



**Public Safety Committee  
11:00 a.m., Tuesday, February 13, 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](mailto: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. Citizen's Comments** – All comments have a time limit of three (3) minutes.
- 3. Approval of previous meeting's minutes** – January 13, 2024 (minutes forthcoming)
- 4. Old Business**
  - a. Discussion and consideration of changes to the noise ordinance
  - b. Update on outsourced parking management transition
- 5. New Business**
  - a. Discussion of amendments to the short term rental ordinance to list type of violations that could trigger license revocation
  - b. Review of Police and Fire Department's 10-year capital plan
- 6. Miscellaneous Business** – Next meeting date: 11am, Tuesday, March 5, 2024
- 7. Adjournment**

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: \_\_\_\_\_

## *ARTICLE 9. SHORT-TERM RENTALS*

### **Sec. 5-4-201. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Short-term rental* means the use of any dwelling, including the lot upon which the dwelling is located, anywhere within the City whereby the dwelling is leased or otherwise made available by the owner to another person for a term of three (3) months or less. Any reference in this article to dwelling, residence or rental shall mean a short-term rental.

(Ord. No. 2007-2, § 2(5-4-201), 3-27-2007)

### **Sec. 5-4-202. Maximum overnight occupancy.**

- a. The maximum overnight occupancy of an existing residence for which the owner is holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) One person per two hundred fifty (250) square feet of gross heated floor area in the entire house.
  - (3) Six (6) people.
- b. The maximum overnight occupancy of an existing residence for which the owner is not holding a valid short-term rental license on June 22, 2010, shall be limited to the greater of:
  - (1) Two (2) people per bedroom, plus two (2) people.
  - (2) Six (6) people.
- c. The maximum overnight occupancy of a residence permitted for new construction after June 22, 2010 shall be the same as prescribed in section 5-4-202(b) or twelve (12) people, whichever is fewer.
- d. The maximum overnight occupancy of an existing residence that is altered or reconstructed after June 22, 2010, shall be prescribed as follows:
  - (1) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was less than twelve (12) people, then the maximum overnight occupancy of the altered or reconstructed residence may be increased to the number of people prescribed in:
    - (a) Section 5-4-202(a) or twelve (12) people, whichever is fewer, if the owner was holding a valid short-term rental license on June 22, 2010.
    - (b) Section 5-4-202(b) or twelve (12) people, whichever is fewer, if the owner was not holding a valid short-term rental license on June 22, 2010.
  - (2) If the maximum overnight occupancy of the residence prior to alteration or reconstruction was twelve (12) people or more, then the maximum overnight occupancy of the altered or reconstructed residence shall not be increased.

---

(3) If the alteration or reconstruction results in a decrease in number of bedrooms or floor area of the residence, then the maximum overnight occupancy shall be reduced as prescribed in:

(a) Section 5-4-202(a), if the owner was holding a valid short-term rental license on June 22, 2010.

(b) Section 5-4-202(b), if the owner was not holding a valid short-term rental license on June 22, 2010.

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

(Ord. No. 2007-2, § 2(5-4-202), 3-27-2007; Ord. No. 2010-08, § 1, 6-22-2010)

### **Sec. 5-4-203. Maximum occupancy at any time.**

Notwithstanding any other provision of this article to the contrary, at no time shall the total number of persons at a residence exceed forty (40) persons, including children, or twice the maximum overnight occupancy as determined by section 5-4-202, whichever is less.

(Ord. No. 2007-2, § 2(5-4-203), 3-27-2007; Ord. No. 2020-04, § 1, 8-25-2020)

### **Sec. 5-4-204. Maximum number of vehicles.**

The maximum number of vehicles that may be located at a residence between the hours of 11:00 p.m. to 9:00 a.m. shall be limited to one (1) vehicle per approved bedroom or one (1) vehicle for every two and one-half (2½) people allowed under the maximum overnight occupancy. In no instance shall the number of vehicles allowed be less than two (2).

