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**CITY OF BEAUFORT**  
1911 BOUNDARY STREET  
BEAUFORT MUNICIPAL COMPLEX  
BEAUFORT, SOUTH CAROLINA 29902  
(843) 525-7070  
**CITY COUNCIL WORKSESSION AGENDA**  
**June 10, 2025**

**STATEMENT OF MEDIA NOTIFICATION**

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

**WORKSESSION - City Hall, Planning Conference Room, 1st Floor - 5:00 PM**

**Please note, this meeting will be broadcasted via zoom and live streamed on Facebook. You can view the meeting at the City's page; City Beaufort SC**

**I. CALL TO ORDER**

- A. Philip Cromer, Mayor

**II. EMPLOYEE NEW HIRE RECOGNITION**

- A. Human Resources - Shenai Johnson
- B. Police Department - Eric Spenser
- C. Public Works - Casey Underwood

**III. PRESENTATIONS**

- A. Short-Term Rental Program Regulations
- B. Housing Repair Program Update

**IV. DISCUSSION ITEMS**

- A. Nuisance Abatement Ordinance
- B. Operation of Golf Carts in City Limits
- C. Friends of the Spanish Moss Trail Memorandum of Understanding for Kids in Parks Program

**V. ADJOURN**



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/29/2025  
**FROM:** Alan Eisenman, Finance Director  
**AGENDA ITEM TITLE:** Short-Term Rental Program Regulations  
**MEETING DATE:** 6/10/2025  
**DEPARTMENT:** Finance

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*BACKGROUND INFORMATION:*

During the May 13, 2025, Council Worksession, there was discussion regarding the City's short term rental program. The City's Business License Inspector Justin Rose will present a short-term rental program regulations presentation that will include an overview of the current short-term rental program to include rules, application process, current capacity and caps by neighborhood and enforcement actions and penalties.

Please see referenced documentation for short-term rental overview, associated development code and ordinances, and neighborhood map.

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*PLACED ON AGENDA FOR: Discussion*

**REMARKS:**

**ATTACHMENTS:**

Description	Type	Upload Date
Short Term Rental Presentation	Presentation	5/29/2025
Short Term Rental Overview	Backup Material	5/29/2025
Short Term Rental Code	Backup Material	5/29/2025
Suspension or Revocation of License Code	Backup Material	5/29/2025
Remedies and Penalties Code	Backup Material	5/29/2025
City Neighborhoods Map	Backup Material	5/29/2025

# City of Beaufort, South Carolina



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## SHORT TERM RENTALS PRESENTATION

**JUNE 10, 2025**

# Codes and Ordinances

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- Beaufort Development Code - Sec. 3.6.2 Short Term Rentals
- Beaufort Development Code – Sec 12.3.2. Other Remedies and Penalties
- Code of Ordinances – Sec. 7-1016 Suspension or Revocation of License

# What is a Short-Term Rental?

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- Residential unit rented for less than 30 days
- Requires compliance with city zoning, permits, and licenses
- Subject to Accommodations Tax and Business License requirements

# Background of the Ordinance

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- 2016: Task Force formed to study STR impacts
- 2017: Ordinance adopted (amended in 2018)
- Goals: Regulate density, preserve neighborhood integrity, enforce compliance

# Key Ordinance Provisions

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- STR cap: 6% of lots in T3-S, T3-N, T4-HN zones
- Non-owner-occupied STRs regulated by neighborhood cap
- Requirements include:
  - Parking and noise compliance
  - Monitored fire alarm system
  - Safety inspection

## Application Process – Step 1

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- Application & fees (\$100 standard, \$50 inspection, \$1000 post-facto)
- Unit & site details
- Contact list
- Rental agreement (min. stay, guest cap, parking rules, pet policy, etc.)

# Application Process – Step 2

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## **Safety Inspection**

- Posted emergency contacts
- Fire escape plan
- Working smoke & CO detectors
- Safe structure & exits
- Visible address
- Fire alarm system

## Application Process – Step 3

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### **Obtain Business License**

- Issued post-inspection
- Must collect and remit 3% accommodations tax
- Due monthly by the 20th

# STRs in Beaufort (as of May 2025)

Neighborhood	Current Number of STRs	6% Cap Residentially-Zoned Parcels	STR Units Toward Cap	Neighborhood Capped
Hundred Pines	22	19	19	Yes
Mossy Oaks	22	30	20	No
Broad St	3	3	3	Yes
NorthWest Quadrant	36	16	16	Yes
Old Commons	28	7	7	Yes
Pigeon Point	30	21	21	Yes
Royal Oaks	30	35	22	No
Bluff	11	3	3	Yes
The Glebe	3	3	2	No
West End	32	24	24	Yes
Boundary St	1	0	0	No
Core Commercial	2	0	0	No
Lady's Island	3	0	0	No
Spanish Point	5	9	5	No
Higginsonville	10	15	10	Yes
Dixon Village	4	3	2	No
Stone Marten	1	2	1	No
Jerico Woods	0	6	0	No
Trask Farm Rd	2		0	No
Point	3	0	0	No
Live Oaks	0	9	0	No
Battery Point	0	19	0	No
Battery Shores	0	12	0	No
Total	248	236	155	No

# Current Pending STRs As of May 2025

Neighborhood	Number	Counts Toward Cap	Does Not Count Toward Cap	Neighborhood Capped
Broad St	1	0	1	Yes
Hingginsonville	5	5	0	Yes
Mossy Oaks	4	4	0	No
Northwest Quadrant	4	0	4	Yes
Old Commons	1	0	1	Yes
Pigeon Point	3	1	2	Yes
Royal Oaks	7	7	0	No
Total	25	17	8	

## Monitoring & Enforcement – Host Compliance

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- Tracks listings across Airbnb, Vrbo, etc.
- Identifies unregistered STRs
- Uses geo-location and address matching
- Provides real-time data and market analytics

# Business License Suspension or Revocation

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- Fraud, misrepresentation
- Violations of conditions
- Criminal convictions
- Nuisance or unlawful activity
- Delinquent payments

## **Due Process:**

- Written notice + hearing before Council or it's designee

# Enforcement Actions & Penalties

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## Stop Order:

- Issued by the Administrator.
- Requires all illegal activities (e.g., unauthorized work or occupancy) to cease immediately.
- **Permits/approvals may be revoked if:**
  - There's non-compliance with terms or plans.
  - The permit was obtained by false representation.
  - It was issued in error.

# Summary

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- STRs must comply with zoning, safety, and licensing rules
- Enforcement is active via Host Compliance software
- Ongoing monitoring helps maintain neighborhood character and public safety

## **Overview of Short-Term Rentals in the City of Beaufort**

### **What is a Short-Term Rental?**

A short-term rental is defined as a rental of a residential unit or an accessory building for a period of less than 30 days. Short-term rentals are subject to the city's zoning ordinances and require permits and licenses.

### **Background of the Current Short-Term Rental Ordinance:**

In 2016, the City of Beaufort formed a Short-Term Rental Task Force to examine and report on issues related to the increasing presence of short-term rentals in residential areas.

The Task Force presented its findings and recommendations to the Mayor and City Council in April 2017. The report covered key topics including the location and types of rentals, visitor demographics, crime rates, citizen complaints, economic impact, and the City's capacity to regulate and enforce policies.

Based on these recommendations, the Mayor and Council adopted an ordinance in July 2017 to govern short-term rentals within city limits. This ordinance was subsequently amended in July 2018.

The ordinance establishes a limit on the percentage of short-term rental units allowed in each designated city neighborhood. It also requires a Business License and the collection of Accommodations Tax. Specifically, the ordinance restricts non-owner-occupied short-term rentals to no more than 6% of the lots within neighborhoods zoned T3-S, T3-N, and T4-HN, as identified on the City of Beaufort Neighborhood Map.

In addition, the ordinance outlines requirements related to parking, rental agreements, property management plans, and monitored a fire alarm. A safety inspection must also be completed before a business license can be issued.

### **Short-Term Rental Process:**

#### **Step 1: Submit the Short-Term Rental Application**

The application must include all the required documents and applicable fees.

#### **Application Form & Fees**

- **Standard Application Fee:** \$100
- **Inspection Fee:** \$50

- **Post-Facto Application Fee:** \$1,000 (for STRs operating without prior approval)

**Note:** All submission requirements listed in the application form must be included, including the following:

### **Required Documentation**

- **Unit Information:**
  - Number of bedrooms, beds, and guest capacity.
- **Site Information:**
  - Site plan or survey showing the dwelling's location and parking areas.
- **Contact List:**
  - Names and contact details for property owners and property managers.

### **Rental Agreement**

Include a copy of the rental agreement to be used. It must address the following:

- Minimum stay requirement (2-night minimum)
- Maximum number of guests (based on number of beds)
- Maximum number of vehicles allowed
- Parking instructions (where guests may and may not park)
- Compliance with the city's noise ordinance (9:00 PM – 8:00 AM)
- Prohibition of large events (e.g., weddings, reunions) unless explicitly approved by the City
- Pet policy, including a statement that pets may not be left outside unattended

### **Monitored Fire Alarm System**

Short-term rental units must have a monitored fire alarm system installed on each floor.

- This requirement takes effect after the Conditional Use Permit is approved.
- After installation, submit proof such as:
  - An invoice from the installer
  - A certificate of coverage or monitoring

## **Step 2: Schedule and Complete a Safety Inspection**

A safety inspection will be conducted by the Building Official.

### **Inspection Checklist**

- Emergency contact information posted in a visible location:
  - Property manager
  - Emergency services (911)
  - Non-emergency dispatch: (843) 524-277
- Fire escape plan displayed:
  - Simple floor plan with labeled rooms and red arrows indicating exits
- Clearly visible property address from the street
- Functional fire alarm system
- Smoke detectors
- Carbon monoxide detectors
- Safe and secure stairs, handrails, and guardrails
- Proper bedroom/sleeping room egress (must have an operable window or door to the exterior)
- General safety compliance:
  - Structural integrity
  - Electrical, plumbing, mechanical, and gas systems

## **Step 3: Obtain a Business License**

After passing the inspection, applicants must obtain a Business License before renting the property. The licensee is also required to collect a 3% accommodations tax that is based on the monthly rental income and must be submitted to the city by the 20th of each month.

