

ORDINANCE NO. 2012- 1

AN ORDINANCE AMENDING CHAPTER XIII, SECTION 13-8 OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG FOR THE PURPOSE OF ADOPTING NEW RATES AND FEES FOR THE PERMITTING, DEMOLITION, AND MOVING OF STRUCTURES, PLACEMENT OF TEMPORARY AND PERMANENT SIGNS, AND PLAN REVIEWS AND AMENDING CHAPTER XXIV, SECTION 24-14.4 TO PROVIDE FOR ADOPTION OF ZONING FEES BY ORDINANCE

WHEREAS, the City incurs expenses and costs in the enforcement and implementation of its building codes and regulations, and

WHEREAS, the enforcement and implementation of said codes and regulations are for the furtherance of the public safety, health and general welfare of its citizens and the orderly development of properties in the City, and

WHEREAS, the present rate and fee structure does not represent the reasonable expenses and costs incurred by the City in the enforcement of said codes and regulations, and

WHEREAS, proper notice of a public hearing for the proposed amendment of the within fees and rates has been duly posted and duly published in a media source of general circulation.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL DULY ASSEMBLED, that Chapter XIII, Section 13-8, entitled "Building Permit Rates; Demolition Rates; House Moving Rates; and Temporary Sign Rates" is amended and after amendment shall read as follows:

"13-8 BUILDING PERMIT RATES; DEMOLITION RATES; HOUSE MOVING RATES; TEMPORARY AND PERMANENT SIGN FEES AND PLAN REVIEW FEES.

The following permit rates and fees are established and set:

BUILDING PERMITS

To and including \$500 requiring no inspection. \$0.00

To and including \$500 requiring inspection. \$25.00

Over \$500 and to \$1,000. \$25.00

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

DEMOLITION. Same fees as building permit fees

HOUSE MOVING. Per building. \$25.00

MOBILE HOME PERMIT. \$75.00

TEMPORARY SIGNS. (over ten square feet) \$25.00

PERMANENT SIGNS (Up to 1000 square feet) \$25.00

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

BUILDING PLAN REVIEW FEES. ½ OF BUILDING PERMIT FEE"

BE IT FURTHER ORDAINED that Chapter XXIV, Section 24-14.4 entitled "Fees" is amended and after amendment shall read as follows:

"A fee to cover the administrative costs of issuing permits, zoning approval letters and certificates and appellate costs shall accompany all requests for such permits, letters, certificates and appeals. The amount of the fee or fees shall be adopted and set by ordinance of City Council and a schedule of adopted fees shall be available at the Office of the Zoning Administrator."

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 21st DAY OF FEBRUARY, 2012.



Mayor

James Hair
Londia R. Rotters
L. J. Thomas Keitt
Shalee B. Brown
Paul J. Far
Richard J. Brown

Members of Council

ATTEST:

Carrie Johnson
City Clerk

ORDINANCE NO. 2012-2

AN ORDINANCE ESTABLISHING FEES FOR PERMITS, ZONING LETTERS, CERTIFICATES AND APPELLATE COSTS AS REQUIRED BY CHAPTER XXIV, SECTION 24-14.4 OF CODE OF ORDINANCES OF THE CITY OF ORANGEBURG

BE IT ORDAINED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED this 21st day of February, 2012 that the following fees are hereby adopted pursuant to Chapter XXIV, Section 24-14.4 of the Code of Ordinances of the City of Orangeburg.

ZONING APPROVAL LETTER. Residential \$10.00, Commercial \$20.00

ZONING BOARD OF APPEALS FEE. \$300.00.

APPEAL TRANSCRIPTS. Actual Cost.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 21st DAY OF FEBRUARY, 2012.



Mayor

Members of Council

ATTEST:
City Clerk

ORDINANCE NO. 2012-3

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, PROPERTY BELONGING TO THE FEAST OF THE LORD FOR PROPERTY LOCATED AT 290 BROUGHTON STREET AT TAX MAP # 0172-06-07-001.000

WHEREAS, The Feast of the Lord owners of parcel at 290 Broughton Street 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 changing from "D-1, Industrial District to "B-1, General Business District for property located at 290 Broughton Street, TMP #0172-06-07-001.000; 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 "D-1, Industrial District" to " B-1 General Business District"

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 of the adoption of this Ordinance.

Description of property:

All those certain pieces, parcels or lots of land with all improvements thereon, situate, lying and being on South Broughton Street, in the City of Orangeburg, Orangeburg County, South Carolina, designated as lots No. 9 through 16 on a plat of J. M. Albergotti, deceased, by Edward Hawes, Jr., C.E., dated September 20, 1919, and recorded in the Office of the RMC for Orangeburg County in Plat Book 6, Page 30, and bounded and measuring as follows: On the Northeast by lot No.87 on said plat, measuring thereon Two Hundred Twenty-eight (228) feet, six (6) inches; on the Southeast by lot of Palmetto Baking Company, measuring thereon One Hundred Fifty-two (152) feet, seven (7) inches; On the Southwest by South Broughton Street, measuring thereon Two Hundred Four (204) feet, six (6) inches; and on the Northwest by Mc Alpin Street, measuring thereon One Hundred Fifty (150) feet. Tax Map # 0172-06-07-001.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 6th DAY OF MARCH, 2012.



ATTEST:

City Clerk

Carrie H. Johnson

Paul M. Haire
Mayor

James P. Haire

Donald P. Lutes

Charles B. Bandy

L. J. Starnes

Charles J. Figer

Richard F. Starnes

Members of Council



ORDINANCE No. 2012 - 4

AN ORDINANCE AMENDING THE RATES PERTAINING TO ELECTRICITY FOR THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG

WHEREAS, by Ordinance Number 2007-4, dated May 15, 2007, the City of Orangeburg adopted electric rates for its Department of Public Utilities; and,

WHEREAS, the Department of Public Utilities has determined it is in the City's best interest to amend its Electric Rate - Code 2X.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL DULY ASSEMBLED, that Electric Rate - Code 2X of the Department of Public Utilities is amended by changing its title to "Interdepartmental Interruptible Service" and its section entitled "Application" to read as follows:

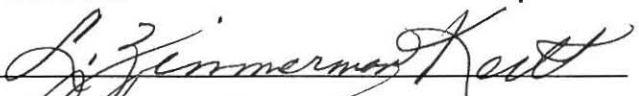
"To any Department of Public Utilities Division for all power and energy used at any one location where service of a single character is taken through one meter and is for those services that operate only during off peak periods or that have standby capacity operable on demand as dispatched by the Department".

BE IT FURTHER ORDAINED that said amended Electric Rate – Code 2X with the above amendments is attached hereto in its entirety as Exhibit "A", made a part hereof by reference and is hereby adopted in its entirety with an effective date of February 22, 2012.

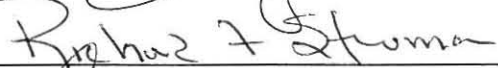
DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 6th DAY OF MARCH 2012.





MAYOR





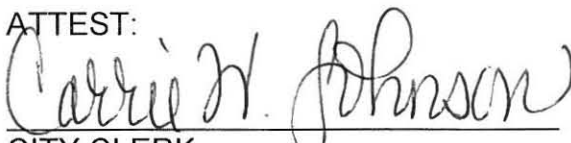







MEMBERS OF COUNCIL

ATTEST:


CITY CLERK

ORDINANCE NO. 2012-5

AN ORDINANCE TO ANNEX THE WITHIN DESCRIBED PROPERTY INTO THE CITY OF ORANGEBURG, SOUTH CAROLINA

- WHEREAS,** a proper petition has been filed with the City Council by the property owner Pin High Visions, LLC, for property located on Griffith Drive and Moore Road at TMP's# 0141-08-00-005, 0142-00-00-001 and 0141-08-00-001, being 100 percent of the freeholders owning 100 percent of the assessed value of the property in the contiguous territory described below and shown on the attached plat or map, hereby petition for annexation of said territory to the City of Orangeburg by ordinance effective as soon hereafter as possible, pursuant to South Carolina Code Section§ 5-3-150 (3); and,
- WHEREAS,** it appears to Council that annexation would be in the best interest of the property owner and the City of Orangeburg; and,
- WHEREAS,** notice and public hearing requirements of S.C. Code Section § 5-3-150 (3) have been complied with.

The property is designated as follows on the City/County tax maps:

The territory to be annexed is described as follows:

All that certain piece, parcel or tract of land with all improvements thereon, situate, lying and being in Limestone Township, Consolidated School District 5 (outside), County of Orangeburg, State of South Carolina, containing Two Hundred Five (205) acres, more or less and shown on a plat prepared by Clifton P Riley, RLS, dated September 11, 1961, recorded in the Office of the Register of Deeds for Orangeburg County in Plat Book 15 at page 167, and bounded now or formerly as follows: On the North and East by lands of Preferred American Life Insurance Company; on the South by lands of Preferred American Life Insurance Company and by the waters of the North Edisto River and by lands of Preferred American Life Insurance Company; and on the West by lands of Preferred American Life Insurance Company.

LESS AND EXCEPTING, lot conveyed to J. M. Albergotti, III by deed recorded in said Office of the Register of Deeds in Deed Book 454 at Page 485 and .15 acres conveyed to Todd L. Vandenberg, et ux. by deed recorded in said Office of the Register of Deeds in Deed Book 1144 at page 02.

Said property having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

Being the same property conveyed to Country Club of Orangeburg by deed of Preferred American Life Insurance Company, a South Carolina Corporation, dated November 15, 1961 and recorded in said Office of the Register of Deeds in Deed Book 242 at page 645.

ALSO: All those certain pieces, parcels or lots of land, with all improvements thereon, situate, lying and being just outside the corporate limits of the City of Orangeburg, in Plantation Subdivision, County of Orangeburg, State of South Carolina, and shown on a plat prepared by W. F. Stokes, dated, May 17, 1979, recorded in said Office of the Register of Deeds in Plat Book 48 at Page 25 and described as follows:

Lot 1, Block CC, Plantation Subdivision and bounded and measuring as follows: On the South by the right-of-way of Moore Road and by property of J. M. Albergotti, III, measuring thereon One Hundred Seventy-six and Two Tenths (176.2) feet on a chord; on the Northwest by property of the Country Club of Orangeburg, measuring thereon One Hundred Eighty (180) feet; on the North by property of the Country Club of Orangeburg, measuring thereon One Hundred (100) feet; and on the East by Lot 2, hereinafter described, measuring thereon Two Hundred Three (203) feet; all measurements being more or less.

