

AN ORDINANCE AUTHORIZING THE CITY OF ORANGEBURG TO SELL
CERTAIN REAL ESTATE OWNED BY THE CITY OF ORANGEBURG

WHEREAS, Mr. A. J. Hutto has expressed a desire to purchase a portion of certain lands belonging to the City of Orangeburg located at or near the West Boundary of Sunnyside Cemetery and Webster's Branch, and

WHEREAS, the City of Orangeburg has determined that the sale of the desired premises would be in the best interest of the City, and the price to be paid therefor is fair and reasonable; NOW, THEREFORE,

BE IT ORDAINED By the Mayor and Members of Council of the City of Orangeburg, South Carolina in Council assembled:

The City of Orangeburg is hereby authorized to sell at and for the price of Fifty and no/100 Dollars (\$50.00) that certain tract of 0.074 acres located between Sunnyside Cemetery and the properties of A. J. Hutto and Dr. Chester Woods fronting on Park Street, N.E. as will more fully appear by reference to a plat thereof made by the engineering department of the City of Orangeburg dated August 5, 1953, attached hereto and made a part of this Ordinance.

The Honorable E. O. Pendarvis, as Mayor, and M. R. Campbell, as Clerk, are authorized and directed to sign the necessary deed in behalf of the City of Orangeburg.

DONE IN COUNCIL AND RATIFIED UNDER THE CORPORATE SEAL OF THE CITY OF ORANGEBURG THIS 18th DAY OF JANUARY, 1977.

E. O. Pendarvis
Mayor

J. J. Linnhouse

D. W. Heath

Harold Bryant

Sam H. Alward
Members of Council

ATTEST:

M. R. Campbell
City Clerk

REC866

AN ORDINANCE TO IMPOSE AND REGULATE
LICENSES IN THE CITY OF ORANGEBURG,
SOUTH CAROLINA, FOR THE YEAR 1977 AND
THEREAFTER UNTIL AMENDED OR REPEALED
BY THE CITY COUNCIL

BE IT ORDAINED By the Mayor and Council Members of the City of
Orangeburg, South Carolina, in Council assembled:

Section 1. That the licenses taxes hereby imposed for the privilege
of carrying on the business, trade, profession, or doing the acts named
or described herein by reference to the Business License Ordinance
ratified by the City Council March 6, 1962, of Sections 21-1 through
21-19 of the City Code, as amended, within the corporate limits of
the City of Orangeburg, from the first day of April, 1977 to the
thirty-first day of March, 1978, inclusive, and annually thereafter
until repealed or amended, shall be the same as for the period from
the first day of April, 1962 to the thirty-first day of March, 1963,
inclusive, except as hereinafter amended. The schedule of licenses
adopted by that Ordinance of the City of Orangeburg entitled "AN
ORDINANCE TO REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA,
FOR THE YEAR 1962 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY
COUNCIL" Ratified on the 6th day of March, 1962, by the City Council,
and as amended, is hereby adopted as a schedule of licenses for the
year running from the first day of April, 1977 to the thirty-first
day of March, 1978, inclusive; said schedule of licenses is printed
"BUSINESS AND PROFESSIONAL LICENSE ORDINANCE As Adopted March 6, 1962,
As Amended" for the City of Orangeburg.

Section 2. If any section or portion of a section of the Ordinance
of the license tax prescribed herein for any particular trade, business
or profession be declared unconstitutional or declared invalid for any
reason, such shall not in any way affect or invalidate any other section
or portion of the Ordinance other than that declared invalid. The
minimum tax to be paid by any trade, business or profession not otherwise
specifically provided for in the printed "BUSINESS AND PROFESSIONAL
LICENSE ORDINANCE" As Adopted March 6, 1962, and As Amended, or under
Section 5A thereof, shall be at the rate of \$100.00 on gross receipts
not exceeding \$5,000.00 and \$5.00 on each additional thousand or
fraction thereof.

Section 3. All Ordinances or parts of Ordinances conflicting with
the provisions of this Ordinance are hereby repealed, and this
Ordinance shall remain in effect until amended or repealed by the City
Council.

Done in Council and ratified under the corporate seal of the City
of Orangeburg, South Carolina, this 15th day of March, A.D., 1977.

E. O. Fenderson
Mayor

J. J. Linnhouse

D. W. Brantley

Harry B. ...

ATTEST:
M. R. Campbell
City Clerk

Sara H. Alexander
Council Members

BHC866

AN ORDINANCE TO AMEND CHAPTER 4 OF THE CODE OF ORDINANCES, CITY OF ORANGEBURG, SOUTH CAROLINA, RELATING TO ANIMALS AND FOWL, TO AMEND SECTION 4-25 DEFINITIONS SO AS TO ADD DEFINITIONS OF THE TERMS "ANIMAL OFFICER", "IMPOUNDED", "VICIOUS DOGS" AND "DOG OWNER", TO ADD A PROVISION RESPECTING THE DUTIES OF THE ANIMAL OFFICER, TO AUTHORIZE THE CHARGING OF FEES FOR IMPOUNDING AND MAINTENANCE OF ANIMALS, TO ADD A PROVISION RELATIVE TO DOGS HABITUALLY CHASING PEDESTRIANS, EQUESTRIANS, BICYCLIST OR VEHICLES, A PROVISION PERTAINING TO BARKING OR HOWLING DOGS.

