

ORDINANCE NUMBER 1980-1

AN ORDINANCE TO AMEND AN ORDINANCE AS ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG ON THE 18TH DAY OF MAY, 1954, A.D., 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 Councilmen of the City of Orangeburg, in Council assembled, and by authority of same;

That "Section 29-1, Definitions" be amended to include the following definitions:

TOWNHOUSE: One of series of three or more attached but separate one-family dwelling units which: (1) may or may not have a common roof; (2) share at least one common wall; (3) may be developed as either condominiums or sold as individual lots of record.

CONDOMINIUM: A unit in a series or in a multi-unit type structure which may be owned or leased by an individual, firm or corporation that may have common use of all related activities associated with the structure.

That "Section 29-5, A-2 Residence District" be amended to include Townhouses and Condominiums as permissible uses in the A-2 District.

Adopt as Section 20-13 the following regulations pertaining to Townhouses:

SECTION 29-13, TOWNHOUSES: The purpose of this section is to encourage and regulate the erection of townhouse dwelling units as defined in Section 29-1 in districts appropriate to such use as defined elsewhere in this Ordinance. Townhouses shall be constructed according to the design criteria established in this section. Further it is the intent of this section to provide for several specific types of ownership and development methods.

A. General Requirements for Townhouses

- (1) Not more than ten (10) contiguous townhouses nor fewer than three (3) shall be built in a row with approximately the same (but staggered) front line. The staggering of the units may be single or in pairs, but must be a least eight (8) feet.
- (2) No portion of a townhouse or accessory structure in or related to one group of contiguous townhouses shall be closer than twenty (20) feet to any portion of a townhouse or accessory structure related to another building outside the townhouse area.
- (3) Setback required:
  - (a) Front setback: There shall be a front setback having a minimum depth of twenty (20) feet between the street line and the building line or a minimum of forty-five (45) feet from the center line of the street to the building line, whichever is greater.

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- (b) Side Setback: No side setbacks are required except on the end building units. Each end building unit shall have a side setback of at least ten (10) feet in width. Side setback areas adjacent to minor and collector streets shall be at least thirty (30) feet in width and side setback areas adjacent to major arterial streets shall be at least fifty (50) feet in width from the street line.
- (c) Rear setback: Each townhouse shall have its own rear yard of least twenty (20) feet in depth, which shall be private and reasonably secluded from view from streets or from neighboring property. Accessory buildings and private garages shall be permitted in rear yards only.
- (4) Townhouse dwelling units shall each have a minimum of (2) off-street parking spaces.
- (5) Grouped Parking Facilities: Insofar as practicable, off-street parking facilities shall be grouped in bays, either adjacent to the street or in the interior of blocks. No off-street parking space shall be more than one hundred (100) feet by the most direct pedestrian route from the door of the dwelling unit it is intended to serve. Common parking facilities for three (3) or more automobiles shall provide space outside the public right-of-way for maneuvering incidental to parking.
- (6) Visibility at Access Points for Automobiles: In addition to the general provisions concerning visibility across portions of corner lots at street intersections, the following requirements apply to all private drives and entrances to or from existing common parking areas. At the intersection of any private drive or entrance or exit for a common parking area with a public street, no fence, wall, hedge, or other planting or structure forming a material impediment to visibility between a height of three (3) feet and ten (10) feet shall be erected, planted, placed or maintained.
- (7) Sidewalks of three (3) feet minimum width shall be provided for each townhouse development project to provide safe pedestrian access throughout the entire development.
- (8) Density: Not more than ten (10) townhouse units per gross residential acre shall be permitted.

B. Floor Area Regulations for Townhouses

- (1) No townhouse unit shall be smaller than eight hundred (800) square feet in floor area.
- (2) Each townhouse building shall have a minimum average width of twenty (20) feet for individual units.
- (3) Private usable open space such as balconies, sun decks, patios, etc., shall be provided contiguous to each dwelling unit. The area of such open space shall not be less than ten (10) percent of the floor area of the unit served: such square footage may consist of one (1) or more patio areas. Open roof areas and balconies designed and planned for patio purposes may be credited for no more than fifty (50) percent of the required patio area. All patio outdoor living areas for each townhouse unit shall be enclosed by a wall affording adequate screening except where a natural feature or common open area would suggest an exception after review of the site plan. Such wall shall be of masonry or other material

having a life expectancy of not less than ten (10) years and a minimum height of six (6) feet. Such patio areas shall be made a part of the townhouse unit and so stated in the Declaration.

C. Utilities and Services

Each townhouse unit shall be considered an individually owned property. All request for electric power, gas, water and sewer shall be submitted to the Department of Public Utilities for review and/or approval. Proper and adequate access shall be provided for fire-fighting purposes, service areas for garbage and waste collection and for other necessary services.

D. Screening of Garbage and Storage Areas

All exterior garbage containers, incinerators, or other outside storage areas shall be screened by an opaque enclosure of not less than four (4) feet in height and not less in height than the garbage receptacle it surrounds.

E. Open Space

In development projects involving townhouses, a common area amounting to at least ten (10) percent of the gross townhouse project area shall be provided on the same or adjacent block. No buildings, parking, storage or other use shall be made of this open space.

F. Maintenance of Common Open Space Areas, Parking, Drives, and Other Areas and Facilities

Prior to approval of any townhouse development project, provisions satisfactory to the City of Orangeburg shall be made to assure that non-publicly owned areas (common areas) and facilities for the common use of the occupants and/or owners of the townhouses shall be maintained in a satisfactory manner. The instrument incorporating such provision shall be approved by the City Attorney as to form and legal sufficiency, as provided in the provisions of the South Carolina Horizontal Property Act and/or the provisions of this Ordinance through deed restrictions or other legal agreements. All townhouse declarations shall require the association to provide exterior building maintenance services.

G. General Information to be Submitted for Review by the Planning Commission Prior to Approval of the Project

All applicants for townhouses shall submit design plans including details such as number, location, and orientation of dwelling units, etc.; plot plans, landscaping plans, plans for off-street parking and service areas and ingress and egress arrangements, plans for proposed signs, plans for lighting premises outside buildings, elevation of all portions of proposed structures, and drawings showing the relationship between the proposed structure as it is to be located on the premises and the structures adjacent to the proposed townhouses. The townhouses will be developed so that they will not be subject to hazards such as objectionable smoke, noxious odors, unusual noise, probability of flood or erosion and that the condition of soil, ground water level, drainage, rock formation and topography will not create hazards to the property or to the health and safety of the occupants. The Directors of appropriate departments shall review and comment on the appropriate plans and report their respective comments back to the Building Official.

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H. Small Scale Townhouse Projects

Consisting of an overall size of two (2) acres or less shall be developed using either the condominium or resubdivision into individual lots of record method. The resubdivision of land shall be approved by the Planning Commission using the standard subdivision procedures only after 100 percent of the units have been constructed.

- (1) Private streets are prohibited.
- (2) Minimum lot size if 12,500 square feet prior to resubdivision into individual lots of record. After resubdivision, the minimum lot size shall be 2,500 square feet and the minimum width shall be twenty (20) feet at the point abutting the public right-of-way.

Adopt as Section 29-14 the following pertaining to Condominiums:

A. Ownership

- (1) Condominiums are defined in Section 29-1. Condominium refers to the ownership technique described in the Code of Law of South Carolina as the Horizontal Property Act of 1967, Section 57-494 through 57-523. Condominium ownership may be used on any style of construction but shall be developed under the requirements and provisions of the Horizontal Property Act. Prior to approval on any condominium project, the legal declaration establishing ownership association shall be submitted to the Planning Commission for approval by the City Attorney as to form and legal sufficiency, as provided for by the Horizontal Property Act, and the additional provisions of this Ordinance. All condominium declarations shall require the association to provide exterior building maintenance services.

B. Design and Density Requirements

- (1) Structures constructed or redeveloped as condominiums shall be designed to meet the approval of the Planning Commission with regard to the design and density requirements of the zoning district in which they are located.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 2nd day of January, 1980, A.D.

E.O. Ford  
Mayor

D. W. Frazier, Selley

Hamp Stuart J

Sara H. Alexander

Henry P. Moore  
Members of Council

ATTEST: M.R. Campbell  
City Clerk

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ORDINANCE NUMBER 1980-2

AN ORDINANCE TO IMPOSE AND REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE YEAR 1980 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, 1980 to the thirty-first day of March, 1981, 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, 1980 to the thirty-first day of March, 1981, inclusive; said schedule of licenses is printed "BUSINESS AND PROFESSIONAL LICENSE ORDINANCE As Adopted March 6, 1961, 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 18<sup>th</sup> day of March, 1980.

E. O. Fardavis  
Mayor

D. W. Paul Sells  
James Smart

Sara H. Alexander

Charles W. Moore  
Council Members

ATTEST:  
M. R. Campbell  
City Clerk

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ORDINANCE NUMBER 1980-3

AN ORDINANCE TO AMEND CHAPTER 29, ZONING, FOR THE PURPOSE OF REGULATING THE CONSTRUCTION OF HIGH-RISE APARTMENT BUILDINGS IN THE CORPORATE LIMITS OF ORANGEBURG, SOUTH CAROLINA.

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

That "Section 29-1, Definitions" of said chapter be amended to include the following definition:

High-Rise Apartment: Any building which contains not less than twenty dwelling units and exceeds five stories or fifty feet in height.

That "Section 29-5, 'A-2' Residence District" of said chapter be amended to include high-rise apartments as an additional use by special exception subject to the regulations for such in Section 29-14.1.

That "Sections 29-7 (O-1), 29-8 (B-1), 29-9 (B-2), 29-10 (B-3), 29-11 (B-4), and 29-12 (D-1)" of said chapter be amended to include high-rise apartments as permissible use subject to the regulations for such in Section 29-14.1.

Adopt as Section 29-14.1 the following regulations pertaining to high-rise apartments:

Section 29-14.1, High-Rise Apartments: The purpose of this section is to encourage and regulate the design and erection of high-rise apartment buildings as defined in Section 29-1 in districts appropriate to such use as defined elsewhere in this Ordinance. Further, it is the intent of this section to provide an increased density of land development not inconsistent with the spirit, purpose, and intent of the Comprehensive Plan of the City of Orangeburg.

A. General Requirements

1. High-rise apartments may be designed for rent, lease or sale subject to the regulations set forth in Section 29-14 for condominiums.
2. All proposals for high-rise apartments when located in A-2 Residence District shall be reviewed and approved by the Planning Commission prior to issuance of a building permit. All such proposals shall include site plans, architectural plans, descriptions, and other

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information deemed necessary by the Planning Commission. The Planning Commission shall review such proposal to determine if the requirements stipulated in this Ordinance have been met and that such proposal is in harmony with the neighborhood by holding a public hearing, duly advertised one (1) week prior to the meeting date. There shall be a filing fee of fifty (50) dollars for each separate request payable to the City of Orangeburg to defray the costs of the hearing.

