

AGENDA
TOWN OF EDISTO BEACH
SEPTEMBER 11, 2014
REGULAR TOWN COUNCIL MEETING
6:00 P.M.

- I. **Call to Order**
- II. **Invocation and Pledge of Allegiance**
- III. **Approval of Minutes**
 - A. Public Hearing Minutes, August 14, 2014
 - B. Regular Council Meeting Minutes, August 14, 2014
- IV. **Proclamations and Presentations**
 - A. Starfish Award
 - 1. Joe Dreher
 - B. Edisto Beach Baptist Church 50th Anniversary Proclamation
- V. **Old Business**
 - A. Animal Rescue
- VI. **New Business/Appearances**
 - A. Causeway OCRM Critical Line Survey at a cost of \$1,750
 - B. Beach Patrol Code Enforcement Officers
 - C. First Reading of Ordinance 2014-19 to Enact and Establish a Temporary Moratorium on the Issuance and Approval of Building Permits and Record Plats for the Big Bay Creek and Scott Creek Property Owners sewer line project in the Town of Edisto Beach for (1) New or Additional Connections for Properties Situated Inside the Municipal Boundaries to the Town Sewer System through the Big Bay Creek and Scott Creek Property Owners sewer line project and (2) Additions to Existing Structures that access the Town Sewer System through the Big Bay Creek and Scott Creek Property Owners sewer line project if additional sewer capacity would be required for the addition.
 - D. First Reading of Ordinance 2014-20 to Amend Section 78-35 of the Town's Code to Adopt Subsection (4)
 - E. Beach Nourishment Fund Raisers
 - F. Special Event Application 2014 Shrimp Fest
- VII. **Planning Commission**
 - A. Lot Line Abandonment-1507 Jungle Road
 - B. Lot Line Abandonment-5 Heron Court
- VIII. **Committee Vacancies**
 - A. Zoning Board of Appeals – 1 vacancy
 - B. Construction Board of Adjustments and Appeals- 5 vacancies (Determine if Building Code Administrator has made an error in his decision)
- IX. **Departmental Reports and Committee Updates**
- X. **Public Comment Period**
- XI. **Council Time-Work Session Only**
- XII. **Adjournment**

TOWN OF EDISTO BEACH

AN ORDINANCE

An Ordinance to Enact and Establish a Temporary Moratorium on the Issuance and Approval of Building Permits and Record Plats for the Big Bay Creek and Scott Creek Property Owners sewer line project in the Town of Edisto Beach for (1) New or Additional Connections for Properties Situated Inside the Municipal Boundaries to the Town Sewer System through the Big Bay Creek and Scott Creek Property Owners sewer line project and (2) Additions to Existing Structures that access the Town Sewer System through the Big Bay Creek and Scott Creek Property Owners sewer line project if additional sewer capacity would be required for the addition.

WHEREAS, The Town of Edisto Beach operates a sanitary sewer system for the benefit of its citizens. The system includes a wastewater treatment plant licensed by the South Carolina Department of Health and Environmental Control (SCDHEC); and

WHEREAS, the sanitary sewer system is seriously deficient in the following particulars: There are currently 46 sewer taps at an estimated capacity of 15,500, exceeding the systems permitted capacity of 10,320; Lift Station B has had high volume alarm failures and has had to be pumped to prevent overflow.

This deficiency taxes the system beyond its licensed capacity; and

WHEREAS, these deficiencies may lead to and constitute serious environmental hazards, create public health and safety risks, result in additional stress on the wastewater treatment plant, increase its operating costs, require additional attention of Town personnel, and expose the Town to fines and other enforcement and disciplinary action by SCDHEC and the federal government;

WHEREAS, the Town Staff has made recommendations relating to, and has outlined a plan to address, the deficiencies in the sewer system; and

WHEREAS, the Mayor and Council have determined that the deficiencies in the sanitary sewer system create potential for and may result in serious environmental, health and safety hazards, and that such hazards are a nuisance prejudicial to the health, safety and comfort of the public; and

WHEREAS, the Town of Edisto Beach has experienced increased development and growth in the number of new residential housing units constructed and the number of building permits applied for, and there are currently plans on the part of landowners to

construct additional housing units which, if constructed and connected to the Town sewer system will place additional burdens on that system; and

