization)
7231	**812**112	6	**Hair** stylist services, hairdresser
5632	**448**150	1	Handbag stores
5072	**421**710	2	Hardware (except motor vehicle) wholesaling
5251	**444**130	2	Hardware stores
4953	**562**112	6	Hazardous waste collection services
5912	**446**110	1	**Health** and beauty aids stores
7991	**713**940	3	Health club facilities, physical fitness
5499	**446**191	1	Health food stores
7011	**721**110	3	Health spas
7353	**234**990	8	Heavy construction equipment rental with operator
7353	**532**412	7	Heavy construction equipment rental without operator
7699	**811**310	4	Heavy machinery and equipment repair and maintenance services
4522	**481**211	3	Helicopter passenger carriers
1611	**234**110	8	Highway construction
5945	**451**120	3	Hobby shops
6700	**551**112	7	Holding companies
5531	**452**990	1	**Home** and auto supply stores
5719	**442**299	2	Home furnishings, miscellaneous retail
8082	**621**610	7	Home health care agencies
5211	**444**110	2	Home improvement centers
8049	**621**399	7	Home nursing services
8052	**623**110	7	Homes for the aged
4789	**487**110	3	Horse-drawn carriage operation
8082	**621**610	7	Hospice care services, in home
6324	**524**114	8	**Hospital** and medical service plans, direct (insurance)
8062	**622**110	7	Hospitals, general medical and surgical
7011	**721**199	3	Hostels
5999	**453**998	3	Hot tub stores
8741	**561**110	6	**Hotel** management services
7011	**721**110	3	Hotels
1799	**235**990	8	House moving construction contractors

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY H
5963	**454**390	3	House-to-house direct selling
7349	**561**720	6	Housekeeping services
5719	**442**299	2	Housewares stores
7997	**713**990	3	Hunting clubs, recreational
0971	**114**210	2	Hunting preserves
			BUSINESS ACTIVITY I
5451	**722**213	1	Ice cream parlors
5963	**722**330	1	Ice cream truck vendors
7291	**541**213	7	**Income tax** return preparation services
7699	**811**310	4	Industrial equipment and machinery repair, maintenance services
8731	**541**710	7	Industrial research and development
8351	**624**410	7	Infant day care services
7375	**514**191	4	Information access services, on-line
7373	**541**512	7	Information management computer systems integration design services
7011	**721**191	3	Inns, bed and breakfast
0721	**115**112	2	**Insect** control for crops
7342	**561**710	6	Insect extermination services
6141	**522**220	3	Installment sales financing
1742	**235**420	8	Insulation construction contractors
6411	**524**210	7	**Insurance** agencies
632	**524**114	8	Insurance carriers, health, direct
631	**524**113	8	Insurance carriers, life, disability, direct
633	**524**126	8	Insurance carriers, property and casualty, fidelity, surety, direct
636	**524**127	8	Insurance carriers, title, direct
6411	**524**291	7	Insurance claims adjusting
7389	**541**410	7	Interior decorator, design services
7375	**514**191	4	**Internet** service providers (ISP)
7381	**561**611	6	Investigators, private
6282	**523**930	5	Investment advice consulting services
			BUSINESS ACTIVITY J
5087	**421**850	2	Janitorial equipment and supplies wholesaling
7349	**561**720	6	Janitorial services
7631	**811**490	4	Jewelry repair shops
5944	**448**310	1	Jewelry stores
5094	**421**940	2	Jewelry wholesaling
8331	**624**310	7	Job counseling, vocational rehabilitation
5093	**421**930	8	Junk dealers, wholesaling
			BUSINESS ACTIVITY K
7999	**611**620	7	Karate schools
0752	**812**910	6	Kennels, pet boarding
			Kerosene - see fuel oil
7699	**811**490	4	Key duplicating shops
8092	**621**492	7	Kidney dialysis centers and clinics
8211	**611**110	7	Kindergartens
5211	**444**190	2	Kitchen cabinet (except custom) stores
2434	**337**110	2	Kitchen cabinets, stock or custom wood, manufacturing
5719	**442**299	2	Kitchenware stores
			Knitting mills - see textile mills

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	L
8049	**621**399	7	LPNs' (licensed practical nurses) offices	
7363	**561**330	6	Labor leasing services	
8071	**621**511	7	Laboratories, medical	
8734	**541**380	7	Laboratories, testing (except medical)	
5047	**421**450	2	Laboratory equipment, dental and medical, wholesaling	
5719	**442**299	2	Lamp shops, electric	
1629	**234**990	8	**Land** clearing and drainage construction contractors	
6519	**531**190	7	Land rental or leasing	
6552	**233**110	8	Land subdividers and developers (except cemeteries)	
8713	**541**370	7	Land surveying services	
0781	**541**320	7	Land use planning services	
4953	**562**212	6	Landfills	
0781	**541**320	7	Landscape architectural services	
0782	**561**730	6	Landscape installation, care and maintenance services	
7215	**812**320	6	**Laundries**	
7215	**812**310	6	Laundromats	
7213	**812**331	6	Laundry services, linen supply	
8111	**541**110	7	Law offices	
7699	**811**411	4	**Lawn** and garden equipment repair and maintenance services	
0782	**561**730	6	Lawn care services	
5261	**444**220	2	Lawn supply stores	
7359	**532**490	7	**Leasing** equipment	
7515	**532**112	7	Leasing automobiles	
5719	**444**190	2	Lighting fixture stores	
5063	**421**610	2	Lighting fixtures, electric, wholesaling	
7514	**532**111	7	Limousine rental without driver	
4111	**485**320	3	Limousines for hire with driver (except taxis)	
5719	**442**299	2	Linen stores	
5632	**448**190	1	Lingerie stores	
5171	**422**710	2	Liquefied petroleum gas (LPG) bulk stations and terminals	
5984	**454**312	3	Liquefied petroleum gas (LPG) dealers, direct selling	
5172	**422**720	2	Liquefied petroleum gas (LPG) wholesaling	
6163	**522**310	3	**Loan** brokers' or agents' offices	
6141	**522**291	3	Loan companies (i.e., consumer, personal, small, student)	
7699	**561**622	6	Locksmith services	
2411	**113**310	2	Logging	
4813	**513**310	8	Long-distance telephone carriers (except wireless)	
4813	**513**330	8	Long-distance telephone resellers (except satellite)	
4491	**488**320	3	Longshoremen services	
5813	**722**410	8	**Lounges**, cocktail	
5948	**448**320	1	Luggage stores	
5031	**421**310	2	Lumber (e.g., dressed, finished, rough) wholesaling	
5211	**444**190	2	Lumber retailing yards	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	M
3599	**332**710	2	Machine shops	
7699	**811**310	4	Machine tools repair and maintenance services	
5044	**421**420	2	Machines, office, wholesaling	
5963	**454**390	8	**Magazine**, sales or subscriptions, door-to-door	
5994	**451**212	3	Magazine stands	
5192	**422**920	2	Magazines wholesaling	
7349	**561**720	6	Maid services	
7359	**532**420	7	Mailing equipment rental or leasing	
7331	**511**140	5	Mailing list compiling services	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY M
8742	**561**110	6	Management services (except complete operation of business)
6531	**531**312	7	**Managers'** offices, commercial real estate
6531	**531**311	7	Managers' offices, residential real estate
7389	**561**920	6	Managers, convention, trade fair or show
7389	**711**410	3	Managers, entertainers, public figures, sports figures
7231	**812**113	6	Manicurist services
5039	**421**390	2	Manufactured (mobile) homes wholesaling
5271	**453**930	3	Manufactured (mobile) home dealers
6515	**531**190	7	Manufactured (mobile) home parks, sites rental or leasing
20-23	**31**	2	**Manufacturing** - food, beverages, tobacco products, textiles, apparel, leather goods
24-32	**32**	2	**Manufacturing** - wood products, manufactured (mobile) homes, prefabricated (modular) buildings, paper, printing, petroleum products, chemicals, gases, dyes, plastics, synthetic rubber, synthetic fibers, fertilizer, pesticides, medicine, paint, soap, film, rubber products, clay and ceramic products, glass, cement, concrete products, mineral products, etc.
33-39	**33**	2	**Manufacturing** - metals and metal products, small arms, ammunition, farm machinery, construction machinery, industrial machinery, commercial & service machinery, office machines, heating and air-conditioning equipment, tools, engines, pumps, elevators, computer and electronic products, communications equipment, audio and video equipment, instruments, timing devices, lighting equipment, appliances, electrical equipment, batteries, wire, transportation equipment and motor vehicles, trailers and campers, aircraft and parts, military equipment, home and office furniture, household products, medical equipment and supplies, jewelry, athletic goods, toys and games, signs, musical instruments, caskets, and Misc.
4493	**713**930	3	Marina
5551	**441**222	8	Marine supply dealers, boat dealers
5032	**421**320	2	Mason's materials wholesaling
5032	**444**190	2	**Masonry** (block, brick, stone) dealers
1741	**235**410	8	Masonry construction contractors
5621	**448**120	1	Maternity shops
5712	**442**110	2	Mattress stores
6553	**812**220	6	Mausoleums
8322	**624**210	7	Meal delivery programs
5421	**445**210	1	**Meat** markets
5147	**422**470	2	Meats and meat products wholesaling
1711	**235**110	8	Mechanical construction contractors
8711	**541**330	7	Mechanical engineering services
6512	**531**120	7	**Medical** building rental or leasing
8011	**621**111	7	Medical doctors' offices
5047	**421**450	2	Medical equipment and supplies wholesaling
8071	**621**511	7	Medical laboratories
8641	**813**410	1	Membership associations, civic or social
6553	**812**220	6	Memorial gardens (i.e., burial places)
7389	**561**421	6	Message services, telephone answering
4215	**492**210	3	Messenger service
5051	**421**510	2	Metals, ferrous and nonferrous, wholesaling
7389	**561**990	6	Meter reading services, contract
2026	**311**511	2	Milk processing
5085	**421**840	2	Mill supplies wholesaling
7999	**713**990	3	Miniature golf courses
4225	**531**130	7	Miniwarehouse rental or leasing
5963	**722**330	1	**Mobile** food stands

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	M
6515	**531**190	7	Mobile (manufactured) home parks, site rental or leasing	
5271	**453**930	3	Mobile (manufactured) home dealers	
7519	**532**120	7	Mobile home rental, except on site	
1799	**235**990	8	Mobile home site setup and tie down construction contractors	
4212	**484**220	4	Mobile home towing services	
4812	**513**322	8	Mobile telephone communication carriers	
1521	**233**210	8	**Modular** house assembly and installation on site, construction	
6159	**522**390	3	Money order issuance services, not related to banking	
5999	**453**998	3	**Monument** (burial marker) dealers	
5099	**421**990	2	Monuments and grave markers wholesaling	
3281	**327**991	2	Monuments and tombstone, cut stone manufacturing	
5571	**441**221	8	Moped dealers	
7999	**532**292	7	Moped rental	
6162	**522**292	3	**Mortgage** banking (nondepository mortgage lending)	
6163	**522**310	3	Mortgage brokers' or agents' offices (independent)	
7261	**812**210	6	Mortuaries	
7011	**721**110	3	**Motels**	
7819	**512**199	3	Motion picture booking agencies	
7833	**512**131	3	Motion picture theaters	
4231	**484**110	3	**Motor** freight carrier, general	
5561	**441**210	8	Motor home dealers	
7513	**532**120	7	Motor home rental	
7699	**811**310	4	Motor repair and maintenance services	
5571	**441**221	8	Motor scooter dealers	
5013	**421**120	2	Motor vehicle parts and accessories, wholesaling	
7549	**488**410	3	Motor vehicle towing services	
5012	**421**110	2	Motor vehicles wholesaling	
5571	**441**221	8	Motorcycle dealers	
7999	**532**292	7	Motorcycle rental	
7699	**811**490	4	Motorcycle repair shops	
0782	**561**730	6	Mowing services	
7533	**811**112	4	Muffler repair and replacement shops	
8299	**611**610	7	**Music** instruction	
5736	**451**220	3	Music stores (e.g., cassette, compact disc, record, tape)	
7359	**532**299	7	Musical instrument rental	
7699	**811**490	4	Musical instrument repair shops	
5099	**421**990	2	Musical recordings wholesaling	
7929	**711**130	3	Musicians, independent	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	N
4923	**221**210	8	Natural gas distribution systems - franchise	
8049	**621**399	7	Naturopaths' offices (e.g., centers, clinics)	
5611	**448**150	1	Neckwear stores	
5949	**451**130	3	Needlecraft sewing supply stores	
8011	**621**111	7	Neurologists' offices (e.g., centers, clinics)	
7383	**514**110	4	News service, syndicate	
2721	**511**120	5	Newsletter publishers	
7313	**541**840	7	**Newspaper** advertising representatives (independent of media owners)	7383
	711510	3	Newspaper columnists, independent (freelance)	
2711	**511**110	5	Newspaper publishers	
5192	**422**920	2	Newspapers wholesaling	
5994	**451**212	3	Newsstands	
5813	**722**410	8	**Night clubs**, alcoholic beverage	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	N
5199	**422**990	2	Novelties wholesaling	
5947	**453**220	3	Novelty shops	
7361	**561**310	6	Nurse registries	
5261	**444**220	2	**Nursery** and garden centers	
5193	**422**930	2	Nursery stock (except plant bulbs, seeds) wholesaling	
0181	**111**421	2	Nursery stock growing	
8082	**621**610	7	Nursing agencies, primarily providing home nursing services	
8051-3	**623**110	7	Nursing homes	

			BUSINESS ACTIVITY	O
8011	**621**111	7	Obstetricians' offices	
8049	**621**340	7	Occupational therapists' offices	
6512	**531**120	7	**Office** building rental or leasing	
7349	**561**720	6	Office cleaning services	
5044	**421**420	2	Office equipment wholesaling	
7359	**532**420	7	Office furniture rental or leasing	
5712	**442**110	2	Office furniture stores	
5021	**421**210	2	Office furniture wholesaling	
7363	**561**320	6	Office help supply services	
7629	**811**212	4	Office machine repair and maintenance services (except communication equipment)	
7359	**532**420	7	Office machinery and equipment rental or leasing	
5044	**421**420	2	Office machines wholesaling	
8741	**561**110	6	Office management services	
5112	**422**120	2	Office supplies (except furniture, machines) wholesaling	
5943	**453**210	3	Office supply stores	
7549	**811**191	4	**Oil** change and lubrication shops, automotive	
5171	**422**710	2	Oil, petroleum, bulk stations and terminals	
5172	**422**720	2	Oil, petroleum, wholesaling (except bulk stations, terminals)	
5983	**454**311	3	Oil, heating, retail	
7375	**514**191	4	On-line access service providers	
8011	**621**111	7	Oncologists' offices	
1513	**233**210	8	Operative builders	
8011	**621**111	7	Ophthalmologists' offices	
5048	**421**460	2	**Optical** goods (except cameras) wholesaling	
5995	**446**130	1	Optical goods stores (except offices of optometrists)	
7389	**514**210	4	Optical scanning services	
8042	**621**320	7	Optometrists' offices	
8021	**621**210	7	Orthodontists' offices	
8011	**621**111	7	Orthopedic physicians' offices	
8011	**621**111	7	Osteopathic physicians' (except mental health) offices	
5551	**441**222	8	Outboard motor dealers	
7699	**811**490	4	Outboard motor repair shops	
7312	**541**850	7	**Outdoor** display advertising services	
5941	**451**110	3	Outdoor sporting equipment stores	

			BUSINESS ACTIVITY	P
8099	**621**999	7	Pacemaker monitoring services	
4812	**513**321	8	Paging services	
7532	**811**121	4	**Paint** shops, automotive	
5231	**444**120	2	Paint stores	
5198	**422**950	2	Painter's supplies wholesaling	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	P
8999	**711**510	3	Painters (i.e., artists), independent	
1721	**235**210	8	Painting, exterior and interior, construction contractors	
	812990		Palm reading services - PROHIBITED	
5093	**421**930	2	Paper, scrap, wholesaling	
7521	**812**930	6	Parking garages, lots, automobile	
5531	**441**310	1	Parts and accessories dealers, automotive	
7359	**532**299	7	**Party** rental supply centers	
5411	**445**120	1	Party shops, convenience stores	
8011	**621**111	7	Pathologists', neuropathological, offices	
7381	**561**612	6	Patrol services, security	
5932	**522298**	8	**Pawnshops**	
7299	**812**990	6	Pay telephone equipment concession operators	
4841	**513**210	8	Pay television networks - franchise	
8011	**621**111	7	Pediatricians' offices	
5963	**454390**	8	**Peddlers**, direct selling of merchandise (door-to-door, from vehicles or stalls, street vendors)	
8299	**611**610	7	Performing arts schools (except academic)	
4812	**513**322	8	Personal communication services (PCS), communication carriers	
7342	**561**710	6	Pest control services	
0752	**812**910	6	**Pet** boarding services	
6553	**812**220	6	Pet cemeteries	
0752	**812**910	6	Pet grooming services	
0742	**541**940	7	Pet hospitals	
5999	**453**910	3	Pet shops	
5199	**422**990	2	Pet supplies (except pet food) wholesaling	
0752	**812**910	6	Pet training services	
			Petroleum - see Gas or Oil	
5122	**422**210	2	Pharmaceuticals wholesaling	
5912	**446**110	1	Pharmacies	
5112	**422**120	2	**Photocopy** supplies wholesaling	
7629	**811**212	4	Photocopying machine repair and maintenance services	
7334	**561**439	6	Photocopying services	
7384	**812**921	6	Photofinishing services, developing	
7335	**541**922	7	Photographers, commercial	
7221	**541**921	7	Photographers, portraits	
5043	**421**410	2	**Photographic** equipment and supplies wholesaling	
7359	**532**210	7	Photographic equipment rental	
7629	**811**211	4	Photographic equipment repair shops	
5946	**443**130	2	Photographic supply stores	
7221	**541**921	7	Photography services, studios	
7991	**713**940	3	Physical fitness facilities	
8049	**621**340	7	Physical therapy offices	
8011	**621**111	7	**Physicians'** (except mental health) offices	
8049	**621**399	7	Physicians' assistants' offices	
8049	**621**340	7	Physiotherapists' offices	
7359	**532**299	7	**Piano** rental	
5736	**451**140	3	Piano stores	
7699	**442**299	2	Picture frame shops, custom	
5999	**453**998	3	Picture frames, ready made - retail	
5131	**422**310	2	Piece goods wholesaling	
5949	**451**130	3	Piece goods stores	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY P
1629	**234**990	8	Pier construction
1623	**234**910	8	Pipeline (e.g., gas, oil, sewer, water) construction
5812	**722**110	1	Pizza parlors
7361	**561**310	6	Placement agencies or services, employment
0783	**561**730	6	Plant and shrub maintenance services
8011	**621**111	7	Plastic surgeons' offices
5093	**421**930	2	Plastics scrap wholesaling
1711	**235**110	8	**Plumbing** construction contractors - plumbers
5074	**421**720	2	Plumbing equipment, fixtures, supplies wholesaling
5211	**444**190	2	Plumbing supply stores
8043	**621**391	7	Podiatrists' offices
7381	**561**611	6	Polygraph services
7389	**561**790	6	**Pool** cleaning
7999	**713990**	8	Pool rooms
4491	**488**310	3	Port facility operation
7359	**562**991	6	Portable toilet renting and/or servicing
1542	**233**320	8	Post office construction
5499	**445**210	1	Poultry dealers
5261	**444**210	2	**Power** equipment stores, outdoor
1623	**234**920	8	Power line construction
7359	**532**490	7	Power washer rental or leasing
7349	**561**790	6	Power washing building exteriors
8351	**624**410	7	Pre-kindergarten, preschool centers
1791	**235**910	8	Precast concrete product placement construction contractors
1522	**233**220	8	Prefabricated building erection
5211	**444**190	2	Prefabricated building dealers
2759	**323**114	2	Print shops - commercial
7381	**561**611	6	Private detective services
8211	**611**110	7	Private schools, elementary or secondary
5941	**451**110	3	Pro shops (e.g., golf, skiing, tennis)
7389	**541**199	7	Process server services
8011	**621**111	7	Proctologists' offices
5431	**445**230	1	**Produce** markets
5141	**422**480	2	Produce, fresh, wholesaling
7371	**541**511	7	Programming services, custom computer
7941	**711**310	3	Promoters of events
			Propane - see Liquefied Petroleum Gas
6531	**531**311	7	Property manager
5999	**446**199	1	Prosthetic stores
0783	**561**730	6	Pruning services, ornamental tree and shrub
8361	**623**220	7	Psychiatric convalescent homes or hospitals
8011	**621**112	7	Psychiatrists' offices
8049	**621**330	7	Psychologists' offices
8721	**541**211	7	Public accountants' (CPAs) offices, certified
8721	**541**219	7	Public accountants' (except CPAs) private practices
8743	**541**820	7	Public relations services
5099	**421**990	2	Pulpwood wholesaling
7699	**562**991	6	Pumping cesspools and septic tanks

			BUSINESS ACTIVITY Q
7334	**323**114	2	Quick printing - duplicating
7549	**811**191	4	Quick-lube shops
6289	**523**999	5	Quotation services, securities

