

CITY OF FOLLY BEACH

Chris Bizzell, Mayor



Folly Beach, SC 29439

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**City Council Special Meeting 4:00 PM
Tuesday, September 15, 2026**

City Hall

21 Center Street

2nd Floor Council Chambers

Folly Beach, SC 29439

Amended 9/14/26

11:20 AM

Adding Comments Sections

- 1. CALL TO ORDER/ROLL CALL**
- 2. MAYOR'S COMMENTS**
- 3. CITIZENS' COMMENTS**
- 4. OLD BUSINESS**
 - a. **ORDINANCE 028-26:** An Ordinance Amending the Folly Beach Code of Ordinances by Repealing Chapter 117, Short-Term Rentals, and Reenacting Chapter 117, Short-Term Rentals to Remove the Rental Registration Fee. **(SECOND READING)**
- 5. NEW BUSINESS**
- 6. CITY COUNCIL COMMENTS**
- 7. ADJOURNMENT**

PUBLIC NOTICE

ALL MEDIA WERE NOTIFIED PURSUANT TO STATE LAW

City Council will not vote on matters discussed during Work Sessions or Executive Sessions.

However, matters discussed may be voted on during the evening City Council meeting. In keeping with the Americans with Disabilities Act, persons needing assistance, alternative formats, ASL interpretation, or other accommodation, please contact the Municipal Clerk at 843- 513-1833 during regular business hours at least 24 hours prior to the meeting. Hearing devices are available upon request for those with hearing difficulties.

The City of Folly Beach, in an effort to go green, will no longer have the Ordinances and Resolutions included in the agenda. Citizens interested in having a copy, please see the Municipal Clerk.



CITY OF FOLLY BEACH

1st Reading: September 8th, 2026
2nd Reading: September 15th, 2026

Introduced by: Mayor Bizzell
Date: September 8th, 2026

ORDINANCE 028-26

AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES BY REPEALING CHAPTER 117 SHORT TERM RENTALS AND REENACTING CHAPTER 117 SHORT TERM RENTALS TO REMOVE THE RENTAL REGISTRATION FEE.

- WHEREAS,** A cap on certain rental license types issued within the City of Folly Beach was passed by referendum in 2023; and
- WHEREAS,** A ruling declaring the cap invalid, based on the determination that the referendum levied a business license tax, was issued on August 14, 2026; and
- WHEREAS,** The ruling also held that the rental registration fee is classified as a tax rather than a fee; and
- WHEREAS,** The city has appealed said ruling; and
- WHEREAS,** Prior to the ruling, City Council made multiple amendments to the cap after it was enacted by referendum, each reflecting input from the public; and
- WHEREAS,** The city has advertised a comprehensive study of the short-term rental ordinance with the goal of enacting amendments to more closely match the city's short-term rental regulations to the needs of the community; and
- WHEREAS,** City Council wishes to preserve both previous amendments and future amendments should the ruling of August 14, 2026 be upheld; and
- WHEREAS,** Adoption of the city's short term rental ordinance, while removing the rental registration fee, through the regular order of business will remove the uncertainty created by the ruling and provide a strong foundation for future changes resulting from the STR Study; and
- WHEREAS,** Readoption of the short-term rental ordinance will allow the city to further the

goals of Chapter 117: Short Term Rentals, which include protecting the integrity of the city's neighborhoods, establishing a system to track the short-term rental inventory in the city, ensuring a level playing field for individuals in the short-term rental market, and protecting the residential character of the dwelling units within the city.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that Chapter 117 (Short Term Rentals) of the Folly Beach Code of Ordinances be repealed in its entirety.

The City Council of Folly Beach, South Carolina, duly assembled, also does hereby ordain that a new Chapter 117 (Short Term Rentals) of the Folly Beach Code of Ordinances be enacted as follows:

NOTE: Deleted material struck through, new material shown in red,

§ 117.01 PURPOSE, APPLICABILITY, AND DEFINITIONS.

(A) The purpose of this chapter is to regulate the licensing of dwelling units as short term rentals in order to:

- (1) Protect the integrity of the city's neighborhoods and the quality of life of its citizens;
- (2) Establish a system to track the short term rental inventory in the city;
- (3) To protect the health and safety of occupants of short term rental units;
- (4) To ensure a level playing field for individuals in the short term rental market; and
- (5) To protect the residential character of the dwelling units within the city.