Lot 2, Block CC, Plantation Subdivision, and bounded and measuring as follows: On the South by the right-of-way of Moore Road, measuring thereon One Hundred Fifty-five and Three-tenths (155.3) feet; on the East by Lot 1, hereinabove described, measuring thereon Two hundred Three (203) feet; on the North by property of the Country Club of Orangeburg, measuring thereon One Hundred Fifty-five and Three-tenths (155.3) feet; on the West by the property hereinabove described, measuring thereon Two Hundred Three (203) feet; all measurements being more or less.

Lot delineated as Parcel CC-"A" on the plat hereinabove set forth (subject to the right-of way of S.C. Public Service Authority), and bounded as follows: On the West by Lot 2, hereinabove described, measuring thereon Two hundred Three (203) feet; on the North by property of Country Club of Orangeburg, measuring thereon One Hundred One and five-tenths (101.5) feet; on the East by property now or formerly of J. M. Albergotti, III, measuring thereon Ten (10) feet and One hundred Ninety-three and One tenths (193.1) feet; and on the South by property of James M. Albergotti, III, measuring thereon Twenty-six and Five-tenths (26.5) feet and by the right-of-way of Moore Road, measuring thereon Seventy-five (75) feet; all measurements being more or less.

Said lots having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

Lot delineated as Parcel "A" on a plat for J. M. Albergotti, III, et al., prepared by Associates of W. F. Stokes, dated May 30, 1979, recorded in said Office of the Register of Deeds in Plat Book 48 at page 24, containing Four Hundred fourteen (414) square feet and bounded as follows: On the North by the right-of-way of Griffith Drive, measuring thereon Twenty-four and three tenths (24.3) feet; on the East by property of James M. Albergotti, III, measuring thereon Thirty-five and six tenths (35.6) feet; on the Southeast by property of Country Club of Orangeburg, measuring thereon Forty-eight and seven tenths (48.7) feet; all measurements being more or less. Said lot being triangular in shape and designated as a portion of Lot 1, Block V of Plantation Subdivision.

Said property having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

ALSO: All right, title and interest in and to that certain right-of-way and/or easement across property of Country Club of Orangeburg, being 60 feet in width and located generally between the No. 1 and No. 8 Green on the front nine of Country Club of Orangeburg Gold Course, originally designated for a roadway running between Griffith Drive and Moore Road, and bounded now or formerly as follows: On the Northeast by property of James M. Albergotti, III, situated between Lot No. 9, Block V and Lot 1, Block Z at the boundary of property of Country Club of Orangeburg and property of Albergotti; on the Southeast by property of the Country Club of Orangeburg; on the South and Southwest by property of James M. Albergotti, III, situated between Lot No 9. Block CC and Lot 1, Block BB at the boundary between property of Albergotti and property of Country Club of Orangeburg; and on the Northwest by property of the Country Club of Orangeburg.

Being the same property conveyed to Country Club of Orangeburg by deed of James M. Albergotti, III, dated July 19, 1979 and recorded in said Office of the Register of Deeds in Deed Book 454 at page 479. Including entire abutting public rights of way. TMPS# 0141-08-00-005 and 0142-00-00-001.

All those certain pieces, parcels or lots of land, with any improvements thereon, situate, lying and being near the City of Orangeburg, Limestone Township, School District # 5 (outside), County of Orangeburg, State of South Carolina, fronting on Moore Road and being set forth and shown as Lot 1, containing One and eight hundred sixty-eight hundredths (1.868.8) acres, more or less, on a plat for James M. Albergotti, III, prepared by Luther Lee Lown, RLS, dated April 3, 1990 and recorded in the office of the Register of Deeds for Orangeburg County in Plat Book 71, at page 111 and Lot 2 containing Seven Hundred Fifteen thousands(0.715) of an acres, more or less and shown on a plat for James M. Albergotti, III, prepared by Luther Lee Lown, RLS, dated April 3, 1990 and recorded in the aforesaid office in Plat Book 71 at page 109.

Said lots having such size, shape, course, distances, boundaries and measurements as shown on the aforesaid plats which are incorporated herein by reference.

Being the same property conveyed to James. M. Albergotti, III, by deed of Opal C. Cole, dated December 19, 1989 and recorded in the office of the Register of Deeds for Orangeburg County in Deed Book 554 at page 625. Including entire abutting public rights of way. TMP# 0141-08-00-001

The property shall be zoned **"A-1 Residential, Single Unit, Residential District"** pending confirmation or rezoning pursuant to the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Orangeburg, South Carolina, this 3rd day of April, 2012, that the property herein described in hereby annexed to and becomes a part of the City of Orangeburg effective April 4, 2012.



James M. Albergotti, III
MAYOR
James M. Albergotti, III
James M. Albergotti, III
Charles B. Bennett
L. Zimmerman
Chris Jones
Richard H. Spivey
Members of Council

Attest:

Diane Smith
City Clerk

ORDINANCE NO. 2012-6

AN ORDINANCE TO AMEND THE MUNICIPAL DISTRICT MAP DATED NOVEMBER 6, 2001, FOR THE PURPOSE OF ADDING NEWLY ANNEXED CITY PROPERTY TO MUNICIPAL COUNCIL DISTRICT ONE

WHEREAS, the City of Orangeburg annexed the properties, as described herein below, into the corporate limits of the City of Orangeburg by Ordinance No.2012- , and;

WHEREAS, it is necessary that the annexed area 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 addition to District One.

The territory to be annexed is described as follows:

All that certain piece, parcel or tract of land with all improvements thereon, situate, lying and being in Limestone Township, Consolidated School District 5 (outside), County of Orangeburg, State of South Carolina, containing Two Hundred Five (205) acres, more or less and shown on a plat prepared by Clifton P Riley, RLS, dated September 11, 1961, recorded in the Office of the Register of Deeds for Orangeburg County in Plat Book 15 at page 167, and bounded now or formerly as follows: On the North and East by lands of Preferred American Life Insurance Company; on the South by lands of Preferred American Life Insurance Company and by the waters of the North Edisto River and by lands of Preferred American Life Insurance Company; and on the West by lands of Preferred American Life Insurance Company.

LESS AND EXCEPTING, lot conveyed to J. M. Albergotti, III by deed recorded in said Office of the Register of Deeds in Deed Book 454 at Page 485 and .15 acres conveyed to Todd L. Vandenberg, et ux. by deed recorded in said Office of the Register of Deeds in Deed Book 1144 at page 02.

Said property having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

Being the same property conveyed to Country Club of Orangeburg by deed of Preferred American Life Insurance Company, a South Carolina Corporation, dated November 15, 1961 and recorded in said Office of the Register of Deeds in Deed Book 242 at page 645.

ALSO: All those certain pieces, parcels or lots of land, with all improvements thereon, situate, lying and being just outside the corporate limits of the City of Orangeburg, in Plantation Subdivision, County of Orangeburg, State of South Carolina, and shown on a plat prepared by W. F. Stokes, dated, May 17, 1979, recorded in said Office of the Register of Deeds in Plat Book 48 at Page 25 and described as follows:

Lot 1, Block CC, Plantation Subdivision and bounded and measuring as follows: On the South by the right-of-way of Moore Road and by property of J. M. Albergotti, III, measuring thereon One Hundred Seventy-six and Two Tenths (176.2) feet on a chord; on the Northwest by property of the Country Club of Orangeburg, measuring thereon One Hundred Eighty (180) feet; on the North by property of the Country Club of Orangeburg, measuring thereon One Hundred (100) feet; and on the East by Lot 2, hereinafter described, measuring thereon Two Hundred Three (203) feet; all measurements being more or less.

Lot 2, Block CC, Plantation Subdivision, and bounded and measuring as follows: On the South by the right-of-way of Moore Road, measuring thereon One Hundred Fifty-five and Three-tenths (155.3) feet; on the East by Lot 1, hereinabove described, measuring thereon Two hundred Three (203) feet; on the North by property of the Country Club of Orangeburg, measuring thereon One Hundred Fifty-five and Three-tenths (155.3) feet; on the West by the property hereinabove described, measuring thereon Two Hundred Three (203) feet; all measurements being more or less.

Lot delineated as Parcel CC-"A" on the plat hereinabove set forth (subject to the right-of-way of S.C. Public Service Authority), and bounded as follows: On the West by Lot 2, hereinabove described, measuring thereon Two hundred Three (203) feet; on the North by property of Country Club of Orangeburg, measuring thereon One Hundred One and five-tenths (101.5) feet; on the East by property now or formerly of J. M. Albergotti, III, measuring thereon Ten (10) feet and One hundred Ninety-three and One tenths (193.1) feet; and on the South by property of James M. Albergotti, III, measuring thereon Twenty-six and Five-tenths (26.5) feet and by the right-of-way of Moore Road, measuring thereon Seventy-five (75) feet; all measurements being more or less.

Said lots having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

Lot delineated as Parcel "A" on a plat for J. M. Albergotti, III, et al., prepared by Associates of W. F. Stokes, dated May 30, 1979, recorded in said Office of the Register of Deeds in Plat Book 48 at page 24, containing Four Hundred fourteen (414) square feet and bounded as follows: On the North by the right-of-way of Griffith Drive, measuring thereon Twenty-four and three tenths (24.3) feet; on the East by property of James M. Albergotti, III, measuring thereon Thirty-five and six tenths (35.6) feet; on the Southeast by property of Country Club of Orangeburg, measuring thereon Forty-eight and seven tenths (48.7) feet; all measurements being more or less. Said lot being triangular in shape and designated as a portion of Lot 1, Block V of Plantation Subdivision.

Said property having such size, shape, courses, distances, boundaries and measurements as more particularly set forth and shown on the aforesaid plat and for a more complete and accurate description, reference is craved thereto.