BE IT ORDAINED by the Mayor and Members of Council of the City of Orangeburg, South Carolina, in council assembled:

Section 4-25 of the Code of Ordinances of the City of Orangeburg is amended by adding the following definitions:

ANIMAL OFFICER. The term "Animal Officer" shall mean any person whose primary duty is to enforce the provisions of this Chapter.

IMPOUNDED. The term "Impounded" shall mean the active receiving into custody by the animal officer any animal for confinement within the City Animal Pound.

VICIOUS DOGS. The term "Vicious Dog" shall mean a dog which has bitten any person or when a propensity to attack or bite human beings shall exist and is known.

Any dog which shall have bitten any person at any time shall be deemed prima facie vicious upon proof thereof.

DOG OWNER DEFINED. For the purpose of this chapter, a dog owner is any person owning, keeping, having charge of, sheltering, feeding, harboring or taking care of any dog.

Amend Article II. DOGS - of the Code of Ordinances, City of Orangeburg, South Carolina, by adding new sections as follows:

Section 4-34. Animal Officer - Duties.

The animal officer shall be responsible for the enforcement of the provisions of this Chapter. He shall be in charge of the City Animal Pound.

Section 4-35. Same - Interference With.

It shall be unlawful for any person having charge, care or control of any animal to fail or refuse to permit the animal officer to inspect such animal and the premises on which the animal is kept, to determine whether or not this Chapter has been complied with.

Section 4-36. Keeping and Maintaining, Manner of.

All animals shall be kept and maintained in such a manner as not to disturb the peace, comfort, health, safety or general welfare of any person residing within the City.

Section 4-37. Habitually Chasing Pedestrians, Equestrians, Bicyclists or Vehicles, Keeping Prohibited.

No person shall keep or have within the City a dog that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, bicyclists, persons on horseback or vehicles.

Section 4-38. Barking or Howling.

No person shall keep or have within the city limits a dog that habitually or repeatedly barks or howls in such a manner, or to such an extent that it is a public nuisance.

Amend Section 4-26 of the Code of Ordinances, City of Orangeburg, South Carolina by adding the following language to the present section:

"All animals which are found to be running at large within the City, except as provided for in Sections 4-32 and 4-33 shall be taken into custody and impounded at the City Pound by the Animal Officer, and shall be kept for a period not less than three (3) days. Any animal not claimed within three (3) days will be placed for adoption or humanely euthanized. All animals impounded shall be given proper care and maintenance. The Animal Officer is hereby authorized to charge a fee of Ten Dollars (\$10.00) for each animal impounded and the further sum of Three Dollars (\$3.00) per day, or fraction thereof, for the maintenance of each animal.

Amend further by adding a new section to be numbered and read as follows:

Section 4-49. Redemption of Impounded Animals.

No animal shall be reclaimed by its owner for less than the impounding and maintenance fees.

Section 4-50. Same - Records to be Kept.

The animal officer shall be responsible for keeping a record of all animals impounded or taken into possession, showing such information as will determine the identity of the animal, the date of impounding, the fees accrued and the final disposition.

Section 4-51. It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Orangeburg, South Carolina, and the Sections of this Ordinance may be renumbered to accomplish such intention.

Section 4-52. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

DONE IN COUNCIL AND RATIFIED UNDER THE CORPORATE SEAL OF THE CITY OF ORANGEBURG THIS FIRST DAY OF MARCH, 1977.

E. C. Pendergrass
Mayor
J. J. Longhouse
D. W. ...
...
Sarah H. Alexander
Council Members

ATTEST: M. R. ...

ERC866

ORDINANCE NUMBER 1977-3

ORDINANCE ADOPTING NON-PARTISAN ELECTION
PROCEDURE FOR THE CITY OF ORANGEBURG

WHEREAS, Section 47-95 of the Code of Laws of South Carolina requires that each municipality establish the time and manner of filing by candidates in non-partisan elections; and

WHEREAS, by Ordinance passed September 17, 1975, the City Council of the City of Orangeburg, State of South Carolina adopted the non-partisan, at large method of election;

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Orangeburg, in council duly assembled this 19th day of April, 1977, that for all regular and special elections for the offices of Mayor and Council Members of the City of Orangeburg held after October 1, 1975, nominating petitions for said offices shall be filed with the Municipal Election Commission at least forty-five (45) days prior to the date for the election and shall bear the signatures of not less than five percent (5%) of the qualified electors of the municipality. The supervisor of registration shall certify the nominees to the Municipal Election Commission thirty (30) days prior to the election. All general elections shall be held on the second Tuesday of the month of September of each election year. A special election, or runoff, if required, shall be conducted two weeks after the first election. No political party affiliation shall be placed on any ballot for any candidate.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 19th day of April, A.D., 1977.