(B) The following definitions apply:

DESIGNATED LOCAL AGENT. A local agent, identified through application for a rental registration permit, who shall be responsible for operating a short term rental in compliance with the law. Official notices may be served on the designated local agent and/or the owner, and any notice served on the designated local agent shall be deemed to have been served upon the owner of record. The designated local agent may be cited and served notice for any violation under this chapter for which the owner may be cited or served.

DESTINATION CLUBS. Destination or private vacation clubs ("destination clubs") are classified as private and/or exclusive membership organizations or commercial businesses primarily engaged in providing short term overnight accommodations and related services for its club members with non-ownership interest who seek alternative options to standard vacation home rentals. **DESTINATION CLUBS** typically own or lease properties from the owners on a long term basis, provide those properties in a variety of locations to its members on a short term basis, and model a membership access structure where its members purchase membership levels granting access to properties and personalized services. Properties offered by destination clubs to a member for less than 30 days are considered short term rentals whether the destination club is

an owner of record or a lessee. All references to "owners" in this chapter apply to destination clubs.

DWELLING UNIT. A structure, or portion thereof, providing complete living facilities for a single family including a complete kitchen. One structure may contain multiple dwelling units with different property tax classifications.

GOOD STANDING. A license shall be considered in good standing if:

(a) The license has not been denied, revoked, or suspended in the current license year. A license which has been denied, revoked, or suspended in the current license year shall not be renewed except upon successful appeal of the denial, revocation, or suspension.

(b) The license has not expired. A license shall be deemed expired ten business days after the final day of the previous business license year.

(c) The dwelling unit for which an ISTR license was issued was rented for a minimum of 28 nights in the business license year prior to renewal. Executed rental contracts and receipt of payment shall be required to establish compliance with minimum rental night requirements. The minimum rental night requirement shall be waived in the event that:

1. A natural disaster or other Act of God renders the dwelling unit uninhabitable for a period of more than six months in the current business license year; or

2. Work related to valid building permit, carried out to address life, safety, or health violations documented by the Building Official or to replace the unit with a unit of the same or fewer square feet and the same or few bedrooms renders the dwelling unit uninhabitable for a period of more than six months in the current business license year;

3. A license was issued after May 1 of the previous license year for the dwelling unit to be rented for the first time or after a change in ownership and successful application for a new business license.

(d) The dwelling unit for which an ISTR license was issued has remained in a habitable condition, and the current certificate of occupancy has not been revoked for life, health, or safety issues or due to renovations and partial demolition.

HOUSE EXCHANGE PROGRAMS. The occasional occupancy of a residential occupancy assessed by Charleston County at a 4% property tax rate by someone other than the owner of the residence while the owner is temporarily absent from the residence, and no monetary compensation is paid to the owners for such occupancy. **HOUSE EXCHANGE PROGRAMS** are not short term rentals.

INVESTMENT SHORT TERM RENTAL BUSINESS LICENSE (ISTR). A license issued for a dwelling unit, to be rented as a short term rental, that:

(a) Is not the legal residence of the owner at the time the application for a license is submitted; or

(b) Is not the legal residence of the owner at the time the application for a license is submitted and was inherited after February 7, 2023 from the person named as owner of record on February 7, 2023.

1. Proof of inheritance shall be shown through a deed of distribution, court order, or similar document showing transfer of ownership to the applicant upon the death of the owner.

2. Application for an ISTR for the rental of a dwelling unit inherited after February 7, 2023 must be made within 90 days of transfer of ownership except that an application for the rental of a dwelling unit inherited between February 7, 2023 and February 20, 2024 may be made at any time prior to May 1, 2025.

LEGAL RESIDENCE. A dwelling unit assigned a 4% property tax ratio by the Charleston County Assessor's Office under the requirements of S.C. Code § 12-43-220 at the time the application for a license is submitted. Retroactive changes of the properties' legal status by the county are not applicable unless the applicant has never submitted a legal residence exemption application and promptly applies for the change upon discovery of the classification.

MEDICAL HARDSHIP INVESTMENT SHORT TERM RENTAL BUSINESS LICENSE (MISTR). A license issued for a dwelling unit, to be rented as a short term rental, that is owned by the owner of record on February 7, 2023 upon certification that the owner no longer resides on the premises and is housed in a care facility, or requires care at another private location; or is no longer capable of performing at least three activities of daily living.

