

ORDINANCE NO. 1982- 1

AN ORDINANCE TO AMEND SECTION 4-15, ARTICLE I, CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, 1969, SO AS TO FURTHER DEFINE ANIMALS AND FOWL RUNNING AT LARGE, AND THE PENALTY FOR VIOLATIONS THEREOF.

BE IT ENACTED by the City Council of Orangeburg, South Carolina, that Section 4-15, Article I, Chapter 4, of the Code of Ordinances of the City of Orangeburg, South Carolina, 1969, be amended so as to include all animals and said Section shall read as follows:

Section 4-15. Animals, Fowl Running at Large Penalty.

It shall be unlawful for any person to allow animals or fowl to run at large on any of the streets or ways of the City; and the owner, or person having the charge or management of the animal or fowl offending shall forfeit and pay to the City such fine as may be imposed by Municipal Court. The definitions contained in Section 4-25, Article II, shall apply to this Section and Chapter.

PASSED this the 16th day of March, 1982.

E. O. Puckett
MAYOR

W. Kenneth Selley
Dwight Johnson

James H. Alexander
William S. McCarty
MEMBERS OF COUNCIL

ATTEST:

M. R. Campbell
CITY CLERK

EEC866

ORDINANCE No.

JOINT ORDINANCE
ORANGEBURG CITY COUNCIL, CALHOUN COUNTY COUNCIL AND
ORANGEBURG COUNTY COUNCIL

TO CREATE THE ORANGEBURG-CALHOUN REGIONAL LAW ENFORCEMENT
COMMISSION AND TO PROVIDE FOR ITS BOARD OF DIRECTORS AND ITS
DUTIES AND POWERS

WHEREAS, Orangeburg City Council, Calhoun County Council, and Orangeburg
County Council are in agreement on this ordinance and for it to become effective,
Now, Therefore,

BE IT ORDAINED by the Orangeburg City Council, Calhoun County Council, and
Orangeburg County Council, State of South Carolina:

Section 1. There is hereby created, formed and established the
Orangeburg-Calhoun Regional Law Enforcement Commission.

Section 2. The powers and duties of the Commission shall be exercised
and performed by a Board of Directors (Board), which shall consist of three (3)
members from Orangeburg County, two (2) members from the City of Orangeburg,
and two (2) members from Calhoun County, and they shall serve for a term of
two (2) years.

Section 3. Initially, the membership of the Board shall be comprised
of those persons presently serving on the Orangeburg-Calhoun Law Enforcement
Complex Commission. Provided, however, that the members representing
Orangeburg County shall not be re-appointed as their respective terms expire
until September of 1982 so as to reduce the current five (5) members from
Orangeburg County to three (3). As the current terms expire, all vacancies
shall be appointed for a two (2) year term, except that this provision shall
only apply to Orangeburg County upon the expiration of the terms of the
members serving until September of 1982.

Section 4. The Board shall annually elect a Chairman, A Vice-Chairman,
and such other officers it deems necessary. The Board shall meet upon the
call of its Chairman, or a majority of its membership, but not less frequently
than once per month.

Section 5. The Board of Directors may do all things necessary or
convenient for the establishment and maintenance of adequate facilities for
law enforcement and incarceration of prisoners for the City of Orangeburg,
Calhoun County, and Orangeburg County. The Board shall have no power to
create any indebtedness or obligation against the City of Orangeburg, Calhoun
County, or Orangeburg County without the written consent of the governing
body of the respective governmental entities.

REC-500

Section 6. The Board shall be empowered to:

(a) Adopt such bylaws, rules and regulations for the conduct of its business and expenditure of its funds as it may deem advisable.

(b) Operate the present facilities and such other facilities as it may lease, acquire or construct.

(c) Acquire by gift, purchase or otherwise all kinds and descriptions of real and personal property.

(d) Accept gifts, grants, donations, devises and bequests.

(e) Enlarge and improve any facility and land on which it is situated that it may acquire or construct.

(f) Adequately staff and equip the Complex and any facility that it may operate.

(g) Provide reasonable regulations concerning the facilities maintained by the Board.

(h) Apply to the Federal Government and any other governmental agency for a grant of monies to aid in the construction, maintenance and equipment of any facilities.

