CITY OF FOLLY BEACH
Chris Bizzell, Mayor

Folly Beach, SC 29439
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William Farley, Council Member
Skip Fink, Council Member
Billy Grooms, Council Member
Blair Holladay, Council Member
Katherine Houghton, Mayor Pro Tem
DJ Rich, Council Member

City Council Work Session Meeting 5:45 PM
Tuesday, May 12, 2026

City Hall
21 Center Street
2nd Floor Council Chambers
Folly Beach, SC 29439

1. **Work Session Items**
   a. Discussion of septic tank inspection recommended intervals and applicability to different property use types.-Eric Lutz
   b. **ORDINANCE 013-26:** An Ordinance Amending The Folly Beach Code of Ordinances Chapter 164 (Use Standards) by Requiring Private Commercial Parking Operators to Display Daily and Hourly Rates. - Aaron Pope
   c. Beach Franchise and Other Beach Activites- Aaron Pope

PUBLIC NOTICE
ALL MEDIA WERE NOTIFIED PURSUANT TO STATE LAW
City Council will not vote on matters discussed during Work Sessions or Executive Sessions. However, matters discussed may be voted on during the evening City Council meeting. In keeping with the Americans with Disabilities Act, persons needing assistance, alternative formats, ASL interpretation, or other accommodation, please contact the Municipal Clerk at 843- 513-1833 during regular business hours at least 24 hours prior to the meeting. Hearing devices are available upon request for those with hearing difficulties.

The City of Folly Beach, in an effort to go green, will no longer have the Ordinances and Resolutions included in the agenda. Citizens interested in having a copy, please see the Municipal Clerk.

CITY OF FOLLY BEACH

Date: May 14th 2026
Re: Septic Tank Inspection, SCDES Response

Council requested that staff contact experts regarding septic tank inspection. Below are the questions asked and the expert's response.

SCDOES RESPONSE IN BLUE

§ 55.06 INSPECTIONS.

(A) *Baseline inspection required prior to sale.* A baseline inspection using SCDES approved inspectors (please be aware that SCDES does not license or issue approvals to individuals for the inspection of OSWW systems) and FBDPW inspection forms is required prior to the sale of any property with a septic system. The inspection shall take place no earlier than 60 days prior to the sale of any ownership interest in property. In the event that the inspection does not occur as specified prior to the sale, an inspection must be completed within 30 days of the water transfer.

(B) *Baseline inspection after failure and repair.* Properties with a septic system that has been repaired after notification of failure by the city are required to have a baseline inspection using SCDES approved inspectors (please be aware that SCDES does not license or issue approvals to individuals for the inspection of OSWW systems) and FBDPW inspection forms. The inspection shall take place no later than 60 days after the repair to ensure the system is complete.

(C) *Baseline Visual inspections for short-term rentals.* A baseline visual inspection using SCDES approved inspectors (please be aware that SCDES does not license or issue approvals to individuals for the inspection of OSWW systems) contractors and FBDPW inspection forms is required annually once every three years, with the first inspection no earlier than May 1, 2025, for any property used for short term rentals for which an Investment Short Term Rental Business License (ISTR) has been issued. When conditions indicating a failure of the system are observed during a visual inspection, a pump out of the system is required to properly examine the interior of the tank. A visual inspection, occurring at least every three years, is recommended for all properties.

(D) *Copies of inspections required.* The inspector (please be aware that SCDES does not license or issue approvals to individuals for the inspection of OSWW systems) shall give a copy of the completed inspection report to the occupant, to the property owner, and to the city. A copy of the inspection report, signed by the pumper, must be submitted to the city within ten business days of the inspection. For sale of property, a copy of the report also shall be provided to the city.

Questions:

- Do they see a significant difference between a residential home, a home rented no more than 72 days a year, and a home rented more than 72 days a year that would warrant different standards for each? SC Regs. 61-56 addresses sizing requirements based on a peak flow of gallons per day, accounting for the maximum capacity of 2 people per bedroom. Regs. 61-56, does not address whether a dwelling is occupied consistently or in a peak-season retail scenario. It is the regulatory requirement that a dwelling occupied for more than 2 hours per day must have an approved means of domestic wastewater.

- Is three years a good interval for each type? Especially for a home rented for more than 72 days annually (the ISTR mentioned above). The Department does not have any regulatory requirement for the frequency of pumping, although it does recommend on its webpage to have your OSWW system inspected every one to two years, and have your system pumped out every 3-5 years or more frequently, depending on the size of the septic tanks and the number of occupants. The use of a licensed septic system contractor and pumper can assist with the evaluation of the frequency based on the conditions during inspections and pumping sessions.

Timothy Kinney
Division of Onsite Wastewater
SCDOES

CITY OF FOLLY BEACH

Date: May 14th 2026
Re: Septic Tank Inspection, Professional Engineer

Council requested that staff contact experts regarding septic tank inspection. Below are the questions asked and the expert's response

Questions:

- Do you see a significant difference between a residential home, a home rented no more than 72 days a year (owner short-term rental-OSTR), and a home rented more than 72 days a year (investment short-term rental-ISTR) that would warrant different standards for each?
    - OSTR & ISTR: With the seasonal nature rental demand on Folly Beach, we would recommend all homes rented during the peak season be considered for the same inspection/service requirements and do not see a significant different between these two categories.
    - Long Term Rental & Owner Occupied – we would recommend these be grouped together as maintenance requirements and are typically similar for these use type.

  e.g. ISTR visual annually, OSTR visual every ?, owner occupied or long term rental ?

