



ORDINANCE NO. 2016-01

**AN ORDINANCE
ADOPTING NEW AND AMENDED WATER AND WASTEWATER RATES
FOR THE DEPARTMENT OF PUBLIC UTILITIES EFFECTIVE ON APRIL 1, 2016**

BE IT ORDAINED by City Council duly assembled that the following water and wastewater rates generally set forth below and specifically set forth in Exhibit "A" consisting of thirty-five (35) typewritten pages attached hereto and made a part hereof by reference are adopted and declared effective and in full force on April 1, 2016;

New and Amended Water Rates

Water Rate – Code 4A, 4B, 4C (General Service – Inside City Limits)
Water Rate – Code 4D, 4E, 4F (General Service – Outside City Limits)
Water Rate – Code 4G (Detecto Check Fire Service – Inside City Limits)
Water Rate – Code 4H (Multiple Unit Dwellings or Businesses – Inside City Limits)
Water Rate – Code 4I (Multiple Unit Dwellings or Businesses - Outside City Limits)
Water Rate – Code 4J (Detecto Check Fire Service – Outside City Limits)
Water Rate – Code 4K (Combined General & Private Fire Protection Service – Inside City)
Water Rate – Code 4L (Combined General & Private Fire Protection Service – Outside City)
Water Rate – Code 4M (Separate Private Fire Protection Service – Inside City Limits)
Water Rate – Code 4N (Separate Private Fire Protection Service – Outside City Limits)
Water Rate – Code 4O (Separate Private Fire Protection Service – Rural)
Water Rate – Code 4P (Fire Hydrants – Inside City Limits)
Water Rate – Code 4Q (Fire Hydrants – Outside City Limits)
Water Rate – Code 4R (Silver Springs Rural Community Water District – Wholesale)
Water Rate – Code 4S (Town of Norway – Wholesale)
Water Rate – Codes 4T, 4U, 4V (General Service – Rural)
Water Rate – Codes 4W (Multiple Unit Dwellings or Businesses – Rural)
Water Rate – Code 4X (Detecto Check Fire Service – Rural)
Water Rate – Code 4Y (Combined General & Private Fire Protection Service – Rural)
Water Rate – Code 4Z (Bulk Water Sales – Inside or Outside City Limits)

Amended Wastewater Rates

Wastewater Rate – Code 5A (Small General Service – Inside City Limits)
Wastewater Rate – Code 5B (Commercial – Inside City Limits)
Wastewater Rate – Code 5C (Industrial – Inside City Limits)
Wastewater Rate – Code 5D (Small General Service – Outside City Limits)
Wastewater Rate – Code 5E (Commercial – Outside City Limits)
Wastewater Rate – Code 5F (Industrial - Outside City Limits)
Wastewater Rate – Code 5H (Multiple Unit Dwellings or Businesses – Inside City Limits)
Wastewater Rate – Code 5I (Multiple Unit Dwellings or Businesses – Outside City Limits)
Wastewater Rate – Code 5J (Wholesale – Outside City Limits)

DONE AND RATIFIED by Council duly assembled this 1st day of March 2016.



Michael C. Ruthe
Mayor
Charles B. Bannock
L. Zimmerman
Barbara Haire
Danica F. Smith
Chris Jones

Members of Council

ATTEST:

Carrie Johnson
City Clerk

AN ORDINANCE AMENDING SECTION 9-15.4, 9-15.6, 9-15.7, 9-15.8 AND 9-15.10 OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG TITLED ROTATION ELIGIBILITY, WRECKER ROTATION OPERATING PROCEDURES, WRECKER SERVICE RESPONSIBILITIES, TOWING AND STORAGE CHARGES, AND INDEMNIFICATION, RESPECTIVELY.

WHEREAS, as authorized by Ordinance the City of Orangeburg has reviewed its towing and storage charges and finds that same should be amended to reflect new charges, and

WHEREAS, the review also discloses that the below sections should also be updated.

NOW, THEREFORE BE IT ORDAINED by City Council duly assembled that Section 9-15.4, Rotation Eligibility, Section 9-15.6, Wrecker Rotation Operating Procedures, Section (a.), Section 9-15.7, Wrecker Service Responsibilities, Section (e) and (f), Section 9-15.8, Towing and Storage Charges, and Section 9-15.10, Indemnification should be amended and after amendment shall read as follows:

9-15.4 Rotation Eligibility.

