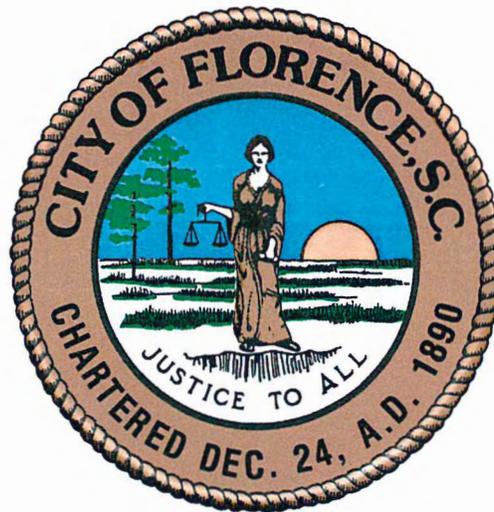


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
MARCH 13, 2017
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, MARCH 13, 2017 – 1:00 P.M.

CITY CENTER – COUNCIL CHAMBERS

324 WEST EVANS STREET

FLORENCE, SOUTH CAROLINA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

February 13, 2017 – Regular Meeting

IV. HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Captain George Mack – 30 years – Police

Johnny Green – 20 years – Utilities/Distribution Operations

Corporal Ginny Rishkofski-Howle – 15 years – Police

Mary McNeil – 10 years - Police

Lorenzo McKenzie – 10 years – Public Works/Sanitation

Michael Jones – 10 years – Public Works/Beautification & Facilities

V. ORDINANCES IN POSITION

a. Bill No. 2017-03 – Second Reading

An Ordinance to amend the General Fund budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2016 and ending June 30, 2017.

- b. **Bill No. 2017-04 – Second Reading**
An Ordinance for the consideration of the proposed text amendment to Article 2, Section 2.9-2 Florence Downtown Overlay Districts of the City of Florence Zoning Ordinance and proposed amendment to the City of Florence Design Guidelines to add the overlay district to be referred to as the “Food, Artisan and Warehouse District”.

- c. **Bill No. 2017-05 – Second Reading**
An Ordinance to amend Chapters 4 and 8 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and Related Activities” and “Fire Protection and Prevention”, to establish a new department of Building Safety, to adopt certain technical codes, and to repeal portions of Chapters 4 and 8 which are outdated or in conflict with the new technical codes adopted.

VI. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2017-06 – First Reading**
An Ordinance for the consideration of abandonment of City of Florence interest in Public Right-of-Way; portion of Emerson Avenue and the unopened portions of Wakefield Street and Rutherford Drive bounded on the north by Rutherford Drive, on the east by Dexter Drive, on the South by Rutherford Drive and on the west by Wakefield Street.

- b. **Bill No. 2017-07 – First Reading**
An Ordinance to rezone the properties located at 705 Alexander Street; 401 S Church Street; 322 S Gaillard; 400 and 402 Howard Street; 207 W Liberty Street; 403, 559, 607, 609 and 611 E Pine Street; 313, 321, 402, 406 and 407 Railroad Street; 308, 310, 817 and 1010 Sumter Street; and 402 W Vista Street said properties being specifically designated in the Florence County Tax Records as Tax Map Parcel 01471-01-058; 90103-12-008; 90103-07-001; 90099-01-001; 90118-12-001, 90118-12-002; 90103-12-007, 90103-06-004, 90103-07-002, 90103-07-003, 90103-07-004; 90087-06-006, 90087-06-005, 90088-03-032, 90088-03-027, 90088-03-012; 90072-13-012, 90072-13-013, 90060-06-015, 90060-08-008; 90084-07-021; by adding the Neighborhood Revitalization Overlay District to the aforementioned properties.

- c. **Bill No. 2017-10 – First Reading**
An Ordinance authorizing the conveyance of the real estate known as Tax Parcel 90070-01-001 (the old Young Pecan property) described more fully on Exhibit “A” attached to the Ordinance, said property to be utilized pursuant to the terms and conditions set out in the Conditional Grant approved in Resolution No. 2017-06.
Note: To be discussed in Executive Session

VII. INTRODUCTION OF RESOLUTIONS

- a. **Resolution No. 2017-03**
A Resolution to declare the month of March as American Red Cross Month.
- b. **Resolution No. 2017-04**
A Resolution to proclaim February 17, 2017 as Ryan White Awareness Day.
- c. **Resolution No. 2017-05**
A Resolution to declare April 25, 2017 as Empowered to Heal Day.
- d. **Resolution No. 2017-06**
A Resolution approving an incentive package to encourage the developer team to develop the property known as Tax Parcel 90070-02-002 (the old Young Pecan property) into a facility for Harvest Hope.
Note: To be discussed in Executive Session.
- e. **Resolution No. 2017-07**
A Resolution approving an incentive package to RBA Foods, LLC for the development of the property known as Tax Parcel 90170-01-022 located at 198 East N. B. Baroody Street in Florence as a sauce processing facility which serves as a key anchor for the new Food Artisan Warehouse Overlay District.
Note: To be discussed in Executive Session.

VIII. REPORT TO COUNCIL

- a. **Appointments to Boards & Commissions**
 - 1. **Pee Dee Regional Airport Authority – Councilman Jebaily**
 - 2. **Accommodations Tax Advisory Committee –
Councilwoman Williams-Blake**

IX. EXECUTIVE SESSION

- a. **Discussion of negotiations incident to proposed contractual arrangement [30-4-70(a)(2)] and to negotiations incident to matters relating to a proposed economic development [30-4-70(a)(5)].**
- b. **Discussion of negotiations incident to proposed contractual arrangement [30-4-70(a)(2)] and to negotiations incident to matters relating to a proposed economic development [30-4-70(a)(5)].**
- c. **Discussion of employment, evaluation, appointment, or compensation of City employees per Section 30-4-70(a)(1).**

- d. *Discussion of negotiations incident to proposed contractual arrangement [30-4-70 (a)(2)] and negotiations incident to matters relating to a proposed economic development [30-4-70(a)(5)].*
- e. *Discussion of negotiations incident to proposed contractual arrangement [30-4-70(a)(2)].*

After returning to open session, Council may take action on matters discussed in Executive Session.

X. *ADJOURN*

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, FEBRUARY 13, 2017 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the regular meeting to order at 1:00 p.m. with the following members present: Mayor Pro tem Brand, Councilman Jebaily, Councilwoman Ervin, Councilwoman Williams-Blake, Councilman Willis and Councilwoman Moore.

ALSO PRESENT: Drew Griffin, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Chief Allen Heidler, Florence Police Department; Scotty Davis, Director of Community Services; Thomas W. Chandler, Director of Finance; Ray Reich, Downtown Development Manager; Chuck Pope, Director of Public Works; Michael Hemingway, Director of Utilities; and Chief Randy Osterman, Florence Fire Department.

Notice of the regular meeting was sent to the media and individuals requesting copies of the agenda, informing them of the date, location and time of the meeting.

MEDIA PRESENT: Josh Lloyd of the Morning News; Tonya Brown of WPDE TV-15 and Kiahnna Patterson of WBTW TV-13.

INVOCATION: Councilwoman Ervin gave an invocation for the meeting. The Pledge of Allegiance to the American Flag followed.

APPROVAL OF MINUTES: Mayor Pro tem Brand made a motion to adopt the minutes of the January 9, 2017 Regular Meeting and the minutes of the January 24, 2017 Work Session. Councilman Jebaily seconded the motion, which carried unanimously.

HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Allen Davis received a Certificate of Recognition from Mayor Wukela for completing 35 years of service with the City of Florence.

Mayor Wukela presented Malcolm Cook a Certificate of Recognition for completing 20 years of service with the City of Florence.

Russell Davis received a Certificate of Recognition for completing 20 years of service with the City of Florence.

Adam Swindler has completed 10 years of service with the City and was presented a Certificate of Recognition by Mayor Wukela.

EDUCATIONAL RECOGNITIONS

George A. Mack received an educational recognition for receiving his Bachelor of Arts from Columbia College.

Coley Moore has passed his "B" Water Operator Certification Exam and was presented an educational recognition.

Omar Taylor has passed his "E" Water Operator Certification Exam and received an educational recognition.

SPECIAL RECOGNITIONS

RECOGNITION OF OFFICER THOMAS HERMAN, FIREFIGHTER RILEY PROSSER AND OFFICER EDWARD SIEBAN

This item was deferred until the March City Council meeting.

RESOLUTION IN RECOGNITION OF DISTINGUISHED SERVICE BY DR. JOSEPH E. HEYWARD, MS. YVONNE G. DAVIS, MR. ALLIE E. BROOKS, JR., REVEREND DR. WILLIAM P. DIGGS, MR. JERRY KEITH, SR., CORPORAL KENDRICK T. SPEARS AND REVEREND MERRITT B. GRAVES.

Councilwoman Moore made a motion to adopt the Resolution of Recognition. Councilman Willis seconded the motion, which carried unanimously.

Mayor Wukela read the Resolution and asked that the honorees come forward. Each honoree was presented a framed copy of the Resolution by Mayor Wukela and Councilwoman Moore.

Ms. Yvonne G. Davis and Corporal Kendrick T. Spears were unable to attend.

APPEARANCE BEFORE COUNCIL

MS. KATHRYN PHILLIPS, MAPLE PARK NEIGHBORHOOD ASSOCIATION – TO SPEAK ABOUT THE MAPLE PARK COMMUNITY CENTER FACILITY.

Ms. Phillips appeared before Council to report on the concerns of the Maple Park Neighborhood Association. Ms. Phillips thanked the City for all that it does for the community and feels like there has always been a good working relationship with the different departments of the City.

In April of 2013, after a lot of discussion and planning, playground equipment at Maple Park was replaced, broken concrete tennis courts were removed and the neighborhood received some much needed green space.

Ms. Phillips stated she would like to specifically discuss the Center building at Maple Park and the future plans for Maple Park. As everyone is aware, the Center was flooded during Hurricane Matthew, but before then, many patches had been done to the building. The neighborhood was told prior to the playground installation in 2013 that the City was on a five year plan for replacement. It has also been reported that FEMA will be covering 75% of the cost for repairs to the Center building. Ms. Phillips stated that it seems logical, since the five year replacement plan is so close and there are FEMA funds to assist, rather than spend the money on another patch, that this may be the best opportunity for a new Center building at Maple Park. Ms. Phillips stated that the neighborhood association would like to know the City's specific long term plans for the park and would appreciate the opportunity for input, with the understanding that the decision is not the association's to make.

One complaint that is heard from families while at the park is that a restroom is needed. Although this would be very accommodating, it is also understood that there are problems with having open restrooms at a park.

The afterschool programs and the summer programs are very successful at Maple Park. The Center also serves as a voting place and with its central location has the potential to be used for City meetings, Civic Organization meetings, as well as the monthly Maple Park Neighborhood Association meetings. However, the condition of the building at this time does not encourage these other uses. The current space does not even appear to be adequate for the number of children in the programs that the City has at present.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
FEBRUARY 13, 2017 – PAGE 3**

Maple Park is close to downtown and even with the space limitation; it has great potential and should be utilized to the fullest for the neighborhood and the entire city.

Ms. Phillips stated she would welcome the opportunity to meet with the Mayor, members of City Council or City officials about the future of Maple Park and hopes the City will consider bringing the center at Maple Park up to the standards of many of the other centers throughout the City.

Following a question by Councilman Jebaily regarding restrictions with the FEMA funds and if they could be applied to a new facility, Mr. Griffin explained that the funds from FEMA will be a 75% match grant with a 25% city match and can only be applied to the repairs above and beyond what the city's insurance will cover. They are to be used to re-establish the level of building construction related activities that were damaged during the storm. Mr. Griffin added that there is some possibility for an expanded project but it does not occur just because it is requested. Other funding would be necessary. At this time, there is not an allocation to expand that project significantly. Ultimately this will be a decision by Council as to the level of funding.

Mayor Wukela stated that Council recognizes that there has been quite a bit of deferred maintenance for parks throughout the City over the course of the recession. As the City emerges from the recession, there is potential for Council to consider improvements to the parks as a whole. There are a lot of needs and Council will be confronted with weighing those policy needs in the coming months.

MR. JOHN JEBAILY, CHAIRMAN, PARKS & BEAUTIFICATION COMMISSION – PARKS COMMISSION ANNUAL REPORT.

Mr. Jebaily thanked Council, Darlene Buchanan, Recreation Manager and Chuck Pope, Director of Public Works for their continued leadership.

Mr. Jebaily gave the following annual report:

Arbor Day – Was celebrated on December 2, 2016 at McLaurin Elementary School. The City planted a Live Oak and the Azalea Garden Club planted a Red Maple on the front lawn of the school.

Tree Plantings – Despite the devastation throughout the city caused by Hurricane Matthew, the City of Florence once again received the Tree City USA award for the thirty-sixth straight year. During the year 178 trees were planted and 1, 550 trees were pruned, solidifying the city's continued commitment to responsible management of trees in our community.

Barnes Street – There were 298 teens enrolled in the Barnes Street Teen Program in 2016. While there are many good programs for teens throughout the year, one particular program more than doubled in size. There were 12 Teen Basketball Teams that participated in the intramural league program this year as compared to 5 teams in the same league in 2015.

Athletics – Opportunities for our youth in sports related activities were varied and plentiful. Groundbreaking for both the Soccer Complex and the Basketball Gymnasium occurred in the spring of 2016. By the end of the year great progress could be seen at the sight of the gymnasium at Barnes Street as well as the Soccer Complex at the intersection of Highway 76 and Interstate 95. Both facilities are tracking for completion in the summer of 2017. Perhaps in anticipation of the opening of one of these facilities, the City saw an increase in participation in the summer youth basketball league with a 20% increase in participation rates from the previous year. This was the most dramatic increase of participation in any sport.

Afterschool Program – This program continues to flourish. The City has four sites; Levy Park, Maple Park, Northwest Park, and the Barnes Street Activity Center. Staff continuously tracks the performance of students who are in the program and found the most regular participants receive high marks on their school progress reports and report cards.

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FEBRUARY 13, 2017 – PAGE 4**

Tennis Center – There were 6,894 players and spectators who visited the Dr. Eddie Floyd Tennis Center for a total of 18 tennis tournaments. These visitors impacted the local economy an estimated \$4 million dollars. Tennis has continued to be of interest throughout the city and a grant from the United States Tennis Association provided opportunities to the city tennis professionals to extend lessons into the communities including Timrod Park, South Park and Lucas Park.

Freedom Florence Recreational Complex – Several tournaments were canceled due to three digit temperatures in the summer and flooding caused by the storms, including Hurricane Matthew. Yet while the tournament weekends were limited there were still 22 weekends salvaged which resulted in an economic impact in excess of \$10 million dollars to the community. In 2017 there are 44 tournament weekends planned.

Gymnastics – The City lost long time Gymnastic Coordinator, Pam Mobley, to an illness she bravely fought for 10 years. Staff found themselves searching for someone who had the talent and skills to lead a program that had not been without a leader for a decade. Fortunately new staff was hired, not only with the skills and experience to carry on the tradition of the City of Florence, but also the tenacity and vigor to take the program to new heights. There is renewed interest in the program and the program is on the rise.

Timrod Park – Timrod Park suffered greatly during Hurricane Matthew of 2016. The impact was great but City crews are using this time for maintenance tasks that needed attention; such as de-weeding the azalea beds and completing the drainage project.

Pickleball – Continues to attract new players to Timrod Park. Even with striping an additional three courts for a total of 7 outdoor courts, the local enthusiasts await for court time as the dedicated courts are often full.

Lucas Park – New playground equipment is planned for 2017. Recreation staff is currently preparing the request for proposals to be submitted to replace the older equipment that is in use. This is a much anticipated upgrade as it is enthusiastically welcomed by the neighborhood residents.

Senior Program – This program is flourishing. Two program structures are currently being offered. The first is the traditional senior program that is provided at the Levy/Northwest Community Center and the second is the one that we introduced this year – OWLS (Older Wiser Livelier Seniors).

Since the last report made to Council, the City combined the Levy and Northwest Senior Programs for a summer camp that was well attended and well received by the participants. The camp was held daily at the Levy Adult Community Center. Contract instructors were brought in to teach everything from jewelry making to cake making. Recently the City began a senior transportation program for those who are unable or are without transportation to attend the daily activities.

An Update on the OWLS program finds it exceeding expectations. In only its second year, the OWLS are filling a multi-purpose room at the Barnes Street Activity Center for Yoga classes two days a week, as well as taking adventurous local trips.

A three-days-a-week playing time for the Pickleball league does not seem to be enough. Mondays, Tuesdays and Thursdays find players waiting for courts. They are looking for ways to expand the program's space and hopes that the opening of a new gymnasium will afford them these opportunities.

The Annual Tour – One day a year the Parks Commission takes a bus tour to all of the different parks. The members have the opportunity to get off the bus and walk into the parks; giving the members an opportunity to generate new ideas and identify the needs within the park. This year's tour is scheduled for Saturday, March 11th. Mr. Jebaily invited each member of Council to join them.

Each January the Parks Commission schedules its annual retreat. This year Commission members heard from City staff regarding the viability of well established programs and the progress of new programs.

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In summation, Mr. Jebaily reported it has been a very good year. The increase in programming, hiring of new competent staff and the construction of two new facilities for soccer and basketball have proven to be the catalyst for increased participation rates.

Mr. Barry Wingard – Veterans Park Report

Mr. Wingard reported there were a variety of requests for the use of the park over 2016, including military ceremonies, wedding and retirements. According to TripAdvisor, the park continues to be ranked as the number one tourist attraction in Florence.

On June 11, 2016, a retirement ceremony was held for Retired U.S. Air Force Lt. Colonel James Rutuan.

On August 13, 2016 the Veterans Park hosted a ceremony to honor two former prisoners of war; Mr. Paul Rung of Florence and Mr. Al Agnew of Mullins. Mr. Rung was a World War II Prisoner of War and Mr. Al Agnew, who is known as the last Prisoner of War to be released from Viet Nam, were honored with a South Carolina Prisoner of War medal, presented on behalf of Governor Nikki Haley. Also on this day, the local Rolling Thunder Chapter donated a POW/MIA chair, symbolic of those that are missing. The chair has been implanted adjacent to the POW/MIA monument in the southwest corner of the park.

The 9-11 ceremony was held on Saturday, September 10, 2016. Since 9-11 fell on a Sunday this year the ceremony was held on Saturday. The ceremony was held in front of the park and then the 9-11 monument wreath was placed by representatives from the Police Department, the Fire Department, the Sheriff's Department, emergency responders and the military.

