

ORDINANCE NO. 1993-01

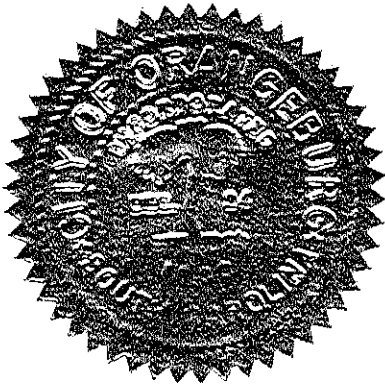
VII
AN ORDINANCE TO AMEND CHAPTER ~~XII~~
OF THE CODE OF ORDINANCES
FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA,
FOR THE PURPOSE OF ESTABLISHING
BUSINESS LICENSE FEES FOR LONG DISTANCE TELEPHONE
COMMUNICATION SERVICES

Be it ordained by the Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled and by authority of the same; that the Business License Schedule be amended by adding the following:

Category 980000----Long Distance Telephone Communication Services

Long Distance Telephone Communication Services based on gross income from services billed to customers in the City-----5%.

Done and ratified by City Council of Orangeburg, South Carolina, in Council assembled this 19th day of January 1993.



Martinez Chapman
Mayor

W. South Salter

James Hays

James Deit

James W. Rhoney

William F. Moss

Members of Council

ATTEST:

Sharon M. Jamming
City Clerk

ORDINANCE NO. 1993-02

AN ORDINANCE TO LEASE THAT CERTAIN BUILDING
KNOWN AS THE "WOMEN'S FARM MARKET"
TO ORANGEBURG ALANO, INC.
FOR A TERM OF ONE (1) YEAR
BEGINNING FEBRUARY 1, 1993, AND
ENDING JANUARY 31, 1994.

BE IT ORDAINED by City Council duly assembled that the City of Orangeburg lease to the Orangeburg Alano, Inc., that certain building known as the "Women's Farm Market", 590 Louis Street, for a term of one (1) year beginning February 1, 1993 and expiring January 31, 1994, according to the terms and conditions as contained in that certain Lease Agreement between said parties attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED that the City Administrator is hereby authorized to execute said lease on behalf of the City.

DONE AND RATIFIED by Council duly assembled this 19th day of January 1993.



Mark C. Cheatham
Mayor

W. Brent S. Siler

Denard Haie

L. Zimmerman

Frederic W. Roney

Allan F. Moore
Members of Council

ATTEST:

Sharon M. Gammuda
City Clerk

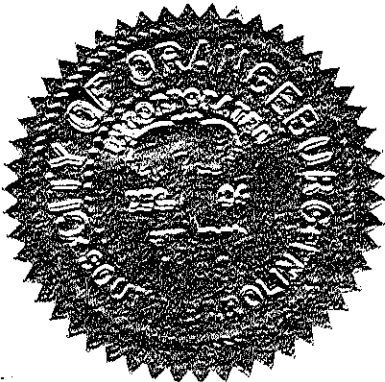
ORDINANCE NO. 1993-03

AN ORDINANCE TO LEASE THAT CERTAIN BUILDING AND PROPERTY
KNOWN AS THE "RIVER PAVILION ON RIVERSIDE ST."
TO THE ARTS COUNCIL
OF ORANGEBURG COUNTY
FOR A PERIOD OF SIX (6) YEARS
BEGINNING FEBRUARY 1, 1993, AND
ENDING JANUARY 31, 1999.

BE IT ORDAINED by City Council duly assembled that the City of Orangeburg lease to The Arts Council of Orangeburg County, that certain building known as the "River Pavilion" on Riverside Street, for a term of six (6) years beginning February 1, 1993 and expiring January 31, 1999, according to the terms and conditions as contained in that certain Lease Agreement between said parties attached hereto and made a part hereof by reference.

BE IT FURTHER ORDAINED that the City Administrator is hereby authorized to execute said lease on behalf of the City.

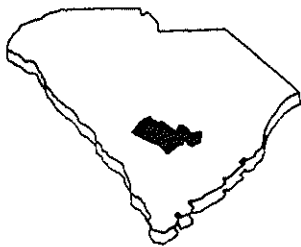
DONE AND RATIFIED by Council duly assembled this 19th day of January 1993.



Merton Cheatham
Mayor
W. Herbert Kelly
Dean Hane
James Keith
George W. Shewey
Allan F. Moore
Members of Council

ATTEST:

Sharon M. Ganning
City Clerk



COUNTY OF ORANGEBURG

P.O. DRAWER 9000, ORANGEBURG, S.C. 29116-9000
TELEPHONE 803/533-1000

December 9, 1992

COUNTY ADMINISTRATOR
GARY A. SMOAK

COUNCIL MEMBERS

VERNON OTT, JR., CHM.
JOHN H. RICKENBACKER, VICE CHM.
GEORGE ASBURY
ANDREA H. BOWERS
J. DANNY COVINGTON
JAMES R. MCGEE
SILAS SEABROOKS, JR.

DEC 11 1992

Mr. John Yow, City Administrator
City of Orangeburg
Post Office Drawer 387
Orangeburg, South Carolina 29116-0387

Dear John:

Please be advised that the County Council, in their meeting of December 7, 1992, approved the letter of request from the City of Orangeburg that the County forfeit its interest in the "Farm Womens' Market" lot and building at 590 Louis Street based on the use that the City perceives for the future. Please have the City Attorney contact Bob Horger regarding the preparation of the necessary legal documents, and present them to him for review and then on to us for signing.

The County of Orangeburg was happy to be of service to the City in this joint arrangement because we feel that all parties will be enhanced by doing so.

Sincerely,

Gary A. Smoak
County Administrator

GAS:sm

cc: Bob Horger

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

LEASE

THIS AGREEMENT AND LEASE entered into this 19th day of January, 1993 between the CITY OF ORANGEBURG, hereinafter called the LESSOR, party of the first part, and ORANGEBURG ALANO, INC of Orangeburg County, South Carolina, hereinafter called the LESSEE OF TENANT, party of the second part.

WITNESSETH, that the said LESSOR does this day lease unto the LESSEE the City of Orangeburg lot and building at 590 Louis Street commonly known as the "Farm Women's Market" to be used and occupied by the LESSEE subject to the stipulations and conditions which are and contained in that certain deed of Nell Dempsey, et al., to the City of Orangeburg dated 1-27-93 made a part of this lease and assented to by the LESSEE:

FIRST : The LESSEE shall not assign this lease, nor sublet the premises, or any part thereof.

SECOND : It is expressly understood and agreed that there shall be no alcoholic beverages permitted on the premises.

THIRD : The rent for the term of this lease is One and 00/100 (\$1.00) Dollar annually payable on January 19th and One and 00/100 (\$1.00) Dollar annually due on January 19th for each year thereafter for the term of this lease.

FOURTH : The term of this lease shall be annual and the lease shall commence on January 19th and shall be automatically renewable on an annual basis unless either the LESSOR or the LESSEE gives written notice of intent to terminate to the other party at least sixty (60) days prior to the renewal date of January 19th.

IN WITNESS WHEREOF, the parties hereunto executed this instrument for the purpose herein expressed, the day and year above written.

Signed, sealed and delivered in the presence of:

AS TO LESSOR :

LESSOR
CITY OF ORANGEBURG, SOUTH CAROLINA

Sharon M. Fanning

By:

John H. You
Title City Administrator

AS TO LESSEE :

LESSEE
ORANGEBURG ALANO, INC.

Regis B. Brant

By:

Robert M. Foster
President

AS TO LESSOR :

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

Before me personally appeared the undersigned and made oath that s/he saw the within-named John H. You, its City Administrator sign, seal and, as the act and deed of the City of Orangeburg, South Carolina, deliver the within-written LEASE for the uses and purposes therein mentioned, and that s/he, with the

other witness subscribed above witnessed the execution thereof.

SWORN to before me this

20th day of January.

Witness

Paulette F. Rush
Notary Public of South Carolina
My Commission expires 8-26-97

AS TO LESSEE :

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)

Before me personally appeared the undersigned and made oath that s/he saw the within-named Robert M. Forster its President, sign, seal and, as the act and deed of Orangeburg Alano, Inc., deliver the within-written LEASE for the uses and purposes therein mentioned, and that s/he, with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this

20th day of January, 1993.

Witness

Joy Baw
Notary Public of South Carolina
My Commission expires Sept. 8, 1999

NINTH : The LESSEE shall hold harmless and indemnify the LESSOR for any damages to property or persons occurring on said premises and it is expressly agreed that the Lessor shall not be liable for any damages sustained by members of the LESSOR's organization or its invited guests or agents while on the premises described in this lease.

TENTH : The LESSEE shall pay all water, electric, gas and telephone charges which may be assessed upon the demised premises during the term hereof.

ELEVENTH : The LESSEE, at its own expense, may make alterations, additions and repairs to the leased premises only with the express approval of the same by the LESSOR. Any alteration, addition or repair shall be pre-approved by the LESSOR before being made by the LESSEE. All alterations, additions and repairs shall become property of the LESSOR and remain property of the LESSOR upon termination of this lease.

TWELFTH : Any safety hazards and similar risks shall be monitored and eliminated by the LESSEE.

THIRTEENTH : Any alterations, modifications, etc. to the grounds or real property in the area of the premises or proximity thereto shall be pre-approved by the Garden Division of the City Parks and Recreation Department of the LESSOR.

FOURTEENTH : The LESSOR, or any of its designated agents, shall have the right to enter the premises at any time and the LESSEE shall provide the LESSOR with a list of persons that can be contacted who represent the LESSEE.

FIFTH : The LESSOR shall have the absolute right to terminate the lease at any time, without stating a reason, upon giving the LESSEE at least sixty (60) days written notice of said termination.

SIXTH : The LESSOR reserves the right to use or authorize the use of the premises upon giving the LESSEE written notice at least fifteen (15) days prior to the LESSOR'S intent to use the premises provided this use does not conflict with regular publicized meetings of the LESSEE. Any use of the premises by the LESSOR shall be at no charge to the LESSOR. The LESSEE shall have one (1) member of its organization present at said function. The LESSEE shall have the right to charge a fee for any other persons or organizations which may be allowed to use the premises but any fee or rate charged must be approved by the LESSOR. The LESSEE shall not be liable for any personal injury or property damage incurred by other persons or organizations authorized to use the premises by the LESSOR. The LESSEE agrees to allow the "Farm Women's Market" to use the premises each Saturday between the hours of 7:00 AM and 11:00 AM.

SEVENTH : The LESSEE shall maintain all property risk insurance such as fire, flood, storm, etc. on the building and any appurtenant structures and said coverage shall be based on the appraised value of the building and its contents. A certificate of insurance shall be furnished to the LESSOR.

EIGHTH : The LESSEE shall maintain comprehensive liability insurance coverage of Five Hundred Thousand and 00/00 (\$500,000) Dollars; the LESSEE shall be named as the insured along with the LESSOR as additional insured. A certificate of insurance shall be furnished to the LESSOR.

ORANGEBURG ARTS COUNCIL

P.O. BOX 2106 • 649 RIVERSIDE DRIVE NW • ORANGEBURG, S.C. 29116-2106 • (803) 536-4074

November 19, 1992

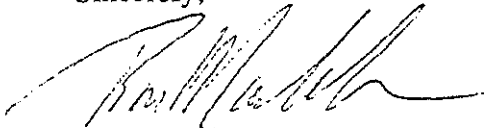
Mr. John Yow
City Administrator
P. O. Drawer 387
Orangeburg, South Carolina 29116-387

Dear Mr. Yow,

With respect to the lease for the River Pavilion that is used by the Arts Council of Orangeburg County, we respectfully request that when the lease is renewed the yearly lease fee be reduced from \$100 to \$1 and that the lease be renewed for an additional six years and thereafter automatically renew on an annual basis unless either the lessor or the lessee provide notice in writing of cancellation. All other provisions of the original lease are to remain the same. If you have any questions, please let me know.

Thanks for your help in this matter.

Sincerely,



Ron Machler
Chairman, The Arts Council of Orangeburg County

STATE OF SOUTH CAROLINA,
COUNTY OF ORANGEBURG.

LEASE AGREEMENT

City of Orangeburg,

Lessor,

and

The Arts Council of
Orangeburg County,

Lessee.

THIS AGREEMENT made this 19th day of January, 1993,
by and between the City of Orangeburg, hereinafter referred
to as Lessor, and The Arts Council of Orangeburg County,
hereinafter referred to as Lessee. In consideration of the
rental, covenants and conditions hereinafter set forth, and
intending to be legally bound thereby, Lessor and Lessee do
hereby covenant and agree as follows:

1. The Lessor does hereby lease and demise unto the
Lessee, and the Lessee does hereby take and hire from the
Lessor, upon and subject to the terms, conditions, covenants
and provisions hereinafter set forth, six thousand five
hundred sixty-nine (6,569) square feet, more or less, of
space located in that certain building located on all that
certain piece, parcel or lot of land, situate, lying and
being on Riverside Street, City of Orangeburg, County of
Orangeburg, State of South Carolina, being commonly called
the "River Pavilion" and more particularly set forth and
shown on Exhibit "A" attached hereto and made a part hereof
by reference. In addition, Lessor shall permit Lessee at
such times as same does not interfere with or hinder Lessor
in the performance of public duties, or the furtherance of
public interests or convenience, or the improvement of said

properties, to use the adjoining, vacant and unimproved lands identified on Exhibit "A" with diagonal lines, for vehicular parking purposes only.

2. To have and to hold the demised premises for a term of six (6) years, commencing on the 1st day of February, 1993, and ending on the 31st day of January, 1999. Provided however, annually, on or before January 1st of each year, Lessee shall provide Lessor an annual report of the use of said premises. Subsequent thereto, Lessor may hold a public hearing on the use of said premises, and if in the opinion of its Council the demised premises shall be necessary or useful to the Lessor in the performance of public duties, or the furtherance of public interests or convenience, then in such event, Lessor may terminate this lease by giving ninety (90) days written notice to Lessee. If the Lessee is not in default hereunder and is in compliance with all terms, conditions and limitations contained herein, upon the expiration of the original term, this lease shall be automatically renewed annually, each annual renewal to begin on the 1st day of February and end on the 31st day of January of each year. Upon the expiration of the original term this lease may be terminated by either party giving sixty (60) days written notice thereof to the other.

3. The Lessee shall pay to the Lessor as rental for the demised premises an annual rental of One and no/100 (\$1.00) Dollars to be paid annually in advance, on or before the 15th day of January.

4. Unless the previous written consent of the Lessor is obtained, the Lessee shall use the demised premises during the original term of this lease and any extension hereof only for the purpose of the delivery and holding of lectures, recitals, exhibits, public meetings, work shops,

seminars, classes and conferences, calculated to advance the interests of the literary, visual, performing or musical arts. Lessee covenants and agrees that the demised premises shall not be used for any illegal purposes or for purposes creating a nuisance or trespass or tending to impair or void the insurance on the said demised premises or increase the rate of said insurance on said premises. In addition, Lessee consents to the use of the demised premises by Lessor at such times as would not hinder the objectives and purposes of Lessee as set forth hereinabove.

5. The Lessee covenants and agrees to make all necessary repairs to the demised premises and to keep the same in a good state of repair and condition, ordinary wear and tear excepted at all times during the term of this lease. However, Lessee shall make no alterations, decorations, installations, additions or improvements in or to the demised premises without Lessor's prior written consent, and then only by contractors or mechanics approved by the Lessor. All such work, alterations, decorations, installations, additions or improvements shall be done at Lessee's sole expense and at such times and in such manner as Lessor may from time to time designate. All alterations, decorations, installations, additions or improvements upon demised premises shall, unless Lessor elects otherwise, become the property of the Lessor and shall remain upon, and be surrendered with said premises as a part thereof, at the end of the primary term, any extension hereof or termination, as the case may be. However, if the within lease is terminated pursuant to Paragraph 2, hereinabove, then in such event, said alterations, decorations, installations, additions or improvements may be removed by Lessee, provided said premises are restored to original

condition, at Lessee's cost and expense. In the event the Lessor shall elect otherwise, then such alterations, installations, additions or improvements made by Lessee upon the demised premises as the Lessor shall select, shall be removed by Lessee, and Lessee shall restore premises to their original condition, at its cost and expense. Any mechanic's lien filed against the demised premises, or the building of which the same is a part, for work claimed to have been done for, or materials claimed to have been furnished to Lessee, shall be discharged by Lessee within ten (10) days thereafter, at Lessee's expense, by filing the bond or bonds required by law. In addition, the Lessee agrees to keep said demised premises in a clean and sanitary condition, free from trash and other inflammable material.