3. Except when located in an A-2 Residence District, high-rise apartment structures may contain "accessory commercial uses" which shall not occupy more than 30 percent of the gross floor of the building exclusive of building areas devoted to parking. Such "accessory commercial uses" are defined as follows:

- A. Commercial establishments for the sale of convenience goods.
- B. Personal and professional service establishments.
- C. Private clubs and lodges.
- D. Eating and drinking establishments.

B. Required Yards

- 1. Front Yard: There shall be a front yard having a minimum depth of twenty-five (25) feet between the street line and the building line or a minimum of fifty (50) feet from the center line of the street to the building line, whichever is greater.
- 2. Side Yard: There shall be provided a side yard on each side of at least fifteen (15) feet in width, except where such high-rise apartment structure is located in or adjacent to an "A-2 Residence District", then such side yard must be at least twenty-five (25) feet in width.
- 3. Rear yard: There shall be a rear yard of at least twenty-five (25) feet in depth.

C. Building Height Limit

In any district in which high-rise apartments are allowed: No portion of any high-rise apartment shall project through imaginary planes leaning inward over the lot from the exterior lot lines of the lot at angles representing six (6) feet in height for each one (1) foot of horizontal distance from such lot lines. However, in no case shall any high-rise apartment structure be erected to exceed twelve (12) stories or one hundred fifty (150) feet in height.

D. Required Lot Size: There shall be a minimum lot area of nine hundred (900) square feet for each living unit of a high-rise apartment structure. Also, a minimum lot area of one (1) acre shall be required for all lots

upon which high-rise apartment structures are hereafter erected. Minimum lot depth shall be one hundred fifty (150) feet and minimum lot width shall be one hundred fifty (150) feet. Maximum lot coverage by the high-rise apartment structure shall be no greater than twenty-five (25) percent when located in A-2 Residence District and no greater than fifty (50) percent when located in other approved districts.

E. Sign Requirements: Signs shall be permitted in connection with high-rise apartments in accordance with this section when such high-rise apartment structure is located in an A-2 Residence District, such signs shall be no larger in total area than thirty (30) square feet excluding small traffic signs in and around parking areas of building. In all other districts where permitted, signs shall be designed in accordance with Section 29-20 of the City Zoning Ordinance.

F. Required Off-Street Parking and Loading: Off-street parking shall be designed to meet the requirements set forth in Section 29-18. One off-street loading space shall be provided in accordance with Section 29-19 when such high-rise apartment structure contains more than forty (40) living units.

G. Additional Requirements

1. Maintenance of common open space areas, parking drives, and other common building areas and facilities shall be provided for through some legal document to the satisfaction of the City of Orangeburg. The instrument incorporating such provisions shall be approved by the City Building Official as to form and legal sufficiency to require continued maintenance services thereafter.

2. All exterior garbage and storage areas shall be effectively screened by an opaque enclosure on at least three sides subject to the approval of the Public Works Department. Such enclosure shall be of not less than four (4) feet in height and not less in height than the garbage receptacle that it surrounds.

3. Proper and adequate access shall be provided for fire fighting purposes and to service areas for garbage and waste collection.

H. Request For Variances

When conditions exist in accordance with Section 29-14, such cases shall be handled and approved in the following manner. After a complete review by the Planning Commission for proposals located in A-2 Residence District, the Board of Adjustments shall consider the request for the variance in a duly advertised public hearing. Approval of both the Planning Commission and the Board of Adjustments shall be necessary in such cases. Requests for variances on proposals in other approved districts shall be heard only by the Board of Adjustments. There shall be a filing fee of fifty (50) dollars for each such separate request for variance, payable to the City of Orangeburg to defray costs of the hearing.

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ORDINANCE NUMBER 1980-3

(Continued)

DONE AND RATIFIED THIS 6<sup>th</sup> DAY OF MAY, 1980, in Council assembled, by the City Council of the City of Orangeburg, South Carolina.

E. O. Pendergrass  
Mayor

D. W. Bennett Selley  
James Bryant

Sam H. Alexander

Henry P. Mason  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

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ORDINANCE NUMBER 1980-~~H~~

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE V, DIVISION 1, SECTIONS 2-91 AND 2-92; DIVISION 2, SECTIONS 2-98 AND 2-100 RELATING TO PUBLIC WORKS DEPARTMENT.

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

ARTICLE V, DIVISION 1:

Section 2-91, Composition: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"The Public Works Department, whose Director shall be known as the Director of Public Works, shall be composed of eight (8) divisions: Administrative, Airport, Inert Disposal Site, Garage, Municipal Buildings, Parking Facilities, Sanitation, and Streets and Maintenance.

Section 2-92. Responsibilities of Public Works Department.

The divisions of the public works department shall exercise the following responsibilities, under the direction and supervision of the Director of Public Works:

- (a) Administrative Division, headed by the Director of the Public Works Department; to include an Assistant Public Works Director, Draftsman, and other personnel necessary to perform drafting, clerical, traffic, and engineering duties.
- (b) Airport Division, to include maintenance of municipal airport hangers and other airport facilities.
- (c) Inert Disposal Site Division, to include the operation of the City Inert Landfill Disposal Site.
- (d) Garage Division, to include the operation of the City Garage for the servicing, maintenance and repair of all city owned motor equipment, excepting vehicles of the fire department and the department of public utilities.
- (e) Municipal Building Division, to include the maintenance and repair of the City Hall, and such other buildings as may be assigned by the City Council.
- (f) Parking Facilities Division, to include maintenance of all City owned and operated off-street parking lots, parking meters, and on-street parking space lines.
- (g) Sanitation Division, to include the collection and disposal of solid waste within the city limits.
- (h) Streets and Maintenance Division, to include maintenance of the streets in the city street system, storm sewer system, open ditch drainage, and yard rubbish collection and disposal.

DIVISION 2. CITY ENGINEER:

Section 2-98, 2-99, 2-100, and 2-101: Delete in its entirety.

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ORDINANCE NUMBER 1980-4 (continued)

DONE AND RATIFIED by the City of Orangeburg, South Carolina, in Council assembled this 6<sup>th</sup> day of MAY, 1980.

E. O. Pendergrass  
Mayor

D. W. Heath, Sr.  
Hamp. Supt

Sam H. Alford

Henry P. Moore  
Members of Council

ATTEST:

M. R. Daugherty  
City Clerk

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ORDINANCE NUMBER 1980-5

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, DIVISION 4, CITY ATTORNEY, SECTION 2-83, AND TO AMEND CHAPTER FIFTEEN MUNICIPAL COURT, SECTION 15-3 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, RELATING TO THE TERMS OF OFFICE OF THE CITY ATTORNEY AND CITY RECORDER.

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

That "Section 2-83, Election; Term; Removal" of the Code of Ordinances, City of Orangeburg, South Carolina, is hereby amended to read as follows:

The City Council, at its first regular meeting after organization, shall elect competent counsel as City Attorney, to hold office for two (2) years, unless sooner removed therefrom for cause by vote of the Council, and the Council shall be the sole judges of the sufficiency of such cause. (Code 1960, 1-81)

That "Section 15-3, Appointment, Term and Oath of Recorder" be amended to read as follows:

The recorder of the municipal court shall be elected by the City Council and shall hold his office for a term of two (2) years, and until his successor is elected and qualified, unless sooner removed by City Council for cause, and before entering upon the discharge of the duties of his office, he shall take and subscribe the usual oath of office. (Code 1960, 8-2)

DONE AND RATIFIED this the 6<sup>th</sup> day of May, 1980, in Council assembled by the City Council of the City of Orangeburg.

E.O. Pundaris  
Mayor  
D. W. Kerrell Salley  
James Smart  
Lana H. Alexander  
Henry P. Moore  
MEMBERS OF COUNCIL

ATTEST:

M. R. Campbell  
City Clerk

ORDINANCE NUMBER 1980-6

AN ORDINANCE CREATING AN ELECTION COMMISSION FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, PURSUANT TO THE PROVISIONS OF CHAPTER 15 OF THE 1976 CODE OF LAWS OF SOUTH CAROLINA, AS AMENDED.

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

That the Code of Ordinance, City of Orangeburg, South Carolina is hereby amended by adding the following:

Section \_\_\_\_\_ Created: Membership

An Election Commission for the City of Orangeburg and its environs, with the jurisdictions, powers and duties as set forth in Chapter 15 of the 1976 Code of Laws of South Carolina, as amended, is hereby created. Said Commission composed of three members shall be residents of the City and shall be appointed by City Council, each serving a six year term except of those first appointed, one shall serve a term of four years and one a term of two years as provided in South Carolina Code, Section 5-15-90.

Section \_\_\_\_\_ Functions, Powers and Duties of the Election Commission

This Commission shall be vested with the functions, powers and duties as set forth in Section 5-15-100 of the Code of Laws of South Carolina.

DONE AND RATIFIED this the 6<sup>th</sup> day of MAY, 1980, by the City Council of the City of Orangeburg.

E. O. ...  
Mayor

D. W. ... Selley  
Hamp ...

...

...  
Members of Council

ATTEST:  
M. A. ...  
City Clerk

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AN ORDINANCE TO AMEND CHAPTER 20, PLUMBING CODE,  
SECTIONS 20-2, 20-3, 20-5, 20-6, 20-7, 20-8, 20-9, 20-10,  
20-11, 20-14, 20-16, 20-18, 20-19, 20-20, 20-24, 20-26,  
20-27, 20-28.

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 20-2: Amend said section of the CODE by deleting "1975" on line two thereof and substituting in lieu thereof the following: "1979".

Section 20-3: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-3. Copies to be on file in the office of Department of Public Utilities (D.P.U.)

A sufficient number of copies, but not less than three (3) copies, of the Standard Plumbing Code adopted by section 20-2 shall be kept on file in the D.P.U.'s office for inspection by and use of the public, and shall be marked with the words Official Copy of Plumbing Code."

Section 20-5: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

Sec. 20-5. Application of chapter.

"(a) The provisions of this chapter shall apply to and govern plumbing as defined in this chapter, including the practice, materials, and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, appliances and appurtenances in connection with any of the following: Sanitary drainage facilities, the venting system, and the public or private water supply systems, within or adjacent to any building or other structure, or conveyance; also the practice and materials used in the installation, maintenance, extension or alteration of the sanitary sewerage system of any premises to their connection with any point of public disposal or other terminal.

(b) It is recognized that certain facilities in or adjacent to public streets are referred to in this chapter only a portion of which is under the ownership or the control of the owner or occupant of the building or premises to which this chapter applies."