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY R
7033	**721**211	3	RV (recreational vehicle) parks
7519	**532**120	7	RV (recreational vehicle) rental or leasing
5561	**441**210	8	RV dealers
7948	**711**212	3	Racetracks (e.g., automobile, horse)
8734	**541**380	7	Radiation testing laboratories or services
7539	**811**118	4	Radiator repair shops, automotive
4812	**513**321	8	Radio paging services communication carriers
7622	**811**211	4	Radio repair and maintenance services
4832	**513**112	4	Radio stations
4953	**562**211	6	Radioactive waste collecting and/or disposal
8011	**621**111	7	Radiologists' offices
8734	**541**380	7	Radon testing laboratories or services
40	**482**	8	Railroads
3273	**327**320	2	Ready-mixed concrete manufacturing and distributing
6519	**531**190	7	**Real estate** (except building) rental or leasing
6531	**531**210	7	Real estate agents' or brokers' offices
6531	**531**320	7	Real estate appraisal services
6531	**531**390	7	Real estate listing services
6531	**531**312	7	Real estate property managers' offices, commercial
6531	**531**311	7	Real estate property managers' offices, residential
4225	**531**130	7	Real estate rental or leasing of miniwarehouses & self-storage
6512	**531**120	7	Real estate rental or leasing of nonresidential building (except miniwarehouse)
6513	**531**110	none	Real estate rental or leasing of residential building - exempt
6552	**233**110	8	Real property (except cemetery lots) development or subdivision
7534	**326**212	2	Recapping tires
5735	**451**220	3	Record stores
7389	**512**240	3	Recording studios, sound
7999	**713**990	3	**Recreational** day camps (except instructional)
5091	**421**910	2	Recreational equipment and supplies (except vehicles) wholesaling
7999	**532**292	7	Recreational goods rental
5941	**451**110	3	Recreational goods stores - retail
7997	**713**940	3	Recreational sports club facilities
5561	**441**210	8	Recreational vehicle (RV) dealers
7519	**532**120	7	Recreational vehicle (RV) rental or leasing
7033	**721**211	3	Recreational vehicle parks
5561	**441**210	1	Recreational vehicle parts and accessories stores
5012	**421**110	2	Recreational vehicles wholesaling
5093	**421**930	8	Recyclable material, junk, wholesaling
7361	**561**310	6	Referral agencies or services, employment
5963	**722**330	1	Refreshment stands, mobile
4222	**493**120	3	Refrigerated warehousing
4212	**562**111	6	Refuse collection services
4953	**562**219	6	Refuse treatment and disposal, nonhazardous
8331	**624**310	7	Rehabilitation job counseling and training, vocational
5942	**451**211	3	Religious book stores
7359	**532**310	7	Rent-all centers, miscellaneous rental
7699	**811**	4	**Repair services** (see type of operation)
7389	**561**491	6	Repossession services
7389	**561**599	6	Reservation services (e.g., airline, car rental, hotel, restaurant)
8052	**623**110	7	Rest, retirement homes
5812	**722**110	1	Restaurants
	44-45		**Retail** (see type of operation)
		1	**441** Motor vehicle & parts dealers
		2	**442** Furniture & home furnishing stores

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	R
		2	**443** Electronics & appliance stores	
		2	**444** Building material, garden equipment & supply dealers	
		3	**445** Food & beverage stores	
		1	**446** Health & personal care stores	
		1	**447** Gasoline stations	
		1	**448** Clothing & clothing accessories stores	
		3	**451** Sporting goods, hobby, book & music stores	
		1	**452** General merchandise stores	
		3	**453** Miscellaneous store retailers	
		3	**454** Nonstore retailers	
7641	**811**420	4	Reupholstery shops, furniture	
7993	**713**990	3	Riding stables	
7993	**713**990	3	Rifle clubs, recreational	
7999	**713**940	3	Roller skating rinks	
1761	**235**610	8	**Roof** spraying, painting or coating, construction contractors	
5211	**444**190	2	Roofing material dealers	
5033	**421**330	2	Roofing materials (except wood) wholesaling	
7021	**721**310	3	Rooming and boarding houses	
7217	**561**740	6	Rug cleaning services	
5713	**442**210	2	Rug stores	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	S
5551	**441**222	8	Sailboat dealers	
7999	**532**292	7	Sailboat rental	
4493	**713**930	3	Sailing clubs	
5211	**444**190	2	Sand, retail	
5032	**421**320	2	Sand wholesaling	
5812	**722**211	1	Sandwich shops	
5149	**422**490	2	Sandwich wholesaling	
4953	**562**212	6	Sanitary landfills	
5731	**444**112	2	Satellite antenna sales & installation	
7699	**811**411	4	Saw repair and maintenance	
2421	**321**113	2	Sawmills	
8200	**611**	7	**Schools** (see type)	
5146	**422**460	2	Seafood (except canned, packaged frozen) wholesaling	
5421	**445**220	1	Seafood markets	
7338	**561**410	6	Secretarial services	
6211	**523**120	5	Securities brokers' offices	
7382	**561**621	6	**Security** alarm systems sales with installation, maintenance, or monitoring services	
7381	**561**612	6	Security guard services	
4225	31130	7	Self-storage warehousing	
1711	**235**110	8	Septic system construction contractors	
7699	**562**991	6	Septic tank cleaning services	
5541	**447**190	1	Service stations, gasoline	
7699	**562**998	6	Sewer cleaning and rodding services	
4952	**221**320	6	Sewer systems	
5722	**443**111	2	Sewing machine stores, household-type	
5949	**451**130	3	Sewing supply stores	
7251	**811**430	4	**Shoe** repair shops	
5661	**448**210	1	Shoe stores (except bowling, golf, spiked)	
5941	**451**110	3	Shoe stores, specialty sports footwear	
5139	**422**340	2	Shoes wholesaling	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	S
4119	**485**999	3	Shuttle services (except employee bus)	
1761	**235**610	8	Siding construction contractors	
5033	**444**190	2	Siding dealers	
4489	**487**210	3	Sightseeing boat operation	
4119	**487**110	3	Sightseeing bus operation	
1799	**235**990	8	**Sign** contractors, installation (on buildings)	
1611	**234**110	8	Sign erection (i.e., highway, street) contractors	
7389	**541**890	7	Sign lettering and painting services	
6141	**522**291	3	Small loan companies	
5812	**722**213	1	Snack bars, soda fountains, fixed location	
5963	**722**330	1	Snack stands, mobile	
5149	**422**490	2	Soft drinks wholesaling	
5947	**453**220	3	Souvenir shops	
7991	**713**940	3	Spa - health club	
8049	**621**340	7	Speech therapists' offices	
7999	**532**292	7	**Sporting** goods rental	
5941	**451**110	3	Sporting goods stores	
7941	**711**310	3	Sports event managers, promoters	
7941	**711**410	3	Sports figures' agents or managers	
5943	**453**210	3	Stationery stores	
5112	**422**120	2	Stationery supplies wholesaling	
5812	**722**110	1	Steak houses	
5051	**421**510	2	Steel wholesaling	
7338	**561**410	6	Stenographic services	
5731	**443**112	2	Stereo stores	
4491	**488**320	3	Stevedoring services	
6211	**523**120	5	Stock brokers' offices	
5963	**454390**	8	**Street vendors** (except food)	
5963	**722**330	1	Street vendors, food	
5411	**445**110	1	Supermarkets	
5399	**452**910	1	Superstores (food and general merchandise)	
8011	**621**111	7	Surgeons' (except dental) offices	
0742	**541**940	7	Surgeons' offices, veterinary	
8021	**621**210	7	Surgeons', dental, offices	
5047	**421**450	2	Surgical supplies wholesaling	
8713	**541**370	7	**Surveying** and mapping services (except geophysical)	
5049	**421**490	2	Surveying equipment and supplies wholesaling	
8713	**541**360	7	Surveying services, geophysical	
7999	**611**620	7	Swimming instruction	
7389	**561**790	6	Swimming pool cleaning and maintenance	
1799	**235**990	8	Swimming pool construction contractors	
5999	**453**998	3	Swimming pool supply stores	
5091	**421**910	2	Swimming pools and equipment wholesaling	

			BUSINESS ACTIVITY	T
5699	**448**190	1	T-shirt shops, custom printed	
5941	**451**110	3	Tackle shops (fishing)	
7219	**811**490	4	Tailor shops, alterations only	
5812	**722**211	1	Take out eating places	
7299	**812**199	6	Tanning salons	
5099	**421**990	2	Tapes, prerecorded, audio or video, wholesaling	
5813	**722410**	8	Taverns (i.e., drinking places)	
7322	**561**440	6	Tax collection services on a contract or fee basis	
7291	**541**213	7	Tax return preparation services	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	T
4121	**485**310	3	Taxicab services	
7699	**711**510	3	Taxidermists, independent	
4812	**513**322	8	**Telecommunications** carriers, cellular telephone	
4813	**513**310	8	Telecommunications carriers, wired	
7359	**532**490	7	Telecommunications equipment rental or leasing	
1623	**234**920	8	Telecommunications line construction (e.g., telephone, telegraph)	
8748	**541**618	7	Telecommunications management consulting services	
4813	**513**310	8	Telecommunications networks, wired	
4812	**513**330	8	Telecommunications resellers	
1731	**235**310	8	Telecommunications wiring installation contractors	
4822	**513**310	8	Telegram services	
7389	**561**422	6	Telemarketing bureaus	
7389	**561**421	6	**Telephone** answering services	
7389	**561**499	6	Telephone billing & collection services	
7389	**541**870	7	Telephone directory distribution services, door-to-door	
2741	**511**140	5	Telephone directory publishers	
7629	**811**213	4	Telephone equipment repair and maintenance services	
5065	**421**690	2	Telephone equipment wholesaling	
7389	**561**422	6	Telephone solicitation services on a contract or fee basis	
5999	**443**112	2	Telephone stores (including cellular)	
7313	**541**840	7	**Television** advertising representatives	
5731	**443**112	2	Television and radio stores	
4833	**513**120	4	Television broadcasting stations	
2721	**511**120	5	Television guide publishers	
4841	**513**220	8	Television operations, closed circuit	
7359	**532**210	7	Television rental	
7622	**811**211	4	Television repair services	
7363	**561**320	6	Temporary employment services	
7997	**713**940	3	Tennis club facilities	
7342	**561**710	6	Termite control services	
2200	**313**210	2	Textile mills	
5131	**422**310	2	Textiles wholesaling	
7922	**711**110	3	**Theaters**, live theatrical production	
7832	**512**131	3	Theaters, motion picture	
7922	**711**310	3	Theatrical production managers, organizers, promoters	
7996	**713**110	3	Theme parks, amusement	
5932	**453**310	3	Thrift shops, used merchandise	
7922	**561**599	6	Ticket agencies, amusement, sports, theatrical, travel	
5211	**444**190	2	Tile stores, ceramic	
5099	**421**990	2	Timber and timber products (except lumber) wholesaling	
0851	**115**310	2	Timber valuation	
2491	**321**114	2	Timber, structural, treating	
7389	**561**599	6	Time share exchange services, condominium	
5531	**441**320	1	**Tire** dealers, automotive	
7534	**811**198	4	Tire repair shops (except retreading), automotive	
7534	**326**212	2	Tire retreading, recapping or rebuilding	
5014	**421**130	2	Tires, motor vehicle, wholesaling	
6541	**541**191	7	**Title** companies, real estate, abstract	
6361	**524**127	8	Title insurance carriers, real estate, direct	
5194	**422**940	2	Tobacco products wholesaling	
5993	**453**991	3	Tobacco stores	
3861	**325**992	2	Toner cartridges rebuilding	
4119	**487**110	3	**Tour** bus, scenic and sightseeing, operation	
4725	**561**520	6	Tour operators	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY T
7999	**713**990	3	Tourist guide services
7011	**721**199	3	Tourist homes
7213	**812**331	6	Towel supply services
7549	**488**410	3	Towing services, motor vehicle
1799	**562**910	6	Toxic material removal contractors
5945	**451**120	3	**Toy** stores
7699	**811**310	4	Tractor, farm or construction equipment repair and maintenance
7359	**532**490	7	Tractor, farm or garden, rental or leasing
7699	**811**411	4	Tractors, lawn and garden repair and maintenance services
7389	**561**920	6	Trade show managers, organizers, promoters
6515	**531**190	7	**Trailer** park or court, residential
7519	**532**120	7	Trailer rental or leasing
7537	**811**113	4	Transmission repair shops, automotive
4212	**562**111	6	Trash collection services
4724	**561**510	6	**Travel** agencies
7033	**721**211	3	Travel trailer campsites
5561	**441**210	8	Travel trailer dealers
0783	**561**730	6	Tree services, planting, trimming, removal
5999	**453**998	3	Trophy shops
7513	**532**120	7	**Truck** rental or leasing
7538	**811**111	4	Truck repair shops, general
5541	**447**190	1	Truck stops
4231	**488**490	3	Trucking terminals, independently operated
7538	**811**118	4	Tune-up shops, automotive
7699	**811**490	4	Tuning and repair of musical instruments
7299	**532**220	7	Tuxedo rental
7338	**561**410	6	Typing services

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY U
8071	**621**512	7	Ultrasound imaging centers
1795	**235**940	8	Underground tank removal construction contractors
7261	**812**210	6	Undertaker services
7213	**812**331	6	Uniform supply services
5699	**448**190	1	Uniform stores (except athletic)
5941	**451**110	3	Uniform stores, athletic
7231	**812**112	6	Unisex hair stylist shops
7641	**811**420	4	Upholstery (except motor vehicle) repair services
7217	**561**740	6	Upholstery cleaning services
5714	**451**130	3	Upholstery materials stores
7532	**811**121	4	Upholstery shops, automotive
8011	**621**111	7	Urologists' offices
5521	**441**120	8	Used car dealers
5012	**421**110	2	Used cars wholesaling
5932	**453**310	3	Used merchandise stores (except pawnshops)
5015	**421**140	2	Used parts, motor vehicle, wholesaling

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY V
7032	**21**214	3	Vacation camps
5722	**443**111	2	Vacuum cleaner stores, household-type
5331	**452**990	1	Variety stores
5431	**445**230	1	Vegetable markets
5148	**422**480	2	Vegetables, fresh, wholesaling

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY V
5962	**454**210	3	Vending machine merchandisers, sale of products
0742	**54**1940	7	Veterinary services
7622	**811**211	4	Video cassette recorder (VCR) repair services
7993	**713**120	8	Video game arcades (except gambling)
7993	**713290**	8	Video poker, gambling
7359	**53**2210	7	Video recorder rental
7841	**53**2230	7	Video tape rental stores
5735	**451**220	3	Video tape stores
7221	**54**1921	7	Video taping services, special events
5499	**446**191	1	Vitamin stores
7389	**56**1421	6	Voice mailbox services
8049	**62**1340	7	Voice pathologists' offices
			BUSINESS ACTIVITY W
1721	**23**5210	8	Wall covering or removal construction contractors
5231	**444**120	2	Wallpaper and wall coverings stores
4225	**49**3110	3	**Warehousing** and storage, general merchandise
4221	**49**3130	3	Warehousing, farm products (except refrigerated)
4222	**49**3120	3	Warehousing, refrigerated
4225	**53**1130	7	Warehousing, self storage, miniwarehouses
4212	**56**2112	6	**Waste** collection services, hazardous
4212	**56**2111	6	Waste collection services, nonhazardous solid
4952	**221**320	6	Waste collection, treatment, and disposal through a sewer system
4953	**56**2213	6	Waste (except sewage) treatment facilities,
7631	**811**490	4	Watch repair shops without retailing new watches
5944	**448**310	1	Watch shops
7629	**811**412	4	**Water** heater repair and maintenance services
1623	**23**4910	8	Water main and line construction
7999	**53**2292	7	Water ski rental
7399	**56**1990	6	Water softener services
4941	**221**310	6	Water supply systems
1781	**23**5810	8	Water well drilling construction contractors
5149	**42**2490	2	Water, bottled (except water treating), wholesaling
7299	**812**990	6	Wedding chapels (except churches), wedding planning
7221	**54**1921	7	Wedding photography services
0782	**56**1730	6	Weed control and fertilizing services (except crop)
7299	**812**191	6	**Weight** loss centers, non-medical
7991	**713**940	3	Weight training centers
7692	**811**310	4	Welding repair services
1629	**23**4990	8	Wharf construction
4491	**48**8310	3	Wharf operation
7539	**811**118	4	Wheel alignment shops, automotive
7352	**53**2291	7	Wheel chair rental
	42	2	**Wholesale** (see type of product)
5099		2	421 Durable goods
5199		2	422 Nondurable goods
5699	**448**150	1	Wig and hairpiece stores
5199	**42**2990	2	Wigs wholesaling
7349	**56**1720	6	**Window** cleaning services
7699	**811**490	4	Window shade repair and maintenance shops
5211	**444**190	2	Window stores
7549	**811**122	4	Window tinting, automotive
5714	**442**291	2	Window treatment stores

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	W
7549	**488**410	3	Wrecker services (towing services), motor vehicle	
1795	**235**940	8	Wrecking, buildings or other structures, construction contractors	
7389	**561**422	6	Wire services (telemarketing services), floral	
5099	**421**990	2	Wood products (e.g., chips, posts, shavings, ties) wholesaling	
7338	**561**410	6	Word processing services	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	X
8734	**541**380	7	X-ray inspection services	
8071	**621**512	7	X-ray laboratories, medical or dental	
5047	**421**450	2	X-ray machines and parts, medical and dental, wholesaling	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	Y
4493	**713**930	3	Yacht basins, operation	
7997	**713**930	3	Yacht clubs	
7999	**532**292	7	Yacht rental without crew	
5131	**422**310	2	Yard goods, textile wholesaling	

SIC CODE	NAICS CODE	RATE CLASS	BUSINESS ACTIVITY	Z
8422	**712**130	2	Zoos, aquariums, wild animal parks	

CITY OF ISLE OF PALMS

ELECTRIC FRANCHISE AGREEMENT WITH:
SOUTH CAROLINA ELECTRIC & GAS COMPANY

ORIGINAL DOCUMENT

Ratified: July 27, 1999

CITY OF ISLE OF PALMS
ORDINANCE NO. 1999-20

AN ORDINANCE TO GRANT TO SOUTH CAROLINA ELECTRIC & GAS COMPANY OR ITS SUCCESSORS AND ASSIGNS AND OTHER SUBSIDIARIES OF SCANA CORPORATION, THE RIGHT, POWER AND AUTHORITY TO ERECT AND TO INSTALL, MAINTAIN, AND TO OPERATE IN, OVER, UPON AND UNDER THE STREETS, ALLEYS AND PUBLIC PLACES OF THE CITY LINES, POLES, WIRES, GUYS, PUSH BRACES, TRANSFORMERS AND APPURTENANT FACILITIES AND COMMUNICATION LINES AND FACILITIES FOR ELECTRIC CONTROLS, TOGETHER WITH ANY NECESSARY RIGHT OF ACCESS THERETO, FOR SUCH PERIOD AS THE SAME IS NEEDED BY THE COMPANY TO RENDER SERVICE TO ITS CUSTOMERS IN THE CITY OF ISLE OF PALMS, SOUTH CAROLINA FROM THOSE FACILITIES; TO SET THE AMOUNT OF LICENSE OR OCCUPATION TAX TO BE PAID BY SOUTH CAROLINA ELECTRIC & GAS COMPANY TO THE CITY; TO LEVY FRANCHISE FEES ON THIRD PARTIES SELLING ELECTRICITY USING SCE&G'S ELECTRIC DISTRIBUTION OR TRANSMISSION SYSTEMS; AND TO ALLOW FOR A FUND AND SPECIAL FEE DISTRICTS FOR NON-STANDARD SERVICE.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, IN CITY COUNCIL ASSEMBLED:

Section 1. Wherever the word "Company" appears in this Ordinance, it is hereby to designate, and shall be held to refer to the South Carolina Electric & Gas Company, a corporation duly authorized and doing business pursuant to the laws of the State of South Carolina and its successors and assigns, and other subsidiaries of SCANA Corporation.

Section 2. The non-exclusive right, power and authority is hereby granted and vested in the Company to erect and to install, maintain and operate in, over, under, and upon the streets, alleys, bridges, rights-of-way and other public places of the City, lines, poles, wires, guys, push braces, transformers and other appurtenant facilities, and communication lines and facilities for the purposes of electric distribution controls, with any necessary right of access thereto; and to use those facilities to conduct an electric business, and any other business or businesses approved by the City which may be lawfully conducted using the permitted facilities.

Section 3. No street, alley, bridge, right-of-way or other public place used by the Company shall be obstructed longer than necessary during its work of construction or repair, and shall be restored to the same good order and condition as when said work was commenced. No part of any street, alley, bridge, right-of-way, or other public place of the City, including any public drain, sewer, catch basin, water pipe, pavement or other public improvement, shall be injured. However, should any such damage occur due to Company's failure to use due care, the Company shall repair the same as promptly as possible, and, in default thereof, the City may make such repairs and charge the reasonable cost thereof to and collect the same from the Company. The Company shall save the City harmless from all liability or damage (including judgment, decrees, and legal court costs) resulting from its failure to use due care in the exercise of the privileges hereby granted or of its rights under this Section.

Section 4. The Company shall:

A. Construct and extend its electric distribution system within the present and/or extended City limits and shall supply standard electric service at standard voltages under rates and general terms and conditions as authorized by law.