ALSO: All right, title and interest in and to that certain right-of-way and/or easement across property of Country Club of Orangeburg, being 60 feet in width and located generally between the No. 1 and No. 8 Green on the front nine of Country Club of Orangeburg Gold Course, originally designated for a roadway running between Griffith Drive and Moore Road, and bounded now or formerly as follows: On the Northeast by property of James M. Albergotti, III, situated between Lot No. 9, Block V and Lot 1, Block Z at the boundary of property of Country Club of Orangeburg and property of Albergotti; on the Southeast by property of the Country Club of Orangeburg; on the South and Southwest by property of James M. Albergotti, III, situated between Lot No 9. Block CC and Lot 1, Block BB at the boundary between property of Albergotti and property of Country Club of Orangeburg; and on the Northwest by property of the Country Club of Orangeburg.

Being the same property conveyed to Country Club of Orangeburg by deed of James M. Albergotti, III, dated July 19, 1979 and recorded in said Office of the Register of Deeds in Deed Book 454 at page 479. Including entire abutting public rights of way. TMPS# 0141-08-00-005 and 0142-00-00-001.

All those certain pieces, parcels or lots of land, with any improvements thereon, situate, lying and being near the City of Orangeburg, Limestone Township, School District # 5 (outside), County of Orangeburg, State of South Carolina, fronting on Moore Road and being set forth and shown as Lot 1, containing One and eight hundred sixty-eight hundredths (1.868.8) acres, more or less, on a plat for James M. Albergotti, III, prepared by Luther Lee Lown, RLS, dated April 3, 1990 and recorded in the office of the Register of Deeds for Orangeburg County in Plat Book 71, at page 111 and Lot 2 containing Seven Hundred Fifteen thousands(0.715) of an acres, more or less and shown on a plat for James M. Albergotti, III, prepared by Luther Lee Lown, RLS, dated April 3, 1990 and recorded in the aforesaid office in Plat Book 71 at page 109.

Said lots having such size, shape, course, distances, boundaries and measurements as shown on the aforesaid plats which are incorporated herein by reference.

Being the same property conveyed to James. M. Albergotti, III, by deed of Opal C. Cole, dated December 19, 1989 and recorded in the office of the Register of Deeds for Orangeburg County in Deed Book 554 at page 625. Including entire abutting public rights of way. TMP# 0141-08-00-001

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 3rd day of April, 2012.



James M. Albergotti, III
MAYOR
Blaine Harris
Dwight P. Lott
Charles B. Smith
L. Zimmerman
Keith
Richard T. Grom
MEMBERS OF COUNCIL

Attest: *Doree Jant*
City Clerk



ORDINANCE NO. 2012 - 7

AN ORDINANCE AMENDING THE GENERAL TERMS AND CONDITIONS OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG AND AMENDING ITS ELECTRIC RATES FOR THE PURPOSE OF IMPLEMENTING INTERCONNECTING SMALL GENERATION

WHEREAS, retail customers of the Department of Public Utilities (“Department”) have requested to interconnect qualified renewable energy generating systems, such as solar panels and wind turbines, to the Department’s transmission and distribution systems, and

WHEREAS, retail customers who are granted the right to interconnect will benefit from “Net Metering” which is the means of measuring the difference between the electricity generated by a retail customer connected to the Department’s system and the electricity provided by the Department, and

WHEREAS, it is necessary to amend the General Terms and Conditions of the Department and its electric rates for the purpose of implementing retail customer interconnection.

NOW THEREFORE BE IT ORDAINED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED this ____ day of April, 2012 that the General Terms and Conditions of the Department of Public Utilities of the City of Orangeburg adopted by Ordinance on November 6, 2002, Section II, entitled “Definitions” is amended by adding a new paragraph S entitled “Net Metering” which shall read as follows:

S. “Net Metering” shall mean service to an electric Customer under which electric energy generated by that electric Customer from an eligible on-site generating facility and delivered to the Department may be used to offset electric energy provided by the Department to the electric Customer during the applicable billing period.

BE IT FURTHER ORDAINED that said General Terms and Conditions, Section IV, entitled “Department’s Installation”, Subsection A, Electric, is amended by adding a new paragraph 8 entitled “Net Metering” which shall read as follows:

8. Net Metering – Net Metering is available upon Net Metering Rider Rate Code 2NM for installed customer generation systems and equipment that comply with the provisions outlined in the Standard for Interconnection Small Generation 50 kW or Less with Electric Power Systems.

BE IT FURTHER ORDAINED that said General Terms and Conditions Section V entitled “Customers’ Installations”, Subsection B, Electric, is amended by adding a new paragraph 4 which shall read as follows:

4. Customer shall not use the Department’s electric service in parallel with other electric service nor shall other electric service be introduced on the premises of the Customer for use in conjunction with or as a supplement to the Department’s electric service, without the written consent of the Department. Non-utility owned generation systems may be allowed to interconnect pursuant to the Standard for Interconnecting Small Generation 50 kW or Less with Electric Power Systems and upon entering into a contract for such service under an applicable rate schedule and/or rider.

BE IT FURTHER ORDAINED that the electric rates of the Department is amended by establishing a new Electric Rate – Code 2NM which consists of three (3) pages and attached hereto as Exhibit “A”.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 3rd DAY OF APRIL 2012



MAYOR

MEMBERS OF COUNCIL

ATTEST:

Assist. Diane Sant
CITY CLERK

ORDINANCE NO. 2012-8

AN ORDINANCE AMENDING CHAPTER VII OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG TITLED LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS FOR THE PURPOSE OF PROVIDING PENALTIES, FINES, LATE CHARGES AND CLASSIFICATION CLARIFICATION

To regulate licenses in the City of Orangeburg, South Carolina for the year 2013 and thereafter until amended or repealed by the City Council.

WHEREAS, the City of Orangeburg adopted its Licensing and Miscellaneous Business Regulations for the purpose of regulating businesses and the production of revenue; and,

WHEREAS, City Council finds that both the classifications and license taxes herein are reasonable; and,

WHEREAS, City Council wishes to impose penalties, fines and late charges for those persons not complying with the requirements of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by City Council of the City of Orangeburg, duly assembled that Chapter VII of the Code of Ordinances of the City of Orangeburg titled "Licenses and Miscellaneous Business Regulations" is hereby amended and after amendment the following sections shall read as follows:

SECTION 7-2.1 License Required. Every person engaged or intending to engage in any calling, business, occupation or profession listed in the License Schedule portion of this Ordinance, in whole or in part, within the limits of the City of Orangeburg, South Carolina, is required to pay an annual license fee for the privilege of doing business and obtain a business license as herein provided.

SECTION 7-2.2 Definitions. The following words, terms and phrases, when used in this Ordinance, shall have the meaning described herein:

"Business" means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

"Charitable Organization" means an organization that is determined by the Internal Revenue Service to be exempt from Federal Income Taxes under 26 U.S.C. section 501 (c) (3), (4), (6), (7), (8), (10) or (19).

"Charitable Purpose" means benevolent, philanthropic, patriotic, or eleemosynary purpose which does not result in personal gain to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization.

"Classification" means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by Municipal Council.

"Gross Income" means the total income of a business, received or accrued, for one calendar year collected or to be collected from business done within the municipality, excepting there from income from business done wholly outside of the municipality on which a license tax is paid to some other municipality or a county and fully reported to the municipality. Gross income for brokers or agents means gross commissions received or retained, unless otherwise specified. Gross income for insurance companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

“Licensee” means the business, the person applying for the license on behalf of the business, an agent or legal representative of the business, a person who received any part of the net profit of the business, or a person who owns or exercises control of the business.

“License Official” means a person designated to administer this Ordinance.

“Municipality” means the City of Orangeburg, South Carolina.

“Person” means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

SECTION 7-2.3 Purpose and Duration. The business license levied by this Ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the General Fund through a privilege tax. Each license shall be issued for one calendar year beginning April 1 and ending March 31. The provisions of this Ordinance and the rates herein shall remain in effect from year to year as amended by Council.

SECTION 7-2.4 License required. The following license taxes as contained in the attached License Schedule consisting of sixteen (16) pages are hereby imposed for the privilege of carrying on a business within the corporate limits of the City of Orangeburg from the first day of April 2012, to the thirty-first day of March 2013, inclusive, and annually thereafter until repealed or amended as aforesaid. The following businesses are exempt from business license taxes; air express and passenger transportation; alcoholic beverages; banks and building loan companies; buses (intrastate and interstate); carriers holding a Public Service Commission certificate A or B; credit unions; marketing cooperative association; mutual benevolent aid associations; wholesalers not having places of business within a municipality and worker's compensation insurance premiums.

SECTION 7-2.5 When Due and Payable. License taxes for each year shall be due and payable by the 31st of March and 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 owner's responsibility to close out this license within thirty (30) days of the businesses closing date.

SECTION 7-2.6 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. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year.

SECTION 7-2.7 Prorating License Fees. No license shall be issued for less than one-half (½) year and licenses issued between April first and September thirtieth shall be for the full year expiring March thirty-first. Any non-resident construction contractor is subject to a full year license.

SECTION 7-2.8 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.

SECTION 7-2.9 Violations. Any person violating any provision of this Ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent license fees, late charges, taxes, penalties and costs provided for herein.

SECTION 7-2.10 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.

SECTION 7-2.11 Deductions, Exemptions, and Charitable Organizations

- (a) No deductions from gross income shall be made except income earned outside of the municipality on which a license tax is paid to some other municipality or a county and fully reported to the municipality, taxes collected for a governmental entity, or income which cannot be included for computation of the tax pursuant to state or federal law. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof.
- (b) No person shall be exempt from the requirements of the Ordinance by reason of the lack of an established place of business within the municipality, unless exempted by state or federal law.
- (c) A charitable organization shall be exempt from the business license tax on its gross income unless it is deemed a business subject to a business license tax on all or part of its gross income as provided in this section. A charitable organization or any for-profit affiliate of a charitable organization, that reports income from for-profit activities, or unrelated business income, for federal income tax purposes to the Internal Revenue Service shall be deemed a business subject to a business license tax on the part of its gross income from such for-profit activities or unrelated business income.