6. Upon the expiration of this lease, or any extension or termination, Lessee shall surrender the demised premises to Lessor in as good order and condition as at the commencement of the original term, reasonable wear and tear or damage by other casualty and the elements excepted.

7. Lessee may assign this lease only with the written consent of the Lessor, and in the event of such assignment, Lessee shall remain primarily liable for the payment of the rent herein reserved and for the performance of each and all of the covenants and conditions hereof on the Lessee's part to be performed. Such consent shall not be unreasonably withheld by Lessor.

8. The Lessee agrees to indemnify and/or hold and save the Lessor harmless at all times during the original term and any extension hereof from and against any and all loss, damage, cost or expense on account of any claim for any injury (including death) or damage either to person or property sustained by the Lessee, its agents, servants,

guests, invitees or by any other person which arises out of the use and occupancy of the demised premises by the Lessee. In connection herewith, Lessee shall, at its own cost and expense, provide and keep in force for the benefit and protection of the Lessor, as their respective interests may appear, and with the Lessor as an additional named insured, a general liability policy or policies in standard form protecting the Lessee and Lessor against any and all liability occasioned by accident or disaster with combined single limits of not less than \$500,000.00.

9. The Lessor covenants and agrees to carry fire and extended coverage insurance on all improvements on the demised premises against hazards customarily insured against by fire, with Lessee carrying such insurance on its contents and fixtures. Lessee agrees to reimburse Lessor annually for all insurance premiums paid and all expenses incurred in obtaining said insurance.

10. If the Lessee continues in default for a period of ten (10) days after notification by the Lessor of the failure to pay when due any installment of rent required hereunder, or if the Lessee continues in default for a period of ten (10) days after written notice from the Lessor specifying the nature of default of any failure of the Lessee to perform any other of its obligations or covenants hereunder, then the Lessor, at its option, may terminate this lease by ten (10) days written notice to the Lessee, whereupon Lessor may declare this lease breached and terminated and take immediate possession of the premises, including all improvements and additions made thereto by Lessee. These remedies shall be in addition to any others provided by law.

11. Lessee agrees that Lessor, or its agents or representatives, shall have the right to enter into and upon the demised premises or any part thereof for the purpose of inspecting the same to insure that the covenants and conditions of this lease have not been breached.

12. In addition to the rental payments to be paid to the Lessor by the Lessee hereunder, Lessee shall make payment of all sums due on account of utility services provided to the demised premises, including but not limited to, water, gas and electric and telephone as they shall accrue and be due and payable. Lessee also agrees to make all payments of all sums due on account of occupational or and other licenses or permits necessary in the operation of its business.

13. Lessee shall not install and maintain signs on the demise premises without the written consent of Lessor.

14. Lessee agrees to indemnify and hold Lessor harmless against any expenses, loss or liability paid, suffered, or incurred as a result of any breach by Lessee of any covenants or conditions of this lease or the negligence of the Lessee, its agents or employees.

15. The Lessee agrees to pay all attorney's fees and other expenses and costs incurred by Lessor in enforcing any of the obligations under this lease.

16. The Lessee agrees to immediately notify the Lessors in case of fire as well as in case of damage caused by the elements, as a hurricane, tornado or an earthquake. In case of the destruction of said building or premises by fire or the elements, during the term hereby or any extension hereof, or such partial destruction thereof as to render the premises wholly untenable or unfit for occupancy, or should they be so badly damaged that the same cannot be repaired

within ninety (90) days from the happening of such damage or injury, then and in such case, this lease hereby created shall cease and become null and void from the date of such damage or destruction, and then the Lessee shall immediately surrender said premises and all its interest therein to the Lessor, and the Lessee shall pay rent within said term only to the time of such surrender; and in case of such destruction or partial destruction, the Lessor may re-enter and repossess said premises discharged from this lease and may remove all parties therefrom. But should the premises be repairable within ninety (90) days from the happening of said damage or injury, the Lessee may enter and repair the same with all reasonable speed, and the rent shall not accrue after said injury or damage or while repairs are being made, but shall recommence immediately after said repairs have been completed. If said premises be so slightly damaged by fire or the elements as not to be rendered untenable and unfit for occupancy, then the Lessee agrees to repair the same with reasonable promptness, and in that case the rent accrued and accruing shall not cease.

17. This instrument contains the entire and only agreement between the parties, and no oral statements or representations or prior written matter not contained in this instrument shall have any force or effect. This lease shall not be modified or amended in any way except by a writing executed by both parties.

18. If any term or provision of this lease or the application thereof shall be invalid or unenforceable, the remainder of this lease or the application of such terms or provisions shall not be affected thereby.

IN WITNESS WHEREOF, the undersigned parties have caused this lease to be executed the date and year first above written.

IN THE PRESENCE OF:

John D. Yoo
Paulette F. Rush

CITY OF ORANGEBURG, LESSOR

By Martin C. Cheatham
Martin C. Cheatham, Mayor

Attest: Sharon H. Fanning
City Clerk

THE ARTS COUNCIL OF ORANGEBURG
COUNTY, LESSEE

By Q. J. Beall
Its Chairman

STATE OF SOUTH CAROLINA,
COUNTY OF ORANGEBURG.

PERSONALLY appeared before me John D. Yoo
and made oath that s/he saw the within-named City of
Orangeburg, Lessor, by Martin C. Cheatham, Mayor, attested
to by its Clerk, and The Arts Council of Orangeburg County,
Lessee, by Q. J. Beall, its Chairman,
sign, seal and, as their acts and deeds,
deliver the within-named Lease for the uses and purposes
therein mentioned, and that s/he, with Paulette F. Rush
witnessed the execution thereof.

SWORN to before me this 19th day of January, 1993.

Paulette F. Rush (L.S.)
Notary Public for South Carolina
My Commission Expires:

PAULETTE F. RUSH
Notary Public for South Carolina
My Commission expires: August 26, 1997

DONE IN COUNCIL, and ratified under the corporate seal of the City of Orangeburg, South Carolina, this 2nd day of March, 1993, A. D.

Martin C. Cheatham
Mayor, City of Orangeburg

L. J. ...
...
...

Councilmembers, City of Orangeburg

(SEAL)

Attest:

Sharon H. Fanning
City Clerk and Treasurer

Approved As to Form:
[Signature]
City Attorney

CITY OF ORANGEBURG, SC
AN ORDINANCE

To regulate licenses in the City of Orangeburg, South Carolina for the year 1993 and thereafter until amended or repealed by the City Council.

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

^{7-2.1}
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, or for the intent to conduct business within the corporate limits of the City of Orangeburg from the first day of April 1993, to the thirty-first day of March 1994, inclusive, and annually thereafter until repealed or amended as aforesaid. In the event that the council, shall fail to pass ordinance imposed said license taxes, the license taxes imposed for the next preceding year are hereby imposed. (Code 1960, S 24-1) The following businesses are exempt from business license taxes; Air express and passenger transportation; alcoholic beverages; auctioneers; banks and building loan companies; buses; credit unions; marketing cooperative association; mutual benevolent aid associations; wholesalers not having places of business within a municipality; worker's compensation insurance premiums.

^{7-2.2}
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 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. When a business dissolves it shall be liable for the tax on the gross receipts until the date of closing. It is the owners responsibility to close out this license within thirty (30) days of the businesses closing date. (Code 1960, S 21-1)

^{7-2.3}
SECTION ~~12-32~~. New Business. New businesses which shall apply for a license on or after April first shall be computed on the estimated probable gross income stated in the license application for the balance of the calendar year. 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)

7-2.4

SECTION 12-33. Prorating License Fees. No license shall be issued for less than One-half (1/2) year and licenses issued between April first and September thirtieth shall be for the full year expiring March thirty-first. (Code 1960-S 21-1)

7-2.5
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)

7-2.6
SECTION 12-35. Separate License Required 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 accurate account of the affairs of each kind of business and to satisfactorily separate the affairs of each so that a 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)

7-2.7
SECTION 12-36. Statement for License by Applicant-Execution; 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 owners social security number and the Federal and State Employer's Identification numbers.
- (e) 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 State assessments and property taxes must have been paid before a license will be issued. 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.

- (f) Provided, where business is solicited, sales are made and goods delivered or transactions 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)

^{7-2.8}
SECTION 12-27. **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 inspection, 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 ensure 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.

^{7-2.9}
SECTION 12-38. **False and Fraudulent Understatement; Penalties.**

(a) Any person making a false or fraudulent understatement of the amount of tax payable or any fact upon which the amount 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 of the part of the City to 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.

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

7-2.10

SECTION 12-39. Penalty Charge for Late Payments.

(a) A penalty of five percent (5%) per month 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. In addition to the penalty charged, a collector's fee of ten dollars (\$10.00) shall be paid by each business failing to pay on or before the prescribed date or by each business doing business without a license. Nothing herein contained shall be 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 therein, by distress and sale of the defaulter's property in the same manner that is now provided by the law for the collections of other taxes.

(c) The City Treasurer, in the case of an insurance company, and others when in his judgment 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; Ord. No. 1987-18)

7-2.11

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, the 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 is provided for in this chapter, then the classification and rate shall be fixed by the City Council. (Code 1960, S 21-5A)

7-2.12

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 (\$200.00) or imprisonment for not more than thirty (30) days. (Code 1960, S 21-6; Ord. No. 1978-6, 2-21-78)

7-2.13

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 provisions) of goods, products 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 merchants 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 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 places of business within the City of Orangeburg and making deliveries to or for purchasers within other municipality. When a contractor from outside the City purchases a business license for 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 the same contractor.

⁷⁻²⁻¹⁴
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 to investigate and report to the City Treasurer all person doing business without the license herein required. (Code 1960, S 21-8)

⁷⁻²⁻¹⁵
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 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. A ten dollar (\$10.00) collector's fee will be added if a business moves without notifying the City Treasurer's office before moving. (Code 1960, S 21-11, Ord. No. 1987-18)

⁷⁻²⁻¹⁶
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 his 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 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.

~~SECTION 12-48~~ ^{7.2-17} Licenses to be Issued Subject to Rules and 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)

^{7.2-18} 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.

^{7.2-19} 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. When the City Treasurer determines that one or more of the following things has occurred, such inspector shall suspend the license:

- (a) A license has been mistakenly or improperly issued contrary to law;
- (b) A license has breached any condition upon which the license was issued or has failed to comply with the provisions of this chapter;
- (c) A licensee has obtained a license through fraud, misrepresentation, false or misleading statement, evasion or suppression of a material fact in the license application;
- (d) A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise, contraband, or prohibited goods;
- (e) A licensee has been engaged in an unlawful activity or nuisance related to the business.

The license inspector shall give written notice to the licensee or the person in control of the business within the City by personal service or certified or registered mail that the license is suspended pending a hearing before City Council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special council meeting within thirty (30) days from the date of service of the notice. The

notice shall contain a brief statement of the reason(s) for suspension and proposed revocation and a copy of the applicable provisions of this chapter.

Appeals to City Council

- (a) Any person aggrieved by a final assessment or a denial of a business license by the license inspector may appeal the decision to the City Council by written request stating the reason(s) therefore filed with the license inspector or City Clerk within ten (10) days after the payment of the assessment under protest or notice of denial is received.
- (b) An appeal or hearing on revocation shall be held by the City Council within thirty (30) days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice. At the hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The City Council shall, by majority vote of members present, render a written decision based on findings of fact and the application of the standards herein, which shall be served upon on parties of their representative and shall be final unless appealed to a court of competent jurisdiction within ten (10) days after service.
- (c) No person shall be subject to prosecution for doing business with a license until the expiration of ten (10) days after notice of denial or revocation which is not appealed or until after final judgement or court upholding denial or revocation.
(Code 1960, S 21-14, Ord. No. 1987-18)

7-2-20
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 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)

7-2-21
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 street for hire, who shall be convicted of transporting or having 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 the City immediately revoked by the Mayor and no new license shall be granted to him during the fiscal year to engage in the same character or kind of business. (Code 1960, S 21-16)

⁷⁻²⁻²²
SECTION ~~12-53~~. Itinerants; Term Defined for Purpose of License. For the purpose of this chapter any person who does not list a poll on property for taxation in the City shall be deemed an itinerants; the tax shall be double the rate herein provided. (Code 1960, S 21-17)

⁷⁻²⁻²³
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 such 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)

⁷⁻²⁻²⁴
SECTION ~~12-56~~. Minimum Business License Fee for Business 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 \$100.00 on the gross receipts not exceeding \$5,000.00, and \$5.00 on each additional thousand or fraction thereof. The City License Inspector is directed to investigate any business to determine the proper classification.

⁷⁻²⁻²⁵
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.

⁷⁻²⁻²⁶
SECTION ~~12-58~~. Nonexclusionary Provision. 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 and as amended, shall be at the rate of \$100.00 on gross receipts not exceeding \$5,000.00 and \$5.00 on each additional thousand of fraction thereof.

⁷⁻²⁻²⁷
SECTION ~~12-59~~. 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.

⁷⁻²⁻²⁸
SECTION ~~12-60~~. Solicitation. All door-to-door salespersons soliciting business in residential areas or from any private residences within the City, shall first register with the City Public Safety Department. For purposes of this section the term "solicitor" means a person who goes from door-to-door visiting multi-family or single family dwellings for the following purposes:

- (a) To sell any goods, wares or merchandise or accept subscription or orders therefore;
- (b) To accept or request donations for any charitable purpose.

Registration Required.

All persons, before entering into or upon a private residence within the City for the purpose of soliciting, are hereby required to register with the City Public Safety Department and furnish the following information:

- (a) The name, local and permanent address, age, race, weight, height, color of hair and eyes and any other distinguishing physical characteristic of the applicant(s);
- (b) The nature or purpose for which solicitations will be made and the nature of the goods, or merchandise offered for sale;
- (c) The name and address of the employer or organization represented. A fee of five dollars (\$5.00) to cover the cost of processing the application shall be paid to the City Public Safety Department when an application is filed under this section, and such fee shall not be returnable under any circumstances.

The above provisions of this section shall not apply to the following:

- (a) Any person who visits any residence or apartment at the request or invitation of the owner or occupant thereof;
- (b) Unpaid members of any civic or charitable organization who are registered as such with the City Public Safety Department and the names of the solicitors have been listed as such members and organization has provided such person listed with an approved means of identification with the organization represented;

- (c) route delivery person who make deliveries at least once a week to regular customers and whose solicitation is only incidental to their regular deliveries.

Prohibited Acts.

No person shall:

- (a) Enter into or upon a private residence in the City under false pretenses to solicit for any purpose or for the purpose of soliciting orders for the sale of goods, wares or merchandise;
- (b) Enter into or upon the premises of a private residence for soliciting when the owner or occupant has displayed a "No Soliciting" sign on the premises;
- (c) Remain in a private residence or on the premises thereof after the owner or occupant has requested any such person to leave; or
- (d) Engage in a practice of soliciting in the City without a license as provided for in this article. (Ord. No. 1987-18)

SECTION 12 61-62. Reserved.

DONE IN COUNCIL, and ratified under the corporate seal of the City of Orangeburg, South Carolina this-----

Martin Cheatham
Mayor, City of Orangeburg
Bernard Haire
L. Zimmerman Keitt
Marion F. Moore
Joyce W. Rheney
W. Everette Salley, D.V.M.
Councilmembers, City of Orangeburg

(SEAL)

Attest:

Sharon G. Fanning
City Finance Director, Clerk and Treasurer

Approved As To Form:

James Walsh
City Attorney

LICENSE SCHEDULE

A

010000 ADVERTISING

010100	Outdoor billboards, signs, or other devices	
	On gross receipts not exceeding \$5,000	\$ 50.00
	On each additional \$1,000 or fraction thereof	\$ 1.00
010200	Advertising not otherwise classified	
	On gross receipts not exceeding \$5,000	\$ 50.00
	On each additional \$1,000 or fraction thereof	\$ 5.00
010300	Coupon book sales/advertising	
	On gross receipts not exceeding \$1,000	\$ 50.00
	On each additional \$1,000 or fraction thereof	\$ 1.00

830000 AMBULANCE SERVICES

	On gross receipts not exceeding \$5,000	\$ 25.00
	On each additional \$1,000 or fraction thereof	\$ 1.00

020001 AMUSEMENT CENTER, ARCADES, Places Whose Business is Primarily to Provide Entertainment with Video Games, Pin Ball Games, Etc.