B. Furnish, install, operate, and when called upon, expand and maintain all of the street lighting system and service along the streets, highways, alleys and public places of the City, as said system may be hereafter installed and/or changed by order of the City, in accordance with the terms and provisions of this franchise. All materials furnished shall be of standard quality and kind, and the lamps shall be in conformity with the requirements of this franchise and shall meet the requirements of good street lighting practice.

C. Properly maintain the street lighting system.

D. Provide reliable street lighting service from dusk (one-half hour after sunset) to dawn (one-half hour before sunrise) each night during the franchise period, and for other times or occasions of darkness, the total number of hours per year to equal approximately four thousand (4,000) hours of lighting.

E. Make changes in the location of installed lamps and facilities covered by this franchise upon written order of the City.

F. Render to the City on or about the first day of each month a bill for the street lighting service furnished hereunder during the preceding month, in accordance with the provisions of this franchise.

G. Maintain at its own expense a system for repairing or renewing the lamps in use. The Company, upon receiving official notice that there is a defective standard lamp, shall within five days put the same in order, or replace same.

Section 5. The City shall:

A. Take all street lighting from the Company during the period covered by this franchise.

B. Pay monthly, within twenty-five (25) days after receipt, a proper bill from the Company for the preceding month's service in accordance with the amounts provided for in this franchise.

C. Accept the street lighting system as it exists on the effective date of this agreement.

D. Pay to the Company for street lighting service at the rate schedule applicable at the time, said rate schedule in its present form being attached hereto as Exhibit A and made a part hereof.

E. Notify the Company in writing of areas annexed into City and provide pertinent maps and tax map numbers so that newly annexed customers may be subject to franchise fees, such notification being a precondition to franchise fee payments on those accounts.

Section 6. The City and the Company agree that:

A. All work performed within the municipal limits by the Company or its contractors shall be in accordance with the National Electric Safety Code as adopted by the South Carolina Public Service Commission.

B. The records of the Company pertaining to the street lighting system are to be accepted as full and final proof of the existence and configuration of the same, that system being hereinafter referred to as the "Street Lighting System."

C. Where lighting units of a different type and character than those now included in the Lighting System are desired by the City, a new lamp unit charge and specification shall be agreed upon which will apply to such lighting units and which thereafter shall become a part hereof.

D. Except as otherwise provided herein, the City shall have the right at any time to order the installation of lamps in new areas of City.

E. The City shall have access at all reasonable times to all maps, records, and rates relating to the Street Lighting System in the City.

F. Throughout the life of the franchise the Company will supply to the City, and the City agrees that it will purchase from the Company, all electric energy required by the City for its own use including traffic signal lighting, lighting and power for public buildings, pumping stations, or other installations now owned or hereafter constructed or acquired by the City and for all other uses in areas of the City. Should retail deregulation occur to allow the City the right to purchase electricity from another supplier, and the City exercises the option of purchasing from another supplier, then the Company would have the right to change the terms and conditions under which any remaining services are provided to City facilities.

G. The Company shall charge and the City shall pay to the Company monthly for all electric energy furnished by the Company for miscellaneous light and power service under this franchise in accordance with rates and tariffs and terms and conditions as established by law.

H. None of the electric energy furnished hereunder shall be sold, disposed of, or exchanged by the City to others without the expressed written consent of the Company.

I. The electric power hereunder is not guaranteed or warranted to be free from minor interruptions or from major outages or power surges beyond the control of the Company.

Section 7. All work upon the streets and public places of the City shall be done under the general supervision of the Mayor and Council (or other legally constituted governing body) of the City, and that all sidewalks or streets pavements or street surface which may be displaced by reason of such work shall be properly replaced and repaired by the Company, its successors and assigns, to the reasonable requirements of the Mayor and Council (or other legally constituted governing body) of the City.

Section 8.

A. As payment for the right to provide electric service and other services as may be permitted, in the succeeding calendar year, the Company shall pay into the Treasury of the City, on or before the first day of July each year, beginning with the year 2000, sum of money equal to Three Percent (3%) of the gross sales revenue accruing to the Company from all residential and commercial sales of electricity in the municipality during the preceding calendar year and all wheeling or transportation service to such customers within the corporate limits of the City, not including sales made under legally authorized special sales programs which allow the Company to reduce prices to meet customers' competitive energy prices. The franchise fee percentage to which the gross sales revenue applies may be changed by City Council, after public notice, by an amendment to this Ordinance, and a (12) months advance written notice to the Company. During the term of this agreement the franchise fee percentage of gross sales revenue shall not exceed five percent (5%). Any other products or businesses and revenue other than electric sales accruing to the Company in the municipality will be subject to further franchise fees or business license taxes as may be applicable. The City shall have the right during normal business hours, upon reasonable notice to the Company, to inspect and audit the records of the Company relating to sales and revenues within the City's corporate limits.

B. Subject to Section 8(A) above, the City's receipt of franchise fees as provided for herein shall be in lieu of all business license, excise and special franchise taxes, and shall be in full payment of all money demands, charges, or fees of any nature whatsoever imposed by the City, except ad valorem taxes on property. In the event that the franchise fees provided for herein shall no longer be due per the terms of this Ordinance, nothing contained in this Ordinance shall be construed to, nor does it, limit or restrict the City's right to collect a non-discriminatory business license fee from the Company in such event. The Company may at its option pay and deduct from its franchise fee payments any amount that shall be required or exacted from the Company for the benefit of the City other than ad valorem taxes on property.

C. It is expressly understood that all franchise fees, or other payments imposed by the City on the Company, shall be collected from customers of the Company within the municipal boundaries, to the extent permitted by applicable orders of the South Carolina Public Service Commission.

D. The City hereby levies, and the Company may collect and transmit to the City, a franchise fee on all electricity sold by third parties to customers within the City using the Company lines, or facilities, said fee is to be in all respects equivalent to the franchise fees established herein plus a proportional share of all other payments to the City, or to the Fund established hereunder, which the Company is obligated to make on whatever basis during the life of this franchise.

E. Should the City itself ever at any time construct, purchase, lease, acquire, own, hold or operate an electric distribution system to provide such service within the City (except City owned backup or support services for its own facilities, such as generators, solar or like units), then the payment of percentages of gross sales revenue herein provided to be paid by the Company, its successors and assigns, shall abate, cease and no longer be due.

Section 9. The non-exclusive electric franchise granted by this ordinance, when accepted by the Company, shall constitute a contract between the City and the Company, and shall be in force and effect for an initial term of twenty (20) years from the effective date of this Ordinance, and shall continue in force and effect year-to-year thereafter until properly terminated by either party. Either party may terminate the contract at the end of its initial twenty (20) year term, or its anniversary date any year thereafter, by giving written notice of its intention to do so not less than two (2) years before the proposed termination date.

Section 10. The franchise is subject to the constitution and laws of the State of South Carolina.

Section 11. This Ordinance shall become effective upon written acceptance by the Company, which acceptance must be made within thirty (30) days from the date that this Ordinance is ratified by the City.

Section 12. The City and Company also agree that:

A. In addition to the requirements of Section (8) above, the City may choose the right to require the Company to provide electrical underground or other non-standard electrical service including the use of special equipment or facilities or the use of special landscaping or screening of facilities within the municipal limits of the City; non-standard service to the extent that the cost of such service can be defrayed by the Fund provided for in this Section.

B. Each year the Company will make available to the Fund an amount equivalent to one-half percent applied to the Company's gross revenue from electric service authorized in Section (8), that being the same amount of electric revenue that is used in computing its municipal franchise fee payment for that year. (The Company Match to the Fund.)

This availability will occur simultaneously with the payment of franchise fees for the year in question. The Company Match will be available by the Company as needed to defray costs of non-standard service. Unexpended amounts of the Company Match not used in a given

year shall remain available to the Fund, provided that the cumulative amount of Company Match available to the Fund shall never exceed the sum of the matches for the most recent five (5) years.

C. The City Match to the Fund would be the amount equal to one-half percent of electric revenue subject to franchise fee charges, held by the City. The total Match would never exceed the sum for the most recent five (5) years.

D. The amounts available to the Fund shall be used exclusively to defray the reasonable and necessary costs of planning, designing, permitting and constructing of electric utility projects involving non-standard service. The City may deplete its portion of the Fund, provided that funding is not needed to defray costs of any non-standard service to which the Company is committed.

E. For any non-standard service project involving provision of underground electric service to more than twenty-five (25) customers, the City may designate a special franchise fee district wherein underground service will be provided, and at its option may conduct a referendum or petition in that district to determine whether the project should go forward. A special franchise fee surcharge may be applied to all electric service customers within the boundaries of the special franchise fee district, not to exceed Seven Percent (7%). The special franchise fee surcharge shall be applied to all customers beginning with commencement of the project and shall apply thereafter for not more that ten (10) years. Proceeds shall be used for non-standard service projects only.

F. The Company shall be required to undertake non-standard service projects only to the extent that fund balances are reasonably projected to be adequate to cover the costs of the projects as they are incurred. However, for long term agreements projects may be undertaken in advance of amounts available, so long as future revenues over the next successive ten (10) year period, or the remaining term years if less than ten (10), are reasonably projected to be adequate to cover any negative balances, interest on negative balances, and a contingency balance of twenty-five percent (25%). Funding under this proviso shall bear interest at the Company's weighted average cost of capital as filed with the South Carolina Public Service Commission, adjusted and compounded annually.

G. The City may establish, in consultation with the Company, priorities for non-standard service projects. In establishing such priorities, projects must reasonably require system reliability and system safety as priorities over all other non-standard service projects. All non-standard service projects shall conform to good utility practices and meet applicable codes and standards.

H. The City will use its best efforts to acquire all necessary rights-of-way, transformer sites, or other use and access rights for non-standard projects. Within six (6) months of completion of an overhead to underground facilities conversion project, the Company shall remove overhead facilities and the City shall require other utilities to remove their facilities from the Company's poles and shall require property owners to connect to underground facilities.

Section 13. The rights hereunder accrue exclusively to the parties, their successors and assigns. It is the express intent of the parties that this Ordinance and the franchise granted hereunder shall not create any rights in third parties.

Section 14. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 15. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF ISLE OF PALMS ON THE 27th DAY OF July, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 6/30/99
Second Reading: 7/27/99
Ratification: 7/27/99

ACCEPTANCE of the franchises granted by the within Ordinance is hereby acknowledged by SOUTH CAROLINA ELECTRIC & GAS COMPANY, this 27th DAY OF August, 1999.

SOUTH CAROLINA ELECTRIC & GAS COMPANY

By: _____
Title: Vice President

ATTEST:

_____

EXHIBIT A

SOUTH CAROLINA ELECTRIC & GAS COMPANY **ELECTRICITY**

RATE 18 **UNDERGROUND STREET LIGHTING**

AVAILABILITY

This rate is available to customers using the Company's electric service for street and area lighting served from existing underground distribution facilities.

APPLICABILITY

Applicable only to outdoor lighting with ballast operated vapor lamp fixtures, either mercury vapor (MV) or high pressure sodium (HPS), and with poles conforming to Company specifications. Services will be rendered only at locations that, solely in the opinion of the Company, are readily accessible for maintenance. If the Company is required to install light fixtures on poles other than those described herein, the Company will determine in each case the amount and form of payment required.

RATE PER LUMINARIES

Size	Lamp Charges per Month	Kwhrs per Month
7,500 Lumens(MV) (175W) (Acorn, Round, or Octagonal Style)	$10.45	72
10,000 Lumens(MV) (250W) (Acorn, Round, or Octagonal Style)	$10.94	92
15,000 Lumens (HPS) (150W) (Acorn, Round, or Octagonal Style)	$11.45	63

RATE PER POLE

12' Smooth/Fluted	$18.31
14' Smooth/Fluted	$18.89
17' Standard	$ 7.59

RESIDENTIAL SUBDIVISION CUSTOMER CHARGE

The lights described above may be installed in new or existing residential subdivisions at the ratio of one light for either every four (4) or six (6) metered residences. An Administrative charge of $1.00 will be added to each fixture billed under this provision. Each monthly bill rendered will include an amount for the installed lighting. Such amount will be determined by adding the appropriate charges above for the installed luminaries, pole and administrative charge and dividing such charge by either four (4) or six (6).

REPLACEMENT OF EXISTING SYSTEMS

In the event that the Customer desires to replace an existing lighting system owned and operated by the Company, the Customer shall be required to pay to the Company an amount equal to the provision for early contract termination below.

PROVISION FOR EARLY CONTRACT TERMINATION

In the event that the Customer terminates the contract prior to the end of the contract term, the Customer shall pay as the termination charge the appropriate charges above excluding fuel for the remainder of the contract term; plus the sum of original cost of the installed equipment, less accumulated depreciation through the effective termination date, plus removal and disposal costs, plus environmental remediation costs less any applicable salvage values, the total of which shall in no case be less than zero.

MINIMUM CHARGE

When construction costs exceed four (4) times the estimated annual revenue excluding fuel revenue to be derived by the Company, the customer may make a contribution in aid of construction of the excess cost or pay the Company's standard facility rate on the excess construction cost in addition to the rate charges above.

ADJUSTMENT FOR FUEL COSTS

Fuel costs of $.01337 per Kwhr are included in the monthly lamp charge and are subject to adjustment by order of the Public Service Commission of South Carolina.

STORM DAMAGE COMPONENT

The energy charges above include a storm damage component of $.00152 per Kwhr for accumulation of a storm damage reserve.

SALES AND FRANCHISE TAX

To the above will be added any applicable sales tax, franchise fee or business license tax which may be assessed by any state or local governmental body.

(OVER)

SOUTH CAROLINA ELECTRIC & GAS COMPANY **ELECTRICITY**

RATE 18 **UNDERGROUND STREET LIGHTING**

PAYMENT TERMS

All bills are net and payable when rendered.

TERM OF CONTRACT

Contracts under this rate shall be written for a period of not less than ten (10) years. The Company reserves the right to remove its facilities when subject to vandalism or for other cogent reasons.

SPECIAL PROVISIONS

The Company will furnish, erect, operate and maintain all necessary equipment in accordance with its standard specifications. Standard service requiring underground wiring shall include one hundred feet of service conductor, all necessary trenching and back-filling in normal, unimproved soil. Non-standard equipment or installation in extraordinary conditions such as, but not limited to, landscaped areas, paved areas, or extremely rocky or wet soil will require the customer to pay the difference in cost between such non-standard equipment and/or extraordinary conditions and the standard service installed under normal conditions or pay to the Company its normally monthly facility charge based on such difference in costs.

GENERAL TERMS AND CONDITIONS

The Company's General Terms and Conditions are incorporated by reference and are a part of this rate schedule. Service hereunder is subject to Rules and Regulations for Electric Service of the Public Service Commission of South Carolina.

(OVER)

RATE 26

OVERHEAD PRIVATE STREET LIGHTING

AVAILABILITY

This rate is available to customers using the Company's electric service for overhead street lighting.

RATE

All night street lighting service where fixtures are mounted on Company's existing standard wooden poles which are a part of Company's distribution system will be charged for at the following rates:

Size	Lamp Charges per Month	Kwhrs. per Month
7,500 Lumens (Mercury) (175W) Open Type	$5.85	72
15,000 Lumens (HPS) (150W) Open Type – Retrofit	$6.86	63
20,000 Lumens (Mercury) (400W) Closed Type	$12.48	159
45,000 Lumens (HPS) (360W) Closed Type – Retrofit	$13.75	144
45,000 Lumens (HPS) (360W) Shoebox Type	$14.80	144

The following fixtures are available for new installations only to maintain pattern sensitive areas:

9,500 Lumens (HPS) (100W) Open Type	$6.88	45
9,500 Lumens (HPS) (100W) Closed Type	$7.93	45
10,000 Lumens (Mercury) (250W) Open Type	$10.39	92
27,500 Lumens (HPS) (250W) Closed Type	$12.51	108
50,000 Lumens (HPS) (400W) Closed Type	$13.74	164

Cost per month for each additional pole:

25' (Fiberglass)	30'	35'	40'	45'
$7.50	$3.50	$4.00	$5.50	$6.50

MINIMUM CHARGE

When construction costs exceed four (4) times the estimated annual revenue excluding fuel revenue to be derived by the Company, the customer may make a contribution in aid of construction of the excess cost or pay the Company's standard facility rate on the excess construction cost in addition to the rate charges above.

ADJUSTMENT FOR FUEL COSTS

Fuel costs of $.01337 per Kwhr. are included in the monthly lamp charge and are subject to adjustment by order of the Public Service Commission of South Carolina.

STORM DAMAGE COMPONENT

The energy charges above include a storm damage component of $.00152 per Kwhr. for accumulation of a storm damage reserve.

SALES AND FRANCHISE TAX

To the above will be added any applicable sales tax, franchise fee or business license tax which may be assessed by any state or local governmental body.

PAYMENT TERMS

All bills are net and payable when rendered.

TERM OF CONTRACT

The initial term of this contract shall be for a period of five (5) years and, thereafter, for like periods until terminated by either party on thirty days' written notice, but the Company may require a contract of initial term up to ten (10) years and may require an advance deposit not to exceed one half of the estimated revenue for the term of the initial contract. The Company reserves the right to remove its facilities when subject to vandalism or for other cogent reasons.

SPECIAL PROVISIONS

The Company will furnish, erect, operate and maintain all necessary equipment in accordance with its standard specifications. It is the customer's responsibility to notify the Company when equipment fails to operate properly. Non-standard service requiring underground, special fixtures and/or poles will be furnished only when the customer pays the difference in costs between such non-standard service and standard service or pays to the Company its normal monthly facility charge based on such difference in costs.

GENERAL TERMS AND CONDITIONS

The Company's General Terms and Conditions are incorporated by reference and are a part of this rate schedule.

ORDINANCE 1998-18

AN ORDINANCE AMENDING SECTION 5-4-34 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO PROVIDE AN AMORTIZATION SCHEDULE FOR THE CESSATION OF NONCONFORMING USES REGARDING HOME OCCUPATIONS.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 5-4-34 is hereby amended by adding the following subsection:

"(c) Any home occupation lawfully operating on October 27, 1998, and which is in violation of subsection (a) or (b) of this section shall be deemed a nonconforming use. The nonconforming use may continue for a period not to exceed three (3) years from October 27, 1998, unless sooner terminated for any reason or voluntarily discontinued for a period of one year or more. Such nonconforming uses shall not be increased, enlarged, extended or altered other than to a conforming use."

SECTION 2. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 26th DAY OF January, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 12/15/98
Second Reading: 1/26/99
Ratification: 1/26/99

ORDINANCE 1999-25

AN ORDINANCE ESTABLISHING A PROGRAM AND PRESCRIBING REGULATIONS REGARDING THE USE AND MAINTENANCE OF SEPTIC TANKS OR OTHER ON-SITE SEWAGE DISPOSAL SYSTEMS AND TO ESTABLISH PROCEDURES FOR THE ENFORCEMENT THEREOF.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Findings.

It is hereby found and declared by the City Council of the City of Isle of Palms ("City Council") as follows:

1. That poorly operating or inadequate septic tank systems or other on-site sewage disposal systems (hereinafter "OSDS") within the corporate limits of the City are contributing to the degradation of water quality on and around the City.

2. That the City desires to encourage community stewardship of the natural resources and water quality intrinsic to the quality of life on the Isle of Palms by providing incentives for property owners to maintain their OSDS.

3. That poor water quality is harmful to the health, safety and welfare of the City's residents, its tourists and the surrounding environment and if left unchecked, will likely cause serious and irreparable social, environmental and economic harm to the City.

4. That the City's Comprehensive Plan, Natural Resources Goal 3, Strategy 3.3 recommends that the City "Develop a plan to insure that septic systems work properly, especially septic systems in areas where water quality monitoring programs indicate pollution levels beyond state standards, or functional problems with specific septic systems are identified".

5. That South Carolina Code Section 5-31-2030 confirms the power of the City to prescribe and enforce regulations regarding the discharge of sewage, including the use of OSDS.

6. That immediate action is required by the City to enhance water quality and protect public health by regulating discharge of sewage and the use of OSDS.

SECTION 2. That Title 6, Chapter 1 is hereby amended to add the following Article D:

"ARTICLE D

Regulation of On-Site Sewage Disposal Systems

Sec. 6-1-40 Definitions. For purposes of this Article, the following words and terms shall have the following definitions:

(a) OSDS. Any septic tank system or other on-site sewage disposal system.

(b) Inspector. A person appointed by City Council to conduct OSDS inspections as provided in this Article.

(c) Good Operating Condition. An OSDS which: functions in a sanitary manner; prohibits the discharge of untreated or partially untreated wastewater onto ground surface, into surface water, or into groundwater; and allows building plumbing to discharge properly.

(d) Owner. Any person or entity owning any legal interest in a lot containing a OSDS.

Sec. 6-1-41 New Installations. Any new or replacement OSDS installed within the City shall be required to include an access manhole built into the lid over each compartment of the tank, and over the outlet end of the septic tank. An appropriate mechanism shall be provided to make the access manholes vandal, tamper, and child resistant.

Sec. 6-1-42 Registration. Within thirty (30) days from the installation of a new or replacement OSDS on a lot, the Owner of the lot shall register the system with the City. The registration shall consist of supplying the City with a copy of the DHEC issued permit for installation of the OSDS and the full legal name and current mailing address of each Owner of the property. There shall be no fee charged for registration.

