

AN ORDINANCE TO CONVEY .34 ACRE OF LAND TO ECKA GRANULES OF AMERICA, LLC AND BEING A PORTION OF THE LANDS COMPRISING THE CITY OF ORANGEBURG MUNICIPAL AIRPORT, TO GRANT A RESTRICTED EASEMENT TO ECKA GRANULES OF AMERICA, LLC WITH A 160 FOOT WIDTH, CONSENT TO THE CLOSING AND ABANDONMENT OF A ROAD AND TO RELEASE MINING AND EXCAVATION RIGHTS AS CONTAINED IN THAT CERTAIN DEED OF THE CITY OF ORANGEBURG TO THE COUNTY OF ORANGEBURG RECORDED FEBRUARY 14, 1985 IN THE ORANGEBURG COUNTY OFFICE OF THE REGISTER OF DEEDS IN DEED BOOK 502 AT PAGE 583.

WHEREAS, ECKA Granules of America, LLC ("Company") wishes to locate a manufacturing facility on properties owned by the County of Orangeburg and Federal-Mogul Powertrain, Inc. ("FM") and contiguous to property owned by the City of Orangeburg; and

WHEREAS, to comply with applicable codes and regulations it is necessary that said Company obtain a restricted easement from the City of Orangeburg as described hereinbelow; and

WHEREAS, the property to be purchased by said Company from FM is secured by a chain link fence which encroaches upon the property of the City of Orangeburg; and

WHEREAS, the City of Orangeburg presently holds certain mining and excavation rights in and to the property of the County of Orangeburg to be conveyed to the Company and the FM property to be purchased by the Company; and

WHEREAS, the Company has requested that the City of Orangeburg grant to it a restrictive easement as described hereinbelow, consent to the existing encroachment upon the City's properties and to release the City's mining and excavation rights on and to the property presently owned by the County of Orangeburg and FM; and

WHEREAS, the Company also has requested that the City abandon any rights it has in and to a road transversing the property of the County; and

WHEREAS, the City of Orangeburg deems it is in its best interest and in the best interest of the citizens of the City of Orangeburg to facilitate the location and expansion of industry in both the City of Orangeburg and County of Orangeburg.

21st **NOW THEREFORE BE IT ORDAINED BY COUNCIL DULY ASSEMBLED**, this day of February, 2006 that the City of Orangeburg grant and convey to ECKA Granules of America, LLC title to property first described hereinbelow ("Titled Property"), a restrictive easement in gross described hereinbelow ("Restrictive Easement Area"), release the City's mining and excavation rights presently held on and in the properties of the County of Orangeburg and FM as described hereinbelow ("Mineral and Excavation Rights Property") and abandon and release any rights it has in the road described hereinbelow ("Road").

BE IT FURTHER ORDAINED, that John H. Yow, City Administrator, is hereby directed and authorized to execute a Deed, Development Restriction Easement, and Termination of Certain Easement Rights submitted herewith and for the purposes herein stated and any and all other necessary documents for the purposes herein stated.

Titled Property:

All that certain piece, parcel or strip of land containing .34 acre, situate, lying and being in Orange Township, Consolidated School District 5, County of Orangeburg, State of South Carolina and being set forth and shown on a plat thereof prepared for Federal-Mogul Carolina Inc. by Edisto Surveyors Inc. approved by A. R. Parler, Jr., R.L.S. dated March 20, 2002 and being set forth and shown thereon as Parcel A and having the following boundaries and measurements: North by property of the

Orangeburg City Airport 36.42 feet; West by property of Orangeburg City Airport 419.85 feet; South by property of the Orangeburg City Airport 35.12 feet and East by property of Federal-Mogul Carolina Inc. 409.91 feet and 9.03 feet.

Description of Restrictive Easement Area:

All that certain piece, parcel or strip being 160 feet in width and situate, lying and being in Orange Township, Consolidated School District 5, County of Orangeburg, State of South Carolina and being set forth and shown on an ALTA\ACSM Land Title Survey prepared for ECKA Granules of America, LLC by Donald J. Smith, Jr., Inc., approved by Donald J. Smith, RLS dated January 4, 2006, revised January 23, 2006 and January 27, 2006 and being designated thereon as a proposed 160 foot easement having the following boundaries and measurements: North by property of the City of Orangeburg 160 feet; East by Tracts A, B, C and D on said plat a total distance of 1,682.65 feet; South by property of the City of Orangeburg 160 feet and West by property of the City of Orangeburg a total distance of 1,682.69 feet and that additional strip described as a proposed 160 foot easement on an ALTA\ACSM Land Title Survey prepared for ECKA Granules of America, LLC by Donald J. Smith, Jr., Inc. approved by Donald J. Smith, RLS, dated January 4, 2006 and having the following boundaries and measurements: North by property of the City of Orangeburg 160 feet; East by a 10 acre tract as shown on said plat for a total distance of 1,026.45 feet; South by property of the City of Orangeburg 160 feet and West by property of the City of Orangeburg a total of distance of 1,025.78 feet.

Description of Mineral and Excavation Rights Property:

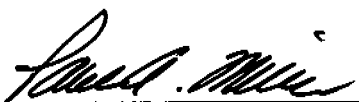
The right to remove pea gravel from Lots B and C as set forth and shown on a plat of the Orangeburg City-County Airport prepared by Nivens Engineering, Inc., approved by Kirk N. Nivens, Jr., RLS dated October 23, 1984, revised November 11, 1984, and such easements and right-of-way to accomplish said purpose; provided, however, that the removal of same shall not undermine any improvements located on said premises or affect the beneficial use of said property.