	On gross receipts not exceeding \$5,000	\$ 50.00
	On each additional \$1,000 or fraction thereof	\$ 2.00

940000 ARTS AND CRAFTS

	On gross receipts not exceeding \$2,000	\$ 5.00
	On each additional \$1,000 or fraction thereof	\$ 1.00

This shall be a special license issued only for special events sanctioned as such by the City of Orangeburg and shall be valid for the time period stated therein and must be applied for and obtained before commencement of the event for which it is being used.

Applicants must be the creators of the art or craft which it to be sold; goods purchased for sale or resale cannot be vended on this special license.

A Husband and wife shall be considered as an individual for the purpose of this license.

Other merchants and vendors of such special events not qualifying for licensing under ARTS AND CRAFTS, shall be required to obtain a regular business license.

Merchants and vendors now operating under a valid license shall be allowed to operate on those licenses, incorporating such gross receipts in the annual gross receipts to be reported on the succeeding year's application.

030000 ASTROLOGERS

Astrologers, Clairvoyants, Fortune Tellers, Palmists, Phrenologists and Other Similar Callings are Prohibited.

840000 AUCTION HOUSES (Auctioneers regulated by State Code)
 On gross receipts not exceeding \$5,000 \$ 30.00
 On next \$15,000--per thousand \$ 2.00
 Over \$20,000 on each addition 1,000 or fraction thereof. . . \$ 1.00

050000 AUTOMOBILE AND OTHER VEHICLE RENTERS, U-DRIVE-IT COMPANIES
 AND OTHER RELATED BUSINESSES SUCH AS TRAILERS
 First vehicle \$ 50.00
 Each additional vehicle \$ 10.00

060000 AUTOMOBILE, TRUCK, TRAILER, FARM MACHINERY, CONSTRUCTION
 EQUIPMENT AND ANY OTHER TYPE OF MOTOR VEHICLE OR EQUIPMENT
 INCLUDING MOBILE HOMES
 On gross receipts not exceeding \$100,000 \$100.00
 On the next \$200,000 -- per thousand \$ 1.00
 Over \$300,000 on each additional \$1,000 or fraction thereof \$.50
 (for the purpose of this ordinance gross receipts shall be the sale
 price of the new car, less trade in allowance of the used car, adding
 net used car sales.)

070000 AUTOMOBILE, TRUCK, ETC.
 Dealers whose place of business is outside the City limits of Orangeburg
 selling and/or delivering their cars in the City of Orangeburg--DOUBLE the
 above rates.

B

080000 BARBER SHOPS AND/OR OPERATORS WHO RENT SPACES
 On gross receipts not exceeding \$5,000 \$ 25.00
 On each additional \$1,000 or fraction thereof \$ 1.00

040000 BARS, CLUBS AND LOUNGES
 On gross receipts not exceeding \$2,000 \$ 50.00
 On each additional \$1,000 or fraction thereof \$ 2.00

090000 BEAUTY SHOPS/COSMETOLOGY AND/OR OPERATORS WHO RENT SPACES
 On gross receipts not exceeding \$5,000 \$ 25.00
 On each additional \$1,000 or fraction thereof \$ 1.00

100000 BICYCLE DEALERS OR BICYCLE REPAIR SHOPS
 On gross receipts not exceeding \$5,000 \$ 30.00
 On each additional \$1,000 or fraction thereof \$ 1.00

BILLIARD TABLES -- SEE POOL TABLES

120000 BINGO PARLORS
 On adjusted gross not exceeding \$2,000 \$100.00
 On each additional \$1,000 or fraction thereof \$ 5.00
 (Adjusted gross is equal to the gross receipts less exempt
 amount. SEE NEXT PAGE)

The game of bingo is prohibited except for when conducted by charitable, religious or fraternal organizations exempt from federal income taxation or when conducted at recognized annual state and county fairs. When a person(s) operates a bingo parlor for an afore mentioned group he/they will be subject to the above schedule.

130000	BOARDING HOUSING, TOURING HOMES OR RESIDENTIAL CARE HOMES (Must be Pre-approved by Zoning Committee)	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 25.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00
140000	BONDSMEN AND BOND MAKERS	
	On gross receipts not exceeding \$1,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 5.00
170000	BOTTLERS AND WHOLESALE DISTRIBUTORS OF SOFT DRINKS (for distributors located outside the City limits see coin-operated machines)	
	On gross receipts not exceeding \$25,000 . . . . .	.\$ 75.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
180000	BOWLING ALLEYS	
	First alley . . . . .	.\$ 25.00
	Each additional alley . . . . .	.\$ 10.00
190000	BROKERS	
190100	Stock and bond security brokers	
	On gross commissions not exceeding \$10,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
190200	Cotton buyers brokers or merchants	
	On gross commissions not exceeding \$10,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
190300	Commission merchants	
	On gross commissions not exceeding \$10,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
960000	BUS TERMINALS	
	On gross receipts not exceeding \$10,000. . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00

C

210000	CAR WASH BUSINESS--NOT CONNECTED WITH SERVICE STATIONS	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 30.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00
910000	CARNIVALS, CIRCUSES OR FAIRS	
	On gross receipts not exceeding \$5,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00

150000 CARPET OR RUG CLEANING MACHINES

Each machine \$ 12.50

160000 CATERERS

On gross receipts not exceeding \$5,000 \$ 40.00

On each additional \$1,000 or fraction thereof \$ 2.00

690000 CEMETERY/PERPETUAL CARE

On gross receipts not exceeding \$5,000 \$ 30.00

On each additional \$1,000 or fraction thereof \$ 1.00

220000 CLEANING SERVICES, INCLUDING CARPET AND HOUSEHOLD

On gross receipts not exceeding \$3,000 \$ 25.00

On each additional \$1,000 or fraction thereof \$ 1.00

230000 COIN OPERATED MACHINES

230100 For the playing of music. Each machine \$12.50

230200 Vending Machines (food or drinks) Each machine \$12.50

230300 Weighing Machines. Each machine \$ 5.00

230400 Coin operated machines authorized by law commonly known as "Video" or "Pin Ball" or similar to same, with no cash or other type payoff. Each machine \$12.50

230500 Gumball, Candy or Prize Machines. Each machine \$ 5.00

230600 Cigarette Machines. Each machine \$12.50

230700 Newspaper Racks. Each machine (if not licensed otherwise). \$12.50

230800 Poker Machines. Each machine \$12.50

230900 Each machine not otherwise classified. Each machine . . . \$12.50

Provided the machine referred to in 2 & 3 above are leased or owned by the duly licensed merchant or service stations operating same and all receipts included in gross sales of such business, no license is to be charged.

The Owners must notify the City Treasurer of location of each machine, its description and serial number, on the license application before a license will be issued. (Each machine must display a City license tag.)

970000 CONCESSIONAIRES

On gross receipts not exceeding \$2,000 \$ 25.00

On gross receipts exceeding \$2,000 \$ 50.00

240000 CONTRACTORS

(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 or subcontractor for purposes of this ordinance.

(b) Every contractor and subcontractor as defined in the above paragraph, 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 services, whatsoever, shall pay a business license fee at the full rate, as follows on his gross contract of business done inside and outside the City of Orangeburg.

- (c) General contractors, building contractors, roofers, construction companies, house moving and demolition contractors or any other contractors, person, firm or corporation deemed necessary by the Building Official maintaining an office or place of business in the City of Orangeburg are required to file an annual gross receipts statement on all construction conducted inside and outside the City of Orangeburg.
- (d) Subcontractors are not exempt from a business license tax even though the general contractor may pay a tax on the full contract price of a project. Neither may a general contractor deduct the amount paid to a subcontractor from the gross income upon which he computes his license. The contractor and subcontractor are two different persons or entities engaged in two different business activities. Each is subject to a license tax based upon the gross income received. The tax is levied upon the privilege of doing business, not on the income.
- (e) Contractors with agencies or subdivisions of the State are not exempt from business license taxes. The tax is on the contractor's privilege of doing business, not on the governmental entity. The fact that license fees may cause a higher contract price does not affect this principle. A contractor on a federal project is not exempt from a license tax unless the work is performed on territory over which jurisdiction has been ceded by State statute to the federal government.

NON-RESIDENT general contractors, building contractors, roofers, construction companies, house moving and demolition contractors or any other contractor, person, firm or corporation deemed necessary by the Building Official are required to file an annual gross receipts statement on all construction conducted inside the City of Orangeburg.

The reportable gross amount, for both resident and non-resident general contractors, building contractors, roofers, construction companies, house moving and demolition contractors or any other contractor, person, firm or corporation deemed necessary by the Building Official will be determined on the following basis:

- (1) Resident Contractor -- business located inside the City limits of Orangeburg:
 - On gross receipts not exceeding \$10,000 \$ 50.00
 - On each additional \$1,000 or fraction thereof of gross contract business physically performed within the City of Orangeburg. \$ 1.00
 - On each additional \$1,000 or fraction thereof of gross contract business performed outside the City of Orangeburg on which a license fee has not been paid to a city or town \$ 0.10
- (2) Non-Resident Contractor -- business located outside the City limits of Orangeburg:
 - On gross receipts not exceeding \$10,000 \$100.00
 - On each additional \$1,000 or fraction thereof of gross contract business physically performed within the City of Orangeburg \$ 2.00

Note: Any contractor that has a business address not in Orangeburg County must buy a license per job.

- **240100 Air Conditioning and Heating, Mechanical Contractors
- 241600 Alarm Equipment Installation
- 240200 Asphalt Surfacing & Concrete Work, Paying & Grading
- 240300 Awning and Siding
- 240400 Brick Laying and Other Stonework
- 240500 Building Equipment Installation
- 243400 Carpentry
- 240600 Cleaning of Building Exteriors by Steam, Dirt or Sand
- 240700 Construction Contracting
- 240800 Dirt, Sand or Rock Hauling
- **240900 Electrical
- 243500 Excavating and Foundation Work
- 241100 Exterminating
- 241200 Floor Finishing
- **241300 Furnace Installation (including Floor Furnaces)
- 241400 General Contracting
- 241500 Glass and Glazing Work
- 241700 Insulating
- 241900 Interior Decorating
- 242000 Landscaping, Lawn Service, Swimming Pool Installation
- 242100 Lathing
- 242200 Painting
- 242300 Paper Hanging
- 241800 Parking Lot Sweepers
- 242500 Pipe Laying
- 242600 Plastering, Dry Wall and Acoustical Work
- **242700 Plumbing and Gas
- 243600 Roofing
- 242800 Sprinkling (building)
- 242900 Tiling (any kind)
- 243000 Tin and Metal Working
- 241000 Tree and Stump Removal
- 243100 Waterproofing
- 243200 Weather Stripping - Guttering
- 243300 Wrecking and Demolition Work
- 243700 Other, not otherwise classified

IN ADDITION, A BUILDING PERMIT MUST BE OBTAINED FOR EACH BUILDING ON WHICH CONSTRUCTION OCCURS AT THE FOLLOWING RATES.

BUILDING PERMITS:

To and including \$500.	NO FEE
Over \$500 and to \$1,000	\$ 6.00
On each additional \$1,000 or fraction thereof	\$ 4.00

DEMOLITION:

Per House	\$ 10.00
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HOUSE MOVING:

Per House \$ 25.00

MOBILE HOME SETUP FEE \$ 10.00

NOTE A permit is required for new construction or for repairs where the costs exceed \$500.00. No building permit shall be issued unless the proposed construction is in accordance with zoning regulation and no electrical or plumbing installation shall be approved until the proper building permit has been secured for this project.

NOTE General contractors are to file a list of subcontractors and suppliers for each separate construction job, providing the following information:

- (a) Name of subcontractor's business
- (b) Home address of business
- (c) Contact person
- (d) Telephone numbers of home office and contact person
- (e) Amount of subcontractor's job in dollars
- (f) Estimated time of completion

This list of subcontractors and suppliers must be delivered to the City Treasurer before construction of the job begins or before the subcontractors particular phase of the project begins.

**Before any contractor shall be issued a business license he must first obtain certification in this respective field (either from the manager of the Department of Public Utilities or the City Engineer as the case may be) and post bond with the City Treasurer in the amount \$3,000.00. Such bond shall indemnify and same harmless the City from all loss and damage whatsoever by reason of any unskillful or negligent work or damage to the sewer, gas, electrical, water systems, streets, sidewalks or other utility or property of the City, either by himself or any of his agents, servants or employees, or by reason of the use of any defective or improper material or workmanship; or by reason of carelessness or negligence or any other matter or thing whatsoever connected with the carrying on of said business.

Plumbers and electricians cards, furnished by the Department of Public

Utilities are charged as follows: Master Plumbers \$5.00, Journeyman Plumbers \$3.00, Registration Cards no charge.

250000 COTTON SEED OIL MILLS OR GIN

On gross receipts not exceeding \$5,000 \$ 50.00
 On each additional \$1,000 or fraction thereof \$ 1.00

260000 CREDIT AGENCIES

On gross receipts not exceeding \$2,000 \$ 25.00
 On each additional \$1,000 or fraction thereof \$ 1.00

D

270000	DANCE HALLS		
	On gross receipts not exceeding \$1,000	\$150.00	
	On each additional \$1,000 or fraction thereof	\$	2.00
280000	DANCE SCHOOLS - CHARM SCHOOLS - DRAMA SCHOOLS - OTHERS		
	On gross receipts not exceeding \$2,000	\$	25.00
	On each additional \$1,000 or fraction thereof	\$	1.00
850000	DAY CARE, CHILD CARE CENTERS OR ADULT CARE CENTERS		
	(Must be Pre-approved by Zoning Committee)		
	On gross receipts not exceeding \$2,000	\$	25.00
	On each additional \$1,000 or fraction thereof	\$	1.00
290000	DIAPER SERVICE--LAUNDRY SERVICE		
	Residential:		
	On gross receipts not exceeding \$5,000	\$	50.00
	On each additional \$1,000 or fraction thereof	\$	1.00
	Non-residential:		
	On gross receipts not exceeding \$5,000	\$100.00	
	On each additional \$1,000 or fraction thereof	\$	2.00
300000	DIRECTORIES, CITY		
	On gross receipts not exceeding \$2,000	\$	50.00
	On each additional \$1,000 or fraction thereof	\$	1.00
10000	DRAYING		
	Each truck--one ton or less	\$	25.00
	On each additional 1/2 ton	\$	5.00
	DRIVERS-TAXI--see Taxi Drivers		
320000	DRY CLEANERS OR LAUNDRIES COMBINED		
	On gross receipts not exceeding \$2,000	\$	50.00
	On each additional \$1,000 or fraction thereof	\$	1.00
330000	DRY CLEANERS OR PRESSING CLUBS		
330100	On gross receipts not exceeding \$2,000	\$	50.00
	On each additional \$1,000 or fraction thereof	\$	1.00
330200	On each pick-up station	\$	10.00
	"Pick-up Station" as used in this ordinance shall include all business establishments where clothing and/or linen may be left by persons to be taken to a dry cleaning or laundry plant to be laundered, cleaned or pressed.		

E

340000 ELECTRIC AND REWINDING SHOPS

On gross receipts not exceeding \$2,000 \$ 60.00
On each additional \$1,000 or fraction thereof \$ 1.00

350000 EXPRESS COMPANIES

On gross receipts not exceeding \$25,000 \$150.00
On each additional \$1,000 or fraction thereof \$ 1.00

Express companies or agencies for business done exclusively in the City of Orangeburg and not including any business done to and from without the state and not including any business done by the U.S. Government, its officers or agents.

F

360000 FRUIT OR PRODUCE VENDORS--

SELLING FROM VEHICLE ON THE STREETS OF THE CITY, EXCEPT WHERE SUCH VENDOR SELLS HIS OWN PRODUCE RAISED WITHIN THE STATE

On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

G

360100 GARAGE SALES

It shall be unlawful for anyone to conduct a garage sale in the City of Orangeburg without first obtaining a permit from the City Treasurer's office or each sale and such permit should be posted at the site of the sale. The cost of each permit is \$5.00 per each sale day. The maximum period for each sale is two (2) consecutive days, not to include Sunday. The maximum number of permits is two (2) per year for any one (1) family unit, location, lot or premises. All participants in any joint sale must be named in the permit.

