



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

To: City Council

From: JJ Sauve, Deputy City Manager

Agenda Item Title: Parking Ordinance Updates

Meeting Date: 7-8-25

Department: City Manager's Office

I. Introduction

Staff recommends that City Council review and consider the revised timeline and process for adoption of the amended Parking Ordinance (Sec. 8-2002 and related provisions). After First Reading on April 8, 2025, staff became aware of important historical context and previously uncodified ordinance amendments that warranted additional review. The proposed ordinance was therefore withdrawn prior to Second Reading and returned to Council for further discussion in the May 13, 2025, Work Session. Staff now recommends First Reading of the revised ordinance on June 10, 2025, followed by Second Reading on July 8, 2025.

II. Background

On April 8, 2025, Council held First Reading of the proposed amendments to the Parking Ordinance, drafted jointly by the City Attorney and Deputy City Manager. Following this action, Downtown Operations and Clerk staff identified a set of amendments originally adopted in 2015 (Ordinance O-11-15) but never codified. These amendments were tied to Parking Task Force recommendations and previous Council discussions, and included changes to parking enforcement times, meter rates, and fine escalation procedures.

In light of this discovery, staff determined that proceeding with Second Reading without reconciling these historical actions with the current draft would create inconsistencies in the City's code. The ordinance was subsequently pulled from the May 13, 2025, Regular Meeting agenda and reintroduced to Council at the May 13 Work Session for discussion. This revised timeline allows for proper reconciliation of previously adopted but uncodified provisions with new policy and operational recommendations.

III. Legal Authority

South Carolina municipalities are granted broad police powers under **S.C. Code Ann. § 5-7-30**, which authorizes municipal councils to enact ordinances “not inconsistent with the Constitution and general law of this State, for the good order, peace and health of the municipality, and for the safety and welfare of its citizens.” This authority serves as the legal foundation for adopting and amending ordinances regulating parking, traffic, and the use of public spaces within the City’s jurisdiction.

In addition, **Sec. 8-2001** of the Beaufort Code of Ordinances expressly authorizes City Council to establish and regulate no-parking zones, restricted parking zones, metered zones, and other parking-related regulations. Proper codification of such ordinances is required to ensure consistency, enforceability, and alignment with state law.

Further, **S.C. Code Ann. § 5-7-32** authorizes municipalities to contract with private entities for assistance with administration and enforcement of municipal ordinances, including parking enforcement. The statute permits the appointment of employees of those entities as municipal code enforcement officers, provided they undergo appropriate background checks and training as required by the municipality.

IV. Staff Recommendation

Staff recommends the following actions:

1. **Approve First Reading** of the revised ordinance on June 10, 2025;
2. **Schedule Second Reading** for July 8, 2025.

ORDINANCE NO. 2025 - _____

An Ordinance to Amend the Code of the City of Beaufort, Part 8- Motor Vehicles and Traffic, Chapter 2.-Parking

WHEREAS, the City of Beaufort, South Carolina (hereinafter “City”) is currently assessing and updating its ordinances; and

WHEREAS, the City wishes to amend its City Code Section. 8- Parking;

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE CITY COUNCIL, in accordance with the foregoing, that the City Code of the City of Beaufort, South Carolina, is hereby amended in Part 8- Motor Vehicles and Traffic, Chapter 2.-Parking, which sections shall read as follows:

Sec. 8-2001. - Authority to establish zones.

The city council shall have the authority to establish no-parking zones, restricted parking zones, parallel parking zones, loading zones, handicapped parking zones and metered parking zones.

Sec. 8-2001.4. - Definitions.

