



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
February 26, 2019

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE,
PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL
INFORMATION**

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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 - Planning Conference Room, 1st Floor - 5:00 PM

I. CALL TO ORDER

- A. Billy Keyersling, Mayor

II. EMPLOYEE NEW HIRE RECOGNITION

- A. Shirleak Handfield - Accounting Clerk, Finance Department

III. DISCUSSION ITEMS

- A. Recommendations for City of Beaufort Ordinances modification or complete repeal
B. FY 2020 Budget Process Schedule
C. Census 2020 Information

IV. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Receipt of Legal Advice regarding Legal Claims

V. ADJOURN

Recommendation to repeal City of Beaufort Ordinances

It is recommended to repeal the following ordinances:

Chapter 1. General Provisions, Part 9 Offenses

Sec. 9-1004. - Disturbance of the peace; disorderly conduct.

The penalty for this ordinance should not surpass the state penalty. It is recommended to change the penalty to:

"Any person violating the provisions of this section shall, upon conviction, be fined not more than one hundred dollars or be imprisoned for not more than thirty (30) days."

Sec. 9-1012. - Purchase, sale, possession, etc., of stolen, etc. pistol.

"No person shall knowingly buy, sell, transport, pawn, receive or possess any stolen pistol or one from which the original serial number has been removed or obliterated."

There is a state statute that makes this offense a felony, therefore, having a municipal ordinance (and keeping this charge as a municipal level offense) does not make sense.

Sec. 9-1013. - False reports.

"It shall be unlawful for any person to knowingly, and willfully communicate a false report to the police or fire departments of this municipality."

There is a state statute that specifies between reporting a false report of a misdemeanor and of a felony. Therefore, it does not make sense to have an ordinance that is not clearly defined, like the state statute.

Chapter 1. General Provisions, Part 8 Motor Vehicles and Traffic

Sec. 8-1007. - Careless operation of a vehicle.

This ordinance is no longer used.

"It shall be unlawful for any person to operate any vehicle without care and caution and full regard for the safety of persons and property. Any person operating a vehicle in such manner shall be guilty of careless operation of a vehicle. The operation of any vehicle when the same or any of its appliances is not in proper or safe condition shall be prima facie evidence of careless operation of a vehicle. No person may be charged or plead guilty a second time under this ordinance within one year from the date of the first careless driving offense. Violating the provisions of this section shall, upon conviction, be fined not more than five hundred dollars (\$500.00) plus assessments, or imprisoned not more than thirty (30) days as prescribed in [section 1-3048](#)." Ord. No. O-03-97, 1-28-97)

Chapter 1. Garbage Collection and Disposal, Part 6 Health and Sanitation

Sec. 6-3002. - Littering prohibited.

Governor McMaster updated state law in May 2018 including. Include terms "cigarette butts" and "waterway" to section (b) and update the penalty to correlate to state:

"must be fined not less than twenty-five dollars and not more than one hundred dollars and the court also must impose eight hours of litter-gathering labor or other form of community service that can be bought out at \$15.00 an hour"



Beaufort Police Department

MATTHEW J. CLANCY
Chief of Police

*Moving forward into the future...
While preserving our heritage with...
Community Policing*

TO: W. Prokop, City Manager
FROM: M. Clancy, Chief of Police *MJC*
DATE: 11 February 2019
SUBJ: Modifications to City Ordinances

Per your request, I have looked over the current city ordinances and have some suggestions for modifications. I have also seen the recommendations that Sarah Farrow is making and agree with her suggestions as well. My suggestions are as follow:

Remove chapter four of the Public Safety section regarding alarms. This is outdated and is based on when the city had its own dispatch center.

Remove Sec. 8-1008 regarding handheld electronic communication devices. There is now a state law regarding this, which conflicts with the ordinance.

Modify 9-1002 and 9-1003 so that they can be enforced or remove them. This will require council and Bill Harvey's involvement.

Replace paragraph 6 of 9-1010 with, " A person discharging a firearm in order to protect people and pets from animals that the person reasonably believes to be pose a direct threat or danger to people and or pets.

