



Town of Hilton Head Island

Community Services and Public Safety Committee Meeting

Monday, February 12, 2024, 10:00 AM

**1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers**

The meeting can be viewed on the [Town's YouTube Channel](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

- 1. Call to Order**
- 2. Adoption of the Agenda**
- 3. Approval of the Minutes**
 - a. Regular Meeting Minutes of January 8, 2024
- 4. Appearance by Citizens:** Citizens who wish to speak on the matters being discussed during the meeting may do so by submitting the [Request to Speak form](#) no later than the day prior to the meeting.
- 5. New Business**
 - a. Consideration of an Ordinance to Amend Title 8, Chapter 3, of the Town of Hilton Head Island Code of Ordinances, to add Section 8-3-114 titled Abandoned Watercraft - Josh Gruber, Deputy Town Manager
- 6. Unfinished Business**
 - a. Consideration of a Resolution Adopting Environmentally Friendly Landscaping and Grounds Maintenance Practices - Bryan McIlwee, Director of Public Projects and Facilities
- 7. Executive Session**
 - a. Discussion of Appointment Regarding Boards, Commissions, and Committees (Pursuant to the South Carolina Freedom of Information Act Section 30-4-70(a)(1)) related to:
 1. Beaufort Jasper Housing Trust

2. Housing Action Committee

8. Action from Executive Session

9. Adjournment

FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Hilton Head Island will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Hilton Head Island ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Municipal Association of South Carolina (MASC) Civility Pledge:

"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."



Town of Hilton Head Island
**COMMUNITY SERVICES AND PUBLIC SAFETY
COMMITTEE MEETING**
Monday, January 8, 2024, 10:00 AM
Minutes

Call to Order

Chair Becker called the meeting to order at 10 a.m.

Committee Members Present: Chair Tammy Becker, Ward 4; Alex Brown, Ward 1; Patsy Brison, Ward 2, Steve Alfred, Ward 5

Council Members in Attendance: Alan Perry, Mayor, David Ames, Ward 3, Mayor Pro-Tempore; Glenn Stanford, Ward 6

Adoption of the Agenda

Mr. Alfred moved to approve. Ms. Brison seconded. Motion carried 4-0.

Approval of the Minutes

Regular Meeting Minutes of December 18, 2023

Ms. Brison moved to approve. Mr. Alfred seconded. Motion carried 4-0.

Appearance by Citizens

Larry Landry addressed the Committee stating his concerns regarding the operation of Arbor Nature. He specified an unmanned open gate to the premises noting the original agreement of operation called for monitoring at the site. Ms. Brison requested that staff ask the Town Manager to inquire about the status of the settlement agreement and the permit on that site. Chair Becker was in agreement.

Courtney Kenneweg addressed the Committee regarding the proposed paid parking at all beach parking lots and his opinion that paid parking will have a negative impact on Coligny Plaza businesses. He noted it will compound the existing parking problems in the area.

Pamela Martin Ovens addressed the Committee regarding the use of dangerous pesticides and rodenticides on Hilton Head Island and requested they be banned from use.

Melinda Turner addressed Council with questions regarding the test being conducted by the

Clemson Cooperative Extension comparing results of using Roundup to organic herbicides. She submitted the following questions: 1) Is there a definition provided of what would be a successful test and is there a desire to find the right mix of herbicide to get a desired outcome? 2) How will the cost from this proposed new process to include all the required components, even though it's not tested, be calculated? And 3) Will each of the nine contractors determine their own price, and are there any new accountabilities or work for Town resources given this process that need to be taken into account as well?

Unfinished Business

Presentation of the SWOT Findings for Solid Waste and Recycling on Hilton Head Island - Bryan McIlwee, Director of Public Projects and Facilities

Mr. McIlwee stated that Town Council unanimously approved a resolution supporting the proposed approach and scope of services outline to complete the SWOT assessment.

There is an initiative in the Town of Hilton Head Island 2023-25 Strategic Action Plan to identify Strengths, Weaknesses, Opportunities & Threats (SWOT) of Hilton Head Island Solid Waste and Recycling.

Staff procured A. Goldsmith Resources, LLC (AGR), an expert consultant in the field of solid waste and recycling, and the preparer of the recently updated Beaufort County Solid Waste Management Plan (2022-2041), to conduct this assessment.

Following presentation and input from Committee on the findings, Staff will bring forward a draft plan and Resolution to the Committee. We would then request the Committee recommend to Town Council adoption of a Resolution approving the final plan.

Mr. McIlwee invited Abby Goldsmith to conduct a presentation regarding her findings. Ms. Goldsmith proceeded with a detailed presentation regarding her findings.

Ms. Goldsmith noted that the State of South Carolina has goals for a 50% recycling rate and getting below 3.25 pounds per person per day with the County and Towns all over the State aiming for those goals. She noted that in the Hilton Head Island Comprehensive Plan – *Our Plan* – the Town has a goal of working towards zero waste which is much more aggressive than getting to 3.25 pounds per person per day. She stated in looking at the strengths and weaknesses, and opportunities and threats, they were looked at in the context of goals and strategies laid out by Town Council. She explained that what is in place today would be the starting point for how to get to those goals and strategies. She did a comprehensive review of what is in place at this time.

Ms. Goldsmith stated a strength that was identified is the demonstrated support for solid waste and recycling. She noted the goal in *Our Plan* to work towards a town-wide zero waste model is pretty ambitious and added that Town Council has passed a resolution to work with the County to develop new landfill and recycling agreements which is a collaborative effort to make sure facilities will be available for these materials. She noted the Town Council endorsed the Greater

Island Council resolution to enhance the recycling arrangements and to develop a facility closer to Hilton Head Island than the current one at Hickory Hill and pointed out she felt the existing Town ordinance has come strong foundations for residential recycling. It was noted the Town has access to a lot of resources to implement the strategies for solid waste and recycling including education and outreach materials specific for solid waste and recycling and the Convenience center located on the Island.

Ms. Goldsmith explained the Town has limited control for recycling and solid waste because the County is charged by the State to manage those materials as far as having facilities where they go, setting the waste reduction goal which means the Town needs to collaborate with the County to accomplish anything. She explained Hilton Head Island is the only town in the County that does not have a definitive requirement regarding curbside pick-up. The requirements within the ordinance are good for oversight but some haulers don't consistently report the requirement information as to how many customers they serve, how many recyclables diverted and how much solid waste they collect. She added that has been strengthened in recent years, but they still must be chased down to get that information twice a year. They are required to offer recycling to all their residents and it's not one hundred percent clear it's being done as part of the base monthly fee because they are not to charge extra for that service. Finally, contamination of recyclables is a big problem. The existing ordinance calls for the hauler to leave a note for the property owner if the recyclables are contaminated and they do not pick them up. It was intended as an educational tool, but it is not certain this is being done. It was suggested the current arrangement for collecting solid waste and recycling from the beaches could be improved in that those responsible for doing it have a lot of other responsibilities in those contracts that don't have to do with solid waste and recycling which is not their expertise.

Inconsistencies within the ordinance that may need addressed were reviewed which are a listing of the materials haulers are to collect. It is not necessary to do that as the County determines that list. Also, the ordinance states the Town would identify the processing facility where the recyclables would go and as far as it can be determined that is not being done.

It was noted that space is tight at the Convenience Center with a lot of traffic. It would be a great option to have a Convenience Center with more function and the site is very constrained.

Ms. Goldsmith reviewed the financial disincentive for them to haul recyclables to a location. She noted the County pays for solid waste at the landfill, but the hauler pays anywhere from \$60-\$100 per ton at recycling centers so if there is a gray area as to what is collected being contaminated, it is a disincentive to properly recycle those materials. It was pointed out the zero-waste goal is surprising due to the fact there is not a line item in the budget specific to solid waste and recycling or an identification of what staff or group of staff is assigned the issue.

An opportunity that is currently in the arrangement is that the County pays for disposal at Hickory Hill Landfill. The County has been looking at sites for a processing facility for recyclables south of the Broad so it's not so expensive to get recyclables which is included in *Our Plan* to work with them to do so. There's also a strong framework with them to identify their recycling facilities south of the Broad so that it's not so expensive for the County or haulers to get them to the facility at Hickory Hill Landfill.

