

ORDINANCE NO. 1983-1

AN ORDINANCE TO IMPOSE AND REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE YEAR 1983 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY COUNCIL.

BE IT ORDAINED by the Mayor and Councilmembers 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 Section 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from the first day of April, 1983, to the thirty-first day of March, 1984, inclusive, and annually thereafter until repealed or amended, shall be the same as for the period from the first day of April, 1962, to the thirty-first day of March, 1963, inclusive, except as hereinafter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TO REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE YEAR 1962 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY COUNCIL" ratified on the 6th day of March, 1962, by the City Council, and as below amended, is hereby adopted as a schedule of licenses for the year running from the first day of April, 1983, to the thirty-first day of March, 1984, inclusive; said schedule of licenses is printed "BUSINESS AND PROFESSIONAL LICENSE ORDINANCE As Adopted March 6, 1962" for the City of Orangeburg, and is amended in the following particulars:

(A) Under LICENSES, Page (2) thereof, under the caption "AGENTS for other business not herein named" delete the rates of \$50 and \$1 respectively and insert in lieu thereof the rates \$100 and \$5 respectively so that said Section when amended shall read:

"On gross receipts not exceeding \$5,000. . . . \$100
On each additional \$1,000 or fraction thereof. . . . \$5"

(B) Under LICENSES, under the caption "Insurance (as amended February 4, 1969)" on page 10 thereof pertaining to fire insurance and casualty insurance companies, including accident, collision, fidelity, etc., amend said paragraph to read as follows:

"Fire insurance and casualty insurance companies, including accident, collision, fidelity, etc."

2 Percent on gross premiums collected through offices or agents located in the city regardless of where the property is located; and 2 percent on gross premiums collected on property in the city regardless of where the premiums are collected.

(C) Under LICENSES, under the caption "Insurance (as amended February 4, 1969)" on page ten thereof pertaining to "Life, health and hospital insurance companies", amend said paragraph to read as follows:

"Life, health and hospital insurance companies."
On gross receipts not exceeding \$5,000 \$50
On excess above \$5,000 - to \$20,000 - per \$1,000
or fraction thereof. . . . 5
On excess above \$20,000 - per \$1,000 or
fraction thereof 3

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ORDINANCE NO. 1983-1 _____ (continued)

(D) Under LICENSES, under the caption "Insurance (as amended February 4, 1968)" on page ten thereof amend paragraph (4) thereof to read as follows:

"(4) From all insurance companies, societies or associations having an agent or agents in the City of Orangeburg or issuing policies of any nature covering any property, real or personal, or covering any risk, other than life, health or hospital, the City shall compute and collect a license tax based on the schedule printed elsewhere in this Section based on the gross amount of all premiums collected by such agents, whether the property or risk be located in the City or not. No such computation or collection will be made, however, on any premium collected upon a risk located in another municipality within the state on which the other municipality assesses and collects a business license. It is hereby declared that it shall be conclusively presumed that the premium charged for the issuance of any policy covering any property, real or personal, or risk located within the City was collected within the City.

(E) Under LICENSES, under the caption "Insurance (as amended February 4, 1969)" on page 11 thereof add a new paragraph to be numbered and read as follows:

"(7) If the license tax above imposed on fire insurance and casualty insurance companies shall be declared unconstitutional or invalid for any reason then, in such event, the license tax required to be paid shall be the same as for life, health and hospital insurance companies."

(F) Under LICENSES, under the caption "Professions" on page 16 thereof, delete paragraph two thereof and insert a new paragraph to be numbered and read as follows:

"(2) Where two or more persons constitute a firm or partnership, each person in the firm or partnership shall make a separate return unless the total of all gross receipts is reported on the application filed in the name of the partnership or firm."

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 on gross receipts not exceeding \$5,000 and \$5 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.

ORDINANCE NO. 1983 - 1 (continued)

Done in Council and ratified under the corporate seal of the City of Orangeburg, South Carolina, this 18th day of January, 1983.

E. O. Fordawis
MAYOR

W. Everett Selley

Larry Alexander

Samuel H. Harrison

William W. Clary
MEMBERS OF COUNCIL

ATTEST:

James R. ...
CITY CLERK

EEC866

An Act to amend Chapter 22½ of the Code of Ordinances of the City of Orangeburg, 1969 to revise definitions under Section 22½-1 thereof, to further provide for Pre-collection Regulations under Section 22½-21 of Article II and to further provide for Collection Regulations under Section 22½-36 of Article III of said Chapter.

ARTICLE I. IN GENERAL

Amend Article I of said Chapter by adding the following definitions to Section 22½-1. Definitions by adding thereto the following definitions and conforming said Section as amended.

Sec. 22½-1. Definitions.

For the purpose of this chapter, the works and phrases set forth in this section shall have the meanings respectively ascribed to them as follows:

Residential receptacles. A plastic, wheeled, 85 gallon receptacle having a tight fitting attached lid, carrying identification of the City of Orangeburg and a designated serial number, and whose design, construction and capacity shall be designated by the City.

Boardinghouse. A dwelling where lodging and/or meals for five (5) or more persons are served for compensation.

Dwelling, two-family. A building having separate accommodations used or intended to be used as a dwelling by two (2) families or households living independently of each other.

Dwelling, three family. A building having separate accommodations used or intended to be used as a dwelling by three (3) families or households living independently of each other.

Dwelling, four-family. A building having separate accommodations used or intended to be used as a dwelling by four (4) families or households living independently of each other.

Dwelling, multiple family. A building having separate accommodations used or intended to be used as a dwelling by three (3) or more families or households living independently of each other.

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.

Litter. The term "litter" is hereby defined as any quantity of uncontainerized solid waste, such as paper, metal, plastics, glass, and other miscellaneous trash, normally found along the roadside or in public places, and includes unauthorized accumulations of solid waste.

Location. Any place where solid waste is collected by city forces.

High-rise Apartment. Any building which contains not less than twenty (20) dwelling units and which exceeds five (5) stories or fifty (50) feet in height.

Tourist Court. A group of attached or detached buildings containing individual sleeping or living units, designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit. The term shall include auto court, motel, motor lodge, cabin court and trailer court or mobile home park.

Tourist Home. Any dwelling in which rooms are rented for the temporary care or lodging of transients or travelers for compensation.

Town House. One of series of three (3) or more attached but separate one-family dwelling units which:

- (1) May or may not have a common roof;
- (2) Share at least one (1) common wall;
- (3) May be developed as either condominiums or sold as individual lots of record.

ARTICLE II. PRECOLLECTION REGULATIONS

Amend further by striking subparagraph (6) of Section 22½-21 of Article II and inserting in lieu thereof a new section to be numbered (6) to read as follows:

Sec. 22½-21. Separation and preparation of solid wastes.

Before being placed for collection, the following shall apply:

- (6) Ashes. Ashes before being placed in the residential receptacle shall be soaked with water to extinguish any live embers.

Amend further by striking all of Section 22½-23 of Article II. Pre-collection regulations and inserting a new Section 22½-23 to read as follows:

Sec. 22½-23. Residential and Commercial Receptacles - Required; Limits; Service and Location; Maintenance; Sufficient Storage Capacity; Replacement; Prohibited Receptacles; Exception.

(a) Required: It shall be the duty of every person owning, managing, leasing, occupying, or operating any premises in the city to use approved residential or commercial receptacles for the deposit therein of all garbage and other approved solid wastes as specified herein. Any location mentioned or referred to in this section with waste storage needs in excess of specified number of residential receptacles, serviced as required, shall be required to use commercial receptacles, except where the installation of commercial receptacles are impractical, as determined by the Public Works Director.

