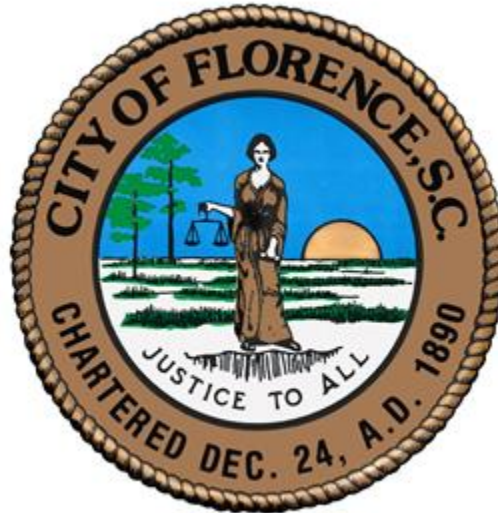


**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



**COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA**

**MONDAY
September 12, 2022
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 12, 2022 – 1:00PM
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

August 8, 2022 – Regular Meeting
September 1, 2022 – Special Meeting

IV. APPEARANCES BEFORE COUNCIL

Note: Each person who gives notice to speak may be limited to a five (5) minute presentation at the discretion of the presiding officer, City of Florence Code of Ordinances, Section 2-24(h).

- a. Ms. Jenny Boulware, Manager – Main Street South Carolina**
To present the Main Street SC award.
- b. Mr. Charlie Barrineau, Field Services Manager – Municipal Association of South Carolina**
To present the 2022 Municipal Association Achievement Award.
- c. Ms. Debra Runion**
To speak to Council on violence.
- d. Mr. Kermit Moore**
To speak to Council on a buyback program and dilapidated properties.
- e. Mr. Bob Skelton**
To speak to Council on Winning America and suicide awareness.

V. ORDINANCES IN POSITION

a. Bill No. 2022-27 – Second Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 206 East Shenandoah Lane and identified as Florence County Tax Map Parcel 90113-01-050.

b. Bill No. 2022-29 – Second Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 3350 Clark Branch Road and identified as Florence County Tax Map Parcel 00098-01-002.

VI. INTRODUCTION OF ORDINANCES

a. Bill No. 2022-23 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

b. Bill No. 2022-24 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

c. Bill No. 2022-28 – First Reading

An Ordinance to annex and zone AC and OSR the parcel located at 2507 West Palmetto Street and identified as Florence County Tax Map Parcel and 00100-01-147.

d. Bill No. 2022-30 – First Reading

An Ordinance authorizing the conveyance of the real estate known as Florence County Tax Map Parcel 90167-02-008, described more fully on Exhibit “A” to be attached to the Ordinance, said property to be utilized pursuant to the terms and conditions set out in the Conditional Grant and Development Agreement attached hereto as Exhibit “B” and approved hereby.

(Note: May be discussed in Executive Session.)

e. Bill No. 2022-31 – First Reading

An Ordinance to amend Article I of Chapter 13 of the City of Florence Code of Ordinances to update the code provisions regarding business licensing.

(Note: May be discussed in Executive Session.)

f. Bill No. 2022-32 – First Reading

An Ordinance to amend Article I of Chapter 10 of the City of Florence Code of Ordinances to update the code provisions regarding noise within the City of Florence.

(Note: May be discussed in Executive Session.)

g. Bill No. 2022-33 – First Reading

An Ordinance to amend Article I and II of Chapter 12 of the City of Florence Code of Ordinances entitled “Municipal Utilities”.

VII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2022-27

A Resolution to recognize the 2021 Dixie Youth World Series Champions.

b. Resolution No. 2022-28

A Resolution to support Suicide Prevention Awareness Month and recognize The Jonathan Foundation for their efforts to raise awareness in youth suicide.

c. Resolution No. 2022-29

A Resolution to recognize Hispanic Heritage Month.

VIII. REPORTS TO COUNCIL

a. Appointments to Boards and Commissions

IX. COMMITTEE REPORTS

a. Business Development Committee

b. Community Development Committee

c. Marketing and Public Relations Committee

d. Finance, Audit and Budget Committee

(Note: Action may be taken during Committee Reports.)

X. EXECUTIVE SESSION

a. Discussion of matters related to a proposed Economic Development Project located with the Historic Overlay District [30-4-70(a)(5)].

b. The receipt of legal advice relating to the proposed business license ordinance [30-4-70(a)(2)].

c. The receipt of legal advice relating to the proposed noise ordinance [30-4-70(a)(2)].