A charitable organization shall be deemed a business subject to a business license tax on its total gross income if (1) any net proceeds of operation, after necessary expenses of operation, inure to the benefit of any individual or any entity that is not itself a charitable organization as defined in this Ordinance, or (2) any net proceeds of operation, after necessary expenses of operation, are used for a purpose other than a charitable purpose as defined in this Ordinance. Excess benefits or compensation in any form beyond fair market value to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

SECTION 7-2.12 Statement for License by Applicant-Execution; Contents. Every person required by this chapter to obtain a license shall, within the time limits prescribed for payment of such license in Section 7-2.5 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 or the Federal and State Employer's Identification number as well as a valid driver's license or picture I.D.
- (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 real and personal 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.
- (g) The owner, agent or legal representative of every business subject to this Ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the municipality. A license for a bar ("Drinking Places" NAICS 7224) must be issued in the name of the individual who has been issued a State ABC License and will have actual control and management of the business.
- (h) The applicant shall certify, under oath, that the information given in the application is true and that the gross income is accurately reported or estimated for a new business, without any unauthorized deductions, and that all assessments and real and personal property taxes on the business property due and payable to the municipality have been paid.
- (i) Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Official. An insurance agent not employed by a company shall be licensed as a broker.

SECTION 7-2.13 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.

The License Official shall deny a license to an applicant when the License Official determines:

- (a) The application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact; or
- (b) The activity for which a license is sought is unlawful or constitutes a public nuisance per se; or
- (c) The applicant or prior licensee or the person in control of the business has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- (d) The applicant or prior licensee or the person in control of the business has engaged in an unlawful activity or nuisance related to the business; or
- (e) The applicant or prior licensee or the person in control of the business is delinquent in the payment to the municipality of any tax or fee; or
- (f) The license for the business has been suspended or revoked in the previous license year.

A decision of the License Official shall be subject to appeal to Council as herein provided. Denial shall be written with reasons stated.

The License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee. Statistics compiled by classifications are public records.

SECTION 7-2.14 False and Fraudulent Understatement; Penalties: Suspension or Revocation of License. When the License Official determines:

- (a) A license has been mistakenly or improperly issued or issued contrary to law; or
- (b) A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this Ordinance; or
- (c) A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
- (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 or prohibited goods; or
- (e) A licensee has engaged in an unlawful activity or nuisance related to the business.

The License Official shall give written notice to the licensee or the person in control of the business within the municipality by personal service or certified mail that the license is suspended pending a hearing before 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, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this Ordinance.

SECTION 7-2.15 Appeals to Council.

- (a) Any person aggrieved by a decision, final assessment, proposed revocation, suspension, or a denial of a business license by the License Official may appeal the decision to the Municipal Council by written request stating the reasons therefore, filed with the License Official within ten (10) days after the payment of the assessment under protest or notice of denial is received. Payment under protest shall be a condition precedent to appeal.
- (b) An appeal or a hearing on proposed revocation shall be held by the Municipal 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, unless continued by agreement. 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 Council shall govern the hearing. Council shall by majority vote of members present render a written decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives 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 without a license until the expiration of ten (10) days after notice of denial or revocation which is not appealed, ten (10) days after service of a final decision of Municipal Council which is not appealed or until after final judgment of a circuit court upholding denial or revocation.

SECTION 7-2.16 Penalty Charge for Late Payments.

- (a) A penalty of ten percent (10%) 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 5th of each year. In addition to the penalty charged, a collector's fee of twenty dollars (\$20.00) 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 hereinafter 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 license tax due hereunder shall remain unpaid after the due date, the City Treasurer shall forthwith issue an execution under seal of the City in the usual form for the collection of taxes, and the Treasurer 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) When in the judgment of the Treasurer's 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.

SECTION 7-2.17 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 provided for in this chapter, and thereafter the classification and rate may be approved, amended and adopted by the City Council.

SECTION 7-2.18 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 late charge not exceeding one hundred dollars (\$100.00) added to their business license fee. In this case of non-payment, a person shall be subject to prosecution in the Municipal Court of the City and upon conviction, to a fine not to exceed \$500.00 or imprisonment for a period not to exceed thirty (30) days.

SECTION 7-2.19 Businesses Outside the City Making Deliveries Inside the City. Any person, firm or corporation conducting a business beyond the limits of the City of Orangeburg, making deliveries to or for purchasers within the City 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 and a license as is charged for the conduct of the same business that is located inside 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 municipalities. 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 by the same contractor.

SECTION 7-2.20 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 persons doing business without the license herein required. The License Official shall administer the provisions of this article, collect license taxes, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or suspension and revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this Ordinance and perform such other duties as may be duly assigned.

SECTION 7-2.21 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 twenty dollar (\$20.00) collector's fee will be added if a business moves without notifying the City Treasurer's office before moving.

SECTION 7-2.22 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 License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official 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 controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

SECTION 7-2.23 Consent, franchise or license required for use of streets.

- (a) It shall be unlawful for any person to construct, install, maintain or operate in, on, above or under any street or public place under control of the municipality any line, pipe, cable, pole, structure or facility for utilities, communications, cablevision or other purposes without a consent agreement or franchise agreement issued by the Municipal Council by ordinance that prescribes the term, fees and conditions for use.
- (b) The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by state law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided by the franchise or consent agreement.

SECTION 7-2.24 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.

SECTION 7-2.25 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 March in each year.

SECTION 7-2.26 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 an 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.

SECTION 7-2.27 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.

SECTION 7-2.28 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.

SECTION 7-2.29 Confidentiality. Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this Ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the License Ordinance.

SECTION 7-2.30 Separability and Non-exclusionary 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.

SECTION 7-2.31 Conflicting Provisions. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed, and this Ordinance shall remain in effect until amended or repealed by the City Council.

SECTION 7-2.32 Solicitation. All door-to-door salespersons soliciting business in residential areas 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 characteristics 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 and a fee of five dollars (\$5.00).

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, POOL HALLS; 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 is to be sold and 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 LOCATED IN CITY (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
	AUCTIONEERS WITH NO PRINCIPAL OR BRANCH OFFICE IN CITY Same rate as above after first three (3) auctions conducted in City	
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
**Also Subject to Hospitality & Accommodations Tax

**090000 BEAUTY SHOPS/COSMETOLOGY/NAIL 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.)
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 above 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)
On gross receipts not exceeding \$5,000\$ 25.00
On each additional \$1,000 or fraction thereof\$ 2.00

140000 BONDSMEN AND BOND MAKERS
(In city: Must pay on total gross. Out of city: Pays on gross in the City
Limits)
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
	**Also subject to Hospitality & Accommodations Tax
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 AND DEBIT 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

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 (all fair and food vendors)
 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, on the 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 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.

(f) If a subcontractor claims to be an employee of the contractor, he is required
 to produce payroll records or W-2 withholding records to substantiate employee
 status. Otherwise, he is subject to a license tax as an independent contractor.

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
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/Service (**must have State license**)
- 240200 Asphalt Surfacing & Concrete Work, Paying & Grading
- 243800 Audio/Visual/Computer Installations
- 240300 Awning and Siding
- 240400 Brick Laying and Other Stonework
- 240500 Building Equipment Installation
- 243400 Carpentry/Cabinets/Residential Construction
- 240600 Cleaning of Building Exteriors
- 240700 Construction Contracting
- 240800 Dirt, Sand or Rock Hauling
- 240900 Electrical
- 243900 Elevators
- 243500 Excavating and Foundation Work
- 241100 Exterminating
- 243800 Fencing
- 241200 Floor Finishing
- 241400 General Contracting
- 241500 Glass and Glazing Work
- 241700 Insulating
- 241900 Interior Decorating
- 242000 Landscaping, Lawn Service, Swimming Pool Installation
- 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
- 244000 Utilities
- 243100 Waterproofing
- 243200 Weather Stripping - Guttering
- 243300 Wrecking and Demolition Work
- 243700 Other, not otherwise classified

*After March 31st, contractors must renew license before new building permits can be issued.

IN ADDITION, A BUILDING PERMIT MUST BE OBTAINED FOR EACH BUILDING ON WHICH CONSTRUCTION OCCURS

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

- (a) Name of subcontractor's business
- (b) 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 subcontractor's particular phase of the project begins.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Codes have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

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)
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

DRIVERS-TAXI—(See Taxi Drivers)

320000 DRY CLEANERS, PRESSERS OR LAUNDRIES COMBINED
On gross receipts not exceeding \$2,000\$ 50.00
On each additional \$1,000 or fraction thereof\$ 1.00

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
- 360500 TEMPORARY FIREWORKS LOCATIONS-SELLING RETAIL FIREWORKS-MUST BE APPROVED BY ZONING FOR EACH STAND OR PLACE OF BUSINESS.....\$ 50.00**
 If business is already retail, fireworks can be included in business license gross for renewal

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 for 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
- 930000 GOLF COURSES AND COUNTRY CLUBS**
 To include all sales and related activities in golf course or golf related activities
 On gross receipts up to \$5,000.....\$ 50.00
 On each additional \$1,000 or fraction thereof\$ 2.00

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)
 *Also subject to Hospitality & Accommodations Tax

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

*******INSURANCE COMPANIES**

Any person or persons, firm or corporation, broker, individual, agent or agency representing an insurance company, society or association licensed by the 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 31st day of March and 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 the insured is 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).

Except as to fire insurance, "gross premiums" means gross premiums collected (1) on policies on property or risks located in the municipality, and (2) on policies, wherever the insured property or risk is located, that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by the insurance company's office located in the municipality or by the insurance company's employee doing business within the municipality or by the office of the insurance company's licensed or appointed producer (agent) located in the municipality or by the insurance company's licensed or appointed producer (agent) doing business within the municipality. As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality. Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute doing business within the municipality whether or not an office is maintained thereon. A premium collected on property or a risk located within the municipality shall be deemed to have been collected within the municipality. Declining rates shall not apply.