**Current Number of STRs by Neighborhood/Area as of May 2025**

**A\***

Neighborhood	Current Number of STRs	6% Cap Residentially-Zoned Parcels	STR Units Toward Cap	Neighborhood Capped
Hundred Pines	22	19	19	Yes
Mossy Oaks	22	30	20	No
Broad St	3	3	3	Yes
NorthWest Quadrant	36	16	16	Yes
Old Commons	28	7	7	Yes
Pigeon Point	30	21	21	Yes
Royal Oaks	30	35	22	No
Bluff	11	3	3	Yes
The Glebe	3	3	2	No
West End	32	24	24	Yes
Boundary St	1	0	0	No
Core Commercial	2	0	0	No
Lady's Island	3	0	0	No
Spanish Point	5	9	5	No
Higginsonville	10	15	10	Yes
Dixon Village	4	3	2	No
Stone Marten	1	2	1	No
Jerico Woods	0	6	0	No
Trask Farm Rd	2		0	No
Point	3	0	0	No
Live Oaks	0	9	0	No
Battery Point	0	19	0	No
Battery Shores	0	12	0	No
Total	248	236	155	No

**A\* May Exceed Cap Due to Zoning**

**Current Pending STRs As of May 2025**

**B\***

**C\***

Neighborhood	Number	Counts Toward Cap	Does Not Count Toward Cap	Neighborhood Capped
Broad St	1	0	1	Yes
Hingginsonville	5	5	0	Yes
Mossy Oaks	4	4	0	No
Northwest Quadrant	4	0	4	Yes
Old Commons	1	0	1	Yes
Pigeon Point	3	1	2	Yes
Royal Oaks	7	7	0	No
Total	25	17	8	

**B\*Zoned Residential C\*Zoned Mixed-Use or  
Owner Occupied**

## **Business License/Accommodations Tax Enforcement**

In 2017 the City of Beaufort contracted with Host Compliance which provides software tools and services to help monitor and enforce STR regulations.

### **Key Features of Host Compliance**

#### **Online Rental Activity Monitoring**

- **Track Listings Across Platforms:** Monitors multiple short-term rental platforms like Airbnb, Vrbo, and Booking.com to identify listings.
- **Identify Unregistered Listings:** It helps identify properties being rented out without a proper permit or registration.

#### **Address Identification & Matching**

- **Accurate Address Verification:** The software helps match online rental listings with physical addresses, even when the full address isn't publicly listed on the platform.
- **Geo-Location Tools:** Identifies the specific location of each listing to ensure proper enforcement of zoning laws.

#### **Real-Time Data and Reporting**

- **Analytics Dashboard:** Gives access to real-time data and reporting tools to track rental activity.
- **Market Insights:** Provides insights into the short-term rental market, including the number of listings, average pricing, and occupancy rates.

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## **Suspension or Revocation of a Business License**

The license official may suspend a business license if any of the following conditions are met:

1. **Improper Issuance:** The license was mistakenly issued, improperly issued, or issued in violation of the law.
2. **Violation of Conditions:** The licensee has violated any condition of the license or failed to comply with the provisions of Sec. 7-1017 of the City code of Ordinances
3. **Fraud or Misrepresentation:** The license was obtained through fraud, misrepresentation, false or misleading statements, or concealment of a material fact.

4. **Criminal Conviction:** Within the past 10 years, the licensee has been convicted of:
  - A business-related law or ordinance violation,
  - A crime involving dishonesty or moral turpitude related to business,
  - An unlawful sale of merchandise or prohibited goods.
5. **Unlawful or Nuisance Activity:** The licensee has engaged in unlawful activity or has created a nuisance related to the business.
6. **Delinquent Payments:** The licensee is delinquent in paying any tax or fee owed to the municipality.

If any of the above apply, the license official will issue written notice either by personal service or mail to the licensee or the person in control of the business. The notice will state that the license is suspended pending a hearing before the council or its designee. The purpose of the hearing is to determine whether the suspension should be upheld, and the license revoked.

The notice will include:

- The **time and place** of the hearing,
- A **brief explanation** of the reasons for suspension and proposed revocation,
- A **copy** of the relevant sections of the City Code of Ordinances

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2. **Short Term Rental:**

- a. **Specific to T3-S, T3-N, and T4-HN:** Short term rentals, where the owner does not live on the premises, are limited to 6% of the lots in the neighborhood as shown on the City of Beaufort Neighborhoods Map zoned T3-S, T3-N, and/or T4-HN with the following exceptions:
  - i. Structures on the City's List of Vacant and Abandoned Structures being rehabilitated for use as a short term rental; and
  - ii. Short term rentals are prohibited in The Point neighborhood, as shown on the City of Beaufort Neighborhoods Map.
- b. **Minimum Stay:** 2 nights.
- c. **Permitted Rental Types:**
  - i. Rental of the primary dwelling.
  - ii. Rental of an accessory dwelling.
  - iii. Rental of a portion of a primary dwelling.
  - iv. Rental of a boat in an approved marina.
- d. **Parking:** Parking shall be provided on-site and located to the side or rear of the dwelling. On-site parking shall be clearly delineated with an improved surface such as pavement, gravel, or another method approved by the administrator. If formalized parking is provided on the street(s) adjacent to the primary or accessory unit, this may be utilized in lieu of on-site parking.
- e. **Rental Agreement:** The applicant shall provide a copy of the rental agreement that will be used. The rental agreement shall specify the following:
  - i. The minimum stay.
  - ii. The maximum number of guests—which shall be based on the number of beds in the unit. For Primary house rentals, the number of adult guests is limited to 2 per bedroom. For Carriage House rentals, the total number of adult guests is limited to 4.
  - iii. The maximum number of vehicles permitted at the unit—which shall be based on the number of bedrooms and the design of the driveway. For Primary house rentals, the number of vehicles is limited to 1 per bedroom. For Carriage House rentals, the total number of adult guests is limited to 2.
  - iv. Where guests are to park. Where no formalized on-street parking is available, the agreement shall specify that guests are to park on-site and not in the street.
  - v. That the City's noise ordinance applies between 9:00 p.m. and 8:00 a.m.
  - vi. Prohibit large gatherings such as weddings and reunions unless specifically approved by the City.
  - vii. Pets, if permitted, are not to be left outside unattended.
- f. **Property Management Plan:** A property management plan shall be developed and approved by the administrator. The property management plan shall identify a property manager. Where the property owner does not live on the premises, the property manager must be available to appear on the premises to respond a complaint within three hours of

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being notified by the administrator. Where the property owner lives on the premises, a back-up property manager must be identified unless the owner certifies the unit will not be rented when the owner is out of town. The administrator shall be notified when management of the unit changes. Failure to comply with the approved property management plan shall result in the revocation of the zoning permit (Section 9.4).

- g. **Signs:** No on-site signs shall be permitted.
- h. **Rental Rules:** Rental rules, including use of the sanitation and recycling roll-carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the unit.
- i. **Monitored Fire Alarm:** A monitored fire alarm is required for all units except boats. Boats are required to provide documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed is required. The Vessel Safety Check can be arranged through this link: <http://www.cgaux.org/vsc> . Existing facilities not meeting this requirement shall be brought into conformance within 6 months of the date of adoption of this Code.
- j. **Outside Approvals Required:** For properties located in a neighborhood with a property owners' association, written confirmation from the association president that short-term rentals are permitted in the neighborhood is required. In multifamily structures, written approval from the property management association is required. For boats in an approved marina, written permission from the marina manager is required.
- k. **Safety Inspection and Licensing:** A Safety Inspection shall be conducted before the Business License for the facility is issued. The facility shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County and the State of South Carolina.
- l. **Unlicensed Units:** For units that are found to be operating without approval of the City, the short term rental application fee shall be \$1,000. If the property owner chooses not to submit a short term rental application within 60 days of being notified by the City of being in violation of the ordinance, a short term rental application shall not be approved for a period of 2 years.

**Sec. 7-1016. Suspension or revocation of license.**

When the license official determines:

- (1) A license has been mistakenly or improperly issued or issued contrary to law;
- (2) A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this chapter;
- (3) A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, or evasion or suppression of a material fact in the license application;
- (4) A licensee has been convicted within the previous ten (10) years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods;
- (5) A licensee has engaged in an unlawful activity or nuisance related to the business; or
- (6) A licensee is delinquent in the payment to the municipality of any tax or fee, the license official may give written notice to the licensee or the person in control of the business within the municipality by personal service or mail that the license is suspended pending a single hearing before council or its designee for the purpose of determining whether the suspension should be upheld and the license should be revoked.

The written notice of suspension and proposed revocation shall state the time and place at which the hearing is to be held, and shall contain a brief statement of the reasons for the suspension and proposed revocation and a copy of the applicable provisions of this chapter.

(Ord. No. O-14-21, 9-28-21)

### 12.3.1 GENERAL

Any person violating this Code shall be guilty of a misdemeanor and, upon conviction, shall pay such penalties as the court may decide, as prescribed by state law. Each day such conduct continues shall subject the offender to the liability prescribed in this article.