(a) Activities of daily living are defined as personal hygiene tasks (bathing, grooming, oral, nail and hair care); medication management; walking independently; dressing; transferring in and out of bed; and maintaining continence.

(b) Certification that an owner can no longer perform activities of daily living shall be provided on a form approved by the city and completed by a licensed medical doctor, doctor of osteopathic medicine, physician assistant, or advanced practice registered nurse.

(c) Proof of care shall be through a lease agreement or similar document, or a contract for in-home care.

(d) Certification for an ISTR issued due to medical hardship shall be submitted annually.

(e) No more than one MISTR may be obtained by any owner through medical hardship.

OWNER-OCCUPIED SHORT TERM RENTAL BUSINESS LICENSE (OSTR). A license issued for a dwelling unit to be rented no more than 72 nights annually that:

(a) That is the legal residence of the owner at the time the application for a license is submitted.

(b) That is the legal residence of the owner at the time the application for a license is submitted but given a partial 6% property tax rate by Charleston County. The portion of a dwelling unit taxed at a 6% property tax rate which was licensed as a short term rental prior to February 7, 2023 may renew an existing ISTR for that portion of the property is not subject to the 72-night annual rental limit.

(c) That is the legal residence of the owner at the time the application for a license is submitted and whose owner has qualified for the military service exemption as provided in S.C. Code § 12-43-220(c)(2)(v) allowing rental of a dwelling unit for more than 72 nights annually while maintaining the 4% special assessment rate.

PROVISIONAL SHORT TERM RENTAL LICENSE (PSTR). A license issued for a dwelling unit to be used as a short-term rental for no more than 90 days to allow compliance with the requirements of the South Carolina Vacation Rental Act, specifically S.C. Code § 27-50-250. A PSTR shall only be issued to the purchaser of an existing short-term rental with ISTR or OSTR license in good standing, is valid only for rental contracts disclosed under the terms of the Act, and shall expire at the end of the last authorized rental period. All rental nights allowed by a PSTR shall count towards the 72 rental nights allowed by an OSTR license should the dwelling become the legal residence of the owner.

RENTAL OCCUPANT. Any person who, in exchange for compensation paid, occupies a dwelling unit for less than 30 days.

RENTAL RULES AND GENERAL REGULATIONS. Regulations regarding noise, trash, parking, alcohol on the beach, animals, litter, surfing, dune protection, sea turtles, smoking on the beach, requirements for special events, maximum occupancy, and golf carts.

SHORT TERM RENTALS. A dwelling unit, or any portion thereof, rented for any period less than 30 days and used in a manner consistent with the residential character of the dwelling. Tourist accommodations, including hotels, motels, inns, and bed and breakfasts, are not considered **SHORT TERM RENTALS**.

TIME SHARES. “Vacation time sharing plans” as defined in S.C. Code § 27-32-10(9) are not short-term rentals. However, any “vacation time sharing lease plan” as defined in S.C. Code § 27-32-10(8) that is less than three years is considered a short term rental. “Vacation multiple ownership interests” as defined in S.C. Code § 27-32-250(1) are not short term rentals.

TRANSFER OF PROPERTY. An assessable transfer of interest in real estate triggering an appraisal and reassessment for taxation purposes as defined by S.C. Code § 12-37-3150.

§ 117.02 SHORT TERM RENTAL BUSINESS LICENSES.

(A) The city shall issue investment short term rental business licenses, medical hardship investment short term rental licenses, owner-occupied short term rental business licenses, and provisional short term rental business licenses.

—(B) There will be no limit on the number of medical hardship investment short term rental licenses, owner-occupied short term rental business licenses or provisional short term rental licenses issued.

(C) The maximum number of investment short term rental business licenses issued shall be 800, henceforth referred to as the cap.

(1) No new investment short term rental business licenses shall be issued unless the total number of investment short term rental business licenses are below the cap unless the ISTR license is issued or after inheritance as defined in § 117.01.

(2) Any investment short term rental business license which remains in good standing may continue to be renewed annually, even if the number of investment short term rental business licenses exceeds the cap.

(3) A wait list will be maintained by the city. New licenses shall be offered to applicants according to procedures adopted by City Council.