- Is three years a good interval for each type? **Especially for a home rented more than 72 days annually (the ISTR mentioned above).**
    - ISTR & OSTR - We would recommend annual visuals for all ISTR and OSTR with sludge/scum level measurements taken and pump out recommendations provided in the report. With the variety of system types on Folly and the intensity of use during the peak season, annual visuals at a minimum would be an effective way to ensure systems remain operating properly.
    - Owner Occupied and Long Term Rental – 3 year visuals with sludge/scum measurements & pump out recommendations should be suitable for these.

Caleb P. Rodgers, PE, MBA
President & Principal Engineer
Onsite Septic Engineering

CITY OF FOLLY BEACH

Date: May 14th 2026
Re: Septic Tank Inspection, Professional Engineer

Council requested that staff contact experts regarding septic tank inspection. Below are the questions asked and the expert's response.

Questions:

- Do they see a significant difference between a residential home, a home rented no more than 72 days a year, and a home rented more than 72 days a year that would warrant different standards for each? A residential home's flows are typically consistent with SCDES standards of 120 gpd per bedroom. The rentals, however, due to the amount of people that end up staying in the house, exceed the system design capacity. When we design a system for a rental property, we apply a safety factor to increase the size of the system and, in some cases, use a different type of system and drainfield to handle the increased flows.

- Is three years a good interval for each type? Especially for a home rented more than 72 days annually (the ISTR mentioned above). I think three years is more realistic than every year. The drip and/or low-pressure systems with Advanced Treatment Units needs maintenance every 6 months and is pumped as needed.

- Because we have a combination of drip systems and conventional systems out here. Would it make sense for the short-term rental properties (ISTR) to be required to obtain an annual visual inspection from a licensed DES septic contractor, with a pump out required only if the contractor deems it necessary due to findings during inspection and a visual inspection requirement for long-term and OSTR (72 days or less) rental properties every 3, 4, or 5 years? I think for the drip systems at a minimum one year visual and they still need to have maintenance done every 6 months for proper operation. With the long term I think every 3 years should be sufficient. The SCDES states in their guidelines to pump every 3 to 5 years so this is in line.

- How about the short term rentals (ISTR) with conventional systems. Would an annual (visual only no pump out) inspection be a good idea for these? I think so. It would be keeping up with the others

Kevin J Coffey, Sr., P.E.
Lowcountry Land Development Consultants, LLC

CITY OF FOLLY BEACH

1st Reading: April 14th,2026
2nd Reading:

Introduced by: Mayor Bizzell
Date: April 14th,2026

ORDINANCE 007-26
AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 55 (ON-SITE SEPTIC SYSTEM MANAGEMENT) TO REMOVE THE AUTOMATIC PUMP OUT REQUIREMENT FOR ANNUAL STR SEPTIC INSPECTIONS AND REQUIRE A PUMP OUT ONLY IF RECOMMENDED UPON COMPLETION OF A VISUAL INSPECTION OF THE SEPTIC SYSTEM.

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that Folly Beach Code of Ordinance be amended as follows:

NOTE: ~~Deleted material struck through~~, new material shown in red,

§ 55.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALTERATION. Any modernization, modification or change in the size, type, or flow of an existing septic system, including but not limited to any work performed in connection with a building renovation and/or change of occupancy of that building.

BASELINE INSPECTION. A thorough evaluation of an operating septic system to determine whether the system is functioning as designed, is not exhibiting signs of failure, and is being operated properly. A pump out of the system is required for a baseline inspection to properly examine the interior of the tank and to check for leaks from the house or saturated conditions in the drainfield. All inspections and pump outs must be performed by ~~inspectors~~ contractors and pumpers with valid SCDES licenses.

BEDROOM. Any room in a residential structure which is: greater than 70 square feet in area; susceptible to present or future use as a private sleeping area; has at least one egress window or door per fire code; has at least one interior method of entry and egress, excluding closets and bathrooms, which allows the room to be closed off from the remainder of the residence for privacy; and has a closet. In determining the number of bedrooms contained in any residence, it shall be presumed that all residences contain a living room, kitchen, bathroom and at least one bedroom.

CHANGE IN OCCUPANCY. Refers to any change in the occupancy classification of a structure that is likely to result in an increase in sewage flow into the system.

DEPARTMENT OF PUBLIC WORKS (or ***FBDPW).*** The Department of Public Works, City of Folly Beach.

DRAINFIELD. A system of trenches or beds, or other such seepage systems approved by SCDES, designed to disperse septic tank effluent into the soil for treatment.