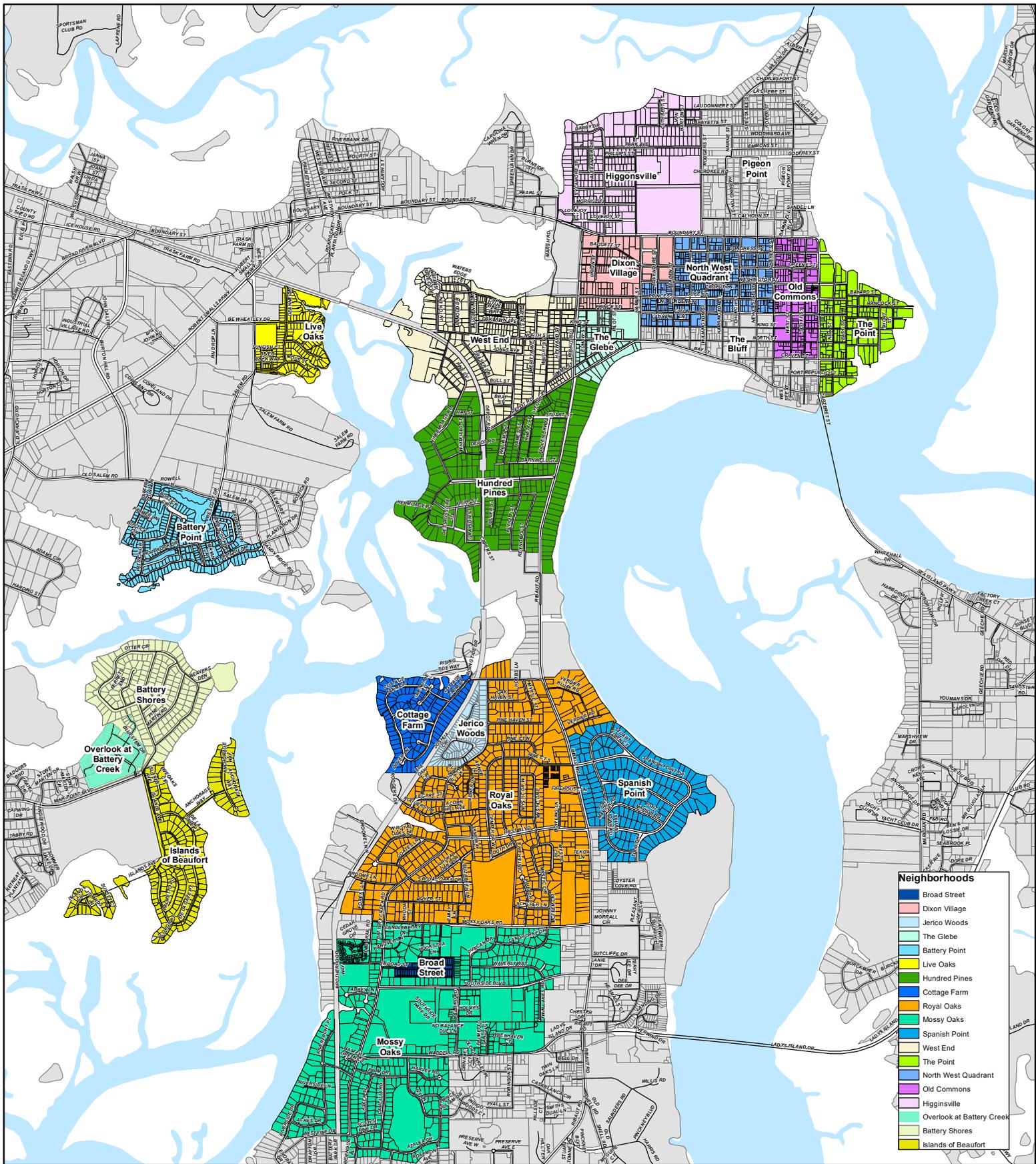
### 12.3.2 OTHER REMEDIES AND PENALTIES

In addition, the city may use any combination of the following enforcement actions, remedies, and penalties in any particular order to correct, stop, abate, or enjoin a violation of this Code:

- A. **Stop Order:** The Administrator may issue and serve upon a person violating this Code a "stop order" requires the person to stop all actions in violation of this Code, including illegal occupation of a building or structure, performing illegal work, or any other action in violation of this Code.
- B. **Permit Revocation:** Any permit, development approval, or other form of authorization required under this Code may be revoked if the Administrator determines that:
  - 1. There is a failure to comply with the approved permit, development approval, plans, specifications, or terms or conditions required under the permit or development approval.
  - 2. The permit or development approval was procured by false representation.
  - 3. The permit or development approval was issued in error.

Written notice of revocation shall be served upon the landowner, the landowner's agent, or others to whom the permit or development approval was issued, and such notice may be posted in a prominent location at the place of violation. No work or construction shall proceed after service of the revocation notice.

- C. **Civil Remedies:** In addition to all other remedies and penalties outlined in this article, the administrator may institute an action or proceeding for injunction or mandamus or other appropriate action or proceeding to prevent, abate, or correct a violation of this Code or to prevent the occupancy of a structure or land that is in violation of this Code. Each day a person violates this Code shall be considered a separate offense.



# City of Beaufort Neighborhoods

## May 9, 2018





**CITY OF BEAUFORT  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM**

To: City Council

From: JJ Sauve, Deputy City Manager

Agenda Item Title: BJHT Home Repair Program Update

Meeting Date: 6-10-25

Department: City Manager's Office

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**I. Introduction**

The purpose of this memorandum is to provide an update to City Council on the City's partnership with the Beaufort Jasper Housing Trust (BJHT) to manage a home repair program for qualified City of Beaufort residents.

**II. Background**

On March 11, 2025, City Council approved a Memorandum of Understanding with BJHT to administer a home repair program. The program is designed to provide financial support for essential home repairs for eligible residents within the City limits.

Following Council approval, City staff met with BJHT staff on March 25, 2025, to discuss the program rollout and coordinate responsibilities. Staff continue to work with BJHT to finalize operational details necessary to launch the program.

On June 4, 2025, BJHT provided an updated application package for review, including draft eligibility criteria, a proposed scoring rubric, neighborhood zone definitions, and sample documentation. Staff are reviewing the updated materials and coordinating with BJHT to complete outstanding items.

**III. Program Communications**

The City's Public Information Officer is working with BJHT staff to finalize a joint communications plan. The plan will address how the program will be publicly announced, where

applications will be available, and how residents can receive assistance with the application process.

#### **IV. Next Steps**

- Complete review of updated application package provided by BJHT
- Finalize neighborhood zone boundaries for use in the application process
- Coordinate with BJHT to confirm program eligibility and scoring criteria
- Finalize communications plan with BJHT staff
- Applications go live in July
- First Round review of applications in August



**CITY OF BEAUFORT  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM**

To: City Council

From: JJ Sauve, Deputy City Manager

Agenda Item Title: Nuisance Abatement Ordinance Proposal

Meeting Date: 6-10-25

Department: City Manager's Office

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**I. Introduction**

This memorandum presents a proposed first draft of a Public Nuisance Ordinance for City Council consideration. The ordinance is intended to provide a clear and enforceable framework for identifying, abating, and preventing public nuisances within the City of Beaufort. Adoption of the ordinance will enhance the City's ability to proactively address health, safety, and quality-of-life issues where chronic crime and property conditions have impacted livability.

**II. Background**

The City of Beaufort currently lacks a unified ordinance defining and addressing public nuisances in a comprehensive manner. Over the past year, City staff have received repeated concerns from residents in several neighborhoods regarding persistent criminal issues, property maintenance issues, abandoned structures and vehicles, and activities detrimental to community health and safety.

After reviewing ordinances from peer jurisdictions including Columbia, Rock Hill, North Charleston, Richland County, and Horry County, staff have drafted a first draft ordinance tailored to Beaufort's needs. The proposed ordinance establishes a formal definition of public nuisance, identifies specific examples of prohibited conditions and behaviors, outlines due process for enforcement, and includes penalties and appeal provisions.

The goal is to support property upkeep, protect neighborhood integrity, and provide the City with an enforceable legal framework to intervene when necessary—while also affording due process protections and appeal opportunities for property owners.

### **III. Legal Authority**

The City's authority to regulate nuisances derives from multiple sources:

- **South Carolina Constitution, Article VIII, §14** authorizes municipalities to enact ordinances for the purpose of preserving public health and safety.
- **South Carolina Code of Laws § 5-7-30** grants municipalities broad police powers to enact ordinances necessary for the welfare of the community.
- Beaufort's **Code of Ordinances, Chapter 1, Article III**, authorizes Council to adopt, by ordinance, provisions with general application to protect public interests.

Further, municipal case law in South Carolina affirms a city's authority to abate nuisances and to impose reasonable penalties for violations, provided notice and opportunity to cure are afforded.

### **IV. Recommendation**

Staff recommends that City Council approve the proposed Public Nuisance Ordinance for first reading and schedule a public hearing prior to second reading and final adoption. The ordinance aligns with best practices statewide, is legally sound, and will provide a much-needed enforcement tool to address ongoing concerns in Garden Oaks and other residential areas.

Proposed Timeline for Consideration and Adoption:

- June 10, 2025 – Council Worksession: Presentation and discussion of the draft ordinance
- July 8, 2025 – City Council Meeting: First Reading of the Public Nuisance Ordinance
- August 19, 2025 – City Council Meeting: Second Reading and final adoption

Upon receiving the general support of Council during this worksession, staff will undertake the following:

- Coordinate with the City Attorney to finalize formatting and legal sufficiency for first reading
- Coordinate with Police, Code Enforcement, and Public Works to prepare internal enforcement protocols for consistent implementation

### **V. Attachments**

1. Proposed Draft Beaufort Nuisance Abatement Ordinance
2. Columbia Nuisance Ordinance
3. Rock Hill Nuisance Ordinance

**City of Beaufort, South Carolina**  
**Ordinance No. [Insert Number]**  
**An Ordinance to Establish Regulations for the Abatement of Public Nuisances**

**Section 1. Title**

This ordinance shall be known and cited as the "Public Nuisance Abatement Ordinance of the City of Beaufort.

**Section 2. Purpose**

The purpose of this ordinance is to define, prohibit, and provide procedures for the abatement of public nuisances within the City of Beaufort to protect the health, safety, and welfare of its residents.

**Section 3. Definitions**

For the purposes of this ordinance, the following definitions apply:

1. **Public Nuisance:** Any act, omission, condition, or use of property which substantially interferes with the rights of the general public, endangers public health or safety, or obstructs the free use of property so as to interfere with the comfortable enjoyment of life or property.
2. **Property Owner:** Any person, agent, firm, or corporation having legal or equitable title to real property or any person in possession or control of real property, including tenants.

**Section 4. Prohibited Acts**

It shall be unlawful for any person to create, maintain, or permit a public nuisance within the City of Beaufort. The following are declared to be public nuisances, including but not limited to:

- a. **Accumulation of Refuse:** Allowing garbage, trash, or debris to accumulate on property, creating unsanitary conditions.
- b. **Overgrown Vegetation:** Failure to maintain lawns, weeds, or plant growth exceeding [Insert Height] inches, contributing to unsightly conditions or harboring pests.
- c. **Abandoned Vehicles:** Keeping inoperable or unlicensed vehicles on property visible from public rights-of-way for more than [Insert Timeframe] days.

- d. **Dilapidated Structures:** Maintaining buildings or structures in a state of disrepair, posing safety hazards or blight.
- e. **Noise Disturbances:** Engaging in activities that produce excessive noise disrupting the peace and comfort of neighboring residents, especially during designated quiet hours.
- f. **Illegal Activities:** Using property for unlawful purposes, including but not limited to acts of violence, drug-related activities, prostitution, or illegal gambling.

