

ORDINANCE NO. 2020 –02
TOWN OF BLUFFTON, SOUTH CAROLINA

AN ORDINANCE AMENDING CHAPTER 26 OF THE TOWN CODE, TRAFFIC AND MOTOR VEHICLES FOR THE PURPOSES OF CONSOLIDATING, CLARIFYING AND AUGMENTING CODIFIED RULES FOR PUBLIC PARKING FACILITIES

WHEREAS, the Town of Bluffton desires to improve the general safety, welfare, health and properties of the citizens of the Town of Bluffton; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has the authority to enact resolutions, ordinances, regulations, and procedures pursuant to Section 5-7-140 of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, the Town of Bluffton Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest amendments as Town Council deems appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend Chapter 26, Traffic and Motor Vehicles, Article III, Parking, Standing, and Stopping by adding Section 26-96 Public Parking Facilities in order to provide a consolidated source for clear rules of operation of publicly owned parking facilities; and

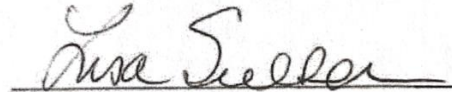
NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, in accordance with the foregoing, the Town hereby amends the Code of Ordinances for the Town of Bluffton as follows:

SECTION 1. AMENDMENT. The Town of Bluffton hereby amends Chapter 26, Article III of the Code of Ordinances for the Town of Bluffton, South Carolina, by adding Section 26-96 – Public Parking Facility, as shown on Exhibit “A” attached hereto and fully incorporated herein by reference.

SECTION 2. ORDINANCE IN FULL FORCE AND EFFECT. This entire Ordinance shall take full force and effect upon adoption.

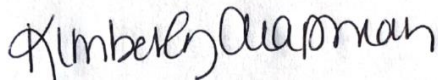
DONE, RATIFIED AND ENACTED this 11th day of February 2020.

This Ordinance was read and passed at first reading on January 14, 2020.

A handwritten signature in black ink, appearing to read "Lisa Sulka", written over a horizontal line.

Lisa Sulka, Mayor

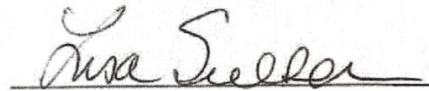
Town of Bluffton, South Carolina

A handwritten signature in black ink, appearing to read "Kimberly Chapman", written over a horizontal line.

Kimberly Chapman, Clerk

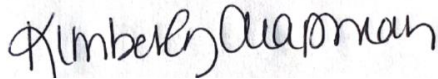
Town of Bluffton, South Carolina

This Ordinance was read and passed at second reading on February 11, 2020.

A handwritten signature in black ink, appearing to read "Lisa Sulka", written over a horizontal line.

Lisa Sulka, Mayor

Town of Bluffton, South Carolina

A handwritten signature in black ink, appearing to read "Kimberly Chapman", written over a horizontal line.

Kimberly Chapman, Clerk

Town of Bluffton, South Carolina

Exhibit “A”

Chapter 26. – TRAFFIC AND MOTOR VEHICLES

ARTICLE III. – PARKING, STANDING AND STOPPING

Sec. 26-96. – Public Parking Facility

- (a) *Purpose.* In order to further community preservation and to protect the health, safety and welfare of the citizens and visitors of the Town of Bluffton, these parking regulations are intended to provide a just and equitable method for regulating and enforcing off-street parking in publicly owned and operated parking facilities.
- (b) *Definitions.* The following terms shall have the meanings respectively ascribed to them for the purposes of this Section. Whenever any terms used herein are not defined, but are defined by Title 56 of the South Carolina Code, such definitions shall be deemed incorporated herein and shall apply unless context clearly indicates otherwise.
 - (1) “Public Parking Facility” shall mean any off-street facility owned, leased, or maintained by the Town and held open for use by the public for the parking of vehicles whether or not a fee is charged for the privilege to park.
 - (2) “Town” shall mean the Town of Bluffton, South Carolina.
- (c) *Parking Restrictions.*
 - (1) It shall be unlawful for any person to park any vehicle on any Public Parking Facility except within those areas of the Public Parking Facility designated and marked for the parking of vehicles. Any vehicle parked within a Public Parking Facility shall be parked entirely within the markings designating one parking space; shall be parked facing the direction of such markings and/or signs within the Public Parking Facility; and, in the case of diagonal parking, shall be parked so that the rear of the vehicle is nearest the drive aisles or entry to such parking area.
 - (2) It shall be unlawful for any person to park or leave on any Public Parking Facility any detached trailer or semitrailer, recreational vehicles, campers, motor homes or mobile billboards without authorization from the Town of Bluffton Police Department.
 - (3) No person who owns or has possession, custody or control of any vehicle, shall park or allow to be parked such vehicle upon any Public Parking Facility for a period of twenty-four (24) or more consecutive hours without express permission from the Town Manager or designee. For purposes of this section, the vehicle shall be considered to have remained parked unless, during any twenty-four (24) hour period, said vehicle has been moved, at least one hundred (100) feet from the position it previously occupied, or the odometer on said vehicle exhibits a change of at least one-tenth of one mile.
- (d) *Owner Responsibility.* For the purposes of this Section, ownership of an illegally parked vehicle shall constitute prima facie evidence that the registered owner parked the vehicle and/or that the illegally parked vehicle was so parked with the knowledge and consent of the registered owner.
- (e) *Removal of Vehicle.* In addition to any penalties permitted by this Section or the Town Code, the Town of Bluffton Police Department, after making a reasonable effort to notify the owner of a vehicle or object which is in violation of this Section, may remove or cause to be removed the vehicle or the object at the owner of the vehicle or object’s sole expense.