

Sec. 9-5. Blocking streets and alleys.

No person shall stop, stand, or park any vehicle upon a street other than an alley, in such a manner or under such conditions as to obstruct the well-traveled portion of the roadway, except that a driver may stop temporarily during the actual loading or unloading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals of a police officer. No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than ten (10) feet of width of the roadway for the free movement of vehicular traffic.

(Code 1969, § 12-40; Ord. No. 09-0675, 7-14-09)

Cross references: Streets and sidewalks generally, Ch. 12.

Sec. 9-6. Using vehicle for advertising.

No persons shall operate or park on any street any vehicle for the primary purpose of advertising.

(Code 1969, § 12-22; Ord. No. 09-0675, 7-14-09)

Sec. 9-7. No parking places.

It shall be unlawful at any time for a person to permit any vehicle or trailer to stop, stand, or park in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the direction of a police officer or traffic control device:

- (1) At any place where official signs prohibit parking.
- (2) On any sidewalk.
- (3) Within thirty (30) feet of any intersection not otherwise designated for parking.
- (4) At any place where a vehicle would block the use of a driveway or parking lot.
- (5) On any private property without consent of the owner.
- (6) Within fifteen (15) feet of a fire hydrant.

The provisions of this section shall apply to all off-street parking facilities owned or operated by the town. (Ord. No. 96-0382, 6-11-96; Ord. No. 01-0458, 4-10-01; Ord. No. 01-0460, 6-12-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-8. Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context indicates a different meaning is intended:

- (1) *Parking meter.* A mechanical device located upon a public street or in a place designated as a metered area hereafter defined, which device shall record a certain number of minutes by the use of a mechanism determining the period of time for which parking privileges may be extended to the person depositing a coin therein.
- (2) *Pay station.* "Parking pay station" means any mechanical or electronic device, except a parking meter, that requires a monetary payment in exchange for authorized parking in designated, public parking areas.
- (3) *Metered area.* A designated area where a parking meter is installed and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the meter.
- (4) *Pay station area.* A designated area where parking is allowed upon payment of U.S. money resulting in the issuance of a voucher or receipt to be properly displayed on the vehicle and where a vehicle may be temporarily parked and allowed to remain for the period of time indicated on the voucher, receipt or mechanical pay station device.
- (5) *Dates and times of enforcement for meters and pay station areas only.* March 1st through October 31st annually, from the hours of 7:00 a.m. to 7:00 p.m., Monday through Sunday.
- (6) *Boot.* The term "Boot" means a device designated and manufactured to be attached to the wheel or tire of a vehicle to restrict the normal movement of a vehicle, as authorized by the town. The device shall also be referred to as an "immobilization device" or "immobilization equipment" or the use of this device as "immobilization" or "immobilized."

Ordinance No. 10-0679

First Reading: 02/23/10

Second Reading: 03/09/10

(Ord. No. 96-0385, 10-22-96; Ord. No. 01-0452, 3-13-01; Ord. No. 05-0571, 8-9-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0619, 3-13-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-9. Charges.

Hourly charges are hereby established at the rate of one dollar (\$1.00) per hour, and said charges are subject to annual review by town council.

(Ord. No. 96-0385, 10-22-96; Ord. No. 06-0612, 11-28-06; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-10. Method of using; failure to deposit coins or pay at pay station.

(a) The owner or operator of any vehicle, upon entering a parking meter space where a parking meter is installed, shall immediately deposit a coin of the United States in the parking meter within that parking space, and shall operate the meter in accordance with the instructions thereon. The deposit of a coin in a meter will permit the parking of that vehicle for a period of time indicated by the meter.

(b) The owner or operator of any vehicle, upon entering a parking lot or area where a pay station is installed shall immediately deposit some form of accepted United States payment whether it be by cash or by bank or credit card into the pay station within that parking lot area or any other town designated pay station within town and shall follow the instructions of that pay station and leave, in plain sight, a parking voucher or receipt on the dashboard of parked vehicle.

(c) It shall be unlawful for any person to park any automobile, vehicle, trailer or obstruction of any kind within that marked parking space or parking lot where a parking meter or pay station is installed without depositing a coin or providing a payment voucher from a town-designated pay station for the time the vehicle shall be so parked in the parking area. The owner of the vehicle parked in violation of this section shall be responsible for the violation thereof.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-11. Parking within marked spaces.

It shall be unlawful for any person operating any vehicle to stop, stand or park that vehicle on any of the streets or parking areas of the town where any parking meter or pay station may have been installed and where parking spaces are provided therefore, except within the limits so provided by the marked areas.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-12. Overtime parking.

It shall be unlawful for any person, having deposited a coin or other accepted payment of the United States in a parking meter or pay station and having parked a vehicle within a metered space adjacent to a parking meter or a space designated and controlled by a parking station to permit his vehicle to remain in that parking area for a period longer than the time for which that coin or payment had been deposited in that parking meter or pay station.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-13. Use of slugs, etc., prohibited.

It shall be unlawful to deposit or cause to be deposited in any parking meter or pay station in the town, any substitute or device of any nature or description for any coin of the United States.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-14. Injuring or tampering with meters.

It shall be unlawful for any person to deface or tamper with, damage, open, break, destroy or impair the usefulness of any parking meter or pay station installed pursuant to this chapter.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-15. Interpretation of chapter.

