

CITY OF FOLLY BEACH

Tim Goodwin, Mayor



Folly Beach, SC 29439

www.cityoffollybeach.com

(P) 843-588-2447

(F) 843-588-7016

Adam Barker, Council Member
William Farley, Council Member
Billy Grooms, Council Member

Katherine Houghton, Council Member
Eddie Ellis, Council Member
D.J. Rich, Mayor Pro-Tem

City Council Meeting 7:00 PM
Tuesday July 12, 2022

Council Chambers
21 Center Street
Folly Beach, SC 29439

- 1. CALL TO ORDER/ROLL CALL**
- 2. INVOCATION & PLEDGE OF ALLEGIANCE**
 - a. Pledge of Allegiance-Birdie Ray.
- 3. MAYOR'S COMMENTS**
- 4. STAFF REPORTS**
 - a. Reappointment of Business License Hearing Officer-Aaron Pope.
 - b. Six Month Review of Strategic Plan Items-Aaron Pope.
- 5. APPROVAL OF AGENDA**
- 6. APPROVAL OF MINUTES**
 - a. Minutes 6.14.2022.
- 7. PERSONAL APPEARANCES**
 - a. Short Term Rentals and Folly's Future- Dr. Richard Beck.
 - b. Queen of the Beach- Joshua Mennona.
 - c. Orphan Relief Day August 13th, 2022- Christina Lope.
 - d. 206 West Arctic Variance Request-Richard Parker.
- 8. CITIZENS' COMMENTS**

9. COMMISSION, BOARD, COMMITTEE REPORTS

10. OLD BUSINESS

- a. **ORDINANCE 027-22:** An Ordinance Amending the Folly Beach Code of Ordinances Chapter 117 (Short Term Rentals) By Changing the Requirements for Business Licenses and Rental Registration Permits for Short Term Rentals, Amending the Violations Subject to Rental Strikes, And Lowering the Number of Strikes Required Prior To The Initiation of License Revocation. **(SECOND READING)**

11. NEW BUSINESS

- a. **ORDINANCE 024-22:** An Ordinance Amending the Folly Beach Code of Ordinances Section 72.24 (Timed Parking on Center Street) By Removing the Exemption for Residential Parking Passes in Timed Parking Areas. **(FIRST READING)**
- b. **RESOLUTION 28-22:** A Resolution by The Folly Beach City Council Reappointing the Business License Hearing Officer to Comply with The Statewide Standardized Business License Ordinance.
- c. **RESOLUTION 29-22:** A Resolution by The Folly Beach City Council Authorizing the Administration to Sign a Purchase Agreement For 502 And 504 East Huron Contingent on A Successful Application for Charleston County Greenbelt Funds.
- d. **RESOLUTION 30-22:** A Resolution for by the Folly Beach City Council Adopting the FEMA-Approved 2019 Charleston Regional Hazard Mitigation Plan and Program for Public Information.
- e. **RESOLUTION 31-22:** A Resolution Awarding \$2,000.00 To the Folly Beach Exchange Club to Assist in Local Scholarships and Other Volunteer Endeavors by Recommendation Of The Community Promotions Committee.

12. COUNCIL COMMENTS

13. 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

Date: July 12th, 2022

Re: Business License Hearing Officer

Mayor/Council,

In 2018, Council passed Ordinance 02-18 to amend the business license ordinance and appoint a hearing officer to hear business license cases (appeals, revocations, suspensions, etc.). In 2019, the City contracted with Judge Christine Varnado to provide this service. In December 2021, the City adopted the new statewide business license ordinance which repealed our previous code. The new ordinance contains language that allows a designee of Council to hear business license cases. However, the City has not formally appointed Judge Varnado as their designee under the new code. Resolution 28-22 would correct this situation by formally appointing Judge Varnado as Council's official designee for business license appeals.

Aaron Pope, AICP
City Administrator



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: July 12, 2022

RESOLUTION 28-22

A RESOLUTION BY THE FOLLY BEACH CITY REAPPOINTING THE BUSINESS LICENSE HEARING OFFICER TO COMPLY WITH THE STATEWIDE STANDARDIZED BUSINESS LICENSE ORDINANCE.

WHEREAS, The City of Folly Beach previously amended its Code of Ordinances to appoint a Business License Hearing Officer as the designee of Council for appeals related to business licensing matters; and

WHEREAS, The City has contracted this service since 2019 and funds are included in the FY23 Budget; and

WHEREAS, The 2021 statewide standardized business license ordinance repealed and replaced the previous business license code in its entirety, including previous amendments made by Council related to the appointment of a designee; and

WHEREAS, There exists a continuing need for this service; and

WHEREAS, The City wishes to reaffirm the appointment of Christine Varnado as the designee of Council under Section 110.16 of the new standardized ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that Christine Varnado be appointed as Business License Hearing Officer, to serve at the pleasure of the Mayor as authorized by Section 110.16 of the Folly Beach Code of Ordinances.

RATIFIED this, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor

To: Mayor/Council/Staff

From: Aaron Pope

RE: Six Month Update: 2022 City Council Strategic Planning Items

Date: 7/12/22

City Council held a strategic planning session on February 4th, 2022 to review progress on the *2021 Strategic Plan* items, staff strategic planning items, and Council's objectives for the upcoming year. The meeting was attended by all members, the Mayor, and the City Administrator. Department heads were present for questions and answers regarding the *2021 Plan* and staff goals. The meeting was facilitated by MASC staff member Charlie Barrineau.

Progress notes for the goals/projects that were identified by Council as priorities for 2022 are listed below.

Must Do Items (High Priority, 2021 carry over/in progress items in red):

- Implement drainage projects outlined in the *Island Wide Drainage Study and Stormwater System Assessment*.

- Identify first projects to be pursued.
 - ✓ Applying for all Water Capital Items, All Stormwater Items, and Redundant Water Main.
- Apply for State ARPA money to fund either individual projects or the entire package.
 - ✓ Proposals for State ARPA grant assistance solicited and due in July.
 - ✓ Staff attended June 29th grant application training hosted by RIA.
- Budget for matching funds for grant application.
 - ✓ 303,000 budgeted for grant match in FY23, City ARPA funds of \$1.3 million now ruled eligible as match. CPW match of \$1.2 million can be used as Folly match for redundant main.

- East Artic Avenue complete street implementation.

- First round of bids rejected, additional money in FY23 budget, new RFP to go out in July.

- Continue to construct/replace infrastructure projects identified in the *Water Capital Plan*.

- Expand paid and unpaid parking.

- Application sent back to headquarters with recommendation of approval by local office.
- June 29th, DOT confirms meeting to review 2020 application, no date set.

- Develop communications plan (internal and external).

- Communications Plan Received from Website vendor. Presentation to Council on hold.

- Rebuilding beach groins with emergency access.

- First phase of Master Plan complete, design and engineering in progress.

- Request in to SCDHEC for a pre application meeting to review project and identify permitting procedures and concerns.

Should Do (Medium Priority, previous carry over/in progress items in red):

- Pursue a Dune infiltration pilot project as best management practice (BMP).

- Feasibility study contract signed in May.
- Pilot project design in progress for 9th and 10th block East roadway flooding.

- Complete Installation of security cameras (outdoor) to monitor public areas.

- Plan strategy for larger scale deployment; design phased strategy
- Begin with the downtown business district.
- Install 1st phase 2022/23. VC3 is putting together quotes for 2023.

- Conduct comprehensive review of all City fees and update as needed.

- Department heads to review fees compared to other local governments and make recommendations in time for budget planning. In progress for 2023.

- Continue installation of Pedestrian paths in the commercial district.

- Council rejected Cooper Avenue as next phase, work session to be scheduled for Council to approve next location.