Ms. Goldsmith stated she saw a potential for more diversion to get towards the zero-waste goal. Businesses produce recyclable materials that are more homogenous, which is a lot of cardboard and organic materials which creates an opportunity to divert more from businesses. With national companies in the area such as the hotel industry and some of the fast-food chains or other restaurant may have corporate commitments to diversion which could be an opportunity to divert more from those businesses. Incorporation of an outreach and education program on litter prevention and recycling in arrangements would also be a benefit.

Some of the threats from working with Beaufort County is that it this is a tough place to collect and transport anything in or out. Access is an issue making it more expensive to get garbage off the Island. It is going to be more expensive for the Town and thus its citizens than it might be in some other community. Options for residential collection need to be considered whether it is a contract with the town or County, potential collaboration with the Town of Bluffton or incorporation of existing POA agreements.

In conclusion, Ms. Goldsmith noted that the existing ordinance and current education resources available from the State are a great starting point. It was suggested any of the strategies are going to take someone responsible for implementing, utilizing resources and funding to achieve the goals.

Members of the Committee had questions, comments and discussion regarding: the need to consider applying for any available state funding; confirmation the County did receive the presentation and there were no comments regarding collaboration; acknowledgment the zero-waste goal is a challenge; a comment that citizens do not believe the recycling is actually being done; the need for realistic things that can be done going forward; confirmation that businesses are not required to do cardboard recycling in the Town of Hilton Head Island; confirmation that a local government requirement would be needed for businesses to do cardboard recycling; confirmation recycling is voluntary for citizens of Hilton head Island; inquiry as to whether the options outlined could be prioritized; the need for options for multi-family developments regarding recycling; the need to know more about the history of the previous efforts on recycling; the need to inform residents of the reality of recycling; the need to use local statistics when considering next steps.

Mr. McIlwee noted that what was presented at this meeting will be brought back to the Committee with suggested changes with a request the Committee recommend to Town Council adoption of a resolution approving the final report.

Mr. Alfred moved that this report presented by Ms. Goldsmith, gives a good outline of where we should be going, and the staff will condense it into something that we can have a little better grip on as to where the next steps are. Mr. Brown seconded.

Ms. Brison asked if the maker and seconder of the motion would agree to an amendment to the motion to add the following direction in revising the report: the inclusion of prior history regarding the Town and recycling and a list of five options which can and should be done now; inclusion of a list of materials that can be recycled now; and inclusion of information regarding the status of the County's work search for a materials recovery facility.

Chair Becker asked for public comment.

Larry Landry addressed the Committee stating his opinion the current system is fundamentally flawed due to a financial disincentive to recycle for the haulers. He noted the report did not bring in the concept of technology to garbage collection. He suggested to urge the County and private haulers to use shoe pack or some type of technology in the collection of solid waste and recyclables.

Ms. Brison readdressed her request for an amendment to the original motion inquiring if there were something they would like to add or remove. Mr. Alfred maker of the motion and Mr. Brown, seconder did not agree to the amendment presented by Ms. Brison.

Chair Becker called for a vote on the original motion. Motion carried 3-1 (Ms. Brison was opposed).

Consideration of a Resolution Adopting Environmentally Friendly Landscaping and Grounds Maintenance Practices - Bryan McIlwee, Director of Public Projects and Facilities

Mr. McIlwee explained staff has researched other municipalities and other pests and weed control practices. They have instructed contractors not to spray or use glyphosate at Town playgrounds and dog parks or along the waters edge included buffers within Town property. There is no broadcast spraying being done on any of the sport fields. Staff continues to work with certified professionals, including Clemson University, and all the contractors to assess practices and move forward with this IPM.

The purpose of the integrated pest management policy is to outline a sustainable, effective and environmentally responsible approach to managing pests and maintaining the facilities on the Town of Hilton Head Island while minimizing the risks associated with pest control measure to the human health environment and non-target organisms. This policy will help guide contractors and the work done maintaining our facilities and our parks.

Decisions made will be based on the monitoring data accumulated, pest populations, risks and the benefits of using the materials and chemicals that we have at our disposal. We want to use the least toxic approach by using these four controls. There is a need to look at what can be done regarding selecting the right plants, the type of soil, overwatering or underwatering and the need to consider other options such as natural predators that can take over to avoid some of the pest populations.

When chemicals are necessary, we are proposing using the least toxic chemical which may include organic pesticides. Work will continue with contractors to implement, evaluate and assess the efficacy of treatment utilized to constantly evolve the program. Outreach and education will be utilized so there is an understating of what is being done and where it is being done.

Members of the Committee had questions, comments and discussion regarding: confirmation all
Town of Hilton Head Island Community Services and Public Safety Committee
Meeting Minutes
1/8/2024

of the applications currently utilized would be included within the trial study; Ms. Brison asked questions and suggested numerous revisions regarding the practices which are included in **Exhibit A** and attached for reference; clarification the proposed policy is for facilities and properties the Town is responsible for maintaining; confirmation there is adequate staff to coordinate this effort with the contractors; confirmation the policy will be reviewed and evaluated periodically for any potential changes; a suggestion to reorganize the wording in the purpose to “the purpose is to minimize the risk associated with pest control measures to human health environment and on-target organisms by outlining the sustainable, effective and environmentally responsible approach”.

Chair Becker stated all members of the Committee should forward their suggestions and/or notes to Mr. McIlwee.

Mr. McIlwee inquired as to whether the Committee still wanted to have a trial study implemented. He stated Clemson provided a proposal for \$6,000 which would have four different tests encompassing different treatments. Costs would then be developed going forward. He stated he did not feel the test would slow down the policy and it's something that can be brought back in the future.

Mr. Alfred moved that staff proceed in the direction outlined and conduct the tests at the indicated cost. Mr. Brown seconded.

Members of the Committee had questions, comments and discussion regarding: the valuable information that would be collected with the direct interaction with contractors; inquiry as to whether all applications used will be included in the test; confirmation not all applications will be utilized when testing; the need for the study to be expanded to include additional applications.

Ms. Brison expressed concern of a financial conflict of interest with Clemson conducting the test because she is of the understanding they receive funding from the manufacturer of Roundup. She suggested finding a source which would not have a bias or a financial conflict of interest. She stated she could not support the proposal for that reason.

Chair Becker asked for public comment.

Pamela Martin Ovens addressed the Committee with the suggestion of using vinegar to kill weeds along with reviewing and utilizing types of grass that choke out weeds naturally. She stated vinegar kills everything.

After discussion regarding the potential conflict of interest, Mr. Alfred as the maker and Mr. Brown as the seconder of the motion on the floor agreed to withdraw the original motion.

Ms. Brison moved to approve the draft policy subject to the changes requested today by the Committee. Mr. Alfred seconded. Motion carried 4-0.

Concluding lengthy discussion, it was the consensus of the committee for staff to bring back the trial study discussion at a future meeting.

Adjournment

The meeting was adjourned at 12:13 p.m.

Exhibit A – Ms. Brison’s suggestions for changes within Attachment 1, Town of Hilton Head Island Integrated Pest Management Policy

Approved:

The recording of this Meeting can be found on the Town’s website at www.hiltonheadislandsc.gov

Draft Town of Hilton Head Island

INTEGRATED PEST MANAGEMENT POLICY

*Add requirement that
(w) w/ contractors/ind
compliance w/ Town policy

(for CS/RS Committee mtd on 1/6/2024)*

PURPOSE: The purpose of this Integrated Pest Management (IPM) policy is to outline a sustainable, effective, and environmentally responsible approach to managing pests and maintaining facilities in the Town of Hilton Head Island while minimizing the risks associated with pest control measures to human health, the environment, and non-target organisms.

POLICY: The Town of Hilton Head Island will implement a least toxic IPM strategy to manage pests on its properties and facilities in a manner that is environmentally responsible, protective of human health, economically viable, and accepted aesthetically.

This policy applies to all properties, road right of ways, facilities owned, operated, or managed by the Town of Hilton Head Island.

