



Public Safety Committee
10:00 a.m., Tuesday, January 16, 2024
City Hall Council Chambers
1207 Palm Boulevard, Isle of Palms, SC

Public Comment:

Citizens who wish to speak during the meeting must email their first and last name, address and topic to Nicole DeNeane, City Clerk, at nicoled@iop.net no later than 3:00 p.m. the day before the meeting. Citizens may also provide written public comment here: <https://www.iop.net/public-comment-form>

Agenda

- 1. Call to order and acknowledgement that the press and the public have been duly notified of the meeting in accordance with the Freedom of Information Act.**
- 2. Election of Chair and Vice Chair**
- 3. Citizen's Comments** – All comments have a time limit of three (3) minutes.
- 4. Approval of previous meeting's minutes** – August 1, 2023, and September 28, 2023.
- 5. Old Business**
 - a. Annual review of automatic aid agreement for fire, technical rescue, hazmat, and marine fighting
 - b. Discussion and consideration of changes to the noise ordinance
 - c. Update on SCDOT restriping of the connector
 - d. Update on island wide walkability study
- 6. New Business**

Discussion of policy initiatives and projects for the committee to pursue in 2024.
- 7. Miscellaneous Business** – Next meeting date: February 6, 2024
- 8. Adjournment**



**Public Safety Committee Meeting
10:00am, Tuesday, August 1, 2023
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Ward and Anderson

Absent: Council Member Hahn

Staff Present: Administrator Fragoso, Director Kerr, Captain Swain, Battalion Chief Hathaway

2. Approval of Previous Meeting Minutes – May 2, 2023

Council Member Anderson made a motion to approve the minutes of the May 2, 2023 meeting, and Council Member Ward seconded the motion. The motion passed unanimously.

3. Citizen's Comments

Al Clouse's comments are attached to these minutes. Both Council members Ward and Anderson requested Mr. Clouse refrain from personal attacks in his comments.

4. Old Business

Council Member Ward said items B and C from the agenda will be postponed until a later meeting to give staff time to review the proposals for paid parking.

A. Presentation and discussion of noise study conducted by the Wild Dunes Sweetgrass Inn

Ms. Terri Haack of Wild Dunes shared some details of the noise studies conducted recently at the Sweetgrass Inn. She said, "The draft ordinance states that a violation occurs when sound readings exceed the limit continuously for a period of 30 seconds or when the sound reading exceeds the limit for less than 30 seconds but occurs more than six times within two minutes. This will take a trained person to validate the results when called to take a reading. Are we prepared to ensure that these complicated readings will be accurate? Is there another way? The red dashes on the report that I provided for you represent the highest sound level within an hour. These sound events are very short in duration and are attributable to a sundry of sources within and without the property and do not represent a violation of the noise ordinance as proposed. They give us a representation of the range of variation of the sound for all surroundings throughout the hour. In viewing the results of our study, it's important that the proposed noise

ordinance levels of 75 decibels for commercial properties, including Islander 71, remain at 75 decibels or a bit higher for amplified music. This will allow commercial properties to operate within the guidelines for the surrounding neighborhoods to be protected. This will also reduce the need to ask Council for a variation for most group activities at Sweetgrass Inn and pool area. We do want to be a good neighbor, and we respect the families who live around Sweetgrass Inn. We have taken many steps to mitigate noise from the resort pool and the sixth floor. I would encourage you to reach out to the owners of businesses on Front Beach regarding the proposed 85 decibel restriction. It is my understanding that 85 decibels may be too restrictive for some businesses on Front Beach. Adherence to this important noise ordinance in all of the proposed decibel restrictions must be enforced equally throughout the City.”

Council Member Ward asked Ms. Haack to attend the next City Council meeting to share this information with the entire Council. Ms. Haack said she could come to the August 22 meeting but was unsure she could attend the August 8 meeting.