Section 20-6: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"The administration and enforcement of this chapter shall be the duty of the Department of Public Utilities through its manager and/or his appointed qualified agent who shall be known as the plumbing inspector. (1976 Code,

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40-49-90) The Department of Public Utilities is hereby authorized to take such action as may be reasonably necessary to enforce the purpose of this chapter."

Section 20-7: Amend said Section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-7. Department of Public Utilities to make inspections, tests required by chapter.

It shall be the duty of the Department of Public Utilities to make the inspections and tests required by this chapter and the plumbing code adopted by this chapter."

Section 20-8: Amend said Section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-8. Department of Public Utilities to make rules, regulations.

The Department of Public Utilities shall make such rules and regulations in furtherance of the purposes of this chapter and not inconsistent with the specific provisions of this chapter, for the installation, repair or alteration of air-conditioning systems, water-treatment equipment and water-operated devices as may be deemed necessary to properly protect the water supply system."

Section 20-9: Amend said Section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"The Department of Public Utilities shall prepare, and its authorized representatives shall carry, sufficient identification and shall exhibit same before entering any premises for the purpose of inspecting any plumbing system at such times as may be reasonably necessary to protect the public health."

Section 20-10: Amend said section of the CODE by deleting the word "Master" on line two thereof.

Section 20-11: Amend said Section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-11. Licensed plumber to supervise all work.

No person shall engage in the business of installing, repairing or altering plumbing unless the plumbing work performed in the course of such business is under the direct supervision of a certified licensed plumber."

Section 20-14: Amend said Section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-14. Same--To administer examinations, issue certificates, etc.

The plumber's examining board shall establish standards and procedures for the qualification, examination and certification of plumbers and shall issue an appropriate certificate to each person who meets the qualifications therefor and successfully passes the examination given by the board. The board shall make an official record of all its transactions."

Section 20-16: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-16. Same--Issuance of temporary certificate.

The plumber's examining board may issue a temporary certificate pending examination, provided the applicant holds a similar certificate from an equivalent board. Such certificate shall not be valid for more than sixty (60) days or the completion of one major plumbing project."

Section 20-18: Amend said section of the CODE by deleting the word "Masters" in the title and on lines one and eight thereof.

Section 20-19: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-19. Application for plumber's certification; examination fees.

Any person desiring to be certified as a plumber shall make written application to the plumber's examining board.

Examination fees for master and journeyman certificates shall be five dollars (\$5.00) and two dollars (\$2.00) respectively, payment of such fee to accompany the application. Examination fees are not returnable."

Section 20-20: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-20. Expiration and renewal of plumber's certificate.

All certificates issued by the plumber's examining board shall expire on December thirty-first of the year in which issued but may be renewed upon payment of required fees. Expired certificates may be renewed at any time upon payment of the penalty of two dollars (\$2.00) for journeyman plumber and five dollars (\$5.00) for master plumber."



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Section 20-22. Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Sec. 20-22. Revocation of plumber's certificate.

(a) The plumber's examining board may revoke any certificate if obtained through nondisclosure, misstatement or misrepresentation of a material fact, or if a penalty has been imposed upon the holder of the certificate for a violation of this chapter.

(b) Before a certificate may be revoked, the holder of the certificate shall have notice in writing, enumerating the charges against him, and be entitled to a hearing by the board not sooner than five (5) days from receipt of the notice. The holder of the certificate shall be given an opportunity to present testimony, oral or written, and shall have the right of cross-examination. All testimony shall be given under oath. The board shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the board shall be based upon the evidence produced at the hearing and made part of the record thereof.

(c) Any person whose certificate has been revoked shall not be permitted to apply within one year from date of revocation. (Code 1960, § 124-14)

(d) It shall be the duty and responsibility of the plumber's examining board to notify the city clerk and treasurer in writing within 24 hours of such action, and the city clerk and treasurer shall upon such written notice revoke the license of said plumber and notify the manager of Department of Public Utilities in writing of such action."

Section 20-24: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"No plumbing work shall be undertaken prior to the issuance of a permit therefor by the Department of Public Utilities. A permit shall be issued only to a licensed plumber; provided that, a permit may be issued to any person to do any work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such building, provided the person is the bona fide owner of such dwelling and that the same will be occupied by said owner and that said owner shall personally purchase all material and perform all labor in connection therewith.

Minor repairs at the request of the property owner may be performed by a licensed plumber acting as a household repairman and where such repairs do not include any new future installations. Such repairs must be reported to the Department of Public Utilities."

Section 20-26: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"Application for a permit for plumbing work shall be made on suitable forms provided by the Department of Public Utilities."

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Section 20-27: Amend said section of the CODE by deleting "two dollars (\$2.00)" and "five dollars (\$5.00)" and substituting in lieu thereof "five dollars (\$5.00)" and "five dollars (\$5.00)" respectively.

Section 20-28: Amend said section of the CODE by deleting it in its entirety and substituting in lieu thereof the following:

"(a) No permit required by this chapter shall be issued until plans and specifications showing the proposed work in necessary detail have been submitted to the Department of Public Utilities and approved by the Department of Public Utilities.

(b) If a permit is denied, the applicant may submit revised plans and specifications without payment of additional fee.

(c) If, in the course of the work, it is found necessary to make any change from the plans and specifications on which a permit has been issued, amended plans and specifications shall be submitted and a supplementary permit, subject to the same conditions applicable to original applications for permit, shall be issued to cover the change."

DONE AND RATIFIED in City Council by the City Council of Orangeburg, South Carolina, this 6th day of May, 1980.

E. O. Funderburk  
Mayor  
D. W. Keith Selby  
James S. ...  
Sam J. Alexander  
Robert P. Moore  
Members of Council

ATTEST:  
M. K. ...  
City Clerk and Treasurer

1980-8

AN ORDINANCE TO AMEND CHAPTER 27, ARTICLE I, SECTION 27-1.1  
RELATING TO UTILITIES

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

ARTICLE I. IN GENERAL

Section 27-1.1: Amend said section of the CODE by deleting it in its  
entirety and substituting in lieu thereof the following:

"The public utilities department shall consist of five  
(5) divisions: An office division, headed by an office  
manager, a division of electricity, whose director shall  
be known as the director of electricity, a water division,  
whose director shall be known as the director of water, a  
gas division, whose director shall be known as the director  
of gas, and wastewater (Sewer) division, whose director  
shall be known as the director of wastewater."

DONE AND RATIFIED in City Council by the City Council of Orangeburg,  
South Carolina, this 6th day of May, 1980.

E. O. Pendavis  
Mayor  
D. W. [Signature]  
[Signature]  
[Signature]  
[Signature]  
Members of Council

ATTEST:

[Signature]  
City Clerk and Treasurer

1980-9

AN ORDINANCE AUTHORIZING THE CITY OF ORANGEBURG TO CONVEY TO THE SOUTH CAROLINA STATE HIGHWAY DEPARTMENT A RIGHT-OF-WAY EASEMENT FOR THE CONSTRUCTION OF A SECTION OF THE STATE HIGHWAY ON ROAD S-38-49 IN THE PROXIMITY OF THE INTERSECTION OF ROAD S-38-49 AND S-38-90 NEAR ORANGEBURG.

WHEREAS, the Department of Public Utilities of the City of Orangeburg owns and operates an electric substation on Road S-38-49 in the proximity of the intersection of S-38-49 and S-38-90 near Orangeburg, and

WHEREAS, the City of Orangeburg has no present or future use for a strip of land fifteen feet wide by 382.85 feet fronting on South Carolina Highway S-38-49 and having concluded that it would be fair and equitable to convey a right-of-way easement to the South Carolina State Highway Department for a nominal consideration.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, South Carolina in Council assembled that the City of Orangeburg is hereby authorized to grant and convey to the South Carolina State Highway Department, in consideration of the sum of One (\$1.00) Dollar, a right-of-way easement for the construction of a section of the State Highway on Road S-38-49 in the proximity of the intersection of Road S-38-49 and S-38-90 near Orangeburg, as shown by plans prepared by the South Carolina Department of Highways and Public Transportation dated August 8, 1978 and designated as project number HHS-005 (836), said property being herein conveyed to have a width of forty feet (40') on the right side of the survey centerline of the highway as shown on the referenced plans, and that

THE HONORABLE E. O. Pendarvis, Mayor, is authorized and directed to sign said agreement on behalf of the City of Orangeburg.

DONE IN COUNCIL and ratified under the corporate seal of the City of Orangeburg this 6th day of May 1980.

E. O. Pendarvis  
Mayor  
D. W. [unclear]  
[unclear]  
[unclear]  
Members of Council

ATTEST:

[Signature]  
City Clerk and Treasurer

ORDINANCE NUMBER 1980-10

AN ORDINANCE TO AMEND CHAPTER 29, ZONING, FOR THE PURPOSE OF REGULATING OFF-STREET PARKING AND LOADING IN THE CORPORATE LIMITS OF ORANGEBURG, SOUTH CAROLINA.

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

That "Section 29-18, Off-street parking regulations" and "Section 29-19, Off-street loading regulations" be deleted in their entirety.

Adopt as Section 29-18 the following regulations pertaining to Off-street parking and loading:

SECTION 29-18. OFF-STREET PARKING AND LOADING REGULATIONS.

(A) Areas suitable for parking or storing automobiles in off-street locations shall hereafter be required in all zoning districts, except in the Central Business District, at the time of the initial construction of any principal building; or when a structural alteration or other changes in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity or which change the use so as to require more parking to serve that use, or when a conversion in use occurs. Such off-street parking area shall have direct access to a street or alley, and shall be provided and maintained in accordance with the requirements of this Ordinance.

(B) Number of Off-Street Parking Spaces Required

The number of off-street parking spaces shall be calculated on the basis of the use of the land or principal building on a lot, according to the requirements indicated in columns 2 and 3:

Column 1	Column 2	Column 3
<u>USE OR USE CATEGORY</u>	<u>MIMIMUM PARKING SPACES REQUIRED</u>	<u>ADDITIONAL REQUIREMENTS</u>
<u>RESIDENTIAL USES:</u>		
(1) One-family dwelling	2 spaces	) Do not have ) to be paved
(2) Two-family dwelling	3 spaces)	
(3) Multi-family dwellings and high-rise apartments	1 space per bedroom per unit	Plus 1 space per each employee dwelling unit, plus visitors' parking spaces - 1 per each 10 dwelling units.