On November 11, 2016, the annual Veterans Day ceremony was held with attendance estimated between 700-800 people. In addition to the ceremony, two new monuments were added to the park, the World War I monument, donated by the American Legion, was relocated to the park, and 36 names were added to the Wall of Honor, for a total of 684 names. Along with the relocation of the World War I monument, a new plaque listing the soldiers alphabetically from the original plaque was installed. A new bronze sculpture "Alone with Memories" was installed in front of the water wall, which is now known as the "Wall of Tears". The United States Army monument was also dedicated. This monument is hand etched by an artist from Brown Memorials depicting scenes from World War I, World War II, Korea, Viet Nam, Desert Storm and current conflicts.

On December 18, 2016, the Florence Veterans Resource Center had a small ceremony to lay a wreath at the Armed Forces monument and it remained there through New Years.

The Veterans Park now has three monuments that have been picked in their respective year as the best new monument in North America.

Mr. Wingard introduced Bran Oswalt, a fifth generation designer at Brown Memorials.

Mr. Oswalt spoke briefly about the different monuments he and his company have designed. They can be seen at the Battery in Charleston, at Furman University in Greenville, at the State House grounds and Veterans Park in Columbia, Brookgreen Gardens, and Latta High School. A new monument for Claflin University is now being designed. Mr. Oswalt stated that some of the work that they are most proud of is at the Florence Veterans Park. Mr. Oswalt believes raising the bar for the quality of work that is expected and keeping these features unique to this city, our Veterans and to the Park, will ensure the Veterans Park to be among one of the city's most valuable and compelling attractions for generations to come.

ORDINANCES IN POSITION

BILL NO. 2017-01 – SECOND READING

AN ORDINANCE TO REZONE PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX PARCELS 90117-10-022 AND 90117-11-007 TO PLANNED DEVELOPMENT DISTRICT AND TO AMEND PLANNED DEVELOPMENT DISTRICT ORDINANCE 2009-23.

An Ordinance to rezone property being specifically designated in the Florence County Tax Records as Tax Parcel 90117-10-022 and 90117-11-007 to Planned Development District and to amend Planned Development District Ordinance 2009-23 was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2017-01. Councilwoman Williams-Blake seconded the motion.

Council voted unanimously to adopt Bill No. 2017-01 on second reading.

INTRODUCTION OF ORDINANCES

BILL NO. 2017-03 – FIRST READING

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017.

An Ordinance to amend the General Fund Budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2016 and ending June 30, 2017 was passed on first reading.

Councilman Willis made a motion to pass Bill No. 2017-03. Councilwoman Moore seconded the motion.

Mr. Thomas Chandler, Director of Finance reported that based on the mid-year review of projections in the General Fund budget for FY 2016-2017, an amendment is proposed to the General Fund increasing revenues and expenses by \$515,000. The recommended amendment is attributable to projected increases in the current and delinquent business licenses as well as some significant grant revenues that have been included at mid-year for projects not originally anticipated in the fiscal year 2016-2017 budget.

Council voted unanimously to pass Bill No. 2017-03 on first reading.

BILL NO. 2017-04 – FIRST READING

AN ORDINANCE FOR THE CONSIDERATION OF THE PROPOSED TEXT AMENDMENT TO ARTICLE 2, SECTION 2.9-2 FLORENCE DOWNTOWN OVERLAY DISTRICTS OF THE CITY OF FLORENCE ZONING ORDINANCE AND PROPOSED AMENDMENT TO THE CITY OF FLORENCE DESIGN GUIDELINES TO ADD THE OVERLAY DISTRICT TO BE REFERRED TO AS THE “FOOD, ARTISAN AND WAREHOUSE DISTRICT”.

An Ordinance for the consideration of the proposed Text Amendment to Article 2, Section 2.9-2 Florence Downtown Overlay Districts of the City of Florence Zoning Ordinance and proposed amendment to the City of Florence Design Guidelines to add the Overlay District to be referred to as the “Food, Artisan and Warehouse District” was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2017-04. Councilman Jebaily seconded the motion.

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FEBRUARY 13, 2017 – PAGE 7**

Mr. Jerry Dudley, Planning Manager reported this is an area that will run along N. B. Baroody Street, parallel to the railroad tracks and Darlington Street. It essentially runs through the downtown area, through the Historic District and goes over to the new Barnes Street gymnasium area. This area is characterized by old industrial buildings that are currently under-utilized. Many of them are of the historic nature. In the City's Comprehensive Plan that was adopted in 2011, the Comp Plan does advocate the following: the creation of community health food initiatives or healthy food initiatives to incentivize under-performing commercial and industrial districts and through land use considerations support activity that improves neighborhood livability, improve connectivity between downtown and its associated neighborhoods and create an artisan local food economy. This area is adjacent to the downtown as well as the North and Northwest neighborhoods. The purpose and intent of the Food Artisan and Warehouse District is to create a district that will foster and promote a mixed land use that incorporates small industrial food and beverage manufacturing, restaurants, food retail, farmer's markets, coffee roasting, light industrial furniture making and a variety of other artisan manufacturing land uses within the fabric of the downtown and in close proximity to local neighborhoods. This district will establish access to fresh foods, locally grown produce, and locally manufactured goods to the urban residential neighborhoods of the City of Florence. The Food, Artisan and Warehouse District will:

- a. Encourage an environment for commercial, retail, employment, service, and artisan manufacturing.
- b. Promote pedestrian/bicycle access within the downtown districts and local neighborhoods.
- c. Promote pedestrian/bicycle connectivity to the City of Florence Trail System.
- d. Encourage design standards that reflect the cultural and historic architectural elements of the district, promote creative and interesting design, and compliment the adjacent neighborhoods.

This will be an amendment to the City's Zoning Ordinance and will be administratively handled through staff and the Design Review Board. The Overlay District will not affect the underlying zoning district or underlying guidelines, such as is in the Historical District. If something is currently zoned B-3 or if it is an industrial use, it will still be permitted for those uses. However, the Overlay District does allow light industrial uses; farmer's markets, food hubs, things of that nature that may not normally be allowed in such zoning ordinances, therefore it does provide a bit of flexibility in this transition area. However, all development will still be reviewed by staff and the Design Review Board and will still go through that process as any project in any of the Overlay Districts do.

The Planning Commission held a public hearing on November 8, 2016 regarding this matter. The Planning Commission voted unanimously (8-0) to recommend the request to amend Article 2, Section 2.9-2 and amend the City of Florence Design Guidelines. This request was also approved unanimously by the Design Review Board.

Council voted unanimously to pass Bill No. 2017-04 on first reading.

BILL NO. 2017-05 – FIRST READING

AN ORDINANCE TO AMEND CHAPTERS 4 AND 8 OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE ENTITLED "BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES" AND "FIRE PROTECTION AND PREVENTION", TO ESTABLISH A NEW DEPARTMENT OF BUILDING SAFETY, TO ADOPT CERTAIN TECHNICAL CODES, AND TO REPEAL PORTIONS OF CHAPTERS 4 AND 8 WHICH ARE OUTDATED OR IN CONFLICT WITH THE NEW TECHNICAL CODES ADOPTED.

An Ordinance to amend Chapters 4 and 8 of the Code of Ordinances of the City of Florence entitled "Buildings, Construction and Related Activities" and "Fire Protection and Prevention", to

**REGULAR MEETING OF FLORENCE CITY COUNCIL
FEBRUARY 13, 2017 – PAGE 8**

establish a new department of Building Safety, to adopt certain technical codes, and to repeal portions of Chapters 4 and 8 which are outdated or in conflict with the new technical codes adopted was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2017-05. Councilman Jebaily seconded the motion.

Mr. Drew Griffin, City Manager reported this is the Ordinance that allows the City to create the building permit office. This Ordinance also adopts all of the relevant codes, both the required codes and the permissive codes. Outside of the building department it sets up a process for the city to be able to do a better job of housing and vacant property abatements and misuse related to those activities. It also allows the creation of an appeals board that is associated with both the technical board, as well as, the housing issues that the City has in a number of the neighborhoods that are under stress.

Mr. Griffin added that the appointment of members to this board will begin in March and may carry over to April, if necessary, in order to fill all of the vacancies on the board.

As subsequent information, Mr. Peterson explained the make-up of the nine member board. There will be some specific requirements for individuals to serve on the board, i.e., an architect, an engineer, an electrical contractor, a general contractor, a mechanical contractor, a plumbing contractor, and three laypersons. There are also other requirements, all designed to have good representation from the neighborhoods that are most impacted by this, but also from these professions. This board will be reviewing any appeal made by a contractor due to a decision made by city staff regarding work or repairs being performed.

Council voted unanimously to pass Bill No. 2017-05 on first reading.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2017-01

**A RESOLUTION OF CITY COUNCIL APPROVING DOWNTOWN REDEVELOPMENT
GRANTS FOR THE THIRD QUARTER OF FY 2016 – 2017.**

NOTE: TO BE DISCUSSED IN EXECUTIVE SESSION

REPORT TO COUNCIL

APPOINTMENTS TO BOARDS AND COMMISSIONS

PEE DEE REGIONAL AIRPORT AUTHORITY

Councilman Jebaily deferred this appointment to the March meeting.

ACCOMMODATIONS TAX ADVISORY COMMITTEE

Councilwoman Williams-Blake deferred this appointment to the March meeting.

HOUSING AUTHORITY BOARD

Councilman Glynn Willis made a motion to appoint Mr. Douglas R. Hawkins to complete the unexpired term of Mr. Thomas E. Rogers on the Housing Authority Board. Councilwoman Ervin seconded the motion.

Mr. Douglas R. Hawkins was appointed to complete the unexpired term of Mr. Thomas E. Rogers on the Housing Authority Board. This term will begin immediately and end June 30, 2020.

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FEBRUARY 13, 2017 – PAGE 9**

Mayor Pro tem Brand requested the City Manager and the City Attorney to research the method previously used by Council to appoint individuals to serve on the City's Boards and Commissions before the current rotation method was adopted.

Councilwoman Ervin stated she felt the current rotation method gave each Councilmember equal opportunity to have input into appointing individuals to serve on the city's boards and commissions. Councilwoman Ervin added that each Councilmember should have the opportunity to appoint someone and if necessary, to defer the appointment until they are comfortable with making an appointment.

Mr. Griffin stated that he and the City Attorney would research how other cities make appointments to boards and commissions and make some recommendations back to Council.

APPOINTMENT TO THE NEIGHBORHOOD REVITALIZATION COMMITTEE TO REPLACE FORMER COUNCILMAN ROBBY HILL

Councilwoman Ervin made a motion to appoint Councilman Glynn Willis to serve on the Neighborhood Revitalization Committee. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

EXECUTIVE SESSION

Mayor Pro tem Brand made a motion to enter into Executive Session. Councilman Jebaily seconded the motion, which carried unanimously.

Council entered into Executive Session at 2:08 p.m.

Mayor Wukela reconvened the regular meeting at 2:52 p.m.

Mayor Wukela stated Council discussed 1) a matter relating to negotiations incident to proposed contractual arrangements (Section 30-4-70(a)(2) and to negotiations incident to matters relating to a proposed economic development (Section 30-4-70 (a)(5); 2) Legal advice from the City Attorney related to matters covered by attorney-client privilege (Section 30-4-70(a)(2); 3) Discussion of negotiations incident to proposed contractual arrangements Section 30-4-70(a)(2); and 4) Discussions of negotiations incident to proposed contractual arrangements (Section 30-4-70(a)(2) and to negotiations incident to matters relating to a proposed economic development (Section 30-4-70(a)(5).

The first matter discussed was the following Resolution.

RESOLUTION NO. 2017-01
A RESOLUTION OF CITY COUNCIL APPROVING DOWNTOWN REDEVELOPMENT GRANTS FOR THE THIRD QUARTER OF FY 2016 – 2017.

A Resolution of City Council approving Downtown Redevelopment Grants for the third quarter of FY 2016 – 2017 was adopted by Council.

There is one grant that has been currently recommended by Staff to Council for adoption. This grant is for Mr. Ezra Brown.

Mayor Pro tem Brand made a motion to adopt Resolution No. 2017-01. Councilwoman Ervin seconded the motion, which carried unanimously.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
FEBRUARY 13, 2017 – PAGE 10**

The next matter discussed, was a request to amend the Conditional Grant Agreement with regards to the Kress Project, to extend the deadline for substantial completion to December 1, 2017.

Mayor Pro tem Brand made a motion to approve the request. Councilman Willis seconded the motion.

Council voted unanimously to approve the request.

RESOLUTION NO. 2017-02

A RESOLUTION APPROVING AN INCENTIVE PACKAGE TO ENCOURAGE THE DEVELOPER TEAM TO RE-DEVELOP A DOWNTOWN HISTORIC LOCATION.

The next matter for Council's consideration was Resolution No. 2017-02 related to contributions to a Conditional Grant Agreement for Project T.

Councilwoman Ervin made a motion to adopt Resolution No. 2017-02. Councilman Jebaily seconded the motion, which carried unanimously.

ADJOURN

Councilwoman Williams-Blake made a motion to adjourn the meeting. Councilwoman Ervin seconded the motion. Without objection, the meeting was adjourned at 2:54 p.m.

Dated this 13th day of March, 2017.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: February 13, 2017
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2016-17 City of Florence General Fund Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

Based on a midyear review of projections in the General Fund for FY 2016-17, a budget amendment is proposed to increase the revenues and expenditures in the amount of \$515,000 to ensure that the City maintains a realistic and balanced budget wherein revenues and expenditures are appropriately aligned. This recommended increase is attributable to increases in current and delinquent business license revenues and grant revenues included for projects not originally included in the FY 2016-17 budget, but have been added to the budget at midyear.

III. POINTS TO CONSIDER

The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.

IV. STAFF RECOMMENDATION

Approve and adopt the proposed ordinance.

VI. ATTACHMENTS

A copy of the proposed ordinance and a summary of recommended General Fund revenue budget adjustments by category and expenditure budget adjustments by department, resulting in a net budget increase, are attached.



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017.

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2013 and ending June 30, 2014, is hereby amended as follows:

Section 1. That the revenues of the General Fund in said budget is hereby amended by revising line item appropriations in all categories for a net reduction in total General Fund revenues of \$515,000.

Section 2. That the expenditures of the General Fund in said budget is hereby amended by revising departmental and non-departmental expenditures for a net reduction in total General Fund expenditures of \$515,000.

A summary of recommended revenue budget reductions by category and expenditure budget reductions by department is attached hereto and is incorporated by reference as a permanent part of this Ordinance.

This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2017.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Diane Rowan
Municipal Clerk

MID-YEAR REVIEW SUMMARY				
FISCAL YEAR 2016-17				
100 GENERAL FUND				
REVENUES				
CATEGORY	CODE	CURRENT BUDGET	INCREASE/ (DECREASE)	ADJUSTED BUDGET
Property Taxes	100100	\$10,145,400	(\$141,800)	\$10,003,600
Licenses and Fees	100110	\$11,892,000	\$285,000	\$12,177,000
Governmental Reimbursements	100120	\$2,989,600	\$431,050	\$3,420,650
Charges for Services	100130	\$2,129,000	\$23,000	\$2,152,000
Fines and Forfeitures	100140	\$611,000	(\$79,500)	\$531,500
Investment Earnings	100300	\$34,000	\$16,000	\$50,000
Miscellaneous Revenues	100325	\$300,000	\$8,000	\$308,000
Other Funding Sources	100375	\$3,597,650	(\$56,750)	\$3,540,900
Transfers	100390	\$5,079,000	\$30,000	\$5,109,000
TOTAL REVENUES		\$36,777,650	\$515,000	\$37,292,650
EXPENDITURES				
DEPARTMENT	CODE	CURRENT BUDGET	INCREASE/ (DECREASE)	ADJUSTED BUDGET
City Council	41000	\$295,980	\$360	\$296,340
City Court	41200	\$615,330	(\$63,450)	\$551,880
City Manager	41300	\$408,710	(\$8,650)	\$400,060
Finance and Accounting	41501	\$838,320	\$7,250	\$845,570
HR/Risk Management	41600	\$578,080	\$890	\$578,970
Community Services	41900	\$325,460	(\$28,540)	\$296,920
Police	42100	\$9,764,980	\$68,830	\$9,833,810
Fire	42200	\$5,716,760	(\$56,530)	\$5,660,230
Beautification and Facilities	43020	\$2,617,320	\$152,450	\$2,769,770
Sanitation	43022	\$3,549,400	(\$28,780)	\$3,520,620
Equipment Maintenance	43023	\$519,680	\$23,850	\$543,530
Recreation Programs	43024	\$1,439,060	(\$12,460)	\$1,426,600
Athletic Programs	43025	\$1,813,100	\$97,470	\$1,910,570
Planning, Research and Development	46300	\$419,420	\$126,070	\$545,490
Building Inspections and Permits	46400	\$0	\$294,440	\$294,440
Other Employee Benefits	49000	\$583,300	\$157,800	\$741,100
General Insurance/Claims	49100	\$545,000	\$0	\$545,000
Community Programs	49200	\$375,250	\$0	\$375,250
Nondepartmental	49300	\$6,372,500	(\$216,000)	\$6,156,500
TOTAL EXPENDITURES		\$36,777,650	\$515,000	\$37,292,650
EXCESS REVENUES/(EXPENDITURES)		\$0	\$0	\$0

CITY OF FLORENCE COUNCIL MEETING

DATE: February 13, 2017

AGENDA ITEM: Ordinance to amend Zoning Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An ordinance for the consideration of the proposed text amendment to Article 2, section 2.9-2 Florence downtown overlay districts of the City of Florence Zoning Ordinance and proposed amendment to the City of Florence Design Guidelines to add the overlay district to be referred to as the "Food, Artisan and Warehouse District".

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

Planning Commission held a public hearing on November 8, 2016 regarding this matter. The Planning Commission voted (8-0) to recommend the request to amend Article 2, Section 2.9-2 and amend the City of Florence Design Guidelines.

III. POINTS TO CONSIDER:

- (1) Text amendment is being considered for recommendation to City Council.
- (2) Current zoning of the properties include B-3, General Commercial; B-4, Central Commercial; and B-6, Industrial zoning districts.
- (3) Future Land Use of the properties include Residential Urban, Business Parks, and Downtown zoning districts
- (4) The text amendment was prepared by the Planning, Research & Development Department to establish a defined area in which certain land uses and development standards were previously not allowed.
- (5) Strategically located to assist in combating the negative effects of the USDA food deserts located in the City of Florence.
- (6) Places emphasis on pedestrian/bike connectivity within the downtown and adjacent neighborhoods.
- (7) Contains public transit (PDRTA) affording access to resident's city wide.

IV. OPTIONS

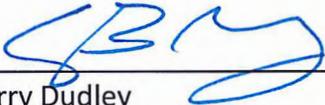
City Council may:

- (1) Approve the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Deny the request.