(Note: Upon returning to Open Session, Council may take action on items discussed in Executive Session.)

XI. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, AUGUST 8, 2022 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilwoman Pat Gibson-Hye Moore, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. Scotty Davis, Deputy City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Jerry Dudley, Director of Planning; Mr. Michael Hemingway, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Mr. Chris Day of the Florence Morning News, Mrs. Tonya Brown of WPDE News Channel 15 and Mr. Curtis Graham of WBTW News Channel 13 were present for the meeting.

Notices of this regular meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the August 8, 2022 regular meeting of Florence City Council to order at 1:04 p.m.

INVOCATION

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

ADDENDUMS TO THE AGENDA:

APPEARANCES BEFORE COUNCIL

A Proclamation to recognize the 100th birthday of Uneedia Deas.

Without objection, this item was added to the August 8, 2022 Regular Meeting agenda. (See below under “Appearances Before Council”.)



**FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022**

EXECUTIVE SESSION

To receive legal advice regarding an issue that has arisen since the development of the agenda.

Without objection, this item was added to the August 8, 2022 Regular Meeting agenda. (See below under “Executive Session”.)

“BEST OF THE PEE DEE” AWARD PRESENTATION

Without objection, this item was added to the August 8, 2022 Regular Meeting agenda.

APPROVAL OF MINUTES

Councilwoman Barnes made a motion to adopt the minutes of the July 11, 2022 regular meeting and Councilwoman Moore seconded the motion. The minutes were unanimously adopted.

APPEARANCES BEFORE COUNCIL

Mr. Gregg Robinson, CEO – Florence County Economic Development Partnership.

Mr. Gregg Robinson appeared before Council to make an introduction. Mr. Robinson has been with the Florence County Economic Development Partnership for less than 30 days and presented Council with a 90-day plan. Product availability, utilities, workforce and pro-business environment all play a role in international and national industry recruitment. Brand and image and gateway enhancements are important to industry prospects and the city is currently in the process of working on these improvements. Also important is having the product available to prospects. Improvements are being made to the industrial parks so that buildings and sites are ready and available. The goal is to raise the standard of living and improve the quality of life for all in Florence County.

Pro tem Jebaily spoke of downtown Florence and its importance in attracting industry to Florence and asked Mr. Robinson to elaborate. Mr. Robinson said an important aspect to business and industry when searching for a location is quality of life and satisfying management for the business. The time allotted to make an impactful first impression to prospective industry is short, so it is important they are left with a positive impression.

Proclamation Presentation

Mayor Ervin read a Proclamation to recognize the 100th birthday of Ms. Uneedia Deas and presented the Proclamation to the family of Ms. Deas. The family thanked Mayor Ervin and Council for presenting this proclamation.

“Best of the Pee Dee” Award Presentation

Pro tem Jebaily said he attended the “Best of the Pee Dee” event and received two awards on behalf of the City of Florence. Pro tem Jebaily and Councilwoman Moore presented Mr. Randy Osterman, City Manager, with the awards received. Florence After 5 won the “Best Outdoor Event” and the South Carolina Pecan Music and Food Festival won “Best Community Festival”.

ORDINANCES IN POSITION

Bill No. 2022-19 – Second Reading



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022

An Ordinance to annex and zone CG the parcel located at 2640 West Palmetto Street and identified as Florence County Tax Map Parcel 90004-01-026.

Pro tem Jebaily made a motion adopt Bill No. 2022-19 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2022-19.

Bill No. 2022-21 – Second Reading

An Ordinance to annex and zone OSR the parcel located at 1300 East Palmetto Street, identified as Florence County Tax Map Parcel 90117-23-004.

Pro tem Jebaily made a motion to adopt Bill No. 2022-21 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2022-21.

INTRODUCTION OF ORDINANCES

Bill No. 2022-23 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

Councilwoman Moore made a motion to pass Bill No. 2022-23 on first reading and Pro tem Jebaily seconded the motion.

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration, reported the proposed ordinance will amend the budget to appropriate funding for “early purchases” that were requested from department directors in the FY 2022-2023 budget, but were removed in order to balance the budget. Savings from the previous fiscal year will fund these purchases in the current year budget.

Councilman Schofield made a motion to amend the original motion to send this item to the Finance, Audit and Budget Committee for review and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) on the motion, as amended, to send this item to the Finance, Audit and Budget Committee for review.

