

PUBLIC HEARING
Of
City of Isle of Palms
5:15 p.m., Tuesday, June 23, 2015

A Public Hearing of City Council was held at 5:15 p.m., Tuesday, June 23, 2015 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the hearing were Councilmembers Bergwerf, Bettelli, Carroll, Ferencz, Loftus and Ward, Mayor Cronin, City Administrator Tucker, Assistant Administrator Dziuban, Building Director Kerr, City Attorney Halversen and City Clerk Copeland. The absences of Councilmembers Buckhannon and Harrington were excused, and a quorum was present to conduct business.

1. Mayor Cronin called the Public Hearing to order and acknowledged that the press and public had been duly notified in accordance with the Freedom of Information Act.

2. **Purpose**

A. Ordinance 2015-06 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, and Article 3, Landscaping and Tree Removal Regulations, of the City of Isle of Palms Code of Ordinances to Amend the Definition of Hazardous Tree and to Permit Removal of Hazardous Trees Causing Structural Damage or Posing a Clear and Imminent Threat of Structural Damage to Septic Tank Systems.

At the Mayor's request, Building Director Kerr explained that the purpose of this ordinance was to change when a resident must pay to remove a tree; the existing code makes exceptions for replacing a tree when the tree is causing damage to residences, porches, pools, or other permanent accessory structures but does not address septic systems. The Director expressed the belief that septic systems were an omission from an earlier modification of the code that would be corrected with the passage of this amendment stating that an owner would not be required to replace a tree removed for damaging the septic system.

The people in attendance had no questions on this amendment.

B. Ordinance 2015-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 9, Short-term Rentals, of the City of Isle of Palms Code of Ordinances to Require Short-term Rental Owners to Post Written Notices with Information about the City's Noise Ordinance on Exterior Decks, Porches, Patios, Pools, or Other Gathering Areas of a Short-term Rental Residence.

Director Kerr noted this amendment changes the posting notice for short-term rentals. Currently the City code requires that a notice be posted within fifteen feet (15 ft.) of the front door; this amendment would also require a notice to be posted conspicuously on any exterior porch, pool, deck or other gathering area of the residence. The idea behind this change was the opinion that most noise from short-term rental properties emanated from outside gathering places; therefore, the logic was to place a sign reminding the renters of City's the noise ordinance outside, rather than near the front door.

Elaine Tessler of 49th Avenue asked whether the noise ordinance was included in the rental contracts.

Speaking as a rental agent on the island, Councilmember Carroll answered that all short-term renters are required to sign a contract to obey the laws of the City upon getting a business license; the agents renting the properties then hope that the renters will honor that contract.

Arnold Karig of 5102 Palm voiced his support for this ordinance; he thanked Council for listening to his pleas on this subject in recent months. He opined that it might be a step in controlling the noise and make for a quieter island, but other issues might also need to be tweaked, such as the way the City enforces the noise ordinance.

Jeff Jacobs, 606 Ocean Boulevard, started his comments saying that he had only learned at this meeting that Assistant City Administrator Dziuban would be leaving her position with the City. He complimented her on the work she has done on the City's website which was in its infancy when she joined the City. He continued that he thought that renters would do the right thing if they were made aware of the rules and that the new exterior posting would provide that knowledge to them. He opined that the ordinance was the beginning and the key was enforcement; he then related an anecdote of his experience with calling the Police Department for a noise violation. Based on that experience, he suggested that the signage should be the warning to renters; when officers validate the noise, a citation should be issued, not a warning. He offered the following solutions:

- 1) When a citation has been issued, the rental agent should put a hold on the security deposit and, if the renters are found guilty, the agent should keep the deposit; and
- 2) Include in the rental contract that the renter's credit card number would be charged if any fines were issued.

3. Adjourn

There being no further comments, the Mayor concluded the Public Hearing at 5:27 p.m.

Respectfully submitted:

Marie Copeland, City Clerk