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ORDINANCE NUMBER 1980-

(Continued)

Column 1 USE OR USE CATEGORY	Column 2 MINIMUM PARKING SPACES REQUIRED	Column 3 ADDITIONAL REQUIREMENTS
<u>RESIDENTIAL USES:</u>		
(4) Mobile home in a mobile home park	2 spaces	
(5) Mobile home park	2 spaces per each mobile home space	Plus 1 space per each employee living on premises
(6) Boarding and rooming house	1 space per each sleeping room	Plus 1 space per each 2 employees
(7) Group dwelling	1 space per each 2 bedrooms	
<u>PUBLIC AND SEMI-PUBLIC USES:</u>		
(10) Hospital	1 space per each 2 patient beds	Plus 1 space per each 3 employees: regular employees at maximum on a single shift
(11) Nursing home, sanitarium, inpatient clinic, home for the aged, and similar institutions	1 space per each 5 patient beds	Plus 1 space per each 2 regular employees in a single shift
(12) Medical and dental office and outpatient clinic	1 space per each 200 square feet of gross floor space (minimum of 4 spaces)	
(13) Church and other places of worship, recreation, and places of public assembly	1 space per 5 fixed seats in main assembly hall	Or 5 spaces per classroom, whichever is greater
(14) Places of public assembly or recreation not containing fixed seats in the main assembly room	1 space per each 100 square feet of gross floor area in the main assembly room	
(15) Nursery, elementary or junior high school	1 space per each 10 seats in the main assembly room	Or 1 space per classroom, whichever is greater, plus 1 per each 3 employees
(16) High school, trade school, business school or college	1 space per each 4 seats in the main assembly room	Or 5 spaces per classroom, whichever is greater, plus 1 space per each 2 employees
(17) Country Club or Golf Club	1 space per each 5 members	Plus 1 space per each 2 employees
(18) Library, museum, art gallery, or similar building	10 spaces	Plus 1 space per each 500 square feet of floor area

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## ORDINANCE NUMBER 1980-10 (Continued)

Column 1 USE OR USE CATEGORY	Column 2 MINIMUM PARKING SPACES REQUIRED	Column 3 ADDITIONAL REQUIREMENTS
<u>RESIDENTIAL USES:</u>		
(19) Club, fraternity, sorority, and lodge	1 space per sleeping room or suite	Or 1 space per 5 active members, whichever is greater, plus 1 space per each 3 employees
(30) Public or private office building	1 space per 300 square feet of gross floor area (4 spaces minimum)	
(31) Bank, savings and loan association, and similar lending institution	1 space per each 200 square feet of gross floor space	
(32) Service or repair establishment, not otherwise mentioned specifically	1 space per each 250 square feet of gross floor area not used for storage	
(33) Retail business not otherwise specifically mentioned	1 space per each 200 square feet of gross retail floor space not used for storage (3 spaces minimum)	Plus 1 space per each 3 employees
(34) Theater, night club, and similar places of assembly	1 space per each 4 seating accommodations	Plus 1 space per each 3 employees on shift of greatest employment
(35) Automobile service stations	1 space per employee, but in all cases, a minimum of 5 spaces	Plus 1 space per each grease rack or wash rack
(36) Motel, hotel, and tourist court	1 space per sleeping room or suite	Plus 1 space per each employee
(37) Furniture, home furnishings, appliance, machinery, equipment, automotive, farm and boat sales and service	1 space per 300 square feet of retail floor area (3 spaces minimum)	Except that automobile sales and service must have 10 spaces minimum
(38) Bowling alley	5 spaces per lane	
(39) Funeral home or mortuary	1 space per 50 square feet of gross floor area exclusive of storage and work areas (30 spaces minimum)	
(40) Planned shopping center	5.0 spaces per 1,000 square feet of gross leasable area	
(41) Sit-down restaurant	1 space per each 4 seats	Plus 1 space per each 3 employees on shift of greatest employment
(42) Drive-in Restaurant	1 space per each 35 square feet of gross building area	Plus 1 space per each 3 employees on shift of greatest employment
(43) Take-out restaurant	1 space per each 100 square feet of gross building area	Plus 1 space per each 3 employees on shift of greatest employment

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ORDINANCE NUMBER 1980-10 (Continued)

Column 1 <u>USE OR USE CATEGORY</u>	Column 2 <u>MINIMUM PARKING SPACES REQUIRED</u>	Column 3 <u>ADDITIONAL REQUIREMENTS</u>
<u>WHOLESALE AND INDUSTRIAL USES:</u>		
(50) Manufacturing, processing, research, testing laboratories, creamery, bottling, wholesaling, storage, warehousing, junk and supply yard, brick or coal, or lumber yard, and similar establishments	1 space per each 2 employees at maximum employment	Plus 1 space for each company vehicle operating from the premises
(51) Printing, publishing, plumbing, heating or broadcasting station	1 space per each 3 employees	Or 1 space per 1,500 square feet whichever is greater
(52) Transportation terminal facility including airport, bus depot, truck terminal and railroad station	1 space per 100 feet of public waiting room	Plus 1 space for each 2 employees, plus all commercial motor vehicles incident to the facility

(C) Application of Parking Requirements

- (1) Location of off-street parking areas: All parking spaces required herein shall be located on the same lot with the principal building or use or uses served, except as noted in Section 29-18 (E).
- (2) Mixed Uses: Where more than one principal or accessory use or uses, whether with the same or different parking requirements, occupy the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- (3) Change in use, alteration of use, or extension of use: Off-street parking spaces shall be provided in accordance with these regulations whenever a building or use is changed, altered, or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise.
- (4) Requirements for uses not specifically listed: The parking space requirements for a use not specifically listed in Section 20-18 (B) shall be the same as for a listed use of similar characteristics of parking demand generation, as determined by the Building Official.
- (5) Reduction of requirements: The total number of parking spaces required may be reduced by up to ten (10) percent below that otherwise required by this Ordinance when it can be demonstrated that such reduction is warranted by some particular circumstance, subject to the approval of the Building Official.
- (6) Compilation of total employment: Except as otherwise provided, the number of employees shall be compiled on the basis of the number of persons employed on the premises at one time on an average day or average night, whichever is greater. Seasonal variations in employment may be recognized in determining an average day.
- (7) Fractional computations: Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.

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(D) Excluding aisles, maneuvering space, turn-around space, and drives, each required off-street parking area, lot, or other facility shall contain a minimum of 180 square feet and shall have a minimum measurement of nine (9) feet in width and twenty (20) feet in length for each automobile to be accommodated. No parking or maneuvering area shall be located in any public right-of-way. All off-street parking space shall be paved except the following: (1) one and two family dwelling units and (2) those instances where residential dwelling units are being converted to commercial uses which require less than five (5) spaces, the paving of said spaces may be delayed until a new occupant or use requires five (5) parking and loading spaces or more in order to meet the terms of this Ordinance. A scale drawing or layout of all required parking areas showing the location, size and arrangement of the individual parking spaces, loading spaces, and landscaped areas shall be submitted to the Building Official for approval.

(E) Required off-street parking areas for one and two family residences shall be located on the same lot as the principal building to be served. Under unusual circumstances and hardship, however, as determined by the Board of Adjustment, parking areas for all other permitted uses may be located off-site, provided that the parking area is not more than five hundred (500) feet from the premises of the principal use, or owners of said site relinquish by means of a covenant or agreement with the City all development rights over the property until such time that equivalent parking space is provided elsewhere. A certificate of recording of the covenant or agreement shall be furnished to the City.

(F) Two or more principal uses may utilize a common area in order to comply with off-street parking requirements, provided that the total number of individual spaces available in such common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this section, and provided that where such space is not located on the same lot as the principal use or uses, the owner of said lot relinquishes through a covenant or agreement with the City, his development rights over the property until such time as parking space is provided elsewhere or on the same premises as the principal use or uses. The total parking spaces required may be reduced below that otherwise required by this Ordinance for common parking facilities when it can be demonstrated that such reduction in parking requirements is warranted by the particular grouping of uses, subject to approval of the use permit by the Board of Adjustment.

(G) Off-street Loading Area Required

Areas suitable for loading and unloading motor vehicles in off-street locations and specifically designated for this purpose, shall hereafter be required except in the Central Business District at the time of the initial construction or alteration or conversion of any building or structure used or arranged to be used for commercial, industrial, governmental, or multi-family residential purposes. Such off-street loading areas shall have access to a public alley or street and shall be provided and maintained in accordance with the following requirements, the computation of which shall not be included in the off-street parking requirements.

(1) Loading spaces required under this section shall be at least 50 feet long and 12 feet wide. Every lot used for commercial or industrial purposes and having a building or buildings with a total floor area of at least 10,000 square feet and every lot used for office or research purposes on which there is a building or buildings having a total floor area of a least 20,000 square feet, shall be provided with an off-street loading space. An additional off-street loading space shall

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be required for lots used for commercial and industrial purposes where the floor area of all buildings exceeds 100,000 square feet.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this third day of June, 1980, A.D.

E. O. Fendavis  
Mayor

D. W. Pruett Selley  
James Bryant

Sam H. Alexander

Henry P. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

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## ORDINANCE NUMBER 1980-11

AN ORDINANCE TO ADOPT FLOOD DAMAGE PREVENTION REGULATIONS PROVIDING FOR BUILDING RESTRICTIONS, ADMINISTRATION, PENALTIES, A FLOOD HAZARD BOUNDARY MAP, AND OTHER MATTERS RELATING THERETO.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, in Council assembled, and by authority of same;

That the following entitled "Flood Damage Prevention Ordinance" be adopted.

SECTION A. FINDINGS OF FACT

1. The flood hazard areas of the City of Orangeburg are subject to periodic inundation which adversely affects the public health, safety and general welfare of our City.
2. These flood losses are increased by the cumulative effect of obstructions in flood plains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise protected from flood damages.

SECTION B. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural flood plains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage; and,
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION C. OBJECTIVES

The objectives of this ordinance are:

1. To protect human life and health.
2. To minimize expenditure of public money for costly flood control projects.
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
4. To minimize prolonged business interruptions.
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains.
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas.
7. To insure that potential home buyers are notified that property is in a flood area.

SECTION D. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

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ORDINANCE NUMBER 1980-11 (Continued)

"Area of Special Flood Hazard" is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"Base Flood" means the flood having a one percent chance of being equalled or exceeded in any given year.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

"Flood or Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. the overflow of inland or tidal waters;
2. the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazard have been designated as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Habitable Floor" means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof.

"Structure" means a walled and roofed building that is principally above ground, as well as a mobile home.

"Substantial Improvement" means, for a structure built prior to the enactment of this ordinance, any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structures either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (b) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variance" is a grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

SECTION E. GENERAL PROVISIONS

1. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the City of Orangeburg.

2. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The area of special flood hazard identified by the Federal Insurance Administration in its Flood Hazard Boundary Map (FHBM), #450164, dated July 16, 1980, and any revisions thereto are adopted by reference and declared to be a part of this ordinance; or the areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the City of Orangeburg", dated January 1980, with accompanying Flood Insurance Rate Maps and Flood Boundary and Flood-

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way Maps and any revision thereto are hereby adopted by reference and declared to be a part of this ordinance.