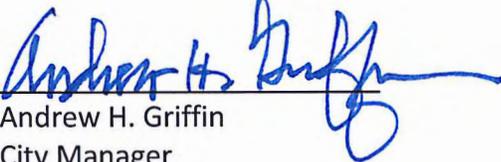
V. NOTES:

VI. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) Boundary Map

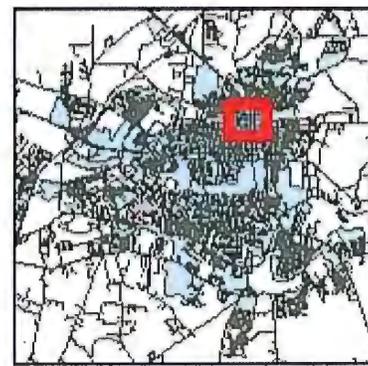
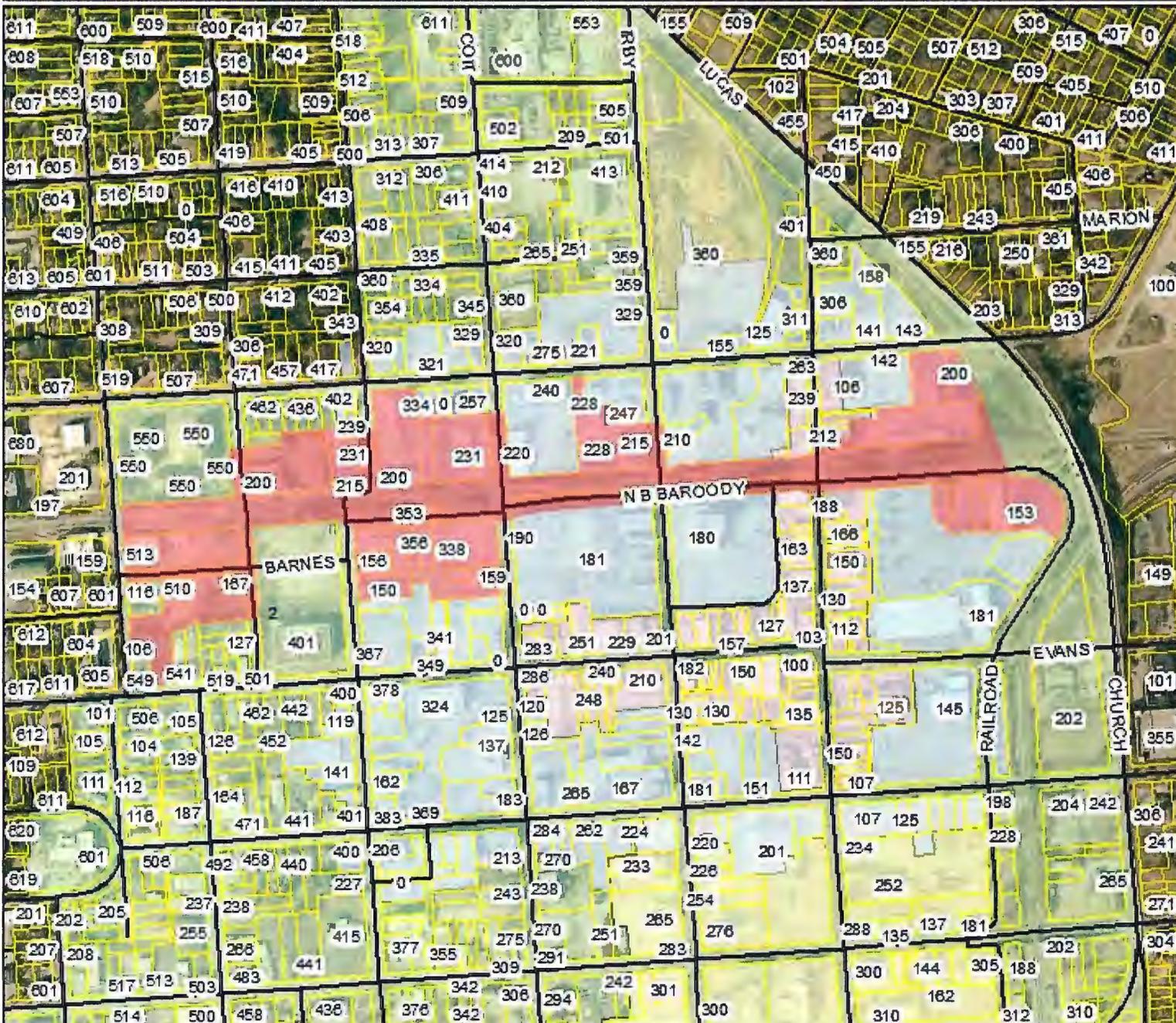


Jerry Dudley
Planning Manager



Andrew H. Griffin
City Manager

PC 2016-33 Attachment 2 Location Map



Legend

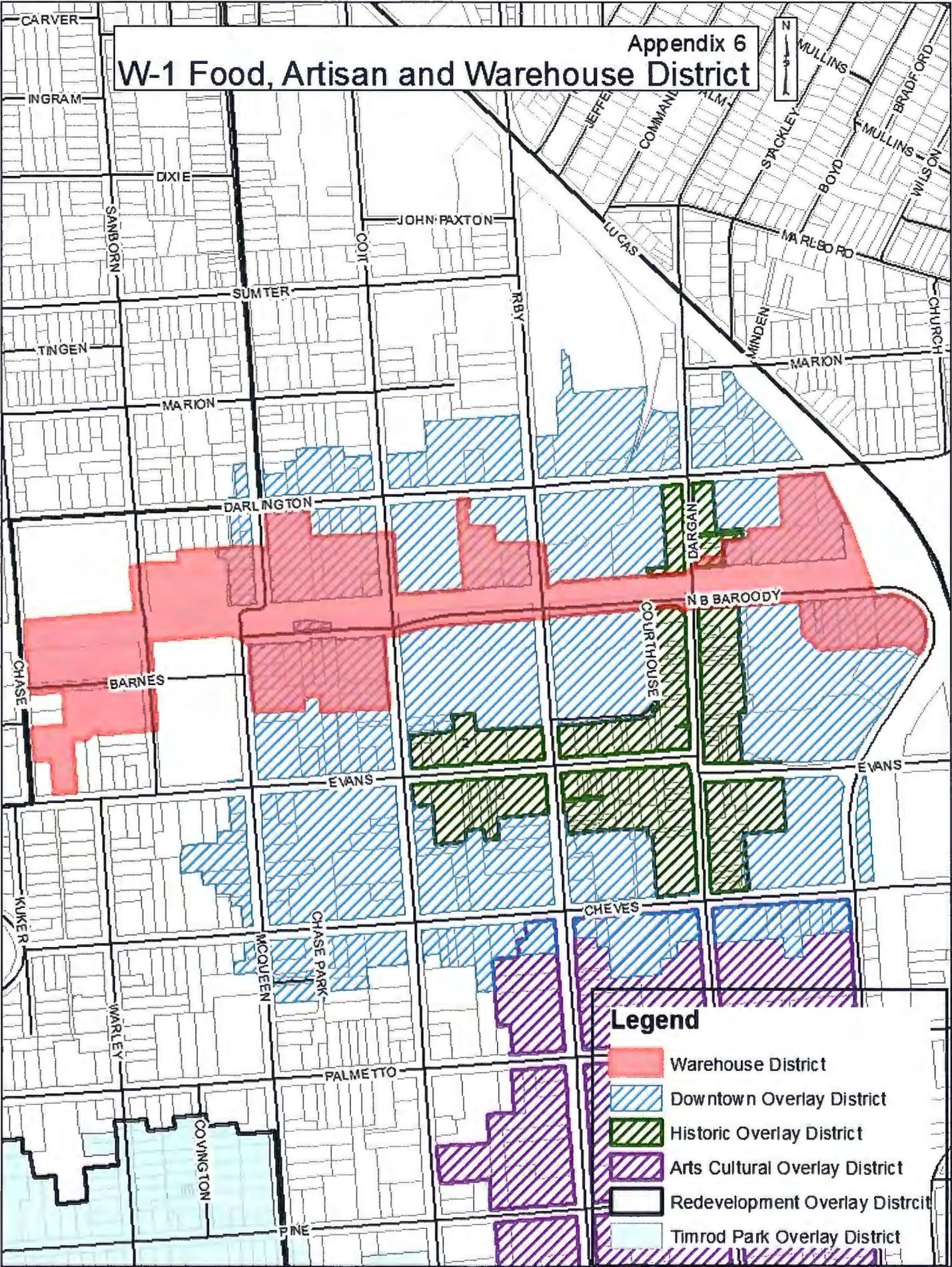
- Food Overlay District
- Proposed Parcels
- Address Points
- Roads
- Parcels
- Downtown Overlay District
- Historic Overlay District
- Arts Cultural Overlay District
- Redevelopment Overlay District
- Timrod Park Overlay District



DISCLAIMER:
The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



Appendix 6 W-1 Food, Artisan and Warehouse District



Legend

- Warehouse District
- Downtown Overlay District
- Historic Overlay District
- Arts Cultural Overlay District
- Redevelopment Overlay District
- Timrod Park Overlay District

ORDINANCE NO. 2017-_____

AN ORDINANCE TO AMEND ARTICLE 2, SECTION 2.9-2 FLORENCE DOWNTOWN OVERLAY DISTRICTS OF THE CITY OF FLORENCE ZONING ORDINANCE AND AMEND THE CITY OF FLORENCE DESIGN GUIDELINES TO ADD THE OVERLAY DISTRICT TO BE REFERRED TO AS THE “FOOD, ARTISAN AND WAREHOUSE DISTRICT”:

WHEREAS, a Public Hearing was held in the City Center Council Chambers on November 8, 2016 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, The City of Florence wishes to revitalize an area that contains vacant historic industrial buildings that create blight along this corridor;

WHEREAS, The City of Florence is focused on facilitating healthy lifestyles to include but not be limited to provision of active recreation facilities, healthy food options and connectivity of adjacent neighborhoods to downtown;

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That the provisions of the Zoning Ordinance applicable to the City of Florence be, and the same are hereby amending Article 2, Section 2.9, et seq., which will read in whole as follows:
2. That the provisions of the Zoning Ordinance applicable to the City of Florence be, and the same are hereby amending the Design Guidelines, et seq., which will read in whole as follows:

Proposed Amendment to Section 2.9-2

Amendment to Section 2.9-2 Florence Downtown Overlay Districts of the City of Florence Zoning Ordinance.

Sec. 2.9-2. Establishing Florence Downtown Overlay Districts

(A) There are hereby established five (5) overlay districts in the Downtown Florence area, those districts being designated as follows:

D-1. Downtown Redevelopment District: The intent of this district is to promote the cultural, economic, and general welfare of the public by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of existing architecturally valuable structures, properties, and neighborhoods which make up the district. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-2. Downtown Central District: The intent of this district is to promote good urban design and to establish and maintain a unified, improved identity for Downtown Florence. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-3. Downtown Arts and Cultural District: The intent of this district is to promote good urban design and to build on the attractive and significant architecture that exists through new infill development. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

D-4 Timrod Park Residential District: The intent of this district is to promote good urban residential design and to maintain and build upon the attractive and significant historic architecture that exists throughout the District. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

H-1. Florence Historic District: The intent of this district is to respect and build on the historic character of Downtown Florence and to establish the initial parameters for the possible pursuit of National Register Historic District designation. This overlay district will be subject to the Design Guidelines referred to below and incorporated herein by reference.

W-1. Food, Artisan, and Warehouse District: The intent of this district is to promote food and artisan orientated businesses; access to fresh and locally produced goods; support active living through better connectivity between urban neighborhoods and downtown; and promote good urban design. This overlay district will encourage creative land uses and architecture by permitting small-scale light industrial food productions, farmers markets, food and artisan retails, community kitchens, artisan manufacturing and other artisan uses.

(B) The boundaries for the overlay districts hereby established shall be shown on an amendment to the Consolidated Zoning Map, and the boundaries hereby established are set forth below:

D-1. Downtown Redevelopment District: The boundaries of the Downtown Redevelopment District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 1.

D-2. Downtown Central District: The boundaries of the Downtown Central District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 2.

D-3. Downtown Arts and Cultural District: The boundaries of the Downtown Arts and Cultural District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 3.

D-4. Timrod Park Residential District: The boundaries of the Timrod Park Residential District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 4.

H-1. Florence Historic District: The boundaries of the Florence Historic District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 5.

W-1. Food, Artisan, and Warehouse District: The boundaries of the Warehouse District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6.

- (C) The overlay districts referred to above shall be incorporated into the Consolidated Zoning Map and shall be maintained in both the Florence County - Municipal Planning Department and in the office of the Florence Downtown Planning Coordinator.
- (D) Variances for residential uses on any lot or parcel, including mixed use developments, may be permitted within the Downtown Redevelopment District as a Special Exception by the City Board of Zoning Appeals. To ensure conformity to the Consolidated Zoning Ordinance and compatibility with the intent of the overlay district for which that use is proposed, a Certificate of Appropriateness is required from the Design Review Board and a variance must be obtained from the City Board of Zoning Appeals. Prior to submitting a request for a variance from the City Board of Zoning Appeals the owner must first obtain a Certificate of Appropriateness which shall be used to determine that the proposed residential use is compatible with the purposes of the Overlay District for which it is proposed.

Proposed Amendment to the City of Florence Design Guidelines

Food, Artisan and Warehouse District

Purpose and intent

The intent of the Food, Artisan and Warehouse District is to create a district that will foster and promote a mixed land use that incorporates small industrial food and beverage manufacturing, restaurants, food retail, farmers markets, coffee roasting, light industrial furniture making and a variety of other artisan manufacturing land uses within the fabric of our downtown and in close proximity to local neighborhoods. This district will

establish access to fresh foods, locally grown produce, and locally manufactured goods to the urban residential neighborhoods of the City of Florence. The Food, Artisan and Warehouse District will:

- a. Encourage an environment for commercial, retail, employment, service, and artisan manufacturing.
- b. Promote pedestrian/bicycle access within the downtown districts and local neighborhoods.
- c. Promote pedestrian/bicycle connectivity to the City of Florence Trail System.
- d. Encourage design standards that reflect the cultural and historic architectural elements of the district, promote creative and interesting design, and compliment the adjacent neighborhoods.

Food, Artisan and Warehouse District - Area

The boundary of the Food, Artisan and Warehouse District shall include all parcels shown on the map thereof which is attached hereto and incorporated herein as Appendix 6 of the Design Guidelines.

Food, Artisan and Warehouse District - Land Uses

All land uses allowed in the underlying zoning districts are permitted within the Food, Artisan and Warehouse District. In addition to the existing zoning, light food and beverage manufacturing, farmers markets, open air markets, food hubs, commercial kitchens, and/or any artisan manufacturing uses.

Any use not specifically stated within the definition must be approved by the Design Review Board in concurrence with Staff and the Downtown Planning Coordinator.

Food, Artisan and Warehouse District - Development Standards

- a) The Minimum Lot Area : N/A
- b) The Minimum Lot Width: 25 foot
- c) The Maximum Building Height: See City of Florence Design Guidelines
- d) The Maximum Floor Area Ratio: N/A
- e) Building setbacks in the Food, Artisan and Warehouse District shall be subject to the following:
 - Build-to Line.* For all development in the Food, Artisan and Warehouse District, primary structures shall be built on the front property line (the "build-to line"). Portions of the façade that are recessed for recessed front entrances are permitted to be set back from the build-to line by up to three feet. All buildings shall meet these requirements, except under the following conditions:
 - a. Where there is an existing public sidewalk, adjacent to the development,

the building must be set back in order to provide the additional space to extend the sidewalk onto the private lot to construct a sidewalk of the same width as existing and in no case less than eight feet in width. In this case, the building shall be constructed to a build-to line that is coterminous with the edge of the sidewalk that is provided on the private lot.

- b. Where the use is established in an existing building that exceeds the build-to line as of the effective date of this Ordinance, the existing building may:
 - i. Remain in its current location, utilizing the front setback as:
 1. A yard or courtyard;
 2. Public plaza or outdoor service area (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.);or
 - ii. Be extended to the build-to line provided it:
 1. Is a conforming use; and
 2. Complies with (a.) above (e.g., provision for a public sidewalk).
- c. Where the average setback of buildings along the block front or, in the instance of a corner lot, along one or both block fronts, exceeds the build-to line. In this case, the building may be:
 - i. Constructed at the build-to line; or
 - ii. Set back to match the average front setback along the same side of the same street segment in the same zoning district, provided that the lot proposed for development or redevelopment is not counted in the calculation.
- d. Buildings may be set back up to a distance of 20 feet from the build-to line in order to provide a designated public plaza or outdoor service area according to the following standards:
 - i. The public plaza or outdoor service area shall be designated upon development approval and maintained as a publically accessible space.
 - ii. Any service uses that take place in the designated setback area must directly relate to the activity of the primary ground floor use (e.g., outdoor seating for a restaurant, outdoor display area for a retail store, etc.)

When the area is not being used as an outdoor service area, it shall remain generally accessible to the public and function as an extension of the public sidewalk environment.

Food, Artisan and Warehouse District - Signs

- a) Signs are an important part of the identity of any business. Modern technology has extended the range of possible materials and treatments available to business owners. The following materials are recommended:
 - Wood (carved, sandblasted, etched, and properly sealed, primed and painted, or stained).

- Metal (formed, etched, cast, engraved, and properly primed and painted or factory coated to protect against corrosion).
- High density pre-formed foam or similar material. New materials may be very appropriate if properly designed in a manner consistent with these guidelines, and painted or otherwise finished to compliment the architecture.
- Custom neon tubing, in the form of graphics or lettering, may be incorporated in to several of the above permitted sign types.
- Sign materials should be compatible with the design of the face of the façade where they are placed.

Flashing signs are not permitted. Back-lit and internally-lit signs may be used if approved by the Design Review Board and will be allowed only when they compliment the existing façade and surrounding structures, and are consistent with the objectives of the Design Guidelines.

- b) Regulations of signs by type, and characteristics shall meet the City of Florence Design Guidelines.
- c) It is the intent of the Food, Artisan and Warehouse District to promote creative sign design that is in harmony with the architecture and style of the proposed development.

Food, Artisan and Warehouse District – Defined

Artisan Manufacturing - means the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: food and bakery products; nonalcoholic beverages; brewpubs; microbreweries; micro-distilleries; printmaking; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; and paper manufacturing. Artisan manufacturing does not include any activity that causes noise, odor, or vibration to be detectable on a neighboring property.

Ordinance No. 2017 - _____
Page 2 – February 2017

ADOPTED THIS _____ DAY OF _____, 2017

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: February 9, 2017

AGENDA ITEM: Bill No. 2017-05 - An ordinance to replace Chapters 4 and 8 of the Code of Ordinances of the City of Florence entitled “Buildings, Construction and Related Activities” and “Fire Protection and Prevention”, to establish a new Department of Building Safety, to adopt certain technical codes, and to repeal portions of Chapters 4 and 8 which are outdated or in conflict with the new technical codes adopted.