Sec. 6-1-43 Inspections and Pump-outs.

(a) The City hereby establishes a one year voluntary pilot program to encourage Owners to have their OSDS inspected and pumped out during the one year period commencing on March 1, 2000. The City shall provide this service to an Owner once during the program period upon the request of the Owner. The Inspector shall provide the Owner with a copy of a written report containing the results of the inspection. There shall be no fee charged to the Owner for the inspection or pump-out service offered by the City. Participation in this program by the Owner is voluntary.

(b) In addition to any other inspection provided for under this Article, prior to the sale of any ownership interest in a lot containing an OSDS, the seller of the interest shall provide the buyer, at or before the transfer of the interest, with a written inspection report of the system prepared by the Inspector and dated within 60 days prior to the transfer of the interest. There shall be no fee charged to the Owner for the report. Compliance with this provision is mandatory and shall continue beyond the expiration of the voluntary pilot program.

(c) The City will develop an information program to inform Owners and the general public of the pilot program and the requirement of an inspection prior to the sale of an

ownership interest in a lot. The voluntary program shall be targeted at those areas where water quality monitoring programs indicate bacteria problems or where functional problems with OSDS are identified. This program shall also contain information regarding OSDS inspection ports and the advantages of their use, and OSDS operation and maintenance.

(d) The City will develop a composite list of all lots served by OSDS. The City shall maintain a record of inspections and pumpouts conducted at each lot and within three months prior to the expiration of the voluntary pilot program, shall notify at least one Owner of the lot if the lot has not received an OSDS inspection.

(e) At the end of the one year pilot program, the City shall evaluate the merits of the program and determine the advisability of implementing a long-term program.

Sec. 6-1-44 Violations; Penalties. A violation of this Article is a misdemeanor punishable pursuant to Section 1-3-66 of this code. Each day that a violation continues shall constitute a separate offense."

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this Ordinance take effect and be in full force as of March 1, 2000.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 23rd DAY OF November, 1999.

_____
Carmen R. Bunch, Mayor

(Seal)
Attest:

Janet G. Mauldin
Janet G. Mauldin, City Clerk

First Reading: 8/24/99
Public Hearing: 9/20/99
Second Reading: 10/23/99
Ratification: 10/23/99

ORDINANCE 1999-24

AN ORDINANCE AMENDING TITLE 1, CHAPTER 8 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING ELECTIONS

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 1-8-3 (b) is hereby amended to read as follows:

"Sec.1- 8-3 Nonpartisan elections; procedure

(b) Nomination petitions for the offices of mayor or council member shall be filed with the municipal clerk and the Municipal Election Commission at least 75 days prior to the date for election and shall bear the signatures of not less than five percent (5%) of the qualified electors of the municipality. Upon receipt, the clerk shall deliver the petition to the municipal election commission. The commission shall examine the petition and determine its validity not later than 60 days prior to the general election concerned and when so validated, the commission shall place the name of the petition candidate upon the ballot.

For special elections, the candidate shall file the petition with the municipal clerk and the Municipal Election Commission not later than twelve o'clock noon, sixty days prior to the election and upon receipt, the clerk shall deliver the petition to the commission. At the time the petition is submitted to the commission, the commission must issue a receipt to the person submitting the petition which must reflect the date it was submitted and the total number of signatures contained therein. The commission shall examine the petition and determine its validity not later than 45 days prior to the special election concerned and when so validated, the commission shall place the candidate's name on the ballot."

SECTION 2. That Section 1-8-4 (b) is hereby amended to read as follows:

" (b) The council shall give public notice of a general city election at least 90 days prior to the date of the election."

SECTION 3. That Section 1-8-4 is further hereby amended to add the following subparagraph (c)

" (c) The council shall give public notice of a special city election at least 75 days prior to the date of the election."

SECTION 4. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 5. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 6. That this ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 24th DAY OF August, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 7-27-99
Second Reading: 8-24-99
Ratification: 8-24-99

ORDINANCE 1999-22

AN ORDINANCE AMENDING SECTION 5-4-37 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO ALLOW MULTI-FAMILY DWELLINGS AS A CONDITIONAL USE.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Section 5-4-37, Table B-1, is hereby amended to add the following:

	LC	GC-1	GC-2
"8812. Multi-family dwellings (sec. 5-4-37 (11))"			c

SECTION 2. That Section 5-4-37 is hereby amended to add the following subsection:

"(11) Multi-family dwellings. Multi-family developments must also meet the requirements of Section 5-4-38 (4), (5) a., b. and c., (8) and (10)."

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue in full force and effect.

SECTION 4. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF July, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 6-30-99
Public Hearing: 7-27-99
Second Reading: 7-27-99
Ratification: 7-27-99

ORDINANCE 1999-21

AN ORDINANCE AMENDING SECTION 5-4-37 (10) OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING PARKING LOTS IN THE GC-2 ZONING DISTRICT.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 5-4-37 (10) is hereby amended to read as follows:

"(10) Parking lots. Automobile parking as an accessory use is permitted within the GC-2 district on a lot which contains at least 120 feet of frontage on a public street."

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue in full force and effect.

SECTION 3. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF July, 1999.

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin, City Clerk

First Reading: 6-30-99
Public Hearing: 7-27-99
Second Reading: 7-27-99
Ratification: 7-27-99

ORDINANCE 1999-19

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, 1999, AND ENDING JUNE 30, 2000.

WHEREAS, 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 duly assembled, that the following provisions are hereby adopted and enacted:

SECTION 1. A tax to cover the period from July 1, 1999, to June 30, 2000, 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 $34.20 on every thousand dollars ($1,000) in assessed value of real estate and personal property of every description owned and used in the City of Isle of Palms, South Carolina, except such as is exempt from taxation under the Constitution and laws of the State of South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Isle of Palms for the corporate purposes, permanent improvements, current expenses and the payment of interest and retirement of outstanding bonds and debts of the City of Isle of Palms, making a total levy not to exceed thirty four and two tenths (34.2) 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.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL FOR THE CITY OF ISLE OF PALMS ON THIS 26th DAY OF October, 1999.

Carmen R. Bunch, Mayor

Janet G. Mauldin, City Clerk

First Reading: 9-28-99
Second Reading: 10-27-99
Ratification: 10-27-99

ORDINANCE 1999-15

AN ORDINANCE AMENDING SECTION 9-2-5 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING NOISE

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 9-2-5 is hereby amended to read as follows:

"Sec.9-2-5 Noise

A. It shall be unlawful for any person to create, assist in creating, permit, continue, or permit the continuance of any unreasonably loud or disturbing noise in the municipality except as expressly allowed pursuant to subsections D. and E. hereof. The following are declared to be loud or disturbing noises in violation of this section, but such acts shall not be deemed to be exclusive:

(1) Except as required by law, no person shall blow or cause to be blown within the municipality any steam whistle, electric horn, or other signaling or warning device, except as alarm signals in case of fire or collision or other imminent danger.

(2) It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any persons in the vicinity by making continually or frequently loud noise.

(3) It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other public places of the city, except as permitted under subparagraph D hereof.

(4) It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this subparagraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.

(5) The playing of any radio, hi-fi, stereo system, phonograph, piccolo, television or any musical instrument in such manner or with such unreasonably loud volume as to disturb any person, or the playing of such instrument in such manner as to disturb the quiet, comfort or repose of any person in any dwelling or other residence.

(6) The use of any automobile, motorcycle or other vehicle in such a state of disrepair, or so loaded, or used or repaired in such a manner as to create loud or disturbing noises, particularly grating, grinding, rattling, riveting or other disturbing noises.

(7) To discharge into the open air the exhaust from any steam engine, stationary internal combustion engine, motor boat engine, motorcycle or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(8) The creation of any excessive noise on any street adjacent to any school, institution of learning, library, or court, while the same is in session, or adjacent to any church during church services, which interferes with the work or worship at any such place or institution

B. It shall be unlawful for any person, entity or establishment to play, operate or cause to be played or operated, any radio, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus making or reproducing musical or other sounds after 10:00 p.m. and before 10:00 a.m. Sunday through Thursday and after 11:00 p.m. and before 10:00 a.m. Friday and Saturday in such a manner as to be plainly audible in any street or right-of-way.

C. Between the hours of 7:00 p.m. and 7:00 a.m., it shall be unlawful for any person to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, the use of which is attended with loud or disturbing noises.

D. Notwithstanding any other provision of this section, on application to, and approval by, the Chief of Police, written permits may be granted to broadcast programs of music, speeches, general entertainment, or announcements as a part of and incident to community celebrations of national, state, or city occasions, public festivals, or other public interest events, provided traffic on the streets is not obstructed by reason thereof. In determining whether or not to issue such a permit, the Chief of Police shall weigh the public interests in the event against the noise and disturbance anticipated to be created by the event and must consider the intensity and duration of the noise and the area that will likely be effected. The language or content emanating from the event shall not be considered.

E. None of the foregoing prohibitions shall apply to or be enforced against:

(1) any City vehicle engaged in City business;

(2) excavations or repairs of bridges, streets or highways, by or on behalf of the city, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefore."

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue in full force and effect.

SECTION 3. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 22nd DAY OF June, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet B. Mauldin

City Clerk

First Reading: 6-15-99
Second Reading: 6-22-99
Ratification: 6-22-99

ORDINANCE 1999-14

AN ORDINANCE AMENDING SECTIONS 5-4-2 AND 5-4-37 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO ALLOW CHARTER BOAT OPERATIONS

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Section 5-4-2 is hereby amended by inserting the following definition in its proper alphabetical place and renumbering the sub-sections accordingly:

"Charter boat. Watercraft for hire where captain or crew is provided."

SECTION 2. Section 5-4-37, Table B-1, Use 7998, is hereby amended to read as follows:

	LC	GC-1	GC-2
7998. Charter Boat Operations		X	

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 4. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 5. That this ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 22nd DAY OF June, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 5/25/99
Public Hearing: 6/22/99
Second Reading: 6/22/99
Ratification: 6/22/99

ORDINANCE 1999-13

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, 1999, AND ENDING JUNE 30, 2000.

WHEREAS, Subsection 3 of Section 5-7-260 of the South Carolina 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 dated Jun 22, 1999, 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 portions thereof.

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

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF ISLE OF PALMS ON THIS 22nd DAY OF June, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 5/25/99
Public Hearing: 6/15/99
Second Reading: 6/22/99
Ratification: 6/22/99

City of Isle of Palms
South Carolina

General Fund
Fiscal Year Operating Budget
July 1, 1999 - June 30, 2000

and

Capital Projects Fund Budget
Municipal Accommodations Tax Fund Budget
State Accommodations Tax Fund Budget
Marina Enterprise Fund Budget

Final Version; June 22, 1999

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
4	**General Fund Revenues**							
5								
6	103100.4001	Property Taxes (sch. A)	1,653,143	1,752,274	1,671,454	1,659,000	1,565,980	1,721,912
7	103100.4002	Loc Option Sales Tax (sch. B)	247,881	324,454	311,582	298,000	204,117	326,500
8	103210.4006	Business Lic Fees (sch. C)	333,238	382,874	389,941	372,000	417,552	425,000
9	103210.4007	Insurance Lic Fees (sch. D)	166,428	194,986	212,784	180,445	3,758	210,000
10	103210.4008	Public Utilities Fees (sch. E)	211,541	234,562	233,591	241,078	39,168	263,000
11	103210.4009	Building Pmts & Fees (sch. F)	174,552	199,137	201,353	194,000	204,684	210,000
12	103210.4010	Animal License Fees	546	639	641	300	272	300
13	103300.4034	DEA Overtime Reimbursement	7,285	10,120	7,679	6,371	3,418	6,371
14	103400.4075	Court Generated Rev (sch. G)	122,425	119,989	85,806	94,500	26,593	90,000
15	103400.4076	Deferred Prosecution Fees	-	3,785	3,950	3,000	290	1,000
16	103400.4077	Court Generated Interest	-	-	149	-	421	-
17	103450.4106	Intergovernmental Transfers	30,000	30,000	30,000	30,000	22,500	30,000
18	103450.4111	Grant Income	3,000	53,430	-	4,000	(30,620)	5,000
19	103450.4115	State Shared Funds	82,509	90,004	91,230	96,000	48,947	96,000
20	103450.4117	State Shared $ - Alch Pmts		14,025	97,875	33,000	55,500	55,000
21	103500.4501	Miscellaneous Revenue	9,239	3,754	3,823	5,000	6,351	5,000
22	103500.4502	Parking Lot Revenue	96,875	62,384	73,200	72,000	87,000	101,000
23	103500.4503	Plat Application Fees	350	405	200	300	60	100
24	103500.4504	Sales of Assets	12,778	6,410	12,641	15,000	12,945	15,000
25	103500.4505	Interest Income (sch. H)	54,672	69,612	50,909	45,000	35,076	45,000
26	103500.4506	Rec. Instructor's Income (sch. I)	41,927	52,034	53,294	53,000	41,366	53,000
27	103500.4507	Rec. Program Income (sch. I)	81,212	87,286	79,338	85,000	71,106	85,000
28	103500.4508	Recycling Scrap Metal	812	184	186	200	914	1,000
29	103500.4509	Kennel Revenues	984	1,207	730	600	304	600
30	103500.4510	Donations to DARE Program	1,520	-	-	-	-	-
31	103500.4511	State Accom Tax Transfer (sch. J)	42,945	45,531	49,197	56,453	30,896	57,978
32	103500.4512	Bond Proceeds	-	-	-	-	4,264,662	-
33	103500.4514	Parking Meter Revenue	122,970	104,478	103,490	100,000	50,622	100,000
34	103500.4515	Cart Purchase Revenue	-	-	4,751	4,000	2,612	4,000
35	103500.4516	Alarm Permit Revenue	-	815	952	800	755	800
36	103900.5901	Transfers Out to Other Funds	-	-	(500,000)	(76,897)	(4,103,965)	-
37								
38	TOTAL GENERAL FUND REVENUES		3,498,832	3,844,379	3,270,746	3,572,150	3,063,285	3,908,561
39								
40								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
41	**General Fund Expenditures**							
42								
43		***Mayor and Council***						
44								
45	104010.5001	Mayor and Council Salaries	10,800	10,256	11,394	10,800	10,100	13,902
46	104010.5004	FICA Expense	814	773	860	826	764	1,064
47	104010.5005	Retirement Expense	370	370	370	740	826	952
48	104010.5008	Group Health Insurance	-	-	-	-	-	-
49	104020.5009	Debt Service - Principal	-	-	8,356	-	-	-
50	104020.5011	Debt Service - Interest	-	-	462	-	-	-
51	104020.5014	Membership and Dues	-	-	45	-	1,694	-
52	104020.5015	Meetings and Seminars	1,749	2,433	3,751	1,500	1,888	4,000
53	104020.5016	Vehicle Fuel & Oil	8	116	-	300	10	300
54	104020.5017	Vehicle Maintenance	7	23	7	100	27	100
55	104020.5021	Telephone/Cable	262	217	325	500	287	500
56	104020.5053	Blanket Bond	72	-	-	100	-	100
57	104020.5062	Insurance	5,715	5,715	664	724	364	728
58	104020.5079	Miscellaneous & Contingency	(41)	1,685	5,492	3,000	2,537	3,000
59	104020.5088	Mayor's Special Fund	2,908	2,988	3,792	4,500	4,210	4,500
60								
61		Total Mayor and Council	22,664	24,576	35,517	23,090	22,707	29,146
62								
63								
64								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
65		*General Fund*						
66		*General Government*						
67								
68	104110.5001	Salaries - Supervisor/Administrator/AA	85,488	80,500	55,838	57,050	42,978	59,765
69	104110.5002	Salaries - Employees	55,292	46,350	68,771	64,530	46,055	64,286
70	104110.5003	Salaries - Part Time	2,792	-	-	-	-	-
71	104110.5004	FICA Expense	10,684	9,271	9,030	9,301	6,289	9,490
72	104110.5005	Retirement Expense	17,292	8,865	8,489	8,328	6,049	8,498
73	104110.5006	Group Health Insurance	9,342	5,562	7,681	5,724	5,335	15,089
74	104110.5007	Workman's Compensation	1,664	1,249	2,165	1,560	3,618	1,560
75	104110.5008	Unemployment Compensation	-	-	-	-	-	-
76	104120.5009	Debt Service - Principal	47,102	45,863	54,424	45,000	45,000	45,000
77	104120.5010	Printing & Office Supplies	7,091	13,048	13,092	13,000	6,621	13,000
78	104120.5011	Debt Service - Interest	127,655	117,995	105,356	93,185	93,185	106,565
79	104120.5012	Amort of Bond Issue Costs	-	1,022	1,022	-	-	-
80	104120.5014	Membership & Dues	2,819	3,576	2,857	3,595	897	3,595
81	104120.5015	Meetings & Seminars	885	982	3,050	2,800	2,094	3,000
82	104120.5016	Vehicle Fuel & Oil	804	394	559	1,000	353	1,000
83	104120.5017	Vehicle Maintenance	851	107	745	1,000	427	1,000
84	104120.5020	Electricity & Gas	3,920	4,005	4,296	4,300	2,973	4,300
85	104120.5021	Telephone & Cable	4,361	4,097	4,173	5,000	3,396	5,000
86	104120.5022	Water & Sewer	797	658	641	1,000	466	1,000
87	104120.5025	Non-capital Tools & Equipment	-	-	-	-	-	500
88	104120.5026	Maint & Service Contracts	14,989	5,637	12,054	9,492	7,209	14,300
89	104120.5027	Machinery & Equipment Repair	211	1,007	1,002	1,500	724	1,500
90	104120.5041	Uniforms	349	-	-	-	-	-
91	104120.5044	Cleaning & Sanitary Supplies	91	155	133	200	82	200
92	104120.5053	Blanket Bond	522	225	-	600	-	600
93	104120.5061	Advertising	5,137	13,082	18,138	15,000	14,982	18,000
94	104120.5062	Insurance	12,398	13,180	8,229	8,100	4,440	8,880
95	104120.5063	Rents & Leases	2,369	2,687	2,158	2,925	1,651	3,495
96	104120.5064	Employee Training	-	525	445	2,000	688	9,000
97	104120.5065	Professional Services	15,711	18,420	20,748	35,411	17,852	26,600
98	104120.5068	Election Expenses	1,835	2,387	30	-	667	2,000
99	104120.5079	Miscellaneous & Contingency	7,843	10,914	7,650	13,076	8,755	18,500
100	104120.5082	Marina Acquisition Costs	-	-	-	-	131,698	-
101	104120.5085	Capital Outlay	5,678	6,382	10,117	4,500	7,740	8,000
102								
103		Total General Government	445,972	418,145	422,891	409,177	462,226	453,723
104								
105								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
106		***General Fund***						
107		***Police Narcotics Unit***						
109	104310.5002	Salaries - Employees	36,343	40,608	41,250	40,525	29,843	42,321
110	104310.5004	FICA Expense	2,573	2,845	2,789	3,100	2,005	3,238
111	104310.5005	Retirement Expense	3,889	4,433	4,413	4,336	3,194	4,528
112	104310.5006	Group Health Insurance	2,343	2,112	2,600	2,862	2,148	3,116
114		Total Police Narcotics Unit	45,148	49,998	51,053	50,823	37,189	53,203
116		***General Fund***						
117		***Police Department***						
119	104410.5001	Salaries - Supervisor	36,878	38,671	42,571	43,713	31,735	45,799
120	104410.5002	Salaries - Employees	510,663	538,597	569,946	603,365	422,004	631,316
121	104410.5003	Salaries - Part Time	7,693	8,076	9,453	13,650	646	13,650
122	104410.5004	FICA Expense	40,555	43,192	46,285	50,546	33,740	52,843
123	104410.5005	Retirement Expense	53,465	57,869	58,765	70,698	43,664	74,666
124	104410.5006	Group Health Insurance	50,177	45,872	62,705	68,691	47,859	81,023
125	104410.5007	Workman's Compensation	16,017	12,024	13,525	12,852	8,062	12,582
126	104410.5008	Unemployment Compensation	55	16	-	1,000	-	1,000
127	104420.5009	Debt Service - Principal	28,705	33,107	22,594	-	-	-
128	104420.5010	Printing & Office Supplies	9,450	9,296	8,851	9,000	5,247	9,000
129	104420.5011	Debt Service - Interest	2,218	2,948	1,030	-	35	-
130	104420.5014	Membership & Dues	1,110	984	1,235	1,235	690	990
131	104420.5015	Meetings & Seminars	1,457	934	951	1,100	635	1,500
132	104420.5016	Vehicle Fuel & Oil	20,291	17,079	18,000	20,200	12,308	20,200
133	104420.5017	Vehicle Maintenance	20,567	22,327	21,495	24,000	11,710	24,000
134	104420.5020	Electricity & Gas	3,920	4,220	4,296	4,800	2,973	4,800
135	104420.5021	Telephone & Cable	10,854	9,936	9,808	10,000	6,751	10,000
136	104420.5022	Water & Sewer	680	659	641	950	466	950
137	104420.5025	Non-capital Tools & Equipment	-	-	-	-	-	2,243
138	104420.5026	Maint & Service Contracts	2,421	3,610	2,976	3,700	1,967	5,500
139	104420.5027	Machinery & Equipment Repair	4,316	4,294	3,756	4,000	1,767	4,000
140	104420.5041	Uniforms	8,370	13,272	12,131	15,000	4,345	12,000
141	104420.5044	Cleaning & Sanitary Supplies	574	308	192	750	256	750
142	104420.5049	Medical & Lab Supplies	3,218	3,683	3,483	3,500	1,713	3,500
143	104420.5053	Blanket Bond	72	-	-	100	-	100
144	104420.5062	Insurance	27,869	28,744	35,362	42,000	19,249	38,498
145	104420.5063	Rents & Leases	6,320	6,360	5,807	6,941	5,869	7,133
146	104420.5064	Employee Training	5,668	5,933	6,125	6,000	5,774	6,000
147	104420.5074	DARE Program Expenses	2,587	1,472	25	-	-	-
148	104420.5079	Miscellaneous & Contingency	3,297	2,407	1,991	3,000	2,238	3,000
149	104420.5081	Canine Kennel Expenses	149	287	484	750	188	750
150	104420.5085	Capital Outlay	13,877	6,671	62,543	-	-	3,000
152		Total Police Department	893,493	922,848	1,027,026	1,021,541	671,889	1,070,792