- (a) “Impoundment” means removal of a vehicle to a storage facility either by an officer or other persons authorized by the chief of police or by a contractor for towing and storage in response to a request from an officer or other persons authorized by the chief of police.
- (b) “Metered parking” means certain parking spaces which may only be occupied by a vehicle if the payment required by this chapter is made in the manner specified in Sec. 8-2015.1 of this chapter.
- (c) “Truck” means every vehicle designed, used or maintained primarily for the transportation of property.
- (d) “Vehicle” means an automobile, truck, motorcycle, or other motor-driven form of transportation.
- (e) “Vehicle immobilization equipment” means a nondestructive parking enforcement device that prohibits the movement of the vehicle through the use of a locking mechanism attached to the wheel of the vehicle.

Sec. 8-2002. - Metered Parking.

- (a) Any person parking any vehicle in a parking space for which a parking meter or pay station has been installed on the city streets or municipal parking lots shall, upon entering the parking space, immediately deposit or cause to be deposited in the meter or pay station the proper coinage, or other legal tender, to satisfy the meter’s or pay station’s requirements for the time period for which the vehicle will remain in the parking space. Failure to so deposit coins or legal tender sufficient to put the meter or pay station in timed operation for the time period for which the vehicle will remain in

the parking space shall constitute a violation of this section and shall subject the person to the penalties hereinafter set forth.

- (b) Parking rates shall be one dollar (\$1.00) for each hour on Bay Street, Bay Street Extension, Port Republic Street, and the side streets from Bay Street to Port Republic Street.

Parking rates shall be one dollar (\$1.00) for each hour in the Marina Lot, Library Lot, Playground Lot, Saltus Lot and Scott Street Lot.

Parking rates shall be fifty cents (\$0.50) for each hour on side streets north of Port Republic Street, Craven Street excluding the ninety-minute parking in front of the chamber of commerce which will have a rate of one dollar (\$1.00) for each hour.

Parking rates for the Carteret Street Lot shall be fifty cents (\$0.50) for each hour.

Parking on Bay Street and side streets to Port Republic Street shall have a time limitation of two (2) hours.

Parking on Port Republic Street and side streets north of Port Republic Street shall have a time limitation of four (4) hours.

Parking in the Library Lot and Playground Lot shall have a time limitation of two (2) hours.

Parking in the Marina Lot, Scott Street Lot, Saltus lot, the Carteret Street Lot, and on Craven Street, Bay Street Extension and Newcastle Street shall not have a time limitation.

All other metered parking shall have a time limitation of four (4) hours.

- (c) It shall be unlawful and a violation of the provisions of this section for any person to deface, injure, tamper with, open or willfully break, destroy, steal, take, or impair the usefulness of any parking meter or pay station installed on the streets of the city. Each such meter or pay station violation shall constitute a separate offense.
- (d) It shall be unlawful and a violation of this section to deposit or cause to be deposited in any parking meter or pay station, any slugs, device, metallic substance, or paper, that does not constitute legal tender of the United States of America.
- (e) The city shall have lines or markings painted or placed upon the curb or on the street adjacent to each parking meter for the purpose of designating the parking space for which each meter is to be used and the operator of a vehicle, when parking the vehicle in a parking space shall keep the vehicle within the lines or markings so established.

- (f) Parking regulations as herein set forth shall be in effect from the hours of 11:00 a.m. until 7:00 p.m. each Monday through Saturday, except as otherwise noted herein. Sundays and federally recognized holidays are excluded from the provisions hereof.
- (g) The specified coin or coins required to be deposited in parking meters as provided herein are hereby levied and assessed to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervision and regulating the parking of vehicles in the parking spaces of the streets and to cover the cost of purchasing, acquiring, installation, operation, maintenance, supervision, regulation and control of the parking meters mentioned herein. Parking revenues may also be used to encourage and promote tourism and business in the city.

Sec. 8-2003. - Vehicles and property may be removed.