(b) Limits: No more than two (2) residential receptacles will be collected from any of the following residential, commercial or retail locations: Single-family residence, boarding house, tourist home, church, library, school, municipal or county building, medical facility, convalescent home, professional office, or (but not limited to) physician, surgeon, dentist, chiropractor, insurance, lawyer, retail or wholesale business.

- (1) Dwelling, two (2), three (3) or four (4) families located on an individual lot of official record with front, side and rear yard openings as required by the zoning chapter of this ordinance shall have no more than two (2) residential receptacles per family.
- (2) Town House - Shall have no more than two (2) residential receptacles per one family dwelling unit.
- (3) The following locations shall use commercial receptacles; group housing, tourist court, hotel, high-rise apartments, condominiums and multi-family dwelling units of five (5) or more families, and any other location which is impractical to locate residential receptacles.

(c) Service and Location - Residential receptacles: Garbage collection service begins a 8:00 a.m. Residential receptacles which are not placed at curbside when the collection vehicle passes, will not be collected until the next regularly scheduled pick-up date. Residential receptacles shall be removed from the curb the same day they are serviced. One residential receptacle will be issued to each household in the city not using or required to use commercial receptacles. Additional residential receptacles may be purchased from the city. Commercial receptacles - Commercial receptacles are furnished by the city in quantity and frequency of collection as stated in this chapter. No service shall be given those locations

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where commercial receptacles are stored, permitting objects or vehicles to obstruct or hinder in any way whatsoever the service of said receptacle.

(d) Maintenance: Every receptacle required by this chapter shall be maintained in a sanitary condition and shall be maintained in a sanitary condition and shall be thoroughly cleaned as needed by washing, sterilizing or otherwise by the user thereof.

(e) Sufficient storage capacity: Preventing site littering: All residential or commercial receptacles shall be of a sufficient number and storage capacity to adequately store any and all approved solid waste between times of service by the city.

(f) Replacement: Residential and commercial receptacles remain the property of the City of Orangeburg for use of the persons to which they are issued. Persons who damage receptacles, issued or used by them through neglect as determined by the Public Works Department must pay for repairing these receptacles or purchase replacements from the city. Receptacles that are damaged through normal use as a result of being emptied by city forces will be repaired or replaced at city expense. Collection will be suspended at any location at which a receptacle is missing or at which a receptacle is damaged to such an extent as to interfere with normal collection methods. If residents move, call the Sanitation Division, 533-0406 we will pick up the residential receptacle. It cannot be taken with you when you move. If your residential receptacle is stolen, call the Sanitation Division.

(g) Prohibited: Prohibited residential or commercial receptacles shall include (but not be limited to) fifty-five gallon drums, constructed of metal or any other material, any size fiber or paperboard drums or barrels, wire or concrete block bins, paper shopping bags, cardboard boxes, any type of underground receptacles, or any receptacle having sharp or jagged exposures.

(h) Exceptions to this section may be made by the public works director provided such exception shall not be contrary to the spirit of this section.

ARTICLE III. COLLECTION REGULATIONS

Amend further Article III. Collection regulations by striking subparagraph (b) of Section 22½-36 and inserting in lieu thereof a new subparagraph (b) to read as follows:

Sec. 22½-36. Availability and extent of service.

Except in cases of emergencies or circumstances over which the Department of Public Works has NO control, the Department of Public Works shall collect, remove and dispose of solid wastes in the city as follows:

(b) Garbage, rubbish, and ashes shall be collected from locations which have accumulations sufficiently heavy to require commercial receptacles, as specified by this chapter, two (2) times per week upon routes and schedules as designated by public works department with a maximum of two (2) eight-yard commercial receptacles on each of the two (2) collections.

Further amend said Article III by adding new subparagraphs (d), (e), and (f), to read as follows:

(d) Exception Policy - Physical handicap: The city recognizes that some residents, because of the infirmities of age or physical handicap, may be unable to roll the receptacle from the backyard to the curb on collection day. The city, therefore, shall use the following procedures for providing special service to those residents. Any resident unable to roll receptacle to the curb on regular collection days because of a physical disability should complete an application provided by the sanitation division for backyard garbage service.

After a "Backyard Garbage Service Application" is completed, an exception may be granted when the following criteria have been met:

- (1) The sanitation division determines that there is no person in the household, either adult or minor, who is physically capable of rolling the receptacle to the curb.
- (2) The sanitation division determines that there is no neighbor or relative not living in the household, who normally assists the resident because of the physical disability, who is able or willing to assist the resident in rolling the receptacle to the curb.

(e) Exception granted - Physical Handicap: When an exception is granted for "Special Receptacle Pickup", the following rules will apply:

- (1) The resident will use the receptacle to store garbage and yard rubbish collections.
- (2) On the day of the collection the collector will roll the receptacle from behind the resident's house to the curb for dumping, and return the receptacle to the backyard.
- (3) The receptacle will be dumped only once a week, on the second day of collection. (Thursday or Friday).

(f) Exceptions will not be granted for any reason other than physical disability.

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, THIS THE FIRST DAY OF MARCH, 1983.

E. O. Pendergrass
MAYOR

W. Keith Selley

Sam A. Alexander

William S. McCarty

Henry B. Finson
MEMBERS OF COUNCIL

ATTEST:

Henry S. Hammond
CITY CLERK

EEC866

AN ORDINANCE REGULATING PERSONAL PROPERTY SALES IN RESIDENTIAL ZONING DISTRICTS; DEFINING GARAGE SALES; REQUIRING A PERMIT BY THE INDIVIDUAL HOLDING SUCH SALE; ESTABLISHING A PERMIT FEE THEREFOR; LIMITING THE NUMBER OF GARAGE SALES PER YEAR; LIMITING THE HOURS AND DURATION OF THE SALE; REGULATING DISPLAY OF SALE PROPERTY; PROVIDING FOR ADVERTISING AND SIGN RESTRICTITONS; GRANTING THE CITY INSPECTION RIGHTS TO THE PREMISES; REGULATING PARKING; AND PROVIDING FOR PENALTIES

Section _____ Intent and Purpose - The City Council of the City of Orangeburg finds and declares that:

- (a) The intrusion of non-regulated garage sales is causing annoyance to citizens in residential areas of the City of Orangeburg, and congestion of the streets in residential areas of the City of Orangeburg.
- (b) The provisions contained in this ordinance are intended to prohibit the infringement of any businesses in any established residential areas by regulating the term and frequency of garage sales so as not to disturb or disrupt the residential environment of the area.
- (c) The provisions of this Ordinance do not seek control of sales by individuals selling a few of their household or personal items.
- (d) The provisions and prohibitions hereinafter contained are enacted not to prevent but to regulate garage sales for the safety and welfare of the City's citizens.

Section _____ Definitions - For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein.

- (a) **Garage Sale** shall mean and include all general sales, open to the public, conducted from or on a residential premise in any residential zone, as defined by the zoning ordinance, for the purpose of disposing of personal property including, but not limited to, all sales entitled "garage," "lawn," "yard," "attic," "porch," "room," "backyard," "patio," "flea market," or "rummage" sales.
- (b) **Personal Property** shall mean property which is owned, utilized and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence. It does not include merchandise which was purchased for resale or obtained on consignment.

Section _____ Property Permitted to be Sold - It shall be unlawful for any individual to sell or offer for sale, under authority granted by this Ordinance, property other than personal property.