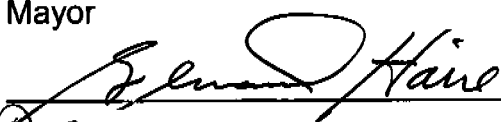
The right to remove sand clay from Parcel C as set forth and shown on a plat of the Orangeburg City-County Airport prepared by Nivens, Engineering, Inc., approved by Kirk N. Nivens, Jr., RLS dated October 23, 194, revised November 11, 1984, and such easements and right-of-way across said parcel to accomplish said purpose. Provided, however, that the removal of same shall not undermine any improvements located on said premises or affect the beneficial use of said property.

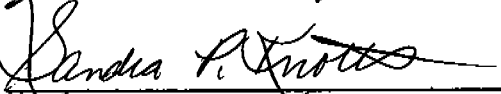
Description of Road:

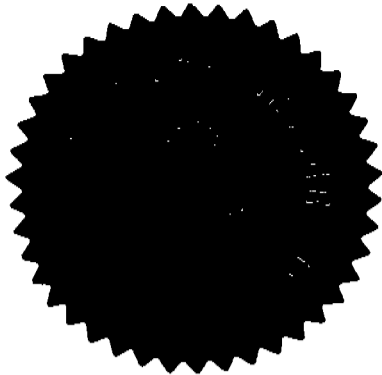
That certain unpaved road as set forth and shown on an ALTA\ACSM Land Title Survey prepared for ECKA Granules of America, LLC by Donald J. Smith, Jr., Inc., approved by Donald J. Smith, RLS dated January 4, 2006, revised January 23, 2006 and January 27, 2006 and transversing Tract C as set forth and shown on said plat and running from Prosperity Drive as shown on said plat in a westerly direction to the western boundary of said Tract C and continuing there from on to and across the proposed 160 foot easement as shown on said plat to the property owned now or formerly of Orangeburg County and the City of Orangeburg.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 21st DAY OF FEBRUARY, 2006.



Mayor






Charles B. Bannock

Paul Degan

Joseph T. Loney

Members of Council

ATTEST: Carrie W. Johnson
City Clerk

**AN ORDINANCE TO ADOPT
NATIONALLY RECOGNIZED CODES AND STANDARDS
PURSUANT TO SOUTH CAROLINA CODE § 6-9-10 AND § 6-9-60.**

WHEREAS, it is the desire of the City of Orangeburg to adopt building codes, in order to be more responsive to the needs of the public; and,

WHEREAS, the adoption of building codes relating to public safety, health and general welfare, is in the best interests of the citizens of the City of Orangeburg;

NOW, THEREFORE, BE IT ORDAINED by the City Council, in session duly assembled, that the City Code is amended, to adopt and incorporate by reference, as if fully set out in this ordinance, the documents stipulated in Section 100, for use and enforcement within the jurisdiction of the City of Orangeburg. Those documents shall be known and referred to collectively as "the building codes".

100 BUILDING CODES ADOPTED

- (A) The International Building Code, 2003 Edition, as published by the International Code Council, Inc., including Appendices C, D, E, F, I, and J.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 1612.3. of said code is amended by inserting "City of Orangeburg" and "July 16, 1980".

Section 3410.2. of said code is amended by inserting "January 1, 2005".

- (B) The International Mechanical Code, 2003 Edition, as published by the International Code Council, Inc., including Appendix A.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 106.5.2. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code § 3-18".

Section 106.5.3. (1.) and (2.) of said code is amended by inserting "0%".

Section 108.4. of said code is amended by inserting "misdemeanor", "\$500.00", and "30 days".

Section 108.5. of said code is amended by inserting "\$100.00" and "\$500.00".

- (C) The International Property Maintenance Code, 2003 Edition, as published by the International Code Council, Inc.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 103.5. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code § 3-18".

Section 304.14. of said code is amended by inserting "April 1 to October 31".

Section 602.3. of said code is amended by inserting "October 1 to April 30".

Section 602.4. of said code is amended by inserting "October 1 to April 30".

- (D) The International Energy Conservation Code, 2003 Edition, as published by the International Code Council, Inc., including Appendix.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

- (E) The International Residential Code, 2003 Edition, as published by the International Code Council, Inc., including Appendices E, G, H, and J.

Section R101.1. of said code is amended by inserting "City of Orangeburg".

Table R301.2. (1) of said code is amended by inserting Attachment 1 attached hereto.

Section P2603.6.1 of said code is amended by inserting "6 inches" and "6 inches".

Section P3103.1 of said code is amended by inserting "6 inches" and "6 inches".

- (F) The International Fire Code, 2003 Edition, as published by the International Code Council, Inc., including Appendices B, D, E, F, and G.

Section 101.1 of said code is amended by inserting "City of Orangeburg".

Section 109.3. of said code is amended by inserting "misdemeanor", "\$500.00", and "30 days".

Section 111.4 of said code is amended by inserting "\$100.00" and "\$500.00."

- (G) The National Electrical Code, 2002 Edition, as published by the National Fire Protection Association including Annexes A, B, C, D, E, and F.

- (H) The International Fuel Gas Code, 2003 Edition, as published by the International Code Council, Inc., including Appendices A, B, C, and D.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 106.5.2. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code § 3-18".

Section 106.5.3. of said code is amended by inserting "0%" and "0%"..

Section 108.4. of said code is amended by inserting "misdemeanor", "\$500.00", and "30 days".

Section 108.5. of said code is amended by inserting "\$100.00" and "\$500.00".

- (I) The International Plumbing Code, 2003 Edition, as published by the International Code Council, Inc., including Appendices B, C, D, E, F, and G.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 106.6.2. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code § 3-18".

Section 106.6.3 of said code is amended by inserting "0%" and "0%".