370000 GAS DEALERS

370100 Selling gas and appliances

On gross receipts not exceeding \$5,000 \$ 75.00
On each additional \$1,000 or fraction thereof \$ 1.00

370200 Bottled gas

On gross receipts not exceeding \$5,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

H

860000 HEALTH CLUBS OR SPAS

On gross receipts not exceeding \$2,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

380000 HOSPITALS, SANITARIUMS (PRIVATE) AND NURSING HOMES

On gross receipts not exceeding \$2,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

390000 HOTELS AND MOTELS

On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00
(Income to include dining room if operated by hotel or motel)

I

400000 ICE MANUFACTURERS--SELLING OR DELIVERING WITHIN THE CITY

On gross receipts not exceeding \$5,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

200000 INSTRUCTORS (5 or more students within the course of a year)

(This includes Gymnastic, Aerobics, Flight, Piano and others)

On gross receipts not exceeding \$5,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

*******INSURANCE**

Any person or persons, firm or corporation, broker, individual, agent or agency representing an insurance company, society or association licensed by their State of South Carolina, having an agent in this state, and doing business, soliciting business, servicing business already written or making adjustments by himself or with others, either in a local or itinerant capacity in the City of Orangeburg, shall on or before the 5th day of May make a report on all such business done during the preceding year and pay for each company represented, a license fee based upon the amount of business so done by such agency, either local or itinerant, including renewals, annual and new business premiums totaled so as to ascertain the whole amount of business done, whether insured by located in the City or not, and whether such premiums were paid in cash or by notes, draft or other acceptance on the following schedules (gross premiums or total gross premiums collected shall mean all premiums collected except those premiums returned for reasons of cancellations rates):

410000 FIRE INSURANCE AND CASUALTY INSURANCE COMPANIES, INCLUDING ACCIDENT, COLLISION, FIDELITY, ETC.

On the 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 2%

420000 LIFE, HEALTH AND HOSPITAL INSURANCE COMPANIES

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 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

430000 FIRE AND CASUALTY INSURANCE-- NON-ADMITTED

On gross premiums collected on policies of companies not licensed in South Carolina, the broker shall collect and remit annually to the Municipal Association of South Carolina, with a copy of the report required by the Insurance Commission showing the location of the risks insured. 2%

- (a) Every license under the provisions of this section shall be issued in the name of the insuring company, society or association, and not in the name of its agent or representative; it being the intent that the fees herein imposed are charges upon the insuring companies. Payment thereof by a company, society or association, shall entitle any accredited representative of that organization who is licensed by the Insurance Commissioner of the State of South Carolina to do business in the City of Orangeburg.
- (b) Any person, persons, firm, corporation, individual, agent or agency who shall in any manner whatsoever procure any insurance policy or policies for an insurance company, society or association not licensed to do business in the City shall be liable for a license fee on the business so written or so procured of double the amount herein imposed, unless within thirty days of the issuance of such policy or policies, a regular license is secured for the company, society or association receiving the business.
- (c) The report made of gross premiums in compliance with the requirements of this section shall agree with the reporting to the Insurance Commissioner of this State of business done in the City and County of Orangeburg.
- (d) From all insurance companies, societies or associations conducting business 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 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 upon a risk located in another municipality within the state on which the other municipality assesses and collects business license. It is hereby declared that it shall be conclusively presumed that the premium charges for the issuance of any policy covering any property, real or personal, or risk located within the City was collected within the City.
- (e) From every life, health, and hospital company having an agent or agents in the City of Orangeburg or doing business in the City, issuing policies of any nature or collecting premiums originating from policies solicited by such agent whether the premiums be mailed in to the company, collected by the agent, by draft or otherwise, the City shall compute and collect in license based on schedule printed elsewhere in this section on the gross amount of business done by the agent or agents of the company whether the insured be located in either the City or elsewhere.

- (f) Any insurance agent who fails or refuses upon request to furnish the License Division a list of companies said agent represents together with the amount of premiums written through each company shall be subject to prosecution in the Recorder's Court of the City and, upon conviction, to fine not exceeding \$100 or imprisonment in the City Jail for a period not to exceed thirty (30) days.
- (g) 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.

J

490000 JUNK DEALERS

(Must be Pre-approved by Zoning Committee)

490100	Buying or selling within the City		
	On gross receipts not exceeding \$5,000 . . . . .	.\$	60.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00
490200	Wholesale and Retail		
	On gross receipts not exceeding \$5,000 . . . . .	.\$	75.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00

K

440000 KEROSENE, OIL AND GASOLINE DISTRIBUTORS

440100	To service stations, etc.		
	On gross receipts not exceeding \$5,000 . . . . .	.\$	100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00
	(Excise taxes not to exceed the total amount imposed by the Federal Government and the State of South Carolina on gasoline may be deducted when computing the gross receipts of service stations.)		
440200	Fuel oil and kerosene dealers, for heating purposes only, place of business located in the City		
	On gross receipts not exceeding \$5,000 . . . . .	.\$	50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00
440300	Fuel oil and kerosene dealers, for heating purposes only, place of business located outside the City of Orangeburg but making deliveries in the City:		
	On gross receipts not exceeding \$5,000 . . . . .	.\$	100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00

L

450000 LAND LOAN COMPANIES OR AGENTS--LENDING MONEY ON REAL ESTATE BY MORTGAGE OR OTHERWISE

	On gross receipts not exceeding \$2,000 . . . . .	.\$	50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$	1.00

460000 LAUNDRIES

460100 Power Laundries

On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

460200 Laundries and dry cleaning combined

On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

460300 Laundries with established place of business outside the City of Orangeburg but delivering laundry by truck or otherwise in City (linen supply service).

On gross receipts not exceeding \$2,000 \$100.00
On each additional \$1,000 or fraction thereof \$ 2.00

470000 LENDERS OF MONEY--LOAN COMPANIES

470100 On endorsements (other than established banks)

On gross receipts not exceeding \$1,000 \$100.00
On each additional \$1,000 or fraction thereof \$ 2.00

470200 On assignment of wages due or to become due, whether other security is taken or not

On gross receipts not exceeding \$1,000 \$250.00
On each additional \$1,000 or fraction thereof \$ 5.00

470300 Money to Loan, agent or agency, corporation or individual, where assignments or pledges or wages or salary already earned, or to be earned in the future, are taken as security for any such loan or loans, for each place of business \$5,000 of gross income or less per annum \$250.00

On each additional \$1,000 or fraction thereof \$ 5.00

480000 LUMBER DEALERS

On gross receipts not exceeding \$10,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 2.00

M

500000 MANUFACTURERS

On gross receipts not exceeding \$50,000 \$100.00
On next \$200,000-----per thousand \$ 1.00
Over \$250,000 on each additional \$1,000 or fraction there of \$.25

510000 MERCHANT -- RETAIL

- 512200 Appliance Sales
- 510100 Automobile Accessory Stores
- 510200 Bakeries
- 512300 Beauty and Barber Supplies
- 510400 Bicycle and Motorcycle Agents; Sporting Goods
- 512400 Building Materials
- 510500 Candy, Nut and Confectionery Stores
- 510600 Coal Dealers and Vendors

- 510800 Clothing
 - 511000 Convenience Stores
 - 512500 Department Stores
 - 510900 Drug Stores and Apothecaries, Medical Supplies
 - 512600 Food Stores, miscellaneous
 - 514000 Framing Shops
 - 512700 Furniture, Fixtures, Floor Coverings and Draperies
 - 512800 Gasoline Service Stations
 - 512900 Grocery Stores
 - 513000 Hardware Stores
 - 511100 Ice Cream Dealers
 - 511200 Jewelry Stores
 - 511300 Mail Order Houses
 - 513100 Marine Supplies
 - 513200 Meat and Seafood Markets
 - 511400 Military Stores
 - 511500 Newsstands and Bookstores
 - 511600 Novelties and Crafts; Gift Shops
 - 511700 Nurseries, Plants and Flowers; Florists
 - 513400 Office Supplies and Equipment
 - 513500 Paint, Glass and Wallpaper Stores
 - 513300 Pet Shops
 - 511800 Photograph and Picture Developers; Camera Supplies
 - 511900 Poultry and Produce Dealers
 - 513600 Sewing, Needlework and Piece Goods Stores
 - 512000 Sewing Machine Dealers
 - 513900 Silk Screening
 - 512100 Soda Fountains
 - 514200 Specialty Stores
 - 513700 Variety Stores
 - 514100 Video Rental/Sales
 - 513800 Other retail stores not otherwise classified
- | | |
|--|----------|
| On gross receipts not exceeding \$5,000 | \$ 30.00 |
| On next \$15,000-----per thousand | \$ 2.00 |
| Over \$20,000 on each additional \$1,000 or fraction thereof | \$. 1.00 |

Excise taxes not to exceed the total amount imposed by the Federal Government and the State of South Carolina on gasoline may be deducted when computing the gross receipts of Gasoline Service Stations.

520000 MERCHANTS -- WHOLESALE

- 520100 Automobile Accessory Stores
- 520200 Bakeries
- 521200 Building Supplies & Flooring
- 520300 Candy Dealers
- 521300 Clothing
- 520400 Confectioners
- 520500 Drugs
- 520600 Florists
- 520700 Groceries
- 520800 Nurseries, Plants and Flowers
- 521100 Specialty Stores

650000 REAL ESTATE AGENTS AND DEALERS

On gross receipts not exceeding \$1,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

950000 RECYCLERS

On gross receipts not exceeding \$10,000 \$ 50.00
On each additional \$1,000 or fraction thereof of gross contract
business physically performed within the City of Orangeburg. \$ 1.00
On each additional \$1,000 or fraction thereof of gross contract
business performed outside the City of Orangeburg on which a
license fee has not been paid to a city or town \$ 0.10

800000 RENTALS

(A list of each units' location is to be provided to the zoning
committee)

801000 Rental of Property

(land, housing, mobile homes, etc. 3 or more units or gross income
exceeding \$9,000.00)

On gross receipts between \$9,000 and \$10,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

802000 Rental of equipment and/or appliances

803000 Rental of uniforms and/or clothing

On gross receipts not exceeding \$1,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

660000 REPAIR SHOPS

660100 Automobile paint and upholstery shop

660200 Carpenter and Cabinet shop

660900 Furniture Refinishing and Repair

660300 Garage and Automobile repair shop

660400 Gunsmiths

660500 Locksmiths

660600 Radiator repair shop

660700 Repair shops or works not otherwise listed

660800 Upholsterers

On gross receipts not exceeding \$1,000 \$ 25.00
On each additional \$1,000 or fraction thereof \$ 1.00

670000 RESTAURANTS

On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

S

890000 SERVICE INDUSTRIES

890100 Credit information

890200 Delivery service (local)

890300 Port-o-lets

890400 Refuse removal

521000 Other wholesale merchants not otherwise classified
 On gross receipts not exceeding \$50,000 \$100.00
 On the next \$450,000-- per thousand \$.50
 Over \$500,000 on each additional \$1,000 or fraction thereof \$.25

Wholesaler delivering goods to retailers in the City shall not be subject to a business license unless he maintains a business establishment for the distribution of wholesale goods or a warehouse within the City limits.

530000 MERCHANT PEDDLERS--ITINERANTS--NOT ALLOWED IN CLOSED DISTRICT
 (not to be prorated)
 (*Note to Inspector: These must go to the Public Safety - Police for solicitors permit.)
 On gross receipts not exceeding \$5,000 \$100.00
 On each additional \$1,000 or fraction thereof \$ 2.00

540000 MOVING PICTURE SHOWS -- THEATERS
 On gross receipts not exceeding \$15,000 \$100.00
 On each additional \$1,000 or fraction thereof \$ 1.00

N

550000 NEWSPAPERS, DAILY OR DAILY EXCEPT SUNDAY
 On gross receipts not exceeding \$25,000 \$ 75.00
 On each additional \$1,000 or fraction thereof \$ 1.00

NEWSPAPER RACKS - SEE COIN OPERATED MACHINES

O

P

560000 PARKING LOTS
 On gross receipts not exceeding \$2,000 \$ 25.00
 On each additional \$1,000 or fraction thereof \$ 1.00
 Except for parking lots with spaces on a monthly rental basis with capacity of 10 cars or less be excluded from this license.

570000 PAWN SHOPS AND PAWN BROKERS--SEE POLICE DEPARTMENT ORDINANCE
 On gross receipts not exceeding \$2,000 \$100.00
 On each additional \$1,000 or fraction thereof \$ 5.00
 Application to be accompanied by a \$1,000 bond and approved by City Council before a license is issued.

870000 PET BOARDING OR GROOMING
 On gross receipts not exceeding \$2,000 \$ 25.00
 On each additional \$1,000 or fraction thereof \$ 1.00

580000 PHOTOGRAPHERS

580100	Principal place of business within the City	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 30.00
	On next \$15,000-----per thousand . . . . .	.\$ 2.00
	Over \$20,000 on each additional \$1,000 or fraction thereof .	.\$ 1.00
580200	Principal place of business outside the City limits of Orangeburg	
	On gross receipts not exceeding \$1,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00
580300	Picture agents and peddlers soliciting photographs for enlargement	
	On gross receipts not exceeding \$1,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00
580400	Videographers with principal place of business within the City	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 30.00
	On next \$15,000-----per thousand . . . . .	.\$ 2.00
	Over \$20,000 on each additional \$1,000 or fraction thereof .	.\$ 1.00
580500	Videographers with principal place of business outside the City	
	On gross receipts not exceeding \$1,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00

590000 PIANO TUNERS AND REPAIRERS

	On gross receipts not exceeding \$2,000 . . . . .	.\$ 25.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00

600000 PLANNING MILLS

	On gross receipts not exceeding \$5,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00

**610000 POOL TABLES OR BILLIARD (FOR PUBLIC USE SEE SPECIAL ORDINANCE)
(These must be approved by Council)**

	First table . . . . .	.\$ 50.00
	Each additional table . . . . .	.\$ 25.00

610000 PRINTERS

610100	Job, Newspaper and Printers and Stationers	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
610400	Hand Printing (including mimeographing)	
	On gross receipts not exceeding \$2,000 . . . . .	.\$ 15.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00

620000 PROFESSIONS

- 620100 Abstractors
- 620200 Accountants
- 620300 Agents - including insurance
- 620500 Appraisers
- 620600 Architects
- 620700 Artists
- 620800 Attorneys
- 621000 Blue Prints, Plats and Tracing

621100	Chiropractor	
622600	Consultants	
621200	Dentists	
621300	Dental Laboratories	
621301	Insurance Adjustors	
620900	Land Surveyors	
621500	Naturopaths	
622600	Nurses or Sitters	
621400	Oculists and Optometrists	
621600	Osteopaths	
621700	Physicians and Surgeons	
620400	Professional Seminars	
621800	Psychiatrists	
621900	Professions, all classes not specifically listed	
622100	Radiology	
622300	Recording Studios	
622200	Security Guards	
622500	Therapists	
622400	Typists	
622000	Veterinarians	
	On gross receipts not exceeding \$2,000 . . . . .	.\$ 60.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00

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 file in the same name of the partnership or firm.

30000	PROMOTER - ATHLETIC EXHIBITIONS, DANCES, THEATRICALS, MUSICAL ENTERTAINMENTS	
	On gross receipts not exceeding \$5,000 . . . . .	.\$100.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 2.00

R

640000	RADIO BROADCASTING STATIONS	
	On gross receipts not exceeding \$5,000 . . . . .	.\$ 50.00
	On each additional \$1,000 or fraction thereof . . . . .	.\$ 1.00
880000	RAILROADS (S.C. Code 12-23-210)	
	(For populations over 10,000)	
	For first 1,000 inhabitants . . . . .	.\$ 25.00
	For each additional 1,000 inhabitants or fraction thereof. . . . .	.\$ 35.00

In no such case shall any municipality assess or collect such a privilege or license tax exceeding \$2,000. In arriving at the amount of privilege or license tax which may be assessed and collected under the provisions of S.C. Code 12-23-210 the population of the cities or towns shall be computed the year for which such license tax is assessed from year to year.

