APPLICATION FOR MARSH WALK VENDING PERMIT
(Please keep the permit in your possession at the site)

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REQUIREMENTS:

**You shall submit a signed, authorization letter from the property owner where the vending will take place.**

**A scaled site plan or other approved drawing (GIS map) showing the vending setbacks shall be submitted and signed by the applicant and Zoning Department.**

**You shall sign an agreement stating that you received and read a copy of the Vending Regulations for Georgetown County and you understand them as well as the consequences to violating these regulations.**

**If you are vending prepared meals and beverages you are subject to Local Hospitality Tax (please see attachment) and shall submit documentation that you have registered your business with Georgetown County Finance Department located at 129 Screven Street (2nd Floor), Georgetown, SC 29440 (843-545-3065).**

**Additional vendor permits may be issued during a calendar year provided no violations are cited during the period the first permit is issued.**
APPLICATION FOR VENDING ON MARSHWALK
(Please keep the permit in your possession at the site)

Date Received: ___________________ Permit # __________ Tax Map#____________________________

Vendor’s Information:
Name: ______________________________________________________ Phone #_______________________

Current Home Address: ____________________________________________________________________
_____________________________________________________________________________________

Vending Property Information:
Vending Location: _________________________________________________________________________
_____________________________________________________________________________________

Zoning District: ____________  Number of Current Vendors: __________
Type of Item(s) to be Sold at the Site: _______________________________________________________

Property Owner’s Information:
Name: ____________________________________________________ Phone #________________________

Current Home Address: ____________________________________________________________________

Property Owners Signature:_________________________________________________________________

Federal ID or Social Security Number:________________________________________________________

CHECK ONE:  _______ 90 Days/$50.00 Fee   ______1 Year/$100.00 Fee

Vendor’s Signature ________________________________________________ Date _____________________

Zoning Department Approval __________________________________________ Date ___________________

_________________ Approved/Date ______________    ______________ Revoked/Date ______________

_________________ Disapproved/Date ______________    Expiration Date: ________________________
2102. **Marshwalk Overlay Zone.** The Marshwalk Overlay zone is intended to recognize the unique character and environment of the properties over which the Marshwalk in Murrells Inlet traverses. The Marshwalk presents the opportunity to promote economic development in a manner that does not detract from the beauty and sensitive environment of Murrells Inlet.

2102.1 **Boundaries of the Overlay District.** The overlay district shall run parallel to the entire length of the Murrells Inlet Marshwalk beginning at the north on property identified as tax parcel 41-0114-129-00-00 and ending to the south on property identified as tax parcel 41-0114-108-01-00. The overlay shall begin at the various property boundaries adjacent to the marsh or creek and extend fifty (50) feet to the west, measured from the western edge of the Marshwalk structure. The district is further defined on the Official Zoning Map of Georgetown County, South Carolina.

2102.2 **Permitted Uses.** Permitted uses are determined by the underlying zoning district, which is General Commercial. The MOZ district allows multiple vendors not located inside buildings on properties beyond that allowed in Article VI, Requirements By District, Section 611.214. Nothing in this overlay district is intended to affect the principal uses on a parcel. The sole intent of the MOZ district is to allow multiple vendors to take advantage of the marsh side emphasis of the businesses along the Marshwalk.

2102.3 **Setbacks.** The normal zoning setbacks apply to the overlay district. Vendors beyond the principal commercial business located on each property may not utilize permanent structures of any kind or nature. Each vending operation must be entirely set back at least three (3) feet from the Marshwalk structure. Absolutely no attachment of any kind or nature whatsoever to the Marshwalk Structure is allowed.

2102.4 **Permitting.** In the Marshwalk Overlay Zone, property owners are responsible to apply for and acquire a vending permit for each vendor. Any violation of this Ordinance shall be remedied by the property owner and any enforcement action taken by the County shall be against the property owner. The County also has the right to take enforcement action against any vendor.

2102.4.1 Vendor permits shall be issued for one 90-day period for $50.00 or annually for $100.00.
2102.4.2 Additional vendor permits may be issued during a calendar year provided no violations were cited during the first permit issue.

2102.4.3 The applicant must submit a site plan showing the proposed location of the vending operation on the plan. The Zoning Administrator must find that the proposed operation complies with all applicable provisions of this Section, and that the proposed operation will not adversely affect public safety. Upon the issuance of a permit, the site plan as approved must be attached to the permit, and the operation shall not vary from the approved plan. Any variation from the approved site plan shall immediately void the subject permit.

2102.4.4 Property Owners shall be required to obtain a vendor’s permit prior to the commencement of any vending operation. A Federal Tax Identification of Social Security number must be provided. If applicable, the applicant must provide a copy of the approved County hospitality tax application and a State sales tax number to the Zoning Administrator before any vending permit is issued. Both the vendor and the property owner shall provide a hold-harmless agreement releasing the County of all liability.