E. O. Pendragon
Mayor

J. J. Limehouse

D. W. Heathley

James Bryant

Sara H. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

EEC866

ORDINANCE NUMBER 1977-4.

ORDINANCE PROVIDING FOR THE BOUNDARIES OF WARDS
AND PRECINCTS FOR THE CITY OF ORANGEBURG

WHEREAS, Section 47-93 of the South Carolina Code of Laws requires that each municipality establish ward lines.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Orangeburg, State of South Carolina, in council duly assembled this 19th day of April, 1977, that the boundaries of the wards and precinct lines shall be and include that part of the City of Orangeburg shown on an official map duly adopted by the City Council filed in the office of the City Clerk, incorporated herein by reference.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 19th day of April, A.D., 1977.

E. O. Fordson
Mayor

J. J. Longhouse
D. W. Smith
Henry S. ...

Sara H. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

REC-866

AN ORDINANCE AUTHORIZING CITY OF ORANGEBURG TO CONVEY
A CERTAIN STRIP OF LAND OWNED BY THE CITY OF ORANGEBURG

WHEREAS, The Department of Public Utilities of the City of Orangeburg heretofore occupied certain leased premises on the northeasterly side of Middleton Street in the City of Orangeburg and in order to better utilize said premises acquired title to a certain strip of land, being 1.08 feet in width and 58.47 feet in length; said acquisition having been made in order to modify the leasehold improvements acting with consent of the lessors and with the understanding that said strip of land would be conveyed to said lessors upon termination of its use of the premises by the said Department of Public Utilities, and

WHEREAS, The City of Orangeburg has no present or future use for said strip of land and, having terminated its use of the leased premises and desiring to comply with the provisions above mentioned; now, therefore,

BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, South Carolina, in council assembled:

The City of Orangeburg is hereby authorized to grant and convey unto Mary C. Shecut, Laurie C. Bryant and Aubrey C. Godowns all that certain strip of land, being 1.08 feet in width and 58.47 feet in length, situate, lying and being northwest of the building formerly occupied by the Department of Public Utilities on Middleton Street, S. E., in the City of Orangeburg, County and State aforesaid.

The Honorable E. O. Pendarvis, as Mayor, and M. R. Campbell, as Clerk, are authorized and directed to sign and deliver a good and sufficient deed on behalf of the City of Orangeburg unto the said Mary C. Shecut, Laurie C. Bryant and Aubrey C. Godowns.

DONE IN COUNCIL AND RATIFIED UNDER THE CORPORATE SEAL OF THE CITY OF ORANGEBURG THIS 3rd DAY OF May, 1977.

E. O. Pendarvis
Mayor

J. J. Longhouse

R. W. Smith

Sam Bryant

Sara H. Alexander

COUNCIL

ATTEST:

M. R. Campbell
City Clerk

ORDINANCE NUMBER 1977-5.

AN ORDINANCE TO AMEND AN ORDINANCE AS ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG ON THE 18TH DAY OF MAY A.D., 1954, FOR THE PURPOSE OF REGULATING AND RESTRICTING WITHIN THE CORPORATE LIMITS OF ORANGEBURG, S.C., THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE, AND OTHER PURPOSES.

BE IT ORDAINED By the Mayor and Council Members of the City of Orangeburg, in Council assembled, and by authority of same:

That that portion of the above ordinance entitled "Section 3, ESTABLISHMENT OF ZONING DISTRICTS" be amended to make the following changes in District classification:

Change from "Medical Arts District" to "B-1 Business" all that certain piece, parcel or lot of land, situate, lying and being in the City and County of Orangeburg, South Carolina, located at the corner of Carolina Avenue and Wilson Street, and bounded on the Northeast by Wilson Street for a distance of two hundred fifty and three-tenths (250.3) feet, more or less; on the Southeast by Laurel Street for a distance of one hundred ninety-seven and four-tenths (197.4) feet, more or less; on the Southwest by property of Orangeburg Regional Hospital for a distance of three hundred (300) feet, more or less; on the Northwest by Carolina Avenue for a distance of two hundred sixty (260) feet, more or less. This description is intended to include all that remaining portion of the block bounded by Holly Street, Carolina Avenue, Wilson Street, and Laurel Street not now classified "B-1 Retail Business".

Change from "A-1 Residential" to "A-2 Residential" all that area designated as Lots Numbers 3, 4, 5 as shown on plat prepared by C. A. Ferris, dated December 15, 1972, being on the South side of Hillcrest. Said lots being bounded on the North by Hillcrest, N.E., measuring thereon three hundred seventy-five (375) feet; on the South by property formerly belonging to A. J. Hydrick, measuring thereon three hundred seventy-five (375) feet; on the East by Lot No. 6, measuring thereon one hundred seventy-nine (179) feet, more or less; and on the West by Lot No. 2, measuring thereon one hundred seventy-nine (179) feet, more or less. These lots are one and fifty-four hundredths (1.54) acres in area, more or less.

PASSED by the City Council of the City of Orangeburg, South Carolina this twenty-first day of June, A.D., 1977.