FAILED SYSTEM. Any septic system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality, as evidenced by, but not limited to, one or more of the following conditions:

(1) Failure to accept sanitary sewage;

(2) Discharge of sanitary sewage to a basement, subsurface drain, surface drain or surface water unless expressly permitted by SCDES;

(3) Sanitary sewage rising to the surface of the ground over or near any part of a septic system or seeping down-grade from the drainfield at any change in grade, bank or road cut;

(4) Any deterioration or damage to any a septic system that would preclude adequate treatment and disposal of wastewater (for example, damage
from a vehicle driven over the drainfield or septic tank);

(5) A septic tank that is not constructed to be watertight (such as bottomless tank) as required to hold wastewater for primary treatment prior to discharging to a drainfield;

(6) The presence of a grease trap to which kitchen waste is discharged and which is not connected to the septic tank or drainfield;

(7) Exposure, reduction, or elimination of the drainfield area or holding tank through erosion;

(8) Repeated and prolonged inundation by floodwaters resulting in leakage of sewage;

(9) Water quality testing of adjacent and nearby waters that reveals a septic system as the source of contamination.

GOOD OPERATING CONDITION. A state in which the septic system, upon inspection, is determined to function in a sanitary manner, prohibits the discharge of untreated or partially treated wastewater onto the ground surface, into surface water, or into groundwater, and allows building plumbing to discharge properly.

GREASE TRAP. An interceptor tank used to trap grease and oils from kitchen waste. If the tank is not plumbed so that the remaining liquid enters the septic tank or a drainfield, it is in violation of this chapter.

INSPECTOR. An individual who has who has been approved by SCDES to inspect septic systems.

LICENSED INSTALLER. Any individual who holds a valid SCDES license for the installation and repair of septic systems. ***LICENSED INSTALLERS*** may hold a dual license for installation/repair and cleaning of septic systems; installers with a dual license are also classified as licensed pumpers.

LICENSED PUMPER. Any individual who holds a valid SCDES license to clean septic tanks and self-contained toilets.

MAINTENANCE. The clearing of stoppages in pipes and the regular cleaning of any septic tank, grease trap, building sewer, distribution lines or any other component of a septic system for the purpose of removing any accumulated liquid, scum and/or sludge without removing, replacing, or rearranging of pipes or surrounding soils. The term ***MAINTENANCE*** shall also be held to include any regularly required servicing or replacement of related mechanical, electrical or other equipment.

OWNER. Any person who alone or jointly or severally with others holds legal title to any

real property or has possession or control of any real property through any agent, executor, administrator trustee, or guardian of the estate of a holder of a legal title or has possession or control through any lease or purchase and sale agreement. Each such person is bound to comply with the provisions of these rules and regulations.

REGULATION 61-56 (R.61-56) INDIVIDUAL WASTE DISPOSAL SYSTEMS. Statewide regulation that governs the permitting, design and installation of septic systems.

RENOVATION. Any addition, replacement, reconstruction, or modification of an existing structure that adds bedrooms.

REPAIR. Work performed on a septic system in order to mend or remedy a specific defect or deficiency after the failure, injury, deterioration, or partial destruction of a previously existing septic system or component thereof. A ***REPAIR*** shall not include any alteration work performed on an existing septic system that increases the flow capacity of the system.

RESIDENCE. Any structure used for housing purposes, including but not limited to single- or multiple-family dwellings, duplexes, tenements, apartment buildings, condominiums, mobile homes, recreational vehicles or trailers.

SANITARY SEWAGE or ***WASTEWATER.*** Any human or animal excremental liquid or substance, any putrescible animal or vegetable matter and/or any garbage and filth, including but not limited to any black water discharged from toilets, or grey water discharged from laundry tubs, washing machines, sinks and dishwashers, as well as the content of septic tanks or privies.

SEPTIC SYSTEM. Any system of piping, tanks, drainfields, alternative toilets or other facilities designed to function as a unit to convey, store, treat and/or dispose of sanitary sewage by means other than discharge into a public sewer system. This may be either an on-site sewage disposal system (OSDS) or an engineered specialized onsite wastewater system (SOWS) permitted by SCDES pursuant to Standard 610 of Regulation 61-56. All new septic systems must be located on the same parcel as the structure to be served.

SEPTIC TANK. A watertight receptacle that receives the discharge of sewage from a building sewer and is designed and constructed to permit the deposition of settled solids, the digestion of the matter deposited and the discharge of the liquid portion into a leaching system (such as a drainfield).

SHORT-TERM RENTAL. Uses in which overnight accommodations are provided in dwelling units to guests for compensation for periods of less than 30 days.

SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL SERVICES (SCDES). A division of the State of South Carolina responsible for protecting environmental health.

VISUAL INSPECTION. A visual evaluation of an operating septic system to measure sludge and scum levels in the tank and observation of the drainfield to determine whether the system is functioning as designed, is not exhibiting signs of failure, and is being operated properly. When conditions indicating failure of the system are observed during a visual inspection, a pump out of the system is required to properly examine the interior of the tank and to check for leaks from the house or saturated conditions in the drainfield. All inspections and pump outs must be performed by contractors and pumpers with valid SCDES licenses.

(Ord. 11-19, passed 4-9-19; Ord. 001-25, passed 2-11- 25)

§ 55.06 INSPECTIONS.