5. New Business

A. Approval of vehicle replacements and purchases for Police Department

- i. Ford SUV Police Vehicle - \$48,626 (State contract) [FY24 Budget, Capital Projects Fund, Police Department, \$52,000]**
- ii. Dodge Durango Police Vehicle - \$41,790 (State contract) [FY24 Budget, Muni ATAX Fund, Police Department, \$52,000]**
- iii. Dodge 1500 Animal Control – \$40,167 (State contract) [FY24 Budget, Hospitality Tax Fund, Police Department, \$48,000]**
- iv. Dodge 1500 Code Enforcement Vehicle - \$37,413 (State contract) [FY24 Budget, State ATAX Fund, Police Department, \$46,000] – Vehicle for new Code Enforcement position**

MOTION: Council Member Ward made a motion to recommend to City Council the approval of the purchase of the Ford SUV. Council Member Anderson seconded the motion.

Administrator Fragoso explained the intended use of each vehicle. Council Member Ward then withdrew his motion to approve, and Council Member Anderson withdrew her second.

MOTION: Council Member Ward made a motion to recommend to City Council the approval of the purchase of all four vehicles. Council Member Anderson seconded the motion. The motion passed unanimously.

B. Approval of replacement of 6 Mobile Data Terminals (MDTs) for Fire Department - \$36,000 [FY24 Budget, General Fund, Fire Department, IT Equipment, Software & Services, \$36,000]

MOTION: Council Member Anderson made a motion to approve, and Council Member Ward seconded the motion. The motion passed unanimously.

C. Approval of overhead fans for apparatus bay at Fire Station 1 in an amount of \$65,025 [FY24 Budget, Capital Projects Fund, Fire Department, Building Maintenance, \$126,620]

Battalion Chief Hathaway said these large fans will allow for better airflow that will help dry equipment faster and keep birds from flying around the bay.

MOTION: Council Member Ward made a motion to approve, and Council Member Anderson seconded the motion. The motion passed unanimously.

D. Discussion and approval of design of new emergency vehicle beach access at the IOP County Park

Administrator Fragoso reminded Committee members of the impetus of this project and explained the effort to design the project has been a collaborative one between the City and the County Park staff. She shared some details of the design, and said that while some small changes are anticipated, there has been general agreement among the stakeholders on the project.

After receiving approval from City Council and PRT, she hopes to secure a contractor by November so that a Notice to Proceed can be issued in January, and the project completed prior to the start of the next beach season. She said permits would be needed if the project goes beyond the critical line, but she does not anticipate that being the case.

Battalion Chief Hathaway said the new path will hold mules, ATVs, and an ambulance.

MOTION: Council Member Ward made a motion to recommend to City Council the approval of the design. Council Member Anderson seconded the motion. The motion passed unanimously.

Council Member Ward asked Administrator Fragoso to set up a tour of the County's Command Center in North Charleston.

E. Discussion regarding implementing safety measures on 29th Avenue and Waterway Boulevard intersection

Referencing a recent comment submitted by a citizen who counted speeders in the area, Council Member Ward asked what could be done to make the intersection safer. Administrator Fragoso said staff recognizes it is a highly utilized area with a lot of foot traffic near the Recreation Center. Staff has been discussing the placement of a mobile speed sign there to gather more data so that they can make the proper recommendations. She reminded the Committee of the joint effort by the City and the CVB to conduct a walkability study that will identify locations for sidewalks and crosswalks to enhance the island's pedestrian infrastructure.

She said, "My recommendation would be that we put up a speed radar in that location for a few weeks, gather data, go back to SCDOT and see, according to their standards, what traffic calming measures we can consider and implement and request their approval for. And then ultimately include that specific location and make sure that walkability study looks at that

particular issue and it is included in the recommendation for the better walkability infrastructure there.”

Captain Swain said that area is the second most enforced area on the island and appreciates citizens pointing out the need for additional enforcement.

Council Member Anderson suggested including the City’s traffic consultant in the study of this area and timing it, the walkability study, and SCDOT’s design recommendations for Palm Boulevard to encourage comprehensive solutions. She also suggested the City’s traffic consultant could assist with the preparation of the RFP for the walkability study. Administrator Fragoso noted that the contractor selected for the walkability study will need to work closely with SCDOT since the State owns the roads.

6. Miscellaneous Business

Council Member Anderson said, “I would just like to say that if anyone has an ethics concern by anyone on City Council they are free to submit an application to the South Carolina Ethics Commission for an opinion that they can receive and present. I have submitted a record and a question to the Ethics Commission and received a response from the Commission that I have posted, and anyone else can do the same. But I will not be submitting another question at this time.”

