

TOWN OF KIAWAH ISLAND

ORDINANCE 2025-15

AN ORDINANCE TO ESTABLISH NOISE STANDARDS WITHIN THE TOWN OF KIAWAH ISLAND AND TO REPEAL CHAPTER 8, SECTIONS 15-801 THROUGH 15-807 OF THE TOWN MUNICIPAL CODE

WHEREAS, the Town Council of the Town of Kiawah Island is charged with preserving the public peace and ensuring the health, safety, and general welfare of its residents and visitors; and

WHEREAS, the Town has determined that excessive, unnecessary, or unregulated noise can adversely impact the quality of life, disturb the peaceful enjoyment of property, interfere with the use of environmentally sensitive areas, and diminish the overall character of the community; and

WHEREAS, the Town Council finds it necessary and appropriate to adopt clear, enforceable, and balanced standards for permissible sound levels and noise-generating activities within the Town’s jurisdiction, including residential, commercial, resort, and public areas; and

WHEREAS, the Town Council further finds that Chapter 8, Sections 15-801 through 15-807 of the Town Code, enacted by Ordinance No. 2022-01, should be repealed and replaced with revised provisions that provide enhanced clarity, improve enforceability, and better reflect the Town’s commitment to protecting public peace, health, and welfare.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL:

Section 1 Purpose

The purpose of this Ordinance is to promote the public peace, health, safety, and welfare of the residents and visitors of the Town of Kiawah Island by establishing clear and enforceable standards regulating noise. These standards are intended to prevent excessive, unnecessary, and disruptive sounds; preserve the quiet character of residential and environmentally sensitive areas; and provide appropriate guidance for permissible noise levels in commercial, resort, and public spaces.

Section 2 Ordinance

The Town of Kiawah Island hereby repeals Chapter 8, Sections 15-801 through 15-807 of the Town Code, as enacted by Ordinance No. 2022-01, and adopts the following provisions as the new Chapter 8 – Prohibited Noise of the Code of Ordinances. These provisions shall be codified and enforced accordingly.

Section 3 Severability

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 4 Effective Date and Duration


This Ordinance shall be effective upon its enactment by the Town Council of the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 6TH DAY OF JAUARY 2026.



Bradley D. Belt, Mayor

ATTEST:

By: 

Petra Reynolds, Town Clerk

1st Reading: December 2, 2025

2nd Reading: January 6, 2026

CHAPTER 8. – NOISE CONTROL AND ABATEMENT

Sec. 15-801. – Purpose.

The purpose of this Chapter is to promote the public peace, health, safety, and welfare of the residents and visitors of the Town of Kiawah Island by establishing clear and enforceable standards regulating noise. These standards are intended to prevent excessive, unnecessary, and disruptive sounds, preserve the quiet character of residential and environmentally sensitive areas, and provide appropriate guidance for permissible noise levels in commercial, resort, and public spaces. Activities that violate this Chapter will constitute a public nuisance and are subject to enforcement in accordance with the Town's Code of Ordinances and applicable law.

Sec. 15-802. – Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

(a) *Commercial and Resort Area* means any area primarily comprised of commercial or Resort buildings or facilities.

(b) *Construction Activity* means any physical work related to building, constructing, altering, repairing, renovating, or demolishing structures, including site preparation, excavation, and utility installation.

(c) *Commercial Landscaping Activity* means any outdoor maintenance, lawn care, or grounds keeping services performed by commercial entities or contractors, including the operation of any powered equipment for the care, maintenance, or improvement of outdoor property.

(d) *Daytime Hours* means the period between 7:00 a.m. and 9:00 p.m. for Residential Areas, and 7:00 a.m. and 10:00 p.m. for Commercial and Resort Areas.

(e) *Nighttime Hours* means the period between 9:00 p.m. and 7:00 a.m. for Residential Areas, and 10:00 p.m. and 7:00 a.m. for Commercial and Resort Areas.

(f) *Residential Area* means any area primarily comprised of residential dwelling units, including areas occupied by Short-Term Rentals.

(g) *Short-Term Rental* means a dwelling unit that is rented, leased, or otherwise assigned for occupancy or use by the public for a period of less than thirty (30) consecutive days.

(h) *Sound Level Meter* means a device that meets standards established by the American National Standards Institute (ANSI) for measuring sound in decibels.

(i) *Golf Course Maintenance* means the operation of equipment or tools used for regular turf care, landscaping, irrigation, or other routine upkeep of golf course grounds and facilities.

(j) *Town-recognized Holiday* means any holiday officially recognized and published by the Town of Kiawah Island.

(k) *Town Officials* means Code Enforcement Officers, Community Service Officers, Building Official, and other designated employees or agents of the Town authorized to enforce this Chapter.

Sec. 15-803. – General Prohibition.

No person shall make, cause, or permit any unreasonably loud, disturbing, or unnecessary noise that disrupts the peace, quiet, or comfort of any person within the Town, or that exceeds the maximum permissible sound levels established in Section 15-804.