890500	Telephone answering	
890600	Window washer	
890900	Services, not otherwise classified	
	On gross receipts not exceeding \$2,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
680000	SHOE AND BOOT REPAIRS	
	On gross receipts not exceeding \$2,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
700000	SIGN PAINTERS AND ERECTORS	
	On gross receipts not exceeding \$1,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
	Sign erectors that have businesses that are not located in Orangeburg County can only purchase a job completion license.	
710000	SKATING RINKS	
	On gross receipts not exceeding \$1,000	\$. \$ 50.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
990000	SPECIAL EVENTS (1 to 5 days)	
	(This includes vendors at parades and weekend events not otherwise classified)	
	On gross receipts	\$. \$ 50.00
900000	SWIMMING POOLS--NOT CONNECTED WITH HOTELS OR MOTELS	
	On gross receipts not exceeding \$2,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00

T

720000	TAILORS - DOING ALTERATIONS AND REPAIRS	
	On gross receipts not exceeding \$1,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
730000	TAXI CABS, MOTOR TAXI, VANS, LIMOUSINES (VEHICLES FOR HIRE)	
	On gross receipts not exceeding \$1,000	\$. \$ 25.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00
	Note: An insurance policy on each vehicle is required. A taxi must register his/her vehicle at the Public Safety Police Department and then must come to City Hall to have the chauffeur's card signed, (there is a \$3.00 charge for signing this card.)	
740000	TELEGRAPH COMPANIES OR AGENCIES FOR BUSINESS DONE EXCLUSIVELY IN THE CITY OF ORANGEBURG, AND NOT INCLUDING ANY BUSINESS DONE TO AND FROM POINTS WITHOUT THE STATE, AND NOT INCLUDING ANY BUSINESS DONE FOR THE U.S. GOVERNMENT, ITS OFFICERS OR AGENTS	
	On gross receipts not exceeding \$50,000	\$. \$100.00
	On each additional \$1,000 or fraction thereof	\$. \$ 1.00

980000 TELEPHONE COMMUNICATION SERVICES--LONG DISTANCE CARRIERS
On gross receipts from services billed to customers within the City
limits of Orangeburg 5%

930000 TRAVEL BUREAUS
On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

760000 TRUCKS, MOVING VANS AND TRANSFER COMPANIES
Each vehicle one ton or less (empty weight) \$ 25.00
On each additional 1/2 ton (empty weight) \$ 5.00

U

770000 UNDERTAKERS
On gross receipts not exceeding \$10,000 \$100.00
On each additional \$1,000 or fraction thereof \$ 1.00

V

W

780000 WAREHOUSES AND/OR STORAGE FACILITIES, CHARGING FOR STORAGE
On gross receipts not exceeding \$5,000 \$100.00
On each additional \$1,000 or fraction thereof \$ 1.00

790000 WELDING AND MACHINE SHOPS
On gross receipts not exceeding \$2,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

810000 WOOD YARDS OR WOOD TRUCKS--SPECIAL PERMISSION REQUIRED

820000 WRECKER SERVICE LOCATED OUTSIDE THE CITY LIMITS BUT PROVIDING SERVICE
INSIDE THE CITY

On gross receipts not exceeding \$5,000 \$ 50.00
On each additional \$1,000 or fraction thereof \$ 1.00

Wreckers desiring to participate on Department of public Safety Wrecker
Rotation list must provide: wrecker rotation program application, equipment
compliance certificate and proof of insurance.

X

Y

Z

ORDINANCE NO. 1993. 05

**AN ORDINANCE GRANTING TO SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY, A NON-EXCLUSIVE FRANCHISE
FOR THE USE OF PUBLIC RIGHTS OF WAY, AND PROVIDING
FOR FRANCHISE FEES.**

Orangeburg, South Carolina

May, 1993

Revised May 11, 1993

ORDINANCE NO. 1993-05

AN ORDINANCE GRANTING TO SOUTHERN BELL TELEPHONE
AND TELEGRAPH COMPANY, A NON-EXCLUSIVE FRANCHISE
FOR THE USE OF PUBLIC RIGHTS OF WAY, AND PROVIDING
FOR FRANCHISE FEES.

Whereas, Section 5-7-30, Code of Laws of South Carolina, 1976, as amended, authorizes Municipalities such as the City of Orangeburg to grant to franchises for the use of public streets and to make charges therefor, and

Whereas, the use of public streets by privately owned telephone companies imposes a substantial burden and impact upon City services, street maintenance, traffic control, public safety, general welfare, and convenience of the City residents, and

Whereas, such telephone companies enjoy substantial freedom from competition in the activities for which public streets are occupied by poles, lines and related equipment, above and below ground, and

Whereas, Southern Bell Telephone & Telegraph Company, hereinafter referred to as "Telephone Company," or "Company" is now and has been engaged in the business of providing telecommunication services in the State of South Carolina and in furtherance thereof, has erected and maintained certain facilities in the streets, alleys, highways, public thoroughfares, public utility easements and public ways, sometimes hereinafter referred to as "thoroughfares," of the City of Orangeburg, South Carolina, hereinafter referred to as "the City"; and

Whereas, it is to the mutual advantage of both the City and the Telephone Company that the Telephone Company continue operating in the City and in furtherance thereof, that the Telephone Company be permitted to continue to maintain its facilities in the streets, alleys, highways, public thoroughfares, public utility easements and public ways of the City under the conditions established by the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA

Section 1. That the City hereby grants to Southern Bell Telephone and Telegraph Company, its successors and assigns, consent to use and occupy the streets, alleys, highways, public thoroughfares, public utility easements and public ways of the City for the purpose of maintaining and operating its poles, wires, anchors, cables, manholes, conduits and other facilities used in or incidental to the provision of telecommunications services, whether analog, digital, or other characteristics, and whether for voice, data, message or other purposes; subject to the terms, conditions, and stipulations set forth in this Ordinance, the Constitution and Law of the United States and the State of South Carolina and the City's Charter and Ordinances as they may be amended from time to time; said consent being granted for a term of ten (10) years from the date hereof. Said consent, may at the option of the governing body of the City, be extended, on a year-to-year basis, for not more than five additional one-year terms. The term telecommunication services excludes the retransmission of local and satellite broadcast television signals and video programming. "Video programming" means programming provided by or generally considered comparable to programming provided by a television broadcast station. The right to use and occupy said streets, alleys, highways, public thoroughfares, public utility easements and public ways of the City shall not be exclusive, and the City reserves the right to grant a similar use of said streets, alleys, highways, public thoroughfares, public utility easements and public ways to any person or any corporation, including the City at any time during the period of this franchise.

Section 2. The Company shall at all times during the life of this franchise, be subject to all lawful exercise of police power by the City and to such reasonable and lawful regulations as the City shall hereafter by charter, resolution or ordinance provide. The terms of this Ordinance shall apply throughout the City and to all operations of the Company within the City, and shall include all operations and facilities used in whole or in part in the provision of telecommunication services in newly

annexed areas upon the effective date of the annexation.

Section 3. The Company shall lay, maintain, construct, operate, and place its poles, wires, anchors, cables, manholes, conduits and appurtenances used, in whole or part, to provide telecommunications services so as to interfere as little as possible with traffic and shall promptly clean up and restore to as good or better condition, at its cost, all thoroughfares and other surfaces which it may disturb. The City reserves the right to approve or disapprove the location of all company facilities. All poles, stubs, guys, anchors and other above-ground facilities shall be set so that they shall not interfere with the flow of water in any gutter or drain, and so that the same shall not interfere with ordinary travel on the streets, alleys, highways, public thoroughfares, public utility easements and public ways, and so that they shall not compromise public safety. The City herein reserves the right to require the Company to install or relocate above-ground facilities as far from vehicular travel lanes as reasonably possible for traffic safety purposes. In the event the City elects to relocate its existing utility lines underground, the City herein reserves the right to require the Company, at its own expense, to install underground all new and existing facilities except to which above-ground access is necessary for normal maintenance and connections, without claim for reimbursement or damages against the City. The location and route of all poles, stubs, guys, anchors, conduits, and cables to be placed and constructed by the Company in the City, and the location of all conduits to be laid by the Company within the limits of the City shall be subject to the reasonable and proper regulation, control and direction of the governing body or of any City official to whom such duties have been or may be delegated.

Section 4. The Company shall comply with all reasonable rules and regulations of the City relative to street excavations and permits therefor. Any and all streets, alleys, highways, public thoroughfares, public utility easements, public ways and, without limitation by the foregoing enumerations, other public property disturbed by the Company in building, constructing, renewing or maintaining its facilities, shall be restored within a

reasonable time after the completion of the work to as good a condition as before the commencement of the work to the satisfaction of the governing body, or of any City official to whom such duties have been or may be delegated. The Company shall be responsible for all maintenance costs incurred as a result of any defects, impairments or substandard condition in the street, alley, highway, public thoroughfare, public utility easement or public way caused by the construction, maintenance or restoration work of the Company. No street, alley, highway, public thoroughfare, public utility easement or public way shall be encumbered for a longer period than shall be necessary to execute the work. The Company shall submit, in a format prescribed by City, information describing the nature, location, and estimated duration of any activity which will result in the disturbance of any street, highway, alley, public thoroughfare, public utility easement or public way. This information shall be submitted prior to the activity, except in the case of emergencies, in which case the information shall be submitted as soon as practical. This information requirement shall not apply to the Company's installation of service wires. When the Company shall make or cause to be made excavations, or shall place obstructions in any street, alley, highway, public thoroughfare, public utility easement or public way, the public shall be protected by barriers and lights placed, erected and maintained by the Company; and in the event of injury to any person or damage to any property by reason of the construction, operation, or maintenance of the Company's facilities, the Company shall indemnify and hold harmless the City from any and all liability in connection therewith. The Company shall repair, clean up and restore to an approximate original condition all streets, alleys, highways, public thoroughfares, public utility easements or public ways disturbed during construction and repair of its facilities.

Section 5. The telephone Company shall maintain its facilities in a reasonable operating condition at all normal times during the term or any extension of this franchise. An exception to this condition is automatically in effect when service furnished by the Company is interrupted, impaired or prevented by fires, strikes, riots, or other occurrences beyond the control of the

Company, or by storms, floods, or other casualties, in any of which events the Company shall do all things reasonably within its power to do to restore normal service.

Section 6. The City reserves the right to lay, and permit to be laid, sewer, gas, water, electric, television, telecommunications and other pipelines, cables or conduits, and to do and permit to be done any underground and overhead installation or improvement that may be deemed necessary or proper by the governing body of the City in, across, along, over or under any street, alley, highway, public thoroughfare, public utility easement or public way occupied by the Company, and to change any curb or sidewalk or the grade of any street. The City expressly reserves the right to change the grade, install, relocate or widen the public streets, sidewalks, bikeways, alleys, public thoroughfares, highways and public ways and places within the present limits of the City and within said limits as same may from time to time be extended, and the Company shall relocate, at its own expense, and within a reasonable time, its poles, wires, cables, anchors, manholes, conduits and other facilities and appurtenances in order to accommodate the installation, relocation, widening, or changing of the grade of any such public street, sidewalk, bikeway, alley, public thoroughfare, highway or public way, including, if necessary, relocating such poles, wires, cables, anchors, manholes, conduits or other facilities or appurtenances to a sufficient distance from the edge of the pavement to permit a reasonable work area for machinery and individuals engaged in installing, relocating, widening, or changing the grade of any public street, sidewalk, bikeway, alley, public thoroughfare, highway or public way. The City also herein reserves the right to require the Company to relocate, at the sole expense of the Company, and within a reasonable time, any facilities erected or maintained pursuant to the privilege granted herein, if said relocation is deemed necessary by the governing body or its designated representative for traffic safety or other public service purposes or the accommodation of other public utilities and communication facilities, including without limitation, cable television or telecommunications, owned and/or operated by the City including traffic signals.

Section 7. The Company, on request of any person, shall promptly remove or raise or lower its wires temporarily to permit the moving of houses or other bulky structures. The reasonable expense of such temporary removal, raising or lowering of wires shall be paid by the benefitted party or parties.

Section 8. The Company, as a condition of the grant of this franchise, and in consideration thereof, shall protect, indemnify, and hold the City harmless against all claims for damages to persons or property by reasons of the construction, maintenance and operation of its facilities, and conduct of business, or any way growing out of the granting of this franchise, directly, or indirectly, when injury is cause, or alleged to have been caused, wholly or in part, by any act, omission, negligence, or misconduct of the Company or any of its contractors, officers, agents, or employees, or by any person for whose act, omission, negligence, or misconduct, the Company is by law responsible. This provision is not intended to create liability for the benefit of third parties but is solely for the benefit of the Company and the City. In the event any claim is made against the City that falls under this indemnity and a Court of competent jurisdiction should adjudge, by final decree, that the City is liable therefor, the Company shall indemnify and hold the City harmless of and from any such judgment or liability, including any court costs, expenses, and attorney fees incurred by the City in defense thereof. Upon commencement of any suit, proceeding at law or in equity against the City relating to or covering any matter covered by this indemnity, wherein the Company has agreed by accepting this franchise, to indemnify and hold the City harmless, or to pay said final judgment and costs, as the case may be, the City shall give the Company immediate notice of such suit or proceeding. Whereupon the Company shall provide a defense to any such suit or suits, including any appellate proceedings brought in connection therewith, and pay as aforesaid, any final judgment or judgments that may be rendered against the City by reason of such damage suit. Upon failure of the Company to comply with the "defense of suit" provisions of the franchise, after reasonable notice to it by the City, the City shall have the right to defend the same and, in addition to being reimbursed for

any such judgment that may be rendered against the City, together with all court costs incurred therein, the Company shall reimburse the City for attorney's fees, including those employed by the City in such case or cases, as well as all expenses incurred by the City by reason of undertaking the defense of such suit or suits, whether such suit or suits are successfully defended, settled, compromised, or fully adjudicated against the City.

In the event the City is compelled to undertake the defense of any such suit by reason of the Company's failure to perform as here and above provided, the City shall have the full right and authority to make or enter into any settlement or compromise of such adjudication as the governing body shall deem in the best interest of the City, this without the prior approval or consent of the Company with respect to the terms of such compromise or settlement.

Section 9. In consideration for the rights and privileges herein granted, the administration of this Ordinance by the City, the usage and interference with the public's usage of public thoroughfares and other costs and obligations undertaken by the City herein, a franchise fee of Five Percent (5%) of gross receipts as herein defined shall be computed and paid by the Company as follows:

A. On or before June 5, 1993 the Company shall pay the City Five Percent (5%) of total gross receipts as herein defined which were generated during calendar year 1992 as a one time administrative fee to implement Ordinance.

B. For the calendar year 1993 and each subsequent year thereafter during the term of franchise, and thereafter until such time as this Ordinance is amended, the Company shall pay a franchise fee equal to Five Percent (5%) of their gross receipts as herein defined.

Such franchise fee payment shall be made in twelve (12) monthly installments of 8.25% of franchise fee based on the prior year's gross receipts as herein defined. First payment shall be due July 15, 1993, for the period January 1, 1993, through June 30, 1993, and with payments on the fifteenth day for each subsequent month..

On or before April 15th of each following year, the Company shall make a balancing payment to reflect the actual gross receipts as herein defined based on a yearly financial statement prepared in accordance with generally accepted accounting principles showing in detail the applicable gross receipts collected by category hereafter specified.

C. If, during the term of this franchise the Company makes or agrees to make a franchise payment to another political subdivision or local government authority within the Company's operating area that is equivalent to more than 5% of gross receipts as herein defined, regardless of the items included in the revenue base of such other subdivision or authority, the Company shall expand the City revenue base, on a mutually acceptable basis or increase the City's percentage to provide an equivalent percentage return to the City. The Company agrees to furnish the City within 60 days from the effective date of any such franchise or agreement, a copy of such franchise or agreement.

The Company shall maintain and shall make available for audit by the City, upon sixty (60) days written notice, all necessary accounts and records reflecting the amounts of and basis for computation of all gross receipts within the City and each category thereof. All such accounts and records shall be kept according to generally accepted accounting principles and Company shall provide within a reasonable response time, all information reasonably requested by City to ascertain the amount of such gross receipts within the City. The City may at any reasonable time during business hours, make examinations at the Company's office of any and all of its books and records for the purpose of verifying any of the statements of revenues herein provided for, and for any other purpose whatsoever connected with the duties or privileges of the City or Company under this Ordinance. "Gross receipts" shall mean all revenues collected by the Company for telecommunications and communications services, and related services provided by the Company, its affiliates, successors, or assigns, for telecommunications and communications services and related services provided by the Company to customers, or billed to customers located within the

corporate limits of the City, including, but not limited to the following: recurring charges, message charges, private line charges, access charges paid by long distance carriers for services rendered utilizing local facilities, including those provided out of the "access" tariff, billing and collection charges, and facilities lease payments, end user charges for business, residential, semi-public entities, non recurring charges, directory assistance charges, directory advertising revenue, long distance revenues received by Company from long distance carriers or otherwise, revenues received from customers or third parties from custom work, special billing arrangements, miscellaneous services, future revenue sources which utilize local facilities, pole rentals and conduit, line or facilities rentals or subleases.

Section 10. The consideration set forth herein shall be in addition to and shall not serve as an offset to, be in lieu of, or in any way reduce the amount payable to the City, by the Company or others, pursuant to any other franchise, charter provision, statute, tax, or without limitation by the foregoing enumeration, otherwise payable by the Company or others; it being the express intent hereof that all such obligations, impositions and agreements of every kind and nature shall remain in full force and effect without reduction or limitation thereby.