Could Do (Low Priority, previous carry over/in progress items in red):

- Seek and allocate funding to acquire public land for possible greenspace.

- Resolution approved to pursue Greenbelt application.
- Resolution for purchase contract on July 12 agenda.
- Application due 7/29.

- Continue to focus on the development and implementation of living shoreline projects (marsh protection).

- The City was approved to submit joint proposal to the National Fish and Wildlife foundation for “Co-Production of Saltmarsh Conservation Approaches in Kiawah Island and Folly Beach SC” to fund identification of community scale marsh restoration project areas and preliminary design. Proposal submitted first week of July.

Revise regulations for short term rentals.

- Cap rejected, other regulations passed first reading. Staff developing job duties, budget, and org chart for new staff to present to Council.

- Implement plan for water redundancy in coordination with Charleston Water.

- Proposals for State ARPA grant assistance solicited and due in July.
- Staff attended June 29th grant application training hosted by RIA.

The goals/projects that were identified by members Council, but were not selected as top priorities, are listed below. The projects should be considered where/when resources are available and with reaffirmation by Council if/when it is needed. Items on this list from previous plans are in **red** and should be continued.

- **Complete first phase of museum.**

- Gateway project SC 171 Crosby Fish Camp to Tides
- Undergrounding electrical and communication lines
- Muriel Edge Weathers Shadow Race Park.

Seeking proposals for underbrush clearing and debris removals.

- Stormwater management incentives for the private installation of rain gardens, bio-retention systems, etc.

- **Beach re-nourishment (on-going).**

- Incentivize long-term rental options.
- Develop a park in unused East Huron right of way.

Greenbelt application in progress for adjacent parcels.

- **Continue to fund beach access and walk over paths (ongoing).**
- **Continue to focus on employee compensation study, retention efforts (on-going)**

City Council approved across the board compensation adjustments for FY23.

- Add position of Public Information Officer (PIO)
- **Water Tank Replacement (on-going).**
- Design and build public electrical charging stations.
- Develop professional development plan for Council.

Thank you,

Aaron Pope, AICP

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City Council Meeting
Tuesday June 14th, 2022
REGULAR MEETING 7:00 P.M.
City Hall
21 Center Street
2nd Floor Council Chambers
Folly Beach, SC 29439

Regular Meeting Agenda 7:00 P.M.

1. CALL TO ORDER/ROLL CALL

2. INVOCATION & PLEDGE OF ALLEGIANCE

Brooks Wetmore led the Council and the public in the Pledge of Allegiance. Councilmember Rich gave the Invocation.

3. MAYOR'S COMMENTS

Mayor Goodwin presented Zeke Jennings and Xan Glover with a certificate of Environmental Stewardship for their creation of the educational art made out of litter found on the beach and oar landing.

4. STAFF REPORTS

- a. Kyle Sullivan, Director of Utilities. Mr. Sullivan stated that there will be overages to be expected in the Water Utility Budget due to several emergency repairs.
- b. Eric Lutz, Director of Public Works. Mr. Lutz updated council on the change in state law exempting limited homeowner work from building permit requirements.
- c. Mr. Lutz and Katie Finegan gave a presentation about the proposed Sentinel Plan-Hurricane Monitoring Station on 3rd St. West. Ms. Finegan outlined the installation of the tower and insured that they will check for turtle nests and utilities before the tower is installed. She explained the tower will take roughly 2 hours to place and remove. Ms.

Finegan stated that the data that will be collected will be very valuable. Councilmember Barker asked what is the likelihood of the tower becoming a projectile. Ms. Finegan stated that this would be a zero likelihood. She explained that this is engineered to withstand 179 mile an hour wind.

- d. Aaron Pope, City Administrator. Mr. Pope reviewed the Soccer Shots Summer Schedule.

Councilmember Rich stated that council decided not to allow any commercial activity in the park.

Mr. Pope stated that in council discussions there was a distinction made between city sanctioned events vs commercial usage.

Councilmember Houghton said that this program gives discounts for folly residents.

Councilmember Grooms motioned for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;

Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, No; Mayor Goodwin, Yes.

Motion Passes. 6-1.

5. APPROVAL OF AGENDA

Councilmember Ellis motioned for approval. Councilmember Barker seconded.

Councilmember Farley motioned to table Ordinance 018-22. Councilmember Houghton seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;

Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, No; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

Councilmember Rich motioned to resend Ordinance 011-22 to the Planning Commission.

Councilmember Ellis seconded.

Councilmember Barker, Yes; Councilmember Farley, No; Councilmember Grooms, Yes;

Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, No.

Motion Passes. 5-2.

Agenda as Amended.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;

Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

6. APPROVAL OF PREVIOUS MINUTES OF May 10th, 2022

Councilmember Grooms motioned for approval. Councilmember Ellis seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes;

Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

7. PERSONAL APPEARANCES (Limited to Five Minutes)

- a. Soraya McKay, Vice President FAB. Ms. McKay stated that the fireworks for July 4th are pretty straightforward.

Mayor Goodwin asked Chief Gilreath if FAB has met with the Special Event Committee.

Chief Gilreath stated that yes, they came and met with the committee, and were approved.

Councilmember Farley motioned to approve. Councilmember Grooms Seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- b. Ms. McKay outlined the upcoming and 2023 events that will have a larger impact on the community. She highlighted Folly 50th Anniversary and stated that there will be a Save the Date for Off-Season Events 2023 coming. Councilmember Houghton urged FAB to create an alcohol-free zone for children. Ms. McKay totally agreed with this idea. Mayor Goodwin asked if FAB could come back in August to discuss the details about Folly's Anniversary. Ms. McKay said they would love that, and the idea is still in its inception phase. Councilmember Farley moved for approval. Councilmember Grooms seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- c. Susanna Crestetto with Lung Force Run/Walk. Ms. Crestetto stated that this event has taken place for 14 years on Folly. She explained that the race now has moved to the beach. Ms. Crestetto added that this race/walk raises money for research and local programs. She is asking to hold the event on October 15th. Councilmember Groom motioned to approve. Councilmember Barker seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- d. Jennifer Mahanes with Folly Beach Community Yoga. Ms. Mahanes requested to move her class to 310 E. Ashley for the ease of parking for some of her participants. She also requested to add additional classes in the Community Center so they may offer an indoor class year-round. Councilmember Grooms motioned to approve. Councilmember Barker seconded. Councilmember Houghton stated that this discussion should be held until the new Community Coordinator starts. Councilmember Rich stated the reason council choose the yoga location on the beach was because of heavy public usage in that area and already approved camps.

Mayor Goodwin stated that they will connect Ms. Mahanes and the new Community Coordinator first thing and work on different locations.

Councilmember Grooms withdrew his motion for approval.

Councilmember Houghton motioned to postpone this discussion until the new Community Coordinator is on board. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- e. Mayor Goodwin stated since Ordinance 011–22 has been remanded back to the Planning Commission; council will not be taking any comments on this topic under Public Appearance.