Wrecker services desiring to qualify for participation in the Wrecker Rotation Program shall comply with the following minimum standards.

a. *Business License.* A valid business license issued by The City of Orangeburg must be maintained by all wrecker services participating in the Wrecker Rotation Program.

b. *Insurance.* All wrecker services shall procure, keep in force and effect, a policy of public liability insurance and property damage insurance issued by a casualty insurance company authorized to conduct business in South Carolina and in form approved by the Insurance Commissioner of the State. Minimum coverage levels shall be as follows:

1. For damages arising out of bodily injury to or death of one (1) person in one (1) accident three hundred thousand (\$300,000.00) dollars.
2. For damages arising out of bodily injury to or death of two (2) or more persons in any one (1) accident five hundred thousand (\$500,000.00) dollars.
3. For injury to or destruction of property in any one (1) accident seventy five thousand (\$75,000.00) dollars.
4. For injury to or destruction of customer's vehicles seventy five thousand (\$75,000.00) dollars in garage keepers liability insurance.

All required policies shall contain an endorsement providing for thirty (30) days notice to the city in the event of any material changes or cancellation of the policy. Proof of insurance shall be required at the time of compliance certification and each year at the time of business license renewal.

c. *Minimum Standards for Equipment.* Due to varying capabilities of wrecker equipment and differing demands among service calls, wreckers shall be classified as "normal duty" or "heavy duty" in nature. It shall be the responsibility of the Director of the Orangeburg Department of Public Safety, or his designee, to certify compliance of the wrecker services with the minimum standards. Applicants for participation in the Wrecker Rotation Program shall obtain a certification of compliance from the Orangeburg Department of Public Safety prior to applying for eligibility for the Wrecker Rotation List. The minimum certification standards are as follows:

1. All wreckers shall have appropriate safety equipment, fire extinguishers, warning devices, flash lights and all other equipment necessary to protect the motoring public and be equipped with amber flashing lights visible in all directions for a distance of 500 feet in normal sunlight. Such equipment shall be maintained in good working order. All authorized amber flashing lights shall be activated and wrecker operators shall wear reflective traffic safety vests while performing recovery operations or when circumstances are such that the vehicles) being transported create a potentially hazardous

condition for other motorists.

2. Each wrecker, regardless of classification, shall at all times, carry the following items; tow sling, tow bar, safety chains, wrecking bar, brooms, dust pan, shovel, reflective triangles or cones, fluorescent reflective traffic vest, commercial absorbent, debris removal containers, and a ten (10) pound or larger fire extinguisher rated for Class A, B and C fires.

3. Each wrecker shall display the owner or company name, address and telephone number in two (2") inch high, or larger, professional lettering on both sides of the vehicle. Temporary lettering, magnetic or otherwise, is strictly prohibited. All equipment must be registered in the name of the owner.

4. Each wrecker service on the rotation list must place a sign on the exterior of its business location clearly visible from the road indicating the company name, telephone number, and business hours.

5. All wrecker services or companies desiring to participate on the "Normal Duty" Wrecker Rotation List shall have at least one (1) wrecker of not less than one (1) ton in size with dual wheels and booster brakes. Said wrecker shall be equipped with a power-operated winch, winch line and boom with a factory-rated capacity of not less than eight thousand (8,000) pounds single line capacity.

A Rollback Wrecker with a winch and line capacity of not less than eight thousand (8,000) pounds capacity may operate on the normal duty rotation.

5. All wrecker services or companies desiring to participate on the "Heavy Duty" Wrecker Rotation List shall have at least one (1) wrecker of not less than two and one-half (2 1/2) tons in size equipped with a power operated winch, winch line and boom with a factory rated capacity of not less than thirty-two thousand (32,000) pounds, single or double line capacity and a tow sling.

d. *Response Capability.* All wrecker services shall be available to respond seven (7) days a week, twenty-four (24) hours per day within twenty (20) minutes of the request for service from the Orangeburg Department of Public Safety between the hours of 7:00 a.m. to 12:00 p.m. and a thirty (30) minute response time shall be acceptable between the hours of 12:01 am. to 6:59 am. Additionally, all wrecker services eligible for participation shall be located within five (5) miles of the city limits. This restriction shall also apply to vehicle storage facilities not located at the primary business location.

If any wrecker service fails to meet the rotation eligibility requirements established in subsection 9-15.4, the service's application for eligibility shall be denied. In the event that the company can make the necessary corrections or repairs, said company may resubmit its application for eligibility, at which time the new information/equipment shall be reviewed.