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
153		*General Fund*						
154		*Fire Department*						
155								
156	104510.5001	Salaries - Supervisor	36,899	38,674	42,375	43,301	31,432	45,362
157	104510.5002	Salaries - Employees	399,555	445,949	453,171	462,183	353,015	515,027
158	104510.5003	Salaries - Part Time	13,319	8,274	11,083	7,819	2,444	7,819
159	104510.5004	FICA Expense	33,977	36,953	37,589	39,268	28,551	43,468
160	104510.5005	Retirement Expense	46,595	52,490	52,880	54,923	40,785	60,596
161	104510.5006	Group Health Insurance	43,030	38,190	47,725	54,380	39,587	59,209
162	104510.5007	Workman's Compensation	12,607	9,464	10,297	11,500	6,159	11,500
163	104510.5008	Unemployment Compensation	2,898	126	-	1,500	-	1,500
164	104520.5010	Printing & Office Supplies	2,796	3,677	3,975	5,000	2,915	6,000
165	104520.5014	Membership & Dues	307	280	222	350	488	700
166	104520.5015	Meetings & Seminars	(110)	189	455	1,000	399	500
167	104520.5016	Vehicle Fuel & Oil	4,679	2,586	4,564	5,500	3,435	5,500
168	104520.5017	Vehicle Maintenance	19,894	19,859	27,400	22,400	19,316	27,000
169	104520.5020	Electricity & Gas	11,469	10,478	10,921	12,000	6,134	12,000
170	104520.5021	Telephone & Cable	4,930	4,430	4,467	5,400	3,022	5,700
171	104520.5022	Water & Sewer	2,273	2,038	2,024	2,300	1,316	2,300
172	104520.5025	Non-capital Tools & Equipment	-	-	-	-	-	18,500
173	104520.5026	Maint & Service Contracts	3,946	4,215	6,638	10,000	6,123	15,000
174	104520.5027	Machinery & Equipment Repair	9,439	6,787	5,806	9,500	6,286	9,500
175	104520.5041	Uniforms	7,619	6,824	8,340	12,000	8,085	12,500
176	104520.5044	Cleaning & Sanitary Supplies	1,513	1,222	1,641	2,500	1,911	3,000
177	104520.5049	Medical & Lab Supplies	5,116	4,783	4,770	9,000	4,085	9,000
178	104520.5053	Blanket Bond	72	-	-	100	-	100
179	104520.5062	Insurance	11,931	14,011	18,450	20,000	9,550	19,100
180	104520.5063	Rents & Leases	1,499	1,066	1,176	2,300	1,509	2,500
181	104520.5064	Employee Training	6,227	8,305	5,241	8,000	9,027	8,000
182	104520.5065	Professional Services	2,962	2,341	2,014	4,200	2,929	2,000
183	104520.5079	Miscellaneous & Contingency	2,760	3,677	5,648	4,500	3,635	5,500
184	104520.5080	Volunteer Fire Points	2,998	3,000	2,999	3,000	3,000	3,000
185	104520.5085	Capital Outlay	27,681	31,578	14,272	14,500	11,819	-
186								
187		Total Fire Department	718,881	761,466	786,141	828,424	606,956	911,881
188								
189								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
190		*General Fund*						
191		*Public Works Department*						
192								
193	104610.5001	Salaries - Supervisor	35,173	35,238	25,117	36,420	28,054	37,060
194	104610.5002	Salaries - Employees	167,048	153,276	155,986	190,221	111,191	202,077
195	104610.5003	Salaries - Part Time	10,983	6,545	1,766	-	(699)	-
196	104610.5004	FICA Expense	15,310	13,951	13,218	17,338	10,377	18,294
197	104610.5005	Retirement Expense	14,015	13,362	12,062	15,525	9,749	15,095
198	104610.5006	Group Health Insurance	30,320	23,054	23,723	31,483	17,778	34,279
199	104610.5007	Workman's Compensation	11,130	8,355	7,521	9,975	3,985	9,975
200	104610.5008	Unemployment Compensation	3,339	1,273	1,148	2,000	-	2,000
201	104620.5009	Debt Service - Principal	29,455	32,134	-	-	-	-
202	104620.5010	Printing & Office Supplies	338	785	553	700	741	900
203	104620.5011	Debt Service - Interest	4,110	1,430	-	-	-	-
204	104620.5014	Membership & Dues	-	-	35	-	115	200
205	104620.5015	Meetings & Seminars	-	-	-	-	-	600
206	104620.5016	Vehicle Fuel & Oil	11,589	7,134	11,618	13,000	11,152	15,000
207	104620.5017	Vehicle Maintenance	28,548	21,020	41,292	30,000	42,785	40,000
208	104620.5020	Electricity & Gas	39,291	36,491	56,016	38,700	28,516	38,700
209	104620.5021	Telephone & Cable	1,416	1,360	2,591	1,600	1,317	1,800
210	104620.5022	Water & Sewer	1,413	1,318	763	1,000	666	1,000
211	104620.5025	Non-capital Tools & Equipment	-	-	-	-	-	1,500
212	104620.5026	Maint & Service Contracts	1,564	1,658	2,490	1,700	4,077	1,700
213	104620.5027	Machinery & Equipment Repair	739	490	2,297	1,500	3,388	2,000
214	104620.5041	Uniforms	4,719	4,029	5,592	4,600	2,667	4,600
215	104620.5044	Cleaning & Sanitary Supplies	558	608	1,396	750	1,025	1,000
216	104620.5049	Medical & Lab Supplies	1,245	1,101	1,236	1,500	881	1,500
217	104620.5054	Street Signs	921	604	1,091	1,500	2,017	2,500
218	104620.5062	Insurance	18,467	17,212	10,373	11,316	5,687	11,374
219	104620.5063	Rents & Leases	-	-	-	500	-	500
220	104620.5064	Employee Training	-	69	620	500	1,219	500
221	104620.5065	Professional Services	485	-	-	8,000	61	-
222	104620.5067	Contracted Services	25,195	54,892	135,550	128,800	153,994	118,000
223	104620.5073	Recycling Expense	100	-	-	-	-	100
224	104620.5079	Miscellaneous & Contingency	672	1,477	4,357	1,200	1,714	750
225	104620.5085	Capital Outlay	1,726	-	3,340	1,200	2,995	-
226	104620.5086	Drainage Contingencies	1,471	1,312	1,000	-	-	-
227	104620.5089	Garbage Cart Procurement	-	-	13,045	6,000	5,604	6,000
228								
229		Total Public Works Department	461,340	440,178	535,798	557,028	451,054	569,005
230								
231								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
232		*General Fund*						
233		*Building and Planning Department*						
234								
235	104710.5001	Salaries - Supervisor	37,544	40,006	41,414	41,647	30,930	43,619
236	104710.5002	Salaries - Employees	71,106	68,071	73,716	79,704	57,926	87,392
237	104710.5003	Salaries - Part Time	-	-	-	-	-	-
238	104710.5004	FICA Expense	8,262	8,250	8,778	9,283	6,764	10,022
239	104710.5005	Retirement Expense	7,442	7,550	7,809	8,313	6,039	6,673
240	104710.5006	Group Health Insurance	9,374	8,077	9,709	11,448	8,299	12,465
241	104710.5007	Workman's Compensation	2,463	1,849	2,671	2,100	-	2,100
242	104710.5008	Unemployment Compensation	-	-	-	-	-	-
243	104720.5009	Debt Service - Principal	-	-	-	-	-	-
244	104720.5010	Printing & Office Supplies	3,640	677	3,109	4,000	2,889	4,500
245	104720.5011	Debt Service - Interest	-	-	-	-	-	-
246	104720.5014	Memberships & Dues	55	95	90	250	15	250
247	104720.5015	Meetings & Seminars	40	958	681	1,000	560	1,000
248	104720.5016	Vehicle Fuel & Oil	1,372	1,164	1,305	2,000	778	2,000
249	104720.5017	Vehicle Maintenance	1,308	1,348	1,700	2,000	665	2,000
250	104720.5020	Electricity & Gas	1,691	1,731	1,993	2,100	1,354	2,100
251	104720.5021	Telephone & Cable	2,126	1,810	2,113	2,500	1,791	2,500
252	104720.5022	Water & Sewer	503	503	489	550	347	550
253	104720.5025	Non-capital Tools & Equipment	-	-	-	-	-	-
254	104720.5026	Maint & Service Contracts	402	214	108	1,500	85	5,750
255	104720.5027	Machinery & Equipment Repair	66	241	173	500	211	500
256	104720.5041	Uniforms	503	12	443	1,000	32	1,000
257	104720.5044	Cleaning & Sanitary Supplies	207	260	99	500	95	500
258	104720.5049	Medical & Lab	-	-	85	-	95	150
259	104720.5053	Blanket Bond	72	-	-	100	-	100
260	104720.5062	Insurance	4,852	4,236	3,577	3,600	1,937	3,874
261	104720.5063	Rents & Leases	1,709	1,511	979	1,700	853	1,700
262	104720.5064	Employee Training	1,393	1,132	772	1,500	67	1,500
263	104720.5065	Professional Services	5,941	6,113	6,269	6,342	1,111	-
264	104720.5079	Miscellaneous & Contingency	348	817	346	500	275	500
265	104720.5085	Capital Outlay	5,061	3,042	20,871	3,200	1,315	2,000
266								
267		Total Building & Planning Departm	167,480	159,667	189,298	187,337	124,431	194,746
268								
269								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
270		***General Fund***						
271		***Recreation Department***						
273	104810.5001	Salaries - Supervisor	26,811	31,363	25,419	36,420	26,678	37,409
274	104810.5002	Salaries - Employees	65,287	64,319	83,499	94,470	65,177	94,896
275	104810.5003	Salaries - Part Time	55,485	69,933	67,302	61,382	47,544	61,382
276	104810.5004	FICA Expense	10,716	12,057	13,030	14,709	10,065	14,817
277	104810.5005	Retirement Expense	5,699	7,570	8,244	13,171	6,403	13,268
278	104810.5006	Group Health Insurance	9,264	7,771	10,524	14,311	10,669	15,581
279	104810.5007	Workman's Compensation	3,482	2,614	2,802	2,310	1,815	2,310
280	104810.5008	Unemployment Compensation	41	-	-	-	-	-
281	104820.5010	Printing & Office Supplies	3,403	4,513	3,598	4,000	3,108	4,300
282	104820.5011	Debt Service - Interest	-	-	-	-	-	-
283	104820.5014	Memberships & Dues	462	683	425	700	436	700
284	104820.5015	Meetings & Seminars	1,543	1,553	1,286	1,800	1,579	2,000
285	104820.5016	Vehicle Fuel & Oil	1,331	1,241	1,712	1,750	764	1,750
286	104820.5017	Vehicle Maintenance	1,224	504	1,399	1,000	264	1,000
287	104820.5020	Electricity & Gas	9,373	8,273	9,147	9,000	6,934	9,000
288	104820.5021	Telephone & Cable	1,983	1,961	2,552	2,600	2,111	3,900
289	104820.5022	Water & Sewer	1,125	976	1,445	1,500	661	1,500
290	104820.5025	Non-capital Tools & Equipment	-	-	-	-	-	2,850
291	104820.5026	Maint & Service Contracts	4,637	5,166	7,077	9,500	7,787	11,500
292	104820.5027	Machinery & Equipment Repair	1,103	688	641	1,000	488	1,000
293	104820.5041	Uniforms	1,579	1,563	1,789	1,800	1,719	1,800
294	104820.5044	Cleaning & Sanitary Supplies	1,459	2,100	1,223	2,500	867	2,500
295	104820.5049	Medical & Lab Supplies	664	498	536	1,000	772	1,000
296	104820.5053	Blanket Bond	72	-	-	100	-	100
297	104820.5062	Insurance	3,543	3,593	4,564	4,979	2,502	5,004
298	104820.5063	Rents & Leases	1,049	1,267	1,371	1,200	1,197	3,000
299	104820.5064	Employee Training	153	506	316	500	406	500
300	104820.5065	Professional Services	-	-	500	-	-	-
301	104820.5079	Miscellaneous & Contingency	16,559	4,091	3,805	4,000	3,483	4,000
302	104820.5085	Capital Outlay	32,474	7,227	16,909	5,500	2,500	9,500
304		**Instruction Expense**						
306	104830.5088	Four Year Old Playgroup	47	160	493	500	170	500
307	104830.5091	Gymnastics	-	368	32	500	358	500
308	104830.5092	Special Activities	298	14,102	17,290	15,000	9,496	15,000
309	104830.5093	Day Camp	6,877	10,727	7,939	12,000	5,985	12,000
310	104830.5095	Tae Kwon Do	964	140	386	500	-	500
311	104830.5096	Aerobics	206	23	-	250	61	250
312	104830.5097	Adult Sports	11,661	14,836	8,380	14,000	6,153	14,000
313	104830.5098	Youth Sports	23,091	24,604	24,268	27,000	11,193	27,000
314	104830.5099	Tennis	186	-	20	250	-	250
316		**Total Recreation Department**	303,851	306,990	329,922	361,201	239,343	376,567

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
317		*General Fund*						
318		*Judicial and Legal*						
319								
320	104910.5002	Salaries - Employees	23,098	8,382	2,005	26,125	20,115	27,432
321	104910.5003	Salaries - Part Time	-	17,096	25,748	-	55	
322	104910.5004	FICA Expense	1,726	1,906	2,068	1,999	1,525	2,099
323	104910.5005	Retirement Expense	1,582	1,781	1,901	1,790	1,379	1,879
324	104910.5006	Group Health Insurance	2,344	792	406	2,856	2,137	3,116
325	104910.5007	Worker's Compensation	-	-	226	-	-	-
326	104920.5010	Printing & Office Supplies	3,447	4,251	2,638	3,000	3,222	3,500
327	104920.5014	Memberships & Dues	-	-	-	100	-	100
328	104920.5015	Meetings & Seminars	441	-	-	750	-	750
329	104920.5021	Telephone & Cable	805	735	755	1,200	558	1,200
330	104920.5025	Non-capital Tools & Equipment	-	-	-	-	-	-
331	104920.5026	Maint & Service Contracts	85	85	90	3,000	2,800	3,000
332	104920.5053	Blanket Bond	342	-	-	400	270	300
333	104920.5062	Insurance	180	50	330	160	181	362
334	104920.5064	Employee Training	-	10	(10)	500	507	500
335	104920.5065	Professional Services	69,904	51,042	67,998	75,000	39,192	75,000
336	104920.5079	Miscellaneous & Contingency	(24)	153	128	100	95	150
337	104920.5085	Capital Outlay	914	-	-	-	-	-
338								
339		Total Judicial and Legal	104,844	86,283	104,284	116,979	72,035	119,387
340								
341								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
342		***General Fund***						
343		***Parking Lot Department***						
344								
345	105010.5003	Salaries - Part Time	11,827	5,621	-	-	-	-
346	105010.5004	FICA Expense	905	430	-	-	-	-
347	105010.5005	Retirement Expense	5	-	-	-	-	-
348	105010.5007	Workman's Compensation	464	348	163	-	-	-
349	105010.5008	Unemployment Compensation	164	-	-	-	-	-
350	105020.5020	Electric & Gas	155	172	168	150	105	170
351	105020.5025	Non-capital Tools & Equipment	-	-	-	-	-	-
352	105020.5062	Insurance	13	13	119	120	65	130
353	105020.5067	Contracted Services	-	2,400	-	-	-	-
354	105020.5079	Miscellaneous & Contingency	1,285	-		-	-	-
355	105020.5085	Capital Outlay	-	-	26	-	-	-
356								
357		Total Parking Lot Department	14,818	8,984	475	270	170	300
358								
359								
360								
361		***General Fund***						
362		***Parking Meter Department***						
363								
364	105710.5003	Salaries - Part Time	6,976	6,978	9,217	13,000	3,032	13,000
365	105710.5004	FICA Expense	534	655	705	995	232	995
366	105710.5005	Retirement Expense	(44)	-	-	-	6	-
367	105720.5010	Printing & Office Supplies	546	178	385	400	282	-
368	105720.5025	Non-capital Tools & Equipment				-	-	-
369	105720.5026	Maint & Service Contracts	-	-	-	850	-	-
370	105720.5027	Machinery & Equipment Repair	46	(13)	271	500	255	500
371	105720.5062	Insurance	27	27	244	35	134	268
372	105720.5079	Miscellaneous & Contingency	588	419	924	500	195	500
373	105720.5085	Capital Outlay	-	-	-	-	-	-
374								
375		Total Parking Meter Dept	8,673	8,244	11,746	16,280	4,135	15,263
376								
377								
378								
379	TOTAL GENERAL FUND EXPEND		3,187,164	3,187,379	3,494,152	3,572,150	2,692,134	3,794,013
380								
381								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
382	**Capital Projects Fund Revenues**							
383								
384	203450.1111	Grant Income	201,472	-	-	-	-	-
385	203500.4501	Miscellaneous Revenue	-	-	-	-	-	-
386	203500.4505	Interest Income (schedule H)	22,617	20,357	52,802	35,000	21,612	25,000
387	203500.4515	Add'l Garbage Cart Purchases	-	17,889	-	-	-	-
388	203900.4901	Transfers In from Other Funds	-	81,004	670,000	76,897	-	-
389	203900.5901	Transfers Out to Other Funds	-	-	-	-	-	-
390	203900.5905	Transfers of Unreserved FB	-	395,772	-	62,303	-	-
391								
392	**TOTAL CAPITAL PROJ REVENUES**		224,089	515,021	722,802	174,200	21,612	25,000
393								
394								
395	**Capital Projects Fund Expenditures**							
396								
397	204140.5026	Gen Gov't Maint & Service	-	914	-	-	-	15,000
398	204140.5079	Gen Gov't Miscellaneous	-	1,855	-	-	10	-
399	204140.5085	Gen Gov't Capital Outlay	668	33,887	(55)	22,500	1,295	19,500
400								
401	204440.5085	Police Dept Capital Outlay	628	-	-	-	-	-
402								
403	204540.5026	Fire Dept Maintenance	-	-	-	-	-	35,000
404	204540.5085	Fire Dept Capital Outlay	71,130	2,145	31,177	15,400	9,491	19,900
405								
406	204540.5026	Public Works Maintenance	-	-	-	-	-	2,500
407	204640.5085	Public Works Capital Outlay	-	382,918	-	123,300	72,445	106,400
408								
409	204740.5085	Building Dept Capital Outlay	-	-	-	-	-	19,500
410								
411	204740.5026	Recreation Dept Maintenance	-	-	-	-	-	5,000
412	204840.5085	Recreation Dept Capital Outlay	-	59,668	-	13,000	7,743	71,700
413								
414	**TOTAL CAPITAL PROJ EXPENDITURES**		72,426	481,387	31,121	174,200	90,984	294,500
415								
416								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
417	**County/Muni Accommodation Tax Fund Revenues**							
418								
419	303450.4105	Municipal Accom Tax (sch. K)	-	258,931	294,511	335,000	196,961	363,937
420	303450.4106	County Accom Tax (sch. K)	-	103,572	117,804	118,500	86,501	135,224
421	303500.4505	Interest Income (sch. H)	-	11,139	13,418	5,000	12,768	10,000
422	303450.4111	Grant Income	-	-	-	-	-	141,000
423	303900.4901	Transfers In from Other Funds	-	143,250	-	-	-	-
424	303900.5901	Transfers Out to Other Funds	-	-	(170,000)	-	-	-
425								
426	**TOTAL COUNTY/MUNI ACC TAX REV**		-	516,892	255,733	458,500	296,231	650,161
427								
428								
429	**County/Muni Accommodation Tax Fund Expenditures**							
430								
431	304120.5011	General Gov't Debt Svc-Interest	-	-	-	-	-	48,300
432	304120.5079	General Gov't Miscellaneous	-	-	152	-	-	-
433	304120.5085	General Gov't Capital Outlay	-	-	-	-	-	176,000
434	304420.5085	Police Dept Capital Outlay	-	-	-	-	-	-
435	304520.5085	Fire Dept Capital Outlay	-	518,223	4,415	50,647	-	26,500
436	304620.5085	Public Works Capital Outlay	-	-	122,089	22,500	-	90,000
437	304820.5085	Recreation Dept Capital Outlay	-	-	18,087	17,266	14,809	-
438		Reserve for Use in Sub Years	-	-	-	368,087	-	-
439								
440	**TOTAL COUNTY/MUNI ACC TAX EXP**		-	518,223	144,742	458,500	14,809	340,800
441								
442								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
443	**Volunteer Fire 1% Fund Revenues**							
444								
445	403500.4501	County 1% Rebate	37,709	35,690	39,637	40,000	39,712	40,000
446	403500.4501	Miscellaneous Income	-	1,113	319	-	36	-
447	403500.4505	Interest Income (schedule H)	494	363	446	350	683	500
448								
449	**TOTAL VOL FIRE 1% REVENUES**		38,203	37,166	40,402	40,350	40,432	40,500
450								
451								
452	**Volunteer Fire 1% Fund Expenditures**							
453								
454	404520.5014	Membership & Dues	-	3,020	678	4,800	400	500
455	404520.5015	Meetings & Seminars	-	-	177	200	-	-
456	404520.5021	Telephone & Cable	-	-	1,997	1,830	1,788	2,000
457	404520.5026	Maint. & Service Contracts	-	1,740	3,130	1,400	2,400	3,000
458	404520.5041	Uniforms	-	11,638	4,415	800	3,175	3,500
459	404520.5062	Insurance	-	4,548	9,800	4,600	7,983	8,500
460	404520.5079	Miscellaneous	29,750	20,332	14,963	21,000	11,326	20,000
461	404540.5085	Capital Outlay	-	2,435	8,062	5,720	2,440	3,000
462								
463	**TOTAL VOL FIRE 1% EXPENDITURES**		29,750	43,713	43,222	40,350	29,512	40,500
464								
465								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
466	**State Accommodation Tax Fund Revenues**							
467								
468	503450.4105	Acc Tax Rev-Related (sch. L)	298,016	390,086	453,430	550,100	239,148	408,000
469	503450.4107	Accom Tax Rev-Promo (sch. L)	-	-	6,321	-	110,376	192,000
470	503500.4501	Miscellaneous Income	1,023	1,140	1,240	1,300	869	1,300
471	503500.4505	Interest Income (schedule H)	2,847	3,029	6,636	6,700	9,815	7,000
472	503900.4901	Transfers In from Other Funds	-	-	-	-	-	-
473	503900.5901	Transfers Out to Other Funds	-	(58,004)	-	-	-	-
474	503900.5905	Transfers from Unreserved FB	-	40,000	-	-	-	-
475								
476	**TOTAL STATE ACC TAX REVENUES**		301,886	376,251	467,628	558,100	360,207	608,300
477								
478								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
479		**State Accommodation Tax Fund Expenditures**						
480								
481		**General Government**						
482	504120.5009	Debt Service - Principal	125,000	125,000	125,000	150,000	150,000	150,000
483	5041205011	Debt Service - Interest	-	-	-	-	-	17,500
484	504120.5014	Membership and Dues	-	-	380	-	-	-
485	504120.5022	Water & Sewer	-	374	191	-	185	250
486	504120.5065	Professional Services	-	-	-	-	-	15,210
487	504120.5026	Maint & Service Contracts	1,650	9,840	11,470	12,500	7,261	12,500
488	504120.5067	Contracted Services	-	-	-	-	-	75,000
489	504120.5077	Programs/Sponsorships	-	-	-	-	-	34,000
490	504120.5079	Miscellaneous & Contingency	20,179	11,963	19,110	34,865	8,439	-
491	504120.5085	Capital Outlay	-	8,039	2,374	30,000	26,132	-
492	504120.5090	Tourism Promotion Expense	91,610	140,906	124,040	165,283	118,220	192,000
493								
494		**Police Department**						
495	504420.5085	Police Dept Capital Outlay	39,680	39,466	2,246	-	-	-
496								
497		**Fire Department**						
498	504520.5021	Uniforms	-	-	1,100	-	53	-
499	504520.5064	Employee Training	-	-	1,007	-	-	-
500	504520.5079	Miscellaneous	-	-	286	-	-	-
501	504520.5085	Fire Department Capital Outlay	662	7,126	2,773	103,315	51,913	3,000
502								
503		**Public Works Department**						
504	504620.503	Machine & Equipment Repair	-	-	3,964	-	-	-
505	504620.5054	Street Signs	-	-	1,646	-	-	-
506	504620.5085	Capital Outlay	529	-	9,399	22,500	-	97,500
507								
508		**Building and Planning**						
509	504720.503	Machine & Equipment Repair	-	-	370	-	-	-
510								
511		**Recreation Department**						
512	504820.5027	Machine & Equipment Repair	-	-	85	-	-	-
513								
514		**Public Restrooms**						
515	505620.5020	Electric & Gas	485	420	480	550	252	675
516	505620.5022	Water & Sewer	7,230	7,387	10,115	15,000	3,974	18,450
517	505620.5026	Maint & Service Contracts	8,700	4,284	387	2,000	-	3,000
518	505620.5027	Machine & Equipment Repair	84	273	1,659	3,000	463	3,000
519	505620.5044	Cleaning & Sanitary Supply	509	1,087	1,724	1,750	182	1,000
520	505620.5062	Insurance	2,003	2,057	779	800	427	854
521	505620.5067	Contracted Services	10,090	8,210	16,909	16,287	8,811	20,000
522	505620.5079	Miscellaneous & Contingency	-	-	-	250	-	3,250
523								
524		**TOTAL STATE ACC TAX EXPEND**	308,411	366,432	337,493	558,100	376,313	647,189