DEPARTMENT/DIVISION: City Manager & City Attorney

I. ISSUE UNDER CONSIDERATION

This Ordinance, which is patterned after City Codes of Greenville, Aiken, Myrtle Beach, and many other municipalities within SC, is designed to re-establish a new Department of Building Safety and to adopt certain technical codes within the City to accomplish the City’s reassuming the responsibilities for Building Permits and Inspections for properties within the City as part of the termination of the Inter-Governmental Agreement with the County, a step which was approved by Council on August 19, 2016 with the adoption of Resolution 2016-19.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(a) On March 10, 1997 the City and the County executed an Inter-Governmental Agreement which consolidated the planning and building functions into departments operated by the county. On August 19, 2016, City Council adopted Resolution 2016-19 unanimously and directed city staff to take the steps necessary to terminate the agreement with the county and re-establish the functions within the City.

(b) The required notice of intent to terminate was provided to the county in a timely fashion in early September, 2016, and the City will reassume the above described functions on April 3, 2017.

(c) On January 24, 2017, at a Council Work Session, the City Manager provided Council with a detailed briefing regarding the process and issues associated with the re-establishment of a department within the City structure to reassume the responsibilities associated with building permits and inspections. Among other discussions, the City Manager highlighted the following information which was set out in a Memorandum to Council:

As we prepare to accept the responsibility of building permitting and inspections, the City will be required to adopt several international building and related codes. South Carolina law assigns the oversight of building codes and their enforcement to the South Carolina Building Codes Council. Every municipality and county in South Carolina must enforce these mandatory building codes referenced in Section 6-9-50 of the South Carolina Code of Laws, 1976 as Amended, upon their review and subsequent adoption by the Building Codes Council.

Municipalities and counties are thus restricted from promulgating their own building codes, in whole or in part, or adopting and enforcing building codes other than those referenced in Section 6-9-50 of the SC Code. However, administrative policies and procedures are the sole responsibility of each jurisdiction. Municipalities may through the adoption process, adopt the Administration Chapter of the Building Code in order to facilitate the processes necessary for permitting and inspecting new construction.

Should the City not adopt the Administrative Chapter of the International Codes then policies and procedures developed at the local level must be specifically adopted by ordinance. It is our intent to adopt the Administrative Chapter of the codes.

The mandatory building codes listed below are adopted by the Council and would, therefore, be enforced at the local level. Any code used to regulate the construction or alteration of buildings or structures, including their systems or components, not listed below are not valid and cannot be legally promulgated, adopted or enforced by a local jurisdiction. The noted Codes below were established and implemented by the Codes Council as of July 1, 2016 and have also been adopted by Florence County;

2015 International Building Code with SC modifications;
2015 International Residential Code with SC modifications;
2015 International Fire Code with SC modifications;
2015 International Plumbing Code;
2015 International Mechanical Code;
2015 International Fuel Gas Code with SC modifications;
2009 South Carolina Energy Conservation Code; and,
2014 National Electrical Code (NFPA 70)

It is also our intent to adopt the International Existing Building Code. This Code contains requirements intended to encourage the use and reuse of existing

buildings. This Code was ~~not~~ adopted by Florence County. An advantage of the International Existing Building Code is that it covers the repair, alternation, addition and change of occupancy for existing buildings and historic buildings, while achieving appropriate levels of safety without requiring full compliance with the new construction requirement contained within the International Building Code.

In addition to mandatory codes, Section 6-9-60 of the SC Code, permits the use of “permissive codes” by local jurisdictions. The permissive codes authorized by the Codes Council are the latest editions of the International Property Maintenance Code; International Performance Code; and the International Swimming Pool and Spa Code. It is our intent, as recommended in the Comprehensive Plan and our Neighborhood Revitalization Strategy, to also adopt the **International Property Maintenance Code**.

Adoption of the 2015 International Property Maintenance Code

The City’s Code Enforcement Unit was tasked with the responsibility of identifying deficiencies in the adopted Housing Code for the City of Florence. This existing Code is used by the City in addressing concerns of non-compliance associated with vacant and dilapidated structures; substandard housing (principally rental housing); demolition of those structures and the enforcement process to cause owner compliance. The City currently uses the 1991 Standard Housing Code by the Southern Building Code Congress which was adopted in 1993. The Code is outdated and needs to be replaced. In addition, given the changes in State Law, it is very likely that the 1991 Code is, in, fact invalid.

A past and current issue for the City, conveyed to us through personal testimony, public meetings, planning studies, and other public forums relating to vacant, dilapidated and abandoned properties, is the limited and inconsistent response of the City. Our response is generally governed by the limitations of “lawful” summons service to violators, the “criminal” jurisdiction of the Municipal Court System but more significantly by the restrictions contained within our adopted ordinances and prior polices. Our ordinance restrictions at best, limits our “answer”, regarding complaints for housing and property non-compliance to a “nuisance” complaint level with imperfect “lasting” solutions.

Much of our weakness in addressing the issue of vacant, dilapidated and abandoned housing/buildings is related to the fact that “all” powers and authorities provided within the housing code, to remove these blighting influences, is delegated through the Building Official. Thus, if the City wants to condemn, cause the removal, or rehabilitate abandoned structures then the Building Official must make a finding in support of the City’s action as well as accept any liability associated with the City’s actions. The inability of the City to achieve our stated goals through the consolidation agreement with the County is the principal reason that the City has chosen to move forward with building permitting and inspection.

City staff will recommend that the City address property maintenance issues through the adoption of the 2015 International Property Maintenance Code by the

International Code Council. This Code is one of the “permissive” codes referenced above. The 2015 International Property Maintenance Code will provide the administrative processes, to include definitions, appeals processes to include a Board appointed by City Council, and non-compliance penalties related to vacant and unsafe structures, which may include their demolition.

(d) Given the termination of the above referenced inter-governmental agreement with the county, the City needs to establish a new department entitled the Department of Building Safety and to adopt two new and revised Chapters 4 and 8 in the City Code of Ordinances, respectively entitled “Buildings, Construction and Related Activities” and “Fire Protection and Prevention” to adopt the technical codes and the procedures needed to reassume these duties. This must be done by ordinance, and it must be in place before April 1, 2017.

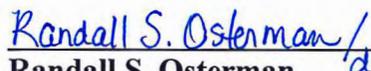
(e) Bill Number 2017-05 has been drafted by staff and the City Attorney to recreate the new city department needed and to establish the code provisions necessary for the City to reassume these responsibilities.

III. OPTIONS

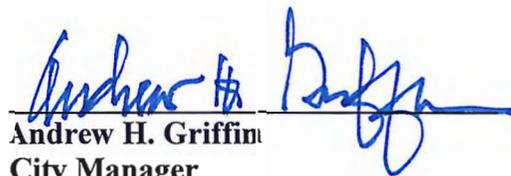
- a. Approve the Ordinance on First Reading
- b. Defer the request should additional information be needed.
- c. Suggest other alternatives to accomplish the same goals.
- d. Defeat the Ordinance on First Reading.

IV. ATTACHMENTS

- a. Proposed Bill No. 2017-05 with Exhibits.



Randall S. Osterman
Chief, Florence Fire Department



Andrew H. Griffin
City Manager

ORDINANCE NO. 2017-

TO AMEND CHAPTERS 4 AND 8 OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE ENTITLED “BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES” AND “FIRE PROTECTION AND PREVENTION”, TO ESTABLISH A NEW DEPARTMENT OF BUILDING SAFETY, TO ADOPT CERTAIN TECHNICAL CODES, AND TO REPEAL PORTIONS OF CHAPTERS 4 AND 8 WHICH ARE OUTDATED OR IN CONFLICT WITH THE NEW TECHNICAL CODES ADOPTED.

WHEREAS the City of Florence is re-establishing its building department and taking over from Florence County the responsibility of building permitting and inspections within city limits; and

WHEREAS, the public policy of the City of Florence is to maintain reasonable standards for construction and maintenance of buildings and other structures in the city consistent with the public health, safety, and welfare of its citizens; and

WHEREAS, the City of Florence also has an interest in addressing the problem of existing vacant, dilapidated, and abandoned structures, both residential and nonresidential; and

WHEREAS, the South Carolina Building Codes Council has state-wide oversight of building codes and their enforcement; and

WHEREAS, pursuant to S.C. Code of Laws 6-9-50, the South Carolina Building Codes Council has adopted certain mandatory codes for building, residential, gas, plumbing, mechanical, fire, and energy conservation; and

WHEREAS any code adopted by any local jurisdiction which conflicts with these mandatory codes is invalid; and

WHEREAS, pursuant to S.C. Code of Laws 6-9-60, the South Carolina Building Codes Council has recognized certain optional codes for, among other things, property maintenance; and

WHEREAS local jurisdictions may adopt these optional codes for property maintenance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF AS FOLLOWS:

1. Chapter 4 of the Code of Ordinances of the City of Florence hereby repealed in its entirety.
2. Chapter 8 of the Code of Ordinances of the City of Florence hereby repealed in its entirety.
3. A new Chapter 4 of the Code of Ordinances for the City of Florence entitled “Buildings, Construction, and Related Activities” as set forth in Exhibit A to this ordinance is hereby adopted.
4. A new Chapter 8 of the Code of Ordinances for the City of Florence entitled “Fire Protection and Prevention” as set forth in Exhibit B to this ordinance is hereby adopted.
5. This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence, South Carolina.

ADOPTED THIS ____ DAY OF _____, 2017.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

STEPHEN J. WUKELA
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

EXHIBIT A

Amended Chapter 4 of City Code

Chapter 4 - BUILDINGS, CONSTRUCTION, AND RELATED ACTIVITIES

ARTICLE I. - IN GENERAL

Sec. 4-0. - Creation of Department of Building Safety and establishment of Office of Building Official.

4-0.1 There is hereby created the Department of Building Safety of the City of Florence, South Carolina. Whenever the term "department of building safety" is used or referred to in this chapter, it shall also be construed to mean the division in which the building official serves.

4-0.2 There is hereby established the position of Building Official of the City of Florence, South Carolina, who shall have the authority to enforce all codes adopted herein. Whenever the term "building official" is used or referred to in this chapter, it shall also be construed to mean the code official, the codes enforcement supervisor, and/or the building code administrator or his/her designee under any of the individual codes adopted herein.

Sec. 4-1. - Technical codes adopted.¹

(a) The following technical codes are hereby adopted and incorporated into this Code of Ordinances of the City of Florence:

1. International Building Code, as promulgated by the South Carolina Building Codes Council;
2. International Plumbing Code, as promulgated by the South Carolina Building Codes Council;
3. International Mechanical Code as promulgated by the South Carolina Building Codes Council;
4. National Electrical Code (NFPA 70) as promulgated by the South Carolina Building Codes Council;
5. International Fuel Gas Code as promulgated by the South Carolina Building Codes Council;

¹ The International Fire Code is adopted in Chapter 8

6. International Property Maintenance Code as promulgated by the South Carolina Building Codes Council;
7. International Energy Conservation Code as promulgated by the South Carolina Building Codes Council;
8. International Residential Code, as promulgated by the South Carolina Building Codes Council;
9. International Existing Building Code as promulgated by the South Carolina Building Codes Council.

(b) Copies of the above Codes shall be on file with the city clerk and the building codes administrator.

(c) The adoption of all codes promulgated by the state building codes council shall not preclude or restrict the employment practices and authority of the city manager and the otherwise established under the city Code and state law in the employment, supervision, and termination of enforcement officials.

Sec. 4-2 – Appendices

With the exception of the National Electrical Code Informative Annex H, the Appendices to the codes adopted above may be used as guidance and indicators of best practices, but they are not adopted as absolute standards. As to National Electrical Code Informative Annex H, see Section 4-201 and 4-202.

Sec. 4-3 – Maintenance and Appearance of Downtown Historic District

4-3.1 - Purpose. It is the purpose of the provisions of this Code to provide a practical method whereby buildings or structures, which diminish property values or detract from the appropriate appearance of the Florence Downtown Historic District, may be required to be repaired. The downtown historic district is deemed by the City of Florence to require supplemental regulations because of its special economic importance. This area is deemed to constitute an "overlay zone" as defined in S.C. Code § 6-29-720(C). The provisions of this Code are cumulative, and in addition to any other remedy provided by law, including the current editions of standard codes adopted by the City of Florence.

4-3.2 - Scope. The provisions of this Code shall apply to all commercial buildings or structures whether occupied or vacant within the designated area. The city manager or his designee shall be responsible for carrying out the provisions of this article.

4-3.3 - Boundaries of the Florence Historic District. The boundaries and parcels of the Florence Historic District shall be the same as the H-1 Florence Historic Overlay District.

4-3.4 - Responsibilities of the Florence Design Review Board. In matters related to this article the rules and procedures governing the approval of repairs or work shall be the Design Guidelines for Downtown Florence.

4-3.5 - General duties and responsibilities of the owner. It shall be the duty and responsibility of the owner to ensure that buildings and structures affected by this article are maintained and repaired per the following:

(a) The exterior of the structure is to be maintained in good repair. In general, the term good repair shall mean that the structure(s) shall be free from broken glass from exposed windows; failed, failing or unattached gutter systems; failed or failing exposed wood elements that are either an architectural feature, a structural element, or placed on the structure for some other purpose; and/or other failed or failing plastic, metal, brick, stone or other building materials found on the exterior of the structure(s).

(b) All structures and decorative elements of building fronts, sides and rears shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials or as approved.

(c) Structures at the rear of buildings, attached or unattached to the principal structure, which are structurally deficient, shall be repaired or demolished upon approval.

(d) All extraneous elements on building walls and roofs and surrounding premises which serve no useful or aesthetic purpose, such as empty electrical or other conduits, unused sign brackets, etc., shall be removed.

(e) If the building is used for storage, the contents shall be masked from view of the public from the street right-of-way, public parking lots, or pedestrian corridors.

(f) If the building is unoccupied, the owner shall cause the building to be maintained in such a way as to prevent it from looking abandoned. In general, it is the intent of this paragraph to cause the building to blend in with other occupied buildings within the immediate area. In addition, the building shall remain broom clean with all debris and other waste removed from inside the building.

(g) The owner shall also be responsible for compliance with other sections of the City Code as they relate to nuisances and the abatement of nuisance conditions.

4-3.6 - Specific duties and responsibilities of the owner.

(a) *Walls.* In the event that a wall of a building has become exposed as a result of demolition of adjacent buildings, all doors, windows, vents or other similar openings exposed by the demolition must be either restored or closed. It shall be the

responsibility of the property owner or agent causing the exposure of the wall to make required repairs and bring the building into compliance. Additional work required and time schedule allowed shall be the following:

- (1) The removal of any protruding or loose materials.
- (2) The owner or agent causing the exposure shall submit an application and schedule for compliance to the city within sixty (60) days of demolition.

(b) *Windows.* In general, all windows shall be in good repair. For the purpose of this section, the term good repair shall mean that windows are tight fitting and have sashes of proper size and design. In addition, sashes with rotten wood, broken joints, or broken or loose mullions shall be replaced. Good repair shall also mean that exposed wood is sealed or otherwise protected and that the window is free of broken or cracked glass. For windows that are four (4) square feet or larger and are broken, the following rule shall apply: A glass pane is not required to be replaced, if the largest single portion of the pane which is free of cracks, is eighty (80) percent or greater of the total surface area of the glass pane.

(1) *First-floor.* Existing windows shall be maintained as windows, complete with sills, lintels, frame and glass unless changes are specifically approved by the design review board.

(2) *Upper floor(s).* Existing windows may be closed as approved by the design review board.

(3) *Signage and display windows.* The following regulations shall apply to window advertising and/or display window space:

a. No more than twenty-five (25) percent of a storefront window may be covered by advertising signs. This restriction shall not apply to signs permanently painted on or etched into the window that serve as the business' identification sign.

b. The interior area of enclosed display window space(s) shall be maintained in a manner free of dirt, debris, and clutter. If the display window space is not enclosed, the area measured from the bottom of the window to twenty-four (24) inches inside the building shall be considered the display window space.

c. Temporary signage shall not be placed on the exterior of any building or structure. All temporary signage must be on the inside of the window and shall be considered when calculating the twenty-five (25) percent

allowance for window signage. For the purpose of this section, temporary signage shall be defined by the city zoning code and/or the design guidelines.

d. All other signage shall be in conformity with the city zoning code and/or the design guidelines.

(4) *Allowable exceptions.* The following exceptions for window treatments are available if approved by the design review board.

a. *Upper story windows.*

1. Use of inoperable glass inserts.
2. Use of painted wooden shutters.
3. Use of public art.
4. Other options as approved.

b. *Alley windows.*

1. Use of painted wooden shutters.
2. Other options as approved.

c. *Back streets.*

1. Use of painted wooden shutters.
2. Other options as approved.

(c) *Protection of exterior surfaces and facades.* All exterior surfaces which require painting or sealing to protect the underlying surface(s) from deterioration shall be so painted or sealed. As a matter of regulation, when twenty-five (25) percent or more of the aggregate exterior surface of any wall face has peeling or flaking paint the entire area shall be repainted. An exception to this regulation may be granted by the city where the owner or owner representative, as a matter or design maintains the underlying paint, advertising sign or art work in a satisfactory manner.

(d) *Advertising structures, signs, and awnings.* All advertising structures and awnings and their accompanying supporting members shall be maintained in good repair and shall be in compliance with the development codes for the city. Non

complying signs, billboards, marquees, or awnings shall, together with their supporting members, be removed. It is the intent of this section, to cause the removal of all abandon signs or like structures within the H-1 District.

For awnings or marquees which are made of cloth, plastic or similar material, such awnings, or marquees shall be maintained so as not to show evidence of excessive tearing, ripping, and unsightly conditions. For the purpose of this section, excessive tearing shall be defined as a tear in excess of six (6) inches in length. In the event that the awning covering has been removed, the supporting members may remain in place for a period not to exceed four (4) months if the intent is to replace the covering.

(e) *Cornices.* All cornices shall be structurally sound and maintained/protected. Rotten or weakened portions shall be removed and/or replaced to match as close as possible the original patterns as approved by the design review board.

(f) *Downspouts.* Sheet metal gutters and downspouts shall be functional, replaced or repaired as necessary and shall be properly located and securely installed.

4-3.7 - Notice of violation and penalties. Any violation of the provisions of this article is hereby declared a public nuisance and shall be corrected or abated as required by this article. Further, violation(s) of this article shall be subject to the provisions of this Code governing such nuisances, including reimbursing the city for any costs incurred in removing, abating or remedying said nuisance. When an owner is found to be in violation of this article, the city may serve upon such person a written notice stating the nature of the violation.