9-15.6 Wrecker Rotation Operating Procedures.

a. A list of wrecker services, which comply with the minimum eligibility requirements set forth by this section, shall be maintained by the Orangeburg Department of Public Safety's dispatch center, based on the order of approved applications. Within seven (7) days of issuance of a business license for a wrecker certified eligible for participation in the Wrecker Rotation Program or a determination of ineligibility, the finance department shall notify the Orangeburg Department of Public Safety, to amend the rotation list under the appropriate service classification(s) to reflect the changes. When a wrecker service is deleted from the list, the order of the list shall be moved up to fill the vacancy. All newly approved services, shall be added to the end of the rotation list. The order of the list, as amended, shall be maintained from year to year.

9-15.7 Wrecker Service Responsibilities.

e. All storage facilities shall be manned or have personnel available on call to provide access to vehicle owners during normal working hours, which shall be defined as Monday thru Friday between the hours of 8:30 am. and 5:00 p.m. Access during non-working hours shall be arranged with the wrecker service and may result in additional cost to the vehicle owner. Police access shall be provided upon request and without restrictions.

f. Vehicles for non-criminal related towing may be released to the owner without approval of the Orangeburg Department of Public Safety, upon presentation of a valid driver's license, proof of ownership and proof of insurance. At no time shall impounded vehicles, or vehicles involved in criminal activity, be released without a signed release by the Orangeburg Department of Public Safety.

9-15.8 Towing and Storage Charges.

Operator's fees for towing and storage services rendered pursuant to the rotation provisions of this section shall not exceed the following maximum charges and a copy of this rate schedule shall be attached to the invoice for any services rendered:

- 1. Wrecked, stolen, impounded, traffic offenses, abandoned vehicles or junked vehicles..... \$150.00
- 2. Disabled vehicles and mechanical breakdowns..... Up to \$ 125.00
- 3. Righting overturned vehicles or removal of vehicles from shallow ditch (off road recovery)..... \$25.00 (extra)
- 4. Use of dollies..... \$25.00 (extra)
- 5. Tows after normal business hours or on federally recognized Holidays \$25.00 (extra)
- 6. Storage per day after initial twenty four (24) hours of storage \$30.00 storage
- 7. Winching a car, van or pickup truck out of deep ditch or from over an embankment (Normal Duty Wrecker).....\$65.00 per hour
- 8. Heavy Duty Wrecker..... \$350.00 per hour

Hourly rates shall be based on the actual length of time for the service call from arrival at the service location to delivery of the vehicle, and shall be billed with a one (1) hour minimum and quarter (1/4) hour increments thereafter.

The above described rate schedule shall not apply when a vehicle owner requests a wrecker service of his/her choice or provides instructions to deliver the vehicle to an alternate location which results in a tow distance of five (5) miles greater than the distance to the wrecker service's standard storage facility.

In cases of extraordinary circumstances, i.e., a train/vehicle accident, or a major truck accident with a cargo spill, wrecker services may bill the vehicle owners) based on the actual cost incurred. The Director of the Orangeburg Department of Public Safety shall be notified in writing within twenty-four (24) hours of the issuance of a wrecker service bill which deviates from the maximum fee schedule. Said notification shall contain sufficient justification for the deviation.

- b. The above established rates shall be reviewed and amended, if applicable, every twenty-four (24) months following adoption.
- c. In the case where more than one (1) wrecker service is needed to tow or assist one (1) vehicle, other wrecker services) may be requested by the primary wrecker service to render assistance; however, only one (1) bill shall be submitted to the owner of the vehicle. Wrecker services called to assist shall submit and collect their fees through the primary wrecker service.
- d. Once a wrecker service is dispatched, the vehicle owner shall be charged according to the fee schedule for "no tows," or in case of administrative errors, shall be compensated by placing the affected wrecker service at the top of the rotation list to receive the next service call.

9-15.9 Removal of Wrecker Service.

Any wrecker service operated in violation of the terms of this section, including noncompliance with the applicable fee schedule, shall be removed from the wrecker rotation list for a period of three (3) years subject to the revocation of its wrecker rotation business license as provided in subsection 7-2.14 of the Orangeburg Code of Ordinances.

9-15.10 Indemnification.