(Ord. No. 2007-2, § 2(5-4-204), 3-27-2007)

### **Sec. 5-4-205. Written notices to be conspicuously posted inside and outside residence; Penalties for removing notices.**

A written notice provided by the city which contains information about certain ordinances generally impacting tenants of Short-term Rentals shall be affixed to a conspicuous location inside the residence located within fifteen (15) feet from the main entrance to the residence and maintained at such location by the owner and displayed at all times. A written notice provided by the city which contains information about the city's noise ordinance shall be weatherproofed and affixed to a conspicuous location on any exterior deck, porch, patio, pool or other gathering area of the residence and maintained at such location by the owner and displayed at all times. It shall be unlawful for any person to destroy, hide, obstruct, conceal or remove the notices required by this section.

(Ord. No. 2007-2, § 2(5-4-205), 3-27-2007; Ord. No. 2009-14, § 1, 10-27-2009; Ord. No. 2015-07, § 1, 7-28-2015)

Editor's note(s)—Ord. No. 2015-07, § 1, adopted July 28, 2015, changed the title of § 5-4-205 from "Written notice to be conspicuously posted in residence; Penalties for removing notice" to read as set out herein.

### **Sec. 5-4-206. Provisions are cumulative.**

All provisions contained in this article shall be cumulative to all other Federal, State and City laws, ordinances and regulations to which an owner or tenant may be subject regarding the ownership, use, rental or occupancy of a residence.

(Ord. No. 2007-2, § 2(5-4-206), 3-27-2007)



## § 117.03 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 business license 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) No business license shall be issued for the rental of a residential unit which is planned or under construction until a certificate of occupancy is issued for the unit.

(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.

(B) *Rental registration permit.* 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 30 days of the business license renewal date shall be grounds for revocation of the license.

(2) *Annual fee.* The fee for a rental registration permit shall be set by City Council and shall be reviewed periodically.

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

(4) A designated agent may apply for a rental registration permit 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.

(5) *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.

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

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

(b) The unit number if applicable;

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

(d) The number of parking spaces provided on site as well as a site plan showing the location of all on site parking spaces. One on site parking space must be provided for each bedroom being rented. This requirement shall not apply to:

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

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

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

(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 name, mailing address, business phone number, personal phone number, and business address of the owner and local agent;

(h) The physical address and email address where the owner and local agent will accept notices and orders from the city and acknowledgment 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 city 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 a copy of the parking diagram provided to the city for the property as well as a summary of applicable city 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 applicable city 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. The summary of applicable ordinances shall be in a form determined by the city, and made available to all owners of rental property;

(l) Proof of payment from the owner or designated agent for payment of local, county, and state taxes due on short term rental accommodations;

(m) Certification that the owner is aware that 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 the use of the property as a short term rental, and that three strikes during any rolling twelve-month period can result in suspension, revocation, or non-renewal of the license;

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

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

(7) *Designation of local agent.* The owner of a rental dwelling shall 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. Employees under the direct supervision of attorneys, real estate agents, brokers in charge, or property managers licensed by the State of South Carolina may be designated as local agents.

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

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

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

**(D) *Violations and penalties.***

(1) *Violations.* Violations of this chapter include but are not limited to:

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

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

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

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

(i) Advertising a property as a short term rental or "event house" for events or parties with more than 25 people in attendance;

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

(k) Failure to post the business license number, rental registration permit number, allowable overnight occupancy, and city approved 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 physically to the site within 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 §117.02(A);

(p) Failure to provide tenants listed on any rental agreement information as required under §117.02(B);

(q) Failure to inspect and repair a failed septic system as required under §55.07;

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

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

1. The number 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 strikes, all convictions stemming from violations occurring within a single rental contract period shall be considered one instance. In no case shall strikes exceed one per rental contract period.

3. All strikes issued prior to the date of this section shall not be counted for the purposes of license revocation.

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

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

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

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

1. The 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, including but not limited to noise, trash, parking, litter, dune protection, animals at large, and sea turtle violations and when the registered agent of the property is given notice of the strike as set forth herein.