Section 108.4 of said code is amended by inserting "misdemeanor", "\$500.00", and "30 days".

Section 108.5 of said code is amended by inserting "\$100.00" and "\$500.00".

Section 305.6.1 of said code is amended by inserting "6 inches" and "6 inches".

Section 904.1 of said code is amended by inserting "6 inches".

- (J) The International Existing Building Code, 2003 Edition, as published by the International Code Council, Inc., including the Appendix, Resource A.

Section 101.1. of said code is amended by inserting "City of Orangeburg".

Section 1201.2 of said code is amended by inserting "January 1, 2005".

- (K) The American National Standard Accessible and Usable Buildings and Facilities Code, 2003 Edition, as published by the International Code Council, Inc.

101 APPLICABILITY

This ordinance shall apply to all areas within the City of Orangeburg, excluding any parcels of land owned by the State of South Carolina or the Federal Government and any buildings or structures located thereon.

102 FINANCIAL INTEREST

No person employed as a building official, deputy building official, chief building inspector, building inspector, plan reviewer or in any position within the Department of Building Safety, may have direct or indirect financial interest in the furnishing of labor, material or appliances for the construction, alteration or maintenance of a building, structure, service system or in the preparation of plans, specifications or any other construction related service.

103 CONFLICT OF INTEREST

No employee of the Department of Building Safety may perform inspections or consultation, for any form of compensation, other than as required in the performance of his/her duties in an official capacity for the City of Orangeburg.

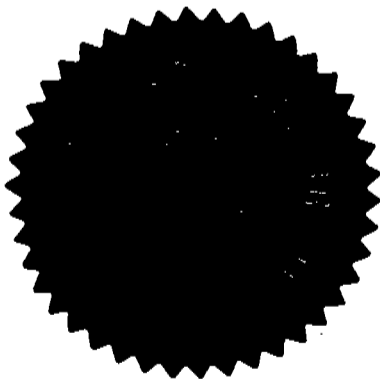
104 DELETION

Any provision of said building codes setting forth the qualifications, removal, dismissal, duties, responsibilities of, and administrative procedures for the building official, deputy building officials, chief inspectors, other inspectors and assistants are deleted and are not adopted.

105 REPEAL

Any previous editions of said codes adopted by Council are hereby repealed, any reference to any specific code in any code section, including sections 13-1, 13-5.1, 13-6.1, 13-7.1, 13-9.1, 23-20.1, 23-34.1, 23-54.1, 23-84.1, is hereby amended to designate the 2003 edition of said code, and all other code sections, ordinances or portions thereof in conflict herewith are hereby repealed.

DONE AND RATIFIED by Council duly assembled this 7th day of March, 2006.



James M. Min
Mayor

Chas. D. Dyer
James W. Cheney
James A. Melton
James Haire
Jandra P. Trotter
Charles B. Brundage
Members of Council

ATTEST:

Carrie G. John
City Clerk

Ordinance No. 2006- 3

ORDINANCE TO AMEND THE MUNICIPAL DISTRICT MAP DATED NOVEMBER 6, 2001, FOR THE PURPOSE OF ADDING NEWLY ANNEXED CITY PROPERTY, LOCATED ALONG CHESTNUT STREET TO MUNICIPAL COUNCIL DISTRICTS TWO (2) AND FOUR (4)

WHEREAS, the City of Orangeburg annexed property along Chestnut Street as described hereinbelow into the corporate limits of the City of Orangeburg by Ordinance No. 2005-9 dated December 22, 2005, and;

WHEREAS, it is necessary that the annexed areas be included in one of the six (6) Municipal Council Districts, and;

NOW, THEREFORE, BE IT ORDAINED by City Council duly assembled, that the Municipal District Map dated November 6, 2001 is amended by making the following additions to District 2 and District 4.

Annexed Area:

Property fronting on Chestnut Street and U.S. 601 (Magnolia Street) and having the following boundaries and measurements: North by property of the City of Orangeburg and the railroad right-of-way of Norfolk Southern Railroad, 455 feet; East by properties of Charles & Willie Thomas, Nikki Polite, Young Fannie & Sons Heirs, Richard Mae Tyler and George Winds, Jr. and measuring thereon 230 feet and the right-of-way of U.S. 601, 150 feet; South by the right-of-way of Chestnut Street and measuring thereon 865 feet; and West by property of Monroe, 175 feet. All measurements being more or less.

Addition to District 4:

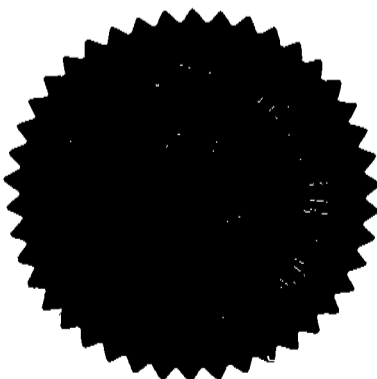
The portion of the annexed area lying east of College Avenue.

Addition to District 2:

The remaining annexed area not assigned to District 4.

BE IT FURTHER ORDAINED, that upon passage of this ordinance, the City Administrator is hereby directed to submit said annexation and district assignments to the United States Department of Justice for approval.

DONE AND RATIFIED by City Council for the City of Orangeburg, State of South Carolina, in Council duly assembled this 4th day of April 2006.