The next meeting of the Public Safety Committee will be Tuesday, September 5, 2023 at 10:00am.

7. Adjournment

Council Member Anderson made a motion to adjourn, and Council Member Ward seconded the motion. The meeting was adjourned at 10:53am.

Respectfully submitted,

Nicole DeNeane
City Clerk

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**Public Safety Committee 8/1/23; Clouse Comments (Meeting No. 18 since 4/13/2022)
Regarding Noise Ordinance; Nuisance.**

Requesting for the **twelfth (12th) time** (twice in writing) to provide us written assurances regarding enforcement of **§ 9-2-5 (b)(c)**. **"Amplified Music"** is unlawful and the core of the very nuisance which has been created.

Could someone please tell me the reason we are not getting written assurances?

At CC meeting 7/25/23 we pointed out a number of missing facts Mrs. Anderson failed to disclose to the Ethics Commission regarding her conflicts of interest. We respectfully requested she readdress and disclose the missing facts to the Ethics Commission. Looking forward to an update from the Ethics Commission and Mrs. Anderson's revised letter.

Today's agenda under Old Business: The presentation and discussion of the noise study conducted by the Wild Dunes Sweetgrass Inn. Looking forward to the noise abatement implementations which are suggested in the study.

While we are on the topic, we had a noise disturbance from the Sweetgrass Friday night; called IOP Police (not using the 911 line, which we never have). There was a group under the portico having a party; we could hear the music in our house (yes, TV on/doors/windows closed). Now, a number of you in here have been to our house. The explanation we received from the officer was the group provided their own amplifier and music. The officer stated he did not issue a ticket because "it was not a resort event". The officer did tell the group to turn down their music. The officer also stated as he was leaving the hotel, another group was coming in with their amplifier. I believe he gave the group a preemptive warning. The officer was very polite when I spoke with him on the phone and I did not argue with him.

Mrs. Haack, is this a new program you are offering? Instead of the socially accepted b/y/o/b (bring your own bottle), the hotel now offers a b/y/o/a (bring your own amplifier)! Mrs. Haack, we would appreciate you performing due diligence on this issue; we do not believe you were aware of the "work around" amplified music.

To the administration: what makes the difference whether it is, or is not, an event by the resort? A noise violation (amplified music) is a noise violation. We believe the resort knows better; and if they do not, they should. The resort could not help but hear what we were hearing. They were negligent in not stopping the amplified music from the "non-resort event". Someone owned/provided, and was responsible for the amplifier; issue that person a ticket. Just as our police issue tickets to the driver of the car, not necessarily the passengers in the car.

This "non-resort event" disturbed our livability. After two and a half (2 1/2) years the resort has not learned their lesson.

WILLIAMS
GREINER
LILLEN
KRAUSE
WIEMANN
KNAB



**Special Public Safety Committee Meeting
10:00am, Thursday, September 28, 2023
1207 Palm Boulevard, Isle of Palms, SC and
broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>**

MINUTES

1. Call to Order

Present: Council members Ward, Anderson, and Hahn

Staff Present: Administrator Fragoso, Chief Cornett

2. Purpose - – Presentations from parking management and enforcement vendors

Representatives from The Car Park, Pivot Parking, Municipal PCI, and One Parking gave presentations about their parking management and enforcement offerings. Each team spoke about how they would manage parking around the island, how they intend to staff and train their parking management team, proposed signage notifying the public of parking payment options, the use of LPR technology in parking management, other municipalities in which they currently manage parking, proposed management of residential parking permits, and options to notify the public of the locations of open parking spaces. Each team also presented high-level financial compensation packages. All teams indicated their parking management program will increase parking revenue for the City.

Committee members will assess each team with evaluation criteria provided to them and will give that to staff. Staff will compile the results and bring them before the City Council at the October workshop.

3. Adjournment

Council Member Hahn made a motion to adjourn, and Council Member Anderson seconded the motion. The meeting was adjourned at 12:49pm.

Respectfully submitted,

Nicole DeNeane
City Clerk

ORDINANCE 2023-08

AN ORDINANCE AMENDING TITLE 9, OFFENSES, CHAPTER 2, OFFENSES AGAINST PUBLIC PEACE, TO REPEAL AND REPLACE SECTION 9-2-5, NOISE, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES.