Section _____ Permit Required - It shall be unlawful for anyone to conduct a garage sale on the area described in Section _____ above without first obtaining a permit from the City Treasurer's Office for each sale and such permit shall be posted at the site of the sale. The cost of each permit is to be \$1 per permit. The maximum period of each sale is two consecutive days, not to include Sunday. The maximum number of permits is two (2) permits per year for any one (1) family unit, location, lots or premises. All participants in any joint sale must be named on the permit.

Section _____ Parking Requirements - Parking shall be provided by the party or parties conducting the sale for all persons attending the sale in a manner that would not affect the free flow of traffic on a public street near such garage sale.

Section _____ New Merchandise Prohibited - No new or used merchandise shall be purchased for resale on the premises for the sale permitted under this ordinance.

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Section _____ Signs - One (1) non-illuminated sign, not to exceed two square feet, may be posted advertising the sale and such sign shall only be placed on the property where the sale is being conducted under this Ordinance. One directional sign of not more than two (2) square feet is permitted provided that the premises upon which the garage sale is conducted is not on a major thoroughfare and written permission to erect said sign is received from the property owners upon whose property such signs are to be placed. Permission for placement of such signs on public right-of-ways must be obtained from the City Administrator. Such signs shall be removed at the end of the sale.

Section _____ Hours of Sale - The sale shall be limited to the hours between 8:00 a.m. and 7:00 p.m. on each day of the sale.

Section _____ Public Address System Prohibited - The use of a public address system is prohibited at garage sales.

Section _____ Public Nuisance - The individual to whom such permit is issued and the owner or tenant of the premises on which such sale or activity is conducted shall be jointly and severally responsible for the maintenance of good order and decorum on the premises during all hours of such sale or activity. No such individual shall permit any loud or boisterous conduct on said premises nor permit vehicles to impede the passage of traffic on any roads or streets in the area of such premises. All such individuals shall obey the reasonable orders of any member of the police or fire departments of the City of Orangeburg in order to maintain the public health, safety and welfare.

Section _____ Alcoholic Beverages Prohibited - Alcoholic beverages of any type shall not be sold on or near the premises where a garage sale is held.

Section _____ Display of Goods for Sale - Goods for sale shall not be displayed on public property. Neither shall such goods be displayed on private property in such a manner so as to materially impede visibility of pedestrian or vehicular traffic on or off the premises.

Section _____ Inspection for Violation - Before issuing a permit, a representative from the City Treasurer's Office may conduct an investigation as may reasonably be necessary to determine if there is compliance with this Ordinance. For the purpose of enforcing the provisions of this article, the City or its representatives and employees shall have the right of entry to any premises showing evidence of a garage sale and close the premises from such sale where any provisions of this Ordinance are being violated.

Section _____ Penalties - Violation of this Ordinance, or failure to comply with any of its provisions, shall constitute a misdemeanor. Each day such violation continues shall be considered a separate offense.

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, in Council assembled, this 15th day of March, 1983.

E. C. Ponder's
 MAYOR
W. Keith Selley
Dwight E. Johnson
John H. Alvarado
William S. Clark
 MEMBERS OF COUNCIL

ATTEST:
[Signature]
 CITY CLERK

ORDINANCE NUMBER 1983 - 4

AN ORDINANCE REGULATING CONDUCT IN PUBLIC PARKS:
PROVIDING FOR ENFORCEMENT: AND PRESCRIBING PENALTIES
FOR THE VIOLATION OF ITS PROVISIONS

Preamble - A municipal park is a pleasure ground set apart for the recreation of the public through promotion of its health, welfare and enjoyment. To secure these beneficial objectives, bodies and officials entrusted with the management and control of parks have broad powers to effect reasonable rules and regulations.

Definitions - For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein.

- (1) "Director" is a person immediately in charge of any park area and its activities, and to whom all park attendants of such area are responsible.
- (2) "Park" is a park, reservation, playground, recreation center or any other area in the City, owned or used by the City, and devoted to active or passive recreation.
- (3) "Vehicle" is any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for vehicles in the service of the City parks.

SECTION _____ PARK PROPERTY

- (1) Buildings and Other Property
 - (a) Disfiguration and Removal - No person in a park shall willfully mark, deface, disfigure, injure, tamper with, or displace or remove, and building, bridges, tables, benches, fire-places, railings, paving or paving material, water lines or other public utilities or parts of appurtenances thereof, signs, notices, or placards whether boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
 - (b) Restrooms and Washrooms - No person in a park shall fail to cooperate in maintaining restrooms and washrooms in a neat and sanitary condition.
 - (c) Erection of Structures - No person in a park shall construct or erect any building or structure of whatever kind, whether permanent or temporary in character.
- (2) Trees, Shrubbery, Lawns
 - (a) Injury and Removal - No person in a park shall damage, cut, carve, transplant, dig, or remove any tree or plant or injure the bark, or pick the flowers or seeds, of any tree, plant, soil, rock, or stones. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.

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(3) Wild Animals, Birds, Etc.

- (a) Hunting - No person in a park shall hunt, molest, harm, frighten, kill, trap, chase, tease, shoot or throw missiles at any animal, reptile or bird, nor shall he remove or have in his possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird. Exception to the foregoing is made in that snakes known to be deadly poisonous.

SECTION SANITATION

- (1) Pollution of Waters - No person in a park shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pond, lake, stream, or other body of water in or adjacent to any park such waters, any substance, matter or thing, liquid or solid which may result in the pollution of said waters.
- (2) Refuse and Trash - No person in a park shall have brought in or shall dump, deposit or leave any bottles, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, or refuse, or other trash. No such refuse or trash shall be placed in any waters in or contiguous to any park, or left anywhere on the grounds thereof, but shall be placed in the proper receptacles where these are provided; where receptacles are not so provided, all such rubbish or waste shall be carried away from the park by the person responsible for its presence, and properly disposed of elsewhere.

SECTION TRAFFIC

- (1) State Motor Vehicle Laws Apply - No person in a park shall fail to comply with all applicable provisions of the state and local motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this and other ordinances.
- (2) Enforcement of Traffic Regulations - No person in a park shall fail to obey all traffic officers and park employees, such persons being hereby authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent thereto in accordance with the provisions of these regulations and such supplementary regulations as may be issued subsequently by the Director.
- (3) Obey Traffic Signs - No person in a park shall fail to observe carefully all traffic signs indicating speed, direction, caution, stopping, or parking, and all others posted for proper control and to safeguard life and property.
- (4) Speed of Vehicles - No person in a park shall ride or drive a vehicle at a rate of speed exceeding the posted legal limit.
- (5) Operation Confined to Roads - No person in a park shall drive any vehicle or bicycle on any area except the paved park roads or parking areas, or such other areas as may on occasion be specifically designated as temporary parking areas by the Director.
- (6) Parking
- (a) Designated Areas - No person in a park shall park a vehicle in other than an established or designated parking area.

ORDINANCE NO. 1983 - 4

SECTION _____ RECREATIONAL ACTIVITIES

- (1) Boating
 - (a) Designated Areas - No person in a park shall bring into or operate any boat, raft, or other water craft, whether motor-powered or not, upon any waters, except at places designated for boating by the Director. Such activity shall be in accordance with applicable regulations as are now or may hereafter be adopted.
- (2) Fishing - No person in a park shall fish in any public park, pond or lake.
- (3) Firearms - No person in a park shall use, carry, or possess firearms of any description or air-rifles, spring-funs, bow-and-arrows, slings or any other form of weapons potentially inimical to wild life and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden.
- (4) Camping - No person in a park shall camp in any area except as provided by the Director.
- (5) Horseback Riding - No person in a park shall ride a horse except on designated bridle trails.