E. O. Fordan
Mayor

J. J. Love

B. W. Heath

ATTEST: M. R. Campbell
City Clerk

Sara H. Alexander
Members of Council

EEC866

ORDINANCE NUMBER 1977-6.

AN ORDINANCE TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES, CITY OF ORANGEBURG, SOUTH CAROLINA, RELATING TO THE COLLECTION OF COST INCURRED IN THE ABATEMENT OF NUISANCES ON PRIVATE PROPERTY

BE IT ORDAINED by the Mayor and Members of Council of the City of Orangeburg, in Council assembled, and by authority of the same:

SECTION 1. Amend Chapter 10 of said Code by adding the following to present Section 10-50:

"Notice of such lien shall be given to the owner by prepaid registered mail to the owner or agent, if the address of such be known, and if the same remains unpaid for a period of 14 days after the date of such statement, or if the whereabouts of the property owner or agent is unknown, the lien expense shall be added to the annual tax levied on the property and shall be collected by the City in the same manner as the tax."

Said section, when amended, shall read as follows:

"Section 10-50: FAILURE OF OWNER TO OBEY ORDER; health officer to remove; costs.

If the owner thus notified by either of the methods prescribed in the preceding section neglects for a period of five days after receiving or posting of such notice to cut down, remove such weeds or undergrowth and free such lot or premises or trash, or other matter, to keep said lot or premises free from conditions detrimental to public health within the time specified, the health officer shall proceed to remove and abate the health hazard and nuisance on the said premises. All expenses necessarily incurred by the health officer and his subordinates and workmen, in the abatement of nuisances on private property, shall be considered a lien against the property. Notice of such lien shall be given to the owner by prepaid registered mail to the owner or agent, if the address of such be known, and if the same remains unpaid for a period of 14 days after the date of such statement, or if the whereabouts of the property owner or agent is unknown, the lien expense shall be added to the annual tax levied on the property and shall be collected by the City in the same manner as the tax."

DONE AND RATIFIED in City Council by the City Council of Orangeburg, South Carolina, this 5th day of July, A.D., 1977.

E. O. Poulsonis
Mayor
J. J. Longhouse
D. W. Heathalley
Henry S. Sargent
Sam H. Alexander
Members of Council

ATTEST:

M. F. Campbell

ORDINANCE NUMBER 1977-7

AN ORDINANCE PROVIDING FOR THE ALLOCATION AND ANNUAL REVIEW OF WASTE TREATMENT CHARGES

WHEREAS, Federal Regulation C.F.R. Section 35.935.13 requires that the cost of operation and maintenance of waste treatment works must be distributed proportionately amongst users, and

WHEREAS, said regulation requires that user charges be reviewed annually and revised when necessary to reflect the costs of operation and maintenance of the system.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA IN COUNCIL ASSEMBLED:

SECTION 1: That to comply with Federal Regulations regarding Sewer User Charges, i.e.: to adopt a system of charges to assure that each recipient of waste treatment services will pay its proportionate share of the costs of operation and maintenance, including replacement, the Manager of the Department of Public Utilities shall annually submit to the City Council a review of user charges and recommend revised user charges when necessary to reflect actual treatment works operation and maintenance costs.

SECTION 2: That to comply with Federal Regulations regarding Sewer User Charges, i.e.: to adopt a system of charges to assure that each recipient of waste treatment services will pay its proportionate share of the costs of operation and maintenance, including replacement, the City Council shall review user charges annually and revise them periodically to reflect actual treatment works operation and maintenance costs.

SECTION 3: This Ordinance shall take effect from and after its adoption.

PASSED by the City Council of the City of Orangeburg, South Carolina

this 27 th day of June A.D., 1977.

E.O. Pemberton
Mayor
J. J. Lusk
D. W. Keith
Hamp
James A. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

ORDINANCE NUMBER 1977-8

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT AND
COLLECTION OF AN INDUSTRIAL COST RECOVERY CHARGE
FROM INDUSTRIAL USERS OF THE SANITARY SEWER SYSTEM
OF THE CITY OF ORANGEBURG, SOUTH CAROLINA

WHEREAS, the Water Pollution Control Act Amendments of 1972, Public Law 92-500, require that the Federal portion of the construction costs of waste treatment works reasonably attributable to treatment of industrial wastes be fully recovered from industrial users; and

WHEREAS, in order to qualify for Federal assistance in the construction of treatment works, it is necessary that the City Council of the City of Orangeburg adopt an industrial cost recovery charge on each industry using each project for which a grant is received;

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

SECTION 1: For purposes of this ordinance

- (1) BOD (denoting biochemical oxygen demand) means the quantity of oxygen, expressed in milligrams per liter (mg/l), required in the biochemical oxidation of organic matter by standard methods procedure in five days at twenty degrees centigrade.
- (2) CITY means the City of Orangeburg, South Carolina.
- (3) DEPARTMENT means the Department of Public Utilities of the City of Orangeburg, South Carolina.
- (4) FLOW DISCHARGE means the measured or estimated quantity of wastes discharged by users into the City's sanitary sewer system, expressed in 100 cubic feet (Ccf) or gallons (gal.).
- (5) INDUSTRIAL COST RECOVERY means the system to recover from industrial users of a treatment works, the grant amount allocable to the treatment of wastes from such users.
- (6) INDUSTRIAL WASTE means all water-borne solids, liquids, or gaseous substances resulting from an industrial, manufacturing, or food processing operation, or from the development of a natural resource, or any mixture of these with water or domestic sewage.