All wrecker services approved for participation in the Orangeburg Department of Public Safety's Wrecker Rotation Program agree to indemnify and save harmless the city, its employees, agents and assigns from suit, and claims or actions of every nature and description brought for, or on account of or sustained by any person or persons as a result of any act or acts of the wrecker company, its employees, agents or assigns in the performance of services under the terms of this Wrecker Service Rotation Program."

Except as amended herein the remainder of Section 9-15, Wrecker Service Rotation Program of the Orangeburg Code of Ordinances shall remain in full force and effect.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 19th DAY OF April, 2016.



Michael C. Butler
Mayor

James Haire
Danica P. Kutt

Charles B. Bannister

L. Zimmerman

W. B. Faye

Richard F. Stum

Members of Council

ATTEST: Carrie H. Johnson
City Clerk

AN ORDINANCE AMENDING SECTION IV, DEPARTMENT INSTALLATIONS, SECTION C., WATER (1.), (2.) AND (4.) AND SECTION D., WASTEWATER (1.) AND (2.) OF THE GENERAL TERMS AND CONDITIONS OF THE DEPARTMENT OF PUBLIC UTILITIES.

WHEREAS, the City of Orangeburg finds that it is in its best interest to maintain a co-operative relationship with other municipalities in the County of Orangeburg and with the County of Orangeburg, and

WHEREAS, the City of Orangeburg finds under certain circumstances it may be necessary to enter into intergovernmental agreements for the purpose of sharing personnel and resources with other municipalities in the County of Orangeburg and with the County of Orangeburg.

NOW, THEREFORE, BE IT ORDAINED by City Council duly assembled that the General Terms and Conditions of the Department of Public Utilities are amended by adding a section (g) to Section IV, Department Installations, Section C., Water (1.) and (2.) and Section D, Wastewater (2.) and adding a section (f) to Section D, Wastewater (1.); said sections to read as follows:

"g. The City of Orangeburg by Resolution of Council may direct and authorize the waiver of the above referenced fees for municipalities having a certificate of incorporation issued by the South Carolina Secretary of State, township governments which having heretofore been established by act of the South Carolina General Assembly and the County of Orangeburg."

"f. The City of Orangeburg by Resolution of Council may direct and authorize the waiver of the above referenced fees for municipalities having a certificate of incorporation issued by the South Carolina Secretary of State, township governments which having heretofore been established by act of the South Carolina General Assembly and the County of Orangeburg."

BE IT FURTHER ORDAINED that Section IV, Department Installations, Section C., Water, (4.), Fire Service Taps, is amended by adding a new section (d.) which shall read as follows:

"d. The City of Orangeburg by Resolution of Council may direct and authorize the waiver of the above described fire service taps, including without limitation, the cost of meters, equipment and labor costs, in exchange for like-kind equipment and labor costs from a municipality having a certificate of incorporation issued by the South Carolina Secretary of State, township governments which having heretofore been established by act of the South Carolina General Assembly and the County of Orangeburg."

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 5th DAY OF March, 2016.



Mayor

Members of Council

ATTEST:

City Clerk

AN ORDINANCE AMENDING CHAPTER VII, TITLED ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG BY DELETING IN THEIR ENTIRETY SECTIONS 8-2, TITLED MINORS, 8-3, TITLED REGULATIONS CONCERNING ALCOHOLIC BEVERAGES, 8-4, TITLED LIQUOR STORES AND SUBSTITUTING THEREOF NEW SECTIONS 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, AND 8.11 FOR THE PURPOSE OF PROHIBITING THE SALE AND ON PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES IN COMMERCIAL ESTABLISHMENTS DURING CERTAIN HOURS

WHEREAS, the Director of the City of Orangeburg Department of Public Safety (the "Director") has reported the following to Orangeburg City Council (the "Council"):

1. Commercial establishments are located in the incorporated areas of the City of Orangeburg that permit on premise consumption of alcoholic beverages during the hours of 2:00 a.m. to 6:00 a.m.;
2. Numerous and serious crimes occur during those hours on and near those establishments;
3. A significant number of the crimes are committed by patrons and persons loitering on or near those establishments; and,
4. These crimes endanger lives and property of members of the public located on or near the establishments as well as the lives of the responding Department of Public Safety's officers who operate with limited backup during early morning hours.