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

*****MASC COLLECTS*****

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%

415000 TITLE INSURANCE *MASC COLLECTS*****

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

*****MASC COLLECTS*****

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%

430000 FIRE AND CASUALTY INSURANCE-- NON-ADMITTED

*****MASC COLLECTS*****

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 insured2%

- (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
- (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 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.
- (e) 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 Municipal Court of the City and, upon conviction, to a fine not exceeding \$500 or imprisonment for a period not to exceed thirty (30) days.
- (f) 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)

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, MORTGAGE BROKERS.

470100 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 On assignments of tax refunds or secured by title or lien on personal property 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
	On next \$250,000-----per thousand.....	\$.25
	Above \$500,000-----per thousand	\$.10
510000	MERCHANT -- RETAIL	
512200	Appliance Sales	
512250	Art Supplies/Art Dealers	
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	
514300	Christmas Trees	
510600	Coal Dealers and Vendors	
510800	Clothing and Shoes	
510850	Computer Sales and Equipment	
514400	Consignment (Any)	
511000	Convenience Stores *also subject to Hospitality Tax	
512500	Department Stores	
510900	Drug Stores and Apothecaries, Medical Supplies	
510950	Electronic Sales	
512600	Food Stores, Miscellaneous	
514000	Framing Shops	
512700	Furniture, Fixtures, Floor Coverings and Draperies	
512800	Gasoline Service Stations	
512900	Grocery Stores *Also possible subject to Hospitality Tax	
513000	Hardware Stores	
511100	Ice Cream Dealers	
511150	Janitorial or Cleaning Supplies	
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	
513450	Optical Wear or Eyeglasses	
513500	Paint, Glass and Wallpaper Stores	
513300	Pet Shops	
513350	Pool Supplies	
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	
514200	Specialty Stores	
514500	Telephones (Any Kind) or Pagers	
513700	Variety Stores	
514100	Video, DVD, CD Rental/Sales	
514150	Woodworks, Cabinets	
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

520900 Tire Dealers

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 to be prorated)

On gross receipts not exceeding \$5,000\$100.00

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

*Sixty (60) days maximum time in one location, must have copy of
permit to accompany license application.

540000 MOTION 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

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

**570000 PAWN SHOPS AND PAWN BROKERS--SEE PUBLIC SAFETY
ORDINANCE**

On gross receipts not exceeding \$2,000\$100.00

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

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
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
110000	POOL TABLES OR BILLIARD	
110100	Per table measuring less than 3.5 feet wide and 7 feet long	\$ 5.00
110200	Per table for tables measuring longer than the above	\$ 12.50
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 or Bookkeepers	
620300	Agents – (including, but not limited to insurance, detectives, travel, talent, warranties, and fraud)	
620500	Appraisers	
620600	Architects or Engineers	
620700	Artists	
620800	Attorneys	
621000	Blue Prints, Plats and Tracing	
621100	Chiropractor	
622600	Consultants	
621200	Dentists	
621300	Dental Laboratories	
622800	Employment/Temporary Help Agencies	
621301	Insurance Adjustors	
620900	Land Surveyors	
622700	Nurses or Sitters	
621400	Oculists and Optometrists	
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 (including, but not limited to, speech, massage, occupational, and physical)
622400	Typists, Desktop Publishing
622000	Veterinarians
622900	Weight Management Consultants
	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.

Gross receipts for insurance agent shall include all commissions paid to the agent by insurance companies.

630000	PROMOTER-ATHLETIC EXHIBITIONS, DANCES, THEATRICALS, MUSICAL ENTERTAINMENTS **(72 Hour Prior Notice of Event)
	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 to exceed \$2,000

650000	REAL ESTATE AGENTS, COMPANIES AND DEALERS
	On gross receipts of brokers-in-charge 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 unit's location is to be provided to zoning)
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 **Also subject to Hospitality & Accommodations Tax	
	On gross receipts not exceeding \$2,000.....	\$ 50.00
	On each additional \$1,000 or fraction thereof	\$ 1.00

S

890000	SERVICE INDUSTRIES	
890100	Alarm Monitoring	
890150	Computer Repairs	
890200	Credit information	
890250	Delivery service (local)	
890300	Document Shredding	
890350	Mail or Shipping Services	
890400	Notary	
890450	Paging Service	
890500	Party & Event Services	
890550	Port-o-lets	
890600	Refuse removal	
890650	Satellite Service Providers	
890700	Window washer (non-pressure washing)	
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 (72 hour prior notice)	
	(This includes vendors at parades and weekend events not otherwise classified)	
	1 to 5 days	\$ 25.00
	6 to 10 days	\$ 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.)

750000 TELEPHONE EXCHANGES *MASC COLLECTS*****

On gross receipts not exceeding \$25,000 \$1000.00
On each additional \$1,000 or fraction thereof.....\$ 1.00

980000 TELEPHONE COMMUNICATION SERVICES--LONG DISTANCE CARRIERS*MASC COLLECTS*****

On gross receipts from services billed to customers within the City limits of Orangeburg

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, FUNERAL HOMES AND CREMETORIES

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 (includes ministorage)

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

790000 WELDING, FABRICATING 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

- (d) To cover the cost of processing the application payment shall be made 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(s) 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.
- (d) Engage in a practice of soliciting in the City without a license as provided for in this article.

SECTION 7-2.33 Reserved.

Except as to the amended sections as contained in this Ordinance, the remaining Sections 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11 and 7-12 of Chapter VII of the Code of Ordinances of the City of Orangeburg shall remain in full force and effect.

DONE AND RATIFIED BY THE CITY COUNCIL, CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 15TH DAY OF MAY, 2012.



David G. Miller
Mayor
James H. Hare
L. Zimmerman Keitt
Chad E. Jones
Richard T. Spencer

Members of Council

ATTEST: *Carrie H. Johnson*
City Clerk



ORDINANCE No. 2012 – 9

AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA FOR THE FISCAL YEAR OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012

BE IT RESOLVED BY ORANGEBURG CITY COUNCIL DULY ASSEMBLED this 19th day of June, 2012 that the budget of the Department of Public Utilities of the City of Orangeburg for fiscal year beginning October 1, 2011 and ending September 30, 2012, designated as Ordinance No. 2011-8, shall be and hereby is amended as follows:

Transfer \$1,013,250 from the previously approved Project #1 of the Electric Division referred to as "New Substation #25" to a newly proposed Project #1 for the Gas Division referred to as "West Gas Distribution System".

DONE AND RATIFIED BY THE CITY COUNCIL OF ORANGEBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED THIS 19th DAY OF June, 2012.



Sam G. Min
Mayor

Ben Haire

Dandia P. Kuster

Charles B. Brumley

L. Zimmerman Keith

Chris J. Jeter

Richard J. Strom

Members of Council

ATTEST:

Carrie W. Johnson
City Clerk

ORDINANCE NO. 2012-10

AN ORDINANCE RATIFYING THE ADOPTION OF THE 2006 INTERNATIONAL PLUMBING CODE AND THE 2006 INTERNATIONAL FUEL GAS CODE AND ADOPTING THE 2008 NATIONAL ELECTRIC CODE

WHEREAS, it is the desire of the City of Orangeburg to adopt and enforce 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 interest of the citizens of The City of Orangeburg;

WHEREAS, by Ordinance 2008-12 the International Building Code, 2006 Edition, International Mechanical Code, 2006 Edition, International Property Maintenance Code, 2006 Edition, International Energy Conservation Code, 2006 Edition, International Residential Code, 2006 Edition, International Fire Code, 2006 Edition, the National Electric Code, 2005 Edition, International Fuel Gas Code, 2006 Edition, International Plumbing Code, 2006 Edition, International Existing Building Code, 2006 Edition, and the American National Standard Accessible and Usable Buildings and Facilities Code, 2003 Edition, were adopted by the City of Orangeburg, and

WHEREAS, in the recent codification of ordinances, the International Fuel Gas Code, International Plumbing Code and the National Electric Code were inadvertently omitted from the Code of Ordinances of the City of Orangeburg, and

WHEREAS, it is necessary to ratify the adoption of the omitted Codes.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL DULY ASSEMBLED, that Chapter XIII entitled "Building and Housing" is hereby amended for the purpose of ratifying the adoption of the International Plumbing Code, 2006 Edition, as published by the International Code Council, Inc., and the International Fuel Gas Code, 2006 Edition, as published by the International Code Council, Inc., and the adoption of the National Electric Code, 2008 edition, as published by the National Fire Protection Association including Annexes A, B, C, D, E, F, G and H by adding a new Section 13-2 entitled "National Electric Code" which shall read as follows:

"13-2.1 National Electric Code Adopted.

For the purpose of inspection of electrical installations, investigation of fires caused by electrical installations, review of construction plans, drawings, specifications for electrical systems, design, alterations, modifications, construction, maintenance, and testing of electrical systems and equipment and the regulation and control of electrical installations at special events, including but not limited to exhibits, trade shows, amusement parks, and other similar occupancies, the 2008 addition of the National Electrical Code including Annexes A, B, C, D, E, F, G and H as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated herein by reference as a part of this Code of Ordinances."

Annex H is amended as follows:

Section 80.11 (13) is amended by inserting "two (2) business days".

Section 80.15 (A) is amended by substituting "Building Board of Appeals of the City of Orangeburg" as created under section 13-10 of the Code of Ordinances for the City of Orangeburg for "Electrical Board" and its membership shall have such terms and be paid such compensation as stated in said Section 13-10.

Section 80.19 (F), (3) is amended by inserting "two (2) business days".

Section 80.23 (B), (3) is amended and after amendment shall read as follows:

"Any person, firm, or corporation who shall willfully violate any of the applicable provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, be punished by a fine of not more than \$500.00 or by imprisonment not exceeding 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

Section 80.25 (C) shall be amended by inserting "two (2) business days".

Section 80.27 (A) is amended by inserting "City of Orangeburg".

Section 80.27 (B), (3) is amended by inserting "State of South Carolina".

Section 80.27 (B), (4) is amended by inserting "one (1) year and two (2) years".

Section 80.29 is amended by inserting "City of Orangeburg".

Section 80.35 is amended by inserting "one (1)".