8. CITIZENS' COMMENTS

- a. Sam Meader, 318 E. Arctic. Mr. Meader stated that there needs to be a quick resolution regarding the moratorium. He implored council to look at the problem houses, the party houses. Mr. Meader said the recommendations are great, go with them, and by adding teeth there will be no need for a cap.
- b. Eric A. 9 Red Sunset. Mr. A asked council to look at each property and treat them case by case.
- c. Neil Bural, 1702 E. Ashley. Mr. Bural said that the moratorium was voted on a year and a half ago and denied, and now an individual comes in and whips three votes. He questioned if that was legal.
Mayor Goodwin stated that he can set the agenda however he feels necessary.
Mr. Bural stated that the recommendations are not fair to everyone. That everyone should have the same minimums. Mr. Bural warned if the city rushes from A-Z there could be dire financial consequences on the community.
- d. Eliza Still, 208 E Huron. Ms. Still stated that the interest of full-time residents needs to be represented and that the quality of life has decreased. She added that it is councils' duty to put the interests of the residents before any financial gain.
- e. Liam Becker, 311 W. Eire. Mr. Becker stated that he is the one that wanted the moratorium and push for it to be on the council agenda. He explained that he wanted to meet with the mayor because as soon as the conversation about a cap was introduced on STRs long-term renters were put on notice that landlords were going to start to sell. He added that the moratorium will help slow down the fire that is happening and give council time to address it .
- f. Emily Brown, 208 E. Huron. Ms. Brown stated that for the first time she has thought about selling her home and moving. She said that one evening she could hear Center St from her living room. She explained public safety responded and got the bars to turn down the music. Ms. Brown told another story about noise neighbors and public safety responding. She added punting this conversation down the road 30 or 90 days, how many homes will turnover to an STR or sell within that time.
- g. Darlene Rawls, 5 Red Sunset. Ms. Rawls stated that her main concern is event houses. She added that there are 17 commercial event spaces for the public to utilize. There is no reason that events are being held in the residential areas. She added that the abuse of certain homes is an abuse on the septic system and public health.
- h. Richard Parker, 1029 W. Ashley. Mr. Parker asked council to reconsider the rezoning of the 2nd Block West.
- i. Donna Bowling. Ms. Bowling stated that she does not believe that there needs to be a moratorium on STRs but rather teeth in the already existing rules and proposed rules.
- j. Tim McCarroll 110 W. Cooper. Mr. McCarroll asked where is the data that backs this conversation against STR.
- k. Lee Jackson, 610 E Arctic. Mr. Jackson stated that having a cap is not the way to go. Enforcement of the rules that are already in place.
- l. Chris Marley 415 W Hudson. Mr. Marley stated that he sat down with the City of Folly Beach and looked at the record of every license for 2021. He explained that they are incomplete. He explained that the 40% number is closer to 65%. Mr. Marley added that most of the owners are not local.

- m. Dr. Diana Vincent, 1008 E Arctic. Dr. Vincent raised concerns about the cap is when she passes away her license will not transfer to her daughter.
- n. Elton Culpepper 1208 E Arctic. Mr. Culpepper said that the public really needs to let the council know how they feel. He explained that one individual got the moratorium on the agenda.
- o. John Berdux, 203 E Eire. Mr. Berdux said that we are not giving up any property rights and that is an insidious way to state this, rather we all are agreeing to live in the community we want.
- p. Michael Keck, 912 W Ashley. Mr. Keck stated that the area is growing fast and affecting property values and rent. He added that the moratorium is the wrong decision.
- q. Karen Millia, 322 W Hudson. Ms. Millia stated that this is not about property rights, but rather what kind of community we want to live in.
- r. Vince Perna 305 E Huron. Mr. Perna stated that the moratorium will not fix any of the issues facing Folly. He added that he knows individuals that are trying to pull an STR license but if the moratorium goes into effect, this will cause financial harm to them.

9. COMMISSION, BOARD, COMMITTEE REPORTS

10. OLD BUSINESS

- a. **ORDINANCE 007-22:** An Ordinance Exempting Non-Conforming Multifamily Uses in The Residential Two-Family District from The Substantial Damage Rule by Amending Section 168.02-05 Reconstruction After Casualty Damage. **(SECOND READING)**
Councilmember Farley moved for approval. Councilmember Barker seconded. Councilmember Barker pointed out the word natural was still on the ordinance after being voted on for removal.
Mayor Goodwin stated that this must be scrivener's error and this will be corrected before codification.
Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.
All in Favor. Motion Passes.
- b. **ORDINANCE 008-22:** An Ordinance Rezoning the Following Parcels Located in the 2nd Block West Between Ashley and Arctic Avenues from Island Commercial to Residential Two Family and Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**
Councilmember Farley moved for approval. Councilmember Houghton seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.
Motion Passes, 6-1.
- c. **ORDINANCE 009-22:** An Ordinance Amending the Dimensional Standards of The Island Commercial District by Amending Table 165.01 (Dimensional Standards) To Increase the Required Setbacks and Set the Maximum Height At 40' Feet or Three Stories. **(SECOND READING)**

Councilmember Ellis moved for approval. Councilmember Barker seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

Motion Passes, 6-1.

- d. **ORDINANCE 010-22:** An Ordinance Rezoning the Following Parcels from Downtown Commercial to Island Commercial and Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**

Councilmember Rich moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

Motion Passes, 6-1.

- e. **ORDINANCE 012-22:** An Ordinance Creating the Center Street Overlay Zoning District. **(SECOND READING)**

Councilmember Farley moved for approval. Councilmember Barker seconded. Mayor Goodwin moved to add section (6) to read No setback required. There shall be no side, front or rear setbacks required. Councilmember Farley seconded. Councilmember Ellis asked how will this affect the nonstandard lots.

Mayor Goodwin said that this is for Center St, and they are all pretty much nonstandard because there are no setbacks.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

Ordinance 012-22 as Amended

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- f. **ORDINANCE 013-22:** An Ordinance Rezoning the Following Parcels from Island Commercial to Downtown Commercial Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**

Councilmember Barker Moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, Yes.

Motion Passes, 6-1.

- g. **ORDINANCE 014-22:** An Ordinance Rezoning the Following Parcels by Including Them in The Center Street Overlay District Amending the Official Zoning Map to Reflect Such Change. **(SECOND READING)**

Councilmember Grooms moved for approval. Councilmember Farley seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember

Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- h. **ORDINANCE 015-22:** An Ordinance Amending Chapter 166 Of the Folly Beach Code of Ordinances (Development Standards) By Creating Section 166.13 Pedestrian Improvements to Require the Construction of Pedestrian Improvements in The Right of Way Upon Development or Substantial Improvement of Structures Located on Parcels in The Commercial District in Areas for Which City Council Has Approved a Conceptual Design for Multiuse Paths.

(SECOND READING)

Councilmember Groom moved for approval. Councilmember Farley seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- i. **ORDINANCE 021-22:** An Ordinance to Provide for The Adoption of The FY2023 General Fund Budget Containing Estimates of Proposed Revenues and Expenditures for The City of Folly Beach, South Carolina Beginning July 1, 2022, And Ending June 30, 2023. **(SECOND READING)**

Councilmember Ellis moved for approval. Councilmember Grooms seconded.

Councilmember Rich stated he is not comfortable seeing the roll over resolution on the agenda. He explained funds not going from line item to like line item in the next fiscal year referencing Police/Fire OT rolling over to Dispatch console replacement. He asked how can this be amended with the Reso appearing later on the agenda.

Councilmember Rich said he would rather do a straight across roll over and use the overage to lower the mileage rate. Councilmember Rich reiterated that he is ok if this was being rolled over from line item to line item, but this amount is being rolled over to a different reserve.

Chief Gilreath stated that there have been difficulties with the used dispatch console from James Island. He explained that consoles are extremely expensive and recently after the budget was submitted larger problems became apparent. Chief Gilreath said that his thinking was to create a reserve to access when the console fails and the ask from council won't be as big.

Councilmember Houghton thanked Chief Gilreath for bringing this to their attention and thanked him for looking ahead.

Councilmember Grooms stated that the board has been glitching for some time now. He added that this piece of equipment is vital to Folly.

Mayor Goodwin stated that they need to vote on the proposed budget and if they want to address or vote down the rollover resolution council can do that during new business.

Councilmember Farley asked if they could vote on the resolution before the ordinance or table the ordinance until after the resolution.

Councilmember Rich moved to amend the Public Safety's budget by from \$470,5478 to \$463,4438. Councilmember Barker seconded.