Town-wide Pest Management Guiding Principles

- to humans, and animal life
and the environment,*
- A. Pest management decisions will be based on monitoring data, pest population thresholds, and the potential risks and benefits of available control methods.
 - B. Pest management actions will be based on a least toxic approach by using cultural, physical, and/or biological controls before chemical controls are employed.
 - a. Prevention of pests is an essential part of reducing the need for pesticides. Preventative measures include utilizing Best Maintenance Practices (BMPs) by Town Staff and contracted parties to reduce the need for pesticide control in public parks and facilities. This includes but is not limited to, proper watering schedules, proper maintenance heights of plants, proper solid waste removal and control, and following a Preventative Maintenance schedule for buildings.
 - ? C. The use of least-toxic chemical control methods will be considered as a last resort, only when other control methods have been deemed ineffective or impractical.
 - a. Least toxic chemicals may include organic pesticides
 - b. Use EPA Level pesticides in a targeted manner, and only if deemed necessary to protect public health and economic loss by a licensed pesticide applicator when pests cannot be managed by other controls.
 - D. Limit use of pesticides where children and the general public congregate, i.e. at Town playgrounds and dog parks and in environmentally sensitive areas such as water/marsh edges, including buffers, on Town property.
 - a. Glyphosate (i.e. Roundup™) is not to be used at Town playgrounds, dog parks, or along water/marsh edges, including buffers, on Town property.
 - E. The Town will partner with all landscape and pest control contractors that work with the Town of Hilton Head Island to maintain its properties. The Town will ensure contractors are educated and capable of compliance with the Town's policy.
 - F. The Town of Hilton Head Island will prioritize preventative measures and education efforts to reduce the occurrence of pest problems.

- 72 hours
24 or 48 hours weekly? hours
- G. Pesticide applicators will be required to notify Town Staff of work in the areas where pesticides are scheduled to be applied prior to the application of any pesticides.

PROCEDURES:

Prevention

1. Town Staff shall review all new development and rehabilitation Town project plans to verify compatibility with the site's environment.

Monitoring

1. Town Staff and Town contractors will provide regular monitoring services for all the Town's properties.
 2. Town Staff and Town contractors shall determine if pest populations are increasing, decreasing, or staying the same and determine when to use a control tactic.
 3. ~~Upon request~~, Town contractors shall provide application records as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083. Records include information such as the quantity of each pesticide used, the common chemical name of the active ingredient(s) (not the product name), the pest or purpose for which the pesticide was applied, and the date and place of application.
- delete?
sa p. 4

Non-Chemical Control Measures

1. The Landscape contractors shall utilize cultural controls which are modifications of normal plant care activities that reduce or prevent pests. In addition to those methods used in pest prevention, other cultural control methods include adjusting the frequency and amount of irrigation, fertilization, and mowing height.
2. The Landscape or maintenance contractors shall utilize mechanical control tactics involving the use of manual labor and machinery to reduce or eliminate pest problems using methods such as handpicking, physical barriers, or machinery to reduce pest abundance indirectly.
3. The Landscape or maintenance contractors may consider a biological control practice which uses living organisms to reduce pest populations. These organisms are often also referred to as beneficials, natural enemies or bio-controls. They act to keep pest populations low enough to prevent significant economic damage. Bio-controls include pathogens, parasites, predators, competitive species, and antagonistic organisms. Beneficial organisms can occur naturally or can be purchased and released. The most common organisms used for biological control in landscapes are predators, parasites, pathogens and herbivores.

Pesticide Controls

Pesticides are to be utilized after other control methods have been determined to be ineffective in the acceptable control of the pest problem. Organic pesticides will be considered before synthetic pesticides that will have the least toxic impact and effective control of the pest problem. Pesticides are to be utilized in a prioritized approach on Town properties as follows:

by the Town? See p. 4

Parks and Fields:

When pesticides are needed, use the following approach: (1) organic pesticides may be considered based on safety to applicators and efficacy of the product.; (2) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control applicator.

shall

Playgrounds and Dog Parks

When pesticides are needed, consider the following approach: (1) organic pesticides ^{shall} may be considered based on safety to applicators and efficacy of the product.; (2) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control applicator.

Rights of Way (Street medians/parkways):

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- d. EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Facilities/Buildings:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. Bait formulations of insecticides will be used where appropriate.
- c. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- d. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- e. EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Other Town Properties:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- d. EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest. Pesticides should only be used when other methods fail to provide adequate control of pests and just before pest populations cause an unacceptable damage,

since the overuse of pesticides can cause beneficial organisms to be killed and pest resistance to develop.

Approvals and Application of Chemical Pesticides

- No work until approved.*
1. A written recommendation of proposed pesticide, including commercial name, concentrations, allocation rates, usage and reentry time shall be prepared by a licensed South Carolina Commercial Pest Control Applicator and site-specific schedule submitted for approval by Town Staff. Copies of Safety Data Sheets and specimen labels shall be given to the Town prior to pesticide use on Town property.
 2. For Facilities and Building Maintenance, the referenced responsibilities of a licensed pest control applicator presented throughout this policy are to be performed by a Licensed South Carolina Commercial Applicator.
 3. Chemicals shall only be applied by those persons possessing a valid South Carolina Commercial Applicator license; or supervised by a person possessing a valid South Carolina Commercial Applicator license as required by SC regulation. Application shall be in strict accordance with all governing regulations. Records of all operations shall be kept per South Carolina Department of Pesticide Regulation (DPR), Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083.
 4. Pesticides shall be applied in a manner to avoid contamination of non-target areas.
 5. Precautionary measures shall be employed to keep the public from entering the spray zone following the application of pesticides. Posting of signs shall be required at all park facilities when application of pesticides is performed.

Specific requirements for posting are as follows:

- at least 72 hours prior to*
- Post signs at areas of application, all park entrances, and at park kiosks prior to spraying applications. A link to the IPM Program and the list of all approved pesticides posted on the Town's website (link directs to IPM Program and a list of all approved pesticides) and application date will be posted.
 - Spray notices must utilize weatherproof signage.
 - Signs shall be posted for a minimum of 24-hours after the applications are completed. *Remain*
 - Emergency pesticide application may be required for a pest control emergency. In this rare event, there may not be adequate time to post signage within 24-hours of application. Notification of application of pesticides shall be posted as soon as possible after the pesticide application.
- Use consistent design see "categories" on pp. 2-3*
- at least 72 hours prior to application but shall be posted at least 24 hours prior to*

Records and Reporting

Records of all pesticides used by the Contractor on Town property shall be retained and accessible in accordance with the SC Department of Pesticide Regulations, as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083.

Public Education and Outreach

- revision*
- A. The Town of Hilton Head Island will develop and implement public education and outreach programs to inform residents and businesses about IPM principles, practices, and benefits.
 - B. Collaboration with community organizations, schools, and other stakeholders will be encouraged to promote IPM adoption and awareness within the community.

Add info on Town's website, w/ contact info

Review and Evaluation

- A. This policy will be reviewed and evaluated periodically to assess its effectiveness in achieving the desired pest management outcomes and to identify opportunities for improvement.
- B. Updates or revisions to the policy may be made as necessary to address changing conditions, new information, or advancements in pest management technologies.

Definitions:

- A. **Pest:** Any organism that causes damage, poses a threat to human health, or negatively impacts the aesthetic, functional, or economic value of a property or facility.
- B. **Integrated Pest Management (IPM):** A comprehensive, science-based approach to managing pests by integrating biological, cultural, physical, and chemical control methods to reduce pest populations to acceptable levels while minimizing risks to human health, the environment, and non-target organisms.
- C. **Biological control:** The use of active manipulation of living natural enemies to control pest population densities.
- D. **Cultural control:** Practices that reduce pest establishment, reproduction, and dispersal. Practices can include but not limited to, the use of selecting pest resistant variety of plants, selecting native plant species, or optimizing irrigation practices.
- E. **Physical control:** Also referred to as mechanical control can include methods such as sanitation, use of physical barriers or traps, hand destruction, or spraying water to remove pests.
- F. **Chemical control:** The use of pesticides to control pest populations. Pesticides include synthetic or organic formulations of the chemical.
- G. **Pesticides:** Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. Any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant, and any nitrogen stabilizer (U.S.C. Title § 7)
- H. **Herbicides:** Chemicals used to manipulate or control undesirable vegetation.
- I. **Insecticides:** Chemicals used to control insects by killing them or preventing them from engaging in undesirable or destructive behaviors. They are classified based on their structure and mode of action. Many insecticides act upon the insect's nervous system (e.g., cholinesterase inhibition), while others act as growth regulators or endotoxins.
- J. **Rodenticides:** Chemicals that target rodents. Rodents include rats, mice, and squirrels. Rodenticides can affect other mammals as well.