(A) *Baseline inspection required prior to sale.* A baseline inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms is required prior to the sale of any property with a septic system. The inspection shall take place no earlier than 60 days prior to the sale of any ownership interest in property. In the event that the inspection does not occur

as specified prior to the sale, an inspection must be completed within 30 days of the water transfer.

(B) *Baseline inspection after failure and repair.* Properties with a septic system that has been repaired after notification of failure by the city are required to have a baseline inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms. The inspection shall take place no later than 60 days after the repair to the system is complete.

(C) ~~*Baseline*~~ *Visual inspections for short term rentals.* A ~~baseline~~ visual inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms is required annually to renew the rental registration for any property used for short term rentals. When conditions indicating a failure of the system are observed during a visual inspection, a pump out of the system is required to properly examine the interior of the tank.

(D) *Copies of inspections required.* The ~~inspectors~~ contractors shall give a copy of the completed inspection report ~~to the occupant,~~ to the property owner, and to the city when requested. ~~A copy of the inspection report, signed by the pumper must be submitted to the city within ten business days of the inspection. For sale of property, a copy of the report also shall be provided to the city.~~

(Ord. 11-19, passed 4-9-19; Am. Ord. 001-25, passed 2- 11-25)

RATIFIED this ___ day of _____2026, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk **Chris Bizzell, Mayor**

Councilmember Rich's proposed amendments.

(Ord. 11-19, passed 4-9-19; Ord. 001-25, passed 2-11- 25)

§ 55.06 INSPECTIONS.

(A) *Baseline inspection required prior to sale.* A baseline inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms is required prior to the sale of any property with a septic system. The inspection shall take place no earlier than 60 days prior to the sale of any ownership interest in property. In the event that the inspection does not occur as specified prior to the sale, an inspection must be completed within 30 days of the water transfer.

(B) *Baseline inspection after failure and repair.* Properties with a septic system that has been repaired after notification of failure by the city are required to have a baseline inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms. The inspection shall take place no later than 60 days after the repair to the system is complete.

(C) ~~*Baseline*~~ *Visual inspections* ~~*for short term rentals*~~. A ~~baseline~~ visual inspection using SCDES approved ~~inspectors~~ contractors and FBDPW inspection forms is required ~~annually~~ once every five years, with the first inspection no earlier than May 1, 2025, for any property u~~sed for short term rentals~~ for which an Investment Short-Term Rental Business License (ISTR) has been issued. When conditions indicating a failure of the system are observed during a visual inspection, a pump out of the system is required to properly examine the interior of the tank. A visual inspection, occurring at least every three years, is recommended for all properties.

(D) *Copies of inspections required.* The i~~nspectors~~ contractors shall give a copy of the completed inspection report ~~to the occupant,~~ to the property owner, and to the city when requested. ~~A copy of the inspection report, signed by the pumper must be submitted to the city within ten business days of the inspection. For sale of property, a copy of the report also shall be provided to the city.~~

§ 55.07 SEPTIC SYSTEM OPERATION AND MAINTENANCE.

(A) *Role of city.*

(1) The FBDPW (and/or SCDES) may conduct random site visits during inspections, pumping, repairs, or alterations to evaluate the quality of such work. The FBDPW and/or SCDES will also respond to citizen complaints with regard to septic system services and/or inspections.

(2) The city shall inspect the front beach after major erosional events to document eroded septic systems.

(3) The city shall inspect flooded areas to document failed systems.

(4) The city shall notify owners in situations where a failed system has been identified and documented.

(5) The city shall notify owners and initiate water cut off procedures for properties where failed systems have been identified and documented.

(6) If, upon receipt of a baseline inspection report that a septic system is determined to be a failed system as defined by this chapter, the city will notify SCDHEC of the failure within five business days of receiving the inspection report.

(7) The city shall maintain a record of each septic system installed, inspected, pumped, repaired and altered.

(B) *Role of property owner.*

DRAFT

(1) It shall be the responsibility of the property owner to ensure that the septic system is operated and maintained according to its designed use and capacity, and approved management plan.

(2) Property owners shall provide all requested and known information about the septic system to the city and the inspector to facilitate locating and assessing the condition of the system.

(3) The property owner shall maintain the septic system so that it is accessible for inspection and maintenance. ~~.~~Fand shall have the septic system inspected as required in 55.06

(4) The property owner shall maintain the septic system so that it is protected from vehicular traffic and parking.

(5) The property owner shall protect all parts of the septic system from erosion and prolonged inundation.

(6) The property owner shall request an evaluation from SCDES within five days of notification of a failed system from the city or an inspection. The property owner shall initiate repairs to failed systems within five days of the issuance of an SCDES evaluation. If repairs are not completed in 90 days, the property owner shall relocate the system as required by § 55.05(A)(3).

(7) The property owner shall initiate minor repairs such as replacing cracked lids and missing or broken tees and baffles as required by a baseline inspection to bring the septic system into good operating condition within 30 days of the inspection. Evidence of said work must be submitted to the city.

§ 55.08 ENFORCEMENT; PENALTIES FOR OFFENSES.

Failure to comply with the inspection and repair provisions of this chapter will be deemed a violation ~~of Chapter 94~~: ~~Health and Sanitation; Nuisances~~. Upon conviction, violators shall be assessed ~~P~~penalties, up to and including termination of water services, a one-year suspension of associated ISTR licenses, an assessment of costs incurred by the city for any necessary environmental remediation, and a civil fine of $500 or 30 days imprisonment w~~ill be administered~~ as per § 10.99.

