

# TOWN COUNCIL



## STAFF REPORT

### Executive Department

<b>MEETING DATE:</b>	July 9, 2024
<b>PROJECT:</b>	Consideration of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13 – Public Property, Article 2 – Public Park, Dock and Boat Landing Rules as it Relates to New Town Parks and Facilities; and Chapter 12 – Environmental, Article 3 – Noise Control
<b>PROJECT MANAGER:</b>	Heather Colin, Assistant Town Manager

**REQUEST:** Town Council approve First Reading of an Ordinance to Amend the Town of Bluffton Code of Ordinances, Chapter 13 – Public Property, Article 2 – Public Park, Dock and Boat Landing Rules as it Relates to New Town Parks and Facilities and Special Events; and Chapter 12 – Environmental, Article 3 – Noise Control as it Relates to Oyster Factory Park.

**BACKGROUND:** The Town’s Strategic Plan for Fiscal Years 2025-2026 identifies a Splash Pad as a strategic initiative and Capital Project. The Town anticipates the completion of a Splash Pad at Oscar Frazier Park in the next couple of months. With the opening of the amenity, we propose updating the overall park rules to incorporate this portion of the park. According to South Carolina Department of Health and Environmental Controls (SC DHEC), the splash pad must follow the same rules as public pools. The Town does not have any regulatory authority to modify SC DHEC rules; however, we need to include them in the Town’s Municipal Code of Ordinances for the purpose of enforcement.

As the result of a public private partnership with the developer and owner of New Riverside Village, the developer constructed a public park with a pond stocked with fish. The park is now complete; and we propose including rules for this unique Town amenity.

The Strategic Plan also included an initiative to continue with the next phase of improvements outlined in the Master Plan for Oyster Factory Park. These improvements have been completed and as a result we anticipate an increase in the number of park rentals and special events. It is important that while the Town continues to make improvements to Town facilities, we do so in balance with the surrounding residential community. The recommendation is to modify the hours for amplified noise for this park only, including special events.

**SUMMARY:** This is a summary list of proposed amendments further included in Attachment 2, Exhibit A.

- Oyster Factory Park – outdoor entertainment and live entertainment is restricted to the hours of 12:00p.m. through 6:00p.m. on Sundays
- Splash Pad Rules at Oscar Frazier Park

- Hours of Operation
- Operating Season
- SC DHEC Regulations
- New Riverside Park
  - Address fishing in the ponds
  - SC DNR regulations related to Alligators
- Special events that violate the noise ordinance may be subject to future denials for the same or similar event.
- Constant noise, bass or vibrations is considered a noise disturbance

**ATTACHMENTS:**

1. Presentation
2. Ordinance
3. Proposed Motion