(D) *Non-transferable.*

(1) Investment short term rental license wait list status terminates upon transfer of property and is non-transferable.

(2) Investment short term rental licenses and medical hardship investment short term rental business licenses terminate upon transfer of property and are non-transferable.

(3) Investment short term rental business licenses terminate upon loss of 6% property tax assessment status and are non-transferable.

(4) Owner-occupied short term rental business licenses terminate upon transfer of property and are non-transferable.

(5) Owner-occupied short term rental business licenses terminate upon loss of 4% property tax assessment status and are non-transferable.

(6) Medical hardship investment short term rental licenses are non-transferable and terminate upon transfer of property; upon failure to recertify hardship; 90 days after termination of qualifying lease or end of qualifying care; or on the last day of the business license year or after 90 days, whichever is later, upon death.

(7) Provisional short term rental business licenses terminate 90 days after the date of issuance, or upon the completion of the last eligible rental period if earlier than 90 days and are not transferrable.

§ 117.03 LICENSE, REGISTRATION, AND TAX REQUIREMENTS.

Any owner advertising or operating a dwelling unit a short term rental must maintain a current business license, comply with rental registration permit requirements, and make proper payment of local, county, and state taxes.

(A) *Business license.* A business license must be obtained and renewed annually thereafter by the timely submittal of a form and fee as established by the city, for each dwelling unit or portion thereof advertised or offered as a short term rental.

(1) (a) No business license shall be issued for the rental of a dwelling unit which is planned or under construction until a final certificate of occupancy is issued for the unit except that:

(b) A license issued for the rental of an existing dwelling unit may be renewed, for the rental of a replacement dwelling unit proposed or under construction on the same site.

1. The replacement dwelling unit must be under the same ownership, contain the same or fewer heated square feet, and contain the same number or fewer bedrooms as the original structure.

2. The previously issued license must be maintained in good standing and, if necessary, timely renewed during the entire period of construction beginning with demolition and lasting through issuance of a final certificate of occupancy.

(2) A business license for the rental of a dwelling unit shall only be issued to owners of a dwelling unit. No business license for the rental of a dwelling unit shall be issued to lessees of a dwelling unit.

(3) A designated local agent, or other person authorized in writing, may apply for a short term rental business license on behalf of an owner. An application for a business license submitted by a designated local agent or other authorized person must provide the correct taxpayer identification and contact information for the owner including name, address, phone number, email, and any other information as required on the application form.

(4) Failure to maintain good standing shall be considered grounds for denial of an application to renew an existing license.

(a) To remain in good standing, an application to renew an existing license must be submitted no later than ten business days after the final day of the previous business license year. The failure to timely submit an application for the renewal of a short term rental license shall result in denial of the application.

(b) To remain in good standing, an ISTR license must be used for at least 28 nights annually except when affected by natural disaster, Act of God, or critical repairs as defined in § 117.01.

(B) *Rental registration permit.* A rental registration permit must be obtained and renewed annually thereafter by the timely submittal of a form, as established by the city, for each dwelling unit or portion thereof offered as a short term rental.

(1) *Annual registration.* The rental registration permit application shall be completed prior to June 1 of each year.

(a) *Renewal of a previously issued rental registration permit.* A complete application to renew previously issued rental registration permits, along with all documentation required by this chapter, shall be submitted prior to June 1 of each year. Failure to timely submit a complete application by June 1 shall result in a violation and strike pursuant to § 117.03(D). However, applicants shall have a grace period of ten business days after June 1 to submit a complete application. Failure to submit a rental registration application within ten business days after June 1 shall result in revocation of the license.

(b) *Submittal of a new rental registration permit application.* An application for a new rental registration permit, along with all documentation required by this chapter, must be

submitted within 30 days of the issuance of a new short term rental business license. There is no grace period for new rental registration submittals. Failure to submit a rental registration application within 30 days after the issuance of a new short term rental license shall result in the revocation of the license.

(c) *Review and correction of rental registration permit applications.* Upon review, the city shall notify applicants of facial and obvious deficiencies or errors in the application submitted. Failure to submit necessary corrections to an application within ten business days of notification of deficiencies or errors shall result in denial of the application and revocation of the associated license. Inaccuracies, mistakes, or misrepresentations, whether intentional or not, in a rental registration application discovered by the License Official after acceptance of a rental registration permit shall result in revocation of the license.