(i) Dispose of or lease any property, real or personal, that it may possess, provided that it shall not dispose of or lease the Complex or any real estate without first having obtained the consent in writing of the governing bodies of the City of Orangeburg, Calhoun County, and Orangeburg County.

(j) Enter into contracts for the construction and repair of the Complex and any other facilities and to contract for equipment and supplies for the same.

Section 7. The Board shall at all times keep full and accurate account of its actings and doings and of its receipts and expenditures and, at least once annually, a complete audit of the affairs of the Complex shall be made by a qualified public accountant. Copies of the audit shall be filed with the Administrators for each governing body. All monthly, quarterly or semi-annual reports required by the Board shall also be available to the members of each governing body and records of the Complex shall at all times be available for inspection by each governing body or its authorized representative.

Section 8. The Board shall annually provide for a budget, which shall be funded by the governmental entities in a ratio as follows:

Orangeburg County	69.9%
City of Orangeburg	17.1%
Calhoun County	13.0%

11/15/50

ORDINANCE NO. (Continued)

The Board shall submit the annual budget to the administrator of Orangeburg County, who shall submit the budget request to the other administrators of the respective councils. Their consensus shall then be presented to their respective councils. In the event the three governing bodies cannot agree on budget funding, the matter shall be referred to an arbitration panel, one member selected by each governmental entity, but in no event shall the arbitration results be binding until approved by the respective councils.

Section 9. The name of the Complex shall be designated the Orangeburg-Calhoun Regional Law Enforcement Complex.

Section 10. No obligation of the Commission shall ever constitute an indebtedness of the City of Orangeburg, Calhoun County or Orangeburg County within the meaning of any State constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of any of the governmental entities or a charge against any of the governmental entities' general credit or taxing powers.

Section 11. This ordinance replaces and is in lieu of any enabling legislation or statutes heretofore creating the Orangeburg-Calhoun Law Enforcement Complex and upon its adoption by the three governing bodies hereby terminates the existence of the Orangeburg-Calhoun Law Enforcement Complex Commission.

Section 12. This ordinance shall become effective upon the third reading thereof by the Orangeburg City Council, the Calhoun County Council, and the Orangeburg County Council, and shall expire after two years from such effective date unless extended by joint action of the respective Councils.

ADOPTED this 20th day of July, 1982.

E. C. Ponder
MAYOR

W. Brent Selley
Sam H. Alexander

Henry B. Spruill
William W. ...
MEMBERS OF COUNCIL

ATTEST:
Stump ...
CITY CLERK

EECS66

ORDINANCE NO.

(Continued)

Fred C. Mox
CHAIRMAN, ORANGEBURG COUNTY COUNCIL

ATTEST:

Lois H. Dworkin
CLERK OF COUNCIL

DATE: Sept. 17, 1982

David K. Summer Jr.
CHAIRMAN, CALHOUN COUNTY COUNCIL

ATTEST:

CLERK OF COUNCIL

DATE: _____

REC-110

ORDINANCE No. 1982-2

JOINT ORDINANCE
ORANGEBURG CITY COUNCIL, CALHOUN COUNTY COUNCIL AND
ORANGEBURG COUNTY COUNCIL

TO CREATE THE ORANGEBURG-CALHOUN REGIONAL LAW ENFORCEMENT
COMMISSION AND TO PROVIDE FOR ITS BOARD OF DIRECTORS AND ITS
DUTIES AND POWERS

WHEREAS, Orangeburg City Council, Calhoun County Council, and Orangeburg County Council are in agreement on this ordinance and for it to become effective, Now, Therefore,

BE IT ORDAINED by the Orangeburg City Council, Calhoun County Council, and Orangeburg County Council, State of South Carolina:

Section 1. There is hereby created, formed and established the Orangeburg-Calhoun Regional Law Enforcement Commission.

Section 2. The powers and duties of the Commission shall be exercised and performed by a Board of Directors (Board), which shall consist of three (3) members from Orangeburg County, two (2) members from the City of Orangeburg, and two (2) members from Calhoun County, and they shall serve for a term of two (2) years.