TOWN OF HILTON HEAD ISLAND

Community Services and Public Safety Committee

TO: Community Services and Public Safety Committee Members
FROM: Josh Gruber, Deputy Town Manager
CC: Marc Orlando, Town Manager
DATE: January 30, 2024
SUBJECT: Consideration of an Ordinance to Amend Title 8, Chapter 3, of the Town of Hilton Head Island Code of Ordinances, to add Section 8-3-114 entitled Abandoned Watercraft

RECOMMENDATION:

The Town Council should review the proposed Ordinance to amend the Town Code by adding additional provisions related to the abandonment of watercraft within the territorial jurisdiction of the Town of Hilton Head Island. If the Committee supports taking such actions, it should make a recommendation to the Town Council that such changes be incorporated into the Town's code.

Summary:

In 2021, the South Carolina General Assembly adopted Section 50-21-30 which states that if a local government wishes to regulate the operation, titling, equipment, numbering, or all other matters relating to the regulation of watercraft while on the waters of the State, it must adopt legislation that is identical to South Carolina Code of Laws Section 50-21-190.

In recent years, the Town has observed an increase in the number of vessels, boats, and other watercraft that are abandoned, severely neglected, or even sunk, and for which it wishes to amend its code to adopt regulation specifically dealing with these types of issues.

Therefore, the Town is proposing to amend the Town Code to incorporate Section 8-3-114 entitled Abandoned Watercraft as required by Section 50-21-30 of the South Carolina Code of Laws.

ATTACHMENTS:

1. Mac Deford Cover Letter
2. Draft Ordinance Amending Town Code by Adding Section 8-3-144, Abandoned Watercraft

PAGLIARINI LAW FIRM, LLC

ATTORNEYS AT LAW

Mac Deford, Counsel
Mac@lawplf.com

145 River Landing Drive, Suite 101 B
Daniel Island, SC 29492
Phone: 843-813-4922
Fax: 843-971-8745

October 3, 2023

Josh Gruber, *Deputy Town Manager*
Town of Hilton Head Island
1 Town Center Court
Hilton Head Island, SC 29928

Re: *Proposed Abandoned Boat Ordinance*

Dear Josh,

As you requested, I have researched and prepared this Memo outlining the legal parameters the Town must adhere to when it comes to abandoned watercraft regulation. Additionally, I've prepared a draft ordinance in alignment with state law concerning abandoned vessels.¹ It's also important to highlight that the existing Town ordinance only addresses abandoned vessels found on Town beaches (e.g., not on waterways subject to the Town's jurisdiction).

Issue Presented

Are there any limitations on the Town of Hilton Head Island's ability to pass an ordinance for the regulation of abandoned and derelict vessels on waterways within the Town's corporate limits?

Conclusion

Yes, the South Carolina General Assembly passed S.C. Code Ann. § 50-21-30 in 2021 which narrowed the ability of local governments to pass regulations for the operation, equipment, titling, numbering, and all other matters relating thereto for watercraft and water devices on the waters of the State. Therefore, pursuant to § 50-21-30, a local government may not adopt an ordinance regulating abandoned boats, unless identical to S.C. Code Ann. § 50-21-190.

Discussion

S.C. Code Ann. § 50-21-30(B) states that the "provisions of Title 50 and other applicable laws of this State shall govern the operation, equipment, titling, numbering, and all other matters relating thereto for watercraft and water devices using or held for use on the waters of this State. A local government may not adopt an ordinance regulating watercraft or water devices used or held for use on the waters of this State unless the ordinance is:

¹ For purposes of this Memo, the term "vessel" is analogous with the term "boat."

1. identical to a provision of this chapter;
2. identical to a regulation promulgated under the authority of a provision of this chapter; or
3. authorized pursuant to the provisions of this section.”

§50-21-30(C) specifically permits local governments to “adopt an ordinance requiring a permit for a watercraft or floating structure to remain moored, anchored, or otherwise located in any one five-mile radius on public waters within its local jurisdiction for more than fourteen consecutive days. The cost of a permit required by a local government may not exceed fifteen dollars. An ordinance adopted pursuant to this subsection must not apply to watercraft:

- a. moored to a dock or marina berth with permission from the dock or berth owner;
- b. moored to a mooring buoy that is permitted by the Department of Health and Environmental Control with permission from the buoy owner; or
- c. moored to a mooring buoy with permission from the buoy owner, provided that the buoy is in the location as it existed on public waters on June 30, 2021.”

For the purpose of ordinances adopted pursuant to §50-21-30(C) and notwithstanding the provisions of §5-7-140(B), “the corporate limits of any municipality bordering on the high-water mark of a navigable body of water, other than the Atlantic Ocean, are extended to the center of the channel of the navigable body of water.”

Any SCDNR officer “who reasonably believes that watercraft within a local government's jurisdiction is in violation of an ordinance adopted pursuant to the provisions of this section must provide the location of the watercraft to the local government.” S.C. Code Ann. § 50-21-30(D).

Pursuant to §50-21-30, a local government’s ability to pass an ordinance regulating the operation, equipment, titling, numbering, and all other matters relating thereto for watercraft and water devices is very limited. Any ordinances adopted by the local government must mirror existing state law.

§50-21-190 provides an offense and penalty for abandoning watercraft or outboard motors. Furthermore, §50-21-10 provides for a definition of “abandon”, “abandoned”, “boat”, and “waters of the state”. §50-23-20 provides for titling requirements of watercraft; §50-23-30 provides exemptions to titling; §50-23-55 provides for evidence of ownership of a watercraft; and §50-23-205 provides for the procedures for seizure of watercraft. Therefore, any regulations passed must mirror these state statute provisions.

However, a local government may adopt an ordinance requiring a permit for watercraft of floating structures moored or anchored in public waters.

It is recommended that any regulations passed by the Town of Hilton Head for abandoned boats in public waters mirror the provisions of §50-21-190, contain the same definitions as provided in §50-21-10, and mirror all other provisions contained in Title 50.

Existing Abandoned Boat Regulations from Similar Municipalities

The City of Charleston, Town of Mount Pleasant, City of North Myrtle Beach, and City of Georgetown each have existing regulations which make it unlawful to abandon watercraft and provide penalties for abandoning watercraft. All ordinances are similar to existing state law with the following exceptions:

1. The Town of Mount Pleasant provides a list of expenses that could be incurred by the owner of an abandoned boat for removal of the boat (state law does provide that the owner shall be responsible for expenses associated with the abandoned boat's removal).
2. The Town of Mount Pleasant and City of North Myrtle Beach both provide for a limitation of liability for any damages incurred for removal and storage of an abandoned boat.
3. City of North Myrtle Beach prohibits anchoring and mooring of a vessel, as well as the installation of a mooring buoy, in any public waters for a period of more than 24 hours.
4. City of North Myrtle Beach also provides notice to be posted on the abandoned vessel. The owner has 10 days after the posting of notice to respond, otherwise the boat will be removed.
5. City of North Myrtle Beach and City of Georgetown's penalty is less than what is provided under state law – a fine not exceeding \$500.00 and/or imprisonment for a period not exceeding thirty days.²
6. City of Georgetown's ordinance also allows for permits to be issued for mooring buoys owned and maintained by the City.

Existing Local Regulations in Beaufort and Jasper Counties

Both the City of Beaufort and Town of Port Royal have an ordinance governing abandoned vessels. However, their ordinances are incompatible with state law and are likely illegal because they (1) impose a 7-day timeframe for determining abandonment (as opposed to the state law's 45-day requirement), (2) mandate insurance requirements, and (3) levy a \$500, which runs afoul with the state law's \$1,000 minimum fine.

There are no existing ordinances which address abandoned boat in waterways for Beaufort County (with the exception of watercraft abandoned at or near boat landing), Jasper County (abandoned boats are mentioned in their littering ordinance), Town of Bluffton (with the exception of abandoned boats at the Oyster Factory Park boat landing), Town of Yemassee, and Town of Hardeeville.

Please let me know if you have any questions or would like to discuss further.

Sincerely,



Mac Deford

Attachments: Proposed Abandoned Watercraft Ordinance

² S.C. Code Ann. §50-21-190(B) sets forth a minimum fine of \$1,000 and a maximum fine of \$5,000.