Chapter 1. General Provisions

Sec. 9-1008. - Loud and unseemly noise.

- (a) — It shall be unlawful for any person to willfully disturb any neighborhood or business in the City by making or continuing loud and unseemly noises, or by profanely cursing and swearing, or using obscene language. It shall further be unlawful for any person to willfully disturb any neighborhood or business within the city by the use of words which threaten or tend to threaten or incite physical violence, or which endanger or tend to endanger the health and safety of others within the city.
- (b) On Bay Street and its sidewalks, bounded by Carteret and Charles Streets, noise generated by the unamplified human voice at a decibel level in excess of seventy (70) [decibels], measured by a Realistic® sound level decimeter, or its equivalent, (adjusted to "A" for weighing voice recordings and response selector on "slow") located fifty (50) feet from the source, between the hours of 10:00 a.m. and 6:00 p.m., Monday through Saturday, and between the hours of 12:00 noon and 6:00 p.m. on Sunday, shall be prima facie loud and unseemly noise (momentary peaks shall not exceed seventy-five (75) decibels). Upon determination that the volume of such unamplified human voice exceeds this decibel level, a police official shall first warn the offending individual(s) of the violation of his/her conduct. Continued measurement of the level of noise by the offending individual(s) exceeding this decibel level after such warning shall constitute prima facie evidence of willful violation of subsection (a).
- (c) Except as within the Nighttime Music District as defined in subsection (d) below and on any lot zoned Industrial Park District, the use of horns, radios, phonographs, loud speakers, whistles, exhausts, pile drivers, blowers, or other devices not numerated here, but which cause loud or irritating noises, between the hours of 9:00 p.m. and 8:00 a.m., which are plainly audible from a distance of fifty (50) feet from its source, shall be considered prima facie evidence of a violation of subsection (a), unless such device was used as a danger warning or in some similar emergency or a permit has been granted by ~~the City Manager city council~~ for same. As to properties located within the Nighttime Music District, as defined in subsection (d) below, the following shall apply:(1) the use of horns, radios, phonographs, amplifiers, loudspeakers, whistles, exhausts, pile drivers, blowers, or other devices not numerated here, but which cause loud or irritating noises, between the hours of 10:00 p.m. and 1:00 a.m. on Sunday through Thursday nights only, which are plainly audible from a distance of fifty (50) feet from its source, shall be considered prima facie evidence of violation of subsection (a); and (2) the use of horns, radios, phonographs, amplifiers, loudspeakers, whistles, exhausts, pile drivers, blowers, or other devices not numerated here, but which cause loud or irritating noises, between the hours of 1:00 a.m. and 7:00 a.m., which are plainly audible outside the exterior walls of the building containing its source, shall be considered prima facie evidence of a violation of subsection (a). Notwithstanding any time periods or other provisions of this section, sound (from any of the sources specified herein) which exceeds eighty-five (85) decibels (dB(C)) measured *at any time* at the property line of the establishment from which the music is being generated shall be considered prima facie evidence of a violation of subsection (a).
- (d) *Nighttime Music District.* A Nighttime Music District is hereby established and shall include those parcels and properties and portions of those parcels and properties contained within the following boundaries: all those parcels of land encompassed by the tract bounded on the north by the southern right of way of Bay Street, on the west and the south by the highwater mark of the Beaufort River, and on the east by the western right-of-way of Carteret Street.

The Nighttime Music District is also delineated on the map which is incorporated in this chapter and shown on the next page.

- (e) The loud playing of radios, phonographs, tape decks, amplifiers, and loudspeakers, and other sound devices in any public park, outdoor public place, or privately owned or controlled courtyards or outdoor areas, including from vehicles, the sound and/or noise which is substantially audible to the distance of fifty (50) feet or more, shall be prima facie evidence of a violation of subsection (a). Notwithstanding any time periods or other provisions of this section, sound (from any of the sources specified herein) which exceeds eighty-five (85) decibels (dB(C)) measured *at any time* at the

property line of the establishment from which the music is being generated shall be considered prima facie evidence of a violation of subsection (a).

