

**AN ORDINANCE
AMENDING CHAPTER 20 OF THE CHARLESTON COUNTY CODE OF
ORDINANCES ENTITLED "TRAFFIC AND MOTOR VEHICLES" SO AS TO
ADD A NEW ARTICLE III REGULATING THE OPERATION OF CERTAIN
TRUCKS ON DESIGNATED STREETS THROUGHOUT THE COUNTY AND
OTHER MATTERS RELATING THERETO**

WHEREAS, § 56-5-4220 of the South Carolina Code of Laws provides that county, municipal, and local governments may establish certain traffic limitations pertaining to state highways, upon approval of the South Carolina Department of Transportation; and

WHEREAS, Charleston County seeks to regulate through truck traffic on certain state highways within the unincorporated areas of Charleston County, upon approval of the South Carolina Department of Transportation.

NOW, THEREFORE, BE IT ORDAINED by County Council in a meeting duly assembled as follows:

SECTION I. FINDINGS INCORPORATED

The above-referenced recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. PURPOSE

The purpose of this Ordinance is to amend Chapter 20 of the Charleston County Code of Ordinances (Traffic and Motor Vehicles) so as to add a new article III (Through Truck Routes) regulating the operation of certain trucks on designated streets within the County, to prohibit the operation of certain trucks over and along "No Through Truck" routes, to designate certain streets as "No Through Truck" routes, and to provide a penalty pertaining to violations thereof.

SECTION III. THROUGH TRUCK ROUTES

The Charleston County Code of Ordinances is hereby amended so as to add the following Article III:

ARTICLE III. – THROUGH TRUCK ROUTES

Sec. 20-30. – Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Person means any individual, or agent, servant, employee, or owner of a corporation or other business entity, driving or operating a truck, as defined in this section, within the County of Charleston.

Truck means any vehicle designed, used, or maintained for the transportation of material or property in the following classifications:

(1)The term "nonregulated vehicles" (light trucks) means personal pickup trucks and passenger vans, as well as church, school, and public buses.

(2)The term "regulated vehicles" (medium and heavy trucks) means any vehicle having more than two axles or six wheels.

No Through Truck Route means certain streets as designated by appropriate signage by the Director of Public Works with approval of the South Carolina Department of Transportation for No Through Truck traffic.

Sec. 20-31. - Observance of Truck Routes required; exceptions.

- (a) No person shall operate a truck in the regulated vehicle classification over and along a No Through Truck Route established pursuant to this article unless otherwise provided herein. The following routes shall be designated as no through truck routes:
 - 1. SC Road S-1321 (Berryhill Road)
 - 2. SC Road S-1154 (Walter Drive)
- (b) Future additions or modifications to the no through truck routes may be established by Resolution approved by County Council.
- (c) This article does not prohibit: (1) Operation of regulated vehicles that are making pickups, deliveries, or which have other specific business such as being enroute to repairs provided that the driver can show proof of said business through documentation; (2) Authorized emergency vehicles or other vehicles operated by units of federal, state, or local government; or (3) Detoured trucks, on an officially established detour, if such trucks could lawfully be operated upon the street for which the detour is established.

Sec. 20-32. - Installation of signs.

The Director of Public Works shall cause the No Through Truck routes to be clearly posted, and is hereby authorized to install appropriate signs along designated streets to control Through Truck operations in accordance with the provisions of this article. Signs shall be approved by the South Carolina Department of Transportation. The signs may use the term "thru" in lieu of "through."

SECTION IV. PENALTY

Violations of this Article are punishable by a fine of not more than \$200.00 or imprisonment for not more than 10 days or both.

SECTION V. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION VI. EFFECTIVE DATE

This Ordinance shall take effect upon third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 12th day of October 2021.

CHARLESTON COUNTY COUNCIL

By: Teddie E. Pryor, Sr.
Chairman of County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

First Reading: August 24, 2021
Second Reading: September 14, 2021
Third Reading: October 12, 2021