- (7) MILLIGRAMS PER LITER (mg/l) means a weight per volume concentration; the milligram-per-liter value multiplied by the factor 8.34 is equivalent to pounds of constituent per million gallons of water.
- (8) ORDINANCE SUPPLEMENT means the terms and details relating to a particular grant project.
- (9) SANITARY SEWER means a public sewer which conveys domestic wastewater or industrial wastes, or a combination of both, and into which storm, surface, and ground water or unpolluted wastes are not intentionally admitted.
- (10) SEGREGATED DOMESTIC WASTES means wastes generated by domestic activities that are not combined with wastes generated by non-domestic activity such as industrial or commercial activity.
- (11) STANDARD METHODS means the laboratory procedures set forth in the latest edition, at the time of analysis, of Standard Methods for the Examination of Water and Wastewater, as prepared, approved and published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.
- (12) SUSPENDED SOLIDS means solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids and which, in accordance with standard methods, are removable by a standard specific laboratory filtration device.
- (13) TREATMENT WORKS AND WASTE TREATMENT SYSTEM mean all devices and systems used in the storage, treatment, recycling, and reclamation of industrial wastes or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of industrial waste.
- (14) WASTES FROM SANITARY CONVENIENCES means sewage wastes, domestic in character, introduced by industrial users of the City's sanitary sewer system from sanitary facilities such as those installed and made available for

use by the public and/or employees during their hours of employment.

SECTION 2: In providing a waste treatment system which includes the treatment of industrial wastes, either independently or in conjunction with other wastes, the Department shall be responsible for the collection from all existing or future industrial users, an amount in proportion to the Federal grant allocable to the treatment of such industrial wastes. The charge for industrial cost recovery shall be based on such factors as measured or estimated volume, delivery flow rate and waste strength characteristics; or in the event an industrial user reserves capacity in excess of measured or estimated amounts, on the capacity reserved by that user.

SECTION 3: An Industrial User is any nongovernment user of the City's waste treatment system, identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (1) Division A - Agriculture, Forestry and Fishing
- (2) Division B - Mining
- (3) Division D - Manufacturing
- (4) Division E - Transportation, Communications, Electric, Gas and Sanitary Services
- (5) Division I - Services

Any industrial user may be excluded at the option of the Department if it is determined that the user will introduce primarily segregated domestic wastes or wastes from sanitary conveniences into the sanitary sewer.

SECTION 4: An industrial user which begins discharging industrial wastes into a treatment works subsequent to the industrial cost recovery period for that treatment works shall be responsible for paying the industrial cost recovery charge only for the unexpired portion of the industrial cost recovery period. An industrial user who ceases to use the treatment works shall have no industrial cost recovery charge imposed after the date on which the user ceased using the treatment works except in those instances wherein an industrial user has reserved capacity in the treatment works. In those instances wherein an industrial user has reserved capacity, the industrial user shall be responsible for paying the industrial cost recovery charge for the unexpired portion of the industrial cost recovery period.

SECTION 5: The annual amount to be recovered from each industrial user shall be predicated on the following formula:

$$\left[\left(\frac{A}{D} \times G \right) + \left(\frac{B}{E} \times H \right) + \left(\frac{C}{F} \times I \right) \right] + J = \text{Annual Payment (\$/yr)}$$

where:

- A = Eligible Federal Grant allocable to flow (Q), in dollars
B = Eligible Federal Grant allocable to BOD, in dollars

- C = Eligible Federal Grant allocable to suspended solids, in dollars
D = Total annual design flow (Q), in gallons
E = Total annual design BOD, in pounds
F = Total annual design suspended solids, in pounds
G = Industrial Users annual flow discharge to system, in gallons
H = Industrial Users annual BOD discharge to system, in pounds
I = Industrial Users annual suspended solids discharge to system, in pounds
J = Cost recovery period, in years

SECTION 6: The industrial cost recovery amount shall be based on the Federal Government's share of the wastewater project costs as specified in the ordinance supplement. The annual amount to be recovered shall not include an interest component.

SECTION 7: The cost recovery period shall be based on the useful life of the grant-funded treatment works or 30 years, whichever is less as specified in the ordinance supplement.

SECTION 8: The basis for billing industrial cost recovery shall be in accordance with the Department's regular wastewater service billing policies and procedures. Each industrial user, as defined in Section 3 of this ordinance, shall be charged based on its waste contribution or on the basis of reserved capacity as specified in Section 4 herein. The industrial cost recovery charges at the Department's option shall be separately noted on the customer's regular wastewater service bill or set forth on a separate bill. Industrial cost recovery charges shall be billed to individual users at least once a year, but may be billed more often.