2102.5 Violations. Violations of any requirement contained in Article XXI, Section 2103 of this Ordinance shall be subject to the following remedies:

2102.5.1 The Zoning Administrator, in the event of a violation of this ordinance, shall immediately upon becoming aware of the violation, issue a notice to the violator setting forth the particulars of the violation and ordering immediate remediation as needed to bring the violator into compliance. Immediate remediation shall be subject to a test of reasonableness with respect to the interval of time needed and the required action to be taken, related to the nature of the violation. If the violator fails to remediate the violation as described in the notice, then the Zoning Administrator shall take further action as described in Article VI, Section 611.2147.3 of this Ordinance.

2102.5.2 Failure to comply with a written order to remedy regarding the violation or a second offense of the same nature shall result in the revocation of the permit by the Zoning Administrator or his/he designee for the calendar year.

2102.5.3 The Zoning Administrator or his/her designee shall further have the authority to take lawful action as provided for in Article XV, Administration, Enforcement, Complaints and Remedies, of this Ordinance for any continuing offense.

2102.6 Standards. Vendors located in the Marshwalk Overlay Zone shall meet the following standards.

2102.6.1 No commercial activity of any kind or nature whatsoever is permitted on, over or attached to the Marshwalk structure.

2102.6.2 Properties in the Marshwalk Overlay District are allowed multiple vendors only as provided under this section and only if such vending operations are totally and completed situated inside the designated
MOZ district and otherwise comply with all provisions as set forth herein. No vendors are allowed on the street-side of these properties out of the boundaries of the MOZ district.

2102.6.3 Each parcel lying within the MOZ district may be allowed no more than one vendor per sixty (60) feet of frontage the parcel has along the Marshwalk structure.

2102.6.4 Each vendor is permitted one single panel sign made entirely of wood painted white, not to exceed one (1) square foot in area and which must be placed entirely within the MOZ district boundary. No banners, pennants or fluttering material are allowed.

2102.6.5 Vendors may not utilize carts or wagons pulled behind a vehicle like a trailer. Vendors may not use permanent structures. Vendors are allowed to sell from tables, shelves or racks which may be placed under umbrellas or tents that do not exceed one hundred twenty (120) square feet and the distance between the poles of such structure may not exceed 15 feet. Such umbrellas or tents must be of one solid color. Fluorescent and phosphorescent colors are prohibited.

2102.6.6 Vendors shall not hawk or sell their products or services in an aggressive manner.

2102.6.7 Only vendors that sell or provide water sports related products or services are allowed on the east side of the Marshwalk structure.

2102.6.8 All vendors shall comply with the Noise Ordinance of Georgetown County.

2102.6.9 Vendors shall not utilize flashing or intermittent lighting of any kind or nature. Lighting shall be utilized only in a manner as not to produce glare or other light pollution on any other property or to pedestrians on the Marshwalk structure. Only white, off-white or anti-insect yellow lighting may be utilized.

2102.6.10 Vendors shall not locate in a parking space.

2102.6.11 Each vendor shall remove all tents, signs and any other objects associated with their operation at the end of each day, but no later than 11:00 pm, and may erect them again the next day when the principal business opens, but no earlier than 11:00 am.

2102.6.12 No vendor shall be allowed to operate until having first paid all applicable fees and secured a permit from Georgetown County for the contemplated vending operation.

2102.6.13 Vendors shall maintain at least one waste receptacle and ensure that no waste material is left on site after 11:00 pm.
STATEMENT OF UNDERSTANDING VENDING

Date: _______________________________

I _________________________________________________ have read and fully understand the Georgetown County Vending Regulations. By signing below, I agree to abide by these rules. I further understand that any violation of these regulations will result in suspension of my vending permit.

Applicant’s Signature: ____________________________________________

Vendor’s Signature: ____________________________________________

Zoning Department: ____________________________________________

HOLD HARMLESS AGREEMENT

Permittee/property owner hereby shall assume all risks incident to or in connection with the permitted activity and shall be solely responsible for damage or injury, of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permittee activity or the conduct of the permittee’s operation. Permittee hereby expressly agrees to defend and save Georgetown County harmless for any penalties for violation of law, ordinance, or regulation affecting its activity and from any and all claims, suits, losses, damages, or injuries directly or indirectly arising out of or in connection with the permitted activity or conduct of its operation or resulting from the negligence or internal acts of omissions of permittee of its officers, agents, and employees.

Applicant’s Signature: ____________________________________________

Date: _____________________________________
LOCAL HOSPITALITY TAX REQUIREMENTS

LOCAL HOSPITALITY TAX AND LOCAL ACCOMODATIONS TAX

Applies to all businesses selling Prepared Meals and Beverages and/or Renting Sleeping Accommodations.

Not limited to Restaurants, Hotels, Motels, Bed & Breakfast Inns, Seasonal Rentals, Bakeries, Convenience Stores, Nightclubs, Golf Courses, Camp Grounds

To register your business and obtain your booklet of Hospitality/Accommodation Tax Returns, come to Georgetown County Finance Department located at 129 Screven Street (2nd floor), Georgetown, SC 29440 or call 843-545-3065 to receive the information by mail.