Councilmember Ellis stated that he likes the idea of lowering the millage rate.

However, he warned the state only allows the millage rate to be raised so much per year and the city must keep up with inflation and cost of living.

Councilmember Grooms said that this is a balanced budget and the Chief knows

how to run his department and we must take his word.

Councilmember Houghton asked if this request is reasonable.

Chief Gilreath stated that he is trying not to kick cans down the road but rather have some padding in the bank. He added that council will still need to vote on the spending of the money.

Councilmember Rich said that if this console goes down council will absolutely free up funds to replace it.

Mayor Goodwin said that Councilmember Ellis brings up a great point that if council does not act on the millage rate, Folly Beach will never catch up.

Councilmember Barker, No; Councilmember Farley, Yes; Councilmember Grooms, No; Councilmember Houghton, No; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, No.

Motion Fails, 5-2.

ORDINANCE 021-22

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- j. **ORDINANCE 022-22:** An Ordinance Establishing the Water Utility Budget and Appropriating the Necessary Funds for the Operation of the Folly Beach Water Utility for FY2023, Beginning July 1, 2022, and Ending June 30, 2023.

(SECOND READING)

Councilmember Ellis move to approve. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- k. **ORDINANCE 023-22:** An Ordinance Establishing the Sewer Utility Budget and Appropriating the Necessary Funds for The Operation of The Folly Beach Sewer Utility for FY2023, Beginning July 1, 2022, And Ending June 30, 2023.

(SECOND READING)

Councilmember Ellis moved to approve. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

11. NEW BUSINESS

- a. **Appointments to Boards, Commissions, and Committees**

- i. ATAX - 4 Vacancies (2) Lodging (1) Hospitality (1) At Large

1. Cliff Harvey -At Large
2. Kathy Miller- Lodging
3. Darlene Rawls- Lodging

Councilmember Ellis moved to approve all three applicants. Councilmember Grooms seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember

Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- ii. Parks and Recreation - 3 At Large
 - 1. Matthew Horton- At Large
 - 2. David Parler- At Large
 - 3. Kim Morganello- At Large

Councilmember Houghton moved to approve all three applicants. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor. Motion Passes.

- b. **ORDINANCE 018-22:** An Ordinance Amending the Code of Ordinances Chapter 152.25 General Standards Section (N) Subsection 14 For Allowance of Non-Structural Fill with Restrictions.

Tabled.

- c. **ORDINANCE 025-22:** An Ordinance to Impose a Moratorium on The Issuance of New Business Licenses for Short Term Rentals Within the City of Folly Beach. **(FIRST READING)**

Councilmember Houghton moved to approve. Councilmember Farley seconded.

Councilmember Farley moved to amend the time frame from 90 days to 30 days.

He stated that this will put council's feet to the fire and take action.

Councilmember Barker seconded.

Councilmember Rich said that he agrees with the 30-day time frame and council needs to start working on this issue.

Councilmember Houghton stated that a process is necessary, and it is not a negative thing to pause and gather information.

Councilmember Ellis said that he likes the process and is important.

Councilmember Grooms stated that he is so proud of the community he lives in.

He commended everyone that have participated in this discussion.

Councilmember Barker stated that he will support Councilmember Farley's amendment for a 30-day moratorium.

Mayor Goodwin stated that this moratorium does not affect an individual that has a 2021 license. This affects brand new licenses.

Amendment

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, No; Councilmember Houghton, No; Councilmember Ellis, No; Councilmember Rich, Yes; Mayor Goodwin, No.

Amendment Fails, 3-4.

Ordinance 025-22

Councilmember Barker, No; Councilmember Farley, No; Councilmember Grooms, No; Councilmember Houghton, Yes; Councilmember Ellis, No; Councilmember Rich, No; Mayor Goodwin, Yes.

Ordinance Fails, 2-5.

- d. **RESOLUTION 18-22:** A Resolution by The Folly Beach City Council Awarding the

Contract for The Final Design, Engineering, And Permitting for The Cooper Avenue Pedestrian Path to Davis and Floyd in The Amount Of \$74,500 To Be Paid from Existing Bond Funds.

Councilmember Ellis moved for approval. Councilmember Grooms seconded.

Councilmember Rich stated that the initial square plan has to be finished and used before moving on to the next pedestrian path.

Councilmember Farley said that he believes that they need to move forward in completing the square and then look at Hudson as the next path.

Councilmember Grooms said he would like to see take the money from the state to fix the drainage issues and then lay a multiuse path over the drainage ditch.

Councilmember Barker, No; Councilmember Farley, No; Councilmember Grooms, No; Councilmember Houghton, No; Councilmember Ellis, No; Councilmember Rich, No; Mayor Goodwin, Yes.

Motion Fails, 1-6.

- e. **RESOLUTION 19-22:** A Resolution Awarding \$500 To the Folly Beach Civic Club to Publish a Six-Page Color Edition of The Sandspur in July by Recommendation of Community Promotions Committee.

Councilmember Ellis moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Motion Passes

- f. **RESOLUTION 21-22:** A Resolution by The Folly Beach City Council Transferring Remaining Budgeted Funds Within the FY2022 General Fund Budget to Reserve Accounts for Projects in Future Fiscal Years.

Councilmember Ellis moved for approval. Councilmember Grooms seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, No; Mayor Goodwin, Yes.

Motion Passes, 6-1.

- g. **RESOLUTION 22-22:** A Resolution by The Folly Beach City Council for The Adoption of The FY23 Budget Containing Estimates of Proposed Revenues and Expenditures for The Tourism and Visitors Promotion Committee Beginning July 1, 2022 And Ending June 30, 2023.

Councilmember Ellis moved for approval. Councilmember Houghton seconded.

Mayor Goodwin stated that this group does a lot of good work.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Motion Passes.

- h. **RESOLUTION 23-22:** A Resolution by The Folly Beach City Council Increasing the Rates for Paid Parking From \$2.50 An Hour To \$3.00 An Hour and from \$10.50 Per Day To \$11.00 Per Day.

Councilmember Ellis moved for approval. Councilmember Barker seconded.

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, No; Mayor Goodwin, Yes.

Motion Passes, 6-1.

- i. **RESOLUTION 24-22** A Resolution by The Folly Beach City Council Awarding a Contract to Elko Coastal Consulting Inc. In The Amount Of \$7,600 To Complete an Island Wide Mapping of The Critical Line and Bulkhead Inventory. Councilmember Grooms moved for approval. Councilmember Ellis seconded. Councilmember Barker moved to replace the term Bulkheads to Erosion Control Devices. Councilmember Ellis seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Amendment Passes.

Resolution 24-22

Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Motion Passes.

- j. **RESOLUTION 25-22:** A Resolution by The Folly Beach City Council Authorizing the Administration to Apply for Greenbelt Funds For The Purchase Of 502 And 504 East Huron. Councilmember Grooms moved for approval. Councilmember Ellis seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Motion Passes.

- k. **RESOLUTION 26-22:** A Resolution Authorizing the Purchase of Embroidered Polo T-Shirts for Each Sitting Council Person Paid from The Council Discretionary Fund. Councilmember Houghton moved for approval. Councilmember Grooms seconded. Councilmember Houghton stated that the purpose of this resolution is to foster comradery and teamwork among council. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, No.

Motion Passes, 6-1.

- l. **RESOLUTION 27-22:** A Resolution Awarding \$1,000.00 To the Coastal Family Vacation Foundation to Provide Beach Vacations To South Carolina Residents Battling Cancer Recommendation of Community Promotions Committee. Councilmember Rich moved for approval. Councilmember Ellis seconded. Councilmember Barker, Yes; Councilmember Farley, Yes; Councilmember Grooms, Yes; Councilmember Houghton, Yes; Councilmember Ellis, Yes; Councilmember Rich, Yes; Mayor Goodwin, Yes.