Section 11. This Ordinance and the Agreements contained herein shall be in full force and effect for the period beginning with the effective date hereof and ending December 31, 2003, unless extended by the governing body as provided herein.

Section 12. Notwithstanding any other provisions of this Ordinance, the governing body shall have the option to forfeit, cancel, or terminate this franchise at any time for failure of the Company to comply with any terms, conditions, or provisions of this franchise or if the Company should fail to comply with any reasonable provisions of any Ordinances of the City regulating the use by the Company of the streets, alleys, highways, thoroughfares or public ways of the City in accordance with the following procedures:

1. If the Company further continues to violate or fail to comply with the terms and provisions of this franchise

or the terms and conditions of any applicable City Ordinance for a period of thirty (30) days after the Company shall have been notified in writing by the City to cease and desist from such violation or failure to comply as specified, then the Company shall be deemed to have forfeited and annulled and shall thereby forfeit and annul all rights and privileges granted by this franchise, provided; however, that if the Company is in violation of any provision of this Ordinance, other than the payment of money, and if the Company commences work or other efforts to cure such violations within thirty (30) days after receipt of written notice and shall thereafter prosecute such curative work with reasonable diligence until such curative work is completed, then such violations shall cease to exist and the franchise will not be forfeited.

2. Provided that such forfeiture shall be declared only by a written decision of the governing body after an appropriate public proceeding before the governing body according to the Company due process and full opportunity to be heard and to respond to any such notice of violation or failure to comply. All due process requirements shall be met by providing the Company at least 30 days prior written notice of any public hearing concerning the forfeiture of the franchise and, in addition, fifteen (15) days notice by publication shall be given of the date, time and place of any public hearing to interested members of the public, which notice shall be paid for by the Company.

3. The governing body, after full public hearing, may in its discretion, forfeit the franchise, or upon finding a violation or failure to comply, impose a lesser penalty than forfeiture of this franchise, including but not limited to a penalty of \$1,000 per day per violation, or excuse the violation or failure to comply upon a showing by the Company of mitigating circumstances or upon a showing of good cause of said violation or failure to

comply as may be determined by the governing body. The Company shall not be excused from complying with any of the terms and conditions of this franchise on any failure of the City upon any one or more occasions to insist upon or to seek compliance with any such terms or conditions.

Section 13. For the purpose of this Ordinance, notice to the City will be to:

John H. Yow
City Administrator
P.O. Box 387
Orangeburg, S. C. 29116

With a copy to:

James F. Walsh, Esq.
City Attorney
P.O. Box 627
Orangeburg, S.C. 29116

Notice to the Company will be to:

Charles W. Jacocks
Southern Bell Telephone & Telegraph Company
P.O. Box 750
Cola, S.C. 29202

Notice will be effective upon delivery at the above addresses until the City or Company notifies the other, in writing, of a change in the address.

Section 14. All the provisions of this franchise shall be binding upon the Company, its successors and assigns, whether expressly so stated herein or not, and all grants, rights, and privileges secured by this franchise to the Company shall inure to the benefit of its legal and bona fide representatives, successors and assigns approved as provided herein.

Section 15. This Ordinance shall be and is hereby declared to be cumulative of all other Ordinances of the City, and this Ordinance shall not operate to repeal or affect any of such other Ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinance or Ordinances are hereby repealed to the extent of such inconsistency. Provided all other Ordinances, rules, regulations, and agreements which are not in conflict with this Ordinance and which in any manner related to the regulation of the City streets,

alleys, and public places or the business of the Company shall remain in full force and effect.

Section 16. All valid provisions of the Charter of the City and the Code of Ordinances of the City, as they may be amended from time to time, not in conflict with the express provisions hereof, shall become part of this franchise as fully as if same had been expressly stated herein, and the City may exercise all the powers and rights retained by it in said Charter as fully as if all the provisions therein had been written herein.

Section 17. This franchise shall not be transferred by the Company except with the approval of the governing body of the City expressed by Ordinance and subject to all terms of such Ordinance. The Company shall provide the City with notice of all mergers, takeovers, consolidations, or changes in corporate structure.

Section 18. The City's consent to the Company's use of and occupancy of the City streets, alleys, highways, public thoroughfares, and public ways in furtherance of the provision of local telephone service is conditioned on the Company's compliance with the terms and conditions stated herein and the payment of the consideration stated herein. The Company's continued occupancy and use of the City streets to provide local telephone service shall be deemed acceptance of the terms and conditions stated herein and agreement to pay the consideration stated herein.

Section 19. If any provision, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance shall not be effected thereby, it being the intent of the City in adopting this Ordinance that no portion hereof or provision hereof shall be inoperative or failed by reason of any unconstitutionality or invalidity of any other portion, provision, or regulation, and to this end, all provisions of this Ordinance are declared to be severable.

Section 20. All of the regulations provided in this Ordinance are hereby declared to be for a public purpose and the health, safety, and welfare of the general public. Any member of the governing body or City official or employee charged with the

enforcement of this Ordinance, acting for the City in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his said duties. Neither the City nor the Company by accepting this franchise waives its right to seek all appropriate legal and equitable remedies as allowed by law upon violation of the terms of this franchise, including seeking injunctive relief in a court of competent jurisdiction. Such right to injunctive relief is expressly reserved and all terms and provisions hereof shall be enforceable through injunctive relief. In all legal actions the prevailing party shall be entitled to collect all of its attorney fees and costs incurred from the opposing party of this Agreement.

Section 21. This Ordinance shall be construed under and in accordance with the laws of the State of South Carolina and all obligations of the parties hereunder are performable in Orangeburg County, State of South Carolina.

Section 22. Failure of the Company to make payment of any amount due under this Ordinance in accordance with the terms hereof shall authorize the City to offset any such amount against and to deduct same from any charges payable by the City to the Company without termination of service to the City as a result of such offset or deduction.

Section 23. It shall be unlawful for the Company to use the public streets, alleys, highways, public thoroughfares, public utility easements and public ways of the City for the purpose of exercising the rights granted herein, unless the Company has first agreed in writing filed with the City Municipal Clerk to pay the franchise fees established hereby and unless such fees are paid when due. The Company shall file such agreement within 30 days after the adoption of this Ordinance. Each day of violation shall constitute a separate offense.

Section 24. It is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required.

Passed and approved by the City Council of the City of Orangeburg, South Carolina this 11th day of May 1993.



Mark L. Chapman
Mayor, City of Orangeburg, South Carolina

Joe W. Rhoney

James R. Reid

Sandra P. Smith

Robert A. Smith

W. Mark Alley

Members of Council

ATTEST:

Sharon M. Ganning
City Clerk

APPROVED AS TO FORM:

[Signature]
City Attorney

All terms and provisions of the foregoing Franchise Ordinance are hereby in all respects approved and agreed to by Southern Bell Telephone and Telegraph Company and same shall constitute and be enforceable as a binding contractual obligation of said Company without waiver of any other remedy by the City.

Executed this _____ day of _____, 19____.

By _____
Title

ATTEST:

ORDINANCE NO. 1993 06

VII
AN ORDINANCE TO AMEND CHAPTER XII,
OF THE CODE OF ORDINANCES
FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA
FOR THE PURPOSE OF AMENDING THE
BUSINESS LICENSE FEE SCHEDULE
FOR ELECTRONIC VIDEO GAME MACHINES AND DEVICES

Be it ordained by the Mayor and the members of Council of the City of Orangeburg, South Carolina, in Council assembled and by authority of the same; that the Business License schedule be amended by changing the following:

Category 230800 Electronic Video Game Machines and Devices


Machine of Devices means electronic video games machine that, upon insertion of cash, is available to play or stimulate play of games as authorized by the SC Tax Commission utilizing video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash.

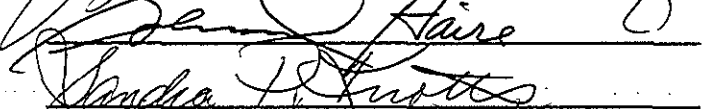
Each Machine \$150.00


Done and ratified by the City Council of Orangeburg, South Carolina, in Council assembled this 3rd day of August, 1993.



Mayor



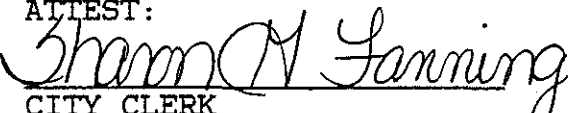






Council Members

ATTEST:



CITY CLERK

ORDINANCE NO. 1993-07

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 City Council 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 "A-2 Residential" all that certain parcel of land situate, lying and being inside the city limits of Orangeburg, South Carolina and being bounded as follows: On the northeast by property of Freda S. and J. West Summers measuring eighty and twenty-eight hundredths (80.28) feet; on the southeast by property of Henry A. Goodwin measuring two hundred seventy-five and forty-three hundredths (275.43) feet; on the southwest by Wilson Street measuring seventy-five (75) feet; and on the northwest by property of Nori A. Snead measuring three hundred five and fifty hundredths (305.50) feet.

PASSED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, THIS THE 17TH DAY OF AUGUST, 1993.



Walter C. Chesler
MAYOR

Vandrea P. Knotts

James D. Haire
Marion F. Moore

G. Jennings Deitz
W. Heath Salley

James W. Cheney
CITY COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

ORDINANCE NO. 1993- 03

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1994.

BE IT ORDAINED by 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, and 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, 1993--September 30, 1994, 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, 1994 to the Thirty-first day of December 1994, 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 71 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, South Carolina, 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 County Treasurer, at the Orangeburg County Administrative Center, of the County of Orangeburg, South Carolina, from the first day of October 1993, until the fifteenth day of January 1994, from the hours of 8:30 A.M. until 5:00 P.M., Monday through Friday, Saturdays and Sundays excepted.

SECTION 5. On January 16, 1994, a penalty of three (3) percent shall be added on all unpaid taxes; on February 2, 1994, a penalty of seven (7) percent shall be added on all unpaid taxes, and on March 17, 1994, a penalty of five (5) percent shall be added on all unpaid taxes. On March 17, 1994, all delinquent properties shall be placed in execution by the county delinquent tax collector.

SECTION 6. If for any reason, any sentence, clause of provisions 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 17th DAY OF August 1993.



Walter C. Chesters
Mayor

Vanda P. Krutts

Sam D. Haire

Walter F. Woon

[Signature]

[Signature]

[Signature]
Members of Council

ATTEST:
Sharon M. Lanning
City Clerk

EXPENDITURE HIGHLIGHTS
Fiscal Year 1993-94

1. Maintain all existing City services and departments
2. No new personnel except two (2) Public Safety officers. City received \$62,124 toward these positions and related equipment. Our match is \$20,706.
3. \$68,870 budgeted as debt service on Livingston House property. House is to be used as an office for the Parks & Recreation staff to accommodate their growing registrations. Remaining property will later be developed as a Public Safety Headquarters.
4. \$74,387 match for FAA Grant for airport runway expansion
5. \$25,000 budgeted to fund Downtown Orangeburg Revitalization Association
6. \$7,500 to fund Orangeburg Keep America Beautiful Program
7. Sanitation--One (1) full time and two (2) part-time positions from last year are still funded. These are in order to staff a re-cycling effort should we get funded in this year's Local Government Program Recycling Grant.
8. Budgeted \$10,000 for Building Demolition and lot clearance. (code enforcement)
9. Budgeted \$10,000 for renovations to achieve ADA Building Compliance.
10. State law requiring separation of juveniles from adult facilities. The estimated costs to house at DYS in Columbia is \$20,000.
11. Continued adherence to Federal Blood Borne Pathogen Standard--\$3,000
12. New rear loading residential truck--\$105,000
13. New yard debris truck--\$55,000
14. Ten (10) vehicles in Department of Public Safety (Police Division) 8 funded by City, 2 funded through Drug Control System Improvement grant
 - Six (6) patrol
 - Two (2) detectives
 - Two (2) community oriented policing

REVENUES

FISCAL YEAR 1993-94

1. Five mill tax increase totaling \$125,000. This will mean the owner of a \$75,000 house will pay \$15 more in property taxes.
2. Residential sanitation fee of \$5 per month is included. It has been calculated for eleven (11) months in FY 1993-94. This will generate \$247,500 during this budget year.
3. A commercial solid waste fee of \$170,000 is also included. This is not to create revenue to balance budget but is included to pay the tipping fee that Orangeburg County plans to charge the City. This figure could change based upon final dollar per ton fee County imposes.
4. Raise Jones Intercable Franchise fee from 3% to 5%, resulting in approximately \$20,000-\$25,000 in additional revenue.
5. Amend Business License fee on life and health insurance corporate offices to 2%. This will be consistent with the amount (2%) currently being charged to Property and Casualty Insurer. The amount of \$143,000 of new revenue will result from this amendment.
6. Parks and Recreation Department personnel will present a study on recreation costs as well as a profile of participants (in and out of City residents).

All participants who take part in City athletic leagues and live outside the City will now pay the \$15 non-resident fee per sport.

All non-City residents in non-athletic programs (clogging, ballet, aerobics, etc.) will pay \$5 more per month for the time period participating.

AN ORDINANCE TO AMEND CHAPTER XV
OF THE CODE OF ORDINANCES
FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA
FOR THE PURPOSE OF AUTHORIZING
THE ESTABLISHMENT OF SOLID
WASTE COLLECTION FEES

Be it ordained by Council, duly assembled, that Section 15-3 of the Code of Ordinances of the City of Orangeburg, South Carolina, is hereby amended to read as follows:

- A. The administration and enforcement of the provision of this chapter shall be the duty of the public works director. The public works director, with approval of the city administrator, shall have the authority to make regulations concerning the days of collection, establishment of collection fees, location of residential or commercial's solid waste receptacles, and such other matters pertaining to the collection, conveyance, and disposal as it shall find necessary, and to change and modify the same; provided, that such regulations shall not be contrary to the provisions of this chapter.
- B. All collection fee schedules and any amendments thereto shall be submitted to City Council for approval and adoption. The City Council shall have the authority to alter, increase, decrease or delete fees at any time.
- C. It shall be unlawful for any person, business, or entity to use City receptacles or utilize City solid waste management services for which such person, business, institution or entity has not paid the applicable established fee or fees.

Done and ratified by the City Council of Orangeburg, South Carolina, in Council assembled this 7th day of September, 1993.



Martin E. Cheatham
MAYOR

L. J. Zimmerman

Marion F. Moon

Sandra E. Kuttis

Debra Haire

MEMBERS OF COUNCIL

ATTEST

Sharon M. Lanning
CITY CLERK

ORDINANCE NO. 1993- 10

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

WHEREAS, Section 5-7-170 of the South Carolina Code of Laws provides the authority for determining the salary of Mayor and Members of Council.

NOW, THEREFORE, BE IT ORDAINED by Council duly assembled, that the annual salary of the Mayor shall be Five Thousand Four Hundred Dollars (\$5,400) and the annual salary of the Members of Council shall be Four Thousand Two Hundred Dollars (\$4,200); and

BE IT FURTHER ORDAINED that such salaries shall become effective upon the commencement date of the terms of two or more members of Council elected at the next general election following the adoption of this Ordinance.

PASSED by the City Council of the City of Orangeburg, South Carolina this seventh day of September, A.D., 1993.



Martin C. Chestnut
MAYOR

L. J. Johnson

Marvin F. Moore

Sandra P. Knotts

James Haise

MEMBERS OF COUNCIL

ATTEST:

Sharon M. Fanning
CITY CLERK

ORDINANCE NO. 1993- 11

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ORANGEBURG
FOR THE FISCAL YEAR BEGINNING
OCTOBER 1, 1992 AND ENDING SEPTEMBER 30, 1993

THE CITY COUNCIL OF THE CITY OF ORANGEBURG HEREBY ORDAINS:

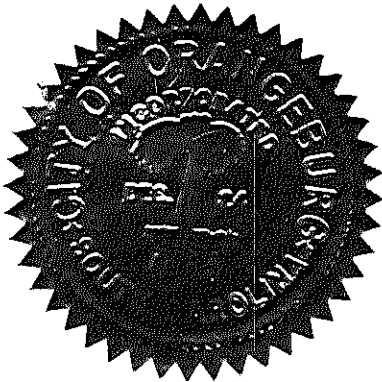
SECTION 1. That the Budget of the City of Orangeburg for the fiscal year beginning October 1, 1992 and ending September 30, 1993, designated as Ordinance No. 1992-15, shall be and hereby is, amended so as to show the attached items of expenditures and revenues, both for the General Fund, Airport Fund and the Hillcrest Pro Shop Fund, respectively.