SECTION 9: Funds collected under industrial cost recovery shall be deposited into a special fund entitled "Industrial Cost Recovery Fund", which is hereby established. On an annual basis, 50 per cent of the amounts recovered, together with interest earned thereon, shall be returned to the U. S. Treasury. Of the 50 per cent remaining, together with interest earned thereon, 80 per cent shall be used for eligible costs for reconstruction and expansion pursuant to 40 CFR 35.928-2 (b), and 20 per cent used as the City Council of the City Of Orangeburg, South Carolina sees fit, except to reduce charges to industrial users.

Pending use, retained amounts shall be invested in (1) obligations of the U. S. Government; or (2) obligations guaranteed as to principal and interest by the U. S. Government or any agency thereof; or (3) shall deposit such amounts in accounts fully collateralized by obligations of the U. S. Government or by obligations fully guaranteed as to principal and interest by the U. S. Government or any agency thereof.

SECTION 10: The schedule of industrial cost recovery charges, as specified in ordinance supplements, shall be reviewed and adjusted annually as required for: (1) changes in treatment capacity, and (2) the receipt of Federal grant awards.

SECTION 11: All major industrial users shall be monitored at least annually by the Department for the determination of their hydraulic and strength contribution. The results of such monitoring shall be the basis of the individual industry's total contributed flow and strength concentration. A major industry is defined for the purposes of this ordinance to include any industry contributing nondomestic type process wastewater volume or strength at a rate estimated to exceed one per cent of the design capacity of the City's waste treatment facilities. Monitoring for other, or minor, industries shall be done on a random basis. Industrial cost recovery charges to such minor industries shall be assessed on the basis of estimated strength or volume discharges, provided that it would be administratively impractical to monitor each of these industries separately, and that all such minor industries discharge a waste that is compatible with the municipal treatment process.

SECTION 12: All industrial users subject to the industrial cost recovery charge shall be billed in accordance with Department billing practices, with charges beginning as stated in respective ordinance supplements and continuing so long as charges are required to be effective.

If, and when, any industrial user fails to make payment after proper billing, enforcement will be subject to applicable provisions of the Department's General Rules and Regulations to recover any sums due.

SECTION 13: Any industrial customer, or other party affected by the industrial cost recovery system, who considers the industrial cost recovery rates or charges unfair, or unreasonable may appeal to the Department for adjustment thereof.

SECTION 14: The Department shall maintain records and submit reports to the Environmental Protection Agency in conformance with the latest regulations.

SECTION 15: The Environmental Protection Agency shall have the right to audit all records pertaining to the industrial cost recovery system.

SECTION 16: Any change or amendment to this ordinance must have the written approval of the Regional Administrator of the Environmental Protection Agency.

SECTION 17: This ordinance shall take effect and be in full force from and after its passage under the terms provided herein.

SECTION 18: The Department is hereby authorized to issue supplements to this ordinance as required for grant receipts or changes.

PASSED by the City Council of the City of Orangeburg, South

Carolina this 27th day of June A.D., 1977.

E.O. Pendavis
Mayor

J.L. Limestone
D.W. Keith Kelly
James S. Smith

John H. Alexander
Members of Council

ATTEST:

M.R. Campbell
City Clerk

ORDINANCE NUMBER 1977-9

ORDINANCE ADOPTING THE NON-PARTISAN PLURALITY METHOD FOR DETERMINING THE RESULTS OF A NON-PARTISAN ELECTION PURSUANT TO TITLE 47, CHAPTER 1, ARTICLE 7, 1962 CODE OF LAWS OF SOUTH CAROLINA, AS AMENDED.

WHEREAS, Section 47-94 of the 1962 Code of Laws of South Carolina, as amended, requires each municipality to adopt by ordinance a method for determining the results of its non-partisan elections; and

WHEREAS, it appears that it would be in the best interest of the citizens of Orangeburg, State of South Carolina, to have the results of its non-partisan elections to be determined by the non-partisan plurality method;

NOW, THEREFORE, be it ordained by the governing body of the City of Orangeburg, in council duly assembled this 28th day of June, 1977, that the non-partisan plurality method as prescribed in Section 47-94.1 of the 1962 Code of Laws of South Carolina, as amended, be adopted to determine the results of all non-partisan elections held in the City of Orangeburg, State of South Carolina.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 28th day of June, A.D., 1977.

E. O. Anderson
Mayor

J. J. Louch

D. W. Bentley

James B. ...

Sam H. Alexander
Members of Council

ATTEST:

M. F. Campbell
City Clerk

ORDINANCE NUMBER 1977-10.

AN ORDINANCE TO AMEND CHAPTER 7, ARTICLE IV.
FIRE PREVENTION CODE, SECTION 7-79 OF THE
CODE OF ORDINANCES, CITY OF ORANGEBURG, SOUTH
CAROLINA

BE IT ORDAINED by the Mayor and Members of Council of the
City of Orangeburg, in Council assembled, and by authority of the
same:

SECTION 1. Amend Chapter 7 of said Code by making the following
change to Section 7-79:

"Change the edition of the Fire Prevention Code recommended
by the American Insurance Association from the 1965 edition
to the 1976 edition".