SECTION _____ BEHAVIOR

- (1) Intoxicating Beverages
 - (a) Prohibition - See Chapter III, Section 3-6 Drinking and carrying of beer, wine, alcoholic beverages on certain public and private areas prohibited; penalty.
- (2) Fires - No person in a park shall build or attempt to build a fire except in such areas and under such regulations as may be designated by the Director
- (3) Closed Areas - No person in a park shall enter an area posted as "Closed to the Public," nor shall any person use, or abet the use of any area in violation of posted notices.
- (4) Loitering and Boisterousness - No person in a park shall sleep or protractedly lounge on the seats, or benches, or other areas, or engage in loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any disorderly conduct or behavior tending to a breach of the public peace.

SECTION _____ MERCHANDISING, ADVERTISING AND SIGNS

- (1) Vending and Peddling - No person in a park shall expose or offer for sale any article or thing, nor shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing. Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Director.
- (2) Advertising - No person in a park shall announce, advertise, or call the public attention in any way to any article or service for sale or hire.
- (3) Signs - No person in a park shall paste, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatever, nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park.

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SECTION PARK OPERATING POLICY

- (1) Hours - Except for unusual and unforeseen emergencies, parks shall be open to the public every day of the year during designated hours. The opening and closing hours for each individual park shall be posted therein for public information.
- (2) Closed Areas - Any section or part of any park may be declared closed to the public by the Director at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise) and either entirely or merely to certain uses, as the Director shall find reasonably necessary.

SECTION ENFORCEMENT

- (1) Officials - The Director shall, in connection with their duties imposed by law, diligently enforce the provisions of this Ordinance.
- (2) Ejection - The Director and/or his designated representative shall have the authority to eject from the park any person acting in violation of this Ordinance.
- (3) Seizure of Property - The Director and/or his designated representative shall have the authority to seize and confiscate any property, thing or device in the park, or used, in violation of this Ordinance.

SECTION PENALTIES

Any person who violates any of the provisions of this Ordinance shall be subject to a fine not exceeding two-hundred dollars (\$200.00) or by imprisonment not exceeding thirty (30) days. Any such violation shall constitute a separate offense on each successive day continued.

SECTION SEPARABILITY

In any section, subsection, sentence, clause, word, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED this the 3rd day of May, 1983, by the City Council of the City of Orangeburg, South Carolina.

J. O. Pendergrass
MAYOR

W. Everett Selley

Sam J. [unclear]

Jimmy B. [unclear]

William S. [unclear]
MEMBERS OF COUNCIL

ATTEST:

Denny Stancovich
CITY CLERK

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1983, AS ENACTED BY THE CITY OF ORANGEBURG ON DECEMBER 11, 1982, IN ORDER TO FURTHER PROVIDE FOR EXPENDITURES TO BE MADE BY THE PUBLIC WORKS DEPARTMENT RESPECTING SOLID WASTE COLLECTION

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

- (1) That the Ordinance to Raise Revenue and Adopt a Budget for the City of Orangeburg, South Carolina for the Fiscal Year Ending September 30, 1983 as originally enacted on the eleventh day of December, 1982 is hereby amended by adding to the appropriations for the Public Works Department the following items:
 - I. Curbside Carts and Dump Units from Rubbermaid Applied Products, Inc. in the amount of \$138,570.
 - II. Two (2) American LaFrance Trucks, Cab and Chassis mounted with Two High Compaction, Rear-Loading, Heil Formula 5,000 Packer Bodies in the amount of \$158,503.42, which brings the total cost of the equipment to \$297,073.42.
- (2) This would change our capital allotment from \$123,808 to \$420,881.42. This would change our total budget allotment from \$4,338,434 to \$4,635,507.42.

PASSED IN COUNCIL ASSEMBLED this the 17th day of May, 1983.

E. O. Pendragon's
MAYOR

W. Keith Selby

Sam J. Reynolds

Henry B. ...

William W. ...
MEMBERS OF COUNCIL

ATTEST:

Henry B. ...
CITY CLERK

EEC866

ORDINANCE NUMBER 1983 - 6

ORDINANCE TO AMEND SECTION 5-6, ARTICLE I OF CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG RELATING TO THE BUILDING OFFICIAL SO AS TO PLACE THE BUILDING OFFICIAL UNDER THE SUPERVISION AND DIRECTION OF THE INSPECTION DIVISION OF THE CITY FIRE DEPARTMENT

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

That Section 5-6 of Article I of Chapter 5 of the Code of Ordinances of the City of Orangeburg relating to buildings be and the same is hereby amended by adding to said Section an additional paragraph to read as follows:

- (e) The City Building Official shall be under the supervision and direction of the Fire Chief of Orangeburg Fire Department, Inspection Division.

PASSED THE CITY COUNCIL this 17th day of May, 1983.

E. O. Henderson
MAYOR

W. Smith Selley

Sam Alexander

Sammy B. Anderson

William W. King
MEMBER OF COUNCIL

ATTEST:

Sammy S. Kammachi
CITY CLERK

ORDINANCE NO. 1983- 7

ORDINANCE TO AUTHORIZE THE CITY OF ORANGEBURG TO MAKE AN EXCHANGE OF REAL ESTATE RESPECTING TWO LOTS OF LAND LOCATED ON HAMPTON STREET IN THE CITY OF ORANGEBURG.

WHEREAS, the City of Orangeburg is the owner of that certain lot of land (Moseley lot) on the southerly side of Hampton Street measuring 80 feet on the front and rear lines and 180 feet on the respective sidelines, all measurements being more or less, as described in deed of John P. Moseley, et al. to City of Orangeburg dated March 30, 1973, filed for record March 30, 1973 in the office of the Clerk of Court for Orangeburg County, S.C., in Deed Book 378 at page 249, and,

WHEREAS, Glenn Y. Woodrum desires to acquire title to the above described lot and in consideration therefor has agreed to acquire and exchange with the City of Orangeburg that certain lot of land (Wamble lot) located on the south side of Hampton Street measuring 100 feet on the front and rear lines and 190 feet on the respective sidelines, all measurements being more or less, as described in deed of Lester I. Finkelstein, et al. to Victoria M. Wamble, et al. dated January 8, 1963, recorded in said Clerk's office in Deed Book 252 at page 200, said proposed exchange to be made in accordance with the provisions and conditions referred to hereinbelow,

NOW, THEREFORE, BE IT RESOLVED that the City of Orangeburg transfer and exchange with the said Glenn Y. Woodrum the parcel of real estate referred to above, 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, said exchange and transfer to be completed after performance of the following conditions and provisions, namely:

1. The said Glenn Y. Woodrum shall secure a good and marketable title to the Wamble lot and shall have an attorney acceptable to the City of Orangeburg, at his expense, to certify the title as being a good and marketable title in fee simple, free and clear of all liens, encumbrances of every kind and nature, said certificate to be in form and content acceptable to the City Attorney:

2. The said Glenn Y. Woodrum will pay all expenses associated with said transfer including, but not limited to, recording, stamps on deeds, attorney fees for title examinations and deeds of transfer, plats of survey as may be necessary or required, and the proration of any property taxes as may be necessary; the intent and purpose of this subparagraph being to insure that the City of Orangeburg incurs no expense in the exchange of the two parcels of land above referred;

3. That the City of Orangeburg reserves the right to remove any improvements on the Moseley lot which it deems necessary in preparation for such transfer or exchange of real estate;

4. That the said Glenn Y. Woodrum will at his sole expense make improvements to the Finkelstein lot in accordance with the attachment hereto entitled "SPECIFICATIONS FOR CONSTRUCTION OF PARKING LOT ON HAMPTON, SE" dated May 16, 1983, and prepared in behalf of the City of Orangeburg by B. Reese Earley;

5. That upon completion of the improvements aforesaid and the approval thereof by the public Works Director and the approval of the City Attorney as to matters respecting title, as aforesaid, the proposed tranfer and exchange of real estate shall be made;

EEC866

6. Said exchange and transfer of property shall be completed not more than four months from the date of final passage of this act unless such time is extended by the City of Orangeburg.