SECTION 2. That in all other respects, except as hereby and heretofore amended, the Budget for the City of Orangeburg for the fiscal year beginning October 1, 1992 and ending September 30, 1993, shall remain in full force and effect.

SECTION 3. That this Ordinance shall become effective upon adoption by the Council of the City of Orangeburg.

SECTION 4. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ADDPED by the Council of the City of Orangeburg on this 21st day of September, 1993, at which a quorum was present and voting.



Martin C. Crawford
MAYOR

Jesse W. Spence
W. Smith
J. Jimenez
Marion F. Moore
Sandra P. Smith
Don Hare
MEMBERS OF COUNCIL

ATTEST:
Sharon M. Ganning
CITY CLERK

BUDGET ADJUSTMENTS FOR FISCAL YEAR 1992-93

	BUDGET AMOUNT	YEAR-END PROJECTIONS	BUDGET ADJUSTMENT
General Fund Revenues	\$7,134,921	\$7,372,497	\$237,576
General Fund Expenditures	\$7,124,790	\$7,327,554	\$202,764
Airport Fund Revenues	\$236,375	\$220,291	\$16,084
Airport Fund Expenditures	\$246,506	\$273,993	\$27,487
Hillicrest Pro Shop Fund Revenues	N/A	\$43,866	\$43,866
Hillicrest Pro Shop Fund Expenditures	N/A	\$35,107	\$35,107

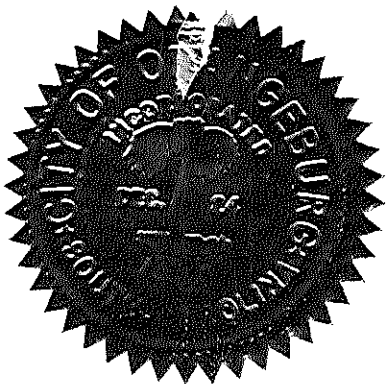
ORDINANCE NO. 1993-14

AN ORDINANCE TO ADOPT A BUDGET FOR THE OPERATION OF THE DEPARTMENT OF PUBLIC UTILITIES FOR THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA, FOR THE FISCAL YEAR OCTOBER 1, 1993 THROUGH SEPTEMBER 30, 1994

BE IT ORDAINED by City Council duly assembled, that the attached budget consisting of nine (9) pages is hereby adopted as the operating budget for the Department of Public Utilities for the City of Orangeburg for the fiscal year October 1, 1993 through September 30, 1994.

BE IT FURTHER ORDAINED that the Manager of the Department of Public Utilities is authorized to transfer budgeted amounts between line items and/or divisions or between approved capital projects in accordance with the duties and responsibilities of said Manager.

DONE AND RATIFIED by Council duly assembled this 21st day of September, 1993.



ATTEST:

Sharon M. Fanning
City Clerk and Treasurer



Michael C. Cheatham
Mayor
James Haire
Sandra P. Knotts
Marion F. Moore
J. Kenneth [unclear]
[unclear]
Joe W. [unclear]
Members of Council

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
TOTAL PROJECTIONS

	<u>ACTUAL</u> <u>1991 - 1992</u>	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>		
Gross Billings	\$48,892,402	\$54,566,350
Less, Discounts	(4,032,577)	(4,491,214)
Net Billings	\$44,859,825	\$50,075,136
Water and Wastewater Taps	142,577	125,000
Water and Wastewater Impact Fees	171,545	215,000
Counter Service Fees	144,860	155,500
MPX System	2,338	8,500
Miscellaneous Sales & Services	197,512	165,500
Charge Off Accts Collected	24,188	66,800
TOTAL INCOME	<u>\$45,542,845</u>	<u>\$50,811,436</u>
<u>COST OF SALES:</u>		
Electricity Purchased	\$25,286,424	\$28,056,474
Natural Gas Purchased	4,431,790	5,650,000
GROSS PROFIT	<u>\$15,824,631</u>	<u>\$17,104,962</u>
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 2,219,401	\$ 2,427,187
Operating Expense	2,703,694	2,837,267
Administrative Expense	3,338,197	3,592,895
Bad Debt Expense	89,835	91,300
TOTAL OPERATING EXPENSE	<u>\$ 8,351,127</u>	<u>\$ 8,948,649</u>
OPERATING PROFIT	\$ 7,473,504	\$ 8,156,313
<u>NON-OPERATING REVENUE:</u>		
Interest Earned 1967 Sinking Fund	\$ 38,013	\$ 0
Interest Earned 1975 Sinking Fund	80,054	37,650
Interest Earned 1985 Sinking Fund	15,951	12,000
Interest Earned 1989 Sinking Fund	16,706	14,000
Interest Earned Short-Term Investment	628,575	508,500
TOTAL NON-OPERATING REVENUE	<u>\$ 779,299</u>	<u>572,150</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 8,252,803	\$ 8,728,463
<u>NON-OPERATING EXPENSE:</u>		
Interest 1967 Bond Issue	\$ 2,250	\$ 0
Interest 1975 Bond Issue	33,750	13,500
Interest 1985 Bond Issue	283,200	233,750
Interest 1989 Bond Issue	212,508	288,675
Other Interest Expense	5,922	3,050
TOTAL NON-OPERATING EXPENSE	<u>\$ 537,630</u>	<u>\$ 538,975</u>
NET PROFIT	\$ 7,715,173	\$ 8,189,488

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
ELECTRIC DIVISION

	<u>ACTUAL</u> <u>1991 - 1992</u>	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>		
Gross Billings	\$36,782,815	\$40,874,000
Less, Discounts	(3,066,596)	(3,400,717)
Net Billings	<u>\$33,716,219</u>	<u>\$37,473,283</u>
Counter Service Fees	90,393	95,000
MPX System	2,338	8,500
Miscellaneous Sales & Services	72,030	90,000
Charge Off Accts Collected	15,093	45,000
TOTAL INCOME	<u>\$33,896,073</u>	<u>\$37,711,783</u>
<u>COST OF SALES:</u>		
Electricity Purchased	<u>\$25,286,424</u>	<u>\$28,056,474</u>
GROSS PROFIT	<u>\$ 8,609,649</u>	<u>\$ 9,655,309</u>
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 1,051,524	\$ 1,109,500
Operating Expense	908,027	923,300
Administrative Expense	1,431,899	1,624,500
Bad Debt Expense	61,176	63,000
TOTAL OPERATING EXPENSE	<u>\$ 3,452,626</u>	<u>\$ 3,720,300</u>
OPERATING PROFIT	\$ 5,157,023	\$ 5,935,009
<u>NON-OPERATING REVENUE:</u>		
Interest Earned 1967 Sinking Fund	\$ 8,671	\$ 0
Interest Earned 1975 Sinking Fund	36,468	17,500
Interest Earned 1985 Sinking Fund	15,951	12,000
Interest Earned Short-Term Investment	332,846	350,000
TOTAL NON-OPERATING REVENUE	<u>\$ 393,936</u>	<u>\$ 379,500</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 5,550,959	\$ 6,314,509
<u>NON-OPERATING EXPENSE:</u>		
Interest 1967 Bond Issue	\$ 513	\$ 0
Interest 1975 Bond Issue	15,374	6,187
Interest 1985 Bond Issue	283,200	233,750
Other Interest Expense	2,488	1,400
TOTAL NON-OPERATING EXPENSE	<u>\$ 301,575</u>	<u>\$ 241,337</u>
NET PROFIT	\$ 5,249,384	\$ 6,073,172

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
GAS DIVISION

	<u>ACTUAL</u> <u>1991 - 1992</u>	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>		
Gross Billings	\$ 7,339,995	\$ 8,650,000
Less, Discounts	(608,638)	(717,085)
Net Billings	\$ 6,731,357	\$ 7,932,915
Counter Service Fees	38,417	45,000
Miscellaneous Sales & Services	20,662	15,500
Charge Off Accts Collected	6,415	15,000
TOTAL INCOME	<u>\$ 6,796,851</u>	<u>\$ 8,008,415</u>
 <u>COST OF SALES:</u>		
Natural Gas Purchased	\$ 4,431,790	\$ 5,650,000
GROSS PROFIT	<u>\$ 2,365,061</u>	<u>\$ 2,358,415</u>
 <u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 171,621	\$ 166,812
Operating Expense	183,281	188,467
Administrative Expense	485,139	493,895
Bad Debt Expense	14,522	14,500
TOTAL OPERATING EXPENSE	<u>\$ 854,563</u>	<u>\$ 863,674</u>
OPERATING PROFIT	\$ 1,510,498	\$ 1,494,741
 <u>NON-OPERATING REVENUE:</u>		
Interest Earned 1967 Sinking Fund	\$ 12,156	\$ 0
Interest Earned 1975 Sinking Fund	7,055	2,800
Interest Earned Short-Term Investment	71,702	39,000
TOTAL NON-OPERATING REVENUE	<u>\$ 90,913</u>	<u>\$ 41,800</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 1,601,411	\$ 1,536,541
 <u>NON-OPERATING EXPENSE:</u>		
Interest 1967 Bond Issue	\$ 720	\$ 0
Interest 1975 Bond Issue	2,975	1,190
Other Interest Expense	888	425
TOTAL NON-OPERATING EXPENSE	<u>\$ 4,583</u>	<u>\$ 1,615</u>
NET PROFIT	\$ 1,596,828	\$ 1,534,926

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WATER DIVISION

	<u>ACTUAL</u> <u>1991 - 1992</u>	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>		
Gross Billings	\$ 2,903,940	\$ 3,067,350
Less, Discounts	(207,679)	(217,782)
Net Billings	\$ 2,696,261	\$ 2,849,568
Water Taps	115,004	100,000
Water Impact Fees	113,459	125,000
Counter Service Fees	9,575	8,500
Miscellaneous Sales & Services	73,576	35,000
Charge Off Accts Collected	1,599	4,200
TOTAL INCOME	\$ 3,009,474	\$ 3,122,268
GROSS PROFIT	\$ 3,009,474	\$ 3,122,268
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 558,081	\$ 595,000
Operating Expense	939,215	950,000
Administrative Expense	873,165	915,000
Bad Debt Expense	9,548	9,600
TOTAL OPERATING EXPENSE	\$ 2,380,009	\$ 2,469,600
OPERATING PROFIT	\$ 629,465	\$ 652,668
<u>NON-OPERATING REVENUE:</u>		
Interest Earned 1967 Sinking Fund	\$ 17,186	\$ 0
Interest Earned 1975 Sinking Fund	31,677	15,000
Interest Earned 1989 Sinking Fund	16,706	14,000
Interest Earned Short-Term Investment	151,400	85,000
TOTAL NON-OPERATING REVENUE	\$ 216,969	\$ 114,000
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 846,434	\$ 766,668
<u>NON-OPERATING EXPENSE:</u>		
Interest 1967 Bond Issue	\$ 1,017	\$ 0
Interest 1975 Bond Issue	13,355	5,342
Interest 1985 Bond Issue	0	0
Interest 1989 Bond Issue	212,508	288,675
Other Interest Expense	1,658	800
TOTAL NON-OPERATING EXPENSE	\$ 228,538	\$ 294,817
NET PROFIT	\$ 617,896	\$ 471,851

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WASTEWATER DIVISION

	<u>ACTUAL</u> <u>1991 - 1992</u>	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>		
Gross Billings	\$ 1,865,652	\$ 1,975,000
Less, Discounts	(149,664)	(155,630)
Net Billings	<u>\$ 1,715,988</u>	<u>\$ 1,819,370</u>
Wastewater Taps	27,573	25,000
Wastewater Impact Fees	58,086	90,000
Counter Service Fees	6,475	7,000
Miscellaneous Sales & Services	31,244	25,000
Charge Off Accts Collected	1,081	2,600
TOTAL INCOME	<u>\$ 1,840,447</u>	<u>\$ 1,968,970</u>
GROSS PROFIT	\$ 1,840,447	\$ 1,968,970
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 438,175	\$ 555,875
Operating Expense	673,171	775,500
Administrative Expense	547,994	559,500
Bad Debt Expense	4,589	4,200
TOTAL OPERATING EXPENSE	<u>\$ 1,663,929</u>	<u>\$ 1,895,075</u>
OPERATING PROFIT	\$ 176,518	\$ 73,895
<u>NON-OPERATING REVENUE:</u>		
Interest Earned 1975 Sinking Fund	4,854	2,350
Interest Earned Short-Term Investment	72,627	34,500
TOTAL NON-OPERATING REVENUE	<u>\$ 77,481</u>	<u>\$ 36,850</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 253,999	\$ 110,745
<u>NON-OPERATING EXPENSE:</u>		
Interest 1975 Bond Issue	2,046	781
Other Interest Expense	888	425
TOTAL NON-OPERATING EXPENSE	<u>\$ 2,934</u>	<u>\$ 1,206</u>
NET PROFIT	\$ 251,065	\$ 109,539

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
COMMUNICATIONS DIVISION

	<u>PROJECTED</u> <u>1993 - 1994</u>
<u>OPERATING INCOME:</u>	
Gross Billings	\$ 0
Less, Discounts	0
Net Billings	<u>\$ 0</u>
Counter Service Fees	0
Miscellaneous Sales & Services	0
Charge Off Accts Collected	0
TOTAL INCOME	<u>\$ 0</u>
<u>COST OF SALES:</u>	
Programming	<u>\$ 0</u>
GROSS PROFIT	<u>\$ 0</u>
<u>OPERATING EXPENSES:</u>	
Depreciation Expense	\$ 0
Operating Expense	0
Administrative Expense	0
Bad Debt Expense	0
TOTAL OPERATING EXPENSE	<u>\$ 0</u>
OPERATING PROFIT	\$ 0
NET PROFIT	\$ 0

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED SOURCES OF FUNDING & EXPENDITURES
FISCAL YEAR 1993 - 1994

	<u>1994</u>
<u>OPERATIONS:</u>	
Net Income	\$ 8,189,488
Charges Against Operations Not Requiring Working Capital - Depreciation	\$ 2,427,187
Grants	\$ 930,000
Past Utility Profits	<u>\$ 9,539,029</u>
 TOTAL	 \$21,085,704
 <u>USE OF WORKING CAPITAL:</u>	
Approved Capital Projects Planned For Fiscal Year	\$18,276,704 **
Cash Transfer to City General Fund In Lieu of Taxes	<u>\$ 2,809,000</u>
 TOTAL	 \$21,085,704

** SEE ATTACHMENT FOR BREAKDOWN OF APPROVED CAPITAL PROJECTS

APPROVED CAPITAL PROJECTS PLANNED
FOR FISCAL YEAR 1993-1994

#22 Sub-Station, 115 KV Source	\$ 638,500
Gas Turbine Generator Plant	\$ 4,450,000
115 KV Transmission Loop	\$ 1,719,200
Sub-Station #21	\$ 750,000
Conversion From 4.8/8.32 KV to 14.4/24.94 KV	\$ 147,600
SCADA System Expansion	\$ 85,700
Expansion of Fiber Optic Communication System	\$ 74,500
Miscellaneous 4.8/8.32 KV & 14.4/24.94 KV Construction	\$ 902,800
Cross Town 115 KV Transmission Line	\$ 500,000
Cable Television System	\$ 3,672,736
3.0 Miles of Gas Pipe For Turbine Generators	\$ 398,000
Whitford Stage Creek Wastewater Project	\$ 1,198,928
Triangle Tool Lift Station Conversion	\$ 53,000
Replacement of Grinders and Automatic Valves At Wastewater Treatment Plant	\$ 270,000
Sludge Dryer at Wastewater Treatment Plant	\$ 1,500,000
Long Range Wastewater Study	\$ 40,000
Clearing 5 Miles of Right-of-Way	\$ 50,000
Rerouting of Riverside Lift Station Forced Main and 21" Sewer Rehabilitation	\$ 100,000
36" Ductile Iron Water Main	\$ 166,620
500,000 Gallon Water Tank - St. Matthews System	\$ 639,120
Elevated Tank Repainting	\$ 340,000
Generator at Ellis Avenue Booster Station	\$ 80,000
Replacement of 1954 Filter Bottoms on Filters 1 and 2 at Water Plant	\$ 160,000
Three Year Corrosion Study	\$ 34,000
Installation of Diesel Finished Water Pump	\$ 50,000

APPROVED CAPITAL PROJECTS PLANNED FOR FISCAL YEAR 1993-1994
PAGE 2

Compliance With Surface Water Treatment Rule	\$ 156,000
Replacement of Raw Water Generator and Relocation of 150 KW Generator to Highway 4 and 400 Booster Station	\$ 50,000
Improvements to Maintenance Facility	<u>\$ 50,000</u>
TOTAL	\$18,276,704

ORDINANCE NO. 1993-12

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, BY ESTABLISHING SECTION 2-5.3, PURCHASING PROCEDURES, FOR THE PURPOSE OF DEFINING PURCHASING POLICIES AND PROCEDURES

WHEREAS, by resolutions and actions of Orangeburg City Council dated 7/5/83 and 10/2/90, certain purchasing policies and procedures were defined,

WHEREAS, City Council wishes to amend certain actions and resolutions as herein above mentions, and

WHEREAS, City Council further wishes to combine certain actions and resolutions into one resolution;

NOW THEREFORE,

BE IT ORDAINED by the Mayor and Council this 5th day of October, 1993, that the Code of Ordinances of the City of Orangeburg, South Carolina is hereby amended by adding a section to be numbered, Section 2-5.3, Purchasing Procedures to read as follows:

SECTION 1

Jurisdiction

All departments and divisions of the City, with the exception of the Department of Public Utilities, are covered by the requirements of the purchasing and bids procedure.