- (a) Any motor vehicle or trailer improperly parked or left standing upon the streets or public ways or any other public property of the city in a manner as to constitute a hazard to pedestrian or motor vehicle traffic, may be removed or caused to be removed by any police officer.
- (b) Any motor vehicle, or other personal property parked or left standing upon the street or public ways of the city in excess of forty-eight (48) hours may be removed or caused to be removed by any police officer.
- (c) When an emergency arises necessitating the removal of any vehicle upon a public street or parking lot including without limitation fire, water main leak, parade with prior notice, paving, blocking private driveways, etc., the police officer is authorized to have the vehicle removed after a reasonable attempt to locate the owner or driver.
- (d) When the driver of a vehicle is placed under arrest for the commission of an offense and the driver does not wish his vehicle to be driven by his/her passenger, then the vehicle will be towed by a wrecker service of the driver's choice, or if the driver expresses no preference as to a wrecker service, the wrecker rotation call list will be used.
- (e) When a vehicle or trailer is to be removed from the streets or public ways of the city, the police officer will solicit the aid of authorized commercial towing companies from the wrecker rotation call list maintained by the chief of police. Vehicles or trailers towed will be stored in commercial storage facilities within the city or as directed by the chief of police. All costs for commercial towing or for removal shall be paid by the owner or driver of the motor vehicle before return of the property.
- (f) Commercial wrecker or towing companies to be eligible to be placed on the wrecker rotation call list, maintained by the chief of police, must show proof of and maintain in effect garage keepers legal liability insurance with a minimum total coverage amount of twenty thousand dollars (\$20,000.00) aggregate with maximum deductibles to the garage keeper of one hundred dollars (\$100.00) on comprehensive coverage and two hundred fifty dollars (\$250.00) collision coverage; and garage liability insurance with minimum limits of fifty thousand dollars (\$50,000.00) per person; one hundred thousand dollars (\$100,000.00) per accident bodily injury coverage and fifty thousand dollars (\$50,000.00) per accident property damage coverage. All applicants will be required to furnish certificates of insurance from their insurance carrier before being placed on the qualified towing list. Such certificate shall contain a provision stating

that the police department will be given at least fifteen (15) days' notice in the event of cancellation of the policies certified in the certificate.

- (g) Any motor vehicle or other personal property parked or left standing in the public parking spaces in any city parking lot in excess of twenty-four (24) hours may be cited for unauthorized parking and after forty-eight (48) hours, may be or caused to be removed by any police officer.
- (h) All vehicles parked on city streets or any public property must be licensed and insured under the laws of this state and have a current license tag attached thereto, and any vehicle in violation of this requirement may be removed or caused to be removed by any police officer.
- (i) Trucks, tractors or tractor-trailers having a capacity of two and one-half (2½) tons or more, front- or rear-end loaders, or any other kind or type of strictly commercial, industrial or farming equipment parked or left standing in residentially zoned areas for other than loading or unloading or delivery of services, may be removed or caused to be removed by any police officer. Automobiles, small trucks and vans utilized for personal or business purposes of less than two and one-half (2½) tons' carrying capacity, are excluded from the provisions of this subsection.

Sec. 8-2005. - Parking of vehicles containing dangerous substances.

- (a) It shall be unlawful to park and leave standing upon the public streets and public ways of the City any vehicle, tank, or trailer used for the transportation of gasoline, fuel oil, liquefied petroleum gas, or other flammable or explosive liquids at any time between 6:00 p.m. and 8:00 a.m. of the following day or between 6:00 p.m. of the day preceding any Sunday or legal holiday and 8:00 a.m. of the day following a Sunday or legal holiday.
- (b) Reserved.
- (c) Vehicles parked or left standing upon the public streets or public ways of the town in violation of the provisions of this section may be moved under the order and direction of the police department to a safe parking or storage location.

Sec. 8-2006. - Parked vehicles to be licensed; parking with flow of traffic.