**Section 5. Enforcement**

- a. **Investigation:** Upon receiving a complaint or observing a potential nuisance, the Code Enforcement Officer shall investigate to determine the existence of a public nuisance.
- b. **Notice of Violation:** If a nuisance is found, the Code Enforcement Officer shall issue a written notice to the property owner specifying the nature of the violation and requiring abatement within [Insert Timeframe] days.
- c. **Failure to Comply:** If the nuisance is not abated within the specified timeframe, the City may take corrective action and assess the costs against the property owner, including placing a lien on the property.
- d. **Emergency Abatement:** In cases where a nuisance poses an immediate threat to public health or safety, the City may abate the nuisance without prior notice and recover costs from the property owner.

Commented [JS1]: or Law Enforcement Officer?

Commented [JS2]: Do we need to define this?

**Section 6. Penalties**

Any person violating this ordinance shall be subject to a fine not exceeding [Insert Amount] per violation. Each day the nuisance continues constitutes a separate offense.

**Section 7. Appeals**

Property owners may appeal a notice of violation or abatement action to the [Insert Appropriate Board or Authority] within [Insert Timeframe] days of receiving notice. The decision of the [Board/Authority] shall be final.

Commented [JS3]: I'm assuming we would want this to go through Municipal Court like any other ordinance violation? I noticed that some ordinances have the violations going to planning/zoning commissions...

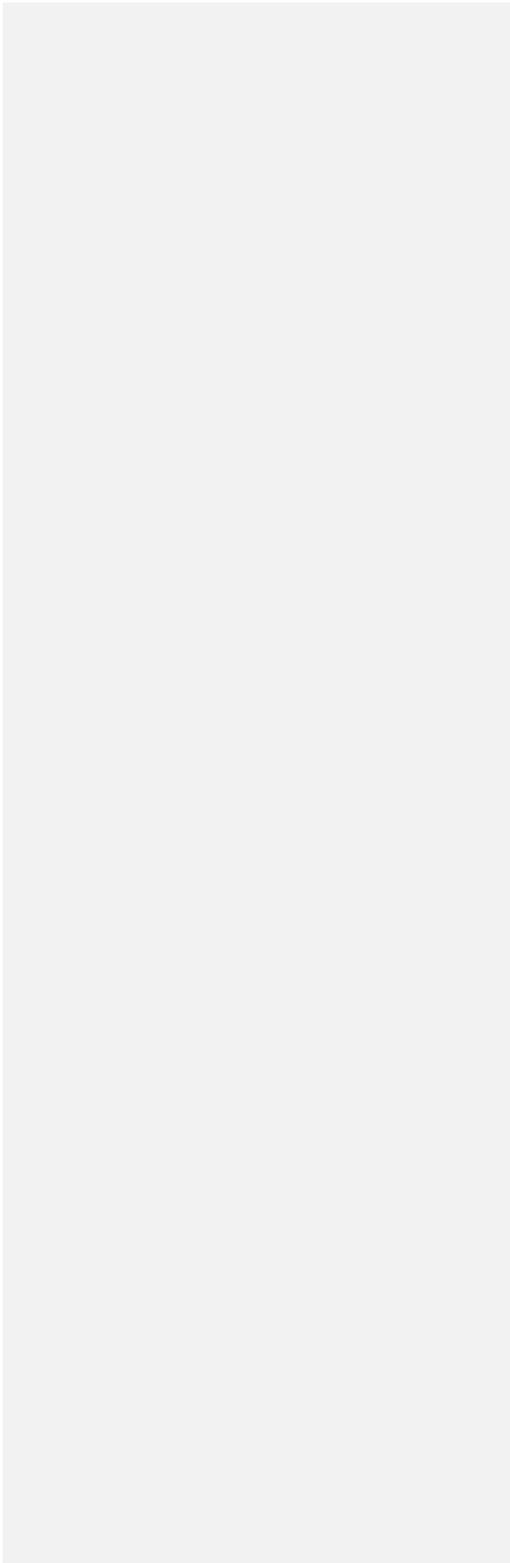
**Section 8. Severability**

If any provision of this ordinance is found to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

**Section 9. Effective Date**

This ordinance shall take effect upon its adoption by the City Council of Beaufort.

DRAFT



## ARTICLE II. - NUISANCES

*Footnotes:*

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**Editor's note**— *Ord. No. 2015-101, adopted Jan. 5, 2016, amended former Art. II, §§ 8-31—8-41, in its entirety to read as herein set out. Former Art. II pertained to similar subject matter and derived from the Code of 1979, §§ 9-3001—9-3009, Ord. No. 2000[1], §§ 1, 2, 11-14-01; Ord. No. 2008-026, 4-2-08; Ord. No. 2010-079, 6-2-10.*

**Cross reference**— *Abandoned refrigerators and other hazardous containers, § 14-241 et seq.*

## Sec. 8-31. - Nuisance—Definitions.

(a) *Definitions.* As used in this article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

*Abate* means repair, replace, remove, destroy or otherwise remedy the condition in question by such means, in such time, in such a manner and to such an extent as the enforcement officer or hearing committee shall determine to be in the best interest of the public, taking into account all facts and circumstances.

*Business days* means Monday at 9:00 am through Friday at 5:00 pm.

*Citation* means a charge or formal written accusation of violation of a municipal, state or federal law, regulation or ordinance, including any violations of the International Property Maintenance Code as adopted by the City of Columbia.

*Conviction* means a person has been found by a court of competent jurisdiction to have violated a municipal, state or federal law, regulation or ordinance, including any violations of the International Property Maintenance Code as adopted by the City of Columbia.

*Delinquent arrearage* means any funds or monies owed to the City of Columbia which were due to be paid on a date prior but have not been paid when due, provided, this shall not include arrearages which are the subject of a repayment plan or abatement agreement entered into with the City of Columbia.

*Enforcement officer* means a law enforcement officer, code enforcement official or city employee or official as may be designated in writing by the city manager or chief of police to enforce the provisions of this article.

*Graffiti* means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization.

*Hearing board* means the Property Maintenance Board of Appeals.

*Industrial wastes* means all liquid and water-borne solid, liquid or gaseous wastes resulting from industrial manufacturing, food processing operation, processing any natural resource or mixture of such wastes with water or domestic sewage.

*Notice* means a written document informing the citizen of the nature of the violation.

*Person* means any landlord, property owner, manager, lessee, tenant, or individual, group, association, corporation, partnership, trust, estate or receiver having the capacity to sue or be sued.

*Premises* mean any building, lot parcel, real estate, or land or portion of land whether improved or unimproved, occupied or unoccupied, including adjacent parking.

*Public nuisance* means as determined by an enforcement officer based upon the facts and circumstances found after reasonable inquiry, investigation or upon citizen report, those conditions or events which constitute an unreasonable interference with rights of the public in general, and where, in a public place, or where the public congregates, or where the public is likely to come within the range of influence through the senses, a person unlawfully does an act or omits to perform a duty, which act or omission does any one or more of the following:

- (1) Annoys, injures, subverts or endangers the public's order, economy, resources, safety, health, welfare, comfort, repose or offends public decency;
- (2) Unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage any waters or public places or way;

*Structure* means anything constructed, built or planted upon, any edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner, which structure requires location on the ground or is attached to something having a location on the ground.

(b) *Nuisances affecting public health.* The following are hereby declared to be nuisances affecting public health:

- (1) All decayed or unwholesome food products or food waste not properly contained either inside or outside for more than 24 hours before pickup;
- (2) Any violations of the smoking provisions of Article IV, Division 5 of this chapter, provided, however, the remedies under that section are exclusive and remedies contained herein for nuisances are not available;
- (3) All pools of stagnant water or vessels holding stagnant water in which mosquitoes can breed, excluding required retention ponds;
- (4) Swimming pools which violate any of the requirements of section 5-1 of the Columbia Code of Ordinances;
- (5) Any violations of Chapter 4 as it relates to animal or animal waste;
- (6)

Any violation of the International Property Maintenance Code, as adopted by the City of Columbia, which related to sewage or leaks of sewage;

- (7) Deliberate placement or discharge of into any part of a storm water drainage system of: untreated sewage, sewage solids, process wastewater, refuse, explosive or combustible liquid, solid or gas, oils, greases, industrial water or other polluted water except where a federal, state or local permit for connections, discharge or disposal has been obtained prior to the event; or waters or wastes containing toxic or poisonous wastes to constitute a hazard to humans, plants or animals or to cause corrosion, discoloration or deposition on real or personal property; or any solid or viscous substances in such quantities or of such size capable of causing obstruction to the flow in the storm water drainage system or other interference with the proper operation of the drainage system of the city.
  - (8) All structures in violation of the International Property Maintenance Code or Chapter 5 of this Code, as adopted and all structures, for a period of 90 days, which remain unoccupied and boarded up, and whose exterior finish is destroyed, decayed, dilapidated or deteriorated in violation of the International Property Maintenance Code, as adopted.
- (c) *Nuisances offending public decency, peace and order.* The following are hereby declared to be public nuisances affecting public decency, peace and order, whether such violations are of an intermittent, cyclical, continual, reoccurring or constant nature; and when the responsible party generates, enables, or contributes to the occurrence of the unlawful behavior by an absence or failure of property management policy or practice, absence or failure of control over the property, absence or failure of supervision of guests or invitees, absence or failure of security measures.
- (1) Any premises or structure located thereupon, whether commercial or residential, where gambling devices, slot machines, punch boards and other such contrivances of similar character involving any elements of chance as a consideration or any type of gambling, bookmaking, wagering or betting is carried on, and all gambling equipment, except where such specific form of gambling is permitted by applicable law;
  - (2) Any premises or structure located thereupon, whether commercial or residential, operated as a bawdy house, house of assignation, place of prostitution or used and maintained for the commercial or criminal purposes of unlawful sexual activity in violation of federal, state or local law;
  - (3) Any premises or structure located thereupon, whether commercial or residential, where intoxicating liquors are manufactured, sold, bartered or given away in violation of federal, state or local law, or where intoxicating liquors kept for sale, barter or distribution in violation of federal, state or local law, and all liquors, bottles, kegs, pumps, bars and other property kept at and used for maintaining such a place; or where required safety plans are not in place, or where persistent violations of law occur under a failed or ineffective safety plan;

- (4) Any premises or structure located thereupon, whether commercial or residential, where acts of sale, manufacture, possession or distribution of controlled substances occur in violation of federal, state and local law;
- (5) Any premises or structure located thereupon, whether commercial or residential, where violations against the federal, state or municipal laws occur with disproportionate frequency or intensity that they require an excessive public safety response cost. "Excessive public safety response" means:
- a. The reasonable deployment of five or more law enforcement officers to an emergency scene at any one time, or the reoccurring need for public safety or code personnel or emergency vehicles at the location when compared to the frequency or intensity of law or regulation enforcement required at other similarly situated structures;
  - b. There have been more than two situations of unsafe traffic or crowd control issues at the location which result in the request of emergency assistance or the need for law enforcement assistance from an emergency situation; provided, however, this does not include when traffic control or crowd control is requested in advance of a scheduled event pursuant to a city issued permit or prior discussions with law enforcement.
  - c. There have been more than six citations, or search warrants executed, or a combination of the two, at the location for any of the following behaviors during any 12-month period:
    - i. Violation of any state or local alcohol law;
    - ii. Violation of any federal, state or local narcotics law;
    - iii. Violation of any state or local gun law;
    - iv. Assaults; and/or
    - v. Crimes of violence against another person(s).
- (6) Any overgrown, uninhabited, undeveloped or vacant land, lot or property not licensed or zoned for camping that has been identified by law enforcement as an area used by persons other than the owner as an area to inhabit or camp, or any overgrown, uninhabited, undeveloped or vacant land, lot or property used by persons as an area to flee or evade police upon approach, or used to avoid detection or investigation by law enforcement without regard to the time of day or night regarding such conduct, as identified by a citizen or police reported incident level of more than two times in a 60-day period.
- (7) Reentry upon a specified public place, after being ejected and excluded from a public place as a result of conduct that placed themselves or others in potentially dangerous situations on public places by disobedience to safety rules, disorderly conduct or breaches of the peace. (See Article IV, Division 5 of this Chapter.)