DONE AND RATIFIED THIS 21 DAY OF June, 1983,
1983.

E. O. Pendavis
MAYOR

W. Brett Solley

Sam H. Peterson

Jimmy A. Johnson

William J. Clary
MEMBERS OF COUNCIL

ATTEST:

Henry S. [Signature]
CITY CLERK

ORDINANCE NO. 1983- 8

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1983, AS ENACTED BY THE CITY OF ORANGEBURG ON DECEMBER 11, 1982, IN ORDER TO FURTHER PROVIDE FOR EXPENDITURES TO BE MADE BY THE PUBLIC WORKS AND PARKS-RECREATION DEPARTMENTS REGARDING THE MAINTENANCE GARAGE AND THREE (3) ACRES OF S.C. HWY. DEPT. PROPERTY ON U.S. ROUTE 21/178 BY PASS.

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

- (1) That the Ordinance to Raise Revenue and Adopt a Budget for the City of Orangeburg, S.C. for the Fiscal Year Ending September 30, 1983, as originally enacted on the eleventh day of December, 1982, is hereby amended by adding to the appropriations for the Public Works and Parks-Recreation Departments the following items:
 - I. Ten (10) acres of County property at the LEC for the appraised price of \$7,000 per acres, or a total of \$70,000.
 - II. Three (3) acres of S.C. Hwy. Dept. property on U.S. Route 21/178 By Pass in the amount of \$40,201.73.
- (2) This would change our capital allotment from \$420,881.42 to \$531,083.15. This would change our total budget allotment from \$4,635,507.42 to \$5,166,590.57.

PASSED IN COUNCIL ASSEMBLED this the 5th day of July, 1983.

E. O. Pardue
MAYOR

W. Keith Selley

Sam A. ...

Henry ...

William S. ...
MEMBER OF COUNCIL

ATTEST:
Henry ...
CITY CLERK

EEC866

TO REGULATE LICENSES IN THE CITY OF ORANGEBURG, S.C.
FOR THE YEAR OF 1983 AND THEREAFTER UNTIL AMENDED OR
REPEALED BY THE CITY COUNCIL.

BE IT ORDAINED by the Mayor and Councilmembers of the City of Orangeburg, S.C. in council assembled:

SECTION 12-30. License Required.

That the following License Taxes are hereby imposed for the privilege of carrying on the business, trade, profession, or doing the acts named or described herein, within the corporate limits of the City of Orangeburg from the first day of April, 1983, to the thirty-first day of March, 1984, inclusive, and annually thereafter until repealed or amended as aforesaid. In the event that the council, shall fail to pass said ordinance imposing said license taxes, the license taxes imposed for the next preceding year are hereby imposed. (Code 1960, S 24-1)

SECTION 12-31. When Due and Payable.

License taxes for each year shall be due and payable not later than the fifth day of May of each year, except in cases where a person shall begin a new business enterprise, when such license on same shall be due and payable on the day such business is begun. (Code 1960, S 21-1)

SECTION 12-32. New Businesses.

New businesses which shall apply for a license on or after April first shall pay the minimum fee as stated in the ordinance for the classification at the time of acquiring the license and at the end of the calendar year, the total license payment based on the actual gross business done shall be due and payable. If a new business should be dissolved before the end of the first year, it shall be liable for the tax on the gross business done up to the date of closing. The business license tax for the second year shall be calculated on the basis of gross business done in the first calendar year multiplied by the number of months necessary to give twelve (12) months business gross. (Code 1960, S 21-1)

SECTION 12-33. Prorating License Fees, Rebates.

No License shall be issued for less than one-half ($\frac{1}{2}$) year and Licenses issued between April first and September thirtieth shall be for the full year, expiring March thirty-first. No rebates shall be made except one-half ($\frac{1}{2}$) of a full year. A License shall be refunded if business is discontinued before October first of the year that the License was issued. (Code 1960, S 21-1)

SECTION 12-34. Unlawful to Engage in Business Without Payment of Tax.

No person shall be engaged in, or carry on any business, trade, or profession, either in whole or in part, within the corporate limits of the City without having paid a License tax as herein provided. (Code 1960, S 21-1)

SECTION 12-35. Separate License Require for Each Place of Business.

A separate License shall be required for each place of business and every class of business for which a License tax is required by this chapter. Where two (2) or more kinds of business are conducted in the same place, it shall be the duty of the licensee to keep an accurate account of the affair of each kind of business and to satisfactorily separate the affairs of each so that the proper amount of tax imposed and payable on each type of business may be readily ascertained, otherwise the maximum rate applicable to any type of business being operated shall apply to the whole. (Code 1960, S 21-2)

ORDINANCE NO. 1983 -9 Continued

SECTION 12-36. Statement for License by Applicant-Excution;
Contents.

Every person required by this chapter to obtain a license to engage in any trade, business or profession within the corporate limits of the city shall, within the time limits prescribed for payment of such license in Section 12-33 make application therefore in writing to the city treasurer, on a form supplied for the purpose, setting forth under oath the following information:

- (a) Style name of the person, firm company or corporation.
- (b) Location at which the trade, business or profession is to be conducted.
- (c) Exact nature of the trade, business or profession for which License is required.
- (d) The full and true amount of gross sales, receipts, premiums, commissions or other form of measurable returns for the trade business, or profession during the preceding calendar year. As herein required, the report of gross sales, receipts, premiums, etc., shall include all business done, whether within or outside the city limits of the city. In other words, it shall be the same as reported as total gross receipts for income tax purposes to the Federal Government, or to the South Carolina Tax Commission, or to the Insurance Commissioner of the State of South Carolina. All of the information herein required shall be given under oath by the owner or a member of the firm, or an officer of the corporation, or by an authorized employee having exact knowledge of actual business done.
- (e) Provided, where business is solicited, sales are made and goods delivered or transactions are completed and license paid on same in an incorporated town or city other than this city, this volume of shall be deducted from total gross receipts and such information shall be furnished with application. (Code 1960, S 21-3)

SECTION 12-37. Inspection and Audits.

For the purpose of enforcing the provisions of this ordinance the city treasurer or other authorized agent of the city is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and/or audit the books and records, and it shall be unlawful for any person to fail or refuse to make available the necessary books and records. In the event that the audit or inspection reveals that false information has been filed by the licensee, the cost of the audit shall be added to the correct license fee and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper license fee shall constitute a separate offense. The city treasurer shall make systematic inspections of the businesses within the city to insure compliance with the ordinance. Records of inspections and audits shall not be deemed to be public record and shall not be released by the city.

SECTION 12-38. False and Fraudulent Understatement, Penalties.