- (f) There shall be no violation under subsections (c) or (e) of this section for special events provided a permit is first obtained from the city.
- (g) It shall be unlawful for any person to drive, propel or otherwise operate a motorized vehicle in a manner which emits loud and unseemly noise, which willfully disturbs any residence, neighborhood or business in the city. The prohibition of this subsection shall include operating a motorized vehicle by rapid throttle advancing (revving) of an internal combustion engine resulting in increased noise from the engine.

(1962 Code, § 22-1; Ord. No. O-12-81, 7-28-81; Ord. No. O-15-91, 4-23-91; Ord. No. O-30-91, 10-22-91; Ord. No. O-23-94, 11-22-94; Ord. No. O-01-00, 1-11-00; Ord. No. O-06-00, 2-8-00; Ord. No. O-09-09, § 1, 3-24-09; Ord. No. O-14-12, §§ 1, 2, 7-10-12)

Cross reference— Noise by sidewalk vendors, § 7-9008(13).



CITY OF BEAUFORT

1911 BOUNDARY STREET
BEAUFORT, SC 29902

FY 2020 BUDGET CALENDAR

- March 4, 2019: Budget Entry at Level 1 available for departmental budget requests.
- March 11, 2019: City Manager/Finance presentation at City Council Retreat on FY 2020 goals and Revenue Projections.
- March 29, 2019: All departmental Budget Requests completed by close of business
- April 23, 2019: City Manager presents FY 2020 Recommended Budget to City Council
- May 7, 2019: Fire, Municipal Court and Community & Economic Development Budget Presentations in Work Session
- May 14, 2019: Public Works and Downtown Operations Budget Presentation in Work Session
- May 21, 2019: Police & Administrative Departments Budget Presentations in Work Session
- May 28, 2019: Publication date of Public Notice of Public Hearing for FY 2020 Budget
- June 11, 2019: Public Hearing on FY 2020 Budget in City Council meeting
First Reading on FY 2020 Budget Ordinance in City Council meeting
- June 25, 2019: Second Reading on FY 2020 Budget Ordinance in City Council meeting



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 2/22/2019
FROM: Bill Prokop, City Manager
AGENDA ITEM
TITLE: Census 2020 Information
MEETING
DATE: 2/26/2019
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
2020 Census Key Dates	Backup Material	2/22/2019

2020 CENSUS KEY DATES

COMMUNITY INVOLVEMENT – OFFICES – DATA COLLECTION OPERATIONS

January 2018 through December 2019

Engage & Educate Local Leaders, Partners & Communities

January 2019

Early Area Census Offices Open (these offices run the Address Canvass Operation)

June 2019

Additional Area Census Offices Open (ACOs)

August 2019 through October 2019

Address Canvassing Operation

March 2020

Call to Action for Residents to Respond (starting March 23rd)

February 2020 through June 2020

Group Quarters Operations (Count of Residents in Shelters, Dorms, Nursing Homes, Transitory Locations, Prisons, Military Bases, RV Parks, etc. Local governments & Census identify & plan these operations)

Mid-March 2020

Residents Invited to Respond

Individual Housing Units (Hus) Invited by either:

Mail (to USPS Mailable Addresses)

or

Hand Delivery (to Rural/PO Box, non-USPS HU delivery)

1. Letter Mailed
2. Reminder Postcard
3. Then Paper Questionnaire

1. List Housing Units (operation is called Update Leave)
2. Leave Questionnaire (Spanish in certain areas) & Letter w/other Response Options (internet & Phone

Options to Self-Respond (all residents will have these 3 options & decide what is best for them)

Internet

Telephone

Paper

March 23, 2020

Self-Response Begins

April 1, 2020

Census Day – Reference Date = where you live on April 1

April 2020

Early Non-Response Follow-up begins (primarily areas around Colleges/Universities where the population leaves before early May)

May 2020

Non-Response Follow-up (NRFU) begins for households that do not self-respond (Households can continue to self-respond during this time)

Late August 2020 through September 2020

Areas Census Offices Begin Closing

August 2020 through December 2020

Quality Evaluation (re-contact of select Housing Units)

December 31, 2020

Deliver Counts to the President