(2) *Fee.* There shall be no additional fee for the issuance of a rental registration permit.

(3) A rental registration permit shall only be issued to owners of a dwelling unit. No rental registration permit shall be issued to lessees of a dwelling unit.

(4) A designated local agent, or other person authorized in writing, may apply for a rental registration permit on behalf of an owner. An application for a rental registration permit submitted by a designated local agent or other authorized person must provide the correct taxpayer identification and contact information for the owner, including name, address, phone number, email, and any other information as required on the application form.

(5) *Change in registered information* It is the duty of the owner to notify the city of changes to the name, address, email address, or phone number of the owner and designated agent listed on the rental registration permit. There shall be no fee upon change of registration information. A new owner of a previously registered dwelling, upon successful application for a new short term rental business license, shall re-register the dwelling within 30 days of obtaining a license.

(6) *Information required.* Application for rental registration permit shall contain the following information:

(a) The street address, Charleston County Parcel Identification Number, and unit number, if applicable, of the dwelling unit;

(b) A property tax bill or other documentation from Charleston County showing the current property tax classification;

(c) The number of bedrooms in the dwelling unit;

(d) The number of parking spaces provided on site as well as a site plan showing the location of all on site parking spaces with at least one onsite parking space per bedroom to be rented and the location of any onsite septic system including the tank and drain field.

(e) The advertised and, if different, the allowable maximum overnight occupancy of the dwelling unit, which shall not exceed two persons per bedroom, plus two additional people per dwelling unit, except as allowed under an exception under § 164.03-01(C);

(f) The type of wastewater system (septic or sewer). If the property is serviced by a septic system, the owner must certify that the system is protected from parking;

(g) The name, mailing address, business phone number, personal phone number, email address and business address of the owner and designated local agent;

(h) The physical address and email address where the owner and designated local agent will accept notices required by this chapter, including but limited to notice of citations and strikes, and acknowledgment that service in person, by certified mail, by U.S. Mail and/or by email addresses will constitute acceptable service of any citation, strike, or other notice required by this chapter;

(i) Certification that the owner has read applicable city rental rules and general regulations.

(j) Certification that an emergency contact phone number, a copy of the parking diagram provided to the city and a summary of rental rules and general regulations provided by the city have been posted in the rental unit.

(k) Certification that tenants listed on any rental agreement shall receive an emergency contact phone number, a copy of the parking diagram provided to the city and a summary of rental rules and general regulations provided by the city.

(l) Certification that the owner is aware that misrepresentation of any required information on the application for a business license or rental registration permit shall be considered grounds for the denial of the application and subsequent revocation of the license or rental registration permit;

(m) Certification that the owner is aware that short term rental licensees shall be subject to strikes issued against the license when the owner, designated local agent, occupant, or guest has been convicted of any violation of the requirements of this chapter or other city ordinances related to the use of the property as a short term rental, and that three strikes during any rolling twelve-month period can result in suspension, revocation, or non-renewal of the license;

(n) Certification by the owner verifying the presence of smoke alarms, carbon monoxide monitors, fire extinguishers, the number of bedrooms, the number of parking spaces, the provision of trash receptacles, the posting of address and house numbers, and posting of rules and regulations, and, if present, that sprinklers are operational;

(o) Certification that a dwelling unit licensed as an OSTR may not be rented more than 72 nights annually;

(p) Proof of payment of local, county, and state taxes due on short term rental accommodations; and

(q) The number of nights the unit was rented in the previous business license year. Proof of the 28 night minimum rental requirement shall be established through executed rental contracts and associated receipts for payment.

(r) Documentation in the form of Charleston County property records or a certificate of occupancy confirming the number of bedrooms offered for rent.

(7) *Designation of local agent.* The owner of a rental dwelling shall name a designated local agent who shall be responsible for operating the rental dwelling in compliance with the law.

Official notices may be served on the designated local agent and/or the owner, and any notice served on the designated local agent shall be deemed to have been served upon the owner of record.

(a) Nothing shall prevent the owner of rental property from designating himself or herself as the designated local agent.

(b) Non owner designated local agents must be licensed by the State of South Carolina as an attorney, real estate agent, broker in charge, or property manager. Employees under the direct supervision of attorneys, real estate agents, brokers in charge, or property managers licensed by the State of South Carolina may be designated local agents.