2. For the purpose of determining the total number of strikes, each strike issued upon conviction shall be considered in effect on the date of the original offense and all convictions related to offenses occurring within a single rental contract period shall be considered one strike. In no case shall strikes exceed one per rental contract period.

3. Strikes will re-set upon the transfer of the property.

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

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

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

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

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

(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



**§ 117.04 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 copy of the city approved rental regulations summary, signed by each signatory of the rental agreement.
- (3) A document signed by the owner and/or agent responsible for renting the dwelling, certifying the number of persons intended to occupy the dwelling.
- (4) The information required by this section shall be updated by the owner and/or agent for each rental to different tenants or occupants.

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

- (1) The address of the short term rental and emergency contact numbers;
- (2) The name and contact information for the owner or designated 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 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 multi-family 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 October 11, 2022, on the premises of a short term rental shall meet the following requirements:

- (1) May not exceed 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.



	A	D	E	F	G	I	J	K	L	M	N	O	P	Q
1	<b>City of Isle of Palms 10-Year Capital Plan</b>													
2	<b>Expenditures for assets or projects &gt; \$5000 **Expenditures less than \$5,000 are included in operating budgets**</b>													
3														
4														
5	Fleet													
6	Count													
7														
8														
70	39	<b>Grand Total Police Department</b>		<b>404,671</b>		<b>253,500</b>	<b>469,000</b>	<b>816,000</b>	<b>449,000</b>	<b>324,000</b>	<b>449,000</b>	<b>288,000</b>	<b>227,000</b>	<b>400,000</b>



	A	D	E	F	G	I	J	K	L	M	N	O	P	Q
1	<b>City of Isle of Palms 10-Year Capital Plan</b>													
2	<b>Expenditures for assets or projects &gt; \$5000 **Expenditures less than \$5,000 are included in operating budgets**</b>													
3														
4														
5	Fleet													
6	Count													
7														
8														
103		<b>Fire Department, continued</b>												
104														
105		Two (2) Battery powered Positive Pressure Ventilation (PPV) fans				12,000								
106		Two cardiac monitors for Paramedic program									130,000			
107		SCBA (self contained breathing apparatus) Evaluate in FY34											350,000	
108		2nd set of bunker gear (protective helmet, flash hood, coat, pants, boots & gloves) for all personnel (\$4000*34). Approx 10-yr life										165,000		
109		Exhaust system for both stations												
110		Public Safety Building Access Control System Station 1 (1/2 FD & 1/2 PD)			62,500									
111		Training Room Technologies/IT Replacement & Upgrades for MEOC & Training Classes (1/2 FD and 1/2 PD)			17,500									
112		Training maniquins (three fire rescue and two medical training maniquins) and Training SCBA Self Contained Breathing Appartus			22,000									
113		Door Access Controls at Fire Station No. 2 to match Fire Sta. No. 1			65,000									
114														
115		<b>Subtotal Capital</b>			591,000	2,610,000	131,000	1,867,000	154,000	360,000	277,000	187,000	1,879,000	3,520,000
116														
117		<b>Facilities Maintenance</b>												
118		<i>Building maintenance contingency to proactively address issues as needed including HVAC - calculated as 1% of Public Safety Building+Fire Sta 2 insured value. PSB split 50/50 Police/Fire. FD FY25 includes \$62K for elevator repair for Station 2. Incr to 2% in FY27</i>			192,160	158,160	256,321	286,321	256,321	286,321	256,321	256,321	256,321	286,321
119		<b>Subtotal Facilities Maintenance</b>			192,160	158,160	256,321	286,321	256,321	286,321	256,321	256,321	256,321	286,321
121	24	<b>Grand Total Fire Department</b>			<b>783,160</b>	<b>2,768,160</b>	<b>387,321</b>	<b>2,153,321</b>	<b>410,321</b>	<b>646,321</b>	<b>533,321</b>	<b>443,321</b>	<b>2,135,321</b>	<b>3,806,321</b>