Within thirty (30) days from the date of receipt of the notice of violation, the owner shall submit to the city a plan for the satisfactory correction of the violation - which shall include acceptable milestones and other remedies to abate the violation. Within two (2) weeks of submittal, the city shall review the correction plan and respond in writing to the owner of its acceptance, rejection, or recommended modification(s) to the plan.

Upon acceptance of the plan by the city, the owner shall abate the public nuisance in a manner consistent with the approved plan. The city's duly appointed official may amend the plan, upon a written request by the owner or the owner's representative. All amendments shall be in writing and upon acceptance by the city shall be made part of the accepted correction plan. A phased schedule approach toward compliance may be acceptable. However, if a phased schedule approach is proposed it shall not exceed thirty-six (36) months from the date of acceptance by the city.

Sec. 4-4 - Demolition or removal of building—Review by the City-County Historical Commission required.

(a) Any person desiring to undertake the demolition or removal of any building from any lot or property within the city which has not been previously designated as an historic property pursuant to the provisions of Section 7.11G of the City Zoning Ordinance shall make application for a demolition or moving permit to the codes enforcement division on forms provided by the division, and the request will be

referred to the city-county historical commission under the provisions of this section. If the premises has been previously designated as a historic property pursuant to the provisions of Section 7.11G of the City Zoning Ordinance, then the provisions of Section 7.11 of the City Zoning Ordinance shall apply.

(b) The application shall contain the name of the owner of the building, owner's address and telephone number, the person engaged to dismantle or remove the building, the cost of such work or value of salvage, and at least three (3) photographs of the building.

(c) Within two (2) business days after receipt of the application, the codes enforcement staff shall notify every member of the city-county historical commission. The historical commission, at its next regular meeting or at a special meeting called for the purpose not later than twenty-one (21) calendar days after receiving notification from the codes enforcement staff, shall review the history of the building and make a determination as to its significance; provided, however, that if in the opinion of the chief official of the codes enforcement division, with the concurrence of the chair of the historical commission or another member designated by the chair, the structure is in such a deteriorated condition that preservation and rehabilitation is not feasible, the codes enforcement staff may issue the permit without review by the full historical commission.

(d) In the event that the historical commission shall determine that there is no significance to the structure, the commission shall notify the codes enforcement department, which may issue the permit as requested. If the historical commission determines that the structure has either historical or general preservation significance, or potential historical significance, the commission shall notify the codes enforcement department, which shall notify the applicant that issuance of the permit will be delayed until further investigation of the building can be accomplished by the historical commission.

(e) If the historical commission does not have a regular or special meeting before the end of the twenty-one-day period, the chief official of the codes enforcement division may grant one (1) ten-day extension of the time for the historical commission to review the building and make a determination, or allow the codes enforcement staff to issue the permit without a determination by the historical commission as to the historical significance of the building.

(f) In those instances in which the historical commission determines that additional time is needed to evaluate the structure, the codes enforcement division shall select one (1) of the following alternatives:

(1) If the commission determines that the structure has historical significance, the codes enforcement division shall delay the issuance of the

permit for sixty (60) days from the date of the determination by the commission in order for the commission to properly survey and document the structure and to arrange with the owner for the purchase, rehabilitation, renovation, or relocation of the structure as may be arranged by the historical commission; or

(2) If the commission determines that the structure does not have historical significance but has general value to the community and could be preserved and rehabilitated, the codes enforcement division shall delay the issuance of the permit for thirty (30) days from the date of the determination by the commission in order for the commission to properly survey and document the structure and to arrange with the owner for the purchase, rehabilitation, renovation, or relocation of the structures as may be arranged by the historical commission.

(g) The historical commission shall make every effort to conduct its review as expeditiously as possible in order to minimize the delay to the applicant. The commission shall notify the codes enforcement division staff when it has made a decision concerning the structure. The codes enforcement division shall notify the applicant of any action by the historical commission as expeditiously as possible. At the expiration of the time periods mentioned in (f)(1) and (f)(2) above, the codes enforcement division shall take appropriate action to terminate the application and either issue the permit or reject the application for some appropriate reason. The applicant shall be notified in writing by the codes enforcement division in the event the application is denied, including the reason for denial.

Sec. 4-5 - Same—Provisions to be in addition to certain provisions of building code.

The provisions of sections 4-4 shall be in addition to the provisions of the technical codes adopted by reference in Section 4-1 herein.

Sec. 4-6 - Moving oversized structures.

(a) *Oversized structure defined.* An oversize structure is defined as any structure or portion thereof of a width of fifteen (15) feet or more and/or a height of more than thirteen (13) feet, eight (8) inches or any structure which cannot be safely transported without unnecessarily impeding the flow of traffic.

(b) *Permit, additional requirements, costs.* No oversize structure shall be transported within the city limits without first being granted a moving permit by the license division. Such permit must be applied for at least ten (10) days in advance of the move date. The application fee for processing shall be twenty-five dollars (\$25.00) which shall be nonrefundable. The application must include the name and address of the moving firm, the size, type and construction of the structure and/or sections, the number of sections, and origination location, destination location, special considerations and any other information deemed necessary. At the time of

the application, the moving company must present proof of bonding and a City of Florence business license. Prior to issuance of a permit, the firm shall maintain and show proof, through a certificate of insurance of liability insurance coverage in the amount of two hundred fifty thousand dollars (\$250,000.00) per person and five hundred thousand dollars (\$500,000.00) per occurrence. Said coverage shall be in an occurrence based policy naming the City of Florence as additionally insured. The moving company is required to contract, at its own expense, for on-scene assistance from any public or private utility service which would be affected by the moving of the structure and as deemed necessary by the City of Florence. If the application is approved, a permit will be granted. The police department shall be solely responsible for establishing and approving a moving date, time, and route of travel which will best serve the public safety and traffic flow. The police department reserves the right to postpone or cancel the move date/time or alter the travel route. The applicant shall be assessed the following charges:

- (1) One hundred dollars (\$100.00) the first hour which includes the use of two (2) police officers and two (2) marked vehicles.
- (2) Seventy-five dollars (\$75.00) per hour for each additional hour as outlined above.
- (3) Forty-five dollars (\$45.00) per hour for each additional police officer and marked vehicle requested by the moving firm or deemed necessary by the police department.

The charges will begin accumulating upon arrival of the police unit at the site and will terminate upon the police unit's return to the police department.

(c) *Applicant responsibility; right of permit refusal.* The applicant shall be solely responsible for any and all costs, damages, injuries, loss of life and/or fines associated with the move of the structure and will hold harmless and defend the city, its agents, employees, and officers. The city reserves the right to refuse to grant a permit to any moving firm which does not meet the requirements of this section, who is in arrears in payment to the city for charges as specified in this section, or as deemed otherwise as being in the best interest of the City of Florence.

(d) *Penalty for violation.* Any person violating any provision of this section shall be issued a summons and upon conviction shall be punished as provided in Section 1-7 of the Code of Ordinances of the City of Florence.

Sec. 4-7 - Occupying street or sidewalk—Permit required; allocation of space.

It shall be unlawful for any contractor, builder, agent or owner of any lot in the city to occupy any part of the streets or sidewalks of the city without first obtaining a written encroachment permit from the appropriate city official, and having the space allotted

therefor measured and designated by the appropriate city official. A time limit for such occupancy shall also be fixed by the appropriate city official. No permit to store building material on the streets or sidewalks shall be given where there is room for such storage on the lot of the owner. The provisions of this section shall not be construed to apply to paving contractors.

Sec. 4-8 - Same—Copy of permit to be filed with police.

Whenever a permit is issued by the appropriate city official, pursuant to Section 4-8 a copy thereof must in all cases be filed with the officer in charge at police headquarters.

Sec. 4-9. - Same—Bond or insurance required.

Before occupying such portions of the street or sidewalk assigned pursuant to Section 4-8, the contractor, builder, agent or owner shall file a bond of indemnity or certificate of insurance against any accidents to property or persons which may result by reason of such occupation, which bond or certificate shall be given the city. Such bond or certificate of insurance shall be fixed by the city of Florence.

Sec. 4-10 Permit Fees and Fees Related to Inspections.

No permit issued under this chapter shall be valid, until the fees, as established from time to time, have been paid, nor shall an amendment to a permit be approved, until the additional fees, if any, have been paid. The initial fee schedule shall be the same fee schedule as utilized by the County of Florence as of March 1, 2017. Future changes to fee schedule may be adopted by City Council by resolution. A current copy of the fee schedule shall be maintained on file in the offices of the city clerk and the building codes administrator.

Secs. 4-11 — 4-30. - Reserved.

ARTICLE II. - CONSTRUCTION AND MAINTENANCE BOARD OF ADJUSTMENTS AND APPEALS

Sec. 4-31 - Established; purpose.

There is hereby established a board, to be called the construction and maintenance board of adjustments and appeals, to hear appeals arising under the building code, the residential code, the electrical code, the fuel gas code, the plumbing code, the mechanical code, the fire code, the energy conservation code and the property maintenance code.

Sec. 4-32 - Membership; compensation of members; removal of members; conflicts of interest.

The construction and maintenance board of adjustments and appeals shall consist of nine members as follows: one architect, one engineer, one electrical contractor, one general contractor, one mechanical contractor, one plumbing contractor and three laypersons who are residents of the city, provided, however, at all times at least four (4) of the members will be residents of City Council Districts One or Two. With the exception of the laypersons, all of the members of the board shall be licensed by the state in their respective professions and shall have done a significant amount of business with the city in their respective professions so as to be familiar with the city's code practices. Substantiation of having done a significant amount of business in the city will be established at the time of appointment by the prior issuance of business licenses to such individuals, or the businesses with which they are associated, in three of the last five calendar years. The members of the board shall be appointed by the city council. They shall serve without compensation. Members shall be removed for cause by the mayor and city council upon written charges and a public hearing. A board member shall not participate in any case in which he has a personal or implied interest, and all members should avoid the appearance of impropriety. Continued absence of any member from meetings of the board shall at the discretion of the city council result in his removal from office.

Sec. 4-33 - Term of members.

The term of office of the members of the construction and maintenance board of adjustments and appeals shall be four years. In order to establish a rotational appointment for the members, the initial terms of members shall be staggered with four (4) of the members being for an initial term of two (2) years and five (5) of the members being for four (4) years. The initial Four (4) year terms shall apply to the member that is an architect, the member that is an engineer, and the three (3) members who are laypersons. The initial terms of the remaining members shall be for two (2) years.

Sec. 4-34 - Officers; meetings; records.

The construction and maintenance board of adjustments and appeals shall elect its own chair and vice-chair, who shall serve for one year. It shall adopt rules necessary for the conduct of its affairs. Meetings of the board shall be held at the call of the chair and at such other times as the board may determine. The chair or acting chair may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its official actions, both of which shall be filed in the city offices.

Sec. 4-35 - Quorum; required vote.

Five members of the construction and maintenance board of adjustments and appeals shall constitute a quorum. The concurring vote of a majority of the members of the board present, and

no less than three, shall be necessary to reverse any order, requirement, decision or determination of the official whose order, requirement, decision or determination is being appealed.

Sec. 4-36 - Appeal procedure.

Appeals to the construction and maintenance board of adjustments and appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any order, requirement, decision or determination of the official enforcing the technical codes of which the board has jurisdiction. Such appeal shall be taken within 30 days of notification of the action being appealed, unless a shorter time is prescribed in the technical code, shall be accompanied by a fee as fixed from time to time by the city council, shall be in writing, stating the grounds therefor, and shall be filed with the city. The building codes administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. The board shall fix a reasonable time for hearing the appeal, give due notice thereof to the parties in interest, and decide the appeal within a reasonable time. At the hearing, any party may appear in person or by agent or by attorney.

Sec. 4-37 - Stay of proceedings pending appeal.

An appeal under this article stays all proceedings in furtherance of the action appealed from, unless the official from whom the appeal is taken certifies to the construction and maintenance board of adjustments and appeals that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, the action shall not be stayed, except by a restraining order issued by a court of competent jurisdiction.

Sec. 4-38 – Jurisdiction of board; reopening appeals.

The construction and maintenance board of adjustments and appeals shall have the power and duty to act when the enforcing official has rejected or refused to approve the mode or manner of any installation, or has refused to issue or has suspended or revoked a certification, or when it is claimed that the particular technical code is inapplicable or that an alternative form of installation can be employed, or that the true intent of the particular code or any of the regulations thereunder has been misconstrued or wrongly interpreted or applied, or that enforcement of the literal interpretation of the particular technical code would cause undue hardship. No subsequent appeal shall be considered where an appeal has been decided previously involving the same person, building or premises and the same citation unless the appellant can demonstrate to the board a change in circumstances sufficient to justify reopening the appeal.

Sec. 4-39 - Decisions.

Every decision of the construction and maintenance board of adjustments and appeals shall be final, subject, however, to such remedy as any aggrieved party might have at law or in equity. Every decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be filed in the office of the building codes administrator, and a copy thereof shall be given to each appellant. Appeals from the board to a court of competent jurisdiction shall be filed with such court within 30 days of the decision of the board and shall specify the grounds of the illegality of the board's decision.

Sec. 4-40 - Conflicting provisions.

If any other provision of this Code conflicts with the provisions contained in this article, the more restrictive provision shall govern.

Secs. 4-41 — 4-49. - Reserved.

ARTICLE III. - BUILDING CODE

DIVISION 1. - GENERALLY

Sec. 4-50 - International Building Code enforced.

There is hereby recognized by the city, for the purpose of regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; and providing for the issuance of permits and collection of fees that certain code known as the *International Building Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "building official" is used in this code, it shall be construed to mean the building code administrator or his/her designee.

Sec. 4-51 - Penalty.

Any person who shall violate any provision of the code adopted by the provisions of this article shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 1-7 of the City Code of Ordinances. Each day such violation continues shall be deemed a separate offense, except as otherwise limited by state law.

Sec. 4-52 - Permit fees; Re-inspection fee.

On all buildings, structures, alterations or signs requiring a building permit, as set forth in the administrative standards in section 109 of the International Building Code, a fee shall be paid as required at the time of filing the application, in accordance with the schedule of permit fees as fixed from time to time pursuant to Section 4-10 herein.

Sec. 4-53 - Reserved.

Sec. 4-54 - Authority of city to require bond or liability insurance.

(a) When the city shall so require, the applicant for a building permit shall, before receiving such permit or beginning work thereunder, execute and deliver to the city a good and sufficient bond of indemnity in such sum as may be required by the city council, and subject to the approval of the city council, conditioned to repay to the city any sums which it may have to pay for damages to any person or property by reason of excavations or obstructions in or on any of the streets, alleys or sidewalks of the city, or by reason of objects falling from such building or the scaffolding attached thereto, or by reason of any act or neglect whatsoever done or suffered by such applicant or by any person, whether an independent contractor or not, or by any agent of any such party who shall construct or move such building or any part thereof. Such bond shall be that of an approved surety company or shall be signed by two or more good and sufficient resident sureties, to be approved by the city council. The city council may, at any time, require the execution of a new bond or the substitution or addition of new or other sureties therefor or thereto.

(b) In lieu of the bond prescribed in subsection (a) of this section, any person applying for a building permit may file with the city a public liability insurance policy issued by an insurance company authorized to do business in the state, such policy to afford coverage in the currently required amount. Such policy shall name the city as an additional insured and the applicant shall furnish the name of the agent issuing the policy, the policy number, the expiration date thereof and the name and address of the insurance company issuing the policy.

Sec. 4-55 - Occupancy permit.

(a) No new or existing building or portion of a new or existing building in the city shall be used as a church, school, hotel, office building, store building or other place of business without an occupancy permit issued by the city; provided, however, rooms or spaces less than 500 square feet located within a larger building or space occupied under a current occupancy permit require no separate occupancy permit. Any person applying for such permit shall pay to the city a fee as fixed from time to time.

(b) In buildings or portions of buildings used for office occupancies, the owner, agent or lessor is required to submit in writing to the building department the names, addresses and office space identification of all new office occupants to whom space is rented or leased within five days of the signing of such lease or rental agreements.

(c) Whenever there is a change of tenants in an existing church, school, office building, store building or other place of business, a new occupancy permit is required for space occupied by such tenants.

(d) Whenever a replacement certificate of occupancy is requested, a fee equal to the original certificate of occupancy is required to be paid and a re-inspection of the space or building is required to be performed.

Sec. 4-56 - Federal approval of proposed development in airport protective areas.

It shall be unlawful for any land disturbing activity or any construction activity to begin, and no building permit may be issued, until the property owner, developer or an authorized representative has applied for and received approval from the Federal Aviation Administration to proceed with any proposed development to property located within that area defined as the glide slope critical area within the airport protective zone as determined by the Federal Aviation Administration in conjunction with the Florence Regional Airport Authority.

Sec. 4-57- Amendments to the International Building Code.

The following sections of the International Building Code are hereby modified to read as follows:

Section 101.1. Insert: "City of Florence."

Section 111.2 of the International Building Code is amended to read in its entirety as follows:

111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy for the use of that building or structure and the certificate shall contain:

1. The occupancy permit number.
2. The address of the structure.
3. A description of that portion of the structure for which the certificate is issued unless the certificate is issued for the entire structure.
4. The name of the building official.
5. The use and occupancy, in accordance with the provisions of chapter 3.
6. The design occupant load.
7. Any special stipulations and conditions of the building permit.

Section 113 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 113 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 113 are hereby repealed. Except as so repealed, the provisions of Section 113 shall remain in full force and effect.

Secs. 4-58—4-90. - Reserved.

DIVISION 2. - SITE PREPARATION

Sec. 4-91 - Penalty; abatement of hazardous conditions by city.

Any person who shall violate a provision of this division, or fail to comply therewith or with any of the provisions thereof, shall be guilty of a misdemeanor. Each such violator shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this division is committed or continued, and, upon conviction in the municipal court for any such violation, such violator shall be punished as provided in Section 1-7 of the City Code of Ordinances. In addition to such penalties, if a public hazard or nuisance has been created, the city may, after due notice and a hearing before the construction and maintenance board of adjustments and appeals, issue an order authorizing the reduction, elimination or screening of such hazard, and any reasonable costs of such shall be assessed against the responsible persons as are personal property taxes.

Sec. 4-92 - Permit required.

No person shall do any grading or filling without first obtaining a site preparation permit from the city, except when for purposes of commercial stockpiling of rock, sand, gravel or aggregate for later sale, or for cemetery purposes, or when a building permit has already been obtained; provided, however, the city may require a permit under any of these exceptions when it is believed that a public hazard or nuisance has been or is about to be created.

Sec. 4-93 - Submission of plans.