Section 3. Initially, the membership of the Board shall be comprised of those persons presently serving on the Orangeburg-Calhoun Law Enforcement Complex Commission. Provided, however, that the members representing Orangeburg County shall not be re-appointed as their respective terms expire until September of 1982 so as to reduce the current five (5) members from Orangeburg County to three (3). As the current terms expire, all vacancies shall be appointed for a two (2) year term, except that this provision shall only apply to Orangeburg County upon the expiration of the terms of the members serving until September of 1982.

Section 4. The Board shall annually elect a Chairman, A Vice-Chairman, and such other officers it deems necessary. The Board shall meet upon the call of its Chairman, or a majority of its membership, but not less frequently than once per month.

Section 5. The Board of Directors may do all things necessary or convenient for the establishment and maintenance of adequate facilities for law enforcement and incarceration of prisoners for the City of Orangeburg, Calhoun County, and Orangeburg County. The Board shall have no power to create any indebtedness or obligation against the City of Orangeburg, Calhoun County, or Orangeburg County without the written consent of the governing body of the respective governmental entities.

BEC866

Section 6. The Board shall be empowered to:

(a) Adopt such bylaws, rules and regulations for the conduct of its business and expenditure of its funds as it may deem advisable.

(b) Operate the present facilities and such other facilities as it may lease, acquire or construct.

(c) Acquire by gift, purchase or otherwise all kinds and descriptions of real and personal property.

(d) Accept gifts, grants, donations, devises and bequests.

(e) Enlarge and improve any facility and land on which it is situated that it may acquire or construct.

(f) Adequately staff and equip the Complex and any facility that it may operate.

(g) Provide reasonable regulations concerning the facilities maintained by the Board.

(h) Apply to the Federal Government and any other governmental agency for a grant of monies to aid in the construction, maintenance and equipment of any facilities.

(i) Dispose of or lease any property, real or personal, that it may possess, provided that it shall not dispose of or lease the Complex or any real estate without first having obtained the consent in writing of the governing bodies of the City of Orangeburg, Calhoun County, and Orangeburg County.

(j) Enter into contracts for the construction and repair of the Complex and any other facilities and to contract for equipment and supplies for the same.

Section 7. The Board shall at all times keep full and accurate account of its actings and doings and of its receipts and expenditures and, at least once annually, a complete audit of the affairs of the Complex shall be made by a qualified public accountant. Copies of the audit shall be filed with the Administrators for each governing body. All monthly, quarterly or semi-annual reports required by the Board shall also be available to the members of each governing body and records of the Complex shall at all times be available for inspection by each governing body or its authorized representative.

Section 8. The Board shall annually provide for a budget, which shall be funded by the governmental entities in a ratio as follows:

Orangeburg County	69.9%
City of Orangeburg	17.1%
Calhoun County	13.0%

BEC866

ORDINANCE NO. 1982-2 (Continued)

The Board shall submit the annual budget to the administrator of Orangeburg County, who shall submit the budget request to the other administrators of the respective councils. Their consensus shall then be presented to their respective councils. In the event the three governing bodies cannot agree on budget funding, the matter shall be referred to an arbitration panel, one member selected by each governmental entity, but in no event shall the arbitration results be binding until approved by the respective councils.

Section 9. The name of the Complex shall be designated the Orangeburg-Calhoun Regional Law Enforcement Complex.

Section 10. No obligation of the Commission shall ever constitute an indebtedness of the City of Orangeburg, Calhoun County or Orangeburg County within the meaning of any State constitutional provision or statutory limitation and shall never constitute nor give rise to a pecuniary liability of any of the governmental entities or a charge against any of the governmental entities' general credit or taxing powers.

Section 11. This ordinance replaces and is in lieu of any enabling legislation or statutes heretofore creating the Orangeburg-Calhoun Law Enforcement Complex and upon its adoption by the three governing bodies hereby terminates the existence of the Orangeburg-Calhoun Law Enforcement Complex Commission.

Section 12. This ordinance shall become effective upon the third reading thereof by the Orangeburg City Council, the Calhoun County Council, and the Orangeburg County Council, and shall expire after two years from such effective date unless extended by joint action of the respective Councils.

ADOPTED this 20th day of July, 1982.