Attest:

Carrie H. Johnson
City Clerk

James M. Hare
Mayor
James Hare
Sydney L. Knotts
Charles B. Brumley
Charles A. Miller
Charles D. Johnson
Jeffrey W. Phares

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA AS AMENDED

WHEREAS, the General Assembly of South Carolina enacted in 1994 an amendment to the Code of Laws of South Carolina by adding Chapter 29, Title 6, "South Carolina Local Government Comprehensive Planning Enabling Act of 1994", and repealing all previously enacted planning Acts and Codes; and,

WHEREAS, the 1994 Enabling Act requires that the local governing body develop and maintain a planning process, which will result in the systematic preparation and continued reevaluation and updating of those elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction; and,

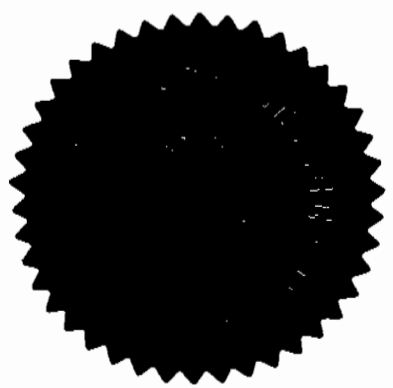
WHEREAS, the Planning Commission has completed an update and revision of the City's Comprehensive Plan, including all seven elements of the Plan: Population, Housing, Natural Resources, Cultural Resources, Community Facilities, Economic and Land Use; and recommended its adoption to City Council; and,

WHEREAS, the City Council duly advertised and conducted a Public Hearing, March 21, 2006, on said Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Orangeburg, State of South Carolina, in council duly assembled and by the authority of same, does hereby adopt by Ordinance the above referenced Comprehensive Plan, as amended on attached summary, for the City of Orangeburg, South Carolina, as a guide to the orderly development of the City and as a basis for zoning or rezoning property within the City, as now or hereafter established.

BE IT FURTHER ORDAINED that this adoption shall be effective as of the date of this Ordinance and the Zoning Administrator is hereby directed to issue in writing to the owner or responsible party any such violation to this Comprehensive Plan.

Done and ratified in Council assembled this 16th day of May, 2006.



Paul J. Miller
Mayor
Blaine Harris
Dorinda P. Knott
Charles P. Bramwell
Travis A. Miller
Chris J. [unclear]
Joyce [unclear]
Councilmembers

ATTEST: Carrie W. Johnson
City Clerk

City of Orangeburg Comprehensive Plan

Map Changes:

1. Approved Planning Commission's recommendation to change property along north side of Chestnut Street from "Single-Family Residential" to "Commercial/Business".
2. Did not approve the Residential Border Strip as recommended by the Planning Commission on property along south side of Chestnut Street.
3. Did not approve recommendation of the Planning Commission to change property of Mr. Floyd's from "Single-Family Residential" to "Commercial/Business".
4. Did not approve recommendation of the Planning Commission to change property of Mr. Heaton's from "Single-Family Residential" to "Commercial/Business".
5. Did not approve Planning Commission's recommendation to change property along Boulevard to Ellis Avenue from "Single-Family Residential" to "O-I, Office Institutional".
6. Did not approve recommendation of the Planning Commission to change property of Mr. Allan Ott's from "Single-Family Residential" to "Mixed-Use".
7. Did not approve the request of property owners, Mr. Green, Mrs. Miller, Mr. Adkins and Ms. Hart, to change their property on the south side of Chestnut Street, from corner of Chestnut Street and St. Matthews Road to Chestnut and Dantzler Street, from "Single-Family Residential" to "Commercial".
8. Did not approve the request of property owner, Mrs. Ridgdon, to change property from "General Residential" to "Commercial".

Text Changes:

1. Approved recommendation to amend Table 19 to remove "D-1 Industrial" from Mixed-Use land use designation as an alternative zoning district.
2. Changes to following sections:
 - a. Part 3 Economic Element
 - b. Part 4 Natural Resources Element
 - c. Part 5 Cultural Resources Element
 - d. Part 6 Community Resources Element

AN ORDINANCE TO AMEND CHAPTER XIII OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA BY ADDING A NEW SECTION 13-10 ENTITLED BUILDING BOARD OF APPEALS

WHEREAS, the City of Orangeburg by Ordinance No. 2006-2 dated March 7, 2006 adopted the 2003 editions of the International Building Code, International Mechanical Code, International Property Maintenance Code, International Energy Conservation Code, International Residential Code, International Fire Code, National Electrical Code, International Fuel Gas Code, International Plumbing Code, International Existing Building Code and the American National Standard Accessible and Usable Buildings and Facilities Code, (hereinafter referred to collectively as "Building Codes" and individually as "Code")and;

WHEREAS, it is necessary that a Board of Appeals be created to handle appeals filed pursuant to said Building Codes.

NOW THEREFORE BE IT ORDAINED BY COUNCIL DULY ASSEMBLED, that a Building Board of Appeals is hereby created by amending Chapter XIII of the Code of Ordinances for the City of Orangeburg, State of South Carolina by adding a new section 13-10, entitled "Building Board of Appeals" which shall read as follows:

13.10 Building Board of Appeals.

13.10.1 Application. Any person, firm or corporation directly affected by a decision of a building or code official as defined in the Building Codes or a notice or order issued under the Building Codes shall have the right to appeal to the Building Board of Appeals within the time limits and on the grounds as established in the individual Code. The application for appeal shall be filed on a form obtained from the building official.

13.10.2 Membership of board. The board of appeals shall consist of seven (7) persons appointed by City Council as follows:

1. Three for four years; two for three years; and two for two years.
2. Thereafter, each new member shall serve for four years or until a successor has been appointed.

The building official shall be an ex officio member of said board but shall have no vote on any matter before the board.

13.10.2.1 Alternate Members. The City Council shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate board members shall possess the qualifications required for board membership and shall be appointed for four years, or until a successor has been appointed.