3. COMPLIANCE

No structure or land shall hereafter be located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

4. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

5. INTERPRETATION

In the interpretation and application of this ordinance all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and, (3) deemed neither to limit nor repeal any other powers granted under state statutes.

6. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City of Orangeburg or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

7. PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$200.00 or imprisoned for not more than 30 days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Orangeburg, from taking such other lawful action as is necessary to prevent or remedy any violation.

SECTION F. ADMINISTRATION

1. DESIGNATION OF BUILDING OFFICIAL

The Building Official is hereby appointed to administer and implement the provisions of this ordinance.

2. DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL

Duties of the Building Official shall include, but not be limited to:

- (a) Review all development permits to assure that the permit requirements of this ordinance have been satisfied.
- (b) Advise permittee that additional federal or state permits may be required, and if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the development permit.

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- (c) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- (d) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed.
- (e) When flood-proofing is utilized for a particular structure, the Building Official may require certification from a registered professional engineer or architect.
- (f) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Building Official shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Section.
- (g) When base flood elevation data has not been provided in accordance with Section E, Subsec. 2, then the Building Official shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source, in order to administer the provisions of Section G.
- (h) All records pertaining to the provisions of this ordinance shall be maintained in the office of the Building Official and shall be open for public inspection.

3. PERMIT PROCEDURES

Application for a Development Permit shall be made to the Building Official on forms furnished by him and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill storage of materials; drainage facilities, and the location of the foregoing. Specifically, the following is required:

- (a) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures.
- (b) Elevation in relation to mean sea level to which any non-residential structure has been flood-proofed.
- (c) Provide a certificate from a registered professional engineer or architect that the non-residential flood-proofed structure meets the flood-proofing criteria in Section G, Subsec. 2.
- (d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

4. VARIANCE PROCEDURES

- (a) Whenever the Building Official shall reject or refuse to approve the mode or manner of construction proposed to be followed, the owner may appeal from the decision of the Building Official to the Board of Appeals. Notice of appeal shall be in writing and filed within ninety (90) days after the decision is rendered by the Building Official. A fee of \$10.00 shall accompany such notice of appeal.
- (b) The Board of Appeals shall consist of the same members and their respective positions as established by the City Building Code. Their appointment, term of office, quorum, and procedure shall be the same as set forth in the City Building Code. The Building Official shall act as Secretary of said Board and shall keep an accurate and detailed record of all actions and proceedings of same.
- (c) Every decision of the Board of Appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. Such decision shall be reached, in every case, without unreasonable or unnecessary delay.

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SECTION G. PROVISIONS FOR FLOOD HAZARD REDUCTION1. GENERAL STANDARDS

In all areas of special flood hazard the following provisions are required:

- (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (b) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage by methods and practices that minimize flood damage.
- (c) All new and replacement water supply and sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters.
- (d) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (e) Any alteration, repair, reconstruction, or improvements to a structure on which the start of construction was begun after the effective date of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.

2. SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided the following provisions are required:

- (a) Residential Construction - New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above base flood elevation.
- (b) Non-residential Construction - New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be flood-proofed so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of bouyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.
- (c) Mobile Homes
  - (i) No mobile home shall be placed in a floodway, except in an existing mobile home park or existing mobile home subdivision.
  - (ii) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors.
  - (iii) For all new mobile home parks and new mobile home sites, stands or lots shall be elevated so that the lowest floor of the mobile home will be at or above the base flood level. Also adequate surface drainage and protection of utilities shall be provided.
- (d) Floodways - Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and and erosion potential, the following provisions shall apply:
  - (i) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification by a registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.

(ii) Prohibit the placement of any mobile homes, except in an existing mobile home park or existing mobile home subdivision.

3. STANDARDS FOR SUBDIVISION PROPOSALS

(a) All subdivision proposals shall be consistent with the need to minimize flood damage.

(b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(d) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of fifty lots or five acres.

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, THIS

17<sup>th</sup> DAY OF JUNE, A.D., 1980.

E. O. Pendennis  
 Mayor

D. W. Smith  
 Mayor

James S. ...

Sam J. ...

Henry P. Moore  
 Members of Council

ATTEST:

M. R. Campbell  
 City Clerk

EBC866



ORDINANCE NUMBER 1980-12

AN ORDINANCE TO AUTHORIZE THE SALE AND  
CONVEYANCE OF PROPERTY LOCATED ON DOYLE  
STREET IN THE CITY OF ORANGEBURG, SOUTH CAROLINA

WHEREAS the City of Orangeburg, South Carolina is the owner of property  
located in the 200 Block of Doyle Street in the City of Orangeburg, said  
property being described in the attached copy of a deed titled  
Mrs. Eugene G. Burney Griner to the City of Orangeburg, and,

WHEREAS, said property is of no appreciable benefit or usefulness  
to the City and,

WHEREAS Berry-Pendarvis Wholesale, Inc. has indicated an interest  
in purchasing said property from the City of Orangeburg as it would  
benefit the expansion of this existing business and this sale would aid  
a business endeavor located in the City of Orangeburg and,

WHEREAS, an appraisal has been made of said property by a certified  
appraiser to determine the fair market value of the property and,

WHEREAS an offer has been made to the City for said property by  
Berry-Pendarvis Wholesale, Inc. which exceeds the appraised price and,

WHEREAS the proposed sale would be in the best interest of the City  
of Orangeburg by fostering the growth of local business development and  
increasing the tax base of the City of Orangeburg.

NOW, THEREFORE, BE IT RESOLVED, that the City of Orangeburg sell and  
convey unto Berry-Pendarvis Wholesale, Inc. this real estate located on  
Doyle Street in the City of Orangeburg for the sum of \$20,000; and that  
the Mayor and City Clerk be authorized and directed to execute and deliver  
a good and sufficient deed thereto in behalf of the City of Orangeburg.

DONE AND RATIFIED this First day of July, 1980.

E.O. Pendarvis  
Mayor

[Signature]  
[Signature]

Sara H. Alexander

[Signature]  
Members of Council

ATTEST:  
[Signature]  
City Clerk

EEC866

ORDINANCE NUMBER 1980-13

AN ORDINANCE TO AMEND CHAPTER 11 OF THE CITY OF ORANGEBURG  
CODE OF ORDINANCES REGULATING MINIMUM STANDARDS FOR HOUSING  
IN THE CORPORATE LIMITS.

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

That the following words be deleted "Article II. Southern Standard  
Housing Code" and insert the following, "Article II. Standard Housing  
Code."

That "Section 11-11" be amended to adopt the more recent 1979 Edition  
of the Standard Housing Code as published by the Southern Building Code  
Congress International in lieu of the existing 1973 Edition of the Standard  
Housing Code.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina,  
in Council assembled this 15th day of July, 1980, A.D.

E. O. Penderis  
Mayor

D. W. Smith Selby  
Hamp Bryant

Sara H. Alexander

Henry P. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

EEC866

ORDINANCE NUMBER 1980 -14

AN ORDINANCE TO AMEND ARTICLE IV OF CHAPTER 10 OF CODE OF ORDINANCES RELATING TO WEEDS AND OTHER OFFENSIVE MATTER

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

That Section 10-48 of the Code of Ordinances be deleted in its entirety, and substituted with the following:

Sec. 10-48. Duty of owner to remove.

The owners or tenants of vacant lots or premises within the city, on which weeds, undergrowth, trash or other conditions detrimental to the public health, welfare and safety, are existent, shall immediately cut down and remove such weeds or undergrowth, and abate such other conditions detrimental to public health, welfare and safety and shall keep such lots at all times free from weeds, undergrowth, trash and other like matter, and keep the same in a sanitary condition.

That said Article IV be amended further by deleting Section 10-49 in its entirety, and inserting in lieu thereof the following:

Sec. 10-49. Building official to notify owner of violation; service of notice.

It shall be the duty of the Building Official to give notice to the owner or agent of the premises violating this Article. Notice shall be given by prepaid registered mail to the owner or agent, but if the owner or agent is unknown, or resides out of the state, or cannot be reached with the Notice speedily enough under the circumstances to protect public health, such Notice shall then be posted on the premises, at the City Hall, and at the County Court House. Notice shall be mailed to the owner or agent's address as shown on the County tax records.

That said Article IV be amended further by deleting Section 10-50 in its entirety, and inserting in lieu thereof the following:

Section 10-50. Failure of Owner to obey order; Building Official to remove; costs.

If the owner thus notified by either of the methods prescribed in the preceding section neglects for a period of fifteen (15) days after receiving or the posting of such notice to cut down, remove such weeds or undergrowth and free such lot or premises of trash, or other matter, to keep said lot or premises free from conditions detrimental to public health, welfare and safety within the time specified, the Building Official shall proceed to remove and abate the health hazard or nuisance on the said premises. All expenses necessarily incurred by the Building Official and his subordinates and workmen, in the enforcement of this Article shall be considered a lien against the property. Notice of such lien shall be given by prepaid registered mail to the owner or agent in the same manner as provided under Section 10-49, and if the same remains unpaid for a period of fourteen (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 such tax.

Further amend said Article IV by deleting from Section 10-51 the words "health officer" on line 3 of the printed ordinance, and inserting in lieu thereof the words "building official".

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina in Council assembled this 5<sup>th</sup> day of August, 1980, A.D.

E.O. Paulson's  
Mayor

D.W. Ruth, Salley

Harry Bryant

Sam H. Alexander

Henry P. Moore  
Members of Council

ATTEST:

M.R. Campbell  
City Clerk

## AN ORDINANCE

AUTHORIZING THE ISSUANCE OF REPLACEMENT BOND NO. 497 TO NAN M. THOMPSON TO REPLACE BOND NO. 497 OF AN ISSUE OF \$3,000,000 COMBINED PUBLIC UTILITY SYSTEM REVENUE BONDS, SERIES OF 1975, OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, DATED SEPTEMBER 1, 1975.

WHEREAS, it has been reported to the Clerk and Treasurer of the City of Orangeburg, South Carolina, that Bond No. 497, in the denomination of \$5,000, of an original issue of \$3,000,000 Combined Public Utility System Revenue Bonds, Series of 1975, of the City of Orangeburg, South Carolina, dated September 1, 1975, maturing April 1, 1992, bearing interest at the rate of seven percent (7%) per annum, together with all coupons attached thereto (which coupons are numbered 1 through 33, inclusive) has been lost, misplaced or destroyed by the owner of Mrs. Nan M. Thompson of Walterboro, South Carolina; and

WHEREAS, the said owner of the bond has made request to the Clerk and Treasurer of the City of Orangeburg that action be taken for the issuance of the bond in lieu of Bond No. 497 which has been lost, misplaced or destroyed; and

WHEREAS, it is provided in the proceedings relating to the issuance of the bonds that, in the event any of the bonds of such issue were lost, misplaced or destroyed, the City of Orangeburg should be authorized and empowered to issue a bond in lieu of those so lost, misplaced or destroyed upon proper indemnity of the City of Orangeburg; and

WHEREAS, it has been suggested by the bond owner that in lieu of the bond so lost, misplaced or destroyed, a fully registered bond in typewritten form be issued;

NOW, THEREFOR, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG IN MEETING DULY ASSEMBLED, that the Mayor and Clerk and Treasurer shall be fully authorized and empowered to execute and deliver to the owner of Bond No. 497 a fully registered bond in the principal amount of \$5,000 to be dated as of September 1, 1975, and to bear interest at the rate of 7% per annum from such date, payable semi-annually, and to mature on April 1, 1992.