DRAFT

CITY OF FOLLY BEACH

Date: July 8th, 2025
Re: Private Parking Lots Posted Prices

Mayor and Council,

Several years ago, the city established signage requirements for private parking lots on the island that wished to tow or immobilize vehicles. These businesses are now required to clearly post rules and information so that customers are aware of what could happen to their vehicles. Recently, we have received complaints from customers that parking lots are not required by our code to also post clear pricing information. Some have informal signage, some have QR codes and pay by app, and some appear to rely on communication from employees on site. Staff believes that providing clear notice of prices on private parking lots is a reasonable requirement that would benefit visitors. Staff propose an ordinance that would:

Require that any parking lot either post the prices on a physical sign (that means all signage requirements) or, if the lot only uses digital payments, that the information be clearly stated in the app.
Require that all private lots provide signage or language online that clearly states that the parking lot is not operated by the city.
Require that the sign or online notice be prominent and easily visible. Signs would have to be clear of obstruction, etc., and placed near entrances. Apps would need the information on the first page to be visible when people scan/log in.
Require that the pricing notice include cost, hours when payment is required, and payment methods.
Require that the name and phone number for the lot operator is provided on the signage.

Aaron Pope, AICP, ICMA-CM
City Administrator

CITY OF FOLLY BEACH

1st Reading: May 12th, 2026
2nd Reading:

Introduced by: Mayor Bizzell
Date: May 12th, 2026

ORDINANCE 013-26
AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES CHAPTER 164 (USE STANDARDS) BY REQUIRING PRIVATE COMMERCIAL PARKING OPERATORS TO DISPLAY DAILY AND HOURLY RATES

The City Council of Folly Beach, South Carolina, duly assembled, hereby ordains that Folly Beach Code of Ordinance be amended as follows:

NOTE: ~~Deleted material struck through~~, new material shown in red,

§ 164.03-03 Commercial Uses.

…

(B) *Commercial parking.* Any exchange of compensation for parking shall be considered a commercial parking use and shall:

(1) Not be permitted in any residential district of the city.

(2) Limit street frontage in the DC District to 100 feet.

(3) Provide at least two 96-gallon roll cart trash cans beginning January 1, 2022. Each trash can must:

(a) Remain accessible during the operating hours of the commercial parking lot.

(b) Be screened from off-site views and adjacent rights-of-way in conjunction with § 164.04-05.

(c) Be maintained in a clean and orderly condition.

(4) Provide delineation in the form of fencing to distinguish public rights-of-way from private property beginning January 1, 2022.

(5) Provide notice of the rates charged for parking.

(a) Notice must be posted on signage at each principle entrance of the lot or, if payment is provided only through online methods, must be prominently displayed on the associated website or application.

(b) Notice must include language that the paid parking is privately owned and not associated with the City of Folly Beach.

(c) Notice must clearly indicate the hours during which fees are charged for parking.

(d) Notice must include the hourly and daily rates charged for parking and the methods by which parking fees may be paid.

(e) Notice must include a phone number, website, application, or other means of reaching the operator of the lot.

RATIFIED this ___ day of _____2026, at Folly Beach, South Carolina, in City Council duly assigned.
ATTEST:

Municipal Clerk	**Chris Bizzell, Mayor**

In my view, this is one of the clearest and most straightforward policy decisions Council will face. Before explaining why I think that, I want to acknowledge the City of Folly Beach's longstanding leadership in sea turtle conservation.

For years, I have consistently highlighted the City as a model coastal community—through Sandspur articles, Facebook posts, presentations to the Civic Club, Senior Club and others, and public outreach. That reputation is well-earned. Examples include:

- Conversion of 39 streetlights to turtle-friendly amber lighting
- Coordination of beach activity start times with FBTW "all clear" during nesting season
- Strong code enforcement on lighting and beach equipment violations
- Adoption of Ordinance 151.48 requiring lights off from sunset to sunrise (rather than 10pm to dawn) —an important change that has reduced hatchling misorientation from nest hatchings that occur prior to 10pm and as early as 8pm.
- Ongoing turtle support from City staff, especially Eric Lutz and Stacee Freeman

Charleston County has also been a strong partner, with turtle-friendly lighting at the pier, County Park, and Dunes House, along with responsive support from pier staff when strandings occur on the beach.

Because of this collective effort from both city and county, Folly Beach has earned its reputation as a turtle-friendly leader and FBTW is grateful to have such support. That is why the current policy allowing chairs to remain overnight in Section One is so concerning.

Ordinances 013-25 and 010-26 created and maintained an exception allowing wooden lounge chairs to remain on the beach overnight in the commercial area. This exception is inconsistent with widely accepted sea turtle conservation practices and undermines the progress the City has made.

FBTW respectfully requests that Ordinance 010-26 be amended to remove the Section One exception and require that all chairs and umbrellas be removed from the beach prior to sundown in all sections. I believe this is a clear decision for several reasons:

1. Established Conservation Standards: Leaving chairs and furniture on the beach overnight is broadly recognized by sea turtle conservation guidelines, including by SCDNR—as a risk to nesting turtles and hatchlings. These obstacles contribute to false crawls and, in some cases, entrapment.