All in Favor, Motion Passes.

12. CITY COUNCIL COMMENTS

- a. Councilmember Grooms stated that the Exchange Club is hosting their annual One Nation Under God Meeting and everyone is invited.
- b. Councilmember Ellis asked the public if anyone is wanting to serve on the Planning Commission, please reach out to him.
- c. Councilmember Farley thanked everyone for coming out to the meeting.
- d. Councilmember Houghton thanked council for the Civic Club money. She outlined the proposed Halloween schedule.
- e. Councilmember Barker thanked everyone that made it through the meeting and wished everyone a Happy Independence Day Holiday.

13. ADJOURNMENT 9:20pm

Which best describes your event? Select all that apply.

- Other events on the beach (photo shoot, sporting events, fundraisers, etc)

-

Main Contact

Joshua Mennona

Owner Name

Joshua Mennona

Cell Phone

(843) 460-5496

Organization (if applicable)

Southeastern Grappling Association

Address

3245 Glenn Mcconnell Pkwy Unit 828
Charleston, South Carolina 29414
United States
[Map It](#)

Email

jamen843@gmail.com

Event Location

Open to suggestion. No specific location picked yet.
United States
[Map It](#)

Reservation Date

07/30/2022

Beginning Time (including setup)

07:30 am

End Time (including breakdown)

12:00 pm

Estimated Number of Attendees

50

Start Date

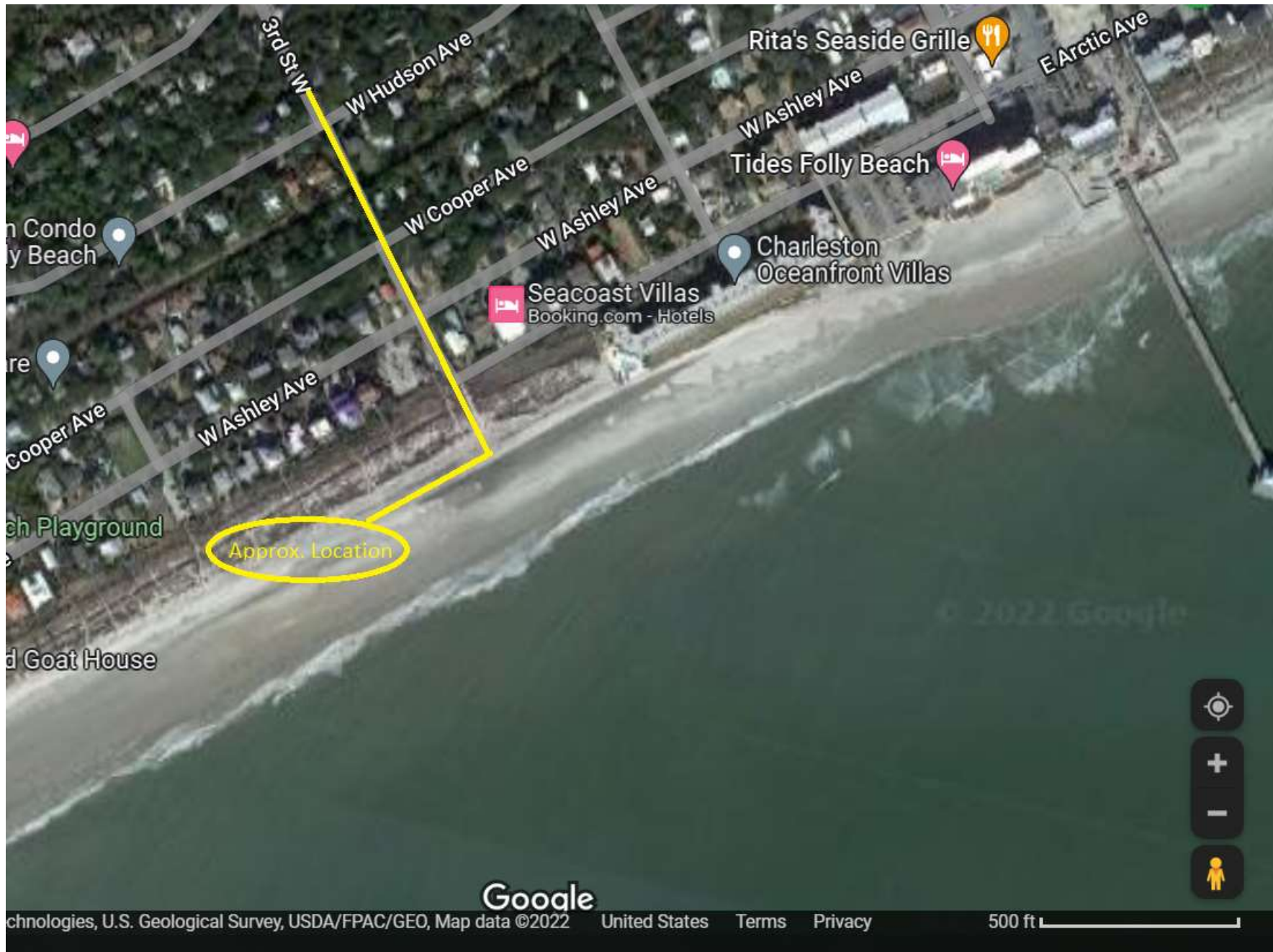
07/30/2022

End Date

07/30/2022

Event Name
Queen of the Beach
Purpose of Event
A female-only grappling event. (Similar to wrestling)
Description of Event
Queen of the Beach will be a female-only grappling event where a number of competitors compete on mats that we bring out and setup. The event is king-of-the-hill style where only one person will be left as the victor. These events tend to move very quickly. There is no striking, hitting, kicking, etc... of any kind. We would also like to look into a future date for King of the Beach, as well.
Please describe how your event meets the criteria in Section (B)(1)
-Our event will be open to spectators and is very exciting to watch. All residents are welcome to come see and enjoy the event with us. -Beach events are already very popular all over and we feel this will show a high quality of city/resident cooperation, friendliness and appeal. -The City of Folly Beach will benefit financially from the spectators and teams that visit for the event bringing in parking fees as well as tourism income and taxes collected as most parties will remain in the area to eat, hang out and shop. -If approved, our future event- King of the Beach- will promote tourism and benefit the business community in much of the same way as our previous response. Additionally, we would love to hold regular workout workshops throughout the year including between September 10th and April 30th.
Will inflatables, trampolines, mechanical rides, amusement rides, petting zoos or animals be at the event?
No
Is this event a sporting event?
Yes
By signing, you agree that you have read and will comply with the rules above and will be available at the phone number listed. You are responsible for complying with all city rules and ordinances.

[Reply](#)
[Reply all](#)
[Forward](#)





Joshua Mennona <jamen843@gmail.com>

Event near 3rd St West Inquiry

Shane Granigan <shane@islasurfschool-charleston.com> Wed, Jul 6, 2022 at 10:40 AM
To: Joshua Mennona <jamen843@gmail.com>

Hi Josh,

No problem at all. After our discussion on Saturday the grappling event will have no interference with our surf school. We look forward to seeing you out here!

Let me know if you need anything else.