In the form and content and when required by the city, one or more copies of specifications and drawings for work subject to this division, drawn to scale, with sufficient clarity and detail to indicate the nature and character of the work, the type of fill material, etc., shall be submitted for the approval of the city and departments having jurisdiction for work. Use of organic materials as fill shall be prohibited. No work shall be performed on the site without the prior approval of the official and the issuance of a permit. Modifications to any plans previously approved shall also be submitted in advance for approval.

Sec. 4-94 - Protection of utilities and adjacent property.

(a) During and after grading and filling operations, the permittee under this division shall be responsible for the prevention of damage to any public utilities or services as a result of his work. This responsibility applies within the limits of grading and along any routes of travel of equipment.

(b) The permittee is responsible for the prevention of damage or injury to adjacent property and persons, and no person shall excavate or fill on land sufficiently close to the property line so as to endanger any adjoining public street, sidewalk, alley or other public or private property or pedestrians or traffic thereon, without supporting and protecting such property or persons.

Secs. 4-95—4-120. - Reserved.

ARTICLE IV. - PLUMBING CODE

Sec. 4-121 - International Plumbing Code enforced.

There is hereby recognized by the city, for the purposes of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use for maintenance of plumbing systems; and providing for the issuance of permits and collection of fees that certain code known as the *International Plumbing Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code, it shall be construed to mean the building code administrator or his/her designee, and the term "department of plumbing inspection" shall mean the Department of Building Safety.

Sec. 4-122 - Penalty.

Any person who shall violate any provision of the code adopted by this article shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 1-7 of the City Code of Ordinances. Each day such violation continues shall be deemed a separate offense.

Sec. 4-123 - Permit fees; Re-inspection fee.

No permit issued under this article shall be valid, until the fees, as established from time to time, have been paid, nor shall an amendment to a permit be approved, until the additional fees, if any, have been paid. A current copy of the fee schedule shall be maintained on file in the offices of the city clerk and the building codes administrator.

Sec. 4-124 - Amendments to the International Plumbing Code.

The following sections of the International Plumbing Code are hereby revised as follows:

Section 101.1 Title Insert: "City of Florence."

Section 106.6.2 Fee schedule; Revised to read in its entirety as follows:

No permit issued under this code shall be valid, until the fees, as established from time to time, have been paid, nor shall an amendment to a permit be approved, until the additional fees, if any, have been paid. A current copy of the fee schedule shall be maintained in the offices of the city clerk and the building codes administrator.

Section 106.6.3 Fee refunds; Deleted in its entirety.

Section 108.4 Violation penalties; Revised to read in its entirety as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided by Section 1-7 of the City Code of Ordinances of the City of Florence. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders; Revised to read in its entirety as follows:

Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to penalties established by Section 1-7 of the City Code of Ordinances of the City of Florence.

Section 109 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 109 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 109 are hereby repealed. Except as so repealed, the provisions of Section 109 shall remain in full force and effect.

Section 305.4.1 Sewer depth; Revised to read in its entirety as follows:

Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade.

Section 903.1 Roof extension; Revised to read in its entirety as follows:

All open vent pipes that extend through a roof shall be terminated at least 10 inches (254 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Secs. 4-125—4-150. - Reserved.

ARTICLE V. - MECHANICAL CODE

Sec. 4-151 - International Mechanical Code enforced.

There is hereby recognized by the city for the purposes of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use for maintenance of mechanical systems; and providing for the issuance of permits and collection of fees therefor that certain code known as the *International Mechanical Code* as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code, it shall be construed to mean the building code administrator or his/her designee, and the term "department of mechanical inspection" shall mean the Department of Building Safety.

Sec. 4-152 - Permit fees; Re-inspection fee.

(a) On all mechanical work requiring a permit as set forth in section 106 of the International Mechanical Code, a fee for each mechanical permit shall be paid at the time of approval of the application. Fees shall be charged in accordance with the schedule adopted from time to time by the city council. A current copy of the fee schedule shall be filed in the office of the city clerk.

(b) No permit shall be valid until the permit fees have been paid, nor shall an amendment to a permit be approved, until the additional fees, if any, have been paid. A current copy of the fee schedule shall be maintained on file in the offices of the city clerk and the building codes administrator.

(c) A re-inspection fee, as fixed from time to time by the city council, will be charged for re-inspection in every area where permits are required. The term "re-inspection" is defined as any trip made in addition to those specifically named on the building permit job card, or any trip made as the result of condemned or disapproved work or as the result of calling for inspections prior to the work being ready for inspection, and additional trips made because access to the structure is not provided. Re-inspection fees shall be paid within five working days or the job will be shut down. When the re-inspection is a result of any error on the part of the inspector, no fee shall be charged.

Sec. 4-153 - Amendments to the International Mechanical Code.

The following sections of the International Mechanical Code are hereby revised to read in their entirety as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Florence, hereinafter referred to as "this code."

106.5.2 Fee schedule. No permit issued under this code shall be valid, until the fees, as established from time to time, have been paid, nor shall an amendment to a permit be

approved until the additional fees, if any, have been paid. A current copy of the fee schedule shall be maintained in the offices of the city clerk and the building codes administrator.

106.5.3 Fee refunds; Deleted in its entirety.

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor as provided by Section 1-7 of the City Code of Ordinances of the City of Florence. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to penalties established by Section 1-7 of the City Code of Ordinances of the City of Florence.

Section 109 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 109 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 109 are hereby repealed. Except as so repealed, the provisions of Section 109 shall remain in full force and effect.

Secs. 4-154—4-180. - Reserved.

ARTICLE VI. - ELECTRICAL CODE

DIVISION 1. - GENERALLY

Sec. 4-181 - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Electrical contractor means any person engaging in the business of electrical installation, construction or repair.

Fixture dealer means any person engaging in the business of installing electrical fixtures or appliances either sold or manufactured by such person.

Helper and *apprentice* mean anyone using any tools or materials of the electrical construction trade who does not possess a journeyman's certificate.

Specialized mechanical contractor means any person engaging in the business of installing industrial mechanical equipment having electrical components requiring specially trained mechanics for installation and maintenance of such equipment.

Sec. 4-182 - Exceptions for work by utility companies.

Nothing in this article shall apply to installation or work in connection with the erection, construction, maintenance or repair of lines for the transmission or distribution of electricity by electric utility companies authorized to engage in the business of selling electricity from the source of supply to the service switch on the premises where it is used; nor shall anything in this article apply to work of such companies on premises owned or controlled by them, or to the installation, maintenance and repair of meters, service connections or other apparatus located on the property of others, provided the utility company retains ownership of such equipment after installation; nor shall this article apply to work by companies engaging in the transmission of intelligence by electricity while installing, maintaining or repairing apparatus or fixtures used in the business of such companies and incidental to the business, whether or not such apparatus is located on company property.

Sec. 4-183. - Responsibility for injuries or damages.

Nothing contained in this article shall be construed to relieve or lessen the responsibility of any party owning, operating, controlling or installing any electrical equipment for injury to any person or any property destroyed or damaged thereby; nor shall the city be held as assuming any liability by reason of inspection authorized in this article or because of prior certificates or permits issued.

Secs. 4-184—4-200. - Reserved.

DIVISION 2. - NATIONAL ELECTRICAL CODE

Sec. 4-201. - National Electrical Code enforced.

There is hereby recognized by the city, for the purposes of safeguarding persons and property from hazards arising from the use of electricity and establishing methods, rules, and regulations for the construction of buildings, issuance of permits pertaining thereto and the duties of the building officials of the city, that certain code known as the *National Electrical Code* (NFPA 70) as promulgated and as most recently adopted by the South Carolina Building Codes Council. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "electrical inspector" is used in this code, it shall be construed to mean the building code administrator or his/her designee, and the term "department of electrical inspection" shall mean the Department of Building Safety.

Informative Annex H is adopted to the extent that the provisions therein do not conflict with the provisions of Sections 4-31 through 4-40. See Section 4-202 below.

Sec. 4-202. - Definitions of terms used in code.

- (a) Whenever the term "municipality" or "city" is used in the code adopted by this division, it shall be construed to mean the city.
- (b) Whenever the term "corporate counsel" or "city attorney" is used in the code adopted by this division, it shall be construed to mean the city attorney of the city.

Informative Annex H is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Informative Annex H conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Informative Annex H are hereby repealed. Except as so repealed, the provisions of Informative Annex H shall remain in full force and effect.

Sec. 4-203. - Penalty.

Any person who shall violate any provision of the code adopted by this division shall be deemed guilty of a misdemeanor and shall be punished as provided by Section 1-7 of the City Code of Ordinances. Each day such violation continues shall be deemed a separate offense.

Secs. 4-204—4-220. - Reserved.

DIVISIONS 3, 4. - RESERVED

Secs. 4-221—4-271. - Reserved.

ARTICLE VII. - FUEL GAS CODE

DIVISION 1. - GENERALLY

Secs. 4-272—4-330. - Reserved.

DIVISION 2. - INTERNATIONAL FUEL GAS CODE

Sec. 4-331 - International Fuel Gas Code enforced.

There is hereby recognized by the city, for the purposes of regulating and governing fuel gas systems and gas-fired appliances; and providing for the issuance of permits and collection of fees therefor that certain code known as the *International Fuel Gas Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall

include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code, it shall be construed to mean the building code administrator or his/her designee, and the term "department of inspection" shall mean the Department of Building Safety.

Sec. 4-332 - Penalty.

Any person who shall violate any provision of the code adopted by this division shall be deemed guilty of a misdemeanor and shall be punished as provided by Section 1-7 of the City Code of Ordinances. Each day such a violation continues shall be deemed a separate offense.

Sec. 4-333 - Testing of defective gas piping.

Where there is reason to believe that any portion of the gas piping system has become defective, the system shall be tested in such a manner as may be prescribed by the city.

Sec. 4-334 - Certificate of approval required prior to furnishing gas supply.

Permanent gas supply will not be furnished until after a satisfactory tightness test has been made and a certificate of approval has been issued by the mechanical inspector.

Sec. 4-335 - Amendments to the International Fuel Gas Code.

The following sections of the International Fuel Gas Code are hereby modified to read in their entirety as follows:

Section 101.1 Title. These regulations shall be known as the Mechanical Code of the City of Florence, hereinafter referred to as "this code."

106.6.2 Fee schedule. No permit issued under this code shall be valid, until the fees, as established from time to time, have been paid, nor shall an amendment to a permit be approved until the additional fees, if any, have been paid. A current copy of the fee schedule shall be maintained in the offices of the city clerk and the building codes administrator.

106.6.3 Fee refunds; Deleted in its entirety.

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided by Section 1-7 of the City Code of Ordinances of the City of Florence. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such

work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to penalties established by Section 1-7 of the City Code of Ordinances of the City of Florence.

Section 109 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 109 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 109 are hereby repealed. Except as so repealed, the provisions of Section 109 shall remain in full force and effect.

Secs. 4-336—4-350. - Reserved.

DIVISION 3. - RESERVED

Secs. 4-351—4-380. - Reserved.

Secs. 4-381—4-410. - Reserved.

ARTICLE VIII. - PROPERTY MAINTENANCE CODE

Sec. 4-411 - International Property Maintenance Code adopted.

There is hereby adopted by the city, for the purpose of regulating and governing the conditions and maintenance of all property, buildings, and structures; providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures; and providing for the issuance of permits and collection of fees therefor that certain code known as the *International Property Maintenance Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code, it shall be construed to mean the building code administrator or his/her designee, and the term "department of property maintenance inspection" shall mean the Department of Building Safety.

Sec. 4-412 - Amendments to the International Property Maintenance Code.

The following sections of the International Property Maintenance Code are hereby modified to read in their entirety as follows:

101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Florence, hereinafter referred to as "this code."

Section 103.5 of the International Property Maintenance Code is revised in its entirety as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the schedule fixed from time to time. A current copy of the fee schedule shall be maintained in the offices of the city clerk and the building codes administrator.

Section 106.4 of the International Property Maintenance Code is revised in its entirety as follows:

106.4 Violation; penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed as prescribed in section 106.4.1 and/or Section 1-7 of the City Code of Ordinances of the City of Florence.

106.4.1 Penalties.

- (1) For compliance with a notice to correct violations within the time frame given on the first notice of violation, no penalty shall be charged.
- (2) If a violation is not corrected within the specified time on the notice of violation, a penalty shall be added as follows:

For the next 30 days, a \$5.00 penalty shall be added for each day of continuing violation.

For each additional day, a \$10.00 penalty shall be added for continuing violation until the violation is corrected.
- (3) For a second offense of the same violation within one year, a \$15.00 penalty shall be assessed for each day of continuing violation beginning with the first day of violation.
- (4) For the third offense of the same violation within one year, a \$20.00 penalty shall be assessed for each day of continuing violation beginning with the first day of violation.
- (5) For continuing violations, separate citations need not be written for each day they occur in order to establish separate violations, provided the single citation identifies reasonably the dates of each continuing violation.

The city manager or his designee may waive or abate the penalties outlined in this section for good cause shown. However, upon conviction in municipal court of an

offender for one or more violations, no penalty assessed by the city manager or his designee or the code administrator can be waived or abated by the municipal court, it being the intent of the city council to secure prompt compliance and consistency in the administration of these code provisions by ensuring mandatory penalties for delays and repeated occurrences.

Section 111 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 111 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 111 are hereby repealed. Except as so repealed, the provisions of Section 111 shall remain in full force and effect.

112.4. Failure to comply. Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to penalties established by Section 1-7 of the City Code of Ordinances of the City of Florence.

Section 113 Maintenance of Vacant and Boarded Structures is added to read:

113.1 Vacant Structures. If the structure is vacant and unfit for human habitation and occupancy and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

113.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

- A. "Building" means any structure including, but not limited to, any residential commercial industrial or assembly structure approved for occupancy.
- B. "Vacant Building" means any structure or building that:
 - 1) Is unoccupied or occupied by unauthorized persons; and
 - 2) Is unsecured or boarded.

113.3 Enforcement and Remedies for Violation. A building that is boarded or vacant in violation of this section is a public nuisance. In addition to the provisions in this section, the City is authorized to use the enforcement powers and remedies for violations set forth in section 104 and/or 106 of this code, state law and the City of Florence Code of Ordinances. The remedies, procedures, and penalties provided by this section are cumulative to each other and to any others available under state law or other city ordinances.

113.4 Owner Responsibilities. No person shall allow a building designed for human use or occupancy to stand vacant for more than 30 days after notice unless the owner establishes

by substantial evidence to the reasonable satisfaction of the code official one of the following applies.

113.4.1 Permits. The building is the subject of an active building permit for repair or rehabilitation and the owner is progressing diligently to complete the repair or rehabilitation.

113.4.2 Sale or Lease. The building meets all applicable codes, does not contribute to blight, is ready for occupancy and is actively being offered for sale, lease or rent.

113.4.3 Maintained. The building does not contribute to and is not likely to contribute to blight because the owner is actively maintaining and monitoring the building so that it does not contribute to blight. Active maintenance and monitoring shall include:

1. Maintenance of landscaping and plant material in good condition.
2. Maintenance of the exterior of the building including but not limited to paint and finishes in good condition.
3. Prompt and regular removal of all exterior trash debris and graffiti.
4. Maintenance of the building in continuing compliance with all applicable codes and regulations.
5. Prevention of criminal activity on the premises including, but not limited to, use and sale of controlled substances, prostitution, criminal street gang activity, loitering, or trespassing.

113.4.4 Natural Disasters. If the building is vacant due to fire, flood, earthquake, or other form of natural disaster and the owner is actively pursuing assistance for demolition, rehabilitation, or restoration of the building and/or premises from local, state or federal assistance programs or from insurance agencies.

113.5 Rehabilitation. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall cause the boarded building to be rehabilitated for occupancy within six months after the building is boarded and shall be subject to section 112.4 of this code.

113.6 Boarded-Up Structures. The owner of any boarded building whether boarded by voluntary action of the owner or as a result of enforcement activity by the city shall ensure that the building is boarded to board-up standards to the reasonable satisfaction of the code official. In no case shall a structure remain boarded for a period more than six months. Exception: Commercial structures when the City determines that it is in the public interest and the owner provides substantial evidence to the reasonable satisfaction of the code official that the building complies with section 113.4.3.

113.7 Standards for Boarding a Vacant Building. The boarding of a vacant building shall be according to the specifications approved by the code official.

113.7.1 Buildings Abated by City. If the City boards the vacant building, the building may be boarded in a manner which is determined to adequately prevent unauthorized entry or vandalism. All costs of boarding shall be recovered pursuant to the procedures in section 108.2.

113.8 Notice Procedures for Vacant, Unsecured, or Boarded Buildings. Whenever the code official determines that a vacant, unsecured, or boarded building exists, a notice shall be sent to the owner or responsible party in accordance with section 107.

113.8.1 Trespass Notice. The code official may also require the owner of the property to post "No Trespassing" signs on the property and sign a letter with the

City of Florence police department authorizing the department to enforce no trespassing on the premises.

113.9 Continuing Nuisance. When the owner of a boarded or vacant building fails to maintain the property in accordance with this section or when repeated violations of this section occur for the same property, the code official may seek other remedies as provided by this code, local ordinances or state law including but not limited to demolition of the structure.

113.10 Emergency Hazard Abatement. When any open building or structure constitutes such an imminent threat to life, limb or property such that it must be secured, closed or barricaded and compliance with other provisions of this Code becomes infeasible as determined by the code official, the code official may summarily secure, close, or barricade the building without prior notice to the property owner. All costs of boarding shall be recovered pursuant to the procedures in section 108.2.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction.

Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon. And the costs of such removal shall be paid by the owner or agent responsible for the property.

304.14 Insect screens. During the period from January 1 to December 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition. Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 1 to maintain a temperature of not less than 48 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms. Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30° F (-1° C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from October 1 to May 1 to maintain a temperature of not less than 65° F (18° C) during the period the spaces are occupied. Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Secs. 4-413—4-439. - Reserved.

Secs. 4-440—4-480. - Reserved.

ARTICLE X. - ENERGY CONSERVATION CODE

Sec. 4-481. - International Energy Conservation Code enforced.

There is hereby recognized by the city, for the purpose of regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems; and providing for the issuance of permits and collection of fees therefor that certain code known as the *International Energy Conservation Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code, it shall be construed to mean the building code administrator or his/her designee.

Sec. 4-482. - Penalty.

Any person who shall violate any provision of the code adopted by this article shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 1-7 of the City Code of Ordinances. Each day such violation continues shall be deemed a separate offense.

Sec. 4-483. - Amendments to the International Energy Conservation Code.

The following sections of the International Energy Conservation Code are amended to read in their entirety as follows:

101.1 Title. These regulations shall be known as the Energy Conservation Code of the City of Florence, and shall be cited as such. It is referred to herein as "this code."

108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as provided by Section 1-7 of the City Code of Ordinances of the City of Florence. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 109 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 109 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 109 are hereby repealed. Except as so repealed, the provisions of Section 109 shall remain in full force and effect.