County Council passed an ordinance on May 11, 1999 establishing a two percent (2%) hospitality tax on prepared meals and beverages; and a three percent (3%) accommodations tax on transient accommodations. The ordinance states that all affected businesses shall be responsible for collecting hospitality taxes beginning July 1, 1999 and Accommodations tax beginning October 1, 1999.

The taxes are imposed on gross proceeds derived from the following transactions occurring within the unincorporated areas of Georgetown County and the Town of Andrews:

**Prepared Meals and Beverages (2% Tax)**

- **“Prepared Meals and Beverages”** are defined as the products sold ready for consumption either on or off premises in business classified as eating and drinking places under the Standard Industrial Code Classification Manual. These include lunch counters, restaurant stands; restaurants and drinking places operated as a subordinate service facility by other establishments; and bars and restaurants owned by and operated for members of civic, social, and fraternal associations.

- The sale of all food and beverages served by a restaurant, hotel, motel, club, lounge, bar or other ABC licensed establishment, or other food service facility.

- The sale of all food and beverages prepared or modified by convenience stores or grocery stores including prepackaged food or drink items prepared or modified in the business establishment by the customer. Some examples of prepared or modified foods would be:
  a. Heated foods (pizza, nachos, hot dogs, sandwiches, chicken, etc.)
  b. Prepared sandwiches, salads, fountain drinks, and coffee.
  c. Sliced meats and vegetable trays.

*Prepared food or drink items, which are not modified, are not subject to the hospitality fee assessment.*
**LOCAL HOSPITALITY TAX REQUIREMENTS (cont.)**

**Transient Accommodations (3% Tax)**

- “Accommodation” is defined as any room (excluding meeting and conference rooms), campground spaces, recreational vehicle spaces, lodgings or sleeping accommodations furnished to transients by any hotel, motel, inn, condominium, “bed & breakfast”, residence, or any other place in which rooms, lodgings, or sleeping accommodations are furnished for consideration within Georgetown County, South Carolina. The gross proceeds received for lease or rental of sleeping accommodations supplied to the same person for a period of thirty (30) or more continuous days are not considered proceeds from transients and accordingly, will not be subject to the accommodations tax.

All businesses are required to remit the reporting return, a copy of the State of South Carolina sales tax computation form, and the taxes **no later than the 20th of each month** for sales from the previous month. Return becomes delinquent if the US Postal Service postmarks payment after the 20th day of the following month. The failure to collect these taxes does not relieve any business from making the required remittance to Georgetown County. Any taxes not timely remitted will be subject to a penalty of 5% per month, charged on the original amount due, up to the maximum of 100%.

**On February 11, 2003, Georgetown County passed Ordinance No. 2003-01 adopting an Ordinance Summons for the purpose of enforcing County Ordinances and collecting delinquent Local Hospitality and Local Accommodations taxes and penalties.** Accounts sixty (60) days past due will be issued a Notice of Violation with their monthly statement requesting payment within ten (10) business days. **If payment is not received within ten (10) BUSINESS DAYS, AN Ordinance Summons will be issued notifying the delinquent taxpayer that they must appear in Magistrate Court.** The summons will inform the taxpayer of the bond amount, date, time, and location of the trial. Any person who fails to appear before the Court as required by the Uniform Ordinance Summons, without first having posted bond or without having been granted a continuance by the Court, is guilty of a misdemeanor punishable by a fine up to $200.00 or imprisonment for up to 30 days.
Owner, Partnership, or Corporate Charter Name:
_________________________________________________________________________

Business Phone No.: __________________ Daytime Phone No. _____________________

Trade Name, Doing Business As ("DBA"): _______________________________________
_________________________________________________________________________

Federal Identification No.: ____________________________________________________

SC Sales & Use Tax No.: _____________________________________________________

SSN (If no Federal I.D. No.): _________________________________________________

Mailing Address (For All Correspondence):
Attention/ Care Of: ___________________________________________________________

Street or PO Box No.: _________________________________________________________

City: __________________ State: ___________ Zip: ________________

Check Type of Business:
Accommodations: ____________  Hospitality: ____________

Main Business (restaurant, convenience store, etc): ________________________________

**Physical Business Location (don't list PO Box):**

Street Address: ________________________________________________________________

City: __________________________  State: _____________  Zip: _______________

Is Your Business Seasonal? (check one)  Yes___________  No___________

If seasonal, list the months that are active: ______________________________________

**Check Type of Ownership:**

Sole Proprietor (One Owner)  __________

Partnership (Two or more Owners)  __________

Corporation  __________

Limited Liability Company (LLC)  __________

Limited Liability Partnership (LLP)  __________

Personal Service Corporation (PSC)  __________

Professional Association (PA)  __________

Unincorporated Association (list legal name of your Association)  __________

Other (explain below)  __________

List this information for ALL of your Business Owners, Partners, or Officers:
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"I certify that all information on this application, including any attachments, is true and correct to the best of my knowledge".

________________________________________________  DATE: __________________

Signature of Owner, Partner, or Corporate Officer

Title: ________________________________