NOW, THEREFORE BE IT ORDAINED by City Council duly assembled that Chapter VII, titled Alcoholic Beverages, of the Code of Ordinances of the City of Orangeburg is hereby amended by deleting in their entirety Sections 8.2, titled Minors, 8.3, titled Regulations Concerning Alcoholic Beverages, Section 8.4, titled Liquor Stores and substituting new Sections 8.2, titled Offense As Against Owner, Agent, and/or Employee, 8.3, titled Duty of Owner, 8.4, titled Offense As Against Person Not An Owner, Agent or Employee, 8.5, titled Alcoholic Beverage, 8.6, titled Time, 8.7, titled Enforcement, 8.8, titled Penalty, 8.9, titled Conflicts, 8.10, titled Severability and 8.11, titled Effective Date for the purpose of prohibiting the sale and on premise consumption of alcoholic beverages in commercial establishments during the hours of 2:00 a.m. to 6:00 a.m. and after amendment said substituted sections shall read as follows:

"SECTION 8.2: OFFENSE AS AGAINST OWNER, AGENT, AND/OR EMPLOYEE

It shall be an offense for any owner and/or his agent or employee of a commercial establishment located within the incorporated areas of the City of Orangeburg, which is licensed to sell alcoholic beverages for on premise consumption,

- a. To sell or otherwise provide an alcoholic beverage to any person between the hours of 2:00 a.m. and 6:00 a.m.;
- b. To allow the consumption or possession of an alcoholic beverage by any person upon the premises of the commercial establishment between the hours of 2:00 a.m. and 6:00 a.m.; and,
- c. To allow any person who is not an owner, agent or employee of such commercial establishment to be upon the premises thereof between the hours of 2:30 a.m. and 6:00 a.m.

SECTION 8.3: DUTY OF OWNER

It shall be a requirement for the owner and/or his agent of a commercial establishment located within the incorporated areas of the City of Orangeburg which is licensed to sell alcoholic beverages for on premise consumption to post in writing the offenses associated with this Ordinance. Such notice shall be posted in an open and obvious area inside of the commercial establishment. Failure of the owner and/or his agent to comply with the provisions of this Section shall be deemed a violation of this Ordinance.

SECTION 8.4: OFFENSE AS AGAINST PERSON NOT AN OWNER, AGENT OR EMPLOYEE

It shall be an offense for any person who is not an owner, agent, or employee of a commercial establishment located within the incorporated areas of the City of Orangeburg, which is licensed to sell alcoholic beverages for on premise consumption,

- a. to purchase, consume or possess an alcoholic beverage upon the premises of such establishment between the hours of 2:00 a.m. and 6:00 a.m.;
- b. To be upon the premises of such establishment between the hours of 2:30 a.m. and 6:00 a.m.

SECTION 8.5: ALCOHOLIC BEVERAGE

An alcoholic beverage means any beverage with is unlawful for a person under the age of twenty-one to possess or consume under state or federal law, including those beverages specified in S.C. Code Ann. §61-6-20.

SECTION 8.6: TIME

The times stated herein shall mean Eastern Standard Time, except when Eastern Daylight Savings Time is in effect in the State of South Carolina, when the times shall mean Eastern Daylight Savings Time.

SECTION 8.7: ENFORCEMENT

This Ordinance shall be subject to enforcement by all duly certified law enforcement officers of the Department of Public Safety of the City of Orangeburg.

SECTION 8.8: PENALTY

Upon conviction for violation of this Ordinance, the violator shall be fined, imprisoned, or both, up to the maximum fine and/or period of imprisonment which is authorized by state law for the commission of an offense created by City Ordinance on the date the violation was committed.

Each day a violation of this Ordinance occurs shall constitute a separate offense. Violations of this Ordinance will be considered per person and/or per occurrence.

SECTION 8.9: CONFLICTS

Any previously enacted ordinance that is in conflict with the provisions of this Ordinance is hereby repealed from and after the effective date of this Ordinance.

SECTION 8.10: SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in effect.

SECTION 8.11: EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval at third reading."

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 2nd DAY OF August, 2016.