Secs. 4-484—4-700. - Reserved.

Secs. 4-701—4-800. - Reserved.

ARTICLE XII. - RESIDENTIAL CODE

Sec. 4-801. - International Residential Code enforced.

There is hereby recognized by the city, for the purpose of regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress; and providing for the issuance of permits and collection of fees therefor that certain Code known as the *International Residential Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "building official" is used in this code it shall be construed to mean the building code administrator or his/her designee.

Sec. 4-802. - Penalty.

Any person who shall violate any provision of the code adopted by the provisions of this article shall be deemed guilty of a misdemeanor and shall be punished as provided in Section 1-7 of the City Code of Ordinances. Each day such violation continues shall be deemed a separate offense, except as otherwise limited by state law.

Sec. 4-803. - Permit fees.

On all buildings, structures, alterations or signs requiring a building permit, as set forth in the administrative standards in **section 108** of the International Residential Code, a fee shall be paid as required at the time of filing the application, in accordance with the schedule of permit fees as fixed from time to time. A current fee schedule shall be maintained on file in the offices of the city clerk and building codes administrator, where it shall be available for public inspection.

Sec. 4-804. - Authority of city to require bond or liability insurance.

(a) When the city shall so require, the applicant for a building permit shall, before receiving such permit or beginning work thereunder, execute and deliver to the city a good and sufficient bond of indemnity in such sum as may be required by the city manager, and subject to the approval of the city council, conditioned to repay to the city any sums which it may have to pay for damages to any person or property by reason of excavations or obstructions in or on any of the streets, alleys or sidewalks of the city, or by reason of objects falling from such building or the scaffolding attached thereto, or by reason of any act or neglect whatsoever done or suffered by such applicant or by any person, whether an independent contractor or not, or by any agent of any such party who shall construct or move such building or any part thereof. Such bond shall be that of an approved surety company or shall be signed by two or more good and sufficient resident sureties, to be approved by the city council. The city manager may at any time require the execution of a new bond or the substitution or addition of new or other sureties therefor or thereto.

(b) In lieu of the bond prescribed in subsection (a) of this section, any person applying for a building permit may file with the city a public liability insurance policy issued by an insurance company authorized to do business in the state, such policy to afford coverage in the currently required amount. Such policy shall name the city as an additional insured and the applicant shall furnish the name of the agent issuing the policy, the policy number, the expiration date thereof and the name and address of the insurance company issuing the policy.

Sec. 4-805. - Amendments to the International Residential Code.

The following sections of the International Residential Building Code are amended to read in their entirety as follows:

101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family dwellings of the city, and shall be cited as such and will be referred to herein as "this code."

Section R112 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section R112 conflict with the provisions of Sec. 4-31 through 4-

40, the provisions of Section R112 are hereby repealed. Except as so repealed, the provisions of Section 109 shall remain in full force and effect.

Section 301.2(1) Climatic and Geographic Design Criteria:

Roof Snow Load - Ten pounds per square foot.²

Wind Speed – 124-139 miles per hour.

Topographic effects - No.

Special wind region – As set forth in the International Residential Code.

Wind-borne debris zone - No.

Seismic Design Category - C.

Weathering - Moderate.

Frost Line Depth - 4 inches.

Termite - Very Heavy.

Winter Design Temperature - 24 degrees F.

Ice Barrier Underlayment Required - No.

Flood Hazards – As set forth in the Special Flood Hazard Area Maps as prepared by the Federal Emergency Management Agency.

Air Freezing Index – 46-53 days.

Mean Annual Temp – 63.4 degrees F.

2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade.

Sec. 4-806 to 4-829 – Reserved

² Roof snow load may be determined by pitch, area, lumber used in construction, and other criteria as determined by the Building Code Administrator or his designee.

ARTICLE XIII – EXISTING BUILDING CODE

Sec. 4-830 – INTERNATIONAL EXISTING BUILDING CODE

There is hereby recognized by the city, for the purpose of regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings; providing for the issuance of permits and collection of fees therefor that certain Code known as the *International Existing Building Code*, as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter. A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "code official" is used in this code it shall be construed to mean the building code administrator or his/her designee.

Sec. 4-831. - Amendments to the International Existing Building Code.

The following sections of the International Existing Building Code are amended to read in their entirety as follows:

Section 101.1 Insert: "City of Florence."

Section 112 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 112 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 112 are hereby repealed. Except as so repealed, the provisions of Section 112 shall remain in full force and effect.

Section 1401.2 Insert April 3, 2017

EXHIBIT B

Amended Chapter 8 of the City Code

Chapter 8 – Fire Protection and Prevention

ARTICLE I. – IN GENERAL

Sec. 8-1. - False alarms.

It shall be unlawful for any person intentionally or willfully to give a false alarm of fire or to cause or procure any other person to do so.

Sec. 8-2. - Attendance by owner or operator at service station within corporate limits.

All service stations within the city shall have an owner or operator on the premises at any time the station is open for business.

Sec. 8-3. - Fireworks.

It shall be unlawful for any person to set off or explode within the city any bomb, rocket, firecracker, or any other kind of fireworks by whatsoever name called or known; provided, the provisions of this section shall not apply to toy pistol paper caps which contain less than twenty-five hundredths (0.25) gram of explosive compounds, toy cap pistols, toy canes, toy guns or other devices using paper caps. Fireworks displays are controlled by the state fire marshal.

Sec. 8-4. - Fee schedule for provision of special fire service for events and/or incidents.

- (a) The fire department for the city will charge the fees indicated below for providing required and/or requested fire department services to individuals, groups, or entities for special events and/or incidents other than those "normally-provided services" as herein defined.
- (b) "Normally-provided services", as used in this section, include fire code enforcement, public fire safety educational services, fire suppression services, emergency responses, and services directly related to these services.
- (c) The fees to be charged for utilization of resources of the fire department of the city for services other than the "normally-provided services" defined above shall be the following:
 - (1) *Codes official*. A fee of ten dollars (\$10.00) per hour shall be charged for the provision of each codes official, said fee being inclusive of the costs for the personnel, vehicle, equipment, and other associated costs.
 - (2) *Command staff officer*. A fee of twenty-five dollars (\$25.00) per hour shall be charged for each command staff officer, said fee being inclusive of the costs associated with personnel, vehicle and equipment.

- (3) *Standard personnel with pumper/apparatus.* A fee of seventy-five dollars (\$75.00) per hour shall be charged for each standard personnel three (3) with pumper/apparatus, said fee being inclusive of costs associated with personnel, apparatus, and associated costs.
 - (4) *Aerial/ladder company.* A fee of sixty dollars (\$60.00) per hour shall be charged for each aerial/ladder company (one (1) aerial/ladder apparatus, one (1) officer, and one (1) driver), said fee being inclusive of costs associated with personnel, apparatus, and costs associated therewith.
 - (5) When the provision of any of the above-described resources for services beyond "normally-provided services" requires that the personnel providing the services be in an overtime status, the rates described above shall be increased by the percentage necessary to cover the direct personnel costs to the city.
- (d) Exceptions to fee schedule. On those occasions when the resources of the Florence Fire Department are being utilized as standby for nonprofit special events sponsored by public or private educational institutions, the first hour of the required service shall be exempt from the rate schedule set forth above. After one (1) hour, the rate schedule set forth above shall be applicable.
- (e) Any and all requests for the provision of services by the Florence Fire Department for events and/or incidents other than those "normally-provided services" must be coordinated through the fire marshal's office of the Florence Fire Department at least one (1) week in advance of the need for personnel and/or equipment.

Secs. 8-5—8-19. - Reserved.

ARTICLE II. - FIREMEN'S INSURANCE AND INSPECTION FUND

Sec. 8-20. - Adoption of state law.

Sections 38-57-10 through 38-57-210 Code of Laws of South Carolina 1976, as amended, in reference to firemen's insurance and inspection funds, are hereby adopted and made a part of this article as if such sections were fully set forth herein.

Sec. 8-21. - Composition of board of trustees.

The board of trustees of the firemen's insurance and inspection fund of the city shall be composed of three (3) members consisting of the mayor, the city manager and the chief of the fire department.

Sec. 8-22. - Certificate to be filed.

In order that the city may qualify under the terms of sections 38-57-10 through 38-57-210, Code of Laws of South Carolina, 1976, as amended, to receive from the state the amount derived

from the tax of one per cent imposed on each one hundred dollars (\$100.00) of premiums collected by foreign fire insurance companies, corporations or associations upon insurance policies written within the city, it shall be the duty of the municipal clerk to make and file with the insurance commissioner of the state, on or before the thirty-first day of October in each year, such officer's certificate under seal setting out the existence in the city of a fire department together with a full and complete list of all paraphernalia and equipment in any way connected therewith, the stream of water supply used by such department and any other facts which the insurance commissioner may require under such sections.

Sec. 8-23. - Receipt, disposition, handling of funds from state.

It shall be the duty of the finance director to receive and receipt for all money paid over to such director by the treasurer of the state under sections 38-57-10 through 38-57-210, Code of Laws of South Carolina, 1976, as amended, to keep such funds separate and apart from the other funds of the city and to use the same solely for the benefit and support of the fire department thereof; provided, however, that such funds shall be paid out in the same manner as the other funds of the city.

Sec. 8-24. - Control and disbursement of funds.

All funds of the firemen's insurance and inspection fund of the city shall be under the control of, and disbursed by, the local board of trustees of the firemen's insurance and inspection fund of the city under such rules and regulations as may be adopted by such board and in accordance with the provisions and requirements of sections 38-57-10 through 38-57-210, Code of Laws of South Carolina, 1976, as amended.

Secs. 8-25—8-29. - Reserved.

ARTICLE III – FIRE CODE

Sec. 8-30. - International Fire Code adopted.

There is hereby recognized by the city 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 hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Florence, and of providing for the issuance of permits and collection of fees that certain code known as *International Fire Code* as promulgated and as most recently adopted by the South Carolina Building Codes Council. The adoption of this code shall include the Administrative Chapter 1.

A copy of this code shall be maintained on file in the offices of the city clerk and the building codes administrator and shall be available for public inspection. The provisions thereof shall be controlling within the limits of the city.

Whenever the term "fire code official" is used in this code it shall be construed to mean the city Fire Chief or his/her designee, and the term "department of fire prevention" shall mean the city Fire Department.

Sec. 8-31. - Conflicting regulations.

If any section, subsection or other portion of any city ordinance or any provision of this code conflicts in whole or in part with the code adopted by the provisions of this article, the more restrictive provision shall govern.

Sec. 8-32. - Violations; penalty.

- (a) Any person who shall violate any of the provisions of the code adopted by the provisions of this article or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the municipal court or by a court of competent jurisdiction, within the time fixed in this section, shall severally, for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in section 1-7. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense, except as otherwise limited by state law.
- (b) The application of the penalty set out in subsection (a) of this section shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 8-33. - Permit for installation of sprinkler systems.

It shall be unlawful to install a sprinkler system without first applying for a permit, paying the required fee, and presenting the fire marshal with a set of plans for approval. The amount of the fee for such permit shall be fixed from time to time by resolution of the city council.

Sec. 8-34. - Amendments to the International Fire Code.

The following sections of the International Fire Code are amended to read in their entirety as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Florence, hereinafter referred to as "this code."

Section 108 is hereby amended to fully incorporate the provisions of Sec. 4-31 through 4-40 of the City Code of Ordinances which establish and govern the Construction and Maintenance Board of Appeals of the City of Florence. To the extent that the provisions contained in Section 108 conflict with the provisions of Sec. 4-31 through 4-40, the provisions of Section 108 are hereby repealed. Except as so repealed, the provisions of Section 108 shall remain in full force and effect.

109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable as provided by section 1-7 of the Code of Ordinances of the City of Florence. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to penalties as provided by section 1-7 of the Code of Ordinances of the City of Florence.

CITY OF FLORENCE COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Ordinance to amend Zoning Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An ordinance for the consideration of abandonment of City of Florence interest in Public Right-of-Way, portion of Emerson Avenue and the unopened portions of Wakefield Street and Rutherford Drive, bounded on the north by Rutherford Drive, on the east by Dexter Drive, on the South by Rutherford Drive and on the west by Wakefield Street.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

Planning Commission held a public hearing on January 10, 2017 regarding this matter. The Planning Commission voted (8-0) to recommend the abandonment.

III. POINTS TO CONSIDER:

- (1) The abandonment of the right-of-way's would allow the adjacent property owner, the Family YMCA of Greater Florence, use of the property. The proposed Master Plan for the YMCA plans for the installation of an 8 lane track with a soccer/football field to the interior; an 83-space parking lot; toilet facility; playground and shelter (see Attachment B).
- (2) A sewer easement is required on the unopened portion of Wakefield Street right-of-way.
- (3) The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities; and Planning, Research, and Development. None of the aforementioned departments found any reason to maintain the City's interest in this unopened right-of-way.

IV. OPTIONS

City Council may:

- (1) Approve the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Deny the request.

V. NOTES:

VI. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) YMCA Proposed Development plan

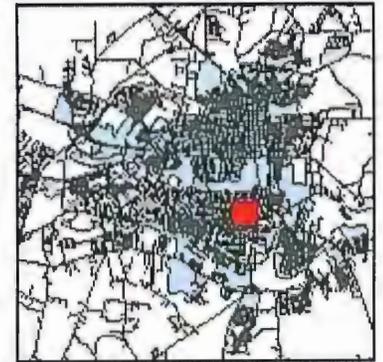


Clint Moore
Development Manager



Andrew H. Griffin
City Manager

Location Map - YMCA Right-of-Way Proposed for Abandonment

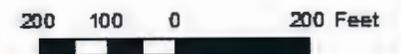


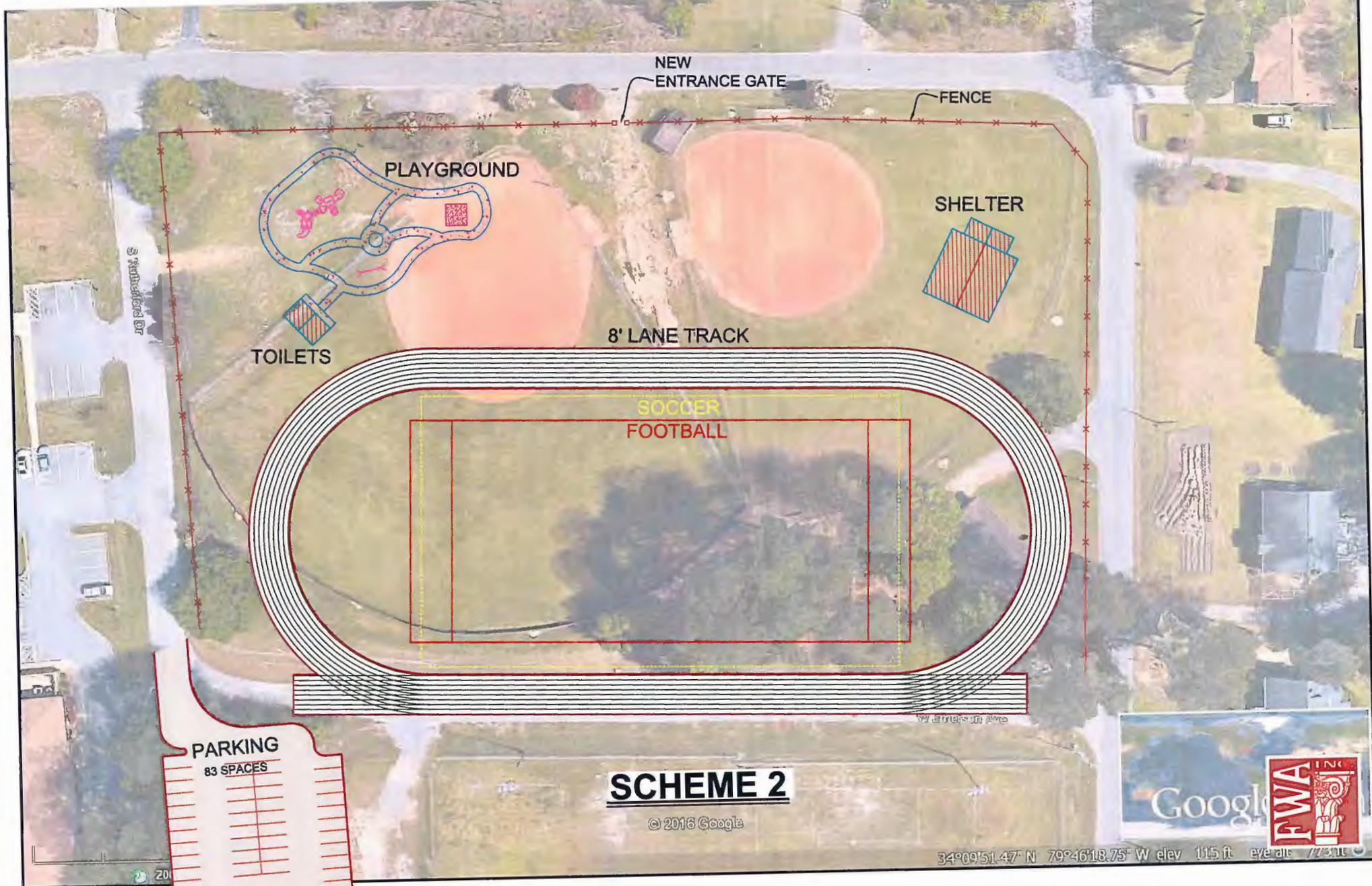
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- ◆ wBlowOff
- ◆ Hydrant
- ◆ wControlValve
- wMain
- ⊗ ssManhole
- ssGravityMain
- Roads
- Parcels



DISCLAIMER:
The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.