Best, Shane



Shane Granigan

Director of Operations, Isla Surf School

(843) 813 7897 | shane@islasurfschool-charleston.com

www.islasurfschool.com

3rd Street West, Folly Beach, SC



On Jul 6, 2022, at 10:36 AM, Joshua Mennona <jamen843@gmail.com> wrote:

[Quoted text hidden]



Joshua Mennona <jamen843@gmail.com>

FBTW Program Clearance for August 13 Grappling Event

Dave miller <deacondave73@gmail.com>

Fri, Jun 24, 2022 at 3:21 PM

To: Wesley Graham <wgraham@follybeach.gov>

Cc: Joshua Mennona <jamen843@gmail.com>

Wesley - I talked with Joshua Menona regarding the grappling event he plans to sponsor on August 13th on the beach near 3W from approximately 8 AM until noon. I told him that this event would not interfere with nest laying activities or nest hatching activities. However it is possible there could be a nest in that area in which case he would need to make sure all participants and attendees avoid the nest. Currently there is no nest in that area and typically it is a low nesting area. So it is probable that there will be no nest within a block of the 3W walk over on August 13. However, Joshua will call me approximately August 1 at which time we will know if there's a nest there. If there is a nest in that area, we will discuss how he can ensure the nest is undisturbed during his event. So I see no reason that this event would interfere with the turtles on Folly Beach. Don't hesitate to contact me if you have any questions.

—Dave Miller

SCDNR 2022 Permit No. MTP520

From: Christina Lope <christina@lorkids.org>
Sent: Tuesday, July 5, 2022, 17:41
To: Eric Lutz <elutz@follybeach.gov>
Subject: Re: Cones-LOR Beach Day, Saturday, August 13, 2022

Hi again,

Sorry I didn't provide you this info sooner and thank you so much for your willingness to speak on my behalf. Please let me know if you do need me in attendance though, I'm happy to be wherever is needed. Please see the event info below:

Event: Lowcountry Orphan Relief's annual Folly Beach Day

Date: Saturday, August 13, 2022

Location: 1017 West Ashley Ave., Folly Beach, SC 29439 (First Baptist Church Beach House)

Time: 10:00a-2:00p

Volunteers: 30-50 volunteers (ages 21+ w/cleared SLED background checks) will arrive one hour before the event begins (9:00am) for event setup and leave about 30 mins-1 hour after the event concludes for event breakdown/clean up (2:30p/3:00p)

Guests in Attendance: LOR invites foster families/group homes served through our organization to join at this event. LOR typically will see roughly 100 children in attendance on this day along with parents/guardians/chaperones

Activities: Isla Surf School (sponsors surf lessons), Folly Beach Chair Company (sponsors beach gear for the day), sandcastle competitions, boogie boarding, Kona Ice, jumping waves/swimming, seashell hunting
Lifeguards: LOR hires 2 Folly Beach lifeguards each year through CCPRC for this event

Security: LOR hires 2 off-duty officers through The City of Folly Beach each year for this event

Please let me know if you need any additional information on this event.

Thanks again, Eric!

Christina Lope
Program Director
Mailing Address: PO Box 70185, North Charleston, SC, 29415
Distribution/Donation Center: 1850 Truxtun Ave, North Charleston, SC, 29405
(843) 747-4099 x101

[Volunteer With Us!](#)

[Local Donation Drop-Off Sites](#)

www.LowcountryOrphanRelief.org

[Facebook- Lowcountry Orphan Relief](#)

[Instagram](#)



Donations received: Monday-Friday, 9:00a-4:00p

LOR Donation Guidelines

NEW or LIKE NEW items:				Only NEW items:			
shirts	pants	uniforms	shoes	new underwear	new socks	new toiletries	school supplies
backpacks	pajamas	coats	dresses	We DO NOT accept:			
plush stuffed dolls	books	accessories	bras	ANY toys or games	products that contain alcohol	used undergarments	shaving items
				bedding	baby equipment	stained/orn pet fur/smoke	age inappropriate

*Please consider our volunteers by following these guidelines and pre-sorting your donation.

lowcountryorphanrelief.org



CITY OF FOLLY BEACH

1st Reading: June 28th, 2022
2nd Reading: July 12th, 2022

Introduced by: Mayor Goodwin
Date: June 28th, 2022

ORDINANCE 027-22

AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 117 (SHORT TERM RENTALS) BY CHANGING THE REQUIREMENTS FOR BUSINESS LICENSES AND RENTAL REGISTRATION PERMITS FOR SHORT TERM RENTALS, AMENDING THE VIOLATIONS SUBJECT TO RENTAL STRIKES, AND LOWERING THE NUMBER OF STRIKES REQUIRED PRIOR TO THE INITIATION OF LICENSE REVOCATION

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that Folly Beach Code of Ordinance be amended as follows:

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

NOTE: Highlighted items reflect amendments made on first reading,

117.023 LICENSE, REGISTRATION, AND TAX REQUIREMENTS.

Any owner wishing to operate 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 ~~B~~**business** licenses must be **obtained and** renewed annually by the submittal of a form and fee as established by the ~~e~~**City for each residential dwelling unit or portion thereof offered as a short-term rental.**

(1) No business license shall be issued for rental until a Certificate of Occupancy is issued for the residential dwelling unit to be rented.

(2) A business license shall only be issued to owners of a residential unit. Lessees of residential dwelling units may not apply for a business license to rent the unit.

(3) A designated agent may apply for a short-term rental business license on behalf of an owner. An application for a business license submitted by a designated agent 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.

~~The business license account number and the maximum occupancy for each short term rental must be prominently displayed in the rental unit, as well as in any advertisement for the rental of the unit, excluding signs posted on the rental property.~~

(B) *Rental registration permit.* ~~Each new short term rental license application must be accompanied by an application form provided by the city and must be renewed on an annual basis.~~ A rental registration permit must be obtained and renewed annually by the submittal of a form and fee as established by the City for each residential 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) No new business license to operate a short-term rental shall be issued prior to the approval of a rental registration permit.

(b) Renewals of valid prior year business licenses shall be allowed prior to the approval of a rental registration permit. Failure to complete a rental registration permit application within thirty (30) days of the business license renewal date shall be grounds for revocation of the license.

(2) *Annual fee.* The fee for an Assessment Restricted Rental registration permit shall be \$360 annually. The fee for a Non-Restricted Rental registration permit shall be \$1,825 annually.

(3) A rental registration permit shall only be issued to owners of a residential unit. Lessees of residential dwelling unit may not apply for a rental registration permit.

(4) A designated agent may apply for a short-term rental business license on behalf of an owner. An application for a rental registration permit submitted by a designated agent 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.

(25) *Change in registered information.* The owner, or designated agent, of a rental dwelling already registered with the city shall re-register within 60 days after any change occurs in the registration information. There shall be no additional fee upon change of registration information except that A new owner of a registered dwelling, upon application for a new business license, shall re-register the dwelling and pay the appropriate fee within 60 days of assuming ownership.

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

(a) The street address of the rental dwelling unit;

(b) The number of rental dwelling units unit number if applicable;

(c) The number of bedrooms in each rental dwelling unit;

(d) The number of parking spaces provided on site for each rental dwelling as well as a site plan showing the location of all onsite parking spaces. One onsite parking space must be

provided for each bedroom being rented. This requirement shall not apply to multifamily housing or residential units approved by the City for resident only parking signs in the right of way.

(e) The maximum overnight occupancy of each rental dwelling unit, which shall not exceed two persons per bedroom, plus two additional people per rental 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 names, mailing addresses, business phone numbers, personal phone numbers, and business addresses of the owner and local agent;

(h) The physical address and email address where the owner and/or local agent will accept notices and orders from the eCity and acknowledgement that service by U.S. Mail and/or transmission to the provided email addresses will constitute acceptable service of any notice, notice of violation, ordinance summons, or ticket;

(i) Certification that the owner has read applicable eCity ordinances, including, but not limited to, 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;

(j) Certification that the owner has prominently posted within the property a copy of the parking diagram provided to the City for the property as well as a summary of applicable eCity ordinances, including, but not limited to, 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 is prominently posted within the residential dwelling unit to be rented;

(k) Certifications that tenants listed on any rental agreement shall receive a copy of the parking diagram provided to the City for the property as well as a summary of eCity ordinances, including, but not limited to, 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. The summary of applicable ordinances shall be in a form determined by the eCity, and made available to all owners of rental property.