(c) The designated local agent or owner shall be required to physically respond to the site within 60 minutes upon notification from the city in case of emergency or need by the city for entry into the property.

(8) *More than one owner or ownership by entity.* Where more than one person has an ownership interest in a short term rental, the required information shall be provided for each owner. In those cases in which the owner is not a person, the information required shall be provided for the organization owning the rental dwelling, and for the president, general manager, or other chief executive officer of the organization.

(C) *Taxes.* Owners of short term rentals are subject to local, county, and state taxes, including, but not limited to, sales, use, and accommodations taxes, and are liable for the payment thereof as established by state law and the city code of ordinances.

(D) *Notice, violations, strikes and penalties.*

(1) (a) Any notice required by this chapter, including but not limited to notice of citations and strikes, may be served:

1. In person to the owner or agent;
2. By certified mail, return receipt requested, to the physical address for the owner or agent provided on the rental registration permit application;
3. By U.S. mail to the physical address for the owner or agent provided on the rental registration permit application; or
4. By email to the email address for the owner or agent provided on the rental registration permit application.

(b) Service by any of the methods above will constitute acceptable service of any notice required by this chapter, including but not limited to notice of citations and strikes.

(2) *Violations.* The following are considered violations of this chapter. Citation and conviction associated with any violation listed below shall result in a strike against the short term rental license issued for the rental of a dwelling unit.

(a) Operating a short term rental without complying with the requirements of this chapter and the city code of ordinances;

- (b) Advertising a short-term rental without a valid business license, rental registration permit, or accommodations tax account;
- (c) Operating a short-term rental without a business license, registration permit, and accommodations tax account;
- (d) Advertising a short-term rental without listing the business license number and rental registration permit number;
- (e) Operating a short-term rental in such a manner that individual rooms are rented at the same time under separate rental contracts;
- (f) Advertising a short term rental as being available for more overnight occupants, or containing more than the number of bedrooms, than have been permitted pursuant to this chapter;
- (g) Expanding the allowable occupancy of a short term rental without obtaining a new permit;
- (h) Advertising more short term rental units on a property than have been permitted pursuant to this chapter;
- (i) Advertising a property as a short term rental or “event house” for events or parties;
- (j) Offering a short-term rental in any zoning district for fewer than two consecutive nights;
- (k) Failure to post the business license number, rental registration permit number, allowable overnight occupancy, and city approved summary of rules and general regulations prominently within a rental unit;
- (l) Failure to submit an accurate and complete annual rental registration permit renewal application, along with all documentation required by this chapter, on or before June 1. Failure to submit an accurate and complete annual rental registration permit renewal application within ten business days after June 1 shall result in revocation of the license. Inaccuracies, mistakes, or misrepresentations, whether intentional or not, in a rental registration application or business license application discovered by the License Official after acceptance of a rental registration permit shall result in revocation of the license;
- (m) Failure of the designated local agent or owner listed on the rental registration permit application to respond physically to the site within 60 minutes of notification from the city of an emergency;
- (n) Failure to maintain, and provide to the city, any and all information required in § 117.02(A);
- (o) Failure to provide tenants listed on any rental agreement information as required under § 117.02(B);
- (p) Failure to inspect and repair a failed septic system as required under § 55.07;

(q) Operating a business out of a short term rental or otherwise using a short term rental for non-residential use except for allowable home occupations, e-commerce, and remote work; and

(r) Renting a dwelling unit licensed as an OSTR for more than 72 nights annually.

(s) Operating a short term rental that has received three strikes within any 12-month rolling period.

(3) *Strikes*. A license will be assessed a strike when the owner, designated local agent, occupant, or guest of the property has been convicted of any violation of the requirements of this chapter or any other city ordinances related to the use of the property as a short-term rental.

(a) The number of strikes shall be reset upon a change of ownership that results in no overlap with prior common ownership.

(b) For the purpose of determining the total number of strikes, each strike issued upon conviction shall be considered effective upon the date of citation resulting in conviction was issued. All convictions related to offenses occurring within a single rental contract period shall be considered one strike. In no case shall the number of strikes assessed against a license exceed one per rental contract period.

(c) No strike shall be issued for the conviction of an offense which occurs beyond the premises of a short term rental.