13.10.2.2 Qualifications. The board of appeals shall consist of seven individuals, who shall have experience in one or more of the following professions or disciplines:

1. Design professional with architectural experience, a South Carolina licensed general building contractor or a South Carolina licensed construction manager.
2. Design professional with structural engineering experience.
3. Design professional with mechanical and plumbing engineering experience, a South Carolina licensed mechanical contractor or a South Carolina licensed residential specialty plumber contractor.
4. Design professional with electrical engineering experience or a South Carolina licensed residential specialty electrical contractor.
5. Design professional with fire protection engineering experience.
6. Design professional with fuel gas experience.
7. A South Carolina licensed residential builder.
8. A person with experience and training in property maintenance or a South Carolina licensed home inspector.

13.10.2.3 **Rules and procedures.** The board is authorized to establish policies and procedures necessary to carry out its duties.

13.10.2.4 **Chairperson.** The board shall annually select one of its members to serve as chairperson.

13.10.2.5 **Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.

13.10.2.6 **Secretary.** The City Administrator shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the building official.

13.10.2.7 **Compensation of members.** Members shall not receive compensation for their service.

13.10.3 **Notice of meeting.** The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

13.10.3.1 **Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

13.10.3.2 **Procedure.** The board shall adopt and make available to the public through the building official procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

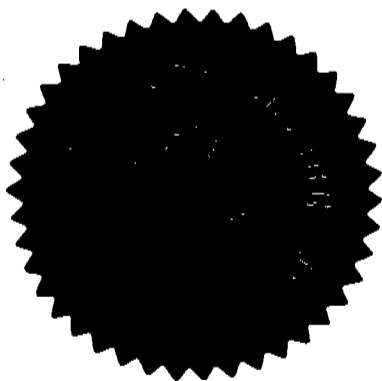
13.10.3.3 **Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

13.10.4 **Board decision.** The board shall modify or reverse the decision of the building official by a concurring vote of two-thirds of its members.

13.10.4.1 **Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the building official.

13.10.4.2 **Administration.** The building official shall take immediate action in accordance with the decision of the board.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 20th DAY OF JUNE, 2006.



Mayor

Paul M. Min

Sam Haire

Sandra L. Knotts

Charles B. Brunkell Jr.

Melvin A. Miller

Robert J. ...

James W. ...

Members of Council

ATTEST:

Carrie J. ...
City Clerk

ORDINANCE NO. 2006- 7

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006

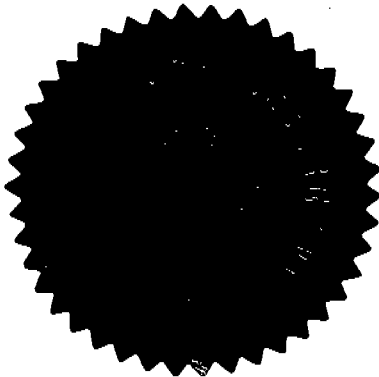
THE CITY COUNCIL OF THE CITY OF ORANGEBURG HEREBY ORDAINS AND RATIFIES:

Section 1. That the Budget of the City of Orangeburg for the Fiscal Year beginning October 1, 2005 and ending September 30, 2006, designated as Ordinance No. 2005-4 shall be and hereby is amended so to levy a tax to cover the period from the first day of January 2004 to the thirty-first day of December 2005 both inclusive, for the sums and in the manner hereinafter mentioned and shall be levied, collected and paid into the Treasury of the City of Orangeburg, South Carolina, for the use and service thereof; i.e., a tax of seventy-nine (79) mills 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 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, 2005 and ending September 30, 2006 shall remain in full force and effect.

Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Adopted by the Council of the City of Orangeburg on this 5th day of Sept, 2006, at which a quorum was present and voting.



ATTEST:

Carrie H. Johnson
CITY CLERK

Laura Miller
MAYOR
Joseph W. Kheneq
Charles H. Miller
Charles B. Barnwell
Sandra P. Fitts
Bernard Haive
MEMBERS OF COUNCIL

ORDINANCE NO. 2006-8

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007

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

SECTION 1. In accordance with Section 5-7-260 of the 1976 Code of Laws of South Carolina, 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, 2006-September 30, 2007, and the estimated revenue for payment of same is hereby adopted.

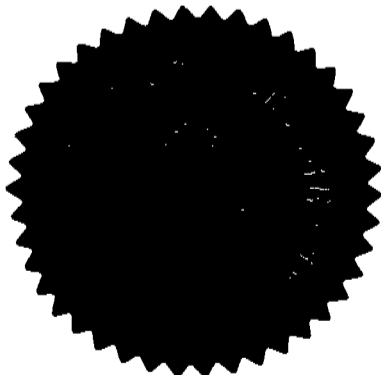
SECTION 3. That a tax to cover the period from the first day of January, 2006 to the thirty-first day of December, 2006, both inclusive, for the sums and in the manner hereinafter mentioned, is and shall be levied, collected and paid into the Treasury of the City of Orangeburg for the use and service thereof; i.e., a tax of 83 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 City Clerk and Treasurer, in the Municipal Building of the City of Orangeburg, South Carolina, from the first day of November, 2006, until the fifteenth day of January 2007, from the hours of 8:00 A.M. until 5:00 P.M., Monday through Friday, Saturdays and Sundays excepted.

SECTION 5. On January 16, 2007, a penalty of fifteen (15) percent shall be added on all unpaid taxes. The City Clerk and Treasurer shall on March 17, 2007, place all delinquent properties in execution in accordance with and adding an additional execution cost of \$60.00 to \$90.00 based on costs to City, Section 6-1-10, as amended, of the Code of Ordinances of the City of Orangeburg, South Carolina.

SECTION 6. If for any reason, any sentence, clause or 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 5th DAY OF SEPTEMBER, 2006.



James Miller

MAYOR

Joseph Kharey

John D. ...