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
525								
526								
527	**Disaster Recovery Reserve Fund Revenues**							
528								
529	603500.4505	Interest Income (schedule H)	-	-	-	-	38,115	50,000
530	603900.4901	Operating Transfers In	-	-	-	-	1,050,000	-
531								
532	TOTAL DISASTER RECOVERY REVENUE		-	-	-	-	1,088,115	50,000
533								
534								
535	**Disaster Recovery Reserve Fund Expenditures**							
536								
537	604120.5079	Miscellaneous	-	-	-	-	-	-
538								
539	TOTAL DISASTER RECOVER EXPEND		-	-	-	-	-	-
540								
541								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
542	**Federal Narcotic Fund Revenues**							
543								
544	613450.4108	Federal Narcotics Seizures	-	89,944	199,256	-	93,777	-
545	613500.4505	Interest Income (schedule H)	-	1,296	6,397	2,500	4,357	4,000
546	613900.4901	Transfers In from Other Funds	-	-	212	-	-	-
547	613900.5901	Transfers Out to Other Funds	-	(17,561)	-	-	-	-
548		Use of Prior Year Fund Balance	-	-	-	101,350	-	-
549								
550	**TOTAL FED NARCOTIC REVENUES**		-	73,679	205,865	103,850	98,134	4,000
551								
552								
553	**Federal Narcotic Fund Expenditures**							
554								
555	614320.5010	Print and Office Supplies	-	673	4,559	1,500	689	-
556	614320.5014	Membership & Dues	-	50	500	-	-	-
557	614320.5015	Meetings & Seminars	-	1,289	300	400	(100)	-
558	614320.5017	Vehicle Maintenance	-	-	378	-	-	-
559	614320.5021	Telephone & Cable	-	108	500	700	-	-
560	614320.5026	Maint & Service Contracts	-	950	435	600	-	3,000
561	614320.5027	Machine & Equipment Repair	-	918	901	1,200	-	-
562	614320.5041	Uniforms	-	505	400	-	400	400
563	614320.5064	Employee Training	-	507	435	600	-	-
564	614320.5071	Special Department Expenses	-	17,437	6,440	6,000	8,195	4,000
565	614320.5079	Miscellaneous	-	818	7,606	7,000	4,451	-
566	614320.5080	Drug Buys	-	500	220	300	-	-
567	614320.5085	Capital Outlay	-	30,312	101,317	85,550	94,850	94,305
568								
569	**TOTAL FED NARCOTIC EXPENDITURES**		-	54,067	123,990	103,850	108,485	101,705
570								
571								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
572	**State Narcotic Fund Revenues**							
573								
574	623450.4108	State Narcotics Seizures	-	9,528	33,236	-	5,719	-
575	623500.4505	Interest Income (schedule H)	-	125	194	125	317	125
576	623900.4901	Transfers In from Other Funds	-	-	-	-	-	-
577	623900.5901	Transfers Out to Other Funds	-	-	-	-	-	-
578		Use of Prior Year Fund Balance	-	-	-	5,375	-	-
579								
580								
581	**TOTAL STATE NARCOTIC REVENUES**		-	9,653	33,431	5,500	6,036	125
582								
583	**State Narcotic Fund Expenditures**							
584								
585	624320.5010	Print & Office Supplies	-	42	339	-	-	-
586	624320.5017	Vehicle Maintenance	-	-	-	-	628	-
587	624320.5021	Telephone & Cable	-	1,972	1,644	1,600	1,070	1,200
588	624320.5027	Machine & Equipment Repair	-	143	105	150	818	-
589	624320.5041	Uniforms	-	400	400	-	-	400
590	624320.5064	Employee Training	-	-	1,650	2,000	250	1,000
591	624320.5079	Miscellaneous	-	776	949	1,250	-	-
592	624320.5085	Capital Outlay	-	1,584	-	500	-	-
593								
594	**TOTAL STATE NARCOTIC EXPEND**		-	4,917	5,086	5,500	2,765	2,600
595								
596								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
597	**Confiscated Asset Fund Revenues**							
598								
599	633500.4505	Interest	-	106	-	-	-	-
600								
601	TOTAL CONFISCATED FUND REV		-	106	-	-	-	-
602								
603								
604	**Confiscated Asset Fund Expenditures**							
605								
606	634420.5079	Miscellaneous	-	-	-	-	-	-
607								
608	TOTAL CONFISCATED FUND EXPEND		-	-	-	-	-	-
609								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
610	**Police Recreation Fund Revenues**							
611								
612	643500.4501	Miscellaneous	-	1,500	20	-	-	-
613	643500.4505	Interest Income (schedule H)	-	41	73	50	24	30
614		Use of Prior Year Fund Balance	-	-	-	750	-	-
615								
616	TOTAL POLICE REC REVENUES		-	1,541	93	800	24	30
617								
618								
619	**Police Recreation Fund Expenditures**							
620								
621	644420.5079	Miscellaneous	-	592	1,660	800	789	675
622								
623	TOTAL POLICE REC EXPENDITURES		-	592	1,660	800	789	675
624								
625								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
626	**Plant - A - Palm Fund Revenues**							
627								
628	663500.4501	Miscellaneous	-	405	1,070	400	-	-
629	663500.4505	Interest Income (schedule H)	-	254	314	250	177	250
630		Use of Prior Year Fund Balance	-	-	-	6,000	-	-
631								
632	**TOTAL PLANT - A - PALM REVENUES**		-	659	1,384	6,650	177	250
633								
634								
635	**Plant - A - Palm Fund Expenditures**							
636								
637	664120.5079	Miscellaneous	-	1,545	6,320	6,650	763	5,000
638								
639	**TOTAL PLANT - A - PALM EXPEND**		-	1,545	6,320	6,650	763	5,000
640								
641								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
642	**Recreation Building Fund Revenues**							
643								
644	683500.4501	Miscellaneous	-	525	1,100	500	-	1,000
645	683500.4505	Interest Income (schedule H)	-	27	74	25	62	25
646								
647	TOTAL REC BUILDING FUND REV		-	552	1,174	525	62	1,025
648								
649								
650	**Recreation Building Fund Expenditures**							
651								
652	684820.5085	Capital Outlay	-	-	-	525	-	3,000
653								
654	TOTAL REC BUILDING FUND EXPEND		-	-	-	525	-	3,000
655								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
656	**Marina Fund Revenues**							
657								
658	903500.4501	Miscellaneous Income	-	-	-	-	2,126	500
659	903500.4505	Interest Income	-	-	-	-	-	500
660	903600.4610	Marina Store Lease Income	-	-	-	-	14,438	75,000
661	903600.4620	Marina Operations Lease Inc	-	-	-	-	2,605	130,000
662	903600.4630	Marina Restaurant Lease Inc	-	-	-	-	-	60,000
663	903600.4640	Marina Office Lease Inc	-	-	-	-	1,509	6,600
664	903600.4650	Marina Utility/Shop Lease Inc	-	-	-	-	6,200	24,000
665	903600.4660	Marina Waverunner Lease Inc	-	-	-	-	4,667	28,000
666	903900.4901	Operating Transfers In	-	-	-	-	-	-
667								
668	**TOTAL MARINA FUND REVENUES**		-	-	-	-	31,544	324,600
669								
670								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
671	**Marina Fund Expenses**							
672								
673	**General & Administrative**							
674	906120.5009	Debt Service - Principal	-	-	-	-	-	-
675	906120.5010	Print and Office Supplies	-	-	-	-	115	200
676	906120.5011	Debt Service - Interest	-	-	-	-	35,535	105,479
677	906120.5013	Property Taxes	-	-	-	-	(3,302)	-
678	906120.5020	Electric and Gas	-	-	-	-	6	3,200
679	906120.5021	Telephone/Cable	-	-	-	-	-	-
680	906120.5022	Water and Sewer	-	-	-	-	-	-
681	906120.5026	Maint & Service Contracts	-	-	-	-	550	66,000
682	906120.5027	Machine/Equipment Repair	-	-	-	-	859	2,000
683	906120.5054	Street Signs	-	-	-	-	110	250
684	906120.5062	Insurance	-	-	-	-	2,739	2,739
685	906120.5065	Professional Services	-	-	-	-	4,268	15,000
686	906120.5067	Contracted Services	-	-	-	-	-	-
687	906120.5079	Miscellaneous	-	-	-	-	-	2,500
688	906120.5085	Capital Outlay	-	-	-	-	-	78,000
689		Total General & Administrative	-	-	-	-	40,880	275,368
690								
691	**Marina Store**							
692	906220.5026	Maint & Service Contracts	-	-	-	-	-	60,000
693	906220.5027	Machine/Equipment Repair	-	-	-	-	880	1,000
694	906220.5079	Miscellaneous	-	-	-	-	-	1,000
695	906220.5085	Capital Outlay	-	-	-	-	-	75,000
696		Total Marina Store	-	-	-	-	880	137,000
697								
698	**Marina Operations**		-	-	-	-	-	-
699	906420.5020	Electric and Gas	-	-	-	-	(609)	-
700	906420.5027	Machine/Equipment Repair	-	-	-	-	543	1,000
701	906420.5062	Insurance	-	-	-	-	8,083	8,100
702	906420.5065	Professional Services	-	-	-	-	-	-
703	906420.5079	Miscellaneous	-	-	-	-	-	1,000
704		Total Marina Operations					8,017	10,100
705								
706	**Marina Restaurant**							
707	906520.5020	Electric and Gas	-	-	-	-	148	-
708	906520.5022	Water and Sewer	-	-	-	-	138	-
709	906520.5065	Professional Services	-	-	-	-	-	-
710	906520.5079	Miscellaneous	-	-	-	-	-	1,000
711		Total Marina Restaurant	-	-	-	-	286	1,000
712								
713	**TOTAL MARINA FUND EXPENSES**		-	-	-	-	50,062	423,468

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
714								
715	**SUMMARY BY FUND**							
716								
717		**REVENUES**						
718								
719		General Fund	3,498,832	3,844,379	3,270,746	3,572,150	3,063,285	3,908,561
720		Capital Projects Fund	224,089	515,021	722,802	174,200	21,612	25,000
721		Accommodation Fee Fund	-	516,892	255,733	458,500	296,231	650,161
722		Volunteer Fire Dept 1% Fund	38,203	37,166	40,402	40,350	40,432	40,500
723		Accommodation Tax Fund	301,886	376,251	467,628	558,100	360,207	608,300
724		Disaster Recovery Resv Fund	-	-	-	-	1,088,115	50,000
725		Federal Narcotics Fund	-	73,679	205,865	103,850	98,134	4,000
726		State Narcotics Fund	-	9,653	33,431	5,500	6,036	125
727		Confiscated Asset Fund	-	106	-	-	-	-
728		Police Recreation Fund	-	1,541	93	800	24	30
729		Plant-A-Palm Fund	-	659	1,384	6,650	177	250
730		Recreation Building Fund	-	552	1,174	525	62	1,025
731		Marina Fund	-	-	-	-	31,544	324,600
732								
733	**Grand Total All Funds - Revenues**		4,063,010	5,375,900	4,999,257	4,920,625	5,005,859	5,612,552
734								
735								
736		**EXPENDITURES**						
737								
738		General Fund	3,187,164	3,187,379	3,494,152	3,572,150	2,692,134	3,794,013
739		Capital Projects Fund	72,426	481,387	31,121	174,200	90,984	294,500
740		County/Municipal Acc. Tax Fund	-	518,223	144,742	458,500	14,809	340,800
741		Volunteer Fire Dept 1% Fund	29,750	43,713	43,222	40,350	29,512	40,500
742		State Accommodations Tax Fund	308,411	366,432	337,493	558,100	376,313	647,189
743		Disaster Recovery Resv Fund	-	-	-	-	-	-
744		Federal Narcotics Fund	-	54,067	123,990	103,850	108,485	101,705
745		State Narcotics Fund	-	4,917	5,086	5,500	2,765	2,600
746		Confiscated Asset Fund	-	-	-	-	-	-
747		Police Recreation Fund	-	592	1,660	800	789	675
748		Plant-A-Palm Fund	-	1,545	6,320	6,650	763	5,000
749		Recreation Building Fund	-	-	-	525	-	3,000
750		Marina Fund	-	-	-	-	50,062	423,468
751								
752	**Grand Total All Funds - Expenditures**		3,597,751	4,658,255	4,187,786	4,920,625	3,366,616	5,653,450
753								
754								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
755	**SUMMARY BY FUND**							
756								
757		**REVENUES OVER/(UNDER) EXPENDITURES**						
758								
759		General Fund	311,668	657,000	(223,405)	(0)	371,151	114,548
760		Capital Projects Fund	151,663	33,634	691,680	-	(69,372)	(269,500)
761		County/Municipal Acc. Tax Fund	-	(1,331)	110,991	-	281,422	309,361
762		Volunteer Fire Dept 1% Fund	8,453	(6,547)	(2,820)	-	10,919	-
763		State Accommodations Tax Fund	(6,525)	9,819	130,135	-	(16,106)	(38,889)
764		Disaster Recovery Resv Fund	-	-	-	-	1,088,115	50,000
765		Federal Narcotics Fund	-	19,612	81,876	-	(10,351)	(97,705)
766		State Narcotics Fund	-	4,736	28,345	-	3,271	(2,475)
767		Confiscated Asset Fund	-	106	-	-	-	-
768		Police Recreation Fund	-	949	(1,567)	-	(766)	(645)
769		Plant-A-Palm Fund	-	(886)	(4,936)	-	(586)	(4,750)
770		Recreation Building Fund	-	552	1,174	-	62	(1,975)
771		Marina Fund	-	-	-	-	(18,518)	(98,868)
772								
773	**Revenues Over/(Under) Expenditures**		465,259	717,645	811,471	(0)	1,639,243	(40,898)
774								
775								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
776	**Schedule of % Change from Prior Years**							
777								
778								
779	**General Fund**							
780								
781		Mayor & Council	22,664	24,576	35,517	23,090	22,707	29,146
782		**% Increases**		**8%**	**45%**	**-35%**		**-18%**
783								
784		General Government	445,972	418,145	422,891	409,177	462,226	453,723
785		**% Increases**		**-6%**	**1%**	**-3%**		**7%**
786								
787		Police	938,641	972,846	1,078,079	1,072,364	709,078	1,123,996
788		**% Increases**		**4%**	**11%**	**-1%**		**4%**
789								
790		Fire	718,881	761,466	786,141	828,424	606,956	911,881
791		**% Increases**		**6%**	**3%**	**5%**		**16%**
792								
793		Public Works	461,340	440,178	535,798	557,028	451,054	569,005
794		**% Increases**		**-5%**	**22%**	**4%**		**6%**
795								
796		Building	167,480	159,667	189,298	187,337	124,431	194,746
797		**% Increases**		**-5%**	**19%**	**-1%**		**3%**
798								
799		Recreation	303,851	306,990	329,922	361,201	239,343	376,567
800		**% Increases**		**1%**	**7%**	**9%**		**14%**
801								
802		Judicial	104,844	86,283	104,284	116,979	72,035	119,387
803		**% Increases**		**-18%**	**21%**	**12%**		**14%**
804								
805		Parking Lot and Meters	23,491	17,228	12,221	16,550	4,305	15,563
806		**% Increases**		**-27%**	**-29%**	**35%**		**27%**
807								
808		Total General Fund	3,187,164	3,187,379	3,494,152	3,572,150	2,692,134	3,794,013
809		**% Increases**		**0%**	**10%**	**2%**		**9%**
810								
811								