2. SCDNR Guidance: Michelle Pate, Manager of the SCDNR Marine Turtle Program, has indicated that individual chairs left on the beach are "problematic," noting that entanglement incidents do occur and that reduced nesting near the pier is likely due to existing disturbances such as lighting and human activity—not an absence of habitat value.

3. Inconsistent Enforcement: Allowing overnight chairs in Section One while prohibiting them elsewhere creates a difficult-to-defend double standard. It places FBTW volunteers and enforcement personnel in the position of treating identical conditions differently within a short distance.

4. Documented Turtle Activity in Section One: SCDNR data from 2019–2025 show 45 nests, 36 false crawls, and multiple hatchling misorientations within three blocks of the pier. Turtle activity definitely does occur in this area. Lower nesting density should not be interpreted as lack of importance—but rather as a signal of compromised conditions.

5. A Self-Reinforcing Cycle: The current policy contributes to a cycle in which:

- Artificial lighting and obstacles discourage nesting
- Reduced nesting is interpreted as low habitat value
- Policies then permit additional disturbances (e.g., overnight chairs)
- Conditions worsen further

This is a reversible situation—but only if we make consistently turtle-friendly decisions.

6. Public Perception: Rows of chairs left overnight—combined with visible lighting—send a message that conflicts with Folly Beach's conservation values. Visitors notice this and frequently raise concerns.

7. Limited Public Benefit: The primary benefit of this policy appears to be convenience for chair vendors. It is difficult to identify a broader public benefit that outweighs the environmental impact.

Folly Beach has worked hard to build its reputation as a leader in coastal conservation. Aligning Section One policies with the rest of the beach would reinforce that leadership and ensure consistency with established best practices.

Thank you for your time and consideration. I would be happy to assist further or help facilitate discussion with SCDNR if needed. I also encourage you to reach out directly to Michelle Pate.

Respectfully,

Dave Miller
Folly Beach Turtle Watch
SCDNR Permit Holder MTP520

Ps 1. I would love to know the rationale for introducing the words below in red font and if the voting members were aware of the turtle unfriendly conditions this would create.

1st Reading: August 12th, 2025
2nd Reading: September 9th,2025

Introduced by: Mayor Goodwin
Date: August 12th, 2025

ORDINANCE 013-25
AN ORDINANCE AMENDING THE FOLLY BEACH CODE OF ORDINANCES SECTION 118.02 (COMMERCIAL ACTIVITY ON PUBLIC PROPERTY GENERALLY) TO CREATE A CONCESSIONS FRANCHISE AT 3RD STREET WEST, SECTION 118.03 (COMMERCIAL ACTIVITY ON THE PUBLIC BEACH) TO DEFINE THE LIMITS OF ALLOWABLE FRANCHISE COMMERCIAL ACTIVITY, AND SECTION 118.04 (FRANCHISE AGREEMENTS ON PUBLIC PROPERTY)

(4) All beach chairs and umbrellas, except for approved wooden lounge chairs located in Section One, shall be removed from the public beach prior so sundown.

Ps2. Below I would like to share with you photos of the pre-dawn conditions this policy allows.

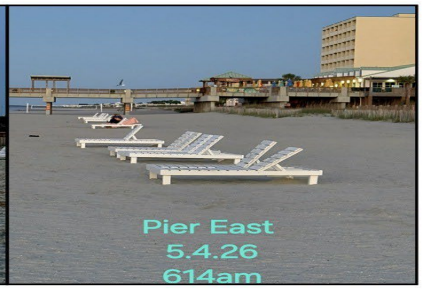


The photo above was taken in August 2025 prior to sunrise. This is when I first asked the city why these chairs were allowed on the beach. I was told they were "grandfathered.

The photos below are all from May 2026 and were all taken prior to sunrise. These chairs are on the east side of Section One. We never saw them on the beach at dawn in previous years. This is new. Do we really want to legalize this turtle unfriendly condition?