Julius H. Miller

Charles B. ...

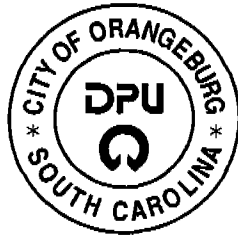
Sandra P. ...

Ben Haire

MEMBERS OF COUNCIL

ATTEST:
Carrie Johnson

CITY CLERK



ORDINANCE No. 2006 - 9

AN ORDINANCE
TO ADOPT A BUDGET FOR THE OPERATION OF
DEPARTMENT OF PUBLIC UTILITIES FOR THE
CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
FOR THE FISCAL YEAR
OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007
INCLUDING
ADOPTION OF NEW RATES FOR THE DEPARTMENT OF PUBLIC UTILITIES OF
THE CITY OF ORANGEBURG EFFECTIVE OCTOBER 1, 2006 PERTAINING TO
ELECTRICITY, GAS, WATER AND WASTEWATER

BE IT ORDAINED by City Council duly assembled that the attached budget consisting of seven (7) 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, 2006 through September 30, 2007.

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.

BE IT FURTHER ORDAINED that the following rates, hereto attached, be adopted, and declared effective and full force on October 1, 2006;

Electric Rate

NMST (Negotiated Market Sales Tariff)

Gas Rates

3C (Large General Service)
3D (Interruptible Service)
3E (Contract Demand Service)
3F (Propane Peaking Service)
3G (Gas Transportation Service)

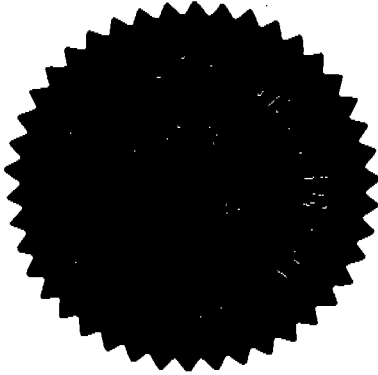
Water Rates

4A, 4B, 4C (General Service – Inside City Limits)
4D, 4E, 4F (General Service – Outside City Limits)
4G, 4H (Detecto Check Fire Service – Inside City Limits)
4I, 4J (Detecto Check Fire Service – Outside City limits)
4K (Full Flow Fire Service – Inside City Limits)
4L (Full Flow Fire Service – Outside City Limits)
4M (Town of Norway – Wholesale)
4P (Fire Hydrants – Inside City Limits)
4Q (Fire Hydrants – Outside City Limits)
4R (Silver Springs Rural Community Water District – Wholesale)

Wastewater Rates

- 5A (Residential – Inside City Limits)
- 5B (Commercial – Inside City Limits)
- 5C (Industrial – Inside City Limits)
- 5D (Residential – Outside City Limits)
- 5E (Commercial – Outside City Limits)
- 5F (Industrial – Outside City Limits)
- 5H (Multiple Unit Dwellings or Businesses – Inside City Limits)
- 5I (Multiple Unit Dwellings or Businesses – Outside City Limits)
- 5J (Wholesale – Outside City Limits)

DONE AND RATIFIED by Council duly assembled this 5th day of September, 2006



Paul G. Miller
Mayor

Sam Hare

Sandra P. Knotts

Charles B. Samuels

Chad Ferguson

Joseph W. Roney

Members of Council

ATTEST:
Carrie H. Johnson
City Clerk

ORDINANCE NO. 2006 10

ORDINANCE TO AMEND SECTION 24-4.1, DISTRICT BOUNDARIES AND MAPS OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG AND THE ZONING MAP OF THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE PURPOSE OF CHANGING PROPERTY OWNED BY CLAFLIN UNIVERSITY, FROM "A-2 RESIDENTIAL MULTI-UNIT DISTRICT" TO "O-I OFFICE INSTITUTIONAL RESIDENTIAL DISTRICT", THE PROPERTY LOCATED AT TAX MAP NUMBERS: 0173-10-14-002, 0173-11-01-013, 0173-11-10-020, 0173-11-10-021, 0173-11-10-022, AND 0173-11-10-023.

WHEREAS, Claflin University, pursuant to section 24-12.1(b)(a) of the Zoning Ordinance of the City of Orangeburg, South Carolina, has petitioned for an amendment of said Ordinance and Map; and

WHEREAS, proper notice of the public hearing for proposed zoning map amendment has been duly published in accordance with Section 24-12.5 and the property has been duly posted in accordance with Section 24-12.6 of said zoning ordinance; and

WHEREAS, the City Council of the City of Orangeburg has reviewed said petition and the recommendation of the Planning Commission and finds that it is in the best interest of the City of Orangeburg to grant the petition.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Orangeburg, State of South Carolina, in council duly assembled and by the authority of same that the Zoning Map of the City of Orangeburg is hereby amended by changing the classification of the below described property from "A-2 Residential Multi-Unit" to "O-I Office-Institutional Residential District".