E. C. Ponderis
MAYOR

W. Ruth Sally

Sam J. Anderson

Henry B. Springer

William J. Allen
MEMBERS OF COUNCIL

ATTEST:

Henry K. Kemer
CITY CLERK

EEC866

ORDINANCE NO. 1982-2

(Continued)

Fred C. Mark

CHAIRMAN, ORANGEBURG COUNTY COUNCIL

ATTEST:

Lois H. Swabine
CLERK OF COUNCIL

DATE: *Sept. 17, 1982*

David K. Summer Jr.

CHAIRMAN, CALHOUN COUNTY COUNCIL

ATTEST:

CLERK OF COUNCIL

DATE: _____

EFC866

ORDINANCE NUMBER 1982 - 3

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1983.

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, 1982 - September 30, 1983, and the estimated revenue for payment of same is hereby adopted.

Section 3. That a tax to cover the period from the First day of January, 1982 to the Thirty-first day of December, 1982 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 51 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, S.C., from the 10th day of December, 1982 until the 15th day of January, 1983 from the hours of 8:00 AM to 5:00 PM, Monday through Friday, Saturdays and Sundays except.

Section 5. After January 15, 1983, a penalty of fifteen (15) percent shall be added to all unpaid taxes. On March 15, 1983 an execution cost shall be issued on all delinquent taxes and penalties by the City Clerk and Treasurer and delivered to the Delinquent Tax Collector. The City Clerk and Treasurer shall September 1, 1983 impose an additional 5% cost to the amount of all delinquent taxes and penalties as provided by Section 24-11, as amended, of the Code of Ordinance of the City of Orangeburg.

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 21st day of September, 1982.

E. O. Landrum

Mayor

Henry G. Johnson

James Alexander
William S. Allgood

Members of Council

ATTEST:
Samuel Starnes

City Clerk

EEC866

ORDINANCE NO. 1982 -4

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

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

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

Change from "A-1 Residential" to "B-1 Business", begining an iron pipe in the northwest right-of-way of Old St. Matthews Road being "the point of beginning", from whence the most northwest intersection of Old St. Matthews Road and Chestnut Street bears South 34 degrees 06'00" West a distance of 100.14'; thence South 32 degrees 25'20" West a distance of 156.01' to the said intersection.

Thence North 55 degrees 35'25" West a distance of 300.0' to an iron pipe; thence North 36 degrees 29'25" East a distance of 360.13' to an iron pipe; thence approximately South 63 degrees 07'35" East a distance of 289.43' to the right-of-way of Old St. Matthews Road, said bearing and distance being computed; thence approximately South 34 degrees 24'35" West a distance 397.85' to "the point of beginning", said bearing and distance being computed.

The tract herein described is bounded on the East by Old St. Matthews Road; on the South and on the West by a 6.93 acre tract of Mary Louis W. Coleman; and on the North by Ezekiel Tract.

Said tract contains approximately 2.5 acres, more or less and is shown more clearly on a plat of 6.93 acres surveyed for Mary Louis W. Coleman, by S.R. Parler, Jr. R.L.S., of Edisto Surveyors & Associates, dated May 26, 1980.

PASSED by the City Council of the City of Orangeburg, South Carolina this the 2nd day of November, 1982.

E.O. Pardavias

Mayor
W. Kenneth Selley

Sam B. Alexander

Denny B. Swinson

William W. Craig

Members of Council

ATTEST:

Samy S. Hammond

City Clerk

ORDINANCE NO. 1982 - 5

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

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

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

Change from "A-1 Residential" to "B-1 Retail Business", all that certain piece, parcel or tract of land, situate, lying and being in the City of Orangeburg, School District 5, said County and State, containing 6.93 acres and being set forth and shown on a plat thereof prepared for Mary Louis W. Coleman by Edisto Surveyors & Associates, approved by A. R. Parler, Jr., dated May 2, 1980, and having the following boundaries and measurments: Northeast by property of Williams and Ezekiel, 299.98 feet and by property of Fant, 300 feet; Southeast by property of Fant 360.13 feet and by the Old St. Matthews Road, 256.15 feet; South by the intersection of the Old St. Matthews Road and Chestnut Street, 131.06 feet; Southwest by Chestnut Street, 515 feet; and on the Northwest by property of Fant, 655.68 feet.

PASSED BY THE CITY COUNCIL of the City of Orangeburg, S.C., the 2nd day of November, 1982.