(d)

*Nuisances affecting public welfare and safety.* The following are hereby declared to be public nuisances affecting public welfare and safety:

- (1) All trees, hedges, signs or other obstructions, or any portion of the same, so located on private property which prevent persons driving vehicles approaching an intersection of streets from having a clear safe view of traffic approaching such intersection;
  - (2) All trees, hedges, signs or other obstructions, or any portion of the same so located on private property which prevents the clear and unobstructed view of a fire hydrant, fire department connection or other fire protection device, or directional or identification signage pertaining to the above, from a public way;
  - (3) Any obstruction, erosion or depression which poses a potential hazard to vehicles or pedestrians using a right-of-way on private property where the public is invited or permitted to traverse for commercial purposes;
  - (4) All wires, strings, ropes or lighting contrivances over streets, alley or public grounds which are not authorized or permitted by the city or which are strung so that the lowest portion is less than 13½ feet above the surface of the ground;
  - (5) All explosives, flammable liquids and other dangerous substances stored in any manner, in any amount other than that manner or amount permitted by law;
  - (6) All hanging signs, awnings, canopies and other similar structures over the streets or sidewalks so situated or constructed as to endanger public safety or to be contrary to ordinance;
  - (7) Any motor vehicle that is unregistered, inoperable, derelict or abandoned on any highway or right-of-way, or other public or private property (including motor vehicles in violation of section 302.8 of the International Property Maintenance Code, as adopted by and for the city), unless such vehicle is stored inside of a completely enclosed permanent structure.
  - (8) Any tents, trailers, structures, cooking devices, appliance, chairs, tables, coolers or other objects used in impromptu, unpermitted or unmanaged outdoor events or gatherings in a required parking area or landscaped area of a business license holder, or the site of any short-term residential rental, unless that such outdoor events that are specifically permitted through legislative or administrative action, or sponsored by the business license holder in compliance with regulations governing such outdoor events.
  - (9) Reentry upon a specified public place, after being ejected and excluded from a public place as a result of conduct that placed themselves or others in potentially dangerous situations on public places by disobedience to safety rules, disorderly conduct or breaches of the peace. (See division 5 of this chapter and article).
- (e) *Nuisances affecting public economy.* The following are hereby declared to be public nuisances affecting the public economy:
- (1) All structures bearing graffiti, to be abated by applicable law;

- (2) All businesses or commercial enterprises operating without a current and valid business license;
- (3) All premises that are found not in compliance with applicable licensing, landlord, zoning, land use laws and adopted codes;
- (4) Any delinquent arrearage of applicable city liens, taxes, fees, charges or assessments;
- (5) All premises which originate false fire or security alarms, as defined by sections 9-21 through 9-24 for fire alarms and sections 10-10 through 10-13 for security alarms.

(Ord. No. 2015-101, 1-5-16; Ord. No. 2019-046, 8-6-19; Ord. No. 2019-099, 12-3-19; Ord. No. 2021-089, 12-18-21; Ord. No. 2022-020, 4-5-22)

Sec. 8-32. - Other nuisances.

- (a) The enumeration of specific nuisances in this division shall not be deemed to make lawful any other act or condition declared to be a nuisance by any other city ordinance, state law, federal law, or court decision.
- (b) Any other violation which is considered a public nuisance by any other violation of the International Property Maintenance Code or the municipal ordinances of the City of Columbia is hereby included in this section by general reference.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-33. - Reporting emergencies and emergency action.

- (a) Any person who directly observes a nuisance posing an emergency threat to the public health or safety or to the environment shall immediately report the incident to the Columbia Police/Fire Communications Center and shall provide any information requested needed to investigate or abate the potential emergency. If any nuisance exists in such a condition so menacing to the public health, peace or safety that it is necessary that it be summarily abated, the city enforcement officer, after consultation with and concurrence from the city manager may proceed to abate the nuisance without a hearing.
- (b) Whenever it is necessary to make an inspection to enforce any of the provisions of this article, or whenever the city manager, the chief of police or his designee has reasonable cause to believe that there exists on or within any premises within the city any condition which would constitute a common nuisance, the chief of police or his designated inspector may enter such premises at all reasonable times to inspect the premises or to perform any duty imposed by this Code, provided that, if such premises are occupied, he shall first present proper credentials and request entry. If such premises are unoccupied, he shall first make a reasonable effort to locate the owner or

other persons having charge or control of the premises and request entry. If such entry to either occupied or unoccupied premises is refused, the director of public services shall have recourse to every remedy provided by law to secure entry.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-34. - Nuisances prohibited and unlawful.

No person shall create any public nuisance in the city, and no person shall by inaction permit a public nuisance to occur or continue on any real property under such person's control, whether by recorded or unrecorded instrument or permission. Nor shall any person permit a public nuisance to occur involving any personal property under such person's control.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-35. - Institution of criminal process and penalty.

The declaration of the public nature of a nuisance must be made by the chief of police or the city housing officer or his designee. Enforcement of this chapter's provisions may be accomplished upon the institution of criminal process by way of uniform traffic ticket, municipal ordinance summons or warrant made only by a law enforcement officer or appropriate government official. Each day of violation constitutes a separate misdemeanor offense in accordance with section 1-5. In its discretion, the city may elect to use other applicable Code sections pertaining to remediation, abatement or offenses.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-36. - Notice to clean up lot or premises.

Whenever it shall appear to the chief of police or the housing officer that there are lying within the city limits any lots or premises in a condition which shall constitute a present or potential hazard to the public health, the chief of police or the housing officer shall issue a written notice to the owner requiring him within a certain specified reasonable time to clear such premises or lot of all rank or uncultivated vegetable growth or briars, brush, grass, weeds, litter, offal, refuse, rubbish, trash, stagnant water, inoperative or unregistered motor vehicles, or other matter deleterious to good health and public sanitation, as in the opinion of the issuing officer will abate such nuisance.

(Ord. No. 2015-101, 1-5-16; Ord. No. 2021-089, 12-18-21)

Sec. 8-37. - Public abatement; notice, service.

- (a) If a person fails or refuses to discharge the duty imposed by this section, the city may concurrently serve an administrative notice to abate a public nuisance upon the owner or occupant and demand that compliance must be achieved within the time specified in the notice.

- (b) The city shall determine the individual, firm or corporation or lien holder who, from the records in the county tax assessor's office, appears to be the titled owner or lien holder of the property and cause a written notice of public nuisance to be served on such individual, firm or corporation or lien holder by:
- (1) Personal service as attested to by affidavit of service; or by
  - (2) Copy mailed to such owner or lien holder at such place or address by United States certified mail return receipt requested; or
  - (3) The city shall cause a copy of the aforesaid notice to be posted at such structure, location or premises, which shall serve as notice to the public.
- (c) The notice to abate the nuisance shall inform the person of the specific nuisance contained in this section, provide names, numbers and addresses for contact with the city; inform them of their rights to appeal and that, upon the day after the time specified in the notice, the city may abate the condition and assess an administrative fee and all public costs, including attorney's fees and costs as a lien against the property.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-38. - Appeal procedures; hearing.

- (a) *Appeal of finding of nuisance:* The responsible person, owner or occupant, or the lien holder of the property, may make a written demand to the housing official for a hearing on the question of whether a public nuisance in fact exists. This appeal stays the public abatement until such time as the matter is heard and decided by the hearing board. The appeal must be received by the housing official before the time specified in the notice. The appeal may be faxed or emailed to the manager. The written demand shall include a contact number, either phone or facsimile in order for the person to be informed of the hearing location, date and time. It shall not be a defense to the determination that a public nuisance exists that the property is boarded up or otherwise enclosed. The hearing board may amend or modify the notice to abate the public nuisance, or when appropriate under the facts presented, extend the time for compliance by the owner to such date as the majority of the appeals board may determine. The decisions of the board are final, and shall be delivered orally to the appellant on the date of the hearing, and then, if requested, written and mailed to the address provided.
- (b) *Failure to appeal:* Failure to timely appeal constitutes a waiver of the right to appeal the existence of a public nuisance.
- (c) *Appeal of assessment:* Further, in those instances where the nuisance has been abated by the city after the required notice, the owner or occupant of the property who has been served with a notice of assessment pursuant to this article may make a written demand to the manager for a hearing to review the cost of the abatement. This appeal stays the attachment of the lien until

such time as the matter is heard and decided by the hearing board. The appeal of the assessment must be received by the manager within five business days of the appellant's receipt of the notice of assessment. The written demand shall include a contact number, either phone or facsimile in order for the person to be informed of the hearing location, date and time. In an appeal of the assessment of costs, no testimony shall be permitted on the issue of the existence of the public nuisance. The decisions of the board are final, and shall be delivered orally to the appellant on the date of the hearing, and then, if requested, written and mailed to the address provided.