Description of property:

All that certain tract land situate, laying and being in the to the city limits of the City of Orangeburg, South Carolina, properties having the following boundaries and measurements;

734 Goff Avenue: West by Goff Avenue measuring thereon 99 feet, more or less; and on the respective side lines measuring thereon 211 feet, more or less; and on the rear line by lands of Claflin University measuring thereon 90 feet, more or less. TMP# 0173-10-14-002

841 Goff Avenue: Fronting and measuring on Goff Avenue, fifty-six and one-half feet, and measuring on the rear line fifty-six and one-half feet, and measuring on the respective side lines two hundred (200) feet, more or less, and bounded on the North by Annie Baker; Southeast by Goff Avenue, Southwest by Claflin Kennerly and the Northwest by Dr. L. M. Dunton and Henry Glover. TMP# 0173-11-01-013

842 Goff Avenue: Said Lot number 30 fronts on the said Goff Avenue, eighty (80) feet; on the Northeast by Lot Number 32 of said plat and measuring thereon two hundred forty eighty and three-tenths (248.3) feet; on the Southeast by lands of State College and measuring thereon eighty (80) feet; on the Southwest by Lot Number 28, property owned by Emma Julia Glover Salley and measuring thereon two hundred forty-five and two-tenths (245.2) feet. TMP# 0173-11-10-020

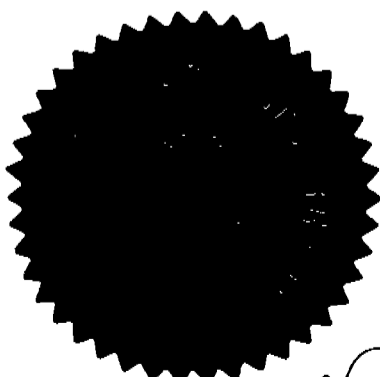
868-870 Goff Avenue: Lot 42, being bounded on the east side of Goff Avenue for a distance of 40.0 feet, and running back on respective sidelines for a distance of 251.0 feet, more or less, and on the rear line for a distance of 40.0 feet. This is the same property conveyed to John F. Brailsford, Jr. and Williams Moultrie Brailsford by deed of A. J. Hydrick, Jr. TMP# 0173-11-10-021

884 Goff Avenue: On the Northwest by Goff Avenue, a fifty (50) foot street and measuring thereon forty (40) feet, more or less; Northeast by Lot #34 on the Mellichamp plat and measuring thereon two hundred fifty and one-third (250 1/3) feet, more or less; Southeast by lands of the State Colored Agricultural College and measuring thereon forty (40) feet; Southwest by one-half (1/2) of Lot # 32 on said Mellichamp plat and measuring thereon two hundred forty-nine (249) feet, more or less; TMP# 0173-11-10-022

898 Goff Avenue: Northwest by said Goff Avenue and measuring thereon 80 feet; Northeast by Lot No 36 on a plat referred to below and measuring thereon 254 and 5 inches; Southeast by lands of S.C. State College and measuring thereon 80 feet; and on the Southwest by Lot No. 32 on said plat and measuring thereon 257 feet and 4 inches; more or less; the same being designed as Lot No 34 on a plat made by William A. Mellichamp.
TMP# 0173-11-10-023

BE IT FURTHER ORDAINED that this amendment shall be effective as of the date of this ordinance and the Zoning Administrator is hereby directed to amend the zoning map of the City of Orangeburg to reflect the above within seven (7) days if the adoption of this ordinance.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
THIS 19th DAY OF September 2006.



ATTEST: Carroll Johnson
City Clerk

Frank A. Miller
Mayor
Benjamin Hane
Charles B. Bandy
Charles A. Miller
John D. ...
Joseph H. ...
Members of Council

ORDINANCE NO. 2006 11

RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS, the City of Orangeburg is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City of Orangeburg; and,

WHEREAS, “delinquent debt” is defined in the Act to include “collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made”; and,

WHEREAS, the City of Orangeburg has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act; and,

WHEREAS, the Municipal Association of South Carolina charges a fee for the services it provides pursuant to the Act; and,

WHEREAS, the fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City of Orangeburg that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the City of Orangeburg as that term is defined in the Act; and,

WHEREAS, the City of Orangeburg also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the City of Orangeburg; and,

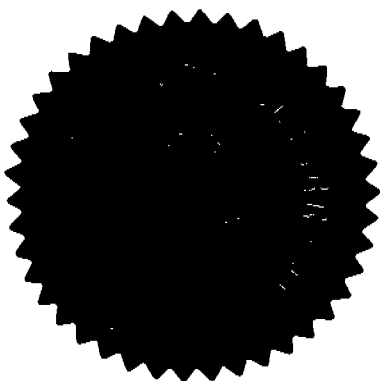
WHEREAS, the City of Orangeburg desires to recover its internal costs of collection by charging a fee that will be added to the delinquent debt.

NOW THEREFORE, BE IT ENACTED by the Mayor and Council of the City Orangeburg as follows:

1. The City of Orangeburg hereby imposes an administrative fee in the amount of \$ 25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10 et. seq. This fee is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.
2. The City of Orangeburg hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City, which shall also be added to the delinquent debt and recovered from the debtor.

3. All Ordinances in conflict with this Ordinance are hereby repealed.
4. This Ordinance shall be effective on the date of final reading, provided however, that this Ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 3rd DAY OF October 2006.



James Min
Mayor
James Hajie
Dorinda F. Knotts
Charles B. Brantley
Willis A. Miller
Paul Jackson
James W. Cheney
Members of Council

ATTEST:

Carrie Johnson
City Clerk



ORDINANCE 2006 - 12

AN ORDINANCE OF CITY COUNCIL TO SET SUBURBAN FIRE PROTECTION RATES AS AUTHORIZED UNDER SECTION 18-4.2 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG SOUTH CAROLINA

WHEREAS, the City of Orangeburg, South Carolina provides fire protection and other related services to the suburban areas outside the City; and

WHEREAS, a large Majority of the emergency calls are in the suburban areas; and

WHEREAS, the City incurs substantial costs in providing this service; and

WHEREAS, the City strives to maintain and improve its level of Public Safety services.

NOW THEREFORE, BE IT ORDAINED, by Orangeburg City Council, duly assembled, that 18-4.2 of the Code of Ordinances of the City of Orangeburg is hereby amended by setting the following Suburban Fire Protection Rates, which shall be effective as of _____, 2006.