	A	B	C	D	E	F	G	H
1			Actual	Actual	Actual	Budgeted	Actual	Budgeted
2	Account #	Account Description	FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99	3/31/99	FY 1999-00
3								
812	**Schedule of % Change from Prior Years, All Other Funds**							
813								
814	Capital Projects Fund		72,426	481,387	31,121	174,200	90,984	294,500
815		**% Increases**		**565%**	**-94%**	**460%**		**846%**
816								
817	Municipal Accommodation Tax Fund		-	518,223	144,742	458,500	14,809	340,800
818		**% Increases**		-	**-72%**	**217%**		**135%**
819								
820	Volunteer Fire Fund		29,750	43,713	43,222	40,350	29,512	40,500
821		**% Increases**		**47%**	**-1%**	**-7%**		**-6%**
822								
823	State Accommodation Tax Fund		308,411	366,432	337,493	558,100	376,313	647,189
824		**% Increases**		**19%**	**-8%**	**65%**		**92%**
825								
826	Federal Narcotics Fund		-	54,067	123,990	103,850	108,485	101,705
827		**% Increases**		-	**129%**	**-16%**		**-18%**
828								
829	State Narcotics Fund		-	4,917	5,086	5,500	2,765	2,600
830		**% Increases**			**3%**	**8%**		**-49%**
831								
832	Marina Fund		-	-	-	-	50,062	423,468
833		**% Increases**						-
834								
835	All Other Funds		-	2,137	7,980	7,975	1,552	8,675
836		**% Increases**		-	**273%**	**0%**		**9%**
837								
838	Grand Total All Funds		3,597,751	4,658,255	4,187,786	4,920,625	3,366,616	5,653,450
839		**% Increases**		**29%**	**-10%**	**17%**		**35%**
840								
841			3,597,751	4,658,255	4,187,786	4,920,625	3,366,616	5,653,450

Cell: H45
Note: Mayor and Council pay change effective 1/1/00. First 6 mos $5,400
second 6 mos Mayor $417 x 6
Council $125 x 6x 8 = $8,502

Cell: H52
Note: Reflects higher level of participation in MASC annual meetings

Cell: H69
Note: Wages in all departments reflect a COLA based on the CPI between 3/98 and 3/99 of 1.7% and potential merit increases

Cell: H73
Note: All departments reflect 9% increase in Group Health and Dental Premiums $6,233

Additional $7,200 reflects Employee Incentive and Morale Program for Group Long Term Disability Insurance coverage. Employees to purchase short term coverage through payroll deduction

Additional $1,656 reflects Employee Incentive and Morale Program for Group Vision Care

Cell: H76
Note: 1991 GO Bond 2/1//00 $45,000

Cell: H78
Note: 1991 GO BOND 8/1/99 $15,782.50
2/1//00 $15,782.50

1999 GO BOND 8/1/99 $75,000 of total payment of $106,604.17. Balance and payment of $91,375 due 2/1/00 budgeted under Marina Enterprise Fund and State Accommodations Tax Fund

Cell: H80
Note: Municipal Assn $1,700
Sam's Club $80
DAODAS $500
SC City/County Managers Assn. $60
Intl. City Managers Assn. $500
Bank card fees $40
DHEC Annual UST $200
SC LLR elevator inspection $200
IOP Commerce $60
Municipal Personnel Assn $55
Chas. Co. HAZMAT fee $200

Cell: H81
Note: Various SC MASC meetings
ICMA Annual Conference
SC City/County Managers Assn. meetings

Cell: H87
Note: New line item in all departments to account for purchase of tools and equipment of less than Capital Asset value of $1,000

Replace office chairs

Cell: H88
Note: 1/2 cost of monthly cleaning (other 1/2 budgeted in Police) $2,400
Typewriter maintenance (3) $300
Emergency generator maintenance $4,000
Elevator maintenance contract $2,000
Computer software maintenance $1,000
Periodic carpet cleaning $500
Pressure wash/treat decks $1,500
Replace fluorescent ballasts $2,000
Pressure wash City Hall x 2 $600

Cell: H93
Note: Employment ads, meeting notices, public notices, etc. Number and type of ads will increase as a result of new zoning regs.

Cell: H95
Note: 1/2 copier rent (other 1/2 in Police) $2,400
Postage meter $820
Safe deposit box $75
PO Box $200

Cell: H96
Note: Expand training to include treasurer's courses and learning of new software
$7,000 added from Employee Incentive Program as Educational Benefits

Cell: H97
Note: Financial auditing services $9,000
Flexible benefits plan admin $3,600
Bond trustee admin fees $2,250
Bank fees $750
Misc. professional services $1,000
Beach Management Plan $10,000

Cell: H99
Note: Employee recognition program $3,600
Safety sweepstakes $2,400
Donation to Charleston Chaplaincy $1,000
Donation to Holly Reynolds $1,000
Donation to IOP scholarship fund $4,500
Miscellaneous $2,000
Annual employee picnic and holiday gathering $1,300
Employee Morale and Incentive Program
benefits- Suggestion awards
Recruitment awards
Refreshments for all departments $2,400

Cell: H101
Note: Computer and software upgrades

Cell: H120
Note: Department wages include COLA and 10% adjustment for certified officers below the rank of Asst. Chief

Cell: H131
Note: Anticipated increase in meeting costs.

Cell: H137
Note: Replace (4) Ballistic vests $1,743
Replace office furniture $500

Cell: H138
Note: Increase for annual software support agreement - Vision Software.

Cell: H150
Note: Computer and software upgrades

Cell: H157
Note: Department wages include COLA and 10% adjustment for certified officers below the rank of Asst. Chief

Cell: H164
Note: $1000 increase for replacement of (10) 10 year old pre-plan books.

Cell: H168
Note: E-3 and E-4 are oldest emergency vehicles in service; anticipate increased maintenance expenses for these and Rescue 1 (Ford P/U may need rebuilt transmission).

Cell: H172
Note: Additional 800mhz radios for volunteers - $6000
Computer upgrades - $2000
Bunker gear sets - $7000
PASS (Personal Alarm Safety Systems) NFPA requirement; alerts other personnel of a down firefighter - $1100

(4) Cascade air cylinders - $1400
Install ceiling fans in both stations - $1000

Cell: H173
Note: Increase used for ongoing building repairs at Stations 1 & 2. Already identified are window problems, roof leaks, HVAC trouble, and deck problem at Station 1.

Cell: H176
Note: Reflects price increases for these types of supplies.

Cell: H180
Note: Lease on new office copier at slightly higher rate.

Cell: H182
Note: Decrease relates to purchase of Posi test bench that allows in-house testing of equipment that previously was contracted out.

Cell: H183
Note: Small appliances, tools and equipment.

Cell: H194
Note: Includes P/T Secretary/Clerk

Cell: H204
Note: Annual membership for Solid Waste Management Association (SWANA)

Cell: H205
Note: Attend annual SWANA conference

Cell: H207
Note: Although higher than previous years, expenses track catch-up repairs and continued use of aged vehicles for trash collections

Cell: H211
Note: Shovels, pitchforks, rakes, hand tools, push brooms, etc.

Cell: H212
Note: Includes contracted cleaning of PW building and pest control. Line item YTD also includes misc. shovels, pitchforks, etc. that are now budgeted in Non-capital tools and equipment

Cell: H213
Note: YTD line item appears to include some vehicle maintenance; this line item is for repair of lawn mowers, weed eaters, misc. equipment

Cell: H219
Note: $ for rental of tools for special projects

Cell: H221
Note: Formerly budgeted for engineering services related to drainage projects. These costs can be accommodated under the drainage project line item in Capital Projects

Cell: H222
Note: $50,000 for Fennell Container Co. service contract on commercial containers

Yard trash recycling contract with 4B,Inc. estimate $33,000 for yard trash

Use of temporary labor to complement full time personnel to equal up to 14 Full Time Equivalents (4 temps for 6 mos. @ $7.24) $35,000

Cell: H223
Note: Wheel kits for recycling carts

Cell: H254
Note: Oldest heat pump may need to be replaced during FY

Repair roof $3,000

Cell: H263
Note: Planning Consultant formerly budgeted at this line item.

Cell: H265
Note: Computer hardware and software upgrades - $2000

Cell: H281
Note: Increase for brochures and Christmas cards

Cell: H284
Note: Reflects increased meeting expenses.

Cell: H288
Note: Increase for outside pay phone activation.

Cell: H290
Note: Fax machine $450
Desks $650
Shuffleboard court $350
Windscreens for tennis courts $550
Ping-Pong table $450
Spin Spreader $400

Cell: H291
Note: Rework playground surface $1,500.
Primarily spent in making ground improvements.

Cell: H298
Note: Annual copier lease, provide for handicapped accessible portable toilet.

Cell: H302
Note: Public sound system $2,500
Computer upgrades $5,000
Storage room $2,000

Cell: H331
Note: Annual court software maintenance agreement with Vision Software

Cell: H397
Note: Repaint City Hall/Police Dept interior $15,000

Cell: H399
Note:
Replace floor covering in City Hall/Police $15,000
Replace exterior light fixtures $2,500
Illuminate parking lot $2,000

Cell: H403
Note: Repaint building interiors $10,000
Repair decks, bathrooms, walls $25,000

Cell: H404
Note: Replace HVAC $5,000
Riding lawn mover $1,500
Generator 5Kw $2,000
Replace telephones $5,000
Replace bay heaters $2,400
Posi Check SCBA testing equipment $4000

Cell: H406
Note: Paint building interior $1,000
Reseal parking lot $1,500

Cell: H407
Note:
Drainage Program $100,000
Construct concrete wash pad $1,400
Install stainless steel sign $1,000
Install electric security gate $4,000

Cell: H409
Note: Replace inspector vehicle $16,000
Replace (1 of 2) HVAC units $3,500

Cell: H411
Note: Resurface basketball courts $5,000

Cell: H412
Note: Permanent bleachers $5,500
Fencing for large field & tot lot $5,000
Rehab Breach Inlet boat ramp $40,000
Eng/design fees - restroom & parking lot $20,000
Portable stages $1,200

Cell: H431
Note: 1987 GO Bond Interest $48,300

Cell: H433
Note: Transportation Improvement Project grant match $35,000 and balance of project cost $141,000

Cell: H435
Note: Replace 1994 Jeep; Additional 800 Mhz radios $4,000

Cell: H436
Note: New garbage truck portion $50,000
New P/U truck hoppers $17,500
Partial funding of dune walkovers at Sea Cabins and 46th Avenue $22,500

Cell: H482
Note: 1987 GO Bond Principal payment

Cell: H483
Note: $17,500=Portion of 1999 GO Bond Interest Payment of $106,604

Cell: H485
Note: Irrigation at Breach Inlet IOP entrance sign

Cell: H486
Note: Front Beach Revitalization Study by Seamon-Whiteside and Associates. Balance of study expended in FY '98-'99

Cell: H487
Note: Landscape maintenance contract

Cell: H488
Note: Contracted beach cleaning by Fennell Container Co. Inc.

Cell: H489
Note: Big Band cultural event $4,000
Something Blue Festival $5,000
Sprit of the Island Festival $5,000
4th of July Fireworks $20,000

Cell: H492
Note: Includes $25,000 for consulting for event study

Donation to Spoleto $5,000
Internet access and promotion $8,000
IOP Connector Run $3,000
IOP Beach Run $3,000
Marina marketing $25,000

Cell: H501
Note: Additional 800 Mhz radios $2,000
Portion of Posi Check testing equip $1,000

Cell: H506
Note: Primary 30 yd garbage truck on Mack chassis $75,000.
Partial funding of dune walkovers at Sea Cabins and 46th Avenue $22,500.

Cell: H521
Note: Contracted operation of public restrooms at front beach; season has expanded over prior years to be March 15-Sept. 30

Cell: H522
Note: Landscape improvements for public restrooms

Cell: H567
Note: 3 patrol cars $82,000
2 radar unit replacements $5,305
Mobile data terminals $7,000

Cell: H676
Note: Interest payments for marina in FY'99-'00 total $197,979.17. Amount paid from Marina fund = $105,479.17.

Cell: H678
Note: Sewer lift station serving entire site $200

Floodlighting of parking lots $250/month
$3,000

Cell: H681
Note: Reinforce bulkhead/conduct survey
$30,000
Repair damaged docks/floatation $10,000
Rehabilitate marina parking lots $26,000

Cell: H684
Note: Casualty insurance on buildings $2,739

Cell: H685
Note: Financial audit $5,000
Miscellaneous engineering/consulting $10,000

Cell: H687
Note: $2,500 misc

Cell: H688
Note: Replace restrooms at boat ramp $35,000
Install leak detector/fuel system upgrades $25,000
Replace fuel pumps/dispensers/island $18,000

Cell: H692
Note: Repair/replace flooring in convenience store $30,000
Replace roof on convenience store $20,000
Repair HVAC at convenience store $5,000
Repair safety/code violation items at convenience store $5000

Cell: H695
Note: Replace freezer in convenience store $5,000
Replace coolers in convenience store $70,000

Cell: H701
Note: Dock insurance $8,100

ORDINANCE 1999-12

AN ORDINANCE AMENDING SECTION 7-3-3 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING THE USE OF VEHICLES ON THE BEACH.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 7-3-3 is hereby amended to read as follows:

"Sec. 7-3-3 Vehicles Restricted.

(a) No vehicles are allowed on the beach except for bicycles and vehicles authorized pursuant to Section 5-4-15(C)(5)(a) of this Code.

(b) It is unlawful to operate, park, stop, or stand a motor vehicle upon the beach except as otherwise provided in the City Code."

SECTION 2. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 25th DAY OF May, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

Attest:

Janet B. Mauldin

City Clerk

First Reading: 4/27/99
Second Reading: 5/25/99
Ratification: 5/25/99

ORDINANCE 1999-10

AN ORDINANCE AMENDING SECTION 8-1-19 OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING OPERATION OF VEHICLES UPON THE BEACH OR BEACH ACCESSES.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Section 8-1-19 is hereby amended to read as follows:

"Sec. 8-1-19 Vehicular operation on the beach or beach accesses.

No person shall operate, or allow or cause to be operated, a vehicle on the beach or beach accesses except as provided in Section 5-4-15 (C)(5)(a) of this Code."

SECTION 2. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF April, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 3/23/99
Second Reading: 4/27/99
Ratification: 4/27/99

ORDINANCE 1999-9

AN ORDINANCE AMENDING TITLE 1, CHAPTER 9, ARTICLE B, BOARD OF ADJUSTMENT, PURSUANT TO THE STATE OF SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994 (S.C. CODE SECTION 6-29-530 ET. SEQ.)

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 1, Chapter 9, Article B, is hereby amended to read as follows:

"ARTICLE B

Board of Zoning Appeals

Sec. 1-9-21 Composition; appointment; terms of office; vacancies.

There is hereby established a Board of Zoning Appeals pursuant to Section 6-29-780, Code of Laws of South Carolina (1976), as amended, with all powers and duties set forth in S.C. Code Section 6-29-800 and Title 5, Chapter 4 of the City Code. The board shall consist of five (5) citizens of the City, each to be appointed by a majority of council. The term of office of each member shall be for three (3) years, and until a successor is appointed and qualified. Terms of members shall be staggered. All terms shall begin on January 1. The appointments for each year will be announced by the mayor at a special City Council meeting to be held on the first Tuesday of January. An appointment to fill a vacancy shall be for the unexpired portion of the term. A secretary and chairman shall be elected for a one year term at the first meeting of each year.

Sec. 1-9-22 Officers; meetings.

Meetings of the board shall be held upon the call of the chairman or at such other times as the board may determine. The zoning administrator and the secretary of the board shall attend all meetings and the secretary shall keep a record of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact.

Sec. 1-9-23 Appeals from final decisions of Board.

All appeals from final decisions of the board shall be pursuant to S. C. Code Section 6-29-820, et.seq.

Secs. 1-9-24 through 1-9-30 reserved.

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 27th DAY OF April, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 3/16/99
Second Reading: 4/27/99
Ratification: 4/27/99

ORDINANCE 1999-8

AN ORDINANCE AMENDING TITLE 1, CHAPTER 9, ARTICLE A, PLANNING AND ZONING COMMISSION, PURSUANT TO THE STATE OF SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994 (S.C. CODE SECTION 6-29-530 ET. SEQ.)

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 1, Chapter 9, is hereby amended to read as follows:

"ARTICLE A

Planning Commission

Sec. 1-9-1 Creation.

There is hereby created a commission to be known as the City of Isle of Palms Planning Commission (hereinafter referred to as the "commission").

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 without compensation. No member may hold an elected public office in the City.

Sec. 1-9-3 Terms of office.

The terms of office for members of the commission shall be staggered. The terms of four (4) members shall expire on December 31 of each odd-numbered year. The terms of the other three members shall expire on December 31 of each even-numbered year. Any vacancy shall be filled for the unexpired term by city council. Members of the commission may be re-appointed to successive terms. All terms shall be for two (2) years and until successors are appointed and qualify. The appointments for each year will be announced by the mayor at a special City Council meeting to be held on the first Tuesday of January.

Sec. 1-9-4 Removal of members.

City council may remove any member of the commission for cause.

Sec. 1-9-5 Officers, meetings and quorum.

The commission shall elect one member as chairman and one member as vice-chairman, whose terms shall be for one calendar year. The commission shall appoint a secretary who may be an officer or an employee of the city or the commission. The commission shall meet at the call of the chairman and at such other times as the commission may determine. A majority of the members then in office shall constitute a quorum for a meeting.

Sec. 1-9-6 Procedural rules; records; purchases.

The commission shall adopt rules of procedure and shall keep a record of its resolutions, findings, and determinations, which records shall be a public record. The commission may purchase equipment and supplies and may employ or contract for such staff and such experts as it considers necessary and consistent with funds appropriated to it.

Sec. 1-9-7 Functions; powers and duties.

The commission shall have all the functions, powers and duties set forth in Section 6-29-340, Code of Laws of South Carolina (1976), as amended.

Secs. 1-9-8 through 1-9-20 reserved."

SECTION 2. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 27th DAY OF April, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 3/16/99
Second Reading: 4/27/99
Ratification: 4/27/99

ORDINANCE 1999-7

AN ORDINANCE ADOPTING A LAND DEVELOPMENT REGULATION ORDINANCE FOR THE CITY OF ISLE OF PALMS, S.C. PURSUANT TO THE STATE OF SOUTH CAROLINA LOCAL GOVERNMENT COMPREHENSIVE PLANNING ENABLING ACT OF 1994.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Findings.

It is hereby found and declared by the City Council of the City of Isle of Palms ("the Council"), the governing body of the City of Isle of Palms (the "City") as follows:

1. The State of South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. code section 6-29-530, et. seq.) requires the development and adoption of a local Comprehensive Plan and allows the adoption of land development regulations to help implement the Plan.

2. The City's Planning Commission recommended to City Council the adoption of such a plan, said plan being entitled "A Comprehensive Plan for Isle of Palms, South Carolina Prepared by the Isle of Palms Planning Commission, dated March 11, 1998" ("the Plan").

3. On July 28, 1998, Council duly adopted the Plan.

4. Council has given reasonable consideration of the purposes set forth in S.C. Code Section 6-29-1120 in connection with the adoption of a new land development regulation ordinance in furtherance of the Plan.

SECTION 2. Adoption of New Land Development Regulation Ordinance.

Pursuant to Section 6-29-1110, et. seq., South Carolina Code of Laws (1976), as amended, Council hereby adopts the attached Title 5, Chapter 5, Land Development Regulation Ordinance, in its entirety.

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 27th DAY OF APRIL, 1999.

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin, City Clerk

First Reading: 3/16/99
Public Hearing: 4/27/99
Second Reading: 4/27/99
Ratification: 4/27/99

Title 5, Chapter 5

Land Development Regulation

§ 5-5-1 Subdivision approval required.
§ 5-5-2 Stages in the subdivision approval process.
§ 5-5-3 Conceptual plan.
§ 5-5-4 Preliminary plat.
§ 5-5-5 Conditional plat.
§ 5-5-6 Final plat.
§ 5-5-7 Development standards.
§ 5-5-8 Required improvements.
§ 5-5-9 Financial guarantees.
§ 5-5-10 Exceptions.
§ 5-5-11 Variances.
§ 5-5-12 Fees.
§ 5-5-13 Penalties.

Sec. 5-5-1 Subdivision Approval Required.

Approval of any subdivision of property within the City of Isle of Palms shall be required as set forth herein below. These requirements shall be referred to as the "Land Development Regulations" of the City of Isle of Palms.

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

(b) Subdivision Defined: Subdivision means any division of a lot, tract or parcel of land into two or more lots, building sites or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots or record; However, the following exceptions are included within this definition only for the purpose of requiring that the Planning Commission be informed and have a record of the subdivisions:

(1) the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter;

(2) the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the Planning

Commission, which shall indicate such fact on the plat; and

(3) the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

(c) Compliance with Zoning Requirements: All applications for subdivision must also meet all of the applicable requirements of Title 5, Chapter 4, Zoning.

(d) Plats Required to Be Stamped: All plats for the subdivision of property within the City of Isle of Palms shall bear the stamp of the City of Isle of Palms Planning Commission and an authorized signature as a condition precedent to recording at the Charleston County R.M.C. Office, or its successor office.

Sec. 5-5-2 Subdivision approval process.

The procedure for obtaining subdivision approved by the City of Isle of Palms is as follows:

(a) CONCEPTUAL PLAN: Submission and review are OPTIONAL.

(b) PRELIMINARY PLAT: Submission, review and approval are REQUIRED.

(c) CONDITIONAL PLAT: Submission, review and approval are OPTIONAL.

(d) FINAL PLAT: Submission, review, approval and recording are REQUIRED.

Item (a) is optional, at the discretion of the owner. Item (b) shall be completed prior to land clearing, grading or making any street or other improvements, including utilities. Either Item (c) or Item (d) shall be completed prior to commencement of building construction and/or sale of any lots within the proposed subdivision. Item (d) shall be completed prior to the occupancy of any structure.