- (a) It shall be unlawful to park or store for more than forty-eight (48) hours on any lot within the city, except in completely enclosed buildings, any vehicle of any kind or type, with or without operative motive power, required or permitted to be registered and/or licensed under the laws of the state, or any frame, chassis or body thereof, unless there be affixed to the vehicle current license plates, except for lots licensed for automobile dealerships for new and/or used motor vehicles.
- (b) Parking of vehicles at service stations or garages for service or repair is subject to the provisions of Sec. 3.7.2.D. of the Beaufort Development Code.
- (c) Vehicles will park where authorized on the shoulder of the road or next to the curb in the same direction as the nearest flow of traffic. Violations of this provision are classified as "parking on the wrong side of the road."

Sec. 8-2009. - Parking on private property.

- (a) It shall be unlawful for any person to park or cause to be parked any vehicle upon a private parking lot where appropriate signs have been posted by the owner "Reserved

for customers (and/or) employees only," unless the person at the time of parking is a customer or employee of the business located thereon. There is no prohibition of public parking on public streets adjacent to a business or private property, so long as such parking is within the street right-of-way.

- (b) It shall be unlawful for any person to park or cause to be parked any vehicle upon private property where signs have been posted by the owner which state "No parking, private property." There is no prohibition of public parking on public streets adjacent to a business or private property, so long as such parking is within the street right-of-way.
- (c) Any vehicle found in violation of this section will be ticketed for "Parked in a reserved space" or "Parked on private property" and shall be subject to a fine as shown in section 8-2015.1(c). In the event the vehicle is not moved within four (4) hours of the issuance of the notice of violation, it is subject to be towed away at the expense of the vehicle owner.

Sec. 8-2010. - Marina customer parking in Henry Chambers Waterfront Park.

- (a) Persons who rent docking spaces in the downtown marina and are present while servicing or repairing their watercraft, or while the boat is away from the assigned space are eligible for free parking in designated spaces adjacent to the downtown marina. Authorized extended parking will be verified by a numbered city permit, issued by the dock master, and hanging from the inside rear-view mirror of the vehicle. Only one extended parking permit is authorized for each boat space. Permits are not transferable.
- (b) Section 8-2015.1(c) applies for violations of this section.

Sec. 8-2012. - Meter feeding.

No person shall continuously park a vehicle in any onstreet parking meter zone longer than the maximum limit of parking time obtainable by the single operation of such meter, nor shall such person deposit or cause to be deposited in an onstreet parking meter a coin for the purpose of extending parking time beyond such maximum limit. The penalty for violating this provision shall be the same as that for other parking violations as outlined in this chapter, section 8-2015.1(c).

Sec. 8-2015.1. Notices of Violations and Penalties

- (a) A notice of violation of this chapter may be issued by any police officer or other person appointed as a code enforcement officer. A copy of the notice of violation shall be issued by placing it on the windshield of an illegally parked vehicle in a prominent place thereon. No notices of violations shall be issued for violations of S.C. Code § 16-11-760, which requires the issuance of a uniform traffic ticket.
- (b) The notice of violation must cite only one violation and must contain at least the following information:
 - (1) The state, license plate number, and make of the vehicle in violation of this chapter;
 - (2) The name and title of the person issuing the notice of violation;
 - (3) The date and time when the notice of violation was issued;
 - (4) The nature and description of the parking violation observed;
 - (5) The date, time and location of the hearing; and

(6) Information advising the owner/operator of the vehicle that they pay the penalty set forth in section 8-2015.1.(c) or appear at the hearing in Municipal Court on the date and time provided on the notice of violation, and advising that failure to do so may result in impoundment or immobilization of the vehicle.