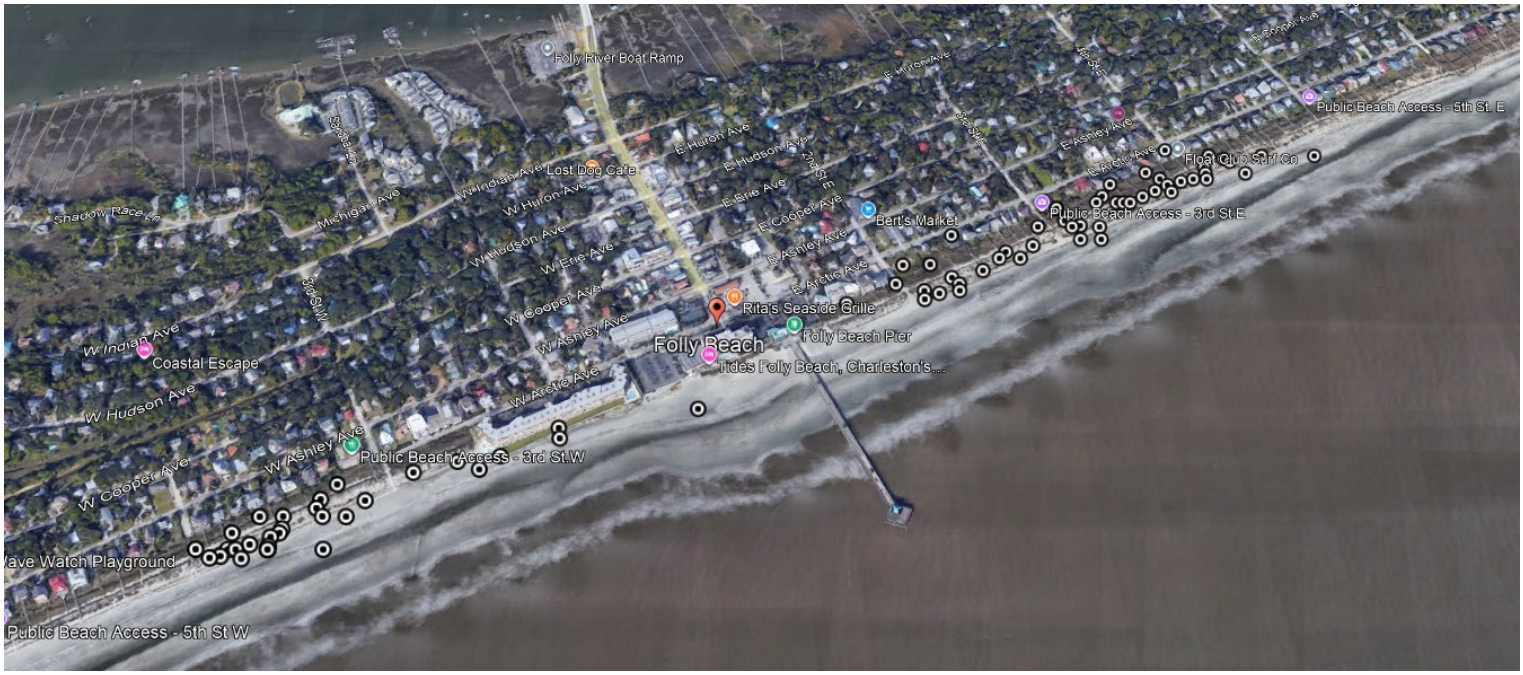


Afternoon Mayor Bizzell,

Please find attached a list of loggerhead sea turtle activities documented in the three blocks East and West of the pier as well as any misorientation events involving hatchlings. I have also provided a snapshot (see below) of the loggerhead nesting activities found in the Excel document as a visual. If you have any questions, please let me know.

Best,
-Michelle

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Date Compiled: 4/23/2026; 2019-2025 loggerhead nesting activities from roughly 3rd Street East to 3rd Street West on Folly Beach to include both false crawls and nests; disorientation/misorientation events with hatchlings

Data Provided to: Chris Bizzell, Mayor Folly Beach, Aaron Pope, Folly Beach Town Council

Purpose: requested this information during discussions on continuing to allow loungers on the beach.

Field Name	Description
Activity	Description of activity observed: False Crawl, Nest, Unknown nest
Activity Date	Date the sea turtle nest laid in M/DD/YY formt
Latitude	Latitudinal coordinates in decimal degree format
Longitude	Longituinal coordinates in decimal degree format
Relocation	Indicates whether nest was kept insitu (in place) or relocated
Relo Latitude	Latitudinal coordinates in decimal degree format of relocated nest
Relo Longitude	Longituinal coordinates in decimal degree format of relocated neste
Emergence Success	percentage of turtles that emerged to the surface of the sand out of the nest

This unpublished data is property of SCDNR Marine Turtle Conservation Program. Any publications derived from the use of this data should include ackwnowledgement to the South Carolina Department of Natural Resources Marine Turtle Conservation Program.