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 3 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, TITLED MOTOR BOATS AND WATER SAFETY BY ADDING PROVISIONS RELATED TO ABANDONED WATERCRAFT IN ACCORDANCE WITH THE SOUTH CAROLINA CODE OF LAWS

WHEREAS, abandoned watercraft on public lands and waters within the corporate limits of the Town of Hilton Head Island poses a risk to the health and safety of the citizens and visitors to the Town as well as a posing a significant danger to the environment and aesthetics of the Town's beaches and waterways; and

WHEREAS, the South Carolina General Assembly has addressed abandoned watercraft with legislation it passed enacting Chapters 21 and 23, within Title 50 of the Code of Laws of South Carolina; and

WHEREAS, S.C. Code Ann. § 50-21-30 authorizes local governments to pass ordinances to address abandoned watercraft, provided that the provisions of such ordinance are identical to the provisions of Chapters 21 and 23, Title 50 of the Code of Laws of South Carolina; and

WHEREAS, the Hilton Head Island Town Council has the authority to amend its Code of Ordinances when deemed to be in the best interest of the citizens of the Town, and it now desires to do so with respect to the subject of abandoned watercraft within its municipal limits, as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Councilmembers of the Municipality of Hilton Head Island, in Council assembled, that Article 1, Chapter 3 of the of the Hilton Head Island Code of Ordinances titled *Abandoned Watercraft* is hereby enacted to specifically read as follows:

Chapter 3 - MOTOR BOATS AND WATER SAFETY

ARTICLE 1. - GENERAL PROVISIONS

Sec. 8-3-111. - Title.

This chapter shall be known and may be cited as the "Hilton Head Island Boat Control Ordinance."

Sec. 8-3-112. - Definitions.

For the purposes of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein:

- (1) Boat: Any watercraft, including seaplanes when not airborne, in or upon, or docked or moored at any place in any waterway within the boundaries of the town.
- (2) Waterway: Any waters, waterway, harbours, lake, river, tributary, canal, lagoon or connecting waters within the boundaries of the town.

Sec. 8-3-113. - Authority.

(a) The town shall have the right to regulate the use of all waterways within the town limits and the conduct of all persons using same, consistent with and not in conflict with federal or state laws and regulations. All ordinances of the town regulating the conduct of persons on land shall apply to persons using waterways, insofar as the same are applicable.

(b) Any law enforcement officer of the town or any law enforcement acting pursuant to a delegation of authority from the town shall be responsible for the enforcement of this chapter. Any such officer shall have the authority to stop and board any vessel for the purpose of inspection or determining compliance with the provisions of this chapter and is empowered to issue a summons for appearance in a court of competent jurisdiction or make arrests for violations of this chapter. Every vessel if underway or upon being hailed by a police officer, shall stop immediately and lay

to or if this is impractical or unsafe, shall maneuver in such a way as to permit such officer to come aboard.

Sec. 8-3-114. ABANDONED WATERCRAFT.

(A) Definitions.

In addition to the common meaning of words, the following definitions shall be used when interpreting the provisions of this section.

- (1) Abandon or Abandoned. Means any watercraft that has been moored, stranded, wrecked, sinking, or sunk, and has been left unattended for longer than forty-five (45) days. A watercraft is not abandoned if it is legally moored or is on private property.
- (2) Boat. Means a vessel.
- (3) Department. Means the South Carolina Department of Natural Resources.
- (4) Marina. Means a facility which provides mooring or dry storage for watercraft.
- (5) Outboard Motor. Means a combustion engine or electric propulsion system, which is used to propel a watercraft, and which is detachable from the watercraft as a unit. No outboard motor of less than five horsepower or its equivalent is required to be titled under this chapter.
- (6) Owner. Means a person, other than a lienholder, who claims lawful possession of a vessel or outboard motor by virtue of legal title or equitable interest in it which entitled him to possession.
- (7) Person. Means an individual, a partnership, a firm, a corporation, an association, or other legal entity.
- (8) Town. Means the Town of Hilton Head Island.
- (9) Use. Means operate, navigate, or employ.
- (10) Vessel. Means every description of watercraft, other than a seaplane regulated by the federal government, used or capable of being used as a means of transportation on water.
- (11) Water Device. Means a motorboat, boat, personal watercraft or vessel, water skis, an aquaplane, surfboard, or other similar device.
- (12) Waters of the State. Means waters within the territorial limits of the State but not private lakes or ponds.

- (13) Watercraft. Means anything used or capable of being used as a means of transportation on the water but does not include: a seaplane regulated by the federal government, water skis, aquaplanes, surfboards, windsurfers, tubes, rafts, and similar devices or anything that does not meet construction or operational requirements of the state or federal government for watercraft.

(B) Scope. The provisions of this chapter and other applicable laws of this State, including but not limited to, Title 50 of the South Carolina Code of Laws, shall govern all activity and matters related to abandoned watercraft on the public land and waters of the Town and the State that are located within the jurisdictional limits of the Town of Hilton Head Island.

(C) Administration. The administration and enforcement of the provisions of this Section shall be vested in the Town's Public Safety Department or sheriff's office. Public safety officers and deputy sheriffs are empowered to issue a summons for appearance in court, or to make arrest for violations of this chapter or any applicable rules and regulations prescribed under Title 50 of the South Carolina Code of Laws.

(D) Abandoning watercraft or outboard motor; penalty; removal.

- (1) It is unlawful to abandon a watercraft or outboard motor on the public lands or waters of the Town or on private property without permission of the property owner. This section does not apply to persons who abandon a watercraft in an emergency for the safety of the persons onboard; however, after the emergency is over, the owner and operator of the abandoned watercraft shall make a bona fide attempt to recover the watercraft.
- (2) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars or imprisoned for up to thirty days, or both. In addition, the owner must remove the abandoned watercraft within fourteen days of conviction. The magistrate courts are vested with jurisdiction for cases arising under this section.
- (3) An abandoned watercraft as identified by the Department may be removed at the risk and expense of the owner and disposed of by any governmental agency that has jurisdiction over the area where the abandoned watercraft is located.
- (4) The Town or the Department of Natural Resources must conduct investigations of any watercraft subject to the provisions of this section to determine the status of the watercraft as abandoned. The Town or the Department must send written notice and make additional reasonable efforts to notify the last known owner, if any, of the status of the watercraft. If efforts to notify fail, then the Town or the Department must post a notice on the watercraft advising that the watercraft is abandoned. If the owner claims the watercraft within forty-five (45) days of the date the notice is posted, the watercraft is not considered abandoned.
- (5) A watercraft identified by the Town or the Department as abandoned for at least ninety days may be claimed by any person or entity as abandoned property.

(E) Watercraft titles; notification of transfer.

Any watercraft or outboard motor, or both, held or principally used in this State must be titled by the Department. An owner of a watercraft or outboard motor titled in this State must notify the Department within thirty days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.

(F) Exemptions to titling.

Watercraft documented by the United States Coast Guard or its predecessor or successor agency and water skis, aquaplanes, surfboards, windsurfers, and similar devices, and those watercrafts propelled exclusively by human power are not required to be titled.

(G) Certificate of title as evidence of ownership; watercraft from other states.

- (1) A certificate of title to a watercraft or outboard motor is prima facie evidence of ownership of a watercraft or outboard motor. All watercraft and outboard motors subject to the titling requirements of this chapter must be titled.
- (2) No person may acquire a watercraft or outboard motor, subject to the titling requirements of this chapter, without obtaining a certificate of title or in the case of a new watercraft or outboard motor a manufacturer's or importer's statement of origin reflecting the person acquiring the watercraft or outboard motor as the original purchaser as provided in this chapter. In the case of watercraft or outboard motors from other jurisdictions that do not require titling, a bill of sale and proof of registration may be substituted for the title.
- (3) No person may dispose of a watercraft or outboard motor subject to the titling provisions of this chapter without transferring to the person acquiring the watercraft or outboard motor a certificate of title reflecting the transfer of the watercraft or outboard motor. In the case of new watercraft, a manufacturer's statement of origin must be delivered to the purchaser. In the case of watercraft or outboard motors from other states or foreign jurisdictions, which do not title such watercraft or outboard motors, a bill of sale and proof of registration may be substituted.

(H) Seizure of certain watercraft; notice of seizure and of time for removal; forfeiture and disposal.

- (1) A stolen or abandoned, junked, adrift, destroyed, or salvaged watercraft or outboard motor, a watercraft or outboard motor for which the true owner is not determined, or a watercraft or outboard motor on which the manufacturer's or assigned serial number has been destroyed, removed, covered, altered, or defaced may be seized.
- (2) Upon seizure of the watercraft or outboard motor, the Department shall notify a person claiming an interest in it, and the person has the right to prove his interest before the circuit court in the county where the property was seized. If no action is filed within sixty (60) days of notification, the Department may retain the property for official use or transfer the property to another public entity for official use, sell the property at public auction, or, if the watercraft or outboard motor is determined to be unsafe, destroy it. The proceeds derived from the sale must be deposited in the Boating Operating Fund of the Department for administration of the program.

