

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ESTABLISHING EMERGENCY TOWING PROCEDURES IN THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

WHEREAS, On March 16, 2020, our Mayor, under the authority of § 7-7-20, *Municipal Code of the Town of Hilton Head Island* (1983), declared that a State of Emergency exists throughout the Town as a result of impacts arising from the COVID-19 pandemic; and,

WHEREAS, the Town Council ratified and approved the Mayor’s declaration by public vote on Tuesday, March 17, 2020; and,

WHEREAS, as of March 20, 2020, the Town has closed all of its parks, public parking lots, beach parking lots, beach accesses and beach parks, and

WHEREAS, the Town has determined that the parking of vehicles on public rights of way will impede the delivery of emergency services, impede the normal flow of traffic, and impede residents’ and property owners’ access to their homes and businesses; and,

WHEREAS, the Town has determined that during the state of emergency, it is in the best interests of the Town and its citizens and residents to prohibit parking of any vehicles in any public right of way within the municipal limits of the Town; and,

WHEREAS, the Town Council has the authority to adopt emergency ordinances under S. C. Code Ann. § 5-7-250(d)(Supp. 2019); and,

WHEREAS, the Town has determined that the removal of any illegally parked vehicles will facilitate the continuity of emergency and other services and serve the public welfare, and

WHEREAS, it is in the best interest of the Town that this emergency ordinance be considered and adopted by the Town Council, and that it be put into effect immediately and

NOW, THEREFORE, BE IT, AND IT HEREBY IS, ORDERED AND ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL, AND S. C. CODE ANN. § 5-7-250(D)(SUPP. 2019), AS FOLLOWS:

1. The parking of any vehicle within the right of way of any public road within the municipal limits of The Town of Hilton Head Island, South Carolina, is hereby prohibited.
2. Any vehicle parked in violation of this Ordinance, is hereby declared to be a public nuisance.
3. The Town Manager or his designee may cause the removal of any vehicle that is parked in violation of this Ordinance, to a storage area and that any and all costs associated with the removal and storage of any such vehicle shall be the personal obligation of the owner of the vehicle, and
4. To the extent that any this Ordinance conflicts with any term of the Municipal Code of the Town of Hilton Head Island, including §§ 12-1-411 through 416, this Ordinance shall control.

5. This Emergency Ordinance becomes effective immediately upon adoption by two thirds affirmative vote of the Town Council for Hilton Head Island Town Council and will expire upon the sixty first day following adoption.
6. The Town Manager shall immediately cause this Ordinance to be posted on the Town of Hilton Head Island website, and copies of it shall be distributed to all parties on the Town's "News Media List."

MOVED, APPROVED, AND ADOPTED THIS 21st DAY OF MARCH, 2020.

John J. McCann, Mayor

ATTEST:

By: _____
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Read and Adopted on: March 21, 2020.