Mayor

Edward Hane
Sandra P. Kubler

Charles B. Bamwell Jr.
L. J. Zimmerman Keith
Paul Hager
Richard F. Stum

Members of Council

ATTEST:

Camille D. L.
City Clerk

ORDINANCE NO. 2016-6

AN ORDINANCE TO CONVEY PROPERTY LOCATED AT 1170 RUSSELL STREET IN THE CITY OF ORANGEBURG TO PALMETTO DEVELOPMENT GROUP

WHEREAS, Palmetto Development Group, a South Carolina non-profit corporation (hereinafter referred to as "Company") has been in possession of the below described property under a Lease Agreement with the City of Orangeburg and during said possession has made renovation improvements to the building located thereon, and

WHEREAS, the City finds that the Company's intent is to provide services in support of the successful development of entrepreneurial companies through the operation of a business incubator at the location of the subject property which contributes to the general welfare of the citizens of the City and its surrounding areas.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL DULY ASSEMBLED, that for the purposes stated hereinabove and acknowledging the value of this previous renovations, the City shall convey to Palmetto Development Group, a South Carolina non-profit corporation, for the consideration of Five and no/100 (\$5.00) Dollars, the below described property by limited warranty deed without any warranty of condition of the property and the building and other improvements thereon; subject to a possibility of reverter to the City upon failure of the Company to continue the operation of a business incubator at the location of the below described property.

BE IF FURTHER ORDAINED, that John H. Yow, City Administrator is hereby directed and authorized to sign a limited warranty deed conveying the property to the Company in its "as-is, where-is" condition and with a possibility of reverter as described hereinabove.

Description of Premises:

All that certain piece, parcel or lot of land, with buildings and all improvements thereon, situate, lying and being on the South side of Russell Street, in the City and County of Orangeburg, State of South Carolina, fronting on said Russell Street, forty-three (43) feet, eleven (11) inches, and running back and measuring on the respective sidelines, one hundred seventy-eight (178) feet, eight (8) inches, and measuring on the rear line forty-three (43) feet, five (5) inches, and bounded as follows: On the North by Russell Street; on the East by property now or formerly of Mrs. Emma C. Dantzler; on the South by property now or formerly of William W. Wannamaker (Orange Cotton Mills); and on the West by property of J.W. Smoak.

This lot also includes a party wall on each side, one-half (½) of the wall on Eastern side with the building formerly belonging to Mrs. E. C. Dantzler, and one-half (½) of the wall on the Western side with building of J.W. Smoak.

TMS# 0173-13-35-005.000

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 20 DAY OF Sept, 2016.

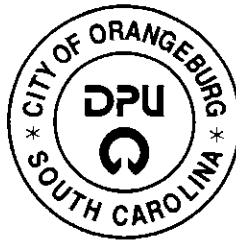


Mayor

Members of Council

ATTEST:

City Clerk



ORDINANCE No. 2016 – 07

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, 2016 THROUGH SEPTEMBER 30, 2017

BE IT ORDAINED BY THE 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, consisting of the Administrative, Electric, Natural Gas, Water and Wastewater Divisions (collectively referred to as the "System") for the fiscal year October 1, 2016 through September 30, 2017.

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, subject to the limitations of the Revenue Bond Act for Utilities, South Carolina Ann. Code Sec. 6-21-440.

BE IT FURTHER ORDAINED that the City Council hereby finds and determines, as a fact and after appropriate investigation, as follows:

The Fiscal Year 2016-2017 Budget appropriates sufficient revenues to pay the principal of and interest on all bonds secured by revenues of the System as and when they become due and payable in one or more bond and interest redemption funds (a.k.a "debt service funds"). The Fiscal Year 2016-2017 budget allocates \$2,000,000 to remain invested in a sinking fund held by the SC Local Government Investment Pool ("Bond Repayment Account") and appropriations of \$1,909,600 for fiscal year revenue bond repayments.

The Department of Public Utilities maintains an account described as the "Customer Deposit Account." This account is restricted for ensuring the collectability of customer's accounts receivable. This account ensures all customer deposits are held as cash and in trust until the customer's account is closed in good standing. The budget provides a restriction on of all customer deposits held by the Department.

The Fiscal Year 2016-2017 Budget appropriates sufficient revenues to provide for the payment of all expenses of administration and operation of the System, as well as such expenses for maintenance as may be necessary to preserve the System in good repair and working order. These appropriations are shown as multiple accounts, organized by Division and line items collectively serving as the "operation and maintenance" fund.

The Department of Public Utilities maintains an account described as the "Capital Reserve Account." The funds held in this account are restricted for the purpose of funding depreciation of the System. The budgeted balance to continue be invested in the Capital Reserve Account is \$10,000,000. The Fiscal Year 2016-2017 Budget appropriates an additional \$5,000,000 to the Capital Reserve Account. Upon advice of the Manager of the Department of Public Utilities, and as supported by capital improvement plans prepared by the Departments' Directors, the City Council hereby finds and declares that such appropriations are sufficient (together with the existing balance in the Contingency Reserve Account) to build up a reserve for depreciation of the System.

