Do Not lose

Linda Tucker

From: Nick Sottile [nsottile@shd-law.com]
Sent: Wednesday, April 04, 2007 5:34 PM
To: Linda Tucker
Subject: ordinances

Here you go.

****
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Nicholas C. Sottile, Attorney-at-Law
Sottile, Hopkins & Daniel, LLC
1037 Chuck Dawley Blvd., Bldg. G
Mt. Pleasant, SC 29464

Telephone (843) 884-1464
Fax (843) 884-5868

ORDINANCE 2007-8

AN ORDINANCE TO AMEND TITLE 5, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS, OF THE ISLE OF PALMS CITY CODE OF ORDINANCES, TO CLARIFY THE DESCRIPTION OF THE AREA INCLUDED WITHIN THE CONSERVATION (CO) DISTRICT AND THE PERMITTED USES THEREIN.

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 5-4-40 (2), Conservation District boundary, is hereby amended in its entirety to read as follows:

"(2) District boundary. The CO District consists of a strip or band of water, beaches, marshlands, and pieces of natural and man-made highland areas in the marshlands which contain less than two acres, up to the mean high water mark or abutting the primary highland, which surrounds the entire perimeter of the Isle of Palms, as generally shown on the official zoning map."

SECTION 2. That Section 5-4-40 (3), Permitted Uses, is hereby amended to add the following subsection e:

"e. Beach renourishment."

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 That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.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 ____ DAY OF _____, 2007.

_____

F. Michael Sottile, Mayor

Attest:

_____

City Clerk

First Reading: _____
Public Hearing: _____
Second Reading: _____
Ratification: _____

Do Not Lose

Linda Tucker

From: Nick Sottile [nsottile@shd-law.com]
Sent: Tuesday, April 03, 2007 9:55 AM
To: 'Linda Tucker'
Cc: Douglas Kerr
Subject: Final ordinances

Insofar as I can tell, these are the final versions of the short term related and CO ordinances which passed second reading the other night. Please let me know if I missed something. Thanks.

****

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ORDINANCE 2007-8

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

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"(2) District boundary. The CO District consists of a strip or band of water, beaches, marshlands, and pieces of natural and man-made highland areas in the marshlands which contain less than two acres, up to the mean high water mark or abutting the primary highland, which surrounds the entire perimeter of the Isle of Palms, as generally shown on the official zoning map."

SECTION 2. That Section 5-4-40 (3), Permitted Uses, is hereby amended to add the following subsection e:

"e. Beach renourishment."

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 ____ DAY OF _____, 2007.

_____

F. Michael Sottile, Mayor

Attest:

_____

City Clerk
First Reading: _____

Public Hearing: _____
Second Reading: _____
Ratification: _____

ORDINANCE 2007-2

AN ORDINANCE AMENDING TITLE 5, CHAPTER 4, ZONING, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO CREATE ARTICLE 9, SHORT-TERM RESIDENTIAL RENTALS.

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:

A. That the use of residential property in the City for short-term rentals has created special issues and problems that need to be addressed by a specific zoning ordinance.

B. That, in general, it has been the experience of the City that short-term renters generate more waste, litter, traffic and over-crowding, keep later hours and create a greater disruption with light and noise than long-term tenants or owners. Such use must be balanced against the desirability of peace, tranquility and quality of lifestyle for long-term tenants and owners in the City.

C. That the City's Planning Commission has studied the impact of short-term residential rentals and after a thorough inquiry has made certain recommendations to City Council on how best to resolve the issues and problems.

SECTION 2. That the following Title 5, Chapter 4, Zoning, Article 9, Short-term Rentals, is hereby adopted:

"Sec. 5-4-201 Definition of Short-term Rental. For purposes of this Article, a "Short-term Rental" is defined as the use of any dwelling, including the Lot upon which the dwelling is located, anywhere within the City whereby the dwelling is leased or otherwise made available by the owner to another person for a term of three months or less. Any reference in this Article to "dwelling", "residence" or "rental" shall mean a Short-term Rental.

Sec. 5-4-202 Maximum Overnight Occupancy.