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

SECTION 1. That Section 9-2-5, “Noise,” is hereby deleted in its entirety and replaced with the following new Section 9-2-5, “Noise,” to state as follows:

“Sec. 9-2-5. Noise.

- a. *Definitions.* In addition to the common meaning of words, the following definitions shall be used in interpreting this section.
 1. *A-weighted scale.* ~~The sound pressure level, in decibels, as measured with the sound level meter using the “A” weighted network (scale). The standard unit notation is “dB(A).” The correction factor applied to a sound pressure measurement as defined in ANSI/IEC documentation.~~
 2. *Amplified sound.* ~~Sound augmented by any electronic means which increases the sound level or volume. the use of any radio, TV, amplified musical instrument (including but not limited to brass or drum instruments), or other amplification device or apparatus making or reproducing music, voice or other sounds.~~
 3. *ANSI.* American National Standards Institute or its successor bodies.
 4. *Complainant.* Any owner, lessee, manager or person with a legal interest in real property within the corporate limits of the City who reports to the police department being disturbed by sound heard at their residence or place of business and not originating therefrom.
 5. *Construction.* ~~On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting and landscaping.~~
 6. *dB(A).* ~~Sound level in decibels, determined by the “A” weighted~~

~~scale of a standard sound level meter having characteristics defined by the American National Standards Institute, Publication ANSI, S 1.4-1971, or its successor publication(s).~~

- ~~7. *Decibel (dB)*. a unit of level which denotes the ratio between two quantities which are proportional to power; the number of decibels corresponding to the ratio of two amounts of power is ten times the logarithm to the base ten of this ratio. A logarithmic (dimensionless) measure used in describing the amplitude of sound.~~
8. *Excessive noise*. Any unnecessary or unusually loud sound or any sound which disrupts the peace and quiet of any neighborhood and which does annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensibilities.
9. *Emergency work*. Work made necessary to restore property to a safe condition, work required to protect, provide, or prevent persons or property from danger or potential danger, or work by a private or public utility when restoring utility service.
10. **Equivalent Continuous Sound Level**. The constant sound level that has the same energy as the actual time-varying sound level over the measurement period as defined in ANSI/IEC documents for sound level meters. Also referred to as time-averaged sound level and abbreviated as LAeq, LAeq, Lavg
11. **IEC**. The International Electrotechnical Commission
12. *Person*. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group or agency.
13. ***Plainly Audible***. Any sound that can be detected by a person using his or her unaided hearing faculties, including, but not limited to, the understanding of spoken speech, comprehension of whether a voice is raised or normal, or comprehension of musical rhythms. The detection of the rhythmic bass component of the music is sufficient to constitute a plainly audible sound.
14. *Receiving property*. Any residence or place of business on which uninvited noise is plainly audible.
15. ***Raucous sound***. Any sound created by yelling, screaming, the use of horns, whistles or similar devices, or the banging of objects with the primary purpose of creating noise.

16. ~~Sound level. In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in ANSI standards. See Equivalent Continuous Sound Level~~
17. ~~Sound level meter. is an instrument including a microphone, an amplifier, an output meter, and "A" frequency weighting network for the measurement of sound levels that conforms to American National Standards Institute (ANSI) Standard S 1.4-1971 "Specifications for Sound Level Meters," or the latest revision. An instrument that measures time-averaged, frequency-weighted sound levels and is certified as meeting the type -2 requirements of ANSI/ASA S1.4-2014/Part 1 / IEC 61672-1:2013. Commonly referred to as an integrating-averaging or integrating sound level meter.~~
18. ~~Sound pressure level. In decibels, twenty (20) times the logarithm to base 10 of the ratio of the magnitude of a~~

~~particular sound pressure to the standard reference pressure.
The standard reference pressure is 0.0002 microbars.~~

19. *Sound source.* Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

20. *Uninvited noise.* Noise not originating from the receiving property.

b. *Noise Sound measurement.* ~~Noise~~ **Sound** measurements shall be employed by the police department in the following manner:

1. ~~Noise~~ **Sound** measurements shall be made using a sound level meter taken from anywhere within the boundary line of the complainant's property. If measurement is not possible from the complainant's property, ~~noise~~ **sound** measurements may be taken at the nearest boundary line of the public right-of-way.

