

CITY OF FOLLY BEACH

Chris Bizzell, Mayor



Folly Beach, SC 29439

www.cityoffollybeach.com

(P) 843-588-2447

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 Special Meeting 6:00 PM
Tuesday, September 22, 2026**

City Hall

21 Center Street

2nd Floor Council Chambers

Folly Beach, SC 29439

**Amended 9/20/26 11:06 am
Executive Session and Resolution 51-26**

- 1. CALL TO ORDER/ROLL CALL**
- 2. MAYOR'S COMMENTS**
- 3. STAFF REPORTS**
- 4. PERSONAL APPEARANCES**
- 5. CITIZENS' COMMENTS**
- 6. OLD BUSINESS**
 - a. **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 (**FIRST READING**)
 - b. **RESOLUTION 45-26:** A Resolution By The City Council Awarding FY2027 State Accommodation Tax Funds Based on the Accommodation Tax Advisory Board's Recommendation.
- 7. Executive Session Pursuant To 30-4-70 Of the Freedom of Information Act Legal Advice**

Related to Park Lane vs. Folly Beach

8. NEW BUSINESS

- a. **RESOLUTION 51-26:** A Resolution Authorizing the City's Attorneys to Consent to the Plaintiff's Motions to Transfer the Appeal of the Ruling in Park Lane v. Folly Beach to the South Carolina Supreme Court or, in the Alternative, to Certify Appeal to the South Carolina Supreme Court.

9. CITY COUNCIL COMMENTS

10. ADJOURNMENT

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

1st Reading: September 22nd, 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



CITY OF FOLLY BEACH

Date: September 8th, 2026

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 must now clearly post rules and information so customers know 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 on-site employee communication. Staff believes that providing clear notice of prices on private parking lots is a reasonable requirement that would benefit visitors. Staff proposes an ordinance that would:

Require that any parking lot either post prices on a physical sign (meeting all signage requirements) or, if the lot uses only digital payments, clearly state the information in the app. Require all private lots to provide signage or online language that clearly states the parking lot is not operated by the city.

Require that the sign or online notice be prominent and easy to see. Signs must be clear of obstructions 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 includes 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.

Chris Lubert
Zoning Administrator



CITY OF FOLLY BEACH

Introduced by: Mayor Bizzell

Date: September 8th, 2026

RESOLUTION 45-26

A RESOLUTION BY THE CITY COUNCIL AWARDED FY2027 STATE ACCOMMODATION TAX FUNDS BASED ON THE ACCOMMODATION TAX ADVISORY BOARD'S RECOMMENDATION.

WHEREAS, Throughout the previous fiscal year, the State of South Carolina sends funds to Folly Beach generated from State Accommodation Tax payments; and

WHEREAS, 65% of those monies are placed into the State Accommodations Tax Fund to be distributed to activities that generate tourism outside a 50-mile radius as well as law enforcement, fire protection, solid waste collection, and health facilities when required to serve tourists and tourist facilities, and beach renourishment; and

WHEREAS, For the fiscal year 2026-2027 (FY2027), for funds collected from July 2025 to June 2026, the sum of \$1,354,069.85 is now available for distribution to various applicants in the community; and

WHEREAS, Applicants requesting funds must be compliant with applicable South Carolina Law and the Tourism Expenditure Review Committee Policy in order to receive funding; and

WHEREAS, The Accommodations Tax Advisory Board hereby submits its recommendations for FY2027 Accommodations Tax funds for City Council's consideration.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Folly Beach, South Carolina, that:

Section 1: City Council commends and extends its appreciation for the Accommodations Tax Advisory Board for its dedication and commitment, hard work and the many hours it spent reviewing and hearing applications.

Section 2: City Council hereby directs the Finance Director to distribute the FY2027 State Accommodations Tax funds of \$1,354,069.85 per the recommendation of the Accommodations

Tax Board as detailed on the attached schedule.

RATIFIED this 8th day of September 2026, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Chris Bizzell, Mayor



CITY OF FOLLY BEACH

Date: September 22nd, 2026

Re: Accommodation Tax

Mayor and Council,

At the September 8th City Council meeting, Council asked the Accommodation Tax Board to reconvene and reevaluate the applications.

The Atax Board met and had thorough and thoughtful conversations regarding each applicant and the merit of their individual requests. After that discussion, the Board has recommended the following reductions:

- Coastal Family Vacation: Reduce by \$3,598, bringing the request to \$40,000.
- Save the Light: Reduce by \$35,000, bringing the request to \$40,000.
- Folly Beach Historical Society: Reduce by \$12,480, bringing the request to \$15,519.85.
- City of Folly Beach – Beach Preservation: Reduce by \$3,000, bringing the request to \$147,000.