A. The maximum overnight occupancy of a residence shall be limited to the greater of:

(1) Two people per bedroom, plus two people.

(2) One person per 250 square feet of gross heated floor area in the entire house; or

(3) Six (6) people.

B. Children under two (2) years of age shall not be included in determining the maximum overnight occupancy.

Sec. 5-4-203 Maximum Occupancy at Any Time. Notwithstanding any other provision of this Chapter to the contrary, at no time shall the total number of persons at a residence exceed forty (40) persons, including children.

Sec. 5-4-204 Maximum Number of Vehicles. The maximum number of vehicles that may be located at a residence between the hours of 11:00 p.m. to 9:00 a.m. shall be limited to one vehicle per approved bedroom or one vehicle for every 2.5 people allowed under the maximum overnight occupancy. In no instance shall the number of vehicles allowed be less than two.

Sec. 5-4-205 Written Notice to be Posted in Residence. A written notice provided by the City which contains information about certain ordinances generally impacting tenants of Short-term Rentals shall be posted conspicuously and maintained in the Dwelling by the owner and displayed at all times.

Sec. 5-4-206 Provisions are Cumulative. All provisions contained in this Article shall be cumulative to all other federal, state and City laws, ordinances and regulations to which an owner or tenant may be subject regarding the ownership, use, rental or occupancy of a residence."

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 27th DAY OF MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)

Attest:

First Reading: February 27, 2007

Public Hearing: March 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007

ORDINANCE 2007- 3

AN ORDINANCE AMENDING TITLE 1, CHAPTER 3, ARTICLE D, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, REGARDING VIOLATIONS OF CITY ORDINANCES AND PENALTIES THEREFOR.

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 1-3-66 is hereby amended by adopting the following subsection (c):

"(c) Any owner of real property, which for purposes of this subsection shall include any person or entity in possession or control of real property, who knowingly allows other persons or entities to violate or to continue to violate any provision of this Code on the property of such owner, or who knowingly allows habitual violations of this Code to occur on the property, is guilty of a misdemeanor and shall be punished by a fine not exceeding $500 or imprisonment for a term not exceeding 30 days, or both, in the discretion of the municipal judge. Each day of any such violation shall constitute a separate offense."

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 MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)
Attest:

First Reading: February 27, 2007

ORDINANCE 2007-4

AN ORDINANCE AMENDING TITLE 7, CHAPTER 1, BUSINESS LICENSES, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES REGARDING SUSPENSION OR REVOCATION OF A BUSINESS LICENSE AND THE CREATION OF A SHORT-TERM RESIDENTIAL RENTAL CLASSIFICATION.

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 7-1-15 E. is hereby amended in its entirety to read as follows:

"E. A licensee has engaged in or allowed an unlawful activity or nuisance relating to the business; or licensee has demonstrated an inability or unwillingness to prevent licensee's tenants from engaging in unlawful activities or creating nuisances related to the business."

SECTION 2. That Section 7-1-22 (b), Class 8 Rates, is hereby amended to add the following classification:

"SIC 6513; NAICS 53111-Lessors of Residential Housing Units-Less than Ninety (90) Days (Non-resident rates do not apply).

Minimum on first $2,000	$175.00	PLUS
Per $1,000, or fraction, over $2,000	$ 2.30	

The application shall require a written acknowledgment by the licensee that a violation of the City's Code of Ordinances, either by the licensee, licensee's property manager, or licensee's rental guests, may result in the suspension or revocation of the license.

The licensee shall maintain on file with the City Business License Office the current telephone number, if any, of the residence and current 24 hour per day telephone numbers at which the City may contact the licensee and, if applicable, the licensee's property manager.

Notwithstanding any other provision of this Ordinance, license taxes for lessors of residential housing units-less than ninety (90) days shall be payable on or before September 1 in each year without penalty."

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.