- (3) When the Department determines the owner of a seized watercraft or outboard motor and related marine equipment, it shall notify the owner by certified mail of the procedure, the location, and the fact that he has not less than thirty days from the date of the certified letter to remove the equipment from the Department's storage facility. If a security interest has been perfected, the Department must notify the lienholder by certified mail allowing thirty days to respond. Failure to respond within thirty (30) days or remove the watercraft or outboard motor by the date designated forfeits the equipment to the department to be used or disposed of according to law.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION AT FINAL READING THIS ____ DAY OF _____, 2024.

Alan R. Perry, Mayor
Town of Hilton Head Island

Attest:

Kimberly Gammon, Town Clerk

APPROVED AS TO FORM:

Curtis L. Coltrane, Town Attorney



TOWN OF HILTON HEAD ISLAND

Community Services and Public Safety Committee

TO: Community Services and Public Safety Committee
FROM: Bryan McIlwee, Director of Public Projects and Facilities
VIA: Shawn Colin, Assistant Town Manager – Community Development
CC: Marc Orlando, Town Manager
Josh Gruber, Deputy Town Manager
DATE: February 12, 2024
SUBJECT: Consideration of a Resolution Adopting Environmentally Friendly Landscaping and Grounds Maintenance Practices

RECOMMENDATION:

Consideration of a Resolution adopting an Integrated Pest Management policy for Environmentally Friendly Landscaping and Grounds Maintenance Practices for Hilton Head Island (Attachment 1).

BACKGROUND:

Environmental Sustainability is identified in the Town Council approved 2023-2025 Strategic Action Plan and includes Assessment and Implementation of an Environmentally Friendly Landscape and Grounds Maintenance Best Practices Program.

Town Staff assessed current Town practices along with other environmentally conscious landscaping practices relating to pest and weed control management practices and products. Staff discussed environmental best practices with certified professionals, other municipalities, local, state and national leaders in this field, as well as our landscaping business partners to determine how to implement these strategies and best practices.

The need for an IPM program was identified as a necessary component of the Town's Environmental Best Practices that will allow Staff and Town contractors to focus on long-term prevention or suppression of pest problems with minimum impact on human health, the environment, and non-target organisms with the reduced use of pesticides in accordance with direction provided by Town Council.

IPM is a system of managing pests using careful consideration and integration of all available pest control tools and techniques. The IPM will present a balanced approach between proper biological, cultural, physical and chemical practices. The goal is to identify the appropriate method of pest management and minimize the use of chemicals on Town maintained grounds. Landscape practices at Town maintained properties will follow the principles of this Integrated Pest Management policy.

SUMMARY:

At the November 13, 2023 meeting, the Community Services and Public Safety Committee provided direction to Staff to move forward with development of an IPM policy as well as develop a trial study to assess the efficacy and cost of various herbicidal treatments.

At the December 18, 2024 meeting, the Community Services and Public Safety Committee reviewed a draft IPM policy and provided direction and recommendations to Staff to make revisions to the proposed policy. The proposed Integrated Pest Management (IPM) policy (Attachment 2) includes revisions and recommendations made by the CSPA Committee. The IPM policy sets the framework for immediate and future adjustments to the Town's landscape practices.

Additionally, Staff presented an outline, scope and schedule for a trial study conducted by Clemson University located at one or more Town facilities to test and compare the efficacy of synthetic and organic pesticides. Based on Committee feedback and lack of consensus, we are not advancing the trial study.

Next Steps are as follows:

- Recommend Town Council adoption of a Resolution to approve the IPM policy.
- March Town Council meeting – Brief from Committee chair to Town Council on this item.
- April Town Council meeting – Consideration of a Resolution to adopt IPM policy.

ATTACHMENTS:

1. Resolution
2. Integrated Pest Management policy
3. Draft Integrated Pest Management policy with tracked changes

TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, ADOPTING AN INTEGRATED PEST MANAGEMENT POLICY FOR USE WITHIN TOWN PARKS AND PROPERTIES

WHEREAS, the Town considers the protection of its natural environment to be one of its highest priorities and is a core value for all Town landscaping and grounds maintenance practices; and

WHEREAS, the Town's Strategic Action Plan includes a strategy of developing an environmental sustainability initiative that proposes to assess and implement an Environmentally Friendly Landscape and Grounds Maintenance Best Practices Program; and

WHEREAS, staff has gathered data from other similarly situated communities and has utilized this data to craft a proposed policy for Town Council's consideration; and

WHEREAS, the proposed Integrated Pest Management Policy as described in Exhibit A provides a framework for immediate and future adjustments to the Town's landscape practices while ensuring that it is upholding our goals of protecting our natural environment.

NOW, THEREFORE, BE IT RESOLVED, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT:

The Town Council for the Town of Hilton Head Island endorses and adopts the proposed Integrated Pest Management Policy for Environmentally Friendly Landscaping and Grounds Maintenance Practices for Hilton Head Island.

MOVED, APPROVED, AND ADOPTED ON THIS ____ DAY OF MARCH, 2024.

Alan R. Perry, Mayor
Town of Hilton Head Island

ATTEST:

Kimberly Gammon, Town Clerk

APPROVED AS TO FORM

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Town of Hilton Head Island

INTEGRATED PEST MANAGEMENT PROGRAM

Purpose: The purpose of this Integrated Pest Management (IPM) program is to minimize risks associated with pest control measures to human health, the environment, and non-target organisms by outlining a sustainable, effective, and environmentally responsible approach to managing pests and maintaining facilities in the Town of Hilton Head Island.

Policy: The Town of Hilton Head Island will implement a least toxic IPM strategy to manage pests on its properties and facilities in a manner that is environmentally responsible, protective of human health, economically viable, and accepted aesthetically.

This policy applies to all properties, road right of ways, facilities owned, operated, or managed by the Town of Hilton Head Island.

Town-wide Pest Management Guiding Principles

- A. Pest management decisions will be based on monitoring data, pest population thresholds, the potential risks to human health and to the environment, and benefits of available control methods.
- B. Pest management actions will be based on a least toxic approach by using cultural, physical, and/or biological controls before chemical controls are employed.
 - a. Prevention of pests is an essential part of reducing the need for pesticides. Preventative measures include utilizing Best Maintenance Practices (BMPs) by Town staff and contracted parties to reduce the need for pesticide control in public parks and facilities. This includes but is not limited to, proper watering schedules, proper maintenance heights of plants, proper solid waste removal and control, and following a Preventative Maintenance schedule for buildings.
- C. The use of least-toxic chemical control methods will be considered as a last resort, only when other control methods have been deemed ineffective or impractical.
 - a. Least toxic chemicals may include organic pesticides
 - b. Use EPA Level pesticides in a targeted manner, and only if deemed necessary to protect public health and economic loss by a licensed pesticide applicator when pests cannot be managed by other controls.
 - c. EPA level 1 "Danger" pesticides will not be used on Town managed properties.
- D. Limit use of pesticides where children and the general public congregate, i.e. at Town playgrounds and dog parks.
- E. Limit use of pesticides in environmentally sensitive areas such as along water/marsh edges, including buffers, on Town property.
- F. Glyphosate (i.e. Roundup TM) is not to be used at Town playgrounds, dog parks, or along water/marsh edges, including buffers, on Town property. The Town will partner with all landscape and pest control contractors that work with the Town of

Hilton Head Island to maintain its properties. The Town will ensure contractors are educated and capable of compliance with the Town's policy.

- G. The Town of Hilton Head Island will prioritize preventative measures and education efforts to reduce the occurrence of pest problems.
- H. Pesticide applicators will be required to notify Town staff of work in the areas where pesticides are scheduled to be applied prior to the application of any pesticides.
- I. Any contracted services for the Town are required to comply with this policy as part of the contracted work on Town managed facilities or properties.
- J. Upon adoption of this policy, this IPM shall be in effect and apply to all new contracts or as contracts are due for renewal or to be amended.

PROCEDURES:

Prevention

1. Town Staff shall review all new development and rehabilitation Town project plans to verify compatibility with the site's environment.

Monitoring

1. Town staff and Town contractors will provide regular monitoring services for all the Town's properties.
2. Town staff and Town contractors shall determine if pest populations are increasing, decreasing, or staying the same and determine when to use a control tactic.
3. Upon request, Town contractors shall provide application records as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083. Records include information such as the quantity of each pesticide used, the common chemical name of the active ingredient(s) (not the product name), the pest or purpose for which the pesticide was applied, and the date and place of application.