(l) A valid Charleston County Accommodations tax account number along with receipts for payment of prior year taxes due.

(m) A South Carolina Department of Revenue account number with receipts for payment of prior year sales and accommodations taxes due.

(~~l~~ n) Certification that the owner is aware that, upon receiving four or more notifications that occupants or guests have received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period, penalties may be assessed, including business license revocation or non-renewal. short term rental licensees shall be subject to strikes issued against the license when the owner, agent, occupant, or guest has been convicted of any violation of the requirements of this Chapter or other City ordinances related to 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.

(o) 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.

(p) A valid SCDHEC permit showing an approved septic system with a capacity of 120 gallons per day for each bedroom advertised for rent. Certification by a licensed septic installer may also meet this requirement. No permit is required if the property to be rented is served by sewer.

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

~~(4) Inaccurate or incomplete registration information. It shall be a violation of this chapter for an owner to provide inaccurate information for the registration of rental dwellings, or to fail to provide information required by the application form.~~

(57) *Designation of local agent.* The owner of a rental dwelling shall designate a responsible agent who shall be responsible for operating the rental dwelling in compliance with the law. Official notices may be served on the responsible local agent and/or the owner, and any notice served on the 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 agent.

(b) Non owner agents must be licensed by the State of South Carolina as an attorney, real estate agent, broker in charge, or property manager.

~~(b c)~~ The agent shall be required to be able to physically respond to notification from the City the site within 30 60 minutes in case of emergency or need by the eCity for entry into the property.

~~(68)~~ *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 for the register 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) *Violations and penalties.*

~~(1) Violations. It shall be a violation of this chapter to~~ Violations of this Chapter include but are not limited to:

(a) ~~Operate~~ Operating a short-term rental without complying with the requirements of this eChapter and the eCity code of ordinances;

~~(e b)~~ Advertise Advertising a property as being available as a short term rental without first complying with the requirements of this chapter;

(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) ~~Advertise~~ **Advertising** a short term rental as being available for more overnight occupants than have been permitted pursuant to this chapter;

(g) ~~Expand~~ **Expanding** the allowable occupancy of a short term rental without obtaining a new permit;

(h) ~~Advertise~~ **Advertising** more short term rental units on a property than have been permitted pursuant to this chapter. **For example, advertising a single-family dwelling as accommodating multiple short term rentals is not permitted;**

(i) ~~Advertise~~ **Advertising** a property as a short-term rental or “event house” for events or parties with more than ~~49~~ **25** people in attendance; or

(j) **Offering a short-term rental in any zoning district for fewer than two (2) consecutive nights;**

(k) Failure to post the business license number, rental registration permit number, allowable overnight occupancy, and City approved beach rules prominently within a rental unit;

(l) Failure to obtain a rental registration permit within 30 days of renewing a business license, failure to provide accurate information for the registration of rental dwellings, failure to provide information required by the application form;

(m) Failure to complete a new rental registration permit application within 60 days of a change in ownership;

(n) **Failure of the designated agent listed on the rental registration permit to respond within sixty (60) minutes of notification from the City of an emergency.**

(o) Failure to maintain, and provide to the City, any and all information required in 117.04.A.

(p) Failure to provide tenants listed on any rental agreement information as required under 117.04.B.

(q) Operating a business out of a short-term rental or otherwise using a short-term rental for non-residential use.

(r) ~~Operate~~ **Operating** a short term rental ~~that has received four or more notifications of occupant or guest violations of noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six-month period.~~ **that has received three strikes within any twelve month rolling period.**

1. The number of allowable notices and violations **strikes** shall be reset upon a change of ownership that results in no overlap with prior common ownership.

2. For the purpose of determining the total number of notifications to the owner **strikes**, all written warnings and **convictions stemming from** violations occurring within a single rental contract period shall be considered one instance. In no case shall notifications to the owner **strikes** exceed one per rental contract period.

(2) *Penalties.*

—(a)—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 can **may** result in the following penalties:

(a) ~~a civil penalty pursuant to § 110.99.~~ 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) ~~Revocation, or suspension, or non-renewal of a business license pursuant to §§ 110.14 or 110.15 and in accord with the appeal procedures set forth in § 110.16. 110.17, or the non-renewal of the license.~~

~~(b)(c) Short term rental licensees shall be subject to graduated penalties as the licensee receives notifications that an occupant or guest has received a written warning or citation for noise, trash, turtle lighting, requirements for special events, or exceeding maximum occupancy during any rolling six month period.~~ **Revocation, suspension, or non-renewal of the short term rental business license, in accord with the appeal procedures set forth in § 110.16, for three strikes during a rolling twelve month period. The license will be assessed a strike when the owner, 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 and when the registered agent of the property is given notice of the strike as set forth herein.** For the purpose of determining the total number of **strikes**, notifications to the owner, all written warnings and **all convictions** violations occurring within a single rental contract period shall be considered one **strike**. instance In no case shall notifications to the owner **strikes** exceed one per rental contract period. The licensee may respond within ten days of receiving the certified notice with evidence that demonstrates that the notice was issued in error. **Strikes will re-set upon the sale of the property. The City will provide notice of each strike to the registered agent of the property as follows**The graduated penalties are:

1. First ~~strike violation:~~ a description of the violation committed by the tenant **and resultant conviction**, and a warning that progressive action shall be taken by the ~~e~~City in the case of further violations.

2. Second ~~strike violation:~~ a description of the violation committed by the tenant **and resultant conviction**, and a second warning that progressive action shall be taken by the city **the City shall initiate revocation of the rental license** in the case of further violations.

3. Third ~~strike violation: a description of the violation committed by the tenant and resultant conviction, a civil penalty of \$500, and a third warning that progressive action shall be taken by the city in the case of further violations and notice of the initiation of license revocation procedures.~~

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

(Ord. 19-10, passed 9-28-10; Am Ord. 26-17, passed 1-9-18; Am. Ord. 32-19, passed 11-12-19; Am. Ord. 033-21, passed 11-9-21)

§ 117.034 ADDITIONAL REQUIREMENTS FOR SHORT TERM RENTALS.

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

(3) 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 agent; and

(3) A copy of the parking diagram provided to the City for the property as well as a copy of the city's rules and 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.

(C) Each residential dwelling unit, whether licensed as an Assessment Restricted rental or Non Restricted rental, may contain only one short term rental. Individual rooms in short term rentals may not be rented under separate contracts at the same time. For example, a single family home or individual multifamily unit may only be rented as a single short term rental under one contract.

(D) Any events held on the premises of a short term rental 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 are allowed at events on the premises of short term rentals.

(E) All special events held after August 1, 2018, on the premises of a short term rental shall meet the following requirements:

(1) May not exceed ~~49~~ 25 people; and

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

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

(Ord. 26-17, passed 1-9-18)

RATIFIED this 12th day of July 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

1st Reading: July 12th, 2022
2nd Reading:

Introduced by: Mayor Goodwin
Date: July 12th, 2022

ORDINANCE 024-22

AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES SECTION 72.24 (TIMED PARKING ON CENTER STREET) BY REMOVING THE EXEMPTION FOR RESIDENTIAL PARKING PASSES IN TIMED PARKING AREAS.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that Folly Beach Code of Ordinance be amended as follows:

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

72.24 TIMED PARKING ON CENTER STREET.

(A) City Council hereby designates Center Street as a timed parking area in which a limit is established for the duration of time a vehicle may be continuously parked.

(B) It shall be unlawful to stand or park a vehicle in any public parking space on Center Street for longer than two hours between the hours of 6:00 a.m. and 6:00 p.m.