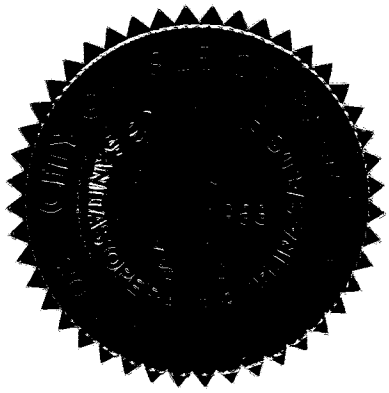
Second Reading: March 27, 2007
Ratification: March 27, 2007

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 27th DAY OF MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)
Attest:



First Reading: February 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007

ORDINANCE 2007-5

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF TITLE 5, CHAPTER 4, ZONING, OF THE ISLE OF PALMS CITY CODE OF ORDINANCES, IN FURTHERANCE OF THE CITY'S LOCAL COMPREHENSIVE BEACH MANAGEMENT PLAN.

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 5-4-15, Beach Regulations, is hereby amended as follows:

A. Subsection (B)(3) is hereby amended in its entirety to read as follows:

"(3) Placement of sand fence and installation of vegetation in accordance with OCRM Critical Area Regulations R.30-13 shall be allowed."

B. The following Subsection (B)(4) is hereby added:

"(4) Other than walkways over dunes, sand fencing and vegetation, no alteration of primary oceanfront sand dunes shall be allowed."

C. Subsection (C)(5)(a)(1), (2), and (3) are hereby amended in their entireties to read as follows:

"(1) Vehicular use of the beach and beach access which is determined by the City Council to be for public health and safety purposes;

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

(3) Other vehicular use of the beach or beach accesses approved by City Council."

SECTION 2. That Section 5-4-19, Fence Regulations, Subsections (a)(1) and (2) are hereby amended in their entireties to read as follows:

"(1) Within the V-zone. Within a flood V- zone as determined by the most recent FIRM, 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 most recent FIRM, 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 the most recent FIRM. 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)."

SECTION 3. That Section 5-4-160, Abrogation and greater restrictions, is hereby amended in its entirety to read as follows:

"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 or base flood elevations transect a structure, the structure shall conform to the most stringent zone and the highest base flood elevation."

SECTION 4. That Section 5-4-165, Permit procedures, Subsection (3), is hereby amended in its entirety to read as follows:

"(3) A certificate from a registered professional engineer or architect that the nonresidential flood-proofed structure meets the flood-proofing criteria in section 5-4-169(b)."

SECTION 5. That Section 5-4-166, Duties and responsibilities of the building official, Subsections (6), (7), (8), and (11) are hereby amended in their entireties to read as follows:

"(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 5-4-169(b).

(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 the effects of wind and water loads acting simultaneously on the building.

(8) In coastal high hazard areas, the building official shall review plans for adequacy of breakaway walls in accordance with section 5-4-169(4e)8.

(11) When base flood elevation data has not been provided in accordance with section 5-4-157, then the building official shall either:

(a): 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, or

(b): require the applicant to obtain and reasonably utilize any base flood elevation data available from a federal, state or other source, and to determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering practices."

SECTION 6. That Section 5-4-169, Specific standards, is hereby amended in its entirety to read as follows:

"Sec. 5-4-169 Specific standards.

In all areas of special flood hazard where base flood elevation data 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. Where permitted, solid foundation perimeter walls used to elevate a structure shall have openings sufficient to facilitate the unimpeded movements of floodwater. The elevation of the lowest floor shall be documented and provided to the building official using an elevation certificate in accordance with section 5-4-165(5).

(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 document and certify to the building official that the standards of this subsection are satisfied, using a certificate in accordance with section 5-4-165(5).

(c) Enclosed Areas Below the Base Flood Elevation. 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 bottom of the lowest horizontal structural member supporting the lowest floor (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 flood and 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 be in accordance with the latest edition of the Building Code or One-And Two-Family Dwelling Code adopted by the City.

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 base flood or lesser conditions, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system 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.

9. Space enclosed by lattice or screening 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.

SECTION 7. 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 8. 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 9. 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 DAY 27th OF MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)

Attest:

First Reading: February 27, 2007
Public Hearing: March 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007

ORDINANCE 2007-6

AN ORDINANCE AMENDING TITLE 5, CHAPTER 5, LAND DEVELOPMENT REGULATION, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, IN FURTHERANCE OF THE CITY'S LOCAL COMPREHENSIVE BEACH MANAGEMENT PLAN.