- (a) Any person making a false or fraudulent understatement of the amount of the tax payable or any fact upon which the amount of tax is based shall pay in addition to the regular correct amount of tax payable, fifty percent (50%) of the amount of the deficiency based on such understatements; and the License of any person making a false or fraudulent statement shall be subject to revocation at the discretion of the city council without obligation on the part of the city of refund any part of the tax paid and without relieving such person from liability for the payment of any unpaid deficiency, delinquent penalties and penalty for prosecution for violation of this chapter.
- (b) A fine as prescribed in Section 1-10 of the CITY CODE OF ORDINANCES shall be imposed upon each licensee who shall be convicted of making a false return.

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ORDINANCE NO. 1983 -9 Continued

- (c) No license shall be issued until all obligations due the city have been paid. (Code 1960, S 21-4)

SECTION 12-39. Penalty Charge for Late Payments.

- (a) A penalty of ten percent (10%) will be added to all business licenses of any person having been in business during the past fiscal year and failing to obtain a license before May fifth of each year. Nothing herein contained shall be construed to relieve any person from the payment of the ad valorem tax on property as provided for by ordinance and the payment of any particular tax herein after mentioned shall not relieve the person or corporation paying the same from liability for any other tax specifically imposed for any other business.
- (b) If any tax due hereunder shall remain unpaid after the due date, the city treasurer shall forthwith issue his execution under seal of the city in the usual form for the collection of taxes, and he shall immediately proceed to collect the tax, together with any penalties and costs due thereon, by distress and sale of the defaulter's property in the same manner that is now provided by the law for the collection of other taxes.
- (c) The city treasurer, in case of an insurance company, and others when in his judgement circumstances seem to warrant, may grant an extension of time, in no case exceeding seventy-five (75) days, within which to file application and pay the license tax. (Code 1960, S 21-5)

SECTION 12-40. Exemptions.

No person engaged in or carrying on any business, calling or profession, either in whole or in part, within the corporate limits of the city, or maintaining an office, or place of business in the city, shall be exempt from payment of license tax to the city, except such as may be expressly relieved from payment thereof by laws of the United States Government and of the State Government.

SECTION 12-41. License Tax upon Activities Not Specifically Provided For.

For the privilege of maintaining any office or conducting any business within the City it is the intention of this chapter that a license shall be required, and if the amount of this license is not specifically provided for herein, then said amount may and shall be fixed by the city treasurer, who shall fix a rate in keeping with the type of trade, business or profession to be licensed, or if no similar type of business or profession is provided for in this chapter, then the classification and rate shall be fixed by the City Council. (Code 1960, S 21-5A)

SECTION 12-42. Penalties for Engaging in Business Without a License.

Any person or persons, for themselves, or as officers of a firm or corporation, exercising or carrying on any trade, business or profession or operating any establishment for which a license is required by this chapter without first having registered as herein provided, shall be liable to a fine of not exceeding two hundred dollars (\$200) or to imprisonment for no more than thirty (30) days. (Code 1960, S 21-6; Ord. No. 178-6, 2-21-78)

ORDINANCE NO. 1983 - 9 Continued

SECTION 12-43. Businesses Outside the City Making Deliveries Inside the City.

Where any person, firm or corporation conducting a business beyond the limits of the City of Orangeburg makes deliveries to or for purchasers within the City other than those included in interstate commerce provision of goods produced or works sold, manufactured or done for a consideration out of the City, shall be charged for business done in the city limits a License as is charged for the conduct of the same business that is located in the City. Provided, however, that no retail merchant shall be charged a business license by the City of Orangeburg who is required to and does pay to another municipality a license fee based upon total deliveries irrespective of the place where such deliveries are made and all whose business within the City of Orangeburg consists in making deliveries to or for purchasers within the City of Orangeburg. Except that this exemption shall not apply unless such other municipality grants a similar exemption to retail merchants conducting placed of business within the City of Orangeburg and making deliveries to or for purchasers within other municipality.

When a contractor from outside of the city purchases a business license for a construction work within the City, based upon the total contract price involved, the license shall continue effective for the duration of the job without limitation as to time, but same shall not cover any other work done within the city by the same contractor.

SECTION 12-44. Enforcement of Provisions, Duties of City Treasurer.

It shall be the duty of the city license inspector or other agent of the city of investigate and report to the city treasurer all persons doing business without the license herein required. (Code 1960, S 21-8)

SECTION 12-45. Unlawful to Operate Business at a Place Other than Specified in License.

Any License granted under this chapter shall not authorize a person mentioned therein to exercise or carry on the trade, business or profession specified in such License, in any other place than that mentioned. (Code 1960, S 21-9).

SECTION 12-46. City Treasurer to Authorize transfer of Licensee's Place of Business.

Upon the removal of any license from the building or the premises at which the trade, business or profession mentioned in the license was authorized, it may and shall be lawful for the city treasurer by endorsement upon such a license, to authorize the licensee removing as aforesaid to any other place to carry on the trade, business or profession specified in such license at the place to which said licensee may have removed. (Code 1960, S 21-11)

SECTION 12-47. Display and Transfer.

All persons shall display the license issued to them on the original form provided by the city treasurer in a conspicuous place in the business establishment at the address shown on the license. An itinerant shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the city. A change of address must be reported to the city treasurer before removal of the business to a new location and the license will be valid at the address upon written notification of the city treasurer and compliance with zoning and building codes. Failure to obtain approval of the city treasurer for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of ownership shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on the old business income.

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SECTION 12-48. Licenses to be Issued Subject to Rules, Restrictions, and Regulations of the City.

All licenses shall be subject to all legal rules, restrictions and regulations in force at the time they are issued or may hereafter be adopted by the city council. (Code 1960, S 21-13)

SECTION 12-49. Notices.

The city treasurer may but shall not be required to serve or mail written notices that license fees are due, but shall publish a notice of the due date in the newspaper of general circulation within the city three times during the month of April in each year.

SECTION 12-50. Revocation and Suspension.

The city council may revoke any license issued to any person whenever in its judgement the public welfare makes it necessary. (Code 1960, S 21-44)

SECTION 12-51. Application of Provisions to Agents, Clerks, and Employees.

Whenever in this chapter the term dealer or person, firm or corporation is used, the same shall include not only the principal but in his or her or their absence, shall include any agent, clerk or employee, and such agent, clerk, or employee shall be subject to the penalties herein imposed, should the business or profession be carried on without taking out such license in the same manner as if such agent, clerk or employee were the owner or proprietor of said business or profession. (Code 1960, S 21-15)

SECTION 12-52. Revocation of Public Service Driver's License for Violation of Law.

Any public service driver or drivers, either of a taxicab or automobile plying the streets for hire, who shall be convicted of transporting or have in possession or selling alcoholic liquors, or drugs, or otherwise violating any of the ordinances of the city relating to intoxicating liquors, illegal drug substances, or any public service driver, either of hack or automobile who shall transport from place to place within the city any woman or women for immoral purposes, shall have his license to do business in said city immediately revoked by the mayor and no new license shall be granted to him during the calendar year to engage in the same character or kind of business. (Code 1960, S 21-16)

SECTION 12-53. Itinerants, Term Defined for Purpose of Licensing.

For the purpose of this chapter any person who does not list a poll on property for taxation in said city shall be deemed an itinerant, and shall be subject to the license herein provided for itinerants, and if no tax is specified for itinerants, the tax shall be double the rate herein provided. (Code 1960, S 21-17)

SECTION 12-54. Vehicles for Hire, Requirements for Licensing.