With these reductions, the Board is presenting a balanced recommendation for Council's consideration.

Below is a breakdown of the original requests and the recommended reductions.

Wes Graham

Deputy City Administrator

Municipal Clerk

PROPOSED ATAX DISTRIBUTION
ATAX COMMITTEE MEETING 9/14/2026

			ORIGINAL ASK	REDUCED BY		APPROVED
COASTAL FAMILY VACATION			\$ 43,598.00		\$ 3,598.00	\$ 40,000.00
SAVE THE LIGHT			\$ 75,000.00		\$ 35,000.00	\$ 40,000.00
FB HISTORICAL SOCIETY			\$ 28,000.00		\$ 12,480.15	\$ 15,519.85
WARRIOR SURF			\$ 20,000.00			\$ 20,000.00
EASTERN SURFING ASSOC			\$ 16,000.00			\$ 16,000.00
TAKE A KID FISHING			\$ 10,000.00			\$ 10,000.00
FAB - MARKETING			\$ 38,550.00			\$ 38,550.00
FAB - NYE & JULY 4			\$ 44,000.00			\$ 44,000.00
FAB - EVENTS & STREET CLOSING			\$ 48,000.00			\$ 48,000.00
COFB - PUBLIC SAFETY			\$ 600,000.00			\$ 600,000.00
COFB - PUBLIC WORKS			\$ 335,000.00			\$ 335,000.00
COFB - BEACH PRESERVATION			\$ 150,000.00		\$ 3,000.00	\$ 147,000.00
			\$ 1,408,148.00			\$ 1,354,069.85
					ATAX COLLECTED	1,354,069.85



CITY OF FOLLY BEACH

Introduced by: Mayor Bizzell
Date: September 22, 2026

RESOLUTION 51-26

A RESOLUTION AUTHORIZING THE CITY’S ATTORNEYS TO CONSENT TO THE PLAINTIFF’S MOTIONS TO TRANSFER THE APPEAL OF THE RULING IN PARK LANE v. FOLLY BEACH TO THE SOUTH CAROLINA SUPREME COURT OR, IN THE ALTERNATIVE, TO CERTIFY APPEAL TO THE SOUTH CAROLINA SUPREME COURT.

WHEREAS, The city is a party to ongoing legal proceedings related to short-term rental regulations, including Park Lane Partners, LLC vs. City of Folly Beach; and

WHEREAS, The city has appealed the initial ruling in Park Lane v City of Folly Beach, and the appeal is pending before the South Carolina Court of Appeals; and

WHEREAS, Park Lane has submitted a motion to move the case from the Court of Appeals to the South Carolina Supreme Court; and

WHEREAS, The city desires to pursue all available methods of resolution to these matters, including an appeal to the Supreme Court; and

WHEREAS, City Council desires to affirmatively endorse the city’s consent to this request.

NOW THEREFORE BE IT RESOLVED by the City of Folly Beach City Council that the City’s Attorneys, with the help of City Administration, are authorized to consent to the request for the appeal to be heard by the Supreme Court and to pursue all necessary subsequent filings and motions to see the case to completion if the request is granted.

RATIFIED this 22nd day of September, 2026, at Folly Beach, South Carolina, in City Council duly assigned.

ATTEST:

Municipal Clerk

Chris Bizzell, Mayor



CITY OF FOLLY BEACH

Date: September 22nd, 2026

Re: Park Lane v. City of Folly Beach

Mayor and Council,

On Friday, September 18, the plaintiffs in Park Lane v. City of Folly Beach filed a request that the city's appeal be moved directly to the state Supreme Court. Notice of the filing came after the close of business and after the agenda for a Special Meeting on Tuesday, September, was published. The city has 10 days to file a response.

Council previously authorized the City Attorney to file responses and motions in this case. However, the decision to advance the appeal directly to the Supreme Court is significant enough to require additional authorization from Council. The agenda for next week's Special Meeting has been amended to include a resolution authorizing the City Attorney to consent to the transfer. Council will also have the opportunity to review the advantages and disadvantages of this approach in executive session. Some advantages are that the appeal timeline will be shortened and the court's ruling will be the final word. Some disadvantages are that there are no further appeals and that there is no opportunity to further develop the record at the appellate level.

State law allows an amended agenda to be published up to 24 hours in advance of the meeting. However, it is in the best interest of the city to publish it sooner, even though the publication will be during the weekend. This will provide the most public notice possible given the timing of the filing.

Aaron Pope, AICP, ICMA-CM
City Administrator