(c) Fines for violations and penalties for failure to pay fines are as follows:

Violation	Within 30 days	31-45 Days	After 45 Days
Expired meter	\$10.00	\$25.00	\$45.00
Parking in fire lane	50.00	125.00	150.00
Parked on wrong side of street	25.00	75.00	100.00
Parked in no parking zone	50.00	125.00	150.00
Double parked	25.00	50.00	75.00
Blocking driveway	50.00	125.00	150.00
Parking in loading zone	50.00	125.00	150.00
Blocking a fire hydrant	75.00	175.00	200.00
Parking on private property	25.00	50.00	75.00
Parking illegally in handicapped space	500.00	State Mandate	
Boot fee	100.00	100.00	100.00
Other parking violations	25.00	50.00	75.00

(d) The notice of violation must be filed with the Municipal Court and may be disposed of only by payment of the fine or official action of the Municipal Court. It shall be unlawful for any person to alter or destroy any notice of violation issued under this chapter except in a manner consistent with this chapter and State law.

- (e) Any person who shall violate any of the provisions of this Chapter for which a penalty is not listed in Sec. 8-2015.1(c) shall be charged with a misdemeanor and upon conviction be punished as provided in [Sec. 1-3048](#).
- (f) If the City contracts with a private entity to assist the City in administering the City's parking ordinances and programs, the Chief of Police is authorized to appoint employees of that private entity as code enforcement officers to administer and enforce the City's parking ordinances and programs, pursuant to S.C. Code § 5-7-32. Any individuals appointed as code enforcement officers whose duties include parking enforcement activities, including the issuance of notices of violations or collection or handling of money shall:
 - (1) undergo criminal background checks and drug testing to be conducted by the private entity. The results of the background checks and drug tests shall be provided to the Chief of Police; and
 - (2) undergo a training program approved by the Chief of Police before they undertake any enforcement activities.

Sec. 8-2016. - Immobilization of vehicles.

- (a) A police officer or any other person designated by the chief of police may immobilize by the use of vehicle immobilization equipment any vehicle which is parked in a public right-of-way, and for which there are three (3) or more outstanding, unpaid, overdue notices of violations, the latest of which has been unpaid for a period of at least fifteen (15) days.
- (b) When attaching vehicle immobilization equipment to a vehicle, the officer shall affix notice to the windshield or other part of the vehicle so as to be readily visible. The notice shall:
 - (1) Warn that the vehicle has been immobilized and that any attempt to move the vehicle may result in damage to the vehicle;
 - (2) State the total amount of civil penalties due for notice of violations which are overdue and unpaid that are attributable to such vehicle, in addition to an immobilization fee for the removal of the vehicle immobilization equipment; and
 - (3) List the address and telephone number to be contacted to pay the charges to have the vehicle immobilization equipment removed.
- (c) If the civil penalties and the immobilization fee are not paid, or satisfactory arrangements in lieu of payment are not made, by 6:00 p.m. on the date of the attachment of the vehicle immobilization equipment the vehicle may be towed and impounded as provided in section 8-2003.
- (d) Upon payment of all civil penalties, overdue and unpaid notices of violations, and the immobilization fee, the vehicle immobilization equipment shall be removed and the vehicle released to the registered owner or any other person legally entitled to claim possession of the vehicle. The fee may be paid in the form of a refundable bond pending the outcome of a hearing requested pursuant to section 8-2018.
- (e) It shall be unlawful for anyone to remove vehicle immobilization equipment placed on a vehicle pursuant to this section without all civil penalties and application charges having first been paid, or a bond posted. The City shall not be responsible for any damage to an immobilized illegally parked vehicle resulting from unauthorized attempts to free or move the vehicle.

- (f) Charges. An immobilization fee of fifty dollars (\$100.00) shall be charged for the removal of the vehicle immobilization equipment.

DONE, RATIFIED AND ENACTED this _____ day of _____, 2025.

This Ordinance was read and passed at first reading on _____, 2025.

Philip Cromer, Mayor
City of Beaufort, South Carolina

Traci Guldner
City Clerk, City of Beaufort, South Carolina

This Ordinance was passed at second reading held on _____, 2025.

Philip Cromer, Mayor
City of Beaufort, South Carolina

Traci Guldner
City Clerk, City of Beaufort, South Carolina

Reviewed as to form by Benjamin T. Coppage, City Attorney on May 7, 2025