No automobile or motor taxi shall be used for transportation of passengers for hire unless and until the owner or driver thereof shall first file with the city treasurer of said city a policy of insurance on said automobile and taxi against bodily injuries and property damage ordinarily designated as public liability insurance, in such company, in such form, and in such amounts as the city council may approve, and when so approved such policy of insurance shall be maintained by said driver or owner during the entire time said automobile or motor taxi shall be used. Upon failure to maintain such insurance, the license of the operator or owner thereof shall be immediately revoked and said automobile or motor taxi shall not hereafter be used for transportation for persons for hire in the city. Nothing contained in this section shall apply to vehicles operating under a special franchise. (Code 1960, S 12-18)

ORDINANCE NO. 1983 -9 Continued

SECTION 12-55. Public Preaching, Lecturing, or Speaking.

No preaching, lecturing or speaking or entertainment of any nature will be permitted on the streets or public places of the city unless a written permit for same be obtained from the Mayor.

SECTION 12-56. Minimum Business License Fee for Businesses Not Addressed.

The minimum tax to be paid by any trade, business or profession not otherwise specifically provided for in this ordinance, shall be at the rate of \$100 on the gross receipts not exceeding \$5,000 and \$5 on each additional thousand or fraction thereof.

SECTION 12-57. Separability.

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.

SECTION 12-58. Conflicting Provisions.

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.

SECTION 12-59 ----- 62. Reserved.

DONE IN COUNCIL, and ratified under the corporate seal of the City of Orangeburg, South Carolina this 5TH day of July, 1983, A.D.

EEC866

E. O. Pendleton
MAYOR

W. Keith Selby

Sam H. Anderson

Sam B. Swine

William S. Clark
MEMBERS OF CITY COUNCIL

ATTEST:

Larry S. [Signature]
CITY CLERK

ORDINANCE NO. 1983 - 10

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 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 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-1 Residential" to "B-1 Business", all that certain piece, parcel or lot of land, situate, lying and being in the City of Orangeburg, County of Orangeburg, State of South Carolina, being bounded as follows: On the northeast by other property of Edisto Enterprises, Inc., and being separated therefrom by the line marking the City Limits; on the Southeast by Thomas Street; on the Southwest by U.S. Highway 178 Bypass; and on the northwest by other property of Edisto Enterprises, Inc., and being separated therefrom by the line marking the City Limits.

PASSED by the City Council of the City of Orangeburg, South Carolina this the 19th day of July, 1983.

E. O. Sanderson

MAYOR

W. Brent Selby

Sam H. Alexander

Samuel Johnson

William D. Cady

MEMBERS OF COUNCIL

ATTEST:

Sammy Hammond

CITY CLERK

ORDINANCE NUMBER 1983 - 11

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 CORPORATE LIMITS OF ORANGEBURG, S.C., THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES.

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

That 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-1 Residential" to "B-4 Neighborhood Commercial District", all that certain piece, parcel or lot of land, with all improvements situate, lying and being in the City of Orangeburg, Orangeburg County, South Carolina, and being set forth and shown as the northeastern portion of Lot #1 on a Plat of property of Mrs. Marjorie A. Bleakley made by H. Frank O'Cain, C.E., dated February 15, 1949, and recorded in Plat Book 8 on Page 167 and being bounded and measuring as follows: North by Poole Street, sixty-seven and five-tenths (67.5) feet, more or less; East by Holly Street, forty-three and six-tenths (43.6) feet, more or less. South by property of Lawton Ashe, sixty-seven and five-tenths (67.5) feet, more or less; West by property of Lawton Ashe, thirty-nine (39) feet, more or less. Measurements on the South and West being to the outer eaves of the building on said property.

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA THIS THE 6TH DAY OF SEPTEMBER, 1983.

E. J. Landrum
MAYOR

W. Harold Selby

Sam H. Alexander

Sam B. Amerson

William S. McClung
MEMBERS OF COUNCIL

ATTEST:

Samy Mansfield
CITY CLERK

EEC866

ORDINANCE NUMBER 1983 - 12

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1984.

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, levy taxes, and collect all other income sources available to the city pursuant to public notice.

Section 2. That the prepared budget for the fiscal year October 1, 1983-September 30, 1984, 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, 1983 to the Thirty-first day of December, 1983, 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 49 mils 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 1st day of November, 1983, until the 14th day of January, 1984 from the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, Saturdays and Sundays excepted.

Section 5. On January 15, 1984, a penalty of fifteen (15) percent shall be added on all unpaid taxes. On March 15, 1984, 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, 1984, 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 4th day of October, 1983.

E. O. [Signature]
MAYOR
W. [Signature]
Sara [Signature]
[Signature]
William [Signature]
COUNCIL MEMBERS

ATTEST:
[Signature]
CITY CLERK

ORDINANCE NUMBER 1983-13

AN ORDINANCE TO AMEND AN ORDINANCE ENACTED BY THE CITY COUNCIL OF ORANGEBURG ON THE EIGHTEENTH DAY OF JUNE, 1983, FOR THE PURPOSE OF IMPOSING AND REGULATING LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA SO AS TO FURTHER DEFINE THE CONTRACTOR CLASSIFICATION AS IT PERTAINS TO BUILDING PERMITS.

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

Section 1. That the license 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 June 18, 1983, of Sections 12-1 through 12-62 of the City Code, as amended, within the corporate limits of the City of Orangeburg, from the first day of April, 1984, to the thirty-first day of March, 1985, inclusive, and annually thereafter until repealed or amended, shall be the same as for the period from the eighteenth day of June, 1983, to the thirty-first day of March, 1984, inclusive, except as herein 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 1983 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY COUNCIL" ratified on the eighteenth day of June, 1983, by the City Council, and as below amended, is hereby adopted as a schedule of licenses for the year running from the first day of April, 1984 to the thirty-first day March, 1985, inclusive; said schedule of licenses is printed "BUSINESS AND PROFESSIONAL LICENSE ORDINANCE AS ADOPTED JUNE 18, 1983" for the City of Orangeburg, and is amended in the following particulars:

(A) UNDER LICENSE SCHEDULE, under the caption "410000 Fire Insurance and Casualty Insurance Companies, including Accident, Collision, Fidelity, etc." Amend said paragraph to read as follows:

On the first \$2,000 of gross premiums collected through offices or agents located in the City regardless of where the property is located; on gross premiums collected on property in the City regardless of where the premiums are collected. \$50

On each additional \$1,000 or fraction thereof. 2%

(B) UNDER LICENSE SCHEDULE, under the caption "420000 Life, Health, and Hospital Insurance Companies," amend said paragraph to read as follows:

On the first \$2,000 of gross premiums collected through offices or agents located in the City regardless of where the property is located; on gross premiums collected on policies in the City regardless of where the premiums are collected \$50

On each additional \$1,000 or fraction thereof 1%

The remainder of the provisions under the caption "Insurnace" will remain unchanged.

(C) UNDER LICENSE SCHEDULE, under the caption "240000 Contractors," amend the following paragraphs to read as follows:

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Paragraph A.) Every person, firm, or corporation undertaking any type of construction or construction/repair service, regardless of degree of skill, shall be considered a contractor for the purposes of this ordinance and shall be required to obtain a valid City of Orangeburg Business License, at the full rate, and a City of Orangeburg Building Permit.

The remainder of paragraph A under the caption "240000 Contractors," will remain unchanged.