Non-Chemical Control Measures

1. The Landscape contractors shall utilize cultural controls which are modifications of normal plant care activities that reduce or prevent pests. In addition to those methods used in pest prevention, other cultural control methods include adjusting the frequency and amount of irrigation, fertilization, and mowing height.
2. The Landscape or maintenance contractors shall utilize mechanical control tactics involving the use of manual labor and machinery to reduce or eliminate pest problems using methods such as handpicking, physical barriers, or machinery to reduce pest abundance indirectly.
3. The Landscape or maintenance contractors may consider a biological control practice which uses living organisms to reduce pest populations. These organisms are often also referred to as beneficials, natural enemies or bio-controls. They act to keep pest populations low enough to prevent significant economic damage. Bio-controls include pathogens, parasites, predators, competitive species, and antagonistic organisms. Beneficial organisms can occur naturally or can be purchased and released. The most common organisms used for biological control in landscapes are predators, parasites, pathogens and herbivores.

Pesticide Controls

Pesticides are to be utilized after other control methods have been determined to be ineffective in the acceptable control of the pest problem. Organic pesticides will be considered before synthetic

pesticides that will have the least toxic impact and effective control of the pest problem. Pesticides are to be utilized in a prioritized approach on Town properties as follows:

Parks and Fields:

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II “warning” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Playgrounds and Dog Parks

Glyphosate (i.e. Roundup TM) is not to be used on the interior of any playground or dog park to prevent exposure to the public or pets.

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.

Rights of Way (Street medians/parkways):

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II “warning” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Facilities/Buildings:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. Bait formulations of insecticides will be used where appropriate.
- c. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- d. EPA Level II “warning” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Other Town Properties:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III “caution” label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.

- c. EPA Level II “warning” label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

Approvals and Application of Chemical Pesticides

1. A written recommendation of proposed pesticide, including commercial name, concentrations, allocation rates, usage and reentry time shall be prepared by a licensed South Carolina Commercial Pest Control Applicator and site-specific schedule submitted for approval by the Town’s Public Services Program Manager. Copies of Safety Data Sheets and specimen labels shall be given to the Town prior to pesticide use on Town property. Any pesticide use must be approved by the Town’s Public Service Manager prior to its use.
2. For Facilities and Building Maintenance, the referenced responsibilities of a licensed pest control applicator presented throughout this policy are to be performed by a Licensed South Carolina Commercial Applicator.
3. Chemicals shall only be applied by those persons possessing a valid South Carolina Commercial Applicator license; or supervised by a person possessing a valid South Carolina Commercial Applicator license as required by SC regulation. Application shall be in strict accordance with all governing regulations. Records of all applications shall be kept in accordance with South Carolina Department of Pesticide Regulation (DPR), Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act (“Rules and Regs”), Section 27-1083, and will be available to the Town upon request.
4. Pesticides shall be applied in a manner to avoid contamination of non-target areas.
5. Precautionary measures shall be employed to keep the public from entering the spray zone until it is safe. Posting of signs shall be required at all park facilities when large-scale or blanket application of pesticides are performed.

Specific requirements for posting are as follows:

- Post signs in conspicuous locations at area of application: high traffic areas, defined and undefined entrances, and at park kiosks at least 72 hours prior to spraying applications.
- Signage must include a link to the Town’s website (link directs to IPM Program and a list of all approved pesticides) and application date must be listed.
- Spray notices must utilize weatherproof signage.
- Leave the same signs up for a minimum of 24 hours after the applications are completed.
- Emergency pesticide application may be required for a pest control emergency. In this rare event, there may not be adequate time to post signage within 72 hours of application. Notification of application of pesticides shall be posted as soon as possible after the pesticide application.

Records and Reporting

Records of all pesticides used by the Contractor on Town property shall be retained and accessible in accordance with the SC Department of Pesticide Regulations, as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act (“Rules and Regs”), Section 27-1083.

Public Education and Outreach

- A. The Town of Hilton Head Island will develop and implement public education and outreach programs to inform residents, businesses, and visitors about IPM principles, practices, and benefits.
- B. Collaboration with community organizations, schools, and other stakeholders will be encouraged to promote IPM adoption and awareness within the community.

Review and Evaluation

- A. This policy will be reviewed and evaluated periodically to assess its effectiveness in achieving the desired pest management outcomes and to identify opportunities for improvement.
- B. Updates or revisions to the policy may be made as necessary to address changing conditions, new information, or advancements in pest management technologies.

Definitions:

- A. **Pest:** Any organism that causes damage, poses a threat to human health, or negatively impacts the aesthetic, functional, or economic value of a property or facility.
- B. **Integrated Pest Management (IPM):** A comprehensive, science-based approach to managing pests by integrating biological, cultural, physical, and chemical control methods to reduce pest populations to acceptable levels while minimizing risks to human health, the environment, and non-target organisms.
- C. **Biological control:** The use of active manipulation of living natural enemies to control pest population densities.
- D. **Cultural control:** Practices that reduce pest establishment, reproduction, and dispersal. Practices can include but not limited to, the use of selecting pest resistant variety of plants, selecting native plant species, or optimizing irrigation practices.
- E. **Physical control:** Also referred to as mechanical control can include methods such as sanitation, use of physical barriers or traps, hand destruction, or spraying water to remove pests.
- F. **Chemical control:** The use of pesticides to control pest populations. Pesticides include synthetic or organic formulations of the chemical.
- G. **Pesticides:** Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. Any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant, and any nitrogen stabilizer (U.S.C. Title § 7)
- H. **Herbicides:** Chemicals used to manipulate or control undesirable vegetation.
- I. **Insecticides:** Chemicals used to control insects by killing them or preventing them from engaging in undesirable or destructive behaviors. They are classified based on their structure and mode of action. Many insecticides act upon the insect's nervous system (e.g., cholinesterase inhibition), while others act as growth regulators or endotoxins.
- J. **Rodenticides:** Chemicals that target rodents. Rodents include rats, mice, and squirrels. Rodenticides can affect other mammals as well.

Town of Hilton Head Island

INTEGRATED PEST MANAGEMENT PROGRAM

Purpose: The purpose of this Integrated Pest Management (IPM) program is to minimize risks associated with pest control measures to human health, the environment, and non-target organisms by outlining a sustainable, effective, and environmentally responsible approach to managing pests and maintaining facilities in the Town of Hilton Head Island. ~~while minimizing the risks associated with pest control measures to human health, the environment, and non-target organisms.~~

Policy: The Town of Hilton Head Island will implement a least toxic IPM strategy to manage pests on its properties and facilities in a manner that is environmentally responsible, protective of human health, economically viable, and accepted aesthetically.

This policy applies to all properties, road right of ways, facilities owned, operated, or managed by the Town of Hilton Head Island.

Town-wide Pest Management Guiding Principles

- A. Pest management decisions will be based on monitoring data, pest population thresholds, ~~and~~ the potential risks to human health and to the environment, and benefits of available control methods.
- B. Pest management actions will be based on a least toxic approach by using cultural, physical, and/or biological controls before chemical controls are employed.
 - a. Prevention of pests is an essential part of reducing the need for pesticides. Preventative measures include utilizing Best Maintenance Practices (BMPs) by Town staff and contracted parties to reduce the need for pesticide control in public parks and facilities. This includes but is not limited to, proper watering schedules, proper maintenance heights of plants, proper solid waste removal and control, and following a Preventative Maintenance schedule for buildings.
- C. The use of least-toxic chemical control methods will be considered as a last resort, only when other control methods have been deemed ineffective or impractical.
 - a. Least toxic chemicals may include organic pesticides
 - b. Use EPA Level pesticides in a targeted manner, and only if deemed necessary to protect public health and economic loss by a licensed pesticide applicator when pests cannot be managed by other controls.
 - b-c. EPA level 1 "Danger" pesticides will not be used on Town managed properties.
- D. Limit use of pesticides where children and the general public congregate, i.e. at Town playgrounds and dog parks.
- E. Limit use of pesticides in environmentally sensitive areas such as along water/marsh edges, including buffers, on Town property.
 - ~~a.~~ Glyphosate (i.e. Roundup_{TM}) is not to be used at Town playgrounds, dog parks, or along water/marsh edges, including buffers, on Town property.