(d) The city will provide notice of each strike to the registered agent and owner of the property as follows:

1. First strike: a description of the violation and resultant conviction, and a warning that progressive action shall be taken by the city in the case of further violations.

2. Second strike: a description of the violation and resultant conviction, and a warning that the city shall initiate suspension and revocation of the rental license in the case of further violations.

3. Third strike: a description of the violation and resultant conviction and notice of the initiation of procedures to suspend and revoke the license.

(4) *Penalties*. No permit may be issued or approved unless the requirements of this chapter, or any ordinance adopted pursuant to it, are complied with. A violation of this chapter may result in the following penalties:

(a) Any person violating any provision of this chapter shall be deemed guilty of a civil offense and shall be subject to a fine of up to \$500 upon conviction. Each day of violation shall be considered a separate offense. Punishment for violations shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this chapter.

(b) Denial, revocation, suspension, or non-renewal of a business license pursuant to §§ 110.14 or 110.15 and in accordance with the appeal procedures set forth in § 110.16.

(c) Revocation, suspension, or non-renewal of the short term rental business license, in accordance with the appeal procedures set forth in § 110.16, for three strikes during a rolling twelve-month period.

1. The city will provide notice of each strike to the registered agent of the property as follows:

A. First strike: a description of the violation and resultant conviction, and a warning that progressive action shall be taken by the city in the case of further violations.

B. Second strike: a description of the violation and resultant conviction, and a warning that the city shall initiate revocation of the rental license in the case of further violations.

C. Third strike: a description of the violation and resultant conviction, and notice of the initiation of license revocation procedures.

(d) Any violation of a noise ordinance that occurs on the property will result in a notice that the owner is strongly encouraged to install noise monitoring.

§ 117.04 ADDITIONAL REQUIREMENTS FOR SHORT TERM RENTALS.

(A) All owners and/or designated local agents of short term rentals shall be required to keep the following for city inspection and copying for a period of one year:

(1) The name, address, and other contact information of each signatory on the rental agreement;

(2) A copy of the city approved rental rules and general regulations summary, signed by each signatory of the rental agreement.

(3) A document signed by the owner and/or agent responsible for renting the dwelling unit, certifying the number of persons intended to occupy the dwelling unit.

(4) The information required by this section shall be updated by the owner and/or agent for each rental to different tenants or occupants.

(B) The owner and/or agent shall provide the following for each person signing a rental agreement as a responsible party for a short term rental:

(1) The address of the short term rental and emergency contact numbers;

(2) The name and contact information for the owner or designated local agent; and

(3) A copy of the parking diagram provided to the city as well as a copy of the city's rental rules and general regulations.

(C) Individual rooms located in any dwelling unit may not be advertised or used for short term rental under separate contracts at the same time.

(D) Events held on any property on which a dwelling unit licensed for short term rental is located shall meet the following requirements:

(1) Must follow any applicable special event notification rules established by the city in § 153.05 for events on private property;

(2) Shall be subject to all applicable provisions of the noise regulations in §§ 131.30 through 131.35; and

(3) May not feature mobile food trucks, carts, or other outdoor retailers offering products for sale or in exchange for donations. Caterers and other prepaid food providers are allowed provided no money is exchanged on site. All vendors must have a valid Folly Beach business license; and

(4) May not exceed 25 people. The limit of 25 people applies regardless of the number of short term rental dwelling units on the property; and

(5) May not include outdoor amplified music, including bands, deejays, music broadcast through speakers and electronic musical instruments.

(6) These requirements do not apply to events hosted by the owner of the property provided that the owner is on site for the duration the event, the owner has completed the required special event notification, and no compensation has been paid for the event or the use of the property.

(E) One on site parking space must be provided for each bedroom being rented. This requirement shall not apply to:

(1) New and renewed permits issued to dwelling units located in a multi-family housing development.

(2) New and renewed permits issued to dwelling units approved by the city for resident only parking signs in the right-of-way.

(3) Renewed permits issued to dwelling units with a valid business license and rental registration permit before September 13, 2022. Rental registration permits for such properties may be renewed without the required parking until such time as the ownership of the property changes.

(F) All parts of any septic system including the tank and the drain field must be protected from parking.

ADOPTED this 15th day of September, 2026, at Folly Beach, South Carolina.

Ayes: Nays: Abstains:

ATTEST:

Municipal Clerk

Chris Bizzell, Mayor