(C) The penalty for parking beyond the allowed time limit shall be \$60 as described in § 72.17(A)(5).

~~(D) Vehicles with valid Folly Beach residential decals shall be exempt from the limits in this section.~~

RATIFIED this ____ day of ____ 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: July 12th, 2022

Re: Removing Parking Exemption

Mayor/Council,

SCDOT informed the City on May 31st, 2022 that there was no approval for a residential exemption to the timed parking areas on Center Street and formally requested that the City take action to correct this issue. The City informed the DOT that we would initiate an ordinance amendment in July to comply.

Aaron Pope, AICP
City Administrator



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin
Date: July 12th, 2022

RESOLUTION 28-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL REAPPOINTING THE BUSINESS LICENSE HEARING OFFICER TO COMPLY WITH THE STATEWIDE STANDARDIZED BUSINESS LICENSE ORDINANCE.

WHEREAS, The City of Folly Beach previously amended its Code of Ordinances to appoint a Business License Hearing Officer as the designee of Council for appeals related to business licensing matters; and

WHEREAS, The City has contracted this service since 2019 and funds are included in the FY23 Budget; and

WHEREAS, The 2021 statewide standardized business license ordinance repealed and replaced the previous business license code in its entirety, including previous amendments made by Council related to the appointment of a designee; and

WHEREAS, There exists a continuing need for this service; and

WHEREAS, The City wishes to reaffirm the appointment of Christine Varnado as the designee of Council under Section 110.16 of the new standardized ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that Christine Varnado be appointed as Business License Hearing Officer, to serve at the pleasure of the Mayor as authorized by Section 110.16 of the Folly Beach Code of Ordinances.

RATIFIED this 12th day of July 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: July 12th, 2022

RESOLUTION 29-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL AUTHORIZING THE ADMINISTRATION TO SIGN A PURCHASE AGREEMENT FOR 502 AND 504 EAST HURON CONTINGENT ON A SUCCESSFUL APPLICATION FOR CHARLESTON COUNTY GREENBELT FUNDS.

WHEREAS, Whereas the City desires to conserve open space where possible, including through the purchase of private property; and

WHEREAS, The Charleston County Greenbelt Program has funds set aside for the City of Folly Beach specifically for this purpose; and

WHEREAS, City Council approved an application for Greenbelt funds in June, 2022; and

WHEREAS, The subject properties appraised for significantly more than the proposed purchase price allowing the City to pursue an application which uses the difference between value and sale price as the primary match; and

WHEREAS, A signed purchase agreement is necessary to complete the Greenbelt application.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina as follows:

That the Administration is authorized sign a purchase agreement for 502 and 504 East Huron for \$385,000 (funded through the Charleston County Greenbelt Program) to include any additional associated real estate transaction and grant application costs.

RATIFIED this 12th day of July 2022 at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



City of Folly Beach

Date: July 12th, 2022

Re: Purchase Agreement For 502 And 504 East Huron

Mayor/Council,

Last month Council approved a Greenbelt application to pursue the purchase of 502/504 East Huron. We have since learned that, because the properties appraised for more than the purchase price, our cash match can be reduced from \$150,000 to approximately \$15,000-\$25,000. The properties appraised at \$600,000. The \$215,000 difference between this value and the sale price of \$385,0000 will count as the majority of our match. We now need a signed purchase agreement to pursue the project as a bargain sale and use the appraised value of the land as our match.

Aaron Pope, AICP
City Administrator



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin
Date: July 12th, 2022

RESOLUTION 30-22

A RESOLUTION BY THE FOLLY BEACH CITY COUNCIL ADOPTING THE FEMA-APPROVED 2019 CHARLESTON REGIONAL HAZARD MITIGATION PLAN AND PROGRAM FOR PUBLIC INFORMATION.

WHEREAS, The County of Charleston has experienced the effects of natural and man-made hazard events; and

WHEREAS, The Charleston County Council approved the formation of the Charleston Regional Hazard Mitigation Project Committee that has prepared a FEMA-approved *Charleston Regional Hazard Mitigation Plan and Program for Public Information Plan*; and

WHEREAS, The *FEMA-approved 2019 Charleston Regional Hazard Mitigation Plan and Program for Public Information Plan* has been widely circulated for review by residents / business organizations / professional organizations of the unincorporated and incorporated areas of Charleston County, state, federal, regional and local government agencies and has been supported by those reviewers; and

WHEREAS, The City of Folly Beach has adopted the *Charleston Regional Hazard Mitigation Plan and Program for Public Information Plan*, most recently readopted it on August 22, 2019 and is required to adopt the amended version of this plan on a five-year cycle for the City of Folly Beach to remain eligible for certain Federal programs in which the City of Folly Beach participates; and

NOW THEREFORE be it resolved that

1. The *FEMA-approved 2019 Charleston Regional Hazard Mitigation Plan and Program for Public Information* is hereby adopted as an official plan of the City of Folly Beach, and
2. The Charleston Regional Hazard Mitigation Project Committee is

recognized as a continuing entity charged with reviewing, maintaining the *Charleston Regional Hazard Mitigation Plan and Program for Public Information Plan* in accordance with Community Rating System, Flood Mitigation Assistance, Disaster Mitigation Act and Public Information Plan requirements, and periodically reporting on the progress towards and revisions to the plan to the City Council of Folly Beach.

RATIFIED this 12th day of July 2022 at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



CITY OF FOLLY BEACH

Introduced by: Mayor Goodwin

Date: July 12th, 2022

RESOLUTION 31-22

A RESOLUTION AWARDING \$2,000.00 TO THE FOLLY BEACH EXCHANGE CLUB TO ASSIST IN LOCAL SCHOLARSHIPS AND OTHER VOLUNTEER ENDEAVORS BY RECOMMENDATION OF THE COMMUNITY PROMOTIONS COMMITTEE.

WHEREAS, The City of Folly Beach has created a Community Promotions Committee; and

WHEREAS, The City of Folly Beach has budgeted a certain amount of funds under an account called "Community Promotions"; and

WHEREAS, The Community Promotions Committee believes that it is in the best interest of the citizens of Folly Beach to recommend an award of \$2,000.00 to the Folly Beach Exchange Club for approval by City Council; and

WHEREAS, City Council wishes to approve the funds recommended by the Community Promotions Committee.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Folly Beach, South Carolina, hereby ratifies and approves the sum of \$2,000.00 to the Folly Beach Exchange Club as recommended by the Community Promotions Committee.

RATIFIED this 12th day of July 2022, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Tim Goodwin, Mayor



COMMUNITY PROMOTION COMMITTEE

July 6, 2022
6:00 pm
Council Chambers

Committee Members:
Bill Sypolt, Chair
Thom Peragnoli
Roger Rutledge
Lesley Watson-Miller

Regular Meeting Minutes

1. Call to Order/Roll Call—6:01pm

Present: Rutledge, Sypolt, Peragnoli, Watson-Miller
Staff Present: Wes Graham, Lacey Deeds

2. Approval of Agenda No objections

3. Approval of Previous Minutes: June 7, 2022

No objections

4. New Business:

a. Appointment of New Chair

Nomination of Bill Sypolt made by Watson-Miller. Second Rutledge. Sypolt accepted nomination. Approved unanimously

b. Request of Funds: Exchange Club

Tara Anderson gave outline of mission for non-profit club, including use of funding. Watson-Miller inquired where the money would be spent. Anderson responded with educational scholarships for resident kids, flags for many occasions, Thanksgiving meals for elderly, meals for public safety and public works, volunteers. This is the first time the Club has asked for money in 70 years.

Sypolt stated this is a wonderful club that does many things for the community and appropriate ask. Made motion to award full \$2000. Passed unanimously

5. Adjournment Motion made by Watson-Miller at 6:21 pm