BE IT FURTHER ORDAINED that said Chapter XIII of the Code of Ordinances of the City of Orangeburg is hereby amended by adding a new Section 13-13 entitled "Plumbing Code" and after amendment shall read as follows:

"13-13 Plumbing Code Adopted.

For the purpose of regulating and controlling the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems and regulation of nonflammable medical gas, inhalation anesthetic, vacuum piping, non medical oxygen systems and sanitary and condensate vacuum collection systems, the International Plumbing Code, 2006 Edition, as published by the International Code Council, Inc., is hereby ratified and adopted and incorporated herein by reference as a part of this Code of Ordinances with the following amendments:

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 Section 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 306.6.1, of said Code is amended by inserting "6 inches" and "6 inches".

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

BE IT FURTHER ORDAINED that said Chapter XIII of the Code of Ordinances of the City of Orangeburg is hereby amended by adding a new Section 13-14 entitled "International Fuel Gas Code" and after amendment shall read as follows:

13-14, Fuel Gas Code.

For the purpose of regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazard substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises and providing of issuances of permits and collection of fees therefor the International Fuel Gas Code, 2006 edition, as published by the International Code Council, Inc., is hereby ratified and adopted and incorporated herein by reference as a part of this Code of Ordinances with the following amendments:

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

Section 106.5.1, of said Code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code Section 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 Dollars", and "30 days".

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

BE IT FURTHER ORDAINED that the adoption of Chapter One (1) of each International Building Code is hereby ratified and adopted and incorporated herein by reference as a part of the Code of Ordinances of the City of Orangeburg with the exception of those provisions setting forth the qualifications, removal and dismissal of the building official, deputy building officials, chief inspectors, other inspectors and assistants which are deleted and are not adopted.

BE IT FURTHER ORDAINED that existing Section 13-13 of Chapter XIII of the Code of Ordinances entitled "General Provisions" is renumbered 13-15 and its sub-parts shall also be renumbered and after renumbering shall be 13-15.1 entitled "Applicability.", 13-15.2 entitled "Financial Interest.", 13-15.3 entitled "Conflict of Interest.", and 13-15.4 entitled "Deletion."

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH
CAROLINA THIS 19 DAY OF JUNE, 2012.



Mayor

L. J. Zimmerman
Benjamin Haire
Andrea L. Knoll
Charles B. Bannock
Chris Soper
Richard F. Storn

Members of Council

ATTEST:

Carrie H. Johnson
City Clerk

ORDINANCE NO. 2012- 11

AN ORDINANCE TO AMEND TABLE I SECTION 24-5.1 AND SECTION 24-10.7, d.(5) OF THE ZONING ORDINANCE OF THE CITY OF ORANGEBURG FOR THE PURPOSE OF PERMITTING COMMUNICATION ANTENNAS AS CONDITIONAL USES IN ZONING DISTRICTS O-I, B-1, B-2, B-3, D-1 AND PLACING HEIGHT RESTRICTIONS ON ANTENNA ATTACHMENTS TO EXISTING STRUCTURES

WHEREAS, the City of Orangeburg adopted its Zoning Ordinance for the purposes as set forth in Section 24-3 of said Ordinance; and

WHEREAS, proper notice of a public hearing for a proposed amendment to said Zoning Ordinance has been duly published and has been duly posted; and

WHEREAS, City Council has reviewed said amendments and accepts the recommendation of the City's Planning Commission to approve the within amendments; and

WHEREAS, City Council after reviewing the recommendation of the Planning Commission finds that it is in the best interest of the City to approve said proposed amendments.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG DULY ASSEMBLED, that Table I, Section 24-5.1, titled "Use of Tables", Sector 51 titled "Information" is amended by adding a new classification titled "Communication Antennas" and permitting same as conditional uses in zoning districts O-I, B-1, B-2, B-3 and D-1.

BE IT FURTHER ORDAINED that Section 24-10.7 titled "Development Standards for Conditional Uses Listed by Table I, " Section d., 5. is amended and after amendment shall read as follows:

"5. Towers or antennas shall be exempt from the maximum height requirements of this chapter except as provided in Section 24-11.5 and except as to antenna attachments to existing structures which shall not exceed ten (10) feet in height above the supporting structure."

For clarification an amended Sector 51, Table I is attached to this Ordinance as Exhibit "A".

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 7th DAY OF August, 2012.



Mayor

Laurel G. Miller
James Hair
L. Zimmerman Keith
Charles E. Bennett
Chris J. J. J.
Andrea P. Roberts
Richard F. J. J.

Members of Council

ATTEST:

Carol A. J. J.
City Clerk

D. Communication Towers and Antennas. Where conditionally permitted by Table I, communication towers and antennas shall adhere to the following regulations:

1. All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
2. All applicable safety code requirements shall be met.
3. Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.
4. No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
5. Towers or antennas shall be exempt from the maximum height requirements of this ordinance, except as provided in Section 24-11.5. Antenna attachments to existing structures shall not exceed 10 feet in height above the supporting structure.
6. Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:
 - (a) One copy of typical specifications or proposed structures and antennae, including description of design characteristics and material.
 - (b) A site drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plans, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
 - (c) A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
 - (d) A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.
 - (e) Identification of the owners of all antennae and equipment to be located on the site.
 - (f) Written authorization from the site owner for the application.
 - (g) Evidence that a valid FCC license for the proposed activity has been issued.
 - (h) A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
 - (i) A written agreement to remove the tower and/or antenna within one hundred eighty (180) days after cessation of use.
 - (j) A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to one million (\$1,000,000.00) dollars in the aggregate which may arise from operation of the facility during its life, at no cost to the affected government.

Exhibit A

Section 24-10.7D (5)

Table I- Section 51

Zone Districts	NAICS	A-1	A-2	A-3	O-I	B-1	B-2	B-3	D-1	Required parking
Fire Works Stand (Sec. 24-10.7P)	45399	N	N	N	N	C	N	N	N	1 per 350 GFA
Non-store retail	454	N	N	N	N	P	P	N	N	1 per 350 GFA
Fuel Dealers	45431	N	N	N	N	P	N	N	P	1 per 1,000 GFA
Vendors (Sec. 24-10.7G)	4542	N	N	N	N	C	C	C	N	2 per vendor
Sector 48-49: Transportation and Warehousing										
Air Transportation	481	N	N	N	N	P	N	N	P	By Individual Review
Rail Transportation	482	N	N	N	N	P	N	N	P	1 per 500 GFA
Water Transportation	483	N	N	N	N	P	N	N	P	1 per 500 GFA
Truck Transportation	484	N	N	N	N	P	N	N	P	1 per 500 GFA
Transit & ground transportation	485	N	N	N	N	P	P	N	P	1 per 500 GFA
Pipeline Transportation	486	N	N	N	N	P	N	N	P	1 per 500 GFA
Scenic & Sightseeing Transportation	487	N	N	N	N	P	P	N	P	1 per 500 GFA
Support Activities for Transportation	488	N	N	N	N	P	P	N	P	1 per 500 GFA
U. S. Postal Service	491	N	N	N	P	P	P	P	P	1 per 350 GFA
Warehousing & Storage	493	N	N	N	N	P	N	N	P	1 per 1,000 GFA
Sector 51: Information										
Publishing Industries	511	N	N	N	P	P	P	N	P	1 per 750GFA
Motion pictures & Sound Industries	512	N	N	N	N	P	P	N	P	1 per 500 GFA
Motion picture theaters	512131	N	N	N	N	P	P	N	N	1 per 5 seats
Broadcasting & Telecommunications	515-7	N	N	N	P	P	P	N	P	1 per 500GFA
Communication Towers (Sec. 24- 10.7D)	5172	N	N	N	N	SE	SE	SE	C	NONE
Communication Antennas	5172	N	N	N	C	C	C	C	C	NONE
Internet & other information providers	518-9	N	N	N	P	P	P	P	P	1 per 500 GFA
Libraries	51912	N	N	P	P	P	P	P	P	1 per 400 GFA
Sector 52: Finance & Insurance										
Banks	521	N	N	N	P	P	P	P	P	1 per 350 GFA
Credit Intermediation	522	N	N	N	P	P	P	P	P	1 per 350 GFA
ATM Machines	52211	N	N	N	P	P	P	P	P	2 Spaces
Pawn Shops	522298	N	N	N	N	P	N	N	N	1 per 350 GFA
Security & financial investments	523	N	N	N	P	P	P	P	P	1 per 350 GFA
Insurance Carriers & related activities	524	N	N	N	P	P	P	P	P	1 per 350 GFA
Funds, Trust, & other financial vehicles	525	N	N	N	P	P	P	P	P	1 per 350 GFA



ORDINANCE NO. 2012-12

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012

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, 2011 and ending September 30, 2012, designated as Ordinance No. 2011-12, shall be and hereby is amended so to levy a tax to cover the period from the first day of January 2011 to the thirty-first day of December 2011, 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 eighty-seven (87) 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, 2011 and ending September 30, 2012 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 4th day of September, 2012, at which a quorum was present and voting.

MAYOR

Jandra R. Kuttles

Charles B. Brumfield

Brend Haire

L. Zimmerman Keith

Charles J. J. J.

Richard F. Stroman

MEMBERS OF COUNCIL

ATTEST:

Carrie Johnson
CITY CLERK

Projections	FY 2011-2012	07/9/2012
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General Fund	
Revenues	\$16,260,254
Expenses	\$16,260,254
Difference	-0-
	Cash Reserve Entered \$228,448

Airport Fund	
Revenues	\$637,891
Expenses	\$1,254,673 – dep 685,994= 568,679
Difference	+69,212

Pro Shop Fund	
Revenues	\$130,676
Expenses	\$130,676
Difference	-0-
*trf to GC \$61,527	

Hillcrest Golf Course Fund	
Revenues	\$484,272
Expenses	\$652,493 – dep 116,950 = 535,543
Difference	\$-51,271
Includes trf to GC \$61,527	

Hospitality Fund (095)	
Revenues	1,266,615
Expenses	1,021,178
Difference	+245,437



ORDINANCE NO. 2012-13

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013

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, 2012-September 30, 2013, 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, 2012 to the thirty-first day of December, 2012, 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 90 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, 2012, until the fifteenth day of January 2013, 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, 2013, a penalty of fifteen (15) percent shall be added on all unpaid taxes. The City Clerk and Treasurer shall on March 17, 2013, 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 4th DAY OF September 2012.