- F. The Town will partner with all landscape and pest control contractors that work with the Town of Hilton Head Island to maintain its properties. The Town will ensure contractors are educated and capable of compliance with the Town's policy.
- G. The Town of Hilton Head Island will prioritize preventative measures and education efforts to reduce the occurrence of pest problems.
- H. Pesticide applicators will be required to notify Town staff of work in the areas where pesticides are scheduled to be applied prior to the application of any pesticides.
- I. Any contracted services for the Town are required to comply with this policy as part of the contracted work on Town managed facilities or properties.
- H.J. Upon adoption of this policy, this IPM shall be in effect and apply to all new contracts or as contracts are due for renewal or to be amended.

PROCEDURES:

Prevention

1. Town Staff shall review all new development and rehabilitation Town project plans to verify compatibility with the site's environment.

Monitoring

1. Town staff and Town contractors will provide regular monitoring services for all the Town's properties.
2. Town staff and Town contractors shall determine if pest populations are increasing, decreasing, or staying the same and determine when to use a control tactic.
3. Upon request, Town contractors shall provide application records as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083. Records include information such as the quantity of each pesticide used, the common chemical name of the active ingredient(s) (not the product name), the pest or purpose for which the pesticide was applied, and the date and place of application.

Non-Chemical Control Measures

1. The Landscape contractors shall utilize cultural controls which are modifications of normal plant care activities that reduce or prevent pests. In addition to those methods used in pest prevention, other cultural control methods include adjusting the frequency and amount of irrigation, fertilization, and mowing height.
2. The Landscape or maintenance contractors shall utilize mechanical control tactics involving the use of manual labor and machinery to reduce or eliminate pest problems using methods such as handpicking, physical barriers, or machinery to reduce pest abundance indirectly.
3. The Landscape or maintenance contractors may consider a biological control practice which uses living organisms to reduce pest populations. These organisms are often also referred to as beneficials, natural enemies or bio-controls. They act to keep pest populations low enough to prevent significant economic damage. Bio-controls include pathogens, parasites, predators, competitive species, and antagonistic organisms. Beneficial organisms can occur naturally or can be purchased and released. The most common organisms used for biological control in landscapes are predators, parasites, pathogens and herbivores.

Pesticide Controls

Pesticides are to be utilized after other control methods have been determined to be ineffective in the acceptable control of the pest problem. Organic pesticides will be considered before synthetic pesticides that will have the least toxic impact and effective control of the pest problem. Pesticides are to be utilized in a prioritized approach on Town properties as follows:

Parks and Fields:

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.

~~When pesticides are needed, use the following prioritized approach: (1) organic pesticides may be considered based on safety to applicators and efficacy of the product.; (2) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control applicator.~~

Playgrounds and Dog Parks

Glyphosate (i.e. Roundup TM) is not to be used on the interior of any playground or dog park to prevent exposure to the public or pets.

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.

~~When pesticides are needed, consider the following prioritized approach: (1) organic pesticides may be considered based on safety to applicators and efficacy of the product.; (2) EPA Level III "caution" labeled pesticides only when deemed necessary to protect public health and economic impact by a licensed pest control applicator.~~

Rights of Way (Street medians/parkways):

- a. Consider organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- a. ~~EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.~~

Facilities/Buildings:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.

- b. Bait formulations of insecticides will be used where appropriate.
- c. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- d. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- e. ~~EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.~~

Other Town Properties:

- a. Use organic pesticides first (based on safety to applicators and the efficacy of the product), when pesticides are needed.
- b. EPA Level III "caution" label pesticide only if deemed necessary to protect public health and economic impact by a licensed pest control applicator.
- c. EPA Level II "warning" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest.
- d. ~~EPA Level I "danger" label pesticides, only if deemed necessary to protect public health and economic loss by a licensed pest control applicator, when other methods do not adequately control the pest. Pesticides should only be used when other methods fail to provide adequate control of pests and just before pest populations cause an unacceptable damage, since the overuse of pesticides can cause beneficial organisms to be killed and pest resistance to develop.~~

Approvals and Application of Chemical Pesticides

1. A written recommendation of proposed pesticide, including commercial name, concentrations, allocation rates, usage and reentry time shall be prepared by a licensed South Carolina Commercial Pest Control Applicator and site-specific schedule submitted for approval by ~~the Town's Public Services Program Manager~~Town Staff. Copies of Safety Data Sheets and specimen labels shall be given to the Town prior to pesticide use on Town property. Any pesticide use must be approved by the Town's Public Service Manager prior to its use.
2. For Facilities and Building Maintenance, the referenced responsibilities of a licensed pest control applicator presented throughout this policy are to be performed by a Licensed South Carolina Commercial Applicator.
3. Chemicals shall only be applied by those persons possessing a valid South Carolina Commercial Applicator license; or supervised by a person possessing a valid South Carolina Commercial Applicator license as required by SC regulation. Application shall be in strict accordance with all governing regulations. Records of all ~~applications operations~~ shall be kept ~~in accordance with~~per South Carolina Department of Pesticide Regulation (DPR), Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083, and will be available to the Town upon request.
4. Pesticides shall be applied in a manner to avoid contamination of non-target areas.

5. Precautionary measures shall be employed to keep the public from entering the spray zone until it is safe. Posting of signs shall be required at all park facilities when large-scale or blanket application of pesticides ~~are~~^{is} performed.

Specific requirements for posting are as follows:

- Post signs in conspicuous locations at ~~at~~ areas of application; high traffic areas, defined and undefined entrances~~all park entrances~~, and at park kiosks at least 72~~24~~ hours prior to spraying applications.
- Signage must include a~~a~~ link to the Town's website (link directs to IPM Program and a list of all approved pesticides) and application date must be listed.
- Spray notices must utilize weatherproof signage.
- Leave the same signs up for a minimum of 24 hours after the applications are completed.
- Emergency pesticide application may be required for a pest control emergency. In this rare event, there may not be adequate time to post signage within 72~~24~~ hours of application. Notification of application of pesticides shall be posted as soon as possible after the pesticide application.

Records and Reporting

Records of all pesticides used by the Contractor on Town property shall be retained and accessible in accordance with the SC Department of Pesticide Regulations, as defined in the Rules and Regulations for the Enforcement of the South Carolina Pesticide Control Act ("Rules and Regs"), Section 27-1083.

Public Education and Outreach

- A. The Town of Hilton Head Island will develop and implement public education and outreach programs to inform residents, ~~and~~ businesses, and visitors about IPM principles, practices, and benefits.
- B. Collaboration with community organizations, schools, and other stakeholders will be encouraged to promote IPM adoption and awareness within the community.

Review and Evaluation

- A. This policy will be reviewed and evaluated periodically to assess its effectiveness in achieving the desired pest management outcomes and to identify opportunities for improvement.
- B. Updates or revisions to the policy may be made as necessary to address changing conditions, new information, or advancements in pest management technologies.

Definitions:

- A. **Pest:** Any organism that causes damage, poses a threat to human health, or negatively impacts the aesthetic, functional, or economic value of a property or facility.
- B. **Integrated Pest Management (IPM):** A comprehensive, science-based approach to managing pests by integrating biological, cultural, physical, and chemical control methods to reduce pest populations to acceptable levels while minimizing risks to human health, the environment, and non-target organisms.
- C. **Biological control:** The use of active manipulation of living natural enemies to control pest population densities.

- D. **Cultural control:** Practices that reduce pest establishment, reproduction, and dispersal. Practices can include but not limited to, the use of selecting pest resistant variety of plants, selecting native plant species, or optimizing irrigation practices.
- E. **Physical control:** Also referred to as mechanical control can include methods such as sanitation, use of physical barriers or traps, hand destruction, or spraying water to remove pests.
- F. **Chemical control:** The use of pesticides to control pest populations. Pesticides include synthetic or organic formulations of the chemical.
- G. **Pesticides:** Any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest. Any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant, and any nitrogen stabilizer (U.S.C. Title § 7)
- H. **Herbicides:** Chemicals used to manipulate or control undesirable vegetation.
- I. **Insecticides:** Chemicals used to control insects by killing them or preventing them from engaging in undesirable or destructive behaviors. They are classified based on their structure and mode of action. Many insecticides act upon the insect's nervous system (e.g., cholinesterase inhibition), while others act as growth regulators or endotoxins.
- J. **Rodenticides:** Chemicals that target rodents. Rodents include rats, mice, and squirrels. Rodenticides can affect other mammals as well.