Bill No. 2022-24 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

Councilwoman Moore made a motion to pass Bill No. 2022-24 on first reading and Councilman McCall seconded the motion.

Mr. Yokim reported the proposed ordinance will appropriate funding for “carry overs” that were funded in last year’s budget but were unable to be purchased for various reasons. These items will be carried forward and included in the current year budget.

Councilman Schofield made a motion to amend the original motion to send this item to the Finance, Audit and Budget Committee for review and Councilwoman Barnes seconded the motion.



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022

Council voted unanimously (7-0) on the motion, as amended, to send this item to the Finance, Audit and Budget Committee for review.

Bill No. 2022-25 – First Reading

An Ordinance to rezone from PDD to AC a portion of the parcel located on Second Loop Road and identified as Florence County Tax Map Parcel 90030-02-007.

Councilman Braddock made a motion to pass Bill No. 2022-25 on first reading and Councilman Schofield seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this matter was brought before Council previously but was withdrawn. At that time the rezoning was associated with an apartment complex. The property owner is bringing the proposal back in an attempt to clean up the zoning on the parcel. In 1989, an ordinance was passed that rezoned the rear portion of this property to Planned Development District (PDD) with the front portion being zoned Activity Center. There is currently no guidance for development for the portion of the lot zoned PDD. Planning Commission held a public hearing on this matter and voted unanimously to deny the rezoning. Instead, Planning Commission made a recommendation to the property owner to bring the matter back before Planning Commission as an amendment to the PDD that would allow some commercial development but protect the surrounding residential properties.

Mrs. Mary Jane Weir spoke in opposition of the request. The proposed zoning would allow for almost anything to be built and does not protect the surrounding residential properties.

Pro tem Jebaily asked for procedural clarification if Council voted against this matter. There was also an inquiry on if the property owner would have to wait a year to apply again. Mr. Dudley said the property owner will not have to wait a year because the request to amend the PDD is different than the request before Council today. Planning staff will assist the property owner with the application for the PDD amendment, which will go before Planning Commission prior to City Council.

Councilman Braddock asked how the split zoning of this parcel occurred. Mr. Dudley said records show this was one singular lot in 1989 when the rezoning to PDD occurred to the back third of the parcel, consistent with neighboring properties. Staff was unable to locate any documentation to support the PDD. Councilman Braddock asked if there is anything currently in place to prevent split zoning from occurring in the future. Mr. Dudley said split zoning could occur if areas of a parcel are defined by certain meets and bounds.

Councilman McCall made a motion to amend the current motion to deny the rezoning request and accept the recommendation of Planning Commission and Councilwoman Barnes seconded the motion. Council voted unanimously (7-0) on the amendment to the motion.

Council voted unanimously (7-0) on the motion to deny the rezoning request and accept the recommendation of Planning Commission to advise the property owner to pursue amendment to the PDD, as amended.

Ms. Weir spoke again and shared concerns with this going through the process again. Mr. Peterson clarified that the only way this comes before Council again is if the property owner submits a plan for the PDD portion of the parcel. This will initially go before Planning Commission and then City Council with a recommendation from Planning Commission. A PDD is acreage in which, as part of the formation of



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022

the district, a detailed development plan is submitted that shows how the property is to be used, buffering, et cetera.

Bill No. 2022-26 – First Reading

An Ordinance to rezone from NC-6.2 to CR the parcels located at 505 and 507 East Pine Street and identified as Florence County Tax Map Parcels 90103-05-002 and 90103-05-012.

Mayor Ervin said the applicants have requested to withdraw this item from the agenda. Without objection, Bill No. 2022-26 was withdrawn.

Bill No. 2022-27 – First Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 206 East Shenandoah Lane and identified as Florence County Tax Map Parcel 90113-01-050.

Councilman McCall made a motion to pass Bill No. 2022-27 on first reading and Councilwoman Barnes seconded the motion.

Mr. Dudley reported this property is the location of a single-family residence and water and sewer services are currently available. Planning Commission held a public hearing on this matter and voted unanimously to recommend the zoning request.

Council voted unanimously (7-0) to pass Bill No. 2022-27 on first reading.

Bill No. 2022-28 – First Reading

An Ordinance to annex and zone AC and OSR the parcels located at 2507 West Palmetto Street and identified as Florence County Tax Map Parcels 00100-01-002 and 00100-01-147.

Mayor Ervin said staff has requested that this item be deferred. Without objection, Bill No. 2022-28 was deferred.