Nothing contained in this division shall be constructed to permit the parking of vehicles in those spaces where parking is prohibited.

(Ord. No. 96-0385, 10-22-96; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Sec. 9-16. Decals and exemptions.

(a) *Decal issued for full time resident vehicles not including golf carts.* All persons residing within the corporate limits of the town shall be entitled to one (1) free decal per vehicle, to be issued by the town, upon verification of current vehicle registration. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a resident to park free of charge in metered or pay station areas.

(b) *Decal issued for non-resident residential owner vehicles not including golf carts.* All non-resident residential property owners within the corporate limits are entitled to purchase one (1) decal per vehicle for the sum of forty dollars (\$40.00) each, upon verification of proof of property ownership. Such decal will be placed on the lower left corner of the rear window on the driver's side of the vehicle. The decal shall be valid for the calendar year in which issued. Said decal will show:

- (1) Decal number issued.
- (2) Year for which decal is valid.

Such decal shall allow a non-resident residential property owner to park free of additional charges in metered or pay station areas.

(c) *Decal issued for golf carts only.* All persons owning golf carts within the corporate limits of town shall register their golf cart with the town police department for a fee of two dollars (\$2.00). This fee will include a decal that is valid for two (2) years from the date of issue and will be placed on the golf cart by the police staff. Such decal shall allow registered golf carts to park free in golf cart only designated parking areas. The issued decal will show:

- (1) Registration number.
- (2) Years for which decal is valid.
- (3) Golf cart rules.

(d) *Disabled veterans and Purple Heart recipients are exempt from parking fees.* When a vehicle displays a disabled veterans or Purple Heart license plate issued by the Department of Motor Vehicles or appropriate authority.

(e) *Handicapped persons are exempt from parking fees.* When a vehicle displays a handicapped license plate issued by a proper authority, or a handicapped windshield hanger, either the driver of or a passenger in a vehicle displaying a handicapped license plate or windshield hanger must be a "handicapped" person.

(f) *Employees.* Every town employee shall be entitled to one (1) decal, which will allow the employee to park free of charge in metered areas subject to conditions set forth hereinabove in paragraph (a) and other applicable ordinances. Employee shall present his or her employee identification card along with the vehicle registration for the vehicle on which the decal will be applied.

(Ord. No. 96-0385, 10-22-96; Ord. No. 93-0396, 5-27-97; Ord. No. 01-0452, 3-13-01; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

State law references: Similar provisions, S.C. Code 1976, § 56-5-2585.

Sec. 9-17. Penalties.

(a) *Violations.* Any person who violates any provision of this chapter or fails to comply with any of the requirements herein shall be guilty of a civil infraction and shall be subject to a fine of twenty-five dollars (\$25.00). If a violator fails to pay the fine within thirty (30) days of the issuance of the citation, then the town may invoke any remedy permitted by law for debt collection, including but not limited to, vehicle impoundment or immobilization. Each day of a continuing violation of this article shall be considered a separate and distinct offense and may result in cumulative fines. When the owner of a vehicle, or his agent, makes proper payment of a parking violation within thirty (30) days of issuance of the citation, there will be no increases in the twenty-five-dollar fine assessed. On the fifteenth day after issuance, the fine will increase to seventy-five dollars (\$75.00).

(b) Violations shall be issued on a uniform ordinance summons or a parking violations notice.

(c) Violators shall only be cited by police officers or authorized enforcement officials.

(d) Violators shall appear and be subject to the jurisdiction of the town's municipal court.

(e) Violators shall have a right to a jury trial upon proper request.

(f) Violators shall be subject to set-off debt process for South Carolina licensed drivers.

(g) Violators shall not be subject to incarceration.

(h) *Towing and booting.* Whenever there is found any motor vehicle upon the public streets or highways, or upon the town rights-of-way, property or parking lots, with an assessed fine of seventy-five dollars (\$75.00) or more violations, the vehicle may be towed and/or booted/immobilized, under the direction of the public safety department.

(i) *Release of vehicles.* The owner of such towed and/or booted or immobilized vehicle shall pay the fines owed on the vehicle at the municipal court or such other place as indicated on the issued citation; and the current tow rate and any storage rate assessed by the tow agency prior to getting the vehicle released.

(j) *Written notice.* A written notice shall be sent to the registered owner of the vehicle after thirty (30) days of issuance of the parking ticket if it has not been paid.

(Ord. No. 97-0398, 7-8-97; Ord. No. 05-0563, 6-28-05; Ord. No. 06-0612, 11-28-06; Ord. No. 07-0615, 2-27-07; Ord. No. 09-0656, 3-10-09; Ord. No. 09-0675, 7-14-09)

Secs. 9-18--9-22. Reserved.

Ordinance No. 10-0679
First Reading: 02/23/10
Second Reading: 03/09/10

BE IT ORDERED AND ORDAINED by the Mayor and Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this _____.

K. Allen Deaton, Mayor

Vicki W. Blair, Town Council

Joseph P. Martin, Town Council

Robert F. Childs III, Town Council

Douglas F. Samples, Town Council

James S. Truett, Mayor Pro Tem

Mark L. Johnson, Town Council

Attest:

Sharon Pinnell, Town Clerk

1st Reading: 02/23/10
2nd Reading: 03/09/10