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 5-5-7, Development Standards, Subsection (e)(2) is hereby amended in its entirety to read as follows:

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

"The City of Isle of Palms, at the time of the approval of this plat, prohibits the issuance of any permits for any kind of hard beach erosion control structures or devices (i.e., sea walls, revetments, rip-rap, bulkheads, groins, large sandbags, etc.) within the area landward of the OCRM critical area and within a 250 foot radius of the mean high water mark of the Atlantic Ocean, Breach Inlet, or Dewees Inlet, and strongly opposes the issuance of any permits for hard beach erosion control structures elsewhere in the City."

SECTION 2. That this Ordinance shall take effect in be in full force immediately.

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.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 27th DAY OF MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)
Attest:

First Reading: February 27, 2007
Public Hearing: March 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007

ORDINANCE 2007-7

AN ORDINANCE AMENDING TITLE 7, CHAPTER 3, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES, IN FURTHERANCE OF THE CITY'S LOCAL COMPREHENSIVE BEACH MANAGEMENT PLAN.

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 (a) is hereby amended in its entirety to read as follows:

"(a) No vehicles are allowed on the beach except for bicycles and vehicles authorized pursuant to Section 5-4-15(C) of this Code."

SECTION 2. That Section 7-3-15, Restrictions on animals on the beach, is hereby amended in its entirety to read as follows:

"Sec 7-3-15 Restrictions on animals on the beach.

Owners or other persons in charge of dogs on the beach shall comply with Sections 6-2-15 and 6-2-23 of this Code."

SECTION 3. That Section 7-3-17, Fires on the beach restricted, is hereby amended in its entirety to read as follows:

"Sec 7-3-17 Fires on the beach restricted.

"No person shall build, start or maintain a fire on the beach except as permitted by an authorized representative of the city fire department."

SECTION 4. That Section 7-3-21, Dune protection, Subsection (b), is hereby amended in its entirety to read as follows:

"(b) It shall be unlawful for any person to cut, collect, break, or otherwise destroy sea oat plants or other native dune grasses, or any part thereof, on public property or on private property without the owner's consent."

SECTION 5. 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 6. 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 7. 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 MARCH, 2007.

F. Michael Sottile, Mayor

(Seal)
Attest:

First Reading: February 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007

ORDINANCE 2007-8

AN ORDINANCE TO AMEND TITLE 5, CHAPTER 4, ZONING, ARTICLE 2, DISTRICT REGULATIONS, OF THE ISLE OF PALMS CITY CODE OF ORDINANCES, TO CLARIFY THE DESCRIPTION OF THE AREA INCLUDED WITHIN THE CONSERVATION (CO) DISTRICT AND THE PERMITTED USES THEREIN.

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 5-4-40 (2), Conservation District boundary, is hereby amended in its entirety to read as follows:

"(2) District boundary. The CO District consists of a strip or band of water, beaches, marshlands, and pieces of natural and man-made highland areas in the marshlands which contain less than two acres, up to the mean high water mark or abutting the primary highland, which surrounds the entire perimeter of the Isle of Palms, as generally shown on the official zoning map."

SECTION 2. That Section 5-4-40 (3), Permitted Uses, is hereby amended to add the following subsection e:

"e. Beach renourishment."

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.

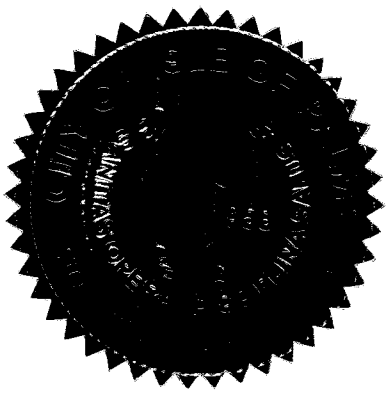
SECTION 4. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

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 MARCH, 2007.

F. Michael Sottile, Mayor

Attest:



First Reading: February 27, 2007
Public Hearing: March 27, 2007
Second Reading: March 27, 2007
Ratification: March 27, 2007