Sandra P. Smith MAYOR

Charles B. Bannock

Gene Haire

James M. Smith

Chris Lee

Richard T. Spurr
MEMBERS OF COUNCIL

ATTEST:
Carrie H. Johnson
CITY CLERK

7/18/2012 Council Approved

Budget Information FY 2012-2013

General Fund	
Revenues	\$17,025,060
Expenses	\$17,025,060
Difference	\$0

Airport Fund	
Revenues	\$955,304
Expenses	\$1,274,613 – dep \$690,000=\$584,613
Difference	+\$370,691
Capital \$	

Pro Shop Fund	
Revenues	\$132,111
Expenses	\$132,111
Difference	\$0
	Trf to GC \$64,959

Golf Course Fund	
Revenues	\$512,709
Expenses	\$651,104- dep \$115,000 =\$536,104
Difference	-\$23,395
	Trf from Pro Shop \$64,959

Hospitality 2% Fund	
Revenues	\$1,122,400
Balance Brought Forward	\$204,527
Expenses	\$1,326,927
Difference	\$0



ORDINANCE No. 2012 – 14

AN ORDINANCE
TO ADOPT A BUDGET FOR THE OPERATION OF
THE DEPARTMENT OF PUBLIC UTILITIES OF THE
CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
FOR THE FISCAL YEAR
OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013

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 of the City of Orangeburg for the fiscal year October 1, 2012 through September 30, 2013.

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 4th day of Sept, 2012.

Mayor

Paul Hane
Charles B. Bannell

David P. Hoots

L. Zimmerman Keit

Chris Dugan

Richard F. Storne
Members of Council

ATTEST:

Carol D. John
City Clerk

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
TOTAL PROJECTIONS

	<u>ACTUAL</u> <u>2010-2011</u>	<u>PROJECTED</u> <u>2012-2013</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 100,434,513	\$ 100,290,636
Water and Wastewater Taps	240,310	230,050
Water and Wastewater Impact Fees	188,914	251,000
Counter Service Fees	989,567	1,018,854
Fiber Rentals	35,368	36,000
Miscellaneous Sales & Services	541,479	541,250
Charge Off Accts Collected	160,862	106,175
TOTAL INCOME	<u>\$ 102,591,013</u>	<u>\$ 102,473,965</u>
 <u>COST OF SALES:</u>		
Electricity Purchased	\$ 59,696,265	\$ 59,442,121
Natural Gas Purchased	6,980,821	4,703,500
GROSS PROFIT	<u>\$ 35,913,927</u>	<u>\$ 38,328,344</u>
 <u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 7,301,658	\$ 7,891,365
Other Post Employee Benefits	351,023	354,750
Operating Expense	7,917,216	8,094,000
Administrative Expense	8,143,642	8,461,900
Bad Debt Expense	198,614	197,650
TOTAL OPERATING EXPENSE	<u>\$ 23,912,153</u>	<u>\$ 24,999,665</u>
 OPERATING PROFIT	 \$ 12,001,774	 \$ 13,328,679
 <u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 361,572	\$ 372,419
Interest Earned 2004 Bond Issue	-	-
Interest 2009 SRF	160	-
TOTAL NON-OPERATING REVENUE	<u>\$ 361,732</u>	<u>\$ 372,419</u>
 TOTAL OPERATING & NON-OPERATING REVENUE	 \$ 12,363,506	 \$ 13,701,098
 <u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	99,750	42,754
Interest 2009 SRF	14,763	71,943
TOTAL NON-OPERATING EXPENSE	<u>\$ 114,513</u>	<u>\$ 114,697</u>
 NET PROFIT	 \$ 12,248,993	 \$ 13,586,401

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
ELECTRIC DIVISION

	<u>ACTUAL</u> <u>2010-2011</u>	<u>PROJECTED</u> <u>2012-2013</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 77,726,093	\$ 79,487,596
Counter Service Fees	682,059	702,521
Fiber Rentals	35,368	36,000
Miscellaneous Sales & Services	386,862	375,500
Charge Off Accts Collected	129,667	83,500
TOTAL INCOME	<u>\$ 78,960,049</u>	<u>\$ 80,685,117</u>
<u>COST OF SALES:</u>		
Electricity Purchased	\$ 59,696,265	\$ 59,442,121
GROSS PROFIT	<u>\$ 19,263,784</u>	<u>\$ 21,242,996</u>
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 3,249,310	\$ 3,410,915
Other Post Employee Benefits	150,940	151,500
Operating Expense	2,568,444	2,673,750
Administrative Expense	3,940,581	4,058,800
Bad Debt Expense	163,544	166,900
TOTAL OPERATING EXPENSE	<u>\$ 10,072,819</u>	<u>\$ 10,461,865</u>
OPERATING PROFIT	\$ 9,190,965	\$ 10,781,131
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 268,685	\$ 276,745
Interest Earned 2004 Bond Issue	-	-
TOTAL NON-OPERATING REVENUE	<u>\$ 268,685</u>	<u>\$ 276,745</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 9,459,650	\$ 11,057,876
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	51,768	22,191
TOTAL NON-OPERATING EXPENSE	<u>\$ 51,768</u>	<u>\$ 22,191</u>
NET PROFIT	\$ 9,407,882	\$ 11,035,685

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
GAS DIVISION

	<u>ACTUAL</u> <u>2010-2011</u>	<u>PROJECTED</u> <u>2012-2013</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 10,529,075	\$ 8,320,800
Counter Service Fees	186,505	192,100
Miscellaneous Sales & Services	2,056	2,500
Charge Off Accts Collected	15,252	6,600
TOTAL INCOME	<u>\$ 10,732,888</u>	<u>\$ 8,522,000</u>
<u>COST OF SALES:</u>		
Natural Gas Purchased	\$ 6,980,821	\$ 4,703,500
GROSS PROFIT	<u>\$ 3,752,067</u>	<u>\$ 3,818,500</u>
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 590,059	\$ 609,740
Other Post Employee Benefits	52,653	53,500
Operating Expense	525,561	515,500
Administrative Expense	1,231,921	1,295,250
Bad Debt Expense	8,658	6,575
TOTAL OPERATING EXPENSE	<u>\$ 2,408,852</u>	<u>\$ 2,480,565</u>
OPERATING PROFIT	\$ 1,343,215	\$ 1,337,935
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 28,380	\$ 29,232
Interest Earned 2004 Bond Issue	-	-
TOTAL NON-OPERATING REVENUE	<u>\$ 28,380</u>	<u>\$ 29,232</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 1,371,595	\$ 1,367,167
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	9,446	4,048
TOTAL NON-OPERATING EXPENSE	<u>\$ 9,446</u>	<u>\$ 4,048</u>
NET PROFIT	\$ 1,362,149	\$ 1,363,119

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WATER DIVISION

	<u>ACTUAL</u> <u>2010-2011</u>	<u>PROJECTED</u> <u>2012-2013</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 7,331,113	\$ 7,580,500
Water Taps	198,860	175,000
Water Impact Fees	61,221	125,500
Counter Service Fees	74,414	76,246
Miscellaneous Sales & Services	97,062	110,500
Charge Off Accts Collected	10,702	11,250
TOTAL INCOME	<u>\$ 7,773,372</u>	<u>\$ 8,078,996</u>
GROSS PROFIT	\$ 7,773,372	\$ 8,078,996
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 1,959,358	\$ 2,245,210
Other Post Employee Benefits	98,286	99,250
Operating Expense	2,855,418	2,865,500
Administrative Expense	2,013,304	2,106,500
Bad Debt Expense	18,168	16,250
TOTAL OPERATING EXPENSE	<u>\$ 6,944,534</u>	<u>\$ 7,332,710</u>
OPERATING PROFIT	\$ 828,838	\$ 746,286
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 44,639	\$ 45,978
Interest Earned 2004 Bond Issue	-	-
Interest Earned 2009 SRF	29	-
TOTAL NON-OPERATING REVENUE	<u>\$ 44,668</u>	<u>\$ 45,978</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 873,506	\$ 792,264
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	34,442	14,761
Interest 2009 SRF	14,763	12,900
TOTAL NON-OPERATING EXPENSE	<u>\$ 49,205</u>	<u>\$ 27,661</u>
NET PROFIT	\$ 824,301	\$ 764,603

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED BUDGET
WASTEWATER DIVISION

	<u>ACTUAL</u> <u>2010-2011</u>	<u>PROJECTED</u> <u>2012-2013</u>
<u>OPERATING INCOME:</u>		
Net Billings	\$ 4,848,232	\$ 4,901,740
Wastewater Taps	41,450	55,050
Wastewater Impact Fees	127,693	125,500
Counter Service Fees	46,589	47,987
Miscellaneous Sales & Services	55,499	52,750
Charge Off Accts Collected	5,241	4,825
TOTAL INCOME	<u>\$ 5,124,704</u>	<u>\$ 5,187,852</u>
GROSS PROFIT	\$ 5,124,704	\$ 5,187,852
<u>OPERATING EXPENSES:</u>		
Depreciation Expense	\$ 1,502,931	\$ 1,625,500
Other Post Employee Benefits	49,144	50,500
Operating Expense	1,967,793	2,039,250
Administrative Expense	957,836	1,001,350
Bad Debt Expense	8,244	7,925
TOTAL OPERATING EXPENSE	<u>\$ 4,485,948</u>	<u>\$ 4,724,525</u>
OPERATING PROFIT	\$ 638,756	\$ 463,327
<u>NON-OPERATING REVENUE:</u>		
Interest Earned Short-Term Investment	\$ 19,868	\$ 20,464
Interest Earned 2004 Bond Issue	-	-
Interest Earned 2009 SRF	131	-
TOTAL NON-OPERATING REVENUE	<u>\$ 19,999</u>	<u>\$ 20,464</u>
TOTAL OPERATING & NON-OPERATING REVENUE	\$ 658,755	\$ 483,791
<u>NON-OPERATING EXPENSE:</u>		
Other Interest Expense	\$ -	\$ -
Interest 2004 Bond Issue	4,094	1,754
Interest 2009 SRF	-	59,043
TOTAL NON-OPERATING EXPENSE	<u>\$ 4,094</u>	<u>\$ 60,797</u>
NET PROFIT	\$ 654,661	\$ 422,994