Activity	Activity Date	Latitude	Longitude	Relocation	Relo Latitu	Relo Longit	Emergence Success
FC	6/15/2024	32.65169	-79.9463				
FC	5/28/2020	32.6517	-79.9467				
FC	5/23/2022	32.65172	-79.94657				
FC	5/26/2019	32.6518	-79.946				
N	6/9/2019	32.6518	-79.946	in situ			98.0198
FC	6/13/2020	32.6518	-79.9465				
N	7/14/2021	32.6518	-79.9469	relocated	32.6516	-79.9469	96.7391
N	6/13/2023	32.6518	-79.9464	in situ			52.0408
FC	6/17/2024	32.6518	-79.9453				
FC	5/26/2024	32.65184	-79.946				
N	7/8/2023	32.65186	-79.94624	in situ			
N	7/15/2023	32.65195	-79.946	in situ			0
FC	6/24/2019	32.652	-79.9465				
FC	7/22/2020	32.652	-79.9459				
N	6/14/2021	32.65205	-79.94588	in situ			92.8571
FC	5/27/2019	32.6522	-79.9451				
FC	5/28/2019	32.6522	-79.9462				
N	6/7/2019	32.6522	-79.9459	relocated	32.6521	-79.9459	88.75
N	6/7/2023	32.6522	-79.9454	relocated	32.6437	-79.9629	40.4412
N	7/10/2023	32.6523	-79.9455	in situ			
FC	6/27/2024	32.6524	-79.9449				
FC	7/17/2021	32.65241	-79.94547				
N	5/26/2019	32.6526	-79.9453	in situ			68.2432
FC	6/26/2023	32.65276	-79.94435				
FC	5/24/2019	32.6528	-79.9435				
FC	7/10/2024	32.6529	-79.9438				
FC	6/18/2021	32.65297	-79.94325				
N	6/3/2019	32.6532	-79.9425	relocated	32.6529	-79.9441	91.7431
FC	6/17/2021	32.65334	-79.94253				
FC	5/17/2025	32.6536	-79.9407				
FC	6/27/2023	32.6551	-79.9387				
N	7/24/2022	32.65517	-79.9376	relocated	32.65517	-79.9376	88.3721
N	6/9/2022	32.65526	-79.93739	in situ			93.1034
FC	5/28/2019	32.6553	-79.9376				
N	6/1/2022	32.6553	-79.9371	relocated	32.66193	-79.9229	94.0476
N	7/7/2019	32.6554	-79.9371	in situ			95.0617
N	6/29/2023	32.6554	-79.938	relocated	32.6621	-79.9227	66.3717
FC	6/4/2019	32.6555	-79.9372				
N	6/9/2024	32.65561	-79.93675	relocated	32.68221	-79.8897	79.4118
N	6/11/2022	32.65569	-79.93789	relocated	32.66194	-79.9229	32.4324
FC	7/10/2021	32.6557	-79.9375				
N	6/7/2022	32.65571	-79.92357	relocated	32.66165	-79.9236	89.1304
N	7/10/2019	32.6558	-79.9365	in situ			85.4839

N	6/19/2021	32.6558	-79.9362	in situ			92.3077
FC	7/21/2021	32.6559	-79.9364				
FC	7/21/2021	32.656	-79.936				
FC	6/6/2024	32.6561	-79.9353				
FC	6/9/2024	32.6561	-79.935				
UN	2023-00-00	32.65616	-79.93717	in situ			84.5528
FC	7/19/2019	32.6563	-79.935				
N	7/7/2021	32.6563	-79.9359	relocated			90.5512
N	8/4/2021	32.6563	-79.9354	in situ			52.381
N	7/18/2022	32.65632	-79.93528	relocated	32.66119	-79.9244	55.7377
FC	5/21/2019	32.6564	-79.9355				
N	6/27/2023	32.6566	-79.9356	relocated	32.662	-79.9227	84.5455
N	7/15/2023	32.6566	-79.9356	relocated	32.6636	-79.9189	26.6667
N	6/8/2021	32.6567	-79.9345	in situ			47.2222
N	5/23/2023	32.6567	-79.9346	relocated	32.6614	-79.9242	79.6296
N	6/5/2023	32.6567	-79.9347	in situ			91.3043
N	7/8/2025	32.6567	-79.935	in situ			67.9104
FC	6/6/2019	32.6568	-79.9343				
N	6/8/2019	32.6568	-79.9349	in situ			48.8372
N	6/18/2021	32.65688	-79.93386	in situ			98.75
FC	6/19/2021	32.6569	-79.9341				
N	7/8/2021	32.657	-79.9339	in situ			81.746
N	7/7/2025	32.657	-79.93476	relocated	32.65705	-79.9348	78.7671
FC	5/16/2022	32.65706	-79.93369				
N	6/5/2021	32.6571	-79.9335	in situ			42.5
N	7/30/2021	32.6571	-79.9333	in situ			83.4862
N	5/22/2023	32.6571	-79.934	in situ			63.8655
N	5/30/2020	32.6572	-79.9327	relocated	32.6574	-79.9329	85.7143
N	6/26/2021	32.6572	-79.9333	in situ			80.4878
N	6/26/2023	32.6572	-79.9342	relocated	32.6614	-79.9242	73.3333
N	7/6/2021	32.6573	-79.9333	in situ			86.7647
FC	5/30/2020	32.6574	-79.9329				
N	6/22/2022	32.65745	-79.93299	in situ			93.3333
FC	6/13/2020	32.6575	-79.9332				
N	7/4/2021	32.6575	-79.9324	relocated			96.2264
FC	7/1/2022	32.6575	-79.9316				
N	6/15/2024	32.65759	-79.93385	relocated	32.68169	-79.8898	69.6296
FC	7/11/2021						

Nest #	Type	Date	Source of Light	Dead Hatchlings	Live Hatchlings	Source Description
118	Misorientation	8/25/2019	Commercial		7	Pier lights, Tides hotel lights, stair lighting at 3-
3	Misorientation	7/25/2020	Residential	0		No light sources were reported or observed. Greater than 90% of the tracks Immediately went
79	Misorientation	9/7/2021	Commercial	4	1	Parking lot lights at Oceanfront Villas and/or
8	Misorientation	7/19/2023	Residential	2	20	Inside lights on both
49	Misorientation	8/30/2025	Residential	6	32	221 East Arctic back deck spotlights 221 East Arctic inside lights on