ORDAINED FURTHER, that upon the execution of the said replacement bond, the same be delivered to the owner upon receipt of the indemnity satisfactory to the Clerk and Treasurer of the City of Orangeburg.

ORDAINED FURTHER, that upon receipt of appropriate indemnity, the Clerk and Treasurer is hereby authorized to pay (after such investigation as he shall elect to make) the interest due on the lost, misplaced or destroyed Bond No. 497 as of April 1, 1976, October 1, 1976, April 1, 1977, October 1, 1977, April 1, 1978, October 1, 1978, April 1, 1979, October 1, 1979 and April 1, 1980, to the extent that coupons from said Bond No. 497 have not been presented and have not been paid.

ORDAINED FURTHER, that the form of the replacement bond shall be substantially in the form attached to this Ordinance as Exhibit A.

ORDAINED FURTHER, that this Ordinance shall be forthwith codified in the Code of City Ordinances as required by law and by the by-laws and regulations of the City of Orangeburg, and the same shall be indexed under the general heading: "Replacement Bond No. 497 of the Bond Issue - \$3,000,000 Combined Public Utility System Revenue Bonds, Series of 1975, of the City of Orangeburg, South Carolina." All ordinances previously adopted and inconsistent herewith are hereby repealed <sup>to</sup> the extent of that inconsistency.

DONE IN COUNCIL ASSEMBLED, this 19<sup>th</sup> day of AUGUST, A. D. 1980.

(SEAL)

E. O. Anderson's  
Mayor

D. W. Pruitt Selley  
Harry Smart

Lara J. Alexander

Henry P. Moore  
Councilmen

Attest:

M. R. Campbell  
Clerk and Treasurer

EXHIBIT A

UNITED STATES OF AMERICA  
STATE OF SOUTH CAROLINA  
COUNTY OF ORANGEBURG  
CITY OF ORANGEBURG  
COMBINED PUBLIC UTILITY SYSTEM REVENUE BOND  
SERIES OF 1975

Replacement Bond  
No. R-497

The CITY OF ORANGEBURG, in ORANGEBURG COUNTY, SOUTH CAROLINA, for value received, hereby promises to pay to Nan M. Thompson, or her registered assigns solely from the revenues described and pledged to the payment of this bond, the principal sum of

FIVE THOUSAND DOLLARS

on the first day of April, 1992 with interest thereon, from the date of this Bond, at the rate of SEVEN PERCENT (7%) PER ANNUM, payable on the first days of April and October of each year, commencing April 1, 1976 (at which time interest for seven months will be due). Payments of interest shall be made at the times provided herein to the registered holder of this Bond at the address shown on the registration books, without the necessity of surrendering this Bond and all such payments shall fully discharge the obligation of the City of Orangeburg herein to the extent of the payments so made. The principal of this Bond is payable to or upon the order of the resgistered holder or his legal representative upon presentation and surrender of this Bond for cancellation hereof at the office of the Clerk and



Treasurer of the City of Orangeburg, South Carolina, in the City of Orangeburg, South Carolina.

THIS BOND is one of an issue of bonds in the aggregate principal amount of Three Million Dollars (\$3,000,000) of like date, tenor and effect, except as to number, rate of interest, date of maturity and redemption provisions, numbered from 1 to 600, inclusive, issued pursuant to an Ordinance adopted by the City Council of the City of Orangeburg, and thereafter codified and indexed as prescribed by law (herein called "The Ordinance"), and issued under and in full compliance with the Constitution and Statutes of the State of South Carolina, including particularly Sections 59-361 to 59-415, inclusive, Code of Laws of South Carolina, 1962, as amended, to obtain funds to defray the cost of acquiring improvements to the Combined Public Utility System of the City of Orangeburg ("The System").

This Bond is issued to the registered holder hereof in replacement of Coupon Bond No. 497 which is believed to have been lost, misplaced or destroyed by the registered holder.

The bonds of this issue rank equally and on a parity in all respects with the now outstanding One Million Three Hundred Sixty Thousand Dollars (\$1,360,000) of an original issue of Two Million Five Hundred Thousand Dollars (\$2,500,000) Combined Public Utility System Revenue Bonds, Series of 1962, dated July 1st, 1962; the now outstanding One Million One Hundred Seventy Thousand Dollars

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(\$1,170,000) of an original issue of One Million Five Hundred Thousand Dollars (\$1,500,000) Combined Public Utility System Revenue Bonds, Series of 1964, dated August 1st, 1964; the now outstanding One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) of an original issue of Two Million Dollars (\$2,000,000) Combined Public Utility System Revenue Bonds, Series of 1967, dated April 1st, 1967; and the now outstanding Two Million Seven Hundred Thousand Dollars (\$2,700,000) of an original issue of Three Million Dollars (\$3,000,000) Combined Public Utility System Revenue Bonds, Series of 1971, dated April 1st, 1971.

The Ordinance authorizes the issuance of additional bonds, which, when issued in accordance with the provisions of The Ordinance, will rank equally and be on a parity with the bonds authorized pursuant to The Ordinance.

The bonds of this issue maturing subsequent to April 1st, 1985, being bonds numbered 301 to 600, inclusive, are subject to redemption at the option of the City of Orangeburg, prior to their stated maturities, in whole or in part, but if in part, in inverse numerical order, on April 1st, 1985, and all subsequent interest payment dates, at par, plus accrued interest to the date fixed for redemption, plus a redemption premium computed as follows:

- (a) If the redemption be effected on or before April 1st, 1989, the redemption premium shall be three and one-half per centum (3 1/2%) of the principal amount of each bond redeemed; and
- (b) If the redemption be effected after April 1st, 1989, but prior to the stated maturity of the bonds, the redemption premium shall be two per

centum (2%) of the principal amount of each bond redeemed.

If bonds are called for redemption prior to their maturity, notice of redemption, describing the bonds to be redeemed and specifying the redemption date, must be given by the City, by publication at least once, not less than thirty days and not more than sixty days prior to the redemption date in a financial journal published in the City of New York, State of New York, interest on the bonds to be redeemed shall cease to accrue from and after the redemption date specified in such notice unless the City defaults in making due provision for the payment of the redemption price thereof.

Both the principal of and interest on the bonds of this issue are payable solely from the revenues derived from the operation of The System. Neither the bonds of said issue, nor any of the coupons representing the interest payable thereon shall in any event constitute an indebtedness of the City of Orangeburg, within the meaning of any provision, limitation or restriction of the Constitution or Laws of South Carolina. The said City is not obligated to pay any of said bonds or the interest thereon save and except from revenues derived from the operation of The System.

This Bond is transferable only upon the books of the Clerk and Treasurer of the City of Orangeburg kept for that purpose at the office of the Clerk and Treasurer of the City of Orangeburg, in the City of Orangeburg, South Carolina by the registered holder hereof in person, or by her duly

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authorized attorney, upon surrender of this Bond together with a written instrument of transfer satisfactory to the said Clerk and Treasurer duly executed by the registered holder or her duly authorized attorney, and thereupon a new registered Bond, in the same aggregate principal amount, shall be issued to the transferee in exchange therefor. The City of Orangeburg, South Carolina, may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes.

The City of Orangeburg hereby agrees that it will continuously operate and maintain The System and fix and maintain such rates for the services and facilities furnished by the System as shall at all times be sufficient, (1) to provide for the payment of the interest on and principal of this bond, the issue of which it forms a part, and the interest on and principal of all bonds on a parity herewith, as and when the same become due and payable; (2) to create a "Bond and Interest Fund" and a "Cushion Fund" for the bonds of this Issue; (3) to provide for the payment of the expenses of the administration and operation and such expenses for maintenance of The System as may be necessary to preserve the same in good repair and working order; (4) to build up a reserve for improvements, betterments and extensions to The System other than those necessary to maintain the same in good repair and working order.

Under authority of Section 59-391, Code of Laws of South Carolina, 1962, and by The Ordinance, there has been created and granted to and in favor of the holder of this bond, and the issue of which it forms a part, a statutory lien which is hereby recognized as valid and binding on The System with the appurtenances and extensions thereto, and The System shall remain subject to said statutory lien until the payment in full of the interest on and principal of this bond and the issue of which it forms a part. Upon the happening of any event of default as defined in The Ordinance, the principal of all bonds issued pursuant to The Ordinance then outstanding may become, or may be declared, forthwith due and payable in the manner and with the effect provided for in The Ordinance.

THIS BOND and the interest hereon are exempt from all State, County Municipal, School District and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate or transfer taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and Laws of the State of South Carolina to exist, to happen and to be performed precedent to or in the issuance of this bond, exist, have happened, and have been done and performed in regular and due time, form and manner, and that the amount of this bond, and the issue of which this bond is one does

not exceed any constitution or statutory limitation thereon.

IN WITNESS WHEREOF, THE CITY OF ORANGEBURG, SOUTH CAROLINA has caused this Bond to be signed by its Mayor, attested by its Clerk and Treasurer, its Corporate Seal to be impressed hereon, and this Bond to be dated the first day of September, A. D. 1975.

E. O. Pendergrass  
Mayor

Attest:

M. R. Campbell  
Clerk and Treasurer

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

I, the undersigned, Clerk and Treasurer of the City of Orangeburg, State and County aforesaid, DO HEREBY CERTIFY:

That the foregoing is a true, correct and verbatim copy of an Ordinance which was duly adopted by the City Council of the City of Orangeburg and which became effective on AUGUST 19, 1980 the original of which is duly entered in the permanent records of minutes of meetings of said City Council, in my custody as such Clerk and Treasurer.

The Ordinance was first introduced at a meeting of City Council held at Council Chambers of City Hall on the 15<sup>th</sup> day of JULY, 1980, and at that time it was given first reading. It was thereafter read in full and given a second reading at a meeting of Council held on AUGUST 5, 1980. At the meeting of City Council held on AUGUST 19, 1980 the Ordinance received its third and final reading and became effective at that time. All members of Council had been duly notified of each meeting and all attended except NONE. Each meeting was duly called and was attended by all members of Council except Councilman NONE.

I DO FURTHER CERTIFY that in accordance with the directive therein contained, the said Ordinance has been duly codified as prescribed by law.