- (d) *Failure to appeal assessment:* Failure to timely appeal constitutes a waiver of the right to appeal the assessment of costs.
- (e) *Notice of the hearing:* By way of the contact numbers provided in the written demand, the manager shall orally advise the owner of the location, date and time of the hearing. Notice of the hearing must be provided at least two business days prior to the hearing, excluding city recognized holidays and weekends.
- (f) *Time and manner of hearings:* The hearings as allowed under this section shall be held as soon as practical but in any event no later than ten business days after receipt of the appeal, excluding city recognized holidays and weekends. The hearing shall not be conducted under the strict rules of evidence, but the board can have formal rules of procedure. The enforcement officer shall present the facts and circumstances that resulted in a conclusion that a public nuisance existed. The owner, occupant or lien holder, or their agents, representatives or attorneys shall be given the opportunity to present evidence to the appeals board in the course of the hearing, and shall have the right of cross examination of the enforcement officer. When the nuisance has been abated by the city and the person has appealed the assessment of the administrative fee and actual costs, the hearing board shall have discretion to waive the administrative fee or the public cost of abating a nuisance, in whole or in part, if, in the course of the hearing reviewing the decision, the hearing board finds that justice and equity require such waiver or that any of the following did not conform to the provisions of this article:
  - (1) The notice to remove the nuisance;
  - (2) The work performed in abating the nuisance;
  - (3) The itemized computation of charges and costs of abatement alleged to be owed by the owner of the property to the city.

(Ord. No. 2015-101, 1-5-16)

#### Sec. 8-39. - Liability for costs.

In the event of refusal or neglect of a person to cause such nuisance to be abated in the manner and within the time provided herein, it shall be reported to the manager. The manager may, in a reasonable and prudent manner, direct the expenditure of public resources to abate the nuisance condition. Fee and costs

shall be established by ordinance. The cost of abatement shall include an administrative assessment, title search costs, lien filing costs and any attorney's fees and costs made necessary when the public is compelled to collect through legal process, in addition to the actual cost of labor and materials expended in public abatement. The person shall be served with a notice of assessment within seven days of the completion of the abatement. The notice of assessment shall include the administrative fee and a statement of public cost, attested to by affidavit, and shall be issued and served upon the person responsible for payment who shall make payment within 30 days of the date of service. Upon the expiration of the 30-day period, if the amount has not been paid in full or contested before the manager, the manager may cause a lien in that amount to be filed with the county clerk of court and with the finance director of the city. The lien shall be of record in the county courthouse and the office of the finance director in the book of liens, until paid or recovered, or otherwise released. Collection of the lien by way of foreclosure may be instituted by the city attorney on behalf of the city.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-40. - Institution of administrative remedy and penalty.

- (a) *Revocation of licenses or permits for public nuisance:* For any person or entity which holds or owns a license or permit issued by the City of Columbia, a determination of the public nature of a public nuisance must be made by the Chief of Police or must be made by the Director of Business Licenses for any public nuisance under section 8-31(e). Upon such a finding, in addition to any other relief under these ordinances or applicable law, enforcement of this chapter's provisions may be accomplished upon the revocation of any license or permit issued by the City of Columbia by way of a Notice of Revocation to be served on the License Holder, his/her designee or a person of suitable age and discretion who lives or works at the subject location.
- (b) *Operating without a license or permit:* Each day a person operates without a license beginning on the next business day after receiving the notice of revocation, constitutes a separate misdemeanor offense, punishable in accordance with section 1-5. In its discretion, the city may elect to use other applicable Code sections pertaining to remediation, abatement or offenses.
- (c) *Review of finding of nuisance:* The responsible person, owner or occupant, or the lien holder of the property, may make a written demand to the city manager for a hearing on the question of whether a public nuisance in fact exists. This review does not stay the revocation of the license or permit, but a hearing will be scheduled with the city manager as soon as possible. The review must be received by the manager before the time specified in the notice. The review may be faxed or emailed to the manager. The written demand shall include an address and a contact number, either phone or facsimile, in order for the person to be informed of the hearing location, date and time. The city manager may amend or modify the notice of revocation, or when

appropriate under the facts presented, extend the time for compliance by the owner to such date as the city manager may determine. The decisions of the city manager are final, and shall be delivered in written form within ten days and mailed to the address provided.

- (d) *City manager's decision:* Any appeal of the city manager's administrative decision is final and reviewable by the circuit court in the same procedure and manner as state licensing appeals under Section 1-23-380, Code of Laws of South Carolina, as amended from time to time, incorporated herein by express reference.

(Ord. No. 2015-101, 1-5-16)

Sec. 8-41. - Severability.

The provisions of this article are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this article. It is hereby declared that the intent of the council is that this article would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

(Ord. No. 2015-101, 1-5-16)

Secs. 8-42—8-60. - Reserved.

## ARTICLE VIII. - ABATEMENT OF PUBLIC NUISANCES

## Sec. 20-266. - Nuisance defined.

The following conditions, conduct, or activity within the city limits shall constitute public nuisances:

- (1) Any public nuisance known as common law or in equity jurisprudence.
- (2) Whatever is dangerous to human life or is detrimental to health, as determined by a health officer or inspections official.
- (3) Overcrowding a room with occupants.
- (4) Insufficient ventilation or illumination.
- (5) Inadequate or unsanitary sewage or plumbing facilities.
- (6) Unhealthy uncleanness, as determined by a health officer or an inspections official.
- (7) Whatever renders air, food, or drink unwholesome or is detrimental to the health of human beings, as determined by a health officer or inspections official.
- (8) Anything that endangers life or health, gives offense to senses, violates the laws of decency, or obstructs reasonable and comfortable use of property.
- (9) Anything which essentially interferes with enjoyment of life or property.
- (10) That class of wrongs that arise from the unreasonable, unwarrantable, or unlawful use by a person or the guest, licensee, or invitee of a person of his own property, either real or personal, or from his own improper, indecent, or unlawful personal conduct, working an obstruction of or injury to the right of another, or of the public, or producing material annoyance, inconvenience, discomfort, or hurt.
- (11) An offensive, annoying, unpleasant or obnoxious thing or practice; a cause or source of annoyance, especially a continuing or repeated invasion or disturbance of another's right, or anything that works a hurt, inconvenience or damage.
- (12) An interference with reasonable use and enjoyment of property or life by means of smoke, odors, noise, or vibration, obstruction of private rights, such as free and useful passage along sidewalks, roads, streams, and highways, and enjoyment of public parks and places of recreation.
- (13) Any activities and practices prohibited by statute or ordinance as nuisances.
- (14)

Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an occupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris, or vegetation which may prove a hazard for inquisitive children.

(15) Electronic interference with the normal use of appliances such as, but not limited to, telephone, television, and radio.

(Code 1981, § 21-18)

**Cross reference**— Definitions generally, § 1-2.

Sec. 20-267. - Other specific prohibitions unaffected.

The definition of public nuisance in section 20-266 shall in no wise reverse, repeal, or have any effect whatever on other specific nuisance definitions as exist within this Code, including but not limited to noise and dangerous trees.

(Code 1981, § 21-19)

Sec. 20-268. - Notice to abate.

Upon determination of the entity responsible for the continuation of the nuisance, the proper city official shall issue a notice to abate the nuisance with a narrative description of the nuisance, the time permitted for voluntary compliance, the particular city board or commission to which an appeal may be directed within the time specified in the notice and that, should the nuisance not be abated following an adverse determination by the official and/or the appropriate board, the city will cause the nuisance to be abated at the cost and expense of the entity responsible.

(Code 1981, § 21-20)

Sec. 20-269. - Continuing offense.

The nature of a nuisance is that it is a continuing offense as opposed to a single-event offense. If a nuisance is not voluntarily abated within the time specified in the notice to abate, the penalty specified in section 1-11 of this Code shall apply beginning the first day after the time specified.

(Code 1981, § 21-21)

Secs. 20-270—20-279. - Reserved.



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**CITY OF BEAUFORT**  
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

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**TO:** CITY COUNCIL **DATE:** 5/30/2025  
**FROM:** Josh Scallate, Council Member  
**AGENDA ITEM**  
**TITLE:** Operation of Golf Carts in City Limits  
**MEETING**  
**DATE:** 6/10/2025  
**DEPARTMENT:** City Managers Office

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*BACKGROUND INFORMATION:*

Councilman Scallate would like to lead a discussion of recent changes to golf cart laws and the potential implications for City of Beaufort residents.

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*PLACED ON AGENDA FOR: Discussion*

**REMARKS:**

**Summary of Act 64, ratified by the South Carolina General Assembly on May 20, 2025, and signed into law on May 22, 2025.** Introduces significant changes to the operation and regulation of golf carts on public roads within the state. This legislation, stemming from House Bill 3292, repeals the previous Section 56-2-105 of the South Carolina Code and adds a new Section 56-2-90.

**Key Provisions of Act 64:**

- **Operational Restrictions:**
  - Golf carts may be operated only on secondary highways where the speed limit is 35 miles per hour or less.
  - Operation is limited to within four miles of the address on the registration certificate or within four miles of a point of ingress and egress of a gated community if the address is within such a community.
  - Golf carts are permitted to cross a highway at an intersection where the speed limit exceeds 35 miles per hour. [scstatehouse.gov](http://scstatehouse.gov)
  - All other current operating requirements and restrictions, except as noted below, remain in place
- **Safety Requirements:**
  - All passengers under the age of 12 must wear a fastened safety belt when the golf cart is operated on public streets and highways.
- **Local Governance:**
  - Municipalities and counties are authorized to adopt ordinances regulating the operation of golf carts within their jurisdictions, allowing for localized control and adaptation to specific community needs.

(A64, R92, H3292)

**AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-90 SO AS TO PROVIDE FOR THE REGISTRATION AND OPERATION OF GOLF CARTS ALONG THE STATE'S PUBLIC HIGHWAYS, TO PROVIDE MUNICIPALITIES AND COUNTIES MAY ADOPT ORDINANCES TO REGULATE THE OPERATION OF GOLF CARTS WITHIN THEIR JURISDICTIONS, AND TO PROVIDE CERTAIN PASSENGERS MUST WEAR SAFETY BELTS; AND TO REPEAL SECTION 56-2-105, RELATING TO THE REGISTRATION AND OPERATION OF GOLF CARTS.**

Be it enacted by the General Assembly of the State of South Carolina:

**Golf carts**

SECTION 1. Article 1, Chapter 2, Title 56 of the S.C. Code is amended by adding:

Section 56-2-90. (A) To operate a vehicle commonly known as a golf cart on a public highway, the owner must obtain a permit decal and registration certificate from the Department of Motor Vehicles. Proof of ownership, proof of liability insurance, and payment of a five-dollar fee must be provided. The permit decal must be replaced every five years, or at the time the owner changes his address, whichever is sooner.