NEW
ENTRANCE GATE

FENCE

PLAYGROUND

SHELTER

TOILETS

8' LANE TRACK

SOCCER
FOOTBALL

PARKING
83 SPACES

SCHEME 2

© 2016 Google

Google



34°09'51.47" N 79°46'18.75" W elev 115 ft eye alt 775311

ORDINANCE NO. 2017-_____

AN ORDINANCE FOR THE CONSIDERATION OF ABANDONMENT OF CITY OF FLORENCE INTEREST IN PUBLIC RIGHT-OF-WAY, PORTION OF EMERSON AVENUE AND THE UNOPENED PORTIONS OF WAKEFIELD STREET AND RUTHERFORD DRIVE, BOUNDED ON THE NORTH BY RUTHERFORD DRIVE, ON THE EAST BY DEXTER DRIVE, ON THE SOUTH BY RUTHERFORD DRIVE AND ON THE WEST BY WAKEFIELD STREET:

WHEREAS, a request has been made for the City to abandon its interest in the portions of Emerson Avenue and the unopened portions of Wakefield Street and Rutherford Drive, bounded on the north by Rutherford Drive, on the east by Dexter Drive, on the South by Rutherford Drive and on the west by Wakefield Street, and;

WHEREAS, a Public Hearing was held in the City Center Council Chambers on January 10, 2017 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, a public notice was published three times in the Morning News prior to the March 13, 2017 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified, and:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That the City of Florence abandons its interest in the rights-of-way which will then revert to the abutting property owners after the necessary legal documents have been properly executed.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2017

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Ordinance to amend Zoning Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An ordinance to rezone the properties located at 705 Alexander Street; 401 S Church Street; 322 S Gaillard; 400 and 402 Howard Street; 207 W Liberty Street; 403, 559, 607, 609 and 611 E Pine Street; 313, 321, 402, 406 and 407 Railroad Street; 308, 310, 817 and 1010 Sumter Street; and 402 W Vista Street said properties being specifically designated in the Florence County Tax Records as Tax Map Parcel 01471-01-058; 90103-12-008; 90103-07-001; 90099-01-001; 90118-12-001, 90118-12-002; 90103-12-007, 90103-06-004, 90103-07-002, 90103-07-003, 90103-07-004; 90087-06-006, 90087-06-005, 90088-03-032, 90088-03-027, 90088-03-012; 90072-13-012, 90072-13-013, 90060-06-015, 90060-08-008; 90084-07-021; by adding the Neighborhood Revitalization Overlay District to the aforementioned properties.

II. POINTS TO CONSIDER:

- (1) The properties are currently zoned R-3, Single Family Residential District; R-4, Multi-family Residential District, Limited; and B-1 Limited Business District.
- (2) The lots are currently occupied by single family housing or are currently vacant.
- (3) The properties meet the dimensional requirements of the Neighborhood Revitalization Overlay Zoning District, upon adoption, per the City of Florence Zoning Ordinance.
- (4) The intent of this rezoning is to implement the Neighborhood Revitalization Overlay Zoning District to stabilize and revitalize the East, West and North West neighborhoods by creating single family housing that is market driven within the City of Florence urban neighborhoods. This rezoning will permit the construction of new homes or redevelopment of existing homes that will establish the character of the neighborhood, and support better opportunities for current property owners.
- (5) City Staff recommends the rezoning of the parcels to Neighborhood Revitalization Overlay Zoning District as requested. This recommendation is based on conformity with the proposed zoning and the future land use designation of the Comprehensive Plan, and the Florence Neighborhood Revitalization Strategy.

III. CURRENT STATUS/PREVIOUS ACTION TAKEN:

Planning Commission will hold a public hearing on March 14, 2016 regarding this matter.

IV. OPTIONS

City Council may:

1. Approve the request as presented based on the information submitted.
2. Defer the request should additional information be needed.
3. Suggest other alternatives.
4. Deny the request.

V. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map



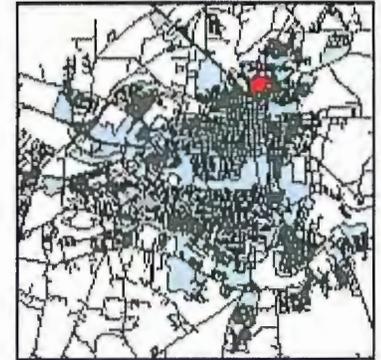
Clint Moore
Development Manager



Andrew H. Griffin
City Manager

Attachment 2

Location Map: 404 W Vista and 207 W Liberty

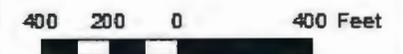


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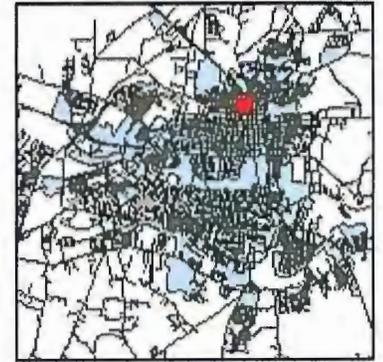
- Rezoning
- Address
- Roads
- Parcels



DISCLAIMER:
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Attachment 2 Location Map: 308 and 310 Sumter



Legend

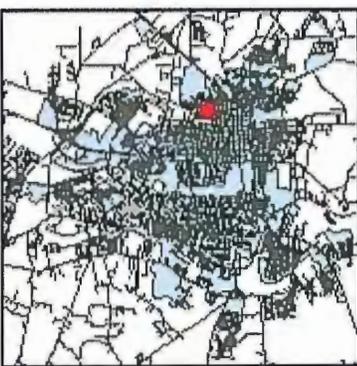
- Rezoning
- ◆ Address
- Roads
- Parcels



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Attachment 2 Location Map: 817 Sumter

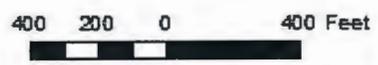


Legend

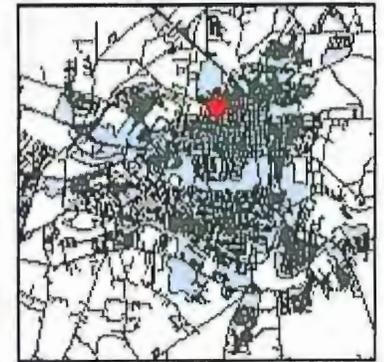
- Rezoning
- Address
- Roads
- Parcels



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Attachment 2 Location Map: 1010 Sumter

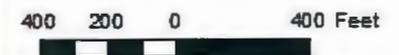


Legend

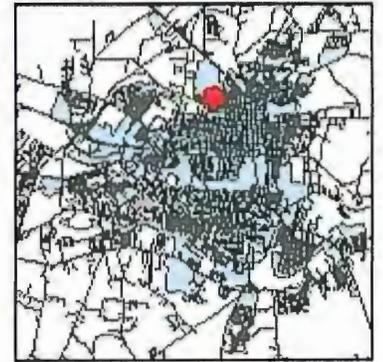
- Rezoning
- ◆ Address
- Roads
- Parcels



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Attachment 2 Location Map: 705 N Alexander St.



Legend

- Rezoning
- ◆ Address
- Roads
- Parcels

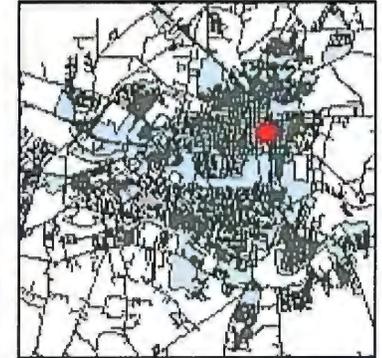


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Attachment 2

Location Map: 313, 321, 402, 406 and 407 Railroad St.; 401 and 403 S Church St.



Legend

-  Rezoning
-  Address
-  Roads
-  Parcels

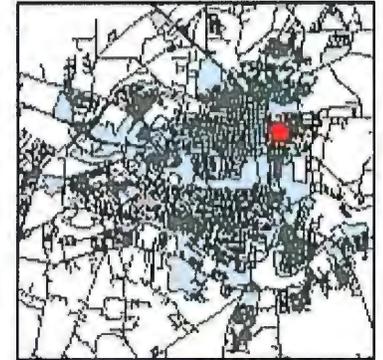


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Attachment 2

Location Map: 322 S Gaillard; 400 and 402 Howard St; and 559, 607, 609 and 611 E Pine St.



Legend

- Rezoning
- ◆ Address
- Roads
- Parcels



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ORDINANCE NO. 2017-_____

AN ORDINANCE TO REZONE THE PROPERTIES LOCATED AT 705 ALEXANDER STREET; 401 S CHURCH STREET; 322 S GAILLARD; 400 AND 402 HOWARD STREET; 207 W LIBERTY STREET; 403, 559, 607, 609 AND 611 E PINE STREET; 313, 321, 402, 406 AND 407 RAILROAD STREET; 308, 310, 817 AND 1010 SUMTER STREET; AND 402 W VISTA STREET SAID PROPERTIES BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 01471-01-058; 90103-12-008; 90103-07-001; 90099-01-001; 90118-12-001, 90118-12-002; 90103-12-007, 90103-06-004, 90103-07-002, 90103-07-003, 90103-07-004; 90087-06-006, 90087-06-005, 90088-03-032, 90088-03-027, 90088-03-012; 90072-13-012, 90072-13-013, 90060-06-015, 90060-08-008; 90084-07-021; BY ADDING THE NEIGHBORHOOD REVITALIZATION OVERLAY DISTRICT TO THE AFOREMENTIONED PROPERTIES:

WHEREAS, a Public Hearing will be held in the City Center Council Chambers on March 14, 2017 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the City of Florence made application to rezone the above properties, adding the Neighborhood Revitalization Overlay Zoning District to the existing zoning designations;

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid properties to Neighborhood Revitalization Overlay Zoning District.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2017

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

**VII. a.
Resolution
No. 2017-03**

FLORENCE CITY COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Resolution No. 2017 - 03

DEPARTMENT/DIVISION: City Council

ISSUE UNDER CONSIDERATION: Adoption of Resolution No. 2017 - 03

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. American Red Cross Month is a time to recognize and thank those who reach out and help people in need.
2. The American Red Cross is ready to help here in Florence as well as around the world.
3. The month of March is dedicated to those who support the mission of the American Red Cross to prevent and alleviate human suffering in the face of emergencies.


Andrew H. Griffin
City Manager

(State of South Carolina)
()
(City of Florence)

RESOLUTION 2017 - 03

- WHEREAS,** American Red Cross Month is a special time to recognize and thank our heroes – those Red Cross volunteers and donors who give of their time and resources to help community members; and
- WHEREAS,** American Red Cross heroes help families find shelter after a fire; they give blood to help trauma victims and cancer patients; they deliver comfort items to military members in the hospital; they use their lifesaving skills to save someone from a heart attack, drowning or choking and they enable children around the globe to be vaccinated against measles and rubella; and
- WHEREAS,** we would like to remember our heroes here in Florence who give of themselves to assist their neighbors when they need a helping hand; and
- WHEREAS,** across the country and around the world the American Red Cross responds to disasters big and small. In fact every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects nearly 40 percent of the nation’s blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR and through its Restoring Family Links program, connects family members separated by crisis, conflict or migration; and
- WHEREAS,** we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Florence, South Carolina, hereby declares March 2017 as

AMERICAN RED CROSS MONTH

in the City of Florence and we encourage all Americans to support this organization and its noble humanitarian mission.

AND IT IS SO RESOLVED, this 13th day of March, 2017.

Approved as to form:

James W. Peterson, City Attorney

Stephen J. Wukela, Mayor

ATTEST:

Dianne M. Rowan, Municipal Clerk

**VII. b.
Resolution
No. 2017-04**

FLORENCE CITY COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Resolution No. 2017 - 04

DEPARTMENT/DIVISION: City Council

ISSUE UNDER CONSIDERATION: Adoption of Resolution No. 2017 - 04

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. The Ryan White program works with cities, states and local community-based organizations to provide HIV care and treatment services to more than half a million people each year.
2. The theme for Ryan White Awareness Day is "Educate One. Educate a Nation" and reminds us to work diligently and collaboratively to end the HIV/AIDS epidemic.


Andrew H. Griffin
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION 2017 - 04

WHEREAS, The Ryan White HIV/AIDS Program provides a comprehensive system of care that includes primary medical care and essential support services for people living with HIV who are uninsured or underinsured; and

WHEREAS, The Ryan White program, works with cities, states, and local community-based organizations to provide HIV care and treatment services to more than half a million people each year, there are many things yet to be done; and,

WHEREAS, The Ryan White Program reaches approximately 52% of all people diagnosed with HIV in the United States. As of 2017, Care Innovations, the HIV division of CareSouth Carolina, Inc., treats patients from the Pee Dee Area; and

WHEREAS, women and children around the world are particularly vulnerable due to gender inequalities, gaps in access to services and increases in sexual violence; and,

WHEREAS, expanded access to HIV testing, diagnosis and treatment can help reduce the suffering from this entirely preventable disease; and

WHEREAS, the theme for Ryan White Awareness Day, “Educate One. Educate a Nation” reminds us that we must continue to work diligently and collaboratively to end the HIV/AIDS epidemic.

NOW, THEREFORE, In light of the above and in recognition of the Mother of Ryan White visiting Florence on this day to spread the message of awareness for those afflicted and supported by these programs that bear her son’s name I, Stephen J. Wukela, Mayor, do hereby proclaim February 17, as

“Ryan White Awareness Day”

in the City of Florence and urge everyone to remember those who have lost their lives to HIV/AIDS and to help support and comfort those living with this disease.

IN WITNESS THEREOF, I hereunto set my hand and cause to be affixed the Seal of the City of Florence.

Approved as to form:

James W. Peterson, Jr., City Attorney

Stephen J. Wukela, Mayor

ATTEST:

Dianne M. Rowan, Municipal Clerk

**VII. c.
Resolution
No. 2017-05**

FLORENCE CITY COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Resolution No. 2017 - 05

DEPARTMENT/DIVISION: City Council

ISSUE UNDER CONSIDERATION: Adoption of Resolution No. 2017 - 05

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. Empowered to Heal is a nonprofit agency that provides transitional services to adult survivors of childhood abuse.
2. Empowered to Heal provides funding for survivors who have low income to attend trauma counseling.
3. Empowered to Heal promotes healing for survivors and their family in order to build better communities.


Andrew H. Griffin
City Manager

(State of South Carolina)
()
(City of Florence)

RESOLUTION 2017 - 05

WHEREAS, April is Sexual Assault Awareness Month; and

WHEREAS, Empowered to Heal is a nonprofit agency that provides transitional services to adult survivors of childhood abuse; and

WHEREAS, Empowered to Heal encourages empowerment for all survivors of sexual assault; and

WHEREAS, Empowered to Heal was founded on April 25, 2014; and

WHEREAS, Empowered to Heal provides funding for survivors who have low income to attend trauma counseling; and

WHEREAS, Empowered to Heal promotes healing for survivors and their family in order to build better communities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Florence, South Carolina, hereby declares April 25, 2017 as

“EMPOWERED TO HEAL DAY”

in the City of Florence and we encourage everyone to support this organization and its noble humanitarian mission.

AND IT IS SO RESOLVED, this 13th day of March, 2017.

Approved as to form:

James W. Peterson, City Attorney

Stephen J. Wukela, Mayor

ATTEST:

Dianne M. Rowan, Municipal Clerk

**VIII. a.
Appointments to
Boards/Commissions**

FLORENCE CITY COUNCIL MEETING

DATE: March 13, 2017

AGENDA ITEM: Report to Council/Boards & Commissions

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Council will consider nominations for City Boards and/or Commissions.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

There are two Boards or Commissions that have either a vacancy or an expired term.

III. ATTACHMENTS:

Applications Received



Andrew H. Griffin
City Manager

Pee Dee Regional Airport Authority

Current Board Member

Status

**Councilmember to
make appointment**

Vacancy

Councilman Jebaily

Attachments:

Application(s) received



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: <u>Airport</u>			
Your Name (Last, First, Middle) <u>Nemec, Kerstin</u>		County <u>Florence</u>	Council District
Residential Address <u>2304 Windsor Forest Dr.</u>		City <u>Florence</u>	State <u>South Carolina</u>
			Zip Code <u>29501</u>
Mailing Address <u>same</u>		City	State
			South Carolina
Your Occupation- Title <u>President / owner</u>		Business Phone <u>214-616-4500</u>	Residence Phone <u>214-616-4500</u>
Employer Name <u>Med-Enroll Inc.</u>		E-Mail Address <u>knemec@med-enroll.com</u>	
Employer Address <u>151 WEST EVANS</u>		City <u>Florence</u>	State <u>South Carolina</u>
			Zip Code <u>29501</u>

General Qualifications

Are you a resident of the City? Yes No How Long? 2

Why would you like to serve?
Better the community

Do you presently serve on any Commissions/ Boards of the City/ County/ State? If so, please list:
No

Have you formerly served on any Commissions/ Boards of the City/ County/ State? If so, please list:
No

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:
President of Med-Enroll. We received grants & tax incentives to build headquarters and business in downtown Florence.

Are you involved in any Community Activities? If so, please list:
Rotary

What are your goals and objectives if appointed to the Commission/Board?
Better the Community, build relationships, increase transportation opportunities in the area.

I certify that the information above is true and correct. Information on this form will be considered public information.

Signature [Handwritten Signature]

Date 2/9/17

RETURN COMPLETED FORM TO:
Office of the City Clerk
City of Florence, City Center
324 West Evans Street
Florence, SC 29501
Phone: 843-665-3113 Fax: 843-665-3110

FOR OFFICE USE ONLY	
Received:	<u>2-13-2017</u>
Appointed to:	
Date:	

Accommodations Tax Advisory Committee

Current Board Member

Status

**Councilmember to
make appointment**

Vacancy
(Appointee must be from Hospitality Industry)

Councilwoman Williams-Blake

**South Carolina Code of Laws
Title 6 - Local Government**

CHAPTER 4.
ALLOCATION OF ACCOMMODATIONS TAX REVENUES

**Definitions and Regulations Pertaining to Advisory Committee Appointment
Section 6-4-5 and Section 6-4-25**

SECTION 6-4-5. Definitions.

As used in this chapter:

(1) "County area" means a county and municipalities within the geographical boundaries of the county.

(2) "Cultural", as it applies to members of advisory committees in Section 6-4-25, means persons actively involved and familiar with the cultural community of the area including, but not limited to, the arts, historical preservation, museums, and festivals.

(3) "Hospitality", as it applies to members of the committees in item (2), means persons directly involved in the service segment of the travel and tourism industry including, but not limited to, businesses that primarily serve visitors such as lodging facilities, restaurants, attractions, recreational amenities, transportation facilities and services, and travel information and promotion entities.

(4) "Travel" and "tourism" mean the action and activities of people taking trips outside their home communities for any purpose, except daily commuting to and from work.

HISTORY: 1991 Act No. 147, Section 1; 2001 Act No. 74, Section 2; 2002 Act No. 312, Section 2.

SECTION 6-4-25. Advisory Committee; guidelines for expenditures; annual reports; reports to Accommodations Tax Oversight Committee.

(A) A municipality or county receiving more than fifty thousand dollars in revenue from the accommodations tax in county areas collecting more than fifty thousand dollars shall appoint an advisory committee to make recommendations on the expenditure of revenue generated from the accommodations tax. The advisory committee consists of seven members with a majority being selected from the hospitality industry of the municipality or county receiving the revenue. At least two of the hospitality industry members must be from the lodging industry where applicable. One member shall represent the cultural organizations of the municipality or county receiving the revenue. For county advisory committees, members shall represent the geographic area where the majority of the revenue is derived. However, if a county which receives more in distributions of accommodations taxes than it collects in accommodations taxes, the membership of its advisory committee must be representative of all areas of the county with a majority of the membership coming from no one area.