IN WITNESS WHEREOF, I have hereunto set my Hand and the  
Seal of the City of Orangeburg, South Carolina, this 20<sup>th</sup>  
day of AUGUST, 1980.

(SEAL)

M. R. Campbell  
Clerk and Treasurer



AN ORDINANCE TO DEFINE AND PROHIBIT  
LOITERING AND TO PROVIDE PENALTIES  
THEREFOR.

Section 1. THE COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, HEREBY ORDAINS, that Chapter 16 of the Code of Ordinances of the City of Orangeburg, South Carolina, 1969, be and the same is hereby amended by adding a new Section to be appropriately numbered and to read as follows:

"Section 16- . Loitering; defined, prohibited. Loitering accompanied by activity or under circumstances affording probable cause for alarm or concern for the safety and well-being of persons or for the security of property is prohibited.

It shall be unlawful for any person to loiter, as hereinafter defined, in, on or about any place, public or private, when such loitering is accompanied by activity or is under circumstances that afford probable cause for alarm or concern for the safety and well being of persons or for the security of property in the surrounding area.

For the purposes of this Section, the term "loiter" shall include the following activities: lingering, hanging around, the idle spending of time, delaying, sauntering and moving slowly about, the sleeping in motor vehicles or trailers located on public property and the sleeping on streets, sidewalks, alleyways, parks or other public property.

For the purpose of this Section, the term "any place," public or private, shall include, but not be limited to, the following: all places commonly known as being distinctively public, such as public streets, public restrooms, sidewalks, parks, municipal airports, alleys and buildings; all places privately owned but not open to public generally, such as shopping centers, transportation terminals, retail stores, movie theatres, office buildings and restaurants; and, all places distinctively private, such as homes or private residences and apartment houses.

For the purposes of this Section, the term "surrounding area" shall be defined as follows: That area easily and immediately accessible to the person under observation.

Without limitation, the following activities and circumstances may be considered in determining probable cause for alarm or concern:

(a) The flight of a person upon the appearance of a Police Officer.

(b) Attempted concealment by a person upon the appearance of a Police Officer.

(c) The systematic checking by a person of doors, windows, or other means of access to buildings, houses or vehicles.

(d) Repeated activity by a person, continuous or broken, which outwardly manifests no purpose, such as going from one place to another and back with no showing of use for such movement.

(e) Continuous presence by a person in close proximity to any building, house, vehicle, or any other property or to any other person, at any time, when the activity of such person manifests possible unlawful activity, such continuous presence being for an unreasonable period of time under the circumstances then existing.

(f) If on private property, the continued refusal of a person to leave such private property when requested to do so by the owner, manager, proprietor, or lessee of such property.

(g) The sleeping or living by a person in any motor vehicle or trailer, located on a street, sidewalk, alleyway, park or other public property.

(h) The sleeping of any person on a street, sidewalk, alleyway, park or other public property.

Any person who violates any of the provisions of this Ordinance shall be subject to a fine not exceeding Two Hundred and no/100 (\$200.00) Dollars or by imprisonment not exceeding thirty (30) days. Any such violation shall constitute a separate offense on each successive day continued.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 2nd day of September, 1980, A. D.

E. O. Pendergrass  
Mayor  
D. Herbert Selley  
Township  
James St. Alexander  
Henry P. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

ORDINANCE NO. 1980-17

AN ORDINANCE TO PROHIBIT THE DRINKING  
OF BEER, WINE AND ALCOHOLIC BEVERAGES  
IN CERTAIN PUBLIC AND PRIVATE AREAS  
AND TO PROVIDE PENALTIES FOR VIOLATION  
THEREOF.

Section 1. THE COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, HEREBY ORDAINS, that Chapter 3 of the Code of Ordinances of the City of Orangeburg, South Carolina, 1969, be and the same is hereby amended by adding a new section to be appropriately numbered and to read as follows:

"Section 3- . Drinking and carrying of beer, wine, alcoholic beverages on certain public and private areas prohibited; penalty.

No person shall drink, or carry for the purpose of immediate consumption, beer, wine or alcoholic beverages upon the streets, sidewalks, parks, public parking lots, public school property or other public property except where authorized or permitted by law, or upon any private parking lot or any other private areas that are open to public use unless authorized or permitted by the owner or owners thereof. Any person carrying an open cup, can, glass, bottle or other similar drinking vessel containing beer, wine or alcoholic beverages upon the streets, sidewalks, parks, public parking lots, public school property or other public property except where authorized by law, or upon any private parking lot or any other private areas that are open to public use, except with the permission or consent of the owner or owners thereof, shall be in violation of this Ordinance. Any person who violates the provisions of this Ordinance shall be subject to a fine not exceeding Two Hundred and no/100 (\$200.00 ) Dollars or by imprisonment not exceeding thirty (30) days.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this 2nd day of September, 1980, A. D.

E. O. Pendleton  
Mayor  
B. W. Herbert Selley  
Alderman  
Don A. Alexander  
Alderman  
Henry C. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

ORDINANCE NUMBER 1980- 18

AN ORDINANCE TO AMEND CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG RELATING TO VEHICLES FOR HIRE BY REPEALING SECTION 28-17 RELATING TO MAXIMUM RATES AND AMENDING SECTION 28-18 BY REQUIRING THE SCHEDULE OF RATES TO BE FILED WITH THE CITY CLERK AND TO PROVIDE A THIRTY-DAY NOTICE BEFORE ANY RATE INCREASE

THE COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA HEREBY ORDAINS, that Section 28-17 of the Code of Ordinances of the City of Orangeburg, South Carolina, 1969, be and the same is hereby repealed: Further that Section 28-18 of said code be amended to provide that a copy of the schedule of rates be filed with the City Clerk so that when amended said section will read as follows:

"Section 28-18. Schedule of rates to be posted in vehicle and filed with City Clerk".

All persons owning or controlling any taxicab operating under this article shall post, in a conspicuous place in such taxicab, a printed schedule or rates, and shall keep the same so posted at all times. A copy of said schedule shall be filed with the City Clerk. In the event of an increase in rates such schedule shall be filed with the City Clerk at least thirty days prior to the effective date of such increase.

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina, in Council assembled this SECOND day of SEPTEMBER, 1980, A.D.

EEC866

E. O. Pendennis  
MAYOR

D. W. Heathley  
James Smart

Sam J. Alexander

Henry C. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

ORDINANCE NUMBER 1980-19

AN ORDINANCE TO AMEND THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE CITY OF ORANGEBURG SO AS TO FURTHER PROVIDE RESPECTING THE DUTIES OF THE BUILDING OFFICIAL AND TO FURTHER PROVIDE RESPECTING MOBILE HOME REQUIREMENTS.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, in Council assembled, and by the authority of same;

That the following duties of the Building Official be added to Section F. (2) of the Flood Damage Prevention Ordinance.

- (i) Notify adjacent Communities and the South Carolina Water Resources Commission prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. 1910.3 (b) (6)
- (j) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished. 1910.3 (b) (7)

Also that the following additional regulation be added to Section G. (2) (c) for mobile home requirements.

- (iv) In the instance of elevation on pilings: (1) Lots are large enough to permit steps; (2) piling foundations are placed in stable soil no more than 10 feet apart; and (3) reinforcement is provided for pilings more than six feet above the ground level. 1910.3 (c) (6)

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA,

THIS SECOND DAY OF SEPTEMBER, 1980.

E. O. Funderburk  
MAYOR

D. W. Brecht, Jr.  
Harry Bryant

Sam H. Alexander

Clayton P. Moore  
MEMBERS OF COUNCIL

ATTEST:

M. R. Campbell  
City Clerk

BEC866

## ORDINANCE NUMBER 1980 - 20

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR  
THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL  
YEAR ENDING SEPTEMBER 30, 1981

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, 1980-September 30, 1981, 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, 1980, to the Thirty-first day of December, 1980, 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-Four 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 First (1st) day of October, 1980, until the Thirtieth (30th) day of November, 1980, from the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, Saturdays and Sundays excepted.

Section 5. After December 1, 1980, a penalty of fifteen (15) percent shall be added to all unpaid taxes until December 31, 1980. On January 1, 1981, 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.

EPC866

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 7th day of October, 1980.

E. O. Ponder  
Mayor

D. W. Bennett Selley

James Bryant

Sam H. Alexander

Ronald C. Moore  
Members of Council

ATTEST:

M. R. Campbell  
City Clerk

EFC866

ORDINANCE NO. 1980-21

AN ORDINANCE TO AUTHORIZE THE CITY OF ORANGEBURG  
TO ENTER INTO AN EXCHANGE OF INTEREST IN REAL  
ESTATE WITH CHALMERS POLLARD

WHEREAS, the City of Orangeburg, South Carolina, is the owner of a certain lot on the southwesterly side of Windsor Street adjacent to Sunnyside Canal, part of which is of no appreciable benefit or usefulness to the City and,

WHEREAS, Chalmers Pollard is the owner of a certain residential lot fronting on Adden Street, N. W., and abutting Sunnyside Canal, part of which the City has need of a permanent easement and construction easement for the improvement of Sunnyside Canal and,

WHEREAS, the City of Orangeburg and the said Chalmers Pollard have agreed upon an exchange whereby the said Chalmers Pollard would be conveyed a triangular lot in exchange for a permanent easement and temporary construction easement, all of which will more fully appear below and,

WHEREAS, the City of Orangeburg and the said Chalmers Pollard have agreed upon an exchange which the City of Orangeburg feels is fair and beneficial to both parties;

NOW, THEREFORE, BE IT RESOLVED, that the City of Orangeburg transfer and convey unto Chalmers Pollard the following described parcel or land:

All that certain piece, parcel or lot of land, being triangular in shape as set forth and shown on a sketch showing property of Chalmers Pollard made by City Public Works Department dated October 6, 1980, and having the following boundaries and measurements: Northeast by Windsor Street, 65 feet, more or less; South by remaining property of City of Orangeburg, 131 feet, more or less, and on the Northwest by property of Chalmers Pollard, 113 feet, more or less; being part of certain property conveyed to the City of Orangeburg by deed of William F. Jensen dated August 27, 1980.