DONE AND RATIFIED in City Council by the City Council of
Orangeburg, South Carolina, this 6th day of September, A.D., 1977.

E. O. Fordham
Mayor

J. J. Lomhouse

D. W. H. Alley

Harry Bryant

Sara H. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

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ORDINANCE NUMBER 1977-11.

AN ORDINANCE TO AMEND AN ORDINANCE AS ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG ON THE 18TH DAY OF MAY A.D., 1954, FOR THE PURPOSE OF REGULATING AND RESTRICTING WITHIN THE CORPORATE LIMITS OF ORANGEBURG, S.C., THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE, AND OTHER PURPOSES.

BE IT ORDAINED By the Mayor and Council Members of the City of Orangeburg, in Council assembled, and by authority of same:

That that portion of the above ordinance entitled "Section 3, ESTABLISHMENT OF ZONING DISTRICTS" be amended to make the following changes in District classification:

Change from "A-2 Residential" to "Office-Institutional-Apartment District" all that certain piece, parcel or lot of land, situate, lying and being in the City and County of Orangeburg, South Carolina and located at the corner of Broughton and Waring Streets and measuring as follows: on the Southwest by Broughton Street, one hundred thirty-five (135) feet, more or less; on the Northwest by lot of Elvin Brooker and measuring two hundred thirty-two (232) feet, more or less; on the Northeast by lot of G. R. Kirkland and measuring one hundred thirty (130) feet, more or less; on the Southeast by Waring Street and measuring thereon two hundred forty-five (245) feet, more or less.

Change from "A-2 Residential" to "B-1 Business" all that certain piece, parcel or lot of land, situate, lying and being in the City and County of Orangeburg, South Carolina and more particularly described as follows: on the North by St. Andrews United Methodist Church and Chestnut, N.E. and measuring thereon nine hundred forty (940) feet, more or less; on the South by Sims Street, N.E., measuring thereon nine hundred ninety-five (995) feet, more or less; on the East by lands of Agnes Fant and Mary Coleman, measuring thereon nine hundred seventy-four (974) feet, more or less, and on the West by Columbia Road, N.E. and St. Andrews United Methodist Church, measuring thereon one thousand thirty-eight (1,038) feet, more or less.

Change from "A-1 Residential" to "A-2 Residential" all those parcels or lots of land lying and being in the City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, being shown and delineated on a plat of property of Laura J. Webster, surveyed by H. Frank O'Cain, C.E., dated September 28, 1956, and recorded in the office of the Clerk of Court for Orangeburg County in Plat Book 13 at page 169, and being bounded and measuring as follows: Beginning at the Southeastern corner of said lot on Wilson and Webster Streets and extending thence along Wilson Street, North 60° 10' West a distance of ninety (90) feet to an iron; thence along a lot now or formerly of Charlotte

REC-866

Jones, North 37° 45' East a distance of one hundred thirty (130) feet to an iron; thence North 59° 30' West a distance of sixty-seven and fifty hundredths (67.50) feet to an iron; thence along lands formerly of Livingston Terrace Realty Company, North 47° 10' East a distance of one hundred thirty-one and three tenths (131.3) feet to an iron; thence along a branch, which is the line, North 3° East a distance of two hundred twenty-three and three tenths (223.3) feet to an iron; thence along lands now or formerly of Blanche Hall, South 62° 40' East a distance of one hundred seventy-five (175) feet to an iron; thence along McKewn Street, South 17° 25' East a distance of thirty-five and nine tenths (35.9) feet to an iron; thence along Webster Street, South 30° 15' West a distance of four hundred thirty-two (432) feet to the point of beginning. Also: all those certain pieces, parcels or lots of land, with all improvements thereon, situate, lying and being in the City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, being shown and delineated as Lot Numbers 1, 2, 3, 4, 5, 6, 7, and 9 on plat of Laura J. Webster, by S. D. Moss, R.L.S. dated February 2, 1940, and recorded in the office of the Clerk of Court for Orangeburg County in Plat Book 7 at page 226, and being bounded as follows: on the Northwest by Webster Street; on the Northeast by McKewn Street and Lot Numbers 10 and 8 on said plat, now or formerly of Robert C. Wilkes and W. B. Munden; on the Southeast by Lot Numbers 10 and 8 on said plat and Stanley Street, and on the Southwest by Wilson Street.

PASSED by the City Council of the City of Orangeburg, South Carolina this twentieth day of September, A.D., 1977.

E. O. Lunderman
Mayor

F. J. Lomedouse

Dr. W. B. Smith

James R. Smith

Sara H. Alexander
Members of Council

ATTEST:
M. R. Campbell
City Clerk

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ORDINANCE NUMBER 1977-12.

