

**RESOLUTION NO. R-2023-06**

**A RESOLUTION TO OPPOSE THE IMPLEMENTATION OF BILL H3253 BY ALL  
LAWFUL MEANS**

**WHEREAS**, Bill H3253 was filed in the South Carolina General Assembly on March 29, 2023 by Rep. Lee Hewitt, and co-sponsored by Representative Kilmartin, Representative Oremus, Representative May, Representative Atkinson, Representative Hayes, Representative Connell, Representative Hager, Representative Kirby, Representative Bailey, Representative Schuessler, Representative Haddon, Representative Robbins; and

**WHEREAS**, Bill H3253 is a Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 6-1-195 so as to provide that a governing body of a municipality, county, or other political subdivision of the state may not enact or enforce an ordinance, resolution, or regulation that prohibits the rental of a residential dwelling to a short-term guest and to provide penalties for doing so; and

**WHEREAS**, while short-term rentals are a part of community's tourism related economy, local governments must retain the ability to regulate them to protect the health, safety, and interests of owners, neighbors, and visitors; and

**WHEREAS**, short-term rentals may have adverse impacts on surrounding neighborhoods including, but not limited to, increased noise, garbage, litter and traffic changes to the private residential character of the neighborhood, the uncertainty and instability of the identity of the occupants of neighboring properties, a decline in the shared sense of community, and increased demands on water and wastewater, and on code enforcement, police, fire and emergency services; and

**WHEREAS**, the City of Isle of Palms previously adopted regulations to address short-term rental uses of dwellings in 2007, prior to the proposed enactment of Bill H3253's statutory preemption; and

**WHEREAS**, maintenance of the character and integrity of residential neighborhoods is an essential local government purpose implemented through local zoning and licensing regulations, representing a substantial local governmental interest; and

**WHEREAS**, short-term rental periods of a few days to weeks for transient occupants is a use that is more commercial in nature, and that is best regulated as already set forth in the City of Isle of Palms Code, Title 5, Article 9; and

**WHEREAS**, local government regulation of short-term rentals protects visitors and the residents of the City of Isle of Palms; and


**WHEREAS**, the City of Isle of Palms finds it to be in the best interest of the residents of the City to oppose Bill H3253 and urge the South Carolina Legislature and the Governor to oppose Bill H3253, and any legislation which infringes on local governments' home rule authority or in

any way restricts local governments' ability to regulate short-term rental uses within their neighborhoods – a uniquely local function.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council this 25th Day of April 2023 that the City of Isle of Palms, South Carolina strongly opposes Bill H3253 which the City views as being in violation of the Home Rule Act and urges the South Carolina Legislature and Governor Henry McMaster to oppose Bill H3253.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, ON THE 25<sup>th</sup> DAY OF APRIL, 2023.

  
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Phillip Pounds, Mayor

  
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Nicole DeNeane  
City Clerk