Sec. 5-5-3 Conceptual plan.

(a) Purpose. Conceptual plans are encouraged but are not required. The purpose of conceptual plan review is to assist the owner in demonstrating compliance with this Chapter prior to extensive site planning and expenditures.

(b) No Rights granted by conceptual plan review. Conceptual plan review is solely advisory in nature. Conceptual plan review does not involve any interpretation or approval and it creates no vested right or right of reliance on the part of the owner.

(c) Information required for review. Conceptual plans shall contain at least the date, be legibly drawn to scale, but not necessarily showing exact dimensions, and include the following:

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

(2) Tract boundaries and total acreage.

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

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

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

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

(7) Zoning classification(s) and T.M.S. numbers.

(8) Existing and proposed drainage and utility easements.

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

(10) The location of the critical area as defined by O.C.R.M., and delineation of the marsh setback required by code section 5-4-18. All wetland areas under the jurisdiction of the O.C.R.M. or the US Army Corps of Engineers shall be shown.

(11) Flood hazard zone(s), the O.C.R.M. critical line, baseline and construction setback line and the city's zoning beachfront jurisdictional setback line shall be shown; if applicable.

(12) The tree survey required in city code section 5-4-61.

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

(d) Review process. The applicant may submit a proposed conceptual Plan to the zoning administrator, who shall forward the Plan to the city building official and the planning commission for advisory review. The planning commission shall provide the applicant with the advisory and non-binding results of its review within 45 days following submission of the Plan. City council hereby delegates to the Planning Commission the review of any Conceptual Plan pursuant to any PDD zoning district requirement.

Sec. 5-5-4 Preliminary plat.

(a) Preliminary plat required. Submission and approval of a preliminary plat is the first formal stage of a subdivision application review.. Preliminary plat approval is required before

site improvements may commence.

(b) Rights afforded by preliminary plat approval. Issuance of a preliminary plat authorizes the owner to proceed with the installation of site improvements and with the preparation of final plats. Preliminary plat approval does not authorize the sale or transfer of lots, or the commencement of construction of improvements.

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

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

(1) the courses and distances of the perimeter of the subject property shall be shown.

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

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

(4) The Charleston County Tax Map System (T.M.S.) identification numbers of adjacent properties , and street names where known or available, and all intersecting boundaries or property lines shall be shown.

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

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

(7) Drainage features shall be shown.

(8) When required by the city building official or other requirements, a drainage plan showing profiles, plans and drainage specifications for existing and/or proposed on-site storm water drainage facilities and off-site facilities to be used to carry storm water from the site.

(9) Accompanying data as listed below:

(a) The preliminary plat shall be accompanied by a statement indicating

what provisions are to be made for water and sewer disposal service to the property.

(d) Criteria for review. The application for preliminary plat approval must contain all required information. Incomplete applications will be rejected and returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason(s) for rejection.

(e) Review process.

(1) The owner shall submit a proposed preliminary plat to the zoning administrator, who shall forward the application to the planning commission, the city building official and all other applicable city departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the planning commission will be placed on the commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled commission meeting shall be placed on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.

(2) Fees set by City Council pursuant to Sec. 5-5-12 must be paid by the applicant at the time of submission of a proposed preliminary plat.

(3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the preliminary plat within the sixty (60) days after receipt of a complete application and all required information. Failure to act within the sixty (60) day period, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand. The owner shall be notified in writing of the actions taken.

(4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record.

(f) Duration. Approval of a preliminary plat is valid for one year from the date of approval. Where a subdivision is being developed in sections, the one year shall be measured from the date of the most recent final approval granted to a portion of the subdivision. Prior to the expiration of a preliminary plat, the developer may apply for a one year extension of time by the Planning Commission; There is no right to receive an extension, and the Planning Commission has the discretion to require the subdivider to apply for a new preliminary plat; the Planning Commission shall consider the applicant's progress or lack thereof in proceeding with the development and any changed circumstances and restrictions in deciding whether to grant an extension.

Sec. 5-5-5 Conditional plat.

(a) Conditional plat submittal. Submission and approval of the conditional plat is an optional second formal stage of the subdivision regulation process. Approval authorizes the sale of lots and the construction of structures before site improvements are made, provided that adequate financial guarantees are provided to the City to ensure that all required improvements will be completed.

(b) Rights afforded by conditional plat approval. Issuance of a conditional plat authorizes the subdivider to proceed with the sale or transfer of lots and with the preparation of final plats. Further, structures may be approved and constructed, pursuant to the requirements of this Title, on lots covered by a conditional plat. However, no certificate of occupancy shall be issued for any structures until approval and recording of a final plat is obtained by the owner.

(c) Information required for review of conditional plats. In addition to the information required for review of a preliminary plat submission, the following information is required:

(1) The applicant shall submit a bond or other financial guarantees meeting the criteria set forth in section 5-5-9.

(2) The following conditions shall be conspicuously noted on the plat:

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

b. It shall be the duty of any attorney, real estate agent or broker involved in the subdivision process to give notice of these conditions of approval to all prospective purchasers of any parcels shown thereon.

(d) Criteria for review. The application for conditional plat approval must contain all required elements. Incomplete applications shall be returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason(s) for the rejection.

(e) Review process. The application for conditional plat shall follow the same process set forth for the approval of a preliminary plat pursuant to section 5-5-4.

(f) Duration. In the event required improvements are not completed within one (1) year from the date of approval of a conditional plat, the city shall have the right to invoke the applicable financial guarantees and complete construction of the required improvements. The developer may apply for an extension of time of up to one (1) year by the Planning Commission to complete the required improvements, provided that adequate financial guarantees are so extended; however, no more than two (2) such extensions may be granted, and the Commission has the right to invoke the applicable financial guarantees rather than grant an extension.

Sec. 5-5-6 Final plat.

(a) Final plat required. Submission and approval of the final plat is the final stage of the subdivision approval process. Such approval is required before a certificate of occupancy will be issued.

(b) Rights afforded by approval of a final plat. Approval of a final plat authorizes the owner to sell or transfer lots, and to commence construction of structures provided all necessary permits have been obtained therefor, and further authorizes issuance of a certificate of occupancy upon compliance with all requirements of section 5-4-101.

(c) Information required for review. The final plat must be recordable at the Charleston County R.M.C. Office, drawn on sheets not exceeding twenty-two (22) inches by thirty-four (34) inches, with a scale of 1" = 100' or larger, and not less than eight and one-half (8½) inches by eleven (11) inches. Where necessary the plat may be on several sheets accompanied by an index sheet or key map insert showing the entire subdivision.

In addition to the information required for review of the preliminary plat in section 5-5-4, the following information shall be required:

(1) All information required on the preliminary plat, with the exception of topographic data.

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

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

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

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

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

(6) Lot and block numbers suitably arranged by an easily understood system.

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

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

(9) A statement as follows: "This plat is subject to all applicable easements, reservations and restrictive covenants of record".

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

(11) Certificates, as follows:

a. A surveyor's certificate as to accuracy of survey and plat. "I, [name of surveyor], a registered surveyor of the State of South Carolina, do hereby certify that I have surveyed the property shown hereon, that this plat shows the true dimensions of the property and that all necessary markers have been installed and the precision is 1: _____" [state actual precision]. The unadjusted field measurement of lots and blocks shall be accurate within the standards set forth in the minimum Standards Manual of the SC Board of Engineering Examiners.

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

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

d. The date of the field survey upon which final plat is based.

(d) Criteria for review. The application for final plat approval must contain all required elements. Incomplete applications shall be rejected and returned to the applicant without review. All rejected applications shall be accompanied by a letter from the Planning Commission stating the reason(s) for rejection.

(e) Review process.

(1) The applicant shall submit a proposed final plat to the zoning administrator, who shall forward the application to the planning commission, the city building official and all other applicable city departments and consultants for review. Complete applications submitted more than fourteen (14) days prior to the next regularly scheduled meeting of the planning commission will be placed on the commission's agenda for review; complete applications submitted within fourteen (14) days of a regularly scheduled commission meeting shall be placed

on the agenda of the following regularly scheduled meeting. Twelve (12) copies of the plat and two (2) copies of the required supplemental material shall be submitted.

(2) The Planning Commission may request additional information or documentation to make an application complete and eligible for review.

(3) The Planning Commission shall take action to approve, disapprove, or approve with specified conditions the final plat within sixty (60) days after receipt of a complete application and all required

information. Failure to act within sixty (60) days, unless extended by agreement, shall be deemed to constitute approval and a certificate to that effect shall be issued by the Planning Commission on demand.

(4) A record of all actions on all plats with the grounds for approval or disapproval and any conditions attached to the action must be maintained by the Planning Commission as a public record. In addition, the owner must be notified in writing of the actions taken.

(5) When the Planning Commission approves a final plat after all requirements of these regulations are met, it shall cause its action, including any conditions, to be noted on the face of the original final plat.

(6) The city reserves the right to require that the following statement be placed upon the plat:

"The approval of this plat does not obligate the City of Isle of Palms in any way to accept the maintenance any of the streets, roads, accesses or easements shown hereon."

(7) No property may be sold or transferred prior to the approval and recording of the final plat, except pursuant to a conditional plat issued under section 5-5-5.

(8) No certificate or occupancy pursuant to section 5-4-101 shall be issued prior to the approval and recording of a final plat.

(9) Fees as set forth in city code section 5-5-12 will be levied to defray expenditures associated with processing of applications. These fees are due upon submission of an application.

Sec. 5-5-7 Development standards.

(a) Location. Critical area, land subject to flooding by normal tides, freshwater wetlands and other areas subject to periodic inundation shall not be subdivided for residential use, unless provisions are made for satisfactory drainage in accordance with the requirements of O.C.R.M. ,

US Army Corps of Engineers and other applicable State and Federal regulatory agencies. All drainage system shall be designed and constructed in accordance with the requirements of the O.C.R.M. and the latest edition of the Charleston County Road Code.

(b) Easements and Dedications.

(1) Easements for drainage, water or sewer, may be required along rear and side property lines where necessary. Redesign of the lot may be required to address drainage conditions.

(2) Drainage easements shall be provided and dedicated in accordance with the requirements of the O.C.R.M. and the latest edition of the Charleston County Road Code.

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

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

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

(6) Dedication of streets, school sites, or recreational areas may be required.

(c) Lots. Lot requirements are contained in sections 5-4-32 through 5-4-40, with special requirements and exceptions contained in additional sections of this Title.

(d) Flood Prevention.

(1) All subdivision proposals shall be consistent with the need to minimize flood damage.

(2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than 50 lots or five (5) acres.

(e) Other requirements.

(1) All land subdivisions in the City of Isle of Palms shall be in accordance with (Class A) Urban Land Surveys as promulgated by Title 40, Chapter 22, Code of Laws of South

Carolina (1976), as amended, and as described in the Minimum Standards Manual For the Practice of Land Surveying in South Carolina.

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

"The Isle of Palms City Council, at the time of the approval of this plat, strongly opposes the issuance of any permits for any kind of beach hard erosion control structures or devices (i.e., sea walls, rip-rap, bulkheads, large sandbags. etc.) for any property in the City."

(3) The planning Commission shall approve and authorize the name of a street or road laid out within property over which it has jurisdiction. Also, it may, after fifteen (15) days notice published in a newspaper having general circulation in the City, change the name of a street or road within the City pursuant to section 6-29-1200, Code of Laws of South Carolina (1976), as amended.

(4) No land development plan, including subdivision plats, shall be approved unless all land intended for use as building sites can be used safely for building purposes without danger from flood or other inundation or from other menaces to health, safety or public welfare.

Sec. 5-5-8 Required improvements.

(a) Markers.

(1) Markers shall be placed as specified below:

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

b. Markers shall be one of the following:

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

2. An iron pipe having a minimum diameter of three-fourths (3/4) inches hollow or one-half (½) inches solid steel. Such iron pins will be a minimum of two (2) feet in length and shall extend above the ground at least one (1) inch.

(2) Markers shall be installed prior to the submission of and approval of the final plat.

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

(b) Utility, drainage and street improvements.

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

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

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

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

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

(6) All lots not exceeding two hundred (200) feet in depth shall be provided with means for positive drainage and shall have a slope of not less than 0.70% to an approved swale, ditch, gutter or other type of approved drainage facility. Larger tracts of land shall either meet this standard or provide for adequate drainage by using one or more of the techniques contained in O.C.R.M. storm water guidelines and approved by the city building official and public works department as consistent with the drainage patterns for surrounding properties.

Sec. 5-5-9 Financial guarantees.

(a) In lieu of completing the required improvements listed herein above, a no-contest, irrevocable bank letter of credit, or performance and payment bond underwritten by an acceptable South Carolina licensed corporate surety, or a bank cashier's check, all in favor of the City, to ensure that in the event of default by the developer funds will be available to install the required improvement at the expense of the owner, may be accepted by the Planning Commission; provided that the city attorney has in each instance reviewed each letter of credit or bonding agreement and has given an opinion in favor of the city that the interests of the city are fully protected. Where a cashier's check for the full cost of the improvements is utilized, opinion of counsel may be waived.

The amount of the bond shall be set by the Planning Commission, and shall be not less

than 125% of the projected cost of the improvements, with a minimum of $2,000.00, if completed two (2) years after the date of the bond.

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

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

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

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

Sec. 5-5-10 Exceptions.

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

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

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

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

Review shall follow the procedures set forth for final plats in section 5-5-6; provided that if the building official determines that street or drainage system modifications are required, the application shall be construed as one for issuance of a preliminary plat pursuant to section 5-5-4.

Sec. 5-5-11 Variances.

Where extraordinary hardship may result from strict interpretation of these regulations, the applicant may apply to the Planning Commission for a variance. Such variance may be granted to alleviate such hardship, provided that such variation does not have the effect of nullifying the intent and purpose of these regulations.

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

(1) Special conditions affecting the property.

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

(3) Grants of variance shall not be detrimental to adjacent property or to the public interest. Conditions may be imposed on any such variance.

Sec. 5-5-12 Fees.

Fees charged to defray the costs of plat review shall be set forth in a Schedule of Fees, to be developed by the building official and approved by resolution of city council. Such Schedule of Fees may be amended from time to time by resolution of city council.

Sec. 5-5-13 Penalties.

Any violation of the provisions of this chapter shall be a misdemeanor, punishable pursuant to section 1-3-66 of this Code; and in addition, any city official is hereby authorized and empowered to enforce these regulations pursuant to the remedies set forth in section 5-4-7 of the City Code.

ORDINANCE 1999-5

AN ORDINANCE AUTHORIZING THE LEASING OF THE CITY'S TWO MUNICIPAL PARKING LOTS.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1: That the City lease its two municipal parking lots, pursuant to such leases and upon such terms as the City may deem advisable.

SECTION 2: That the purpose and use to be allowed pursuant to any such lease shall be for the operation of daily public beach-access parking lots, and where permitted by deed restriction, overnight parking.

SECTION 3: That the lessee and all terms and conditions of the said lease shall be as set forth in a written lease agreement to be approved by City Council.

SECTION 4. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 5. That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 6. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 23rd DAY OF March, 1999.

Carmen R. Bunch, Mayor
(Seal)

Attest:

Janet G. Mauldin, City Clerk

First Reading: 3/16/99
Second Reading: 3/23/99
Ratification: 3/23/99

ORDINANCE 1999-4

AN ORDINANCE AMENDING SECTIONS 6-2-3 and 6-2-4 OF THE CITY OF ISLE OF PALMS REGARDING THE KEEPING OR MAINTAINING OF HORSES, OTHER FARM ANIMALS AND WILD ANIMALS WITHIN THE CITY LIMITS

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL DULY ASSEMBLED:

SECTION 1. That Section 6-2-3 is hereby amended to read as follows:

"Sec. 6-2-3 Horses

(a) It is unlawful to house, stable, board, corral, keep or maintain any horse, pony, mule, donkey or other similar animal within the city limits except as provided in subsection (b) below.

(b) Upon application to and prior approval by the City's Police Chief, an owner may show, exhibit, or provide rides on for entertainment, a horse, pony, mule, donkey or other similar animal at such locations and for such duration as the City's Police Chief, in his discretion, deems reasonable under the circumstances then and there prevailing provided, however that no such animal shall be kept, stabled, sheltered or corralled overnight within the city limits nor shall any person ride or cause to be ridden any such animal on the streets of the city or on the beaches. While in the city limits with the appropriate permit from the City's Police Chief, all such animals shall be maintained by their keeper in a clean and sanitary condition so that the animals do not give offense to other persons in the vicinity, constitute a risk to public health or constitute a public nuisance."

SECTION 2. That Section 6-2-4 is hereby amended as follows:

"Sec. 6-2-4 Keeping of certain animals prohibited

It is unlawful for any person to keep within the city limits any wild animal or any horse, mule cow, swine, goat, sheep or other farm animals except as provided in Sec. 6-2-3(b) above."

SECTION 3. That should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 5. That this ordinance shall take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 3rd DAY OF March, 1999.

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin, City Clerk

First Reading: 2/23/99
Second Reading: 3/3/99
Ratification: 3/3/99

ORDINANCE 1999-3

AN ORDINANCE AUTHORIZING THE LEASING OF LAND AND BUILDINGS AT THE ISLE OF PALMS MARINA.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. Findings.

A) That the City of Isle of Palms purchased the property now known as the Isle of Palms Marina on January 29, 1999, located on 41st avenue in the City.

B) That a substantial portion of the marina revenues consists of the leasing of land and buildings to various tenants.

C) That South Carolina Code Section 5-7-260 requires that the City adopt an ordinance to authorize the leasing of any lands owned by the City.

SECTION 2. That the City lease such land and buildings at the Marina as the City deems advisable, pursuant to such leases and upon such terms as the City may negotiate.

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 5. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA ON THE 3rd DAY OF March, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 2/23/99
Second Reading: 3/3/99
Ratification: 3/3/99

ORDINANCE 1999-2

AN ORDINANCE AMENDING TITLE 9 (OFFENSES), CHAPTER 4 (OFFENSES INVOLVING PUBLIC MORALS) OF THE CODE OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA BY ADDING NEW SECTION 9-4-7.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Title 9, Chapter 4, is hereby amended to add the following new section 9-4-7.

"Sec. 9-4-7 Gambling devices on vessels prohibited; maintaining a gaming vessel within corporate limits prohibited.

(a) Definitions

1. The term "gambling device" means-

(A) any so-called "slot machine" or any other machine or mechanical device an essential part of which is a drum or reel with insignia thereon, and (A) which when operated may deliver, as the result of the application of an element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or

(B) any other machine or mechanical device (including, but not limited to, roulette wheels and similar devices) designed and manufactured primarily for use in connection with gambling, and

(1) which when operated may deliver, as the result of the application of an element of chance, any money or property, or

(2) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property; or

(C) any subassembly or essential part intended to be used in connection with any such machine or mechanical device, but which is not attached to any such machine or mechanical device as a constituent part.

2. The terms "day cruise" and/or "cruise to nowhere" mean-

a voyage or segment of a voyage, respectively-

(A) That begins and ends within waters of the municipal boundaries of The City of Isle of Palms or begins in The City of Isle of Palms and ends in another destination within the State of South Carolina, or begins in another destination within in the State of South Carolina and ends within the waters of the municipal boundaries of the City of Isle of Palms, and

(B) during which the vessel does not make an intervening stop, and

(C) during which the passengers are entitled to operate gambling devices, and

(D) that does not provide overnight accommodations for their cruise passengers and that is not primarily engaged in carrying passengers between ports in the U.S. or foreign countries.

3. A "gaming vessel" is one:

(A) That provides gambling devices; and

(B) That does not provide overnight accommodations for its passengers; and

(C) That is not primarily engaged in carrying passengers between ports in the U.S. or foreign countries.

b. Prohibition

It shall be unlawful to manufacture, recondition, repair, sell, transport, possess, or use any gambling device on a vessel within the waters of the municipal boundaries of The City of Isle of Palms operated for the purpose of conducting a day cruise or to open, keep, maintain, dock, moor, anchor or operate any gaming vessel within the corporate limits of the city, or suffer any gaming vessel to operate from any marina, terminal or maritime facility within the corporate limits of the city for the purpose of embarking or disembarking persons whose intent is to utilize gambling devises.

c. Penalties

Per A Violations of this section is a misdemeanor punishable pursuant to Section 1-3-66 of this Code."

SECTION 2. By enacting this ordinance, The City of Isle of Palms exercises its authority delegated to it pursuant to the South Carolina Code Annotated 1976 §5-7-30 (the Home Rule Act) and its authority to legislate to preserve the health, safety, welfare and comfort of its citizens. Further, by enacting this ordinance, the City intends to be excluded from of the provisions of 15 U.S.C. §1175(b)(1)(A) (the Johnson Act).

SECTION 3. That should any part of this Ordinance be held invalid by a court of competent

jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed insofar as the same affect this ordinance.

SECTION 5. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS SOUTH CAROLINA ON THE 23rd DAY OF February, 1999.

Carmen R. Bunch

Carmen R. Bunch, Mayor

(Seal)

Attest:

Janet G. Mauldin

Janet G. Mauldin, City Clerk

First Reading: 1/26/99
Second Reading: 2/23/99
Ratification: 2/23/99