AN ORDINANCE AUTHORIZING THE CITY OF ORANGEBURG TO CONVEY TO E. V. MARTIN PROPERTY MEASURING 25 FEET BY 50 FEET IN LIMESTONE TOWNSHIP, FORMERLY USED BY THE DEPARTMENT OF PUBLIC UTILITIES AS THE SITE OF A "PUMP STATION"

WHEREAS, the Department of Public Utilities of the City of Orangeburg has heretofore utilized a lot of land measuring 25 feet by 50 feet in Limestone Township, Orangeburg County, South Carolina, as the site of a pump station, said lot having heretofore been conveyed to Limestone Rural Community Water District of Orangeburg County by the said E. V. Martin as will appear by reference to his deed of conveyance dated April 6, 1967, recorded in the office of the Clerk of Court for Orangeburg County in Deed Book 294 at page 177, and

WHEREAS, the City of Orangeburg has no present or future use for said lot and having concluded that it would be fair and equitable to re-convey said premises to the said E. V. Martin for a nominal consideration; now, therefore,

BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, South Carolina, in Council assembled:

The City of Orangeburg is hereby authorized to grant and convey unto E. V. Martin, for a nominal consideration, all of its right, title and interest in and to that certain lot of land measuring 25 feet by 50 feet and bounded on the Northeast and Southeast by lands of E. V. Martin, on the Southwest by U. S. Highway 178 and on the Northwest by lands of Washington Estate, being the same property as described in the deed above mentioned.

The Honorable E. O. Pendarvis, as Mayor, and M. R. Campbell, as Clerk, are authorized and directed to sign and deliver a good and sufficient quit-claim deed on behalf of the City of Orangeburg unto the said E. V. Martin.

DONE IN COUNCIL AND RATIFIED UNDER THE CORPORATE SEAL OF THE CITY OF ORANGEBURG THIS 20th DAY OF SEPTEMBER, 1977.

E. O. Pendarvis
Mayor
J. J. Linneloye
B. L. Hart
Hamp
L. A. Alexander
Council

ATTEST:

M. R. Campbell
City Clerk

ORDINANCE NUMBER 1977-13.

AN ORDINANCE PROVIDING FOR THE SALARY OF
MAYOR AND MEMBERS OF COUNCIL FOR THE
CITY OF ORANGEBURG, SOUTH CAROLINA

WHEREAS, Section 47-46 of the South Carolina Code of Laws provides the authority for determining the salary of the Mayor and Members of Council and repayment for their expenses.

NOW, THEREFORE, BE IT ORDAINED By the Governing Body of the City of Orangeburg, Orangeburg, South Carolina in council duly assembled, that the council of the City of Orangeburg has determined that the annual salary of the Mayor shall be Four Thousand Two Hundred Dollars (\$4,200.00) and the annual salary of the Members of Council shall be Three Thousand Dollars (\$3,000.00); and

BE IT FURTHER ORDAINED that no ordinance changing such salary shall become effective until the date of commencement of the terms of the Members of Council elected at the next general election following the change.

PASSED by the City Council of the City of Orangeburg, South Carolina this twentieth day of September, A.D., 1977.

E. O. Anderson
Mayor

J. J. Linnhouse
D. W. Hereth
James B. ...

Sara H. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

EFC866

ORDINANCE NUMBER 1977-14.

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET
FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR
THE FISCAL YEAR ENDING SEPTEMBER 30, 1978

BE IT ORDAINED by the Mayor and Council Members of the City of Orangeburg, South Carolina, in Council assembled, and by authority of the same:

Section 1. In accordance with Section 5-7-260 of the 1976 Code of Laws of South Carolina, the Council shall act by ordinance to adopt budgets and levy taxes pursuant to public notice.

Section 2. That the prepared budget for the fiscal year October 1, 1977-September 30, 1978 and the estimated revenue for payment of same is hereby adopted and is hereby made a part hereof as fully as if incorporated herein and a copy thereof is attached hereto.

Section 3. That a tax to cover the period from the First Day of January, 1977 to the Thirty-first day of December, 1977, both inclusive; for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Orangeburg for the use and service thereof; i.e., a tax of Sixty (60) mills be and the same is hereby assessed on each dollar of the assessed value of all real estate and personal property within the City of Orangeburg, S.C., except as such which is exempt from taxation by law.

Section 4. Tax levied under this ordinance shall be due and payable at the office of the City Clerk and Treasurer, in the Municipal Building of the City of Orangeburg, South Carolina, from the Fifteenth (15) day of October, 1977 until the Thirtieth (30) day of November, 1977, from the hours of 9:00 a.m. to 5:00 p.m., Monday through Fridays. Saturdays and Sundays excepted.

Section 5. After November 30, 1977, a penalty of fifteen (15) percent shall be added to all unpaid taxes until December 31, 1977. On January 1, 1978, executions shall be issued on all unpaid taxes by the City Clerk and Treasurer and delivered to the Delinquent Tax Collector, and an additional cost of Two Dollars (\$2.00) added to the penalties already incurred.

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Section 6. If for any reason any sentence, clause or provision of this ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this twenty-ninth day of September, A.D., 1977.

E. O. Fendavis
Mayor

J. J. Lumbouse

D. W. French Selby

Henry Bump

Anna St. Alexander
Members of Council

ATTEST:

M. R. Campbell
City Clerk

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