That as consideration for the aforesaid deed to be made the said Chalmers Pollard shall convey to the City of Orangeburg a permanent



right-of-way or easement, for the purpose of a storm drainage improvement system, as follows:

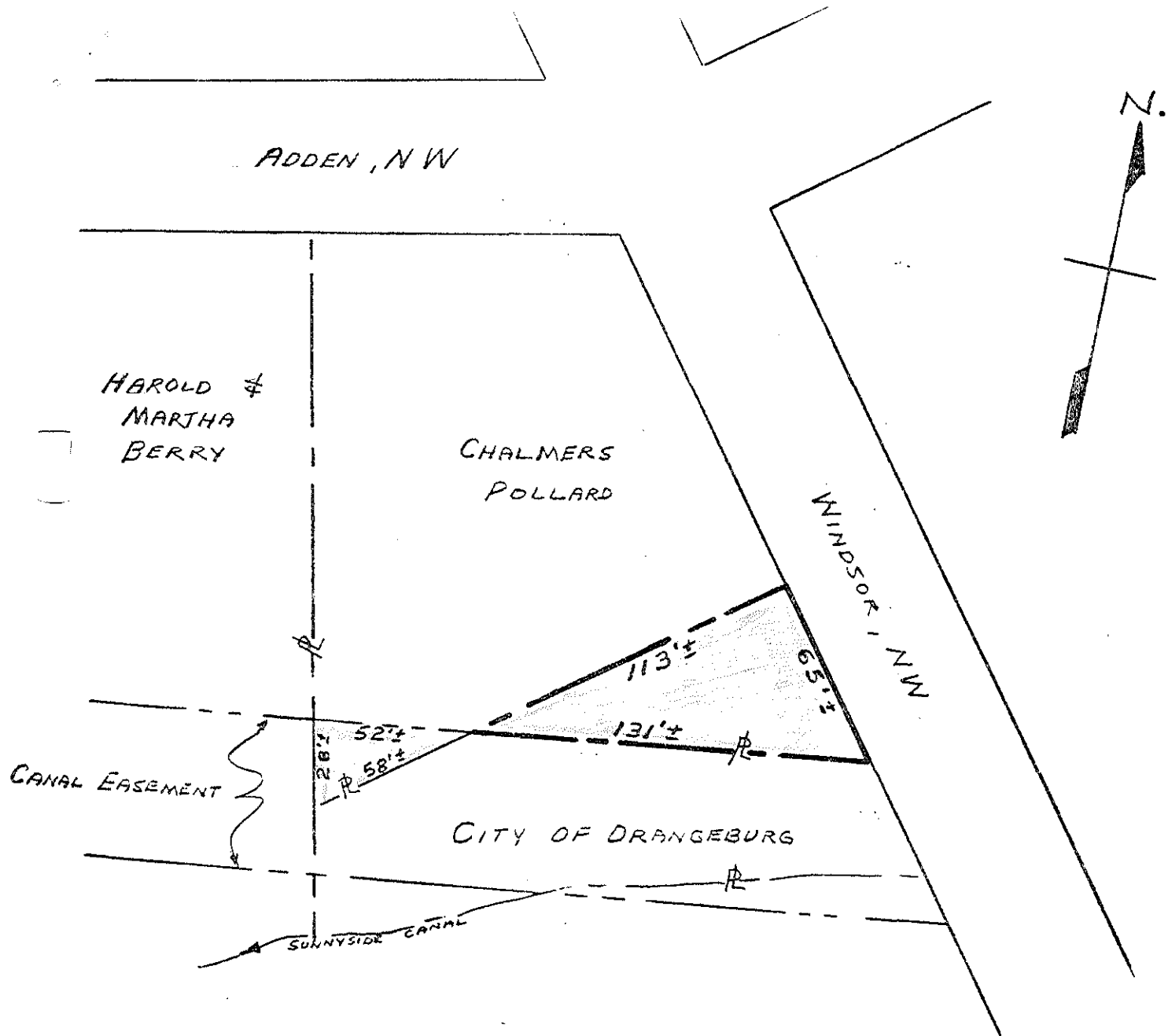
All that certain piece, parcel or strip of land, being triangular in shape, in the City of Orangeburg, said County and State, having the following boundaries and measurements: North by remaining property of Chalmers Pollard, 52 feet, more or less; Southeast by property of the City of Orangeburg, 58 feet, more or less, and on the Southwest by Sunnyside Canal, 28 feet, more or less; the same being more fully shown and set forth on the Sketch above referred to; ALSO, a temporary construction easement 20 feet in width, extending in an easterly-westerly direction along the northerly side of the above described easement for the purpose of locating, laying, constructing and building storm drainage facilities.

Said deed and right-of-way agreement to be in such form and content as mutually agreed upon by the respective parties; and that the Mayor and City Clerk be authorized and directed to execute and deliver a good and sufficient deed on behalf of the City of Orangeburg.

DONE AND RATIFIED this 21st day of October, 1980.

E.O. Penderis  
MAYOR  
D.W. Pruthi Selby  
Lump Sum  
Agua & Alvarado  
Henry P. Moore  
MEMBERS OF COUNCIL

ATTEST:  
M.R. Campbell  
City Clerk



STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

CITY OF ORANGEBURG

SKETCH SHOWING PROPERTY OF CHALMERS POLLARD

LEGEND

- PROPERTY BEING CONVEYED TO CHALMERS POLLARD BY THE CITY OF ORANGEBURG.
- EASEMENT AGREEMENT TO THE CITY OF ORANGEBURG FROM CHALMERS POLLARD

DATE: 10-6-80

BY: CITY PUBLIC WORKS DEPT.

SCALE 1" = 50'

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, SOUTH CAROLINA, 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 change in District classification:

Change from "A-2 Residential" to "D-1 Industrial", all that certain lot of land situate in the City of Orangeburg being bounded as follows: on the Northeast by Rowe Street measuring thereon (40) feet more or less; on the Southeast by Brunson Ct., measuring thereon (110) feet more or less; on the Northwest by 636 Rowe, SE measuring thereon (110) feet more or less; on the Southwest by 208 Brunson Ct. measuring thereon (40) feet, more or less. This property is located at 644 Rowe, SE. The 14' wide alley bordering the above described lot along the 110' long southeast property line shall be included in this area to be rezoned. This alley is privately owned and known as Brunson Ct.

PASSED by the City Council of the City of Orangeburg, South Carolina this the 16th day of December, 1980.

[Signature]  
Mayor

[Signature]  
[Signature]

[Signature]

[Signature]  
Members of Council

ATTEST:

[Signature]  
City Clerk

BEC866

AN ORDINANCE TO AUTHORIZE THE SALE AND CONVEYANCE OF PROPERTY LOCATED ON FAIR STREET IN THE CITY OF ORANGEBURG, SOUTH CAROLINA

WHEREAS the City of Orangeburg, South Carolina is the owner of property located in the 300 block of Fair Street in the City of Orangeburg, said property being described in the attached copy of deeds titled Margaret C. Ballard and Harry C. Wannamaker, III, and

WHEREAS, said property is of no appreciable benefit or usefulness to the City and,

WHEREAS Marion Mack has indicated an interest in purchasing said property from the City of Orangeburg for the purpose of constructing low to moderate income rental housing units and,

WHEREAS the proposed sale would be in the best interest of the City of Orangeburg by promoting more and better housing for low to moderate income residents and by increasing our local tax base.

NOW, THEREFORE, BE IT RESOLVED, that the City of Orangeburg sell and convey unto Marion Mack this real estate located on Fair Street in the City of Orangeburg for the sum of \$5,000; and that the Mayor and City Clerk be authorized and directed to execute and deliver a good and sufficient deed thereto in behalf of the City of Orangeburg.

DONE AND RATIFIED THIS 16th day of December, 1980.

E. O. Pondanis  
MAYOR

D. W. Heath, Jr.

Harry K. Ryan

Sam A. Alexander

Ferry P. Moore  
MEMBERS OF COUNCIL

ATTEST:

M. R. Campbell  
City Clerk

AN ORDINANCE

TO PROVIDE FOR A MUNICIPAL COURT FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA; TO PROVIDE FOR THE ELECTION AND APPOINTMENT OF MUNICIPAL JUDGES, MINISTERIAL RECORDERS AND COURT PERSONNEL; AND TO PROVIDE FOR THE ADMINISTRATION AND OPERATION OF SUCH COURT.

BE IT ORDAINED by the ORANGEBURG CITY COUNCIL:

Section 1

There is hereby established a municipal court for the City of Orangeburg, South Carolina, which shall be a part of the unified judicial system of the State of South Carolina, pursuant to Act No. 480 of 1980, for the trial and determination of all cases within its jurisdiction.

Section 2

The court shall be presided over by one or more full-time or part-time judges, at the discretion of council. The municipal judge(s) shall be appointed by council for a term fixed by council not to exceed four (4) years, or who shall serve at the pleasure of council. The compensation of the municipal judge(s) shall be as from time to time may be determined by council. Vacancies shall be filled in accordance with S. C. Code Section 14-25-25.

Section 3

The council shall designate a clerk of municipal court, who shall keep such records and make such reports as may be required by the municipal judge or the State Court Administrator. Council may designate the municipal clerk or other municipal employee to serve as clerk of the court.

Section 4

The municipal court shall have jurisdiction to try all cases arising under the ordinances of the City. The court shall also have all such powers, duties and jurisdiction in criminal cases made under state law and conferred upon magistrates. The court shall have the power to punish for contempt of court by imposition of sentences up to the limits imposed on municipal courts. The court shall have no jurisdiction in civil matters.

Section 5

Whenever the municipal judge finds a party guilty of violating a municipal ordinance or a state law within the jurisdiction of the court, he may impose a fine or imprisonment, or both, not to exceed two hundred dollars or thirty days.

Section 6

The municipal judge may suspend sentences imposed by him upon such terms and conditions as he deems proper including, without limitation, restitution or public service employment.

Section 7

All fines and penalties collected by the municipal court shall be forthwith turned over to the clerk for deposit to the general fund of the City.

Section 8

Any party shall have the right to appeal from the sentence or judgment of the municipal court to the Court of General Sessions. Notice of intention to appeal, setting forth the grounds for appeal, shall be given in writing and served on the municipal judge or the clerk of the municipal court within ten days after sentence is passed or judgment rendered, or the appeal shall be deemed waived. The party appealing shall enter into a bond, payable to the City to appear and defend such appeal at the next term of the Court of General Sessions or shall pay the fine assessed.

Section 9

In the event of an appeal, the municipal judge shall make a return to the Court of General Sessions as provided by S. C. Code Section 14-25-105.

Section 10

Any person to be tried in the municipal court may, prior to trial, demand a jury trial, and such jury when demanded, shall be composed of six persons drawn from the qualified electors of the municipality in the manner prescribed by law. The right to a jury trial shall be deemed to have been waived unless demand is made prior to trial.

Section 11

The City Council shall serve as jury commissioners for the municipal court.

DONE AND RATIFIED this 30th day of December, 1980.

E. O. Ford  
MAYOR

D. W. Perette  
MEMBER OF COUNCIL

Harry H. Alexander  
MEMBER OF COUNCIL

Henry S. Sargent  
MEMBER OF COUNCIL

R. S. Moore  
MEMBERS OF COUNCIL

ATTEST:

M. R. Campbell  
CITY CLERK