(B) A person operating a golf cart on a public highway must be at least sixteen years of age, hold a valid driver's license, and have in his possession:

- (1) the registration certificate;
- (2) proof of liability insurance in conformance with Section 38-77-140; and
- (3) his driver's license.

(C) A municipality or a county within its unincorporated portions, may:

- (1) by ordinance stipulate the hours, methods, and locations of golf cart operations, provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less;
- (2) by ordinance permit the operation of golf carts at night, provided that golf carts are equipped with working headlights and taillights, and provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less; and
- (3) on the shoulder of primary highways, secondary highways, streets and roads, designate separate golf cart paths for the purpose of golf cart transportation, provided that:

(a) the municipality or county obtains the necessary approvals, if any, to create golf cart paths; and

(b) the golf cart path is:

(i) separated from the traffic lanes by a hard concrete curb;

(ii) separated from the traffic lanes by parking spaces; or

(iii) separated from the traffic lanes by a distance of four feet or more.

(4) not require proof of property ownership or proof of long-term rental agreement within the municipality or a county within its unincorporated portions as a requirement in which to receive a decal to operate a golf cart within its limits.

(D) In the absence of an ordinance enacted pursuant to subsection (C), a permitted golf cart may:

(1) be operated only during daylight hours;

(2) be operated only on a secondary highway where the speed limit is thirty-five miles per hour or less;

(3) be operated only within four miles of the address on the registration certificate, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community; and

(4) cross a highway at an intersection where the speed limit is more than thirty-five miles an hour.

(E) Each golf cart passenger that is under the age of twelve years old, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt.

## **Repeal**

SECTION 2. Section [56-2-105](#) of the S.C. Code is repealed.

## **Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025.

Approved the 22nd day of May, 2025.



**CITY OF BEAUFORT**

**DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM**

To: City Council

From: **Scott Marshall, City Manager**

Agenda Item Title: **Discussion of potential partnership with the Blue Ridge Parkway Foundation’s Kids in Parks Program, the City of Beaufort and Friends of the Spanish Moss Trail**

Meeting Date: 6-10-25

Department: **City Manager and Public Works**

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**INTRODUCTION**

Director of Public Works, Nate Farrow was approached by Friends of Spanish Moss Trail about an opportunity to partner with them and the Blue Ridge Parkway Foundation’s Kids in Parks Program. The partnership would be formalized via a Memorandum of Understanding (MOU), in which Kids in Parks will be the lead agency, the City of Beaufort will be the trail host partner; and Friends of the Spanish Moss Trail will be the coordinating partner.

**BACKGROUND**

The mission of the Kids in Parks program is to work together with partners throughout the country to promote children’s health and the health of our parks by increasing physical activity and engaging families in outdoor adventures that foster a meaningful connection to the natural and cultural world. Kids in Parks accomplishes its mission through the installation of TRACK Trails – a series of networked hiking trails that provide self-guided adventures designed to turn an ordinary outing into a fun-filled adventure.

City of Beaufort Responsibilities under the MOU would include:

- Maintaining communication with Kids in Parks staff for the duration of the agreement

- Constructing and installing the TRACK Trail trailhead kiosk
- Maintaining the appearance of the Trailhead (landscaping, fixing vandalized materials, maintenance costs of trailhead infrastructure etc.)
- Maintaining the Spanish Moss Trail TRACK Trail, ensuring its safe passage (clearing debris, fixing dangerous situations, etc.)
- Advising Kids in Parks as to any managerial issues regarding the Trail (criminal activity, vandalism, etc.)
- Participating and supporting a grand opening celebration
- Collaborating with the FSMT on funding opportunities to support the ongoing needs of the TRACK Trail materials (i.e. brochures, kiosk repairs etc.)

The itemized responsibilities above are already largely a part of the Department of Public Works current work plan of maintaining the SMT in the City of Beaufort, with the exception of constructing and installing program trailhead kiosks. Responsibilities of partnering agencies are itemized in the attached TRACK Trail Partnership Agreement

### **LEGAL AUTHORITY**

S.C. Code Ann. § 5-7-30 grants municipalities broad police powers to enact ordinances, contracts, and initiatives that promote the public health, safety, morals, and general welfare of the community.

### **STAFF RECOMMENDATION**

This information is presented to introduce City Council to the proposed TRACK Trail Partnership MOU and to allow for discussion to inform a future decision on a Resolution authorizing the City Manager to enter into such an MOU on behalf of the City of Beaufort.

### **ATTACHMENT(S)**

1. TRACK Trail Partnership Memorandum of Understanding (with Exhibits)

# ATTACHMENT 1



## TRACK Trail Partnership

### Memorandum of Understanding

Between the Blue Ridge Parkway Foundation's Kids in Parks program, **City of Beaufort** and Friends of the Spanish Moss Trail  
April 14, 2025

The Blue Ridge Parkway Foundation's Kids in Parks program, **City of Beaufort**, and Friends of the Spanish Moss Trail (FSMT) have come together to install a TRACK Trail on the Spanish Moss Trail within the City of Beaufort; and

The partners have agreed to enter into this Memorandum of Understanding (MOU) in which Kids in Parks will be the lead agency, the **City of Beaufort** will be the trail host partner; and Friends of the Spanish Moss Trail will be the coordinating partner; and

All partners herein desire to enter into a MOU setting forth the services to be provided by this partnership.

#### Purpose

The mission of the Kids in Parks program is to work together with partners throughout the country to promote children's health and the health of our parks by increasing physical activity and engaging families in outdoor adventures that foster a meaningful connection to the natural and cultural world. Kids in Parks accomplishes its mission through the installation of TRACK Trails – a series of networked hiking trails that provide self-guided adventures designed to turn an ordinary outing into a fun-filled adventure.

The purpose of this MOU is to outline the responsibilities each agency will undertake through this partnership. The partnering agencies listed above agree that the TRACK Trails are a great partnership opportunity, connecting the Spanish Moss Trail with the other TRACK Trail sites in South Carolina and around the country for years to come.

#### Roles and Responsibilities

All partners, by way of this Memorandum of Understanding, agree to the following:

Kids in Parks will be responsible for:

- Scheduling planning meetings with partner and management during development of the TRACK Trail
- Maintaining communication with partner and staff for the duration of the MOU
- Designing and procuring the trailhead sign
- Providing a trailhead kiosk frame and trailhead construction manual
- Providing a series of self-guided brochures (4 topics, with 2,000 copies of each)
- Developing and maintaining your site's TRACK Trail webpage on the Kids in Parks website
- Tracking and reviewing registration data collected about use of your TRACK Trail(s)
- Providing annual data reports about use and users of your TRACK Trail(s)
- Distributing incentives to qualifying Trail TRACKers (kids who register TRACK Trail adventures)
- Promoting and marketing the TRACK Trail through various media outlets (website, enews, facebook, etc.)
- Providing assistance to write and apply for grants that further support trail efforts
- Providing assistance and consultation regarding the grand opening event
- Creating a Partner Dashboard on the program's website that allows partner to monitor the use of its TRACK Trail(s).
- Providing funds for the project as outlined in the attached budget (Exhibit 1)

**City of Beaufort** will be responsible for:

- Maintaining communication with Kids in Parks staff for the duration of the agreement
- Constructing and installing the TRACK Trail trailhead kiosk
- Maintaining the appearance of the Trailhead (landscaping, fixing vandalized materials, maintenance costs of trailhead infrastructure etc.)

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# ATTACHMENT 1

- Maintaining the Spanish Moss Trail TRACK Trail, ensuring its safe passage (clearing debris, fixing dangerous situations, etc.)
- Advising Kids in Parks as to any managerial issues regarding the Trail (criminal activity, vandalism, etc.)
- Participating and supporting a grand opening celebration
- Collaborating with the FSMT on funding opportunities to support the ongoing needs of the TRACK Trail materials (i.e. brochures, kiosk repairs etc.)

Friends of the Spanish Moss Trail will provide the initial and ongoing funding for the TRACK Trail project accordingly:

- Maintaining communication with Kids in Parks staff for the duration of the agreement
- Supporting design process, reviewing and approving of trailhead sign and brochure content before fabrication and printing
- Friends of the Spanish Moss Trail will provide the additional funding for any costs above and beyond the \$6,500 covered by the grant as outlined in Exhibit 1.
- Promoting the TRACK Trail(s) through various media outlets (media, social media, website, e-newsletter, etc.)
- Coordinating a grand opening celebration
- Providing photos, testimonials and other important information regarding the TRACK Trail to Kids in Parks
- Restocking the trailhead kiosk(s) with brochures as needed
- FSMT will take primary responsibility for the ongoing purchasing of brochures to keep the kiosk stocked in the future (as outlined in Exhibit 2)

## **Kids in Parks and Partner Agency Responsibilities Clause**

The responsibilities listed in the sections above may change based on discussion with Kids in Parks staff and partner agency staff. Often times the MOU is entered into prior to certain decisions being finalized and, thereafter, the responsibilities may change slightly. For example, the trailhead sign kiosk/frame may be constructed by the partner agency on site, therefore negating the Kids in Parks program's responsibility to provide the sign frame.

## **Design and Edits**

KIP agrees to provide design services as outlined in Exhibit 1 (Startup Costs). The estimated timeline for the completion of the design work is 12 weeks, beginning from the effective date of this Agreement, dependent on timely review of design drafts. Upon completion of the design work, KIP will submit the final design to the Partner for approval. The Partner shall approve or provide feedback. Unless otherwise stated, KIP will provide up to three rounds of minor revisions to the final design. Additional rounds of revisions or requests for significant design changes will be subject to additional fees, billed at \$150 per hour. The design will not proceed to production until final approval is given by the Partner.

## **Timeline**

The roles and responsibilities described above are agreed to through this MOU from signed date and continuing for a period of five (5) years, at which time the MOU can be resigned, revised, or terminated. The MOU may also be revised at any time during the five-year period provided the parties agree to the revision(s) in writing. If the MOU expires without being resigned, the trail(s) will remain in network until a new MOU can be signed or is officially terminated.

## **Termination of Agreement**

This Agreement may be terminated by a party for any reason. Such termination shall be effective thirty (30) days after written notice to the other parties. Failure of one party to fulfill its responsibilities as outlined above may result in immediate termination of this MOU. In the event of termination, all products and materials with the Kids in Parks logo must be returned to the Kids in Parks program and/or destroyed within thirty (30) days.