2. No individual other than the sound meter operator(s) shall be within ten (10) feet of the sound level meter during the sample period.

3. Sound measurements shall be conducted at that time of day or night when the suspect noise is emitting sound.

4. The sound level meter shall be employed in accordance with the manufacturer's instructions **to measure the Equivalent Continuous Sound Level using A-weighted scale.**

5. **Sound measurements shall be taken over a period of 30 seconds or greater. If the measurement exceeds the threshold by 5dBA or more after 15 seconds, testing may be stopped and the sound deemed excessive noise.**

6. It shall be unlawful for any person to interfere, through the use of sound or otherwise, with the taking of sound level measurements.

c. *Maximum decibel levels.* Unless otherwise specifically indicated, it shall be unlawful for any person to cause or allow the emission of sound from any source or sources which, when measured pursuant to paragraph (b) above, to exceed:

1. ~~60~~**70**dB(A) during daytime hours (~~10~~**7**:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~10~~**7**:00 a.m. to 11:00 p.m. Friday and Saturday) for residential and rental properties,

2. 75dB(A) during daytime hours (~~107~~107:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~107~~107:00 a.m. to 11:00 p.m. Friday and Saturday) for commercial establishments; and
3. The maximum decibel level shall not exceed 85-90 dB(A) during daytime hours (~~107~~7:00 a.m. to 10:00 p.m. Sunday through Thursday and ~~107~~7:00 a.m. to 11:00 p.m. Friday and Saturday) in the GC-2 general commercial zoning district.
4. 55dB(A) during ~~evening~~ **nighttime** hours (10:00 p.m. to ~~107~~7:00 a.m. Sunday through Thursday and 11:00 p.m. to ~~107~~7:00 a.m. Friday and Saturday) for residential properties, rental properties, and commercial establishments.

4.5. Maximum decibel levels contained in Section 9-2-5(c) shall be reduced by 5dB(A) if the primary source of sound is speech or music.

~~The sound meter operator may cease taking readings as soon as the readings already taken show a violation of this ordinance.~~

d. *Excessive noise prohibited.*

1. It shall be unlawful for any person to intentionally produce, intentionally cause to be produced, or intentionally participate in the producing any excessive noise within the municipal limits.
2. In determining whether a sound is excessive noise for purposes of this section, factors that may be considered include, but are not limited to:
 - a. The volume of the noise;
 - b. The intensity of the noise;
 - c. Whether the nature of the noise is usual or unusual;
 - d. Whether the origin of the noise is natural or unnatural;
 - e. The volume and intensity of the background noise, if any;
 - f. The proximity of the noise to residential sleeping facilities;
 - g. The nature and zoning of the area within which the noise emanates;
 - h. The time of the day or night the noise occurs;
 - i. The duration of the noise; and
 - j. Whether the noise is recurrent, intermittent, or constant.

The determination of whether a noise or sound is excessive noise shall be made without considering the content of any message conveyed by the noise or sound.

e. *Specific prohibitions.* The following acts are specifically prohibited:

1. Pets. It shall be unlawful to keep, stable, harbor or maintain any animal or bird which disturbs the comfort or repose of any reasonable person of ordinary sensibilities in the vicinity by making continually or frequently loud noise.
2. Mufflers. Sound emitting from a motor vehicle's muffler in violation of S.C. Code Ann. § 56-5-5020.
3. Loudspeakers, etc. It shall be unlawful to use, maintain or operate loudspeakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the street, sidewalks, parks or other outdoor public places owned or under the control of the City **in a manner as to be plainly audible at a distance of ~~{50}~~ ~~{25}~~ feet** except as permitted under paragraph (g) of this section; provided, however, that any City-owned property subject to a commercial lease and a noise control agreement or permit is exempt from the requirements of this paragraph.
4. Hawking or peddling. It shall be unlawful for any person to make any noise on a public street or in such proximity thereto as to be distinctly and loudly audible on such street by any kind of crying, calling, or shouting or by means of any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument, or other device for the purpose of attracting attention or of inviting patronage of any persons to any business whatsoever. It is the express intention of this paragraph to prohibit hawking, peddling, soliciting or using other loud noises to attract attention to a business and not to prohibit the spill-over noise emanating from a lawfully operating business.
5. ***Raucous or Amplified Sound Nighttime.*** It shall be unlawful for any person to create or cause to create any raucous sound or amplified sound in such a manner that during the hours from 10:00 p.m. to 10:00 a.m. Sunday through Thursday, or between the hours of 11:00 p.m. and 10:00 a.m. Friday and Saturday that is plainly audible on any adjacent property.
 - a. ~~Is plainly audible in any adjacent dwelling or other residence; and~~