Sec. 15-804. – Sound Limits and Activity Regulations.

(a) The following maximum sound levels shall apply. Sound shall be measured at a distance of ten (10) feet from the property line of the parcel where the sound originates or, where appropriate and practical, at a distance of fifty (50) feet from the noise source. The Town Official shall determine the measurement location based on site conditions and public accessibility.

(1) Residential Areas:

- a. Daytime Hours: 70 dBA
- b. Nighttime Hours: 60 dBA

(2) Commercial and Resort Areas:

- a. Daytime Hours: 75 dBA
- b. Nighttime Hours: 60 dBA

(b) Construction Activity shall not exceed 80 dBA. If the Town determines that construction activity exceeds 80 dBA, the Contractor shall reduce noise levels or obtain authorization from the Town to continue such activity for a specified limited duration.

(c) Commercial Landscaping Activity shall not exceed 80 dBA.

(d) All sound levels shall be measured by a Town Official using a properly calibrated Sound Level Meter.

Sec. 15-805. – Specific Prohibited Activities.

The following activities are deemed to be public nuisances and are prohibited under this Chapter:

(a) Operating two-cycle engine leaf blowers. This prohibition shall take effect twelve (12) months following the effective date of this Ordinance.

(b) Operating amplified music, radios, televisions, speakers, musical instruments, or similar devices in a manner that is plainly audible inside any other residence or business not associated with the sound source, unless permitted by the Town.

(c) Allowing an animal to make continuous or repetitive noise for more than ten (10) consecutive minutes that is plainly audible at or beyond the property line of the parcel where the animal is kept.

(d) Generating excessive noise from events, parties, or gatherings at Short-Term Rentals or other properties, where such noise disrupts adjacent or nearby properties, unless the event is approved or permitted by the Town through the Town's Special Event Application process.

(e) Operating a motor vehicle that emits sound in violation of Section 56-5-5020 of the South Carolina Code of Laws.

(f) Operating Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance during the following prohibited hours, regardless of sound level, unless prior written approval is obtained:

(1) Construction Activity:

- a. Between 7:00 p.m. and 7:00 a.m., Monday through Friday
- b. Between 5:00 p.m. and 8:00 a.m., Saturday
- c. At any time on Sundays and Town-Recognized Holidays

(2) Commercial Landscaping Activity:

- a. Between 6:00 p.m. and 8:00 a.m., Monday through Saturday
- b. At any time on Sundays and Town-Recognized Holidays

These restrictions shall not apply to the Kiawah Island Community Association

(3) Golf Course Maintenance:

- a. Between 7:00 p.m. and 6:30 a.m., Monday through Sunday

Construction Activity, Commercial Landscaping Activity, or Golf Course Maintenance occurring during the prohibited hours listed above, or exceeding the applicable sound limits established in Section 15-804, shall require prior written approval by the Town. Such approval shall only be granted in emergencies or for critical infrastructure work where no reasonable alternative schedule exists. Approvals shall be limited in scope and duration and shall specify the permitted hours of activity.

Sec. 15-806. – Exemptions.

The provisions of this Chapter shall not apply to:

(a) Emergency vehicles, emergency work, and post-storm cleanup, debris removal, and restoration activities following hurricanes, tropical storms, or other significant weather events

(b) Municipal or utility work performed for public safety

(c) Town-approved community or special events, including those defined in Section 12-106(3) of the Town’s Code of Ordinances

(d) Beach or wildlife management activities conducted by the Town or its authorized agents

(e) Other activities authorized by the Town

Sec. 15-807. – Enforcement.

This Chapter shall be enforced by the Town of Kiawah Island Code Enforcement Officers.

Town Officials are authorized to take enforcement action in response to violations of this Chapter, including, but not limited to, issuing verbal warnings, written citations, stop-work orders, or initiating penalties as provided in Section 15-808.

Property owners, property managers, contractors, and commercial operators are responsible for ensuring that their guests, tenants, employees, and invitees comply with this Chapter and may be held jointly or individually liable for violations occurring on, or arising from, their property or operations.

Sec. 15-808. – Penalties.

Violations of this Chapter shall be subject to the following penalties:

(a) For a first offense, the violator may receive a written warning or be assessed a civil fine not to exceed one hundred dollars (\$100).

(b) For a second offense within any twelve (12) month period, the violator shall be assessed a civil fine not to exceed two hundred fifty dollars (\$250).

(c) For a third or subsequent offense within the same twelve (12) month period, the violator shall be assessed a civil fine not to exceed five hundred dollars (\$500).

In addition to the fines above, the Town may revoke any applicable short-term rental license in accordance with Section 14-509 of the Town's Code of Ordinances, or revoke or suspend a business license pursuant to the procedures set forth in Section 4-315 of the Town's Code of Ordinances. The Town may also issue stop-work orders or pursue other enforcement remedies as authorized by law.

Each day that a violation continues shall constitute a separate offense.