## **Warranties**

The Kids in Parks program's TRACK Trail materials come with varying levels of warranty from their manufacturer. For example, the HPL (high pressure laminate) trailhead signs typically come with a 10-year manufacturer's warranty and the brochure holders provided by Kids in Parks come with a 1-year warranty serviced by Kids in Parks. Please see Exhibit 3 for more information regarding warranty timelines. Note: Constructing a kiosk NOT provided as part of the Kids in Parks package may void your site's sign warranty.

## **Shipment Destination Clause**

Kids in Parks program will assume the risk of loss for all programmatic materials prior to delivery. When shipments reach their final destination, the risk of loss is transferred to the partnering agency, **City of Beaufort and Friends of the Spanish Moss Trail**. The tracking of shipments will be confirmed via the carrier(s) (UPS, FedEx, USPS, etc.) tracking information system. Shipments that are

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# ATTACHMENT 1

delivered with or without a signature will be considered delivered. If the partner requires signature, please denote so in the shipment form in Exhibit 4.

## Rights and Ownership

The Blue Ridge Parkway Foundation and Kids in Parks retain all rights to works created as part of TRACK Trail development. All signs and brochure content are the intellectual property of the Kids in Parks program. If partner agency's site(s) implement(s) a self-guided brochure or e-Adventure, and provides content (text, pictures, illustrations, diagrams, etc.) for the development of those materials, those elements remain in the control of partner agency. However, the packaged sign design, brochure design, and e-Adventure design as completed by the Kids in Parks staff cannot be repurposed, altered, edited, branded, or trademarked by the partner agency for its use.

## Liability

Subject to and to the fullest extent permitted under South Carolina state law, each party will defend, indemnify, and hold each other party and its Representatives (as defined below) harmless for, from, and against all claims, losses, damages, and/or liabilities, including, without limitation, attorney fees and related costs and expenses (collectively, "Damages"), arising out of or related to the party's performance of its obligations under this MOU. Each party's indemnification obligation under this MOU will survive the expiration or earlier termination of this MOU. For purposes of this MOU, the term "Representative(s)" means the directors, officers, members, employees, representatives, and agents of the identified party.

Without otherwise limiting the immediately preceding paragraph, subject to and to the fullest extent permitted under Oregon state law, Partner Agency will defend, indemnify, and hold the Blue Ridge Parkway Foundation and its Representatives harmless for, from, and against all Damages arising out of the use or access to Partner Agency's TRACK Trail(s) site(s) in connection with this MOU, excepting any Damages arising from Foundation's acts or omissions.

## Force Majeure

Neither party shall be in breach of its obligations under this agreement nor incur any liability to the other Party for any losses or damages of any nature whatsoever incurred or suffered by that Party if and to the extent that it is prevented from carrying out those obligations by, or such losses or damages are caused by, a Force Majeure Event except to the extent that the relevant breach of its obligations would have occurred, or the relevant losses or damages would have arisen, even if the Force Majeure Event had not occurred.

As soon as reasonably practicable following the date of commencement of a Force Majeure Event, and within a reasonable time following the date of termination of a Force Majeure Event, any party invoking it shall submit to the other Party reasonable proof of the nature of the Force Majeure Event and of its effect upon the performance of the Party's obligation under this Agreement.

## Involved Parties

The Kids in Parks program is represented by: Carolyn Ward, CEO of the Blue Ridge Parkway Foundation; and Jason Urroz, Director of Kids in Parks.

City of Beaufort is represented by: NAME, TITLE

Friends of the Spanish Moss Trail is represented by: Sissy Perryman, Director of Advancement.

\_\_\_\_\_  
Jason Urroz  
Director  
Date \_\_\_\_\_

\_\_\_\_\_  
NAME  
TITLE  
Date \_\_\_\_\_

\_\_\_\_\_  
Sissy Perryman  
Director of Advancement  
Date \_\_\_\_\_

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Exhibit 1 – Kids in Parks Start Up Cost Sheet



**Kids in Parks  
TRACK Trails**

**Startup Costs**

This document represents the standard startup cost to “franchise” into the Kids in Parks TRACK Trails program, and provides information about the costs of add-ons to improve the uniqueness of the TRACK Trail(s) at your site(s).

**Base Package: \$6,500**

The Base Package includes a trailhead kiosk/sign frame, four brochure holders, four sets of standard self-guided brochures (2,000 copies of each), a trail page on the Kids in Parks website, prizes disseminated to your trail’s registrants, and annual data reports regarding the use of your trail.

**TRACK Plus+ Package: \$8,000**

The TRACKplus+ Package include everything in the Base Package plus:

- Premium Brochure Option: Choose one brochure from our catalog to customize for your site
- Travel: Visiting your site for trail evaluations and grand openings

**TRACK Trail Add-ons: Prices Vary**

Partners can enhance their TRACK Trail with custom materials, activity stations, interpretive panels, and other materials designed specifically for the resources at your site.

Materials / Deliverables	Description	Cost
Customized Brochure(s)	Option to customize one of the program’s “standard” brochure options. Printed in one-off batches. 2,000 copies.	\$1,500+
Site-specific Brochure(s)	Site-specific brochure designed specifically for the TRACK Trail at your site(s). Printed in one-off batches. 2,000 copies.	\$2,000+
e-Adventures	Site-specific e-Adventure content designed specifically for the TRACK Trail at your site(s). Web-based. Starting at:	\$1,500+

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Exhibit 2 – Ongoing Brochure Restocking Fees that are the Responsibility of the Partnering Agency/Agencies



**Kids in Parks**  
**TRACK Trails**

**Ongoing Budget**

This budget document represents the ongoing costs and shipping fees to maintain the brochure supply for your site’s TRACK Trail. Depending upon the visitation at your site and the brochures selected for your site, the costs to restock the brochure-led adventures will vary. We print our most popular “Standard” brochures in larger quantities, allowing us to pass on the savings to our partner locations. Site-specific brochures are printed in one-off batches and are therefore more expensive. Please consult with Kids in Parks staff regarding your preferences before making your final selections.

Materials / Deliverables	Description	Cost
Standard Brochure	From our large batch print runs: Please see the most-current brochure catalog for a complete list of options. Reorder. 2,000 copies.	\$300*
Customizable Brochure Option	Customized versions of our Standard Brochures and other brochure options. Printed in one-off batches. 2,000 copies.	\$600*
Site-Specific Brochure Option	Site-specific brochures created specifically for the TRACK Trail at your site(s). Printed in one-off batches. 2,000 copies.	\$600*
Shipping	Prices vary based on weight and location. ~\$50 per set of 2,000.	\$50*

\*Recent and/or future supply chain issues and fuel costs may cause these prices to fluctuate.

**Reducing Costs:**

Partners can reduce the cost per brochure by ordering larger print quantities. However, be sure you have adequate storage space in a proper facility before considering this option. Contact KIP staff for pricing options.

**Additional Brochures:**

TRACK Trail partners have the option to have more than four brochure topics for their site(s), or to choose alternative brochure topics for future restocking/print runs. The costs associated with the restocking/printing of those brochure options vary depending upon the brochure topic selected and the category of that brochure in the Kids in Parks catalog, as noted above.

**Printing Locally:**

Your site may have alternative printing options (GPO, state printer, local printer). If you are mandated to use a particular printer, or you feel you can reduce costs by printing with a local vendor, KIP will provide you with print-ready PDF files and work with your printer to ensure quality standards are met. Brochures printed through another vendor must meet the following specs: 80#, White Gloss Book, FSC Certified, Legal Size, Tri-Folded, 4C/4C.

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# ATTACHMENT 1

This option introduces a one-time Licensing Fee of \$150 per brochure topic.



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Exhibit 3 – Warranties for materials provided



# Kids in Parks TRACK Trails Warranties

From our signs to our kiosks, to our brochures and brochure holders, the Kids in Parks program strives to provide the highest quality materials for our TRACK Trail partners. This document provides a general outline of the warranties that come with your TRACK Trail package. Some of these warranties are provided by our vendors, and some of them are provided by Kids in Parks as a way to honor our products. Because MOU documents are generally entered into in advance of vendors being selected and materials being produced, this Exhibit serves as a generic statement regarding the warranties associated with our most commonly materials.

These warranties do not cover acts of vandalism or acts of god associated with nature or natural disasters (i.e., a tree falls on the kiosk and destroys the sign; a hurricane causes a flood and washes the kiosk away, etc.).

**Trailhead Signs:**

Kids in Parks uses a High Pressure Laminate (HPL) sign for its trailhead signs for most TRACK Trail installations. HPL signs typically come with a 10-year manufacturer’s warranty. Partner sites may opt to use a different material due to agency-based sign standards or cost-reduction strategies. These alternate sign materials may not provide the same warranty timeframe.

- **High Pressure Laminate Trailhead Sign:** 10-year factory warranty
- **Di-Bond Metal Sign with UV laminate coating:** 1-year factory warranty
- **PVC Sign:** 1-year factory warranty

**Trailhead Kiosks:**

Kids in Parks has transitioned into using an upright metal kiosk/sign frame with a built-in plate that accepts the brochure holders. These high-quality kiosk frames come painted from the manufacturer in colors that (probably) align with other sign frames partner site(s) may be using. Partner sites may opt to use a similar kiosk/sign frame in an alternative style: wall mounted or 45\* / 60\* cantilever with brochure holder bracket mounts for each leg.

Partner sites may also choose to construct their own kiosk/sign frame; or, with appropriate permissions, utilize an existing kiosk/structure. However, this option may void the sign manufacturer’s warranty.

**Brochure Holders:**

Kids in Parks provides a 1-year warranty against defects in the brochure holders it provides. Such defects may include breaking due to natural causes, delamination of glue, weathering, leaking, etc. After 1-year, from the date of shipment, partners will be charged \$50 + shipping for replacement brochure holders. Brochure holders that have been maliciously vandalized by park visitors are EXPLICITLY EXCLUDED FROM THIS WARRANTY.

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Exhibit 4 – Shipping



# Kids in Parks

## TRACK Trails

### Shipping Information

Kids in Parks wants to ensure that proofs and shipping are sent to the correct person and address. Please fill out the form below with all relevant information. Shipping address must be able to receive heavy/large items. By completing this form, you are certifying that the address listed is able to receive packages and is checked regularly.

**PDF Proof will be sent:**

Name of Contact: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Shipping Address for Product:**

Company: \_\_\_\_\_

Street Address (NO PO BOXES): \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

**Special Shipping Services Required:**

- Signature Required
- Government Facility
- Residential
- Construction/Utility
- Lift Gate

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