SECTION 2

The Role of the Purchasing Agent

The Purchasing Agent is responsible for the implementation and maintenance of the purchasing system and is responsible for:

1. The purchasing of supplies, materials, equipment and contractual services required by an office, department or agency of the City government, except the Department of Public Utilities.
2. The storing and distributing of all supplies, materials and equipment required by any office, department or agency of the City government.
3. Maintaining a perpetual inventory record of all materials, supplies or equipment stored in storerooms or warehouses.
4. Soliciting and maintaining an up-to-date list of qualified suppliers who have requested that their names be added to a "bidders list." The Purchasing Agent shall have the authority, in consultation with the Finance Director and City Administrator, to remove the names of vendors who have defaulted on their quotation, attempted to defraud the City or who have failed to meet established specifications or delivery dates.
5. Obtaining as full and open competition as possible on all purchases, contracts and sales.
6. Checking purchasing requests against budgetary appropriations.
7. Setting up and maintaining the purchasing system. This includes contacting vendors for discounts, revising forms in use, maintaining bid and vendor files, providing blanket or open purchase order lists, resolving shipment and vendor disputes, distributing and opening formal and informal bids, notifying departments of bid needs and results, monitoring purchases for bid compliance and maintaining the fixed asset inventory system.

SECTION 3

Authority of the City Administrator

The City Administrator shall have authority to award contracts within the purview of this article and administrative regulations and previously approved in the City's annual budget. However, the City Administrator shall be required to obtain separate City Council approval for any item in excess of Fifty Thousand Dollars (\$50,000), any contract not awarded to the lowest responsible bidder or any item that exceeds 10% of the budget allocation for said item.

SECTION 4

Bid Requirements

Department Heads are allowed to purchase items under a \$500.00 value, including sales tax and freight charges, providing sufficient funds are available for the purchase. Department Heads are responsible that these funds are budgeted. Award shall be made to a qualified vendor who has submitted a competitive price. Purchases for supplies, equipment and contractual services, where the cost exceeds Four Hundred Ninety Nine Dollars and 99/100 Cents (\$499.99), but does not exceed Two Thousand Dollars (\$2,000.00), shall be submitted to the Purchasing Agent by the Department Head. Departments shall obtain no less than three oral quotations from qualified vendors, unless the purchase is justified as an emergency or sole source item. At any time, the Purchasing Agent may obtain other bids if it is felt necessary. Purchases for supplies, equipment and contractual services, excluding the provision for Professional Services, where the cost exceeds One Thousand Nine Hundred Ninety Nine Dollars and 99/100 Cents (\$1,999.99), but does not exceed Five Thousand Dollars (\$5,000.00), shall be submitted to the Purchasing Agent. Departments shall obtain no less than three written quotations from qualified vendors. No contract or purchase shall be subdivided to avoid the requirements of this policy.

Copies of written quotations, or bids and specifications, shall be submitted to the Purchasing Agent for approval prior to the purchase. No order shall be placed prior to issuance of a Purchase Order. The Purchasing Agent takes all formal bids on purchases exceeding Four Thousand Nine Hundred Ninety Nine Dollars and 99/100 Cents (\$4,999.99). To be considered, bids must be received by a specified time, date, and publicly opened. On formal bids, a minimum of three requests for quotations should be distributed. The Purchasing Agent maintains all vendor lists. The Purchasing Agent will award all bids and place all orders. Any item that is available under a State Purchasing Contract shall be deemed to have met the competitive bidding requirements. Competitive bids save tax dollars and vendors will be notified that past performance, price and quality are important to City operations and product selections.

SECTION 5

Professional Services

On these services, a request for proposals or request for qualifications can be issued. The lowest price might not necessarily be the best qualified. Where applicable, a "not to exceed price" needs to be submitted. Most State and Federal grant projects will fall into this category.

SECTION 6

Taxes - Sales and Excise, Freight Charges

The City of Orangeburg is not exempt from State Sales Tax. Sales tax should be included on all bids and quotations. If vendors from states other than South Carolina exclude taxes and freight charges from quotations, it must automatically be figured into the quotation. The City is responsible for sales tax and must pay this tax on items

bought from out-of-state firms that exclude sales tax. The inclusion of sales tax and freight on a bid may, therefore, give an unrealistic advantage to the out-of-state vendor. Sales tax and freight charges will be recognized before a bid is awarded. The City of Orangeburg is exempt from Federal excise taxes. Certificates for Exemption from excise tax will be furnished to requesting vendors by the Purchasing Agent.

SECTION 7

Emergency Purchases

In the event of an emergency affecting the public welfare, health or safety of individuals or property, Department Heads shall verbally request and obtain approval for an emergency purchase order from the City Administrator. A written report, stating the nature and circumstances of the emergency, shall be submitted by the Department Head within seventy two (72) hours. Copies of justifications for emergency purchases shall be maintained by the Purchasing Agent. An emergency is an existing condition that could not have been foreseen or anticipated and a purchase of supplies, equipment, etc., was necessary to bring the condition under control. The Department Heads are responsible for not abusing this privilege. Emergency purchasing should be done only in extreme cases.

SECTION 8

Sole Source Procurement

A bid or contract may be awarded for a supply, service or equipment without competition when it is determined that there is only one source available for purchase. Sole source purchases should be documented by Department Heads and submitted to the City Administrator and Purchasing Agent for approval prior to the purchase.

SECTION 9

Formal Bids:

- All purchases over Four Thousand Nine Hundred Ninety Nine Dollars and 99/100 Cents (\$4,999.99), in value require formal bids. These purchases must be:
- a. Sealed. Bids shall be submitted to the Purchasing Agent securely sealed in an envelope and shall be identified on the envelope in accordance with bid instructions.
 - b. Opened. Bids shall be opened in public at the time and place stated.
 - c. Tabulated. A tabulation of all bids received shall be available for public inspection.
 - d. Bidders in Default to City. The Purchasing Agent shall not accept the bid of a vendor or contractor who is delinquent in the payment of taxes, licenses or other monies due to the City.

SECTION 10

Bid Deposits and Performance Bonds:

The Purchasing Agent may require bid deposits before accepting bids or performance bonds before entering into contracts. Bid deposits are forfeited by the successful bidder upon failure to enter into a contract within ten days after the award, provided, however, that the City, in its sole discretion, may waive this forfeiture. Bid deposits of unsuccessful bidders will be returned three business days after the contract is awarded.

SECTION 11

Materials Testing:

The Purchasing Agent shall have the authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with the specifications.

SECTION 12

Rejection of Bids

The Purchasing Agent shall have the authority to reject all bids or parts of bids for any one or more supplies or contractual services included in the proposed contract when the public interest will be served. The Purchasing Agent shall put on all specifications that the City of Orangeburg reserves the right to split any purchases.

SECTION 13

Bid Award

Bids shall be awarded to the lowest responsible bidder and in all instances, a purchase order must accompany the bid award.

In determining the lowest responsible bidder, the Purchasing Agent shall consider:

1. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified without delay or interference.
3. The character, integrity, reputation, judgement, experience and efficiency of the bidder.
4. The quality of performance of previous contracts or services.
5. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services.
6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
7. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
9. The number and scope of conditions attached to the bid.

As far as purchasing is concerned, quality means suitability. It does not have to be the highest or best quality available, but should be the most suitable for the purpose intended.

Obtaining the right quality means establishing the right specifications and checking delivered items for conformance to the specifications.

The Purchasing Agent shall notify award of formal bid to the successful vendor and include a purchase order as necessary in the bid award.

SECTION 14

Award to Other Than Low Bidder

When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the Purchasing Agent and attached to the file relating to the transaction and held for a period of no less than twelve (12) months.

SECTION 15

Financial Interests of City Officials and Employees Prohibited

No member of the City Council or any officer or employee of the City shall have a financial interest in any contract or in the sale to the City or to a contractor supplying the City of any land or rights or interests in any land, material, supplies or services; except when a majority of the City Council determines such exception in the best interests of the City, provided that no Councilmember whose interest is involved shall vote on the question. Any willful violation of this section shall constitute malfeasance in office and any officer or employee of the City found guilty thereof, shall thereby forfeit his office or position. Any violation of this section, with the knowledge expressed or implied of the person or corporation contracting

with the City shall render the contract voidable by the City Administrator or City Council.

SECTION 16
Gifts and Rebates

The Purchasing Agent and every officer and employee of the City are expressly prohibited from accepting, directly or indirectly, from any person, company, firm or corporation to which any purchase order or contract is, or might be awarded, any rebate, gift, money, or anything of value to influence any official action and for personal benefit, except where given for the use and benefit of the City.

SECTION 17
Purchasing Procedures

The Purchasing Agent, Department Heads, as well as all other City employees, will use the City of Orangeburg Purchasing Procedure as their guide and method of purchasing goods, materials and services.

PASSED by the City Council, in Council assembled in Orangeburg, this 5th day of October, 1993.



Signed:

Martin C. Chatham
Mayor
John Haire
Sandra P. Smith
Miriam F. Moore
[Signature]
[Signature]
[Signature]
Councilmembers

Sharon M. Fanning
City Clerk

ORDINANCE NO. 1993- 14

AN ORDINANCE AMENDING SECTIONS 1-11.1, MAXIMUM PENALTY AND SECTION 3-5a, VIOLATIONS; PENALTY OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE PURPOSE OF INCREASING THE MAXIMUM PENALTY PROVIDED FOR THEREIN

WHEREAS, the S.C. Code Ann. Section 5-7-30 (1993) authorizes municipal governing body to fix fines and penalties for the violation of municipal ordinances and regulations not exceeding five hundred dollars or imprisonment not exceeding thirty days, or both; and,

WHEREAS, the S.C. Code Ann. Section 14-25-65 (1993) authorizes municipal judges to impose a fine of not more than five hundred dollars or imprisonment for thirty days, or both;

NOW THEREFORE,

BE IT ORDAINED by the Mayor and Council this 19th day of October, 1993, that Section 1-11.1 of the Code of Ordinances of the City of Orangeburg, South Carolina, is hereby amended to read as follow:

1-11 GENERAL PENALTY

1-11.1 MAXIMUM PENALTY. Whenever in this Code or in any ordinance or resolution of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code, ordinance or resolution, the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of this Code or any ordinance shall be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment for a term not exceeding thirty (30) days, or both.

BE IT FURTHER ORDAINED that SECTION 3-5a of the Code of Ordinances of the City Of Orangeburg, South Carolina, is hereby amended to read as follows:

3-5 VIOLATIONS; PENALTIES

a. Whenever the municipal judge finds a party guilty of violating a municipal ordinance or a state law within the jurisdiction of the court, he may impose a fine or imprisonment, or both, not to exceed five hundred (\$500.00) dollars or thirty days.

The effective date of this ordinance is October 19, 1993

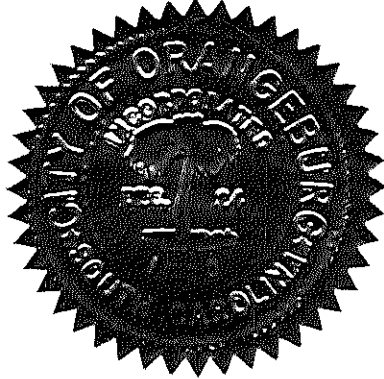
Passed and approved by the City Council of the City of Orangeburg, South Carolina this 19th day of October, 1993.

Martin C. Cheatham
Mayor, City of Orangeburg, South Carolina

W. Keith Wiley
Jeff W. Whaley
P. Zimmerman Heit
Glenn F. Moore
Santha P. Carter
Sam Heit
Members of Council

ATTEST:

Sharon M. Fanning
City Clerk



APPROVED AS TO FORM:

[Signature]
City Attorney

ORDINANCE NO. 1993-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, BY ADDING A NEW SECTION NUMBERED 1-12, MUNICIPAL ORDINANCE SUMMONS, FOR THE PURPOSE OF AUTHORIZING THE USE OF ORDINANCE SUMMONS

WHEREAS, the S.C. Code Ann. Section 56-7-80 (1992) authorizes municipalities to adopt by ordinance and use an ordinance summons for violation of municipal ordinances other than those regulating the use of motor vehicles on the public roads of South Carolina;

NOW THEREFORE,

BE IT ORDAINED by the Mayor and Council this 19th day of October, 1993, that the Code of Ordinances of the City of Orangeburg, South Carolina, is hereby amended by adding a Section, to be numbered, Section 1-12, Municipal Uniform Ordinance Summons to read as follows:

Any person or entity violating any provision of the Code of Ordinances of the City of Orangeburg, or any code adopted pursuant thereto, within the corporate limits of the City of Orangeburg, may be issued a Uniform Ordinance Summons. Issuance of the Uniform Ordinance Summons shall vest jurisdiction in the Municipal Court to hear and dispose of the charge for which the Uniform Ordinance Summons was issued and served. The Uniform Ordinance Summons may be issued by a certified Public Safety Officer, the Building/Codes Enforcement Official or any other City employees designated by the Council as Code Enforcement Officers. The bond amount for violations shall be prescribed by the Municipal Court Judge. City Law Enforcement or Code Enforcement Officers are prohibited from accepting bonds. Bonds are to be posted in the manner prescribed in the Uniform Ordinance Summons. The Uniform Ordinance Summons shall not be used to perform a custodial arrest.

This Ordinance does not apply to any ordinance which regulates the use of motor vehicles on the public roads and does not prohibit the City from enforcing ordinances by means otherwise provided by law.

The City's Ordinance Summons shall be in compliance with the form specified in Section 56-7-80 (1992) of the S.C. Code Ann.

The effective date of this ordinance is October 19, 1993.

Passed and approved by the City Council of the City of Orangeburg, South Carolina this 19th day of October, 1993.

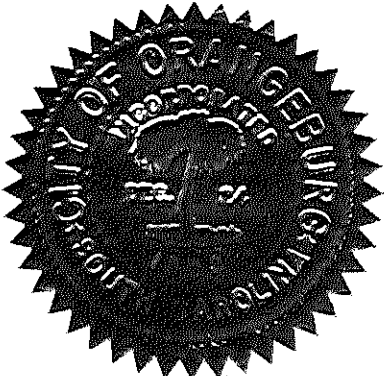
Martin C. Chestnut
Mayor, City of Orangeburg, (South Carolina)

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Members of Council

ATTEST:
Sharon M. Fanning
CITY CLERK

APPROVED AS TO FORM:
[Signature]
City Attorney



ORDINANCE NO. 1993-16

AN ORDINANCE TO AMEND CHAPTER XII
OF THE CODE OF ORDINANCES
FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA
FOR THE PURPOSE OF AMENDING
THE BUSINESS LICENSE FEE SCHEDULE
FOR SPECIAL EVENTS

Be it ordained by the Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled, and by the authority of the same, that the Business License schedule be amended by changing the following:

Category 990000 - Special Events (one to five days)

(This includes vendors at parades and weekend events not otherwise classified)

On gross receipts . . . \$25.00

Done and ratified by the City Council of Orangeburg, South Carolina, in council assembled this 16th day of November, 1993.



Martin L. Cheatham
MAYOR

James W. [Signature]
[Signature]

Glendon F. Wood

Sandra [Signature]

Jan [Signature]
MEMBERS OF COUNCIL

ATTEST:
Sharon A. Farming
CITY CLERK