

ORDINANCE No. 2025-_____

AN ORDINANCE AMENDING THE TOWN OF BLUFFTON'S MUNICIPAL CODE OF ORDINANCES, CHAPTER 12 ENVIRONMENT, ARTICLE III – NOISE CONTROL AND CHAPTER 13 PUBLIC PROPERTY, ARTICLE II PUBLIC PARK AND BOAT LANDING RULES, SEC. 13-38 OYSTER FACTORY PARK

WHEREAS, the Code of Ordinances for the Town of Bluffton protect, preserve, and promote the health, safety, welfare, peace, and quiet of the citizens of the Town; and,

WHEREAS, the establishment of standards that will eliminate and reduce unnecessary noises; that are harmful or otherwise detrimental to the enjoyment of life and property and maintenance of business is necessary to protect the quality of life for citizens and businesses of the Town; and,

WHEREAS, to establish the necessary provisions to accomplish the above, the Town of Bluffton has the authority to enact resolutions, ordinances, regulations, and procedures pursuant to Section 5-7- 140 of the South Carolina Code of Laws, 1976, as amended; and,

WHEREAS, the Town of Bluffton Town Council shall from time to time examine ordinances to ensure that they are properly regarded, enforced, sufficient and satisfactory to the needs of the community and can further suggest amendments as Town Council deems appropriate; and,

WHEREAS, the Town of Bluffton Town Council desires to amend Chapters 12 – Environment, Article III Noise and 13, Public Property, Article II, Public Park, Dock and Boat Landing Rules, Section 13-38 Oyster Factory Park; and

WHEREAS, on July 24, 2024, Town Council directed staff to further review the noise ordinance as it relates to specific locations and special events; and

WHEREAS, the Town invests in parks and public spaces through improvements and capital projects, which may be reserved for special events; and

WHEREAS, noise during special events is governed by the noise ordinance; and

WHEREAS, the Town strives for a balance with special events and functions with residents; and

WHEREAS, on April 8, 2014, Town Council further amended the noise provisions with the adoption of Ordinance 2014-08; and

WHEREAS, the Town Council discussed the proposed amendments at the September 9, 2025 Town Council meeting after hearing public comment and provided direction to Town staff, and

WHEREAS, for the reasons stated above, the Town Council desires to amend Chapters 12 and 13 of the Town Code to clarify the applicability of the noise ordinance and special events, specify the violations, restrict the hours and duration of outdoor entertainment at Oyster Factory Park, and as shown in “Exhibit A” attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA, AS FOLLOWS:

1. ***Amendment.*** That Chapters 12 and 13 of the Town Code is amended for clarity, to address noise, and enforcement as shown in “Exhibit A”, attached hereto and incorporated herein by reference.
2. ***Severability.*** If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.
3. ***Repeal.*** All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.
4. ***Effective Date.*** This Ordinance shall be effective immediately upon its adoption by the Town Council of the Town of Bluffton, South Carolina.

DONE, RATIFIED and ENACTED this ____ day of _____, 2025.

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

Larry C. Toomer, *Mayor*
Town of Bluffton, South Carolina

Marcia Hunter, *Town Clerk*
Town of Bluffton, South Carolina

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

Larry C. Toomer, *Mayor*
Town of Bluffton, South Carolina

Marcia Hunter, *Town Clerk*
Town of Bluffton, South Carolina