EEC866

E. O. [Signature]
Mayor
W. Everett Selley
Sam Alexander
Samuel [Signature]
William [Signature]
Members of Council

ATTEST:
Samuel [Signature]
City Clerk

ORDINANCE NO 1982 - 6

AN ORDINANCE TO AMEND AN ORDINANCE AS ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG ON THE 13TH DAY OF MAY, 1954, FOR THE PURPOSE OF REGULATING AND RESTRICTING WITHIN THE CORPORATED LIMITS OF ORANGEBURG, S.C., THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE, AND OTHER PURPOSES.

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

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

Change from "A-1 Residential" to "B-1 Retail Business", All that certain piece, parcel or tract of land, situate, lying and being in Orange Township, School District No.5, County of Orangeburg, State of South Carolina, containing seven (7) acres, more or less, and bounded on the North by U.S. Highway No. 173 By-Pass and on the East by the Old St. Matthews Road (formerly U.S. Hwy 21), and on the South by lands of Mary Louis Watson and on the West by lands of Conrad and being designated as lot Nos. Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), and Thirteen (13) in Block "A" on a plat of land of Agnes Watson Fant and Mary Louis Watson made and surveyed by S.D. Moss, Registered Land Surveyor, October 28, 1948, and recorded in the office of the Clerk of Court for Orangeburg County, in Plat Book 8, Page 77.

PASSED by the City Council of the City of Orangeburg, South Carolina the 2nd day of November, 1982.

E. O. Ponder
Mayor

W. Brent Selley
Sam F. Anderson

Sam F. Anderson
William W. Clark
Members of Council

ATTEST
Lenny Starnach
City Clerk

ORDINANCE NO 1982 - 7

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

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

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

Change from "A-2 Residential" to "B-1 Business, "All those certain five (5) pieces, parcels or lots of land, situate, lying and being in the City and County of Orangeburg, SC, and being shown and described as Lot Numbers 11,12,13,14 & 15, in Block C-1, on a Subdivision Plat of property of Willie Mae S. Jackson et al, made by H. Frank O'Cain, CE dated December 19, 1956, in Plat Book 18, Page 68, in the Clerk of Courts office for Orangeburg, SC, and bounded and measuring as follows: Southeast by Ellis Avenue, (453.9)ft; Southwest by George Street and Lot NR. 10, Block C-1 on said plat, (224) feet; Northwest by Pecanway Terrace, (453) feet; Northeast by Chestnut Street (66.8) feet."

PASSED BY THE CITY COUNCIL of the City of Orangeburg, South Carolina the 2nd day of November, 1982.

EEC866

E.O. Fardouris
Mayor

W. Keith Selley
Sammy Anderson

Sammy Anderson

William W. Clark
Members of Council

ATTEST:

Sammy Anderson
City Clerk

ORDINANCE NO. 1982-8

AN ORDINANCE TO AMEND SECTION 3-15 OF THE CITY ORDINANCES BY REQUIRING ALL PLACES OF BUSINESS IN THE CITY LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION TO PROVIDE RESTROOM FACILITIES

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:

That portion of the above ordinance entitled "Section 3-15. CRITERIA OF GRANTING PERMISSION TO OPERATE" be amended by adding thereto the following:

All places of business in the City licensed to sell alcoholic beverages for on-premise consumption shall be required to provide restroom facilities in accordance with the City Building Code.

PASSED by the City Council of the City of Orangeburg, South Carolina the 7th day of December, 1982.

E. O. ...

Mayor

W. ...

Sam H. ...

...

William ...

Members of Council

ATTEST:

Henry S. ...

City Clerk

ORDINANCE NO. 1982-9 _____

AN ORDINANCE TO AMEND SECTION 24-11 OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG, S.C. TO FURTHER PROVIDE FOR THE COLLECTION OF CURRENT AND DELINQUENT TAXES

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

That portion of the above ordinance entitled "Section 24-11. WHEN TAXES DUE AND PAYABLE: PENALTY CHARGES" be hereby amended to read as follows:

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- (a) When due, payable. All taxes for the year shall be due and payable at the office of the city clerk and treasurer from the tenth day of December until the fifteenth day of January, between the hours of 8:00 a.m. and 5:00 p.m. (except Sundays and holidays) as assessments in each and every year.
- (b) Penalty charges. On January fifteenth next following the year in which the taxes became due, the Treasurer shall add a penalty of fifteen percent to all property taxes remaining unpaid.
- (c) Execution costs; levy of warrant or execution, notice of delinquent taxes; seizure of property; additional costs; advertisement of sale. On March fifteenth next following the year in which the property taxes became due the Treasurer shall add an execution cost of five percent of all property taxes and penalties remaining unpaid and shall issue, in the name of the City, a warrant or execution in duplicate against each defaulting taxpayer in his jurisdiction, signed by him in his official capacity, directed to the officer authorized and directed to collect delinquent taxes, penalties and costs, requiring and commanding him to levy such warrant or execution by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes, penalties and costs, and the officer to which the warrant is directed shall:

(1) On or before April first next following the year in which the taxes became due mail via "Certified Mail, return receipt requested - deliver to addressee only" notice of delinquent property taxes, penalties and costs, to the person at the address shown on the tax receipt or at a more correct address known to such officer. The notice shall specify that if not paid on or before August thirtieth next, the property will be duly advertised and sold for delinquent property taxes, penalties and costs in the amount of _____ dollars on sales day in October next, and return receipt of this "Certified Mail" notice shall be deemed equivalent to "levying by distress" hereinabove prescribed; and

(2) On or before August thirty-first next, following the year in which the taxes became due, in the event the certified mail notice has been returned, take exclusive possession of the property against which such taxes were assessed, by posting a notice at one or more conspicuous places on the premises, in the case of real estate, reading "Seized by person officially charged with the collection of delinquent taxes of political subdivision to be sold for delinquent taxes," the posting of which notice shall be equivalent to levying by distress, seizing and taking exclusive possession thereof, or by taking exclusive possession of personalty; and

- (3) On September first next following the year in which the taxes became due the person officially charged with the collection of delinquent taxes shall add five percent as additional cost to the amount of delinquent taxes, penalties and costs then due, and shall proceed to properly advertise, as now provided by law, the property for sale once a week for three successive weeks for sale in October next. The advertisement shall be titled "Delinquent Tax Sale" and shall include, among other things, the tax receipt number, delinquent taxpayer's name, the description of the property, a reference to the county auditor's map-block-parcel number being sufficient for a description of realty, the number of acres or lots and buildings, and the total of the taxes plus penalties and costs.
- (d) Sale of property; procedures; defaulting taxpayer with more than one item to be sold.
Upon failure of taxes, penalties and costs to be paid in full before ten o'clock a.m. on sale day in October next following the year in which the taxes became due the property duly advertised shall be sold by the person officially charged with the collection of delinquent taxes at public auction at the front door of the courthouse beginning at ten o'clock a.m. for cash payable in full on same date. In case defaulting taxpayer has more than one item advertised to be sold, no item shall be sold provided the sale of one or more preceding items sold shall bring sufficient funds to cover all of defaulting taxpayer's delinquent taxes, penalties and costs.
- (e) Payment by successful bidder; receipt; disposition of proceeds.
The successful bidder at the delinquent tax sale shall pay cash to the person officially charged with the collection of delinquent taxes in the full amount of the bid on the day of the sale. Upon payment, the person officially charged with the collection of delinquent taxes shall furnish the purchaser a receipt for the purchase money and annex such receipt to the duplicate warrant with the endorsement thereon of his actions thereunder. All delinquent tax sale moneys collected shall be turned over to the Treasurer as now provided by this ordinance.
- (f) Settlement by Treasurer.
The Treasurer shall make full settlement of tax sale moneys on or before October thirtieth next due to the respective various political subdivisions for which the taxes were levied.
- (g) Resale when bidder fails to remit in cash.
In case the successful bidder fails to remit in cash within the time specified, the person officially charged with the collection of delinquent taxes shall duly readvertise the same property for sale, in the same manner, on the legal sales day in November next.
- (h) Redemption of real property.
The defaulting taxpayer, any grantee from the owner, or any judgement creditor may within eighteen months from the date of such delinquent tax sale redeem each item of real estate by paying to the person officially charged with the collection of delinquent taxes, penalties and costs, together with eight percent interest on the whole amount of the delinquent tax sale bid if redeemed in the first year after the sale, plus an additional four percent interest on the whole amount of delinquent tax sale bid if redeemed in the second year after such sale.