DEPARTMENT OF PUBLIC UTILITIES
CITY OF ORANGEBURG
PROJECTED SOURCES OF FUNDING & EXPENDITURES
FISCAL YEAR 2012 – 2013

	<u>2013</u>
<u>OPERATIONS:</u>	
Net Income	\$13,586,401
Charges Against Operations Not Requiring	
Working Capital – Depreciation	\$ 7,891,365
Working Capital – OPEB	<u>\$ 354,750</u>
 TOTAL	 \$21,832,516
 <u>USE OF WORKING CAPITAL:</u>	
Approved Capital Projects For Fiscal Year	\$ 8,497,000 **
Cash Transfer to City General Fund	
In Lieu of Taxes	\$ 4,666,000
DPU Re-Investments	\$ 7,442,816
2004 Bond Issue Principal	\$ 950,000
2009 SRF Loan Principal	<u>\$ 276,700</u>
 TOTAL	 \$21,832,516

** SEE ATTACHMENT FOR BREAKDOWN OF APPROVED CAPITAL PROJECTS

Department of Public Utilities
Approved Capital Improvements Planned
Fiscal Year 2012 – 2013

Replacement of Administrative Software	\$4,000,000
Advanced Metering Infrastructure (AMI) (Previously Approved - Continuing Project)	\$1,872,000
Peak Shaving / Wastewater Plant Generator	\$2,125,000
Wastewater Treatment Plant Upgrade	<u>\$ 500,000</u>
TOTAL	\$8,497,000



ORDINANCE No. 2012-15

**AN ORDINANCE ADOPTING TWO (2) NEW NATURAL GAS RATES
DESIGNATED AS
GAS RATE - CODE 3M AND GAS RATE - CODE 3N**

WHEREAS, the Department of Public Utilities of the City of Orangeburg (hereinafter referred to as "Department") is in the process of extending its natural gas system and said extension has been designated as the "West Natural Gas Distribution System", and

WHEREAS, customers of the "West Natural Gas Distribution System" will be purchasing natural gas from the Department at rates different from other natural gas customers of the Department, and

WHEREAS, it is necessary to adopt said new rates for customers of the "West Natural Gas Distribution System" Special Project.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG DULY ASSEMBLED, that the natural gas rates of the Department of Public Utilities are hereby amended by adding two (2) new natural gas rates designated as "Gas Rate - Code 3M" and "Gas Rate - Code 3N" attached to this Ordinance and made a part hereof by reference. The said new rates shall be effective as of December 1, 2012.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 16th **DAY OF OCTOBER 2012.**



MAYOR

[Signature]
Charles B. Brown
Chris Degan
Richard F. Starnes

MEMBERS OF COUNCIL

ATTEST:

Carmel Johnson
CITY CLERK

Applicable:

To a single-family dwelling unit or individual dwelling units in apartment or other multi-family residential structures served from the Special Project where each unit is served through a separate gas meter. A Special Project is a system expansion project specifically designated as a Special Project by Resolution of City Council and each Special Project will be treated as a separate and distinct Special Project. This schedule is not applicable to a residence that is used for commercial, professional, or any other enterprise unless the domestic use is separately metered.

Term:

This rate shall apply to all bills dated from the commencement date of the Special Project from which the customer is served until expiration date of the Special Project. The commencement date of the Special Project will be the date the first customer connects to the Special Project. The expiration date of the Special Project will occur one month after the cumulative net revenues from the Special Project exceed the initial project cost or ten years after the commencement date, whichever is less. After the expiration date of the Special Project, customers served from that Special Project under this rate will then be served under Gas Rate 3A.

Monthly Rate:

Customer will pay monthly for service based on separately applied charges for System Gas Supply, Distribution, Customer Service, and Weather Normalization components.

Supply Charge:

Customer will pay a monthly charge for system gas supply based on total deliveries to Customer.

Distribution Charge:

Current Code 3A Distribution Charge

PLUS

\$0.375 per therm delivered Distribution Surcharge

Service Charge:

Current Code 3A Service Charge

PLUS

\$3.00 per meter per month Service Surcharge

Weather Normalization Charge:

A Weather Normalization Charge will be assessed during the months of October through April to adjust for fluctuations in consumption due to colder or warmer than normal weather.

Note: "General Terms and Conditions" in effect apply to above.

Effective: December 1, 2012

Applicable:

To any non-domestic and/or commercial or industrial customer having requirements of less than 4,000 therms per month served from a Special Project. A Special Project is a system expansion project specifically designated as a Special Project by Resolution of City Council and each Special Project will be treated as a separate and distinct Special Project.

Term:

This rate shall apply to all bills dated from the commencement date of the Special Project from which the customer is served until expiration date of the Special Project. The commencement date of the Special Project will be the date the first customer connects to the Special Project. The expiration date of the Special Project will occur one month after the cumulative net revenues from the Special Project exceed the initial project cost or ten years after the commencement date, whichever is less. After the expiration date of the Special Project, customers served from that Special Project under this rate will then be served under Gas Rate 3B.

Monthly Rate:

Customer will pay monthly for service based on separately applied charges for System Gas Supply, Distribution, Customer Service, and Weather Normalization components.

Supply Charge:

Customer will pay a monthly charge for system gas supply based on total deliveries to Customer.

Distribution Charge:

Current Code 3B Service Charge

PLUS

\$0.375 per therm delivered Distribution Surcharge

Service Charge:

Current Code 3B Service Charge

PLUS

\$8.00 per meter per month Service Surcharge

Weather Normalization Charge:

A Weather Normalization Charge will be assessed during the months of October through April to adjust for fluctuations in consumption due to colder or warmer than normal weather.

Note: “General Terms and Conditions” in effect apply to above.

Effective: December 1, 2012



2012- 16

An Ordinance Amending the License Schedule of Chapter VII of the Code of Ordinances for the City of Orangeburg, Titled Licenses and Miscellaneous Business Regulations

WHEREAS, the South Carolina General Assembly, in order to ensure consistency with the federal Non-admitted and Reinsurance Reform Act of 2010 ("NRRA"), ratified an act (Rat# 283) on June 28, 2012, amending S.C. Code §§ 38-7-160 and 38-45-10 through 38-45-195; and

WHEREAS, the act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax; and

WHEREAS, the act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums; and

WHEREAS, the act authorizes the Municipal Association of South Carolina to act as the municipal agent for purposes of distributing to municipalities the municipal broker's tax collected by the South Carolina Department of Insurance; and

WHEREAS, it is necessary to amend the Business License Ordinance to conform to the State law as amended;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Orangeburg duly assembled that Chapter VII, of the Code of Ordinances of the City of Orangeburg, Titled Licenses and Miscellaneous Business Regulations, is amended by changing the provisions in the License Schedule pertaining to insurance companies as follows:

Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition, "gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium..

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Gross premiums shall include all business conducted in the prior calendar year.

Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Declining rates shall not apply.

420000	<u>Life, Health and Accident</u>	2% of Gross Premiums
430000	<u>Fire and Casualty</u>	2% of Gross Premiums
415000	<u>Title Insurance</u>	2% of Gross Premiums

SECTION 2.

Notwithstanding any other provisions of this ordinance, license taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

SECTION 3.

Any exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

SECTION 4.

Pursuant to S.C. Code Ann. §§ 38-45-10 and 38-45-60, the Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The agreement with the Association for administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and administration of the municipal broker's premium tax in the form attached hereto is approved, and the Mayor is authorized to execute it.

All ordinances in conflict with this ordinance are hereby repealed.

ADOPTED BY ORANGEBURG CITY COUNCIL, DULY ASSEMBLED, ON THIS
20th Day of November 2012.



Paul G. Miller
Mayor
Andrea P. Quates
Charles B. Barnwell
L. Zimmerman Keith
Paul Dyer
Richard F. Horn

Members of Council

Carol H. [Signature]
City Clerk

ORDINANCE NO. 2012-17

AN ORDINANCE AMENDING SECTION 13-7, ENERGY CONSERVATION CODE, OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA, FOR THE PURPOSE OF ADOPTING THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE

WHEREAS, the State of South Carolina has adopted the 2009 edition of the International Energy Conservation Code and has mandated its adoption by all local political subdivisions of said State.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ORANGEBURG DULY ASSEMBLED, that Section 13-7, Energy Conservation Code, of the Code of Ordinances of the City of Orangeburg, State of South Carolina, is hereby amended and after amendment shall read as follows:

"13-7 Energy Conservation Code.

Section 13-7.1 Adopted.

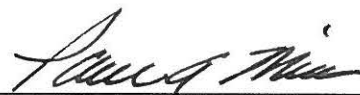
For the purpose of regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems in the City of Orangeburg and for the purpose of providing for the issuance of permits and collection of fees therefore the 2009 Edition of the International Energy Conservation Code, as prepared and adopted by the International Code Council, Inc. is hereby adopted and incorporated by reference as part of this Code of Ordinances. At least three (3) copies of said Energy Code shall be filed in the Office of the Building Official.

Amendments:


- a. Section 101.1. of said Code is amended by inserting "City of Orangeburg".
- b. Section 108.4. of said Code is amended by inserting "\$100.00" and "\$500.00".

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA, THIS 18th DAY OF DECEMBER, 2012.






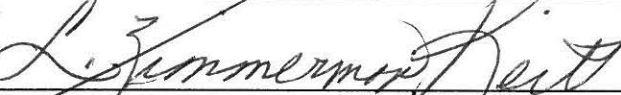
Mayor




Sandra L. Knotts




Zimmerman, Keith



Richard L. Stone



Charles B. Bennett



Members of Council

ATTEST:

City Clerk