WHEREAS, by restricting and precluding municipal approval of building permits and record plats that would increase demand for and/or the volume of sanitary sewage into the Big Bay Creek and Scott Creek Property Owners Sewer Line Project and by restricting and precluding (1) any further connections to the municipal sewer system for properties by way of the Big Bay Creek and Scott Creek Property Owners Sewer Line Project, and (2) additions to existing structures which utilize the Big Bay Creek and Scott Creek Property Owners Sewer Line Project if the additions would effect an increase on the sewer capacity and demand of the sewer system, the Town can reduce, to a limited degree, the impact which new additions to the Town sewerage system would otherwise have on the deficiencies which currently characterize that system; and

WHEREAS, in order to give the Town time to address the sewer system deficiencies and make appropriate and needed studies, repairs and improvements to its infrastructure, the Town intends by this Ordinance to establish, for a temporary and limited period of time, a moratorium on the approval of building permits and record plats for (1) new and additional connections to the Town sewer system for properties through tie-in to the Big Bay Creek and Scott Creek Property Owners Sewer Line Project, and (2) additions to existing structures utilizing the Big Bay Creek and Scott Creek Property Owners Sewer Line Project if the additions would effect an increase on the sewer capacity and demand of the sewer system.

NOW, THEREFORE, BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Council of the Town of Edisto Beach as follows:

SECTION I. There is hereby imposed, on a temporary and interim basis, and for the immediate preservation of the public health and safety, and for the protection of the sanitary sewerage system of the Town of Edisto Beach, a moratorium on any new or additional building permit approvals and any new or additional record plat approvals for (1) new and additional connections to the Town sewer system for properties through tie-in to the Big Bay Creek and Scott Creek Property Owners Sewer Line Project, and (2) additions to existing structures utilizing the Big Bay Creek and Scott Creek Property Owners Sewer Line Project if the additions would effect an increase on the sewer capacity and demand of the sewer system. Until such moratorium is terminated by the Town, the Town shall not approve any new or additional building permits or record plats and shall not authorize or permit any new or additional connections to the Town sewer system for (1) new and additional connections to the Town sewer system for properties through tie-in to the Big Bay Creek and Scott Creek Property Owners Sewer Line Project, and (2) additions to existing structures utilizing the Big Bay Creek and Scott Creek Property Owners Sewer Line Project if the additions would effect an increase on the sewer capacity and demand of the sewer system. This moratorium shall not be applicable to any property presently utilizing Town sewer services on the first reading date of this Ordinance, but which subsequently requires a new site building permit after,

and as a result of, disruption to its existing service due to damage to or destruction of improvements situated on the property.

SECTION II. The Town shall promptly, and as soon as reasonably practical, formulate, establish, adopt and implement a program to study, evaluate, repair, improve and correct the deficiencies in the Town sewer system. The Town shall regularly, and at no less than 90 day intervals, review the program and shall make any such revisions to the program as may be necessary to correct the sewer system deficiencies with all due haste.

SECTION III. This moratorium shall continue for a limited time in order to complete the evaluation and studies required to address the deficiencies in the system, and to undertake and complete the necessary improvements so as to eliminate those deficiencies.

SECTION IV. This moratorium shall not apply to any building projects which have received a building permit and sewer tie in approval prior to the date of first reading of this ordinance. This ordinance also shall not apply to the PUD zoning district because property owners in that district have previously secured approval from the Town to tie in to the sewer system and paid the requisite fees.

SECTION V. The recitals set forth above are herein incorporated as if fully re-written.

This Ordinance shall take effect upon approval by Council.

By: _____
Burley L. Lyons, Mayor

First Reading: _____
Adopted: _____

ATTEST: _____
Deborah Hargis, Municipal Clerk

Approved as to form: _____

No. 2014 - 20

TOWN OF EDISTO BEACH

AN ORDINANCE

TO AMEND SECTION 78-35 OF THE TOWN'S CODE
TO ADOPT SUBSECTION (4)

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Edisto Beach, South Carolina, in council duly assembled that Section 78-35 of the Town's Code be amended to add subsection (4) which shall read as follows:

Sec. 78-35. Stopping, standing, or parking prohibited in specified places; exceptions.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

- (4) Park a vehicle, for a period longer than 24 hours, having an overall length of more than twenty feet (20') when measured front the front of the vehicle to the rear of the vehicle, or if the vehicle is towing a trailer to the rear of an attached trailer, upon Palmetto Boulevard unless actively engaged in loading or unloading passengers, equipment, or materials.

This ordinance shall take effect upon final reading.

Burley L. Lyons, Mayor

First Reading: _____

ATTEST:

Final Reading: _____

Deborah Hargis, Municipal Clerk

Approved as to form: _____