The Department of Public Utilities maintains an account described as the "Contingency Reserve Account" that is restricted for the purposes of funding improvements, betterments and extensions to the System. The Fiscal Year 2016-2017 Budget appropriates through multiple line items additions to fund capital improvements in this account of \$13,824,100. Upon advice of the Manager of the Department of Public Utilities, and as supported by analyses of the System's current physical condition as presented by the Departments' Directors, the City Council hereby finds and declares that such appropriations are sufficient for funding improvements, betterments, and extensions to the System, other than those necessary to maintain it in good repair and working order as provided above.

The Department of Public Utilities also maintains an account described as the "Liability Reserve Account" that is restricted for the purposes of funding certain liabilities associated with the operation of the System. The budgeted balance to be maintained in the Liability Reserve Account is \$11,790,000. Upon advice of the Manager of the Department of Public Utilities, and as supported by analyses of the utility systems' current financial condition as prepared by the Department's Directors, the City Council hereby finds and declares such amount to be a sufficient reserve for funding liabilities associated with the operation of the utility systems, other than those necessary to maintain it in good repair and working order as provided above. Therefore, the Fiscal Year 2017 Budget appropriates no additional funds to the Liability Reserve Account.

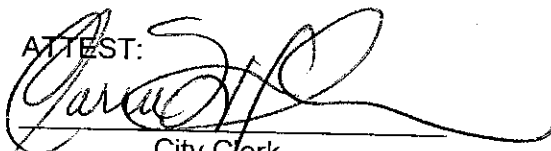
Based on the current levels of funding in the Capital Reserve Account and the Contingency Account and various capital funding appropriations in the Fiscal Year 2016-2017 Budget, the City Council believes that the Department's depreciation and contingency fund is adequately and appropriately funded.

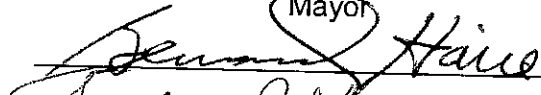
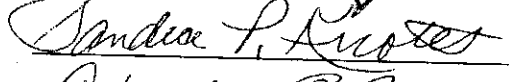

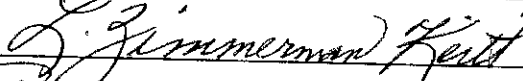

After giving effect to the funding described above, the budgeted revenues for the utility systems exceed the budgeted expenses for the systems by an amount of not less than \$15,871,970. Accordingly, the Council hereby determines and finds, as a fact and based on the information described above, that the amount of \$5,108,609 shall be considered surplus revenues of the utility systems and are hereby budgeted for discretionary transfer by City Council to the General Fund.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
THIS 6th DAY OF SEPTEMBER, 2016.



ATTEST:


City Clerk

 Mayor





Members of Council

ORDINANCE NO. 2016-08

AN ORDINANCE AMENDING THE BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016

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, 2015 and ending September 30, 2016, designated as Ordinance No. 2015-04, shall be and hereby is amended so to levy a tax to cover the period from the first day of January 2015 to the thirty-first day of December 2015, 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 ninety four (94) 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, 2015 and ending September 30, 2016 shall remain in full force and effect.


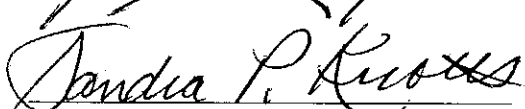
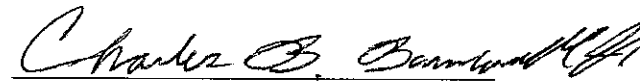
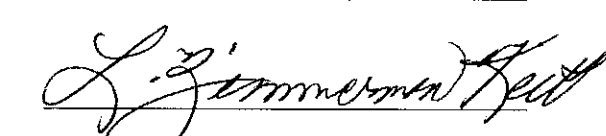
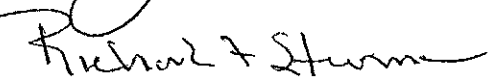
Section 3. That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Adopted by the Council of the City of Orangeburg on this 6th day of Sept, 2016, at which a quorum was present and voting.