- b. ~~Exceeds (50) dBA when measured pursuant to paragraph (b) above.~~

~~6. *Raucous or Amplified Sound Daytime.* It shall be unlawful for any person outside the GC-2 zoning district to create or cause to create any raucous sound or amplified sound in such a manner that during the hours between 10:00 a.m. and 10:00 p.m. Sunday through Thursday, or between the hours of 10:00 a.m. and 11:00 p.m.:~~

- ~~1. Is plainly audible at a distance of two hundred [200][400] feet or more from any property line bordering the noise source; and~~
- ~~2. Exceeds [70][75] dBA when measured pursuant to paragraph (b) above.~~

f. *No employee liability.* No employee of any place of business acting within the scope of his or her employment shall be liable for a violation of this section, unless an employee is also an owner of the business.

g. *Exceptions.* This section shall not apply to the following sources:

- 1. Any City-hosted, City-sponsored or City-sanctioned special events.
- 2. **Any city vehicle engaged in city business.**
- 3. Excavations or repairs of bridges, streets or highways, by or on behalf of the City, county or state during the night, when the public welfare and convenience renders it impossible to perform the work during the day; nor shall the same apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefore.
- 4. Construction activities performed by or on behalf of a governmental agency, including, but not limited to, construction, repair or maintenance of public buildings and drainage facilities, dredging activities, beach renourishment activities, and other public projects.
- 5. It shall be ~~un~~lawful for any contractor, subcontractor, landscaper, supplier or vendor to operate or use any piledrivers, steam shovels, pneumatic hammers, derricks, steam or electric hoists, or other apparatus, tools or equipment, the use of which is attended with loud or disturbing noises, ~~at any time other than~~ between the hours of 7:30 a.m. and 6:00 p.m., Monday through

Friday, and between the hours of 9:00 a.m. and 4:00 p.m. on Saturday. ~~Stationary power equipment such as table saws, miter saws, compressors shall not be operated within 20 feet of a property boundary unless in an enclosed space.~~ No such use shall be permitted on Sundays, or on the following legal holidays: New Year's Day; Memorial Day; Fourth of July; Labor Day; Thanksgiving Day; and Christmas Day. Approval for such use may be granted by the City for performing emergency repairs outside of the hours specified. ~~Nothing in this paragraph shall be construed to prohibit an owner or member of an owner's immediate family from performing maintenance, repairs, or other work on their own property at any time, provided that such work is otherwise in compliance with City ordinances.~~

6. It shall be lawful for an owner or member of an owner's immediate family to perform maintenance, repairs, or other work on their own property ~~at any time~~ ~~between the hours of 7:30 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 9:00 a.m. and 10:00 p.m. on Saturday and Sunday~~, provided that such work is otherwise in compliance with City ordinances.

7. A commercial property or business owner may apply to City Council for an exception to this ordinance, and City Council may issue a permit that modifies the maximum decibel levels as it deems reasonable in light of the circumstances to support public good, infrastructure, and resources of the City, including the time and resources of law enforcement and code enforcement.

h. *Violations.* Any person who violates any provision of this section shall be fined not more than \$500 or imprisoned for not more than 30 days. However, no penalty shall exceed the penalty provided by state law for similar offenses. A separate offense shall be deemed committed on each day that a violation occurs or continues.”

i. In addition to the penalties set forth in subsection (h) of this section, five (5) repeated violations of this section by a person who owns, manages, operates, is a business agent of, or otherwise controls a business establishment may result in the suspension or revocation of any business license issued to the premises on which the violations occurred in accordance with section 7-1-15.

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

SECTION 3. That all ordinances or parts of ordinances conflicting with the

provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE _____ DAY OF _____, 2023.

Phillip Pounds, Mayor

(Seal)
Attest:

Nicole DeNeane, City Clerk

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

*Planning Commission recommendations –
November 9, 2023*