SUBURBAN FIRE PROTECTION RATES

1.	1 st house less than 900 square feet	\$ 82.00
	All other miscellaneous structures on same lot	\$ 56.50
2.	1 st house 900 square feet to 1499 square feet	\$115.50
	All other miscellaneous structures on same lot	\$ 91.50
3.	1 st house 1500 square feet to 2099 square feet	\$124.00
	All other miscellaneous structures on same lot	\$ 98.00
4.	1 st house 2100 square feet to 2699 square feet	\$131.50
	All other miscellaneous structures on same lot	\$107.00
5.	1 st house 2700 square feet to 3299 square feet	\$139.00
	All other miscellaneous structures on same lot	\$115.50
6.	1 st house 3300 square feet to 3899 square feet	\$147.00
	All other miscellaneous structures on same lot	\$124.00
7.	1 st house 3900 square feet and larger	\$155.50
	All other miscellaneous structures on same lot	\$131.50
21.	Single Wide Trailer	\$ 82.00
22.	Double Wide Trailer	\$115.50
23.	Mobile Home Park, Each Single Wide Trailer	\$ 82.00
	Mobile Home Park, Each Double Wide Trailer	\$115.50
31.	Apartments less than 900 square feet or larger - 1 st apt.	\$ 82.00
	All other apartments	\$ 58.00
32.	Apartments 900 square feet or larger - 1 st apt.	\$115.50
	All other apartments	\$ 91.50
33.	Duplex, each apartment less than 900 square feet	\$ 82.00
	Second Duplex, less than 900 square feet	\$ 58.00
34.	Duplex, each apartment 900 square feet or more	\$115.50
	Second Duplex, 900 square feet or more	\$ 91.50
35.	Apartments less than 900 square feet with laundry	\$ 82.00
	All other apartments	\$ 58.00
41.	Vacant Lot not exceeding 5 acres	\$ 70.00
42.	Vacant parcels larger than 5 acres	\$106.00
51.	Business less than 1200 square feet	\$124.00
52.	Business 1200 square feet or larger	\$286.00
53.	Mall-shopping Complex	
	Under 1200 Square feet (each unit)	\$124.00
	1200 Square feet or Larger (each unit)	\$286.00
54.	Storage Warehouse - up to 3000 square feet	\$142.00
61.	Industrial, Manufacturing, or Institutions 1500 square feet to 100,000 square feet	\$ 1,407
62.	Industrial, Manufacturing, or Institutions over 100,000 square feet	\$ 2,115
63.	Hospitals	\$ 7,040
71.	Gasoline Service Stations	\$333.00
72.	Gasoline Service Station and Convenience Store with Underground Tanks	\$447.00
73.	Gasoline Service Station and Convenience Store with Above ground Tanks	\$529.00
74.	Gasoline Bulk Plant	\$735.00
81.	Dumpster Sites (per site), or Manned Convenience Stations (per site)	\$163.00
99.	Unassigned (do not accept payment)	
	All vehicle fires	\$450.00

No contracts: When the Department of Public Safety responds to a residential call without a valid contract, the minimum service charge will be \$1,350.00 plus the price of the contract. All institutions, commercial or manufacturing calls will be billed for actual costs with a minimum charge of \$1,350.00 plus the cost of the fire contract. Fire reports will not be issued until the service charge is paid in full.

DONE AND RATIFIED BY Council duly assembled this 19 of December, 2006

Paul Miller

Mayor

Sam Hare

Sandra P. Quatt

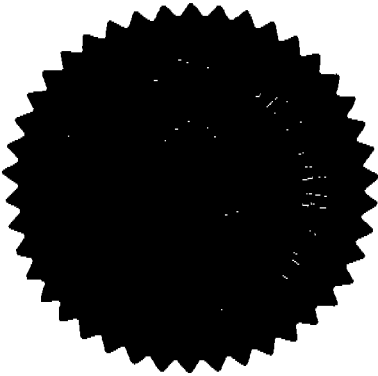
Charles B. Bouillon

Charles A. Miller

John J. [Signature]

Joseph W. Flanagan

Council Members



Attest:

Deane Sant
City Clerk

ORDINANCE NO. 2006- 6

**AN ORDINANCE TO AMEND THE 2003 INTERNATIONAL
PROPERTY MAINTENANCE CODE**

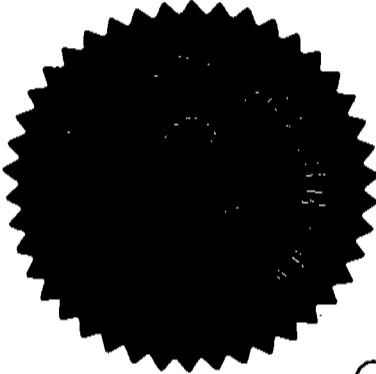
WHEREAS, The City of Orangeburg adopted the International Property Maintenance Code, 2003 edition, as published by the International Code Council, Inc. by Ordinance No. 2006-2 dated March 7, 2006, and;

WHEREAS, it is necessary to amend Section 302.4 of said code entitled "Weeds" to establish a height restriction for weeds as defined in said Section 302.4.

NOW, THEREFORE BE IT ORDAINED BY CITY COUNCIL, IN SESSION DULY ASSEMBLED, that the International Property Maintenance Code, 2003 edition, Section 302.4 entitled "Weeds" is hereby amended by inserting a height restriction of ten (10) inches and after amendment the first sentence of said Section 302.4 entitled "Weeds" shall read as follows:

"All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches."

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 11th DAY OF JULY, 2006.



Sam G. Miller
Mayor
Sam Hare
Charles A. Miller
Mark D. Jones

Members of Council

ATTEST: *Carrie H. Johnson*
City Clerk