ATTEST:


CITY CLERK

MAYOR






MEMBERS OF COUNCIL

ORDINANCE NO. 2016-09

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017

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, 2016-September 30, 2017, 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, 2016 to the thirty-first day of December, 2016, 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 94 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, 2016, until the fifteenth day of January 2017, from the hours of 8:00 A.M. until 5:00 P.M., Monday through Friday, except for Saturdays and Sundays.

SECTION 5. On January 16, 2017, a penalty of fifteen (15) percent shall be added on all unpaid taxes. The City Clerk and Treasurer shall on March 17, 2017, 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 6th DAY OF Sept 2016.



Mayor
Donda P. Knotts

Charles B. Brumfield

Zimmerman Keith

Richard F. Stone

MEMBERS OF COUNCIL

ATTEST:
Carmen [Signature]
CITY CLERK

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

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

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

NOW, THEREFORE, BE IT ORDAINED by City Council, in session duly assembled, that the City Code is amended, to adopt and incorporate by reference, as if fully set out in this Ordinance, the documents stipulated hereinbelow, for use and enforcement within the jurisdiction of the City of Orangeburg and its fire district. The building codes shall be known and referred to collectively as the "Building Codes".

BUILDING CODES ADOPTED

- (A) The International Building Code, 2015 Edition, as published by the International Code Council, Inc., and as duly adopted by the South Carolina Building Code Council, with Appendix H.

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

Section 1612.3. of said code is amended by inserting "City of Orangeburg" and "January 16, 2014".

- (B) The International Mechanical Code, 2015 Edition, as published by the International Code Council, Inc., and as duly adopted by the South Carolina Building Code Council.

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

Section 106.5.2. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code §13.8".

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

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

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

- (C) The International Property Maintenance Code, 2015 Edition, as published by the International Code Council, Inc.

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

Section 103.5. of said code is amended by inserting "See City Code, Chapter VII, License Schedule and City Code §13.8".

Section 112.4 of said code is amended by inserting "\$100.00" and "500.00".

Section 302.4 of said code is amended by inserting "10 inches in height"

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

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

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

- (D) The International Fire Code, 2015 Edition, as published by the International Code Council, Inc., and as duly adopted by the South Carolina Building Code Council.

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

Section 109.4. of said code is amended by inserting "misdemeanor", "\$500.00", and "30 days".

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

- (E) The National Electrical Code, 2014 Edition, and its Annex H as published by the National Fire Protection Association and as duly adopted by the South Carolina Building Code Council.

Annex H shall be amended as follows:

Section 80.13(13) is amended by inserting "two (2) business days".

Section 80.15(A), (C) and (D) are 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 "the State of South Carolina".

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

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

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

- (F) The International Fuel Gas Code, 2015 Edition, as published by the International Code Council, Inc., and as duly adopted by the South Carolina Building Code Council.

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 §13.8".

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".

- (G) The International Plumbing Code, 2012 Edition, as published by the International Code Council, Inc., and as duly adopted by the South Carolina Building Code Council.

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

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

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

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

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

Section 305.4.1 of said code is amended by inserting "6 inches" and "6 inches".

Section 903.1 of said code is amended by inserting "6 inches".

- (H) The International Existing Building Code, 2012 Edition, as published by the International Code Council, Inc.

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

Section 1401.2 of said code is amended by inserting "January 1, 2005".

- (I) The International Residential Code, 2012 Edition, as published by the International Code Council, and as duly adopted by the South Carolina Building Code Council, with Appendix H and Appendix J

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

Table 12301.2 (1) of said code is amended by inserting "Attachment 1".

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

101 APPLICABILITY

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

102 FINANCIAL INTEREST

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

103 CONFLICT OF INTEREST

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

104 DELETION

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

105 REPEAL

Any previous editions of said codes and appendices, resources and annexes to said codes previously adopted by Council are hereby repealed, any reference to any specific code in any code section, including sections 13-1, 13-5.1, 13-6.1, 13-9.1, 13-11, 13-13, 13-14, 13-15 and 13-16 is hereby amended to designate the above editions of said codes, and all other code sections, ordinances or portions thereof in conflict herewith are hereby repealed.

DONE AND RATIFIED by Council duly assembled this 20th day of December, 2016.



Michael C. Butler
Mayor

Dandra P. Knoss

Sam Haire

L. Zimmerman Keith

Richard F. Stone

Charles B. Carroll Jr.

Members of Council

ATTEST: [Signature]
City Clerk