Paragraph B.) Every contractor and subcontractor as defined in Paragraph A above, maintaining an office or place of business in the City of Orangeburg, who for a fixed commission, fee or wage, or other consideration undertakes to provide any type of contractual service whatsoever, shall pay a license fee as follows on his gross contract business done inside and outside the City of Orangeburg.

The remainder of Paragraph B under the caption \$240000 Contractors," will remain unchanged.

Paragraph C.) Entitled, "Contractors - General," Subparagraph 1.): General Contractors and Construction Companies are required to file an annual gross receipts statement on all construction conducted inside and outside the City of Orangeburg. They are required to pay a Business License fee based on the difference between their gross receipts and the gross receipts of their subcontractors, who have a valid City of Orangeburg Business License. The General Contractor of Construction Company shall pay in addition to all applicable building permits, a Business License at the following rate:

With the exception of, "*Note *A permit is required for new construction or for repairs where the costs exceed \$100," which is amended to read as follows, "*Note *A permit is required for new construction or for repairs where the costs exceed \$500" the remainder of Paragraph C.) subparagraph 1.) under the caption "240000 Contractors," will remain unchanged.

Paragraph C.) Entitled "Contractors-General," Subparagraph 2.): Building contractors with the principal place of business located in the City of Orangeburg must file a statement of all annual gross income and pay at the same rate as the Contractors Rate, as is specified in Section B. of the LICENSE SCHEDULE, under the caption \$240000 Contractors."

The remainder of the LICENSE SCHEDULE, under the caption "240000 Contractors" will remain unchanged.

Section 2. That Section 12-58, entitled "Conflicting Provisions," of the "ORDINANCE TO REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE YEAR 1983 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY COUNCIL," and ratified on the eighteenth day of June 1983, be renumbered to Section 12-59, and that the following amendment be made a part of the "ORDINANCE TO REGULATE LICENSES IN THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE YEAR 1983 AND THEREAFTER UNTIL AMENDED OR REPEALED BY THE CITY COUNCIL," and that the following section be renumbered Section 12-58:

Section 12-58. 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 be 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 June 18, 1983, and as amended, shall be at the rate of \$100 on gross receipts not exceeding \$5,000 and \$5 on each additional thousand or fraction thereof.

ORDINANCE NO. 1983-13
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DONE IN COUNCIL AND RATIFIED under the corporate seal of the
City of Orangeburg, South Carolina, this 18th day of October, 1983.

E. O. Fountain
MAYOR

W. Heath Allen

Sam H. Alexander

James S. Finson

William S. W. King
MEMBERS OF COUNCIL

ATTEST:

Sunny Blomquist
CITY CLERK

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ORDINANCE NUMBER 1983-14

AN ORDINANCE TO ESTABLISH AND SET THE BUILDING PERMIT RATES, DEMOLITION RATES, AND HOUSE MOVING RATES FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, COMMENCING OCTOBER 18, 1983 TO BE IN EFFECT UNTIL AMENDED OR REPEALED.

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

That the following building permit rates be established and set:

- Demolition: \$10.00 Per House
- House Moving: \$25.00 Per House
- Building Permit: \$ 6.00 For the First \$1,000 and
\$ 4.00 For Every \$1,000 or Fraction Thereof

DONE AND RATIFIED by the City Council of Orangeburg, South Carolina in Council Assembled this 18th day of October, 1983.

E. O. Landrum
MAYOR

W. Keith Selley

Samuel Alexander

Henry G. Johnson

William W. King
MEMBERS OF COUNCIL

ATTEST:

Samuel Alexander
CITY CLERK

ORDINANCE NO. 1983-15

ORDINANCE TO AMEND ORDINANCE NO. 1983-6 PASSED BY THE CITY OF ORANGEBURG JUNE 21, 1983, RESPECTING THE EXCHANGE OF CERTAIN REAL ESTATE ON HAMPTON STREET IN THE CITY OF ORANGEBURG.

WHEREAS, the City of Orangeburg is the owner of that certain lot of land (Moseley lot) on the southerly side of Hampton Street measuring 80 feet on the front and rear lines and 180 feet on the respective sidelines, all measurements being more or less, as described in deed of John P. Moseley, et al. to the City of Orangeburg dated March 30, 1973, filed for record March 30, 1973, in the office of the Clerk of Court for Orangeburg County, S.C. in Deed Book 378 on page 249, and,

WHEREAS, Glenn Y. Woodrum desires to acquire title to the above described lot and in consideration therefor has agreed to exchange with the City of Orangeburg, in accordance with the provisions and conditions referred to hereinbelow, certain real estate also located on the south side of Hampton Street and more particularly described as follows:

All that certain piece, parcel or lot of land, situate, lying and being in the City of Orangeburg, on the south side of Hampton Street, County of Orangeburg, State of South Carolina, and having the following boundaries and measurements: On the North by Hampton Street, eighty (80) feet; on the East by property now or formerly of Harry L. Smoak, one hundred ninety (190) feet; on the South by property now or formerly of Ayers and Watson, eighty (80) feet; and on the West by lands of Glenn Y. Woodrum, one hundred ninety (190) feet. Being the greater portion of the lands conveyed to Glenn Y. Woodrum by Victoria M. Wamble by deed dated June 24, 1983, and recorded in the office of the Clerk of Court for Orangeburg County, S.C., on July 1, 1983, in Deed Book 487, on page 13.

NOW, THEREFORE, BE IT RESOLVED that the City of Orangeburg transfer and exchange with the said Glenn Y. Woodrum the parcel of real estate referred to above, 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, said exchange and transfer to be completed after performance of the following conditions and provisions, namely;

1. The said Glenn Y. Woodrum shall execute and deliver a good and marketable title conveying the Woodrum lot as above described unto the City of Orangeburg and shall have an attorney acceptable to the City of Orangeburg, at his expense, to certify the title as being a good and marketable title in fee simple, free

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and clear of all liens, encumbrances of every kind and nature, said certificate to be in form and content acceptable to the City Attorney;

2. The said Glenn Y. Woodrum will pay all expenses associated with said transfer including, but not limited to, recording, stamps on deeds, attorney fees for title examinations and deeds of transfer, plats of survey as may be necessary or required, and the proration of any property taxes as may be necessary; the intent and purpose of this subparagraph being to insure that the City of Orangeburg incurs no expense in the exchange of the two parcels of land above referred;

3. That the City of Orangeburg reserves the right to remove any improvements on the Moseley lot which it deems necessary in preparation for such transfer or exchange of real estate;

4. That the said Glenn Y. Woodrum will at his sole expense make improvements to the Woodrum lot in accordance with the attachment hereto entitled "SPECIFICATIONS FOR CONSTRUCTION OF PARKING LOT ON HAMPTON, SE" dated May 16, 1983 and prepared in behalf of the City of Orangeburg by B. Reese Earley:

5. That upon completion of the improvements aforesaid and the approval thereof by the Public Works Director and the approval thereof by the Public Works Director and the approval of the City Attorney as to matters respecting title, as aforesaid, the proposed transfer and exchange of real estate shall be made;

6. Said exchange and transfer of property shall be completed not more than four months from the date of final passage of this act unless such time is extended by the City of Orangeburg.

DONE AND RATIFIED THIS 15th day of November, 1983.

E. O. Sanderson
MAYOR

W. B. Selby

Sam H. Alexander

Henry B. Trivison

William W. Chan
MEMBERS OF COUNCIL

ATTEST:

James L. Hancock
CITY CLERK