ORDINANCE NO. 1982-9 _____ (Continued)

- (i) Cancellation of sale upon redemption; notice to purchaser; refund of purchase price.
Upon the real estate being redeemed, the person officially charged with the collection of delinquent taxes shall cancel the sale in the tax sale book and note thereon the amount paid, by whom and when. The successful purchaser, at the delinquent tax sale, shall promptly be notified by mail to return the tax sale receipt to the person officially charged with the collection of delinquent taxes in order to be expeditiously refunded the purchase price plus the interest accumulated, as above provided.
- (j) Personal property shall not be subject to redemption; purchaser's bill of sale and right of possession.
For personal property, there shall be no redemption period subsequent to the time that such property is struck off to the successful purchaser at the delinquent tax sale. Upon payment therefor by the successful purchaser and delivery of the duplicate warrant (i.e. tax receipt) with description thereof and notation thereon by the person officially charged with the collection of delinquent taxes "Sold to _____ at Delinquent Tax Sale on _____ (date) _____ (person officially charged with collection of _____" to the successful purchaser of personal property delinquent taxes) shall be considered the successful purchaser's bill of sale and right of possession.
- (k) Notice of approaching end of redemption period.
Neither more than forty-five days nor less than twenty days prior to the end of the redemption period for real estate sold for taxes, the person officially charged with the collection of delinquent taxes shall mail a notice to the owner of record on February first immediately preceding the end of the redemption period at the best address of such owner available to the person officially charged with the collection of delinquent taxes that the real property described on the notice has been sold for taxes and if not redeemed by paying taxes, penalties, costs and interest in the amount of _____ dollars on or before _____ (eighteen months from date of sale) (date) _____, a tax title will be delivered to the successful purchaser at the tax sale; provided however, under this chapter, the return of the certified mail "undelivered" shall not be grounds for a tax title to be withheld or be found defective and ordered set aside or canceled of record.
- (l) Execution and delivery of tax title; costs and fees; overages.
Upon failure of the defaulting taxpayer, any grantee from the owner, or any mortgage or judgment creditor, to redeem realty within the time period hereinabove allowed for redemption, the person officially charged with the collection of delinquent taxes shall within twenty days make a tax title to the purchaser or the purchaser's assignee and delivery of the tax title to the clerk of court shall be considered "putting the purchaser (or assignee) in possession." The tax title shall include, among other things, the name of the defaulting taxpayer, the date of the execution, the date the realty was posted and by whom if such be the case, and the dates each certified notice was mailed to the party or parties of interest, to whom mailed and whether or not received by the addressee. The successful purchaser (or assignee) shall be responsible in the amount of fifteen dollars for the cost of the tax title plus any documentary stamps necessary to be affixed and recording fees. The successful purchaser (or assignee) shall pay such amounts to the person officially charged with the collection of delinquent taxes before delivery of the tax title to the clerk of court and upon payment the person officially charged with the collection of delinquent taxes shall then be responsible for promptly transmitting the tax title to the clerk of court for recording and remitting the recording fee and documentary stamps

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cost therewith. In case the tax sale of an item produced an overage in cash above the full amount due in taxes, penalties and costs, such overage shall belong to the defaulting taxpayer to be claimed or assigned according to this ordinance. However, if neither claimed or assigned within five years of date of public auction tax sale, the overage shall escheat to the general fund of the governing body. Prior to the escheat date unclaimed overages shall be kept in a separate account and shall be kept in a separate account and shall be invested so as not to be idle and the governing body of the political subdivision shall be entitled to the earnings for keeping the overage, such earnings to be settled quarterly. On escheat date the overage shall be transferred to the general funds of the governing body.

- (m) Notice to mortgagees.
The provisions of section 12-49-210 through 12-49-300, of the Code of Laws of South Carolina, 1976, inclusive, relating to notice to mortgagees of proposed tax sales and of tax sales of properties covered by their respective mortgages are adopted as a part of this chapter.

PASSED THIS THE 7th day of December, 1982.

E. O. Ponderis
MAYOR

W. Kenneth Selley

Lynn H. Alford

Henry H. Johnson

William S. King
MEMBERS OF COUNCIL

ATTEST:

Henry H. Johnson
CITY CLERK