Bill No. 2022-29 – First Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 3350 Clark Branch Road and identified as Florence County Tax Map Parcel 00098-01-002.

Councilman Schofield made a motion to pass Bill No. 2022-29 on first reading and Councilwoman Moore seconded the motion.

Mr. Dudley reported a sketch plan for a twelve single family homes came before Planning Commission concurrent with the proposed zoning and Planning Commission voted unanimously to approve the sketch plan and recommend the zoning.

Council voted unanimously (7-0) to pass Bill No. 2022-29.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2022-22

A Resolution to reallocate \$28,000 of the City of Florence's 2020-2021 CDBG Coronavirus Aid, Relief, and Economic Security Act (CARES Act) budget.



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022

Councilman McCall made a motion to adopt Resolution No. 2022-22 and Councilwoman Moore seconded the motion.

Mayor Ervin said this matter was heard before the Finance, Audit and Budget Committee and asked for comment from the Chairman, Councilman McCall. Councilman McCall said the Committee recommends following staff's recommendation to reallocate the funds to the Manna House.

Council voted unanimously (7-0) to adopt Resolution No. 2022-22.

Resolution No. 2022-25

A Resolution to recognize National Health Center Week.

Councilwoman Moore made a motion to adopt Resolution No. 2022-25 and Councilman McCall seconded the motion.

Mayor Ervin read the Resolution and presented it to Mr. Ken Burgess and Mrs. Nicole Echols of HopeHealth.

Several members of Council spoke of the benefits of HopeHealth as a community health center and for all they do for the community.

Council voted unanimously (7-0) to adopt Resolution No. 2022-25.

REPORTS TO COUNCIL

Appointments to Boards and Commissions

Mr. Davis presented the packet of appointments to Boards and Commissions to Council.

Construction and Maintenance Board of Adjustments and Appeals

Being no applicants, Mayor Ervin deferred nominations for this Board.

Parks and Beautification Commission

Being no applicants, Pro tem Jebaily deferred nominations for this Board.

Pee Dee Regional Airport Authority

Mayor Ervin made a motion to appoint Robert Ware. By unanimous consent, Robert Ware was appointed to the Pee Dee Regional Airport Authority to fill the unexpired term of Kerstin Nemeck, with a term to expire on June 30, 2024, pending affirmation of appointment from the Governor's Office.

Aesthetics Advisory Committee

Councilwoman Moore made a motion to appoint Shelanda Deas. By unanimous consent, Shelanda Deas was appointed to the Aesthetics Advisory Committee with a term to begin immediately and expire on June 30, 2024.



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022

Mayor Ervin made a motion to reappoint Joey Robinson. By unanimous consent, Joey Robinson was reappointed to the Aesthetics Advisory Committee with a term to begin immediately and expire on June 30, 2025.

Public Safety Citizen's Review Board

Pro tem Jebaily deferred nominations for this Board.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said Mr. Michael Hemingway, Utilities Director, and Mr. Clint Moore, Assistant City Manager of Development, gave a presentation at the last meeting and provided the committee with an update on infrastructure needs and development in the City. The next meeting will include an update from the Director of the Pee Dee Regional Airport.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes said the committee continued discussion on ideas to unify and better the community and ways to bring the community together but they do not have any recommendations at this time.

Marketing and Public Relations Committee, Chaired by Councilman Braddock

Councilman Braddock said the Committee met with Jeff Siegler, founder of Revitalize, or Die, a civic pride consulting firm, via Zoom Conference Call. The Committee discussed with Mr. Siegler ways to increase civic pride in the community. Some items to consider include: put the needs of citizens and business owners first, promote a message of Florence keeps getting better therefore we keep getting better, focus on relentless improvements in the community, mix in emotion with messaging and bring hanging floral baskets to the city.

Mayor Ervin mentioned civic responsibility and said a civility pledge was part of the Municipal Association's annual meeting and she read the pledge. The Municipal Association recommended the pledge be utilized at the beginning of Council meetings and Mayor Ervin suggested the committee look into perhaps incorporating the pledge into meetings.

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall said the Committee received information on the status of the city's annual audit. They also discussed the reallocation of the \$28,000 of CARES Act funds with the recommendation of reallocation to the Manna House. There was discussion on paid family leave and potential costs associated with the leave. Following discussion, the Committee felt it best to consider this proposal with next year's budget. Lastly, there was discussion on the opioid settlement the City will receive, which is approximately \$2 million over the next 18 years.

Judicial Review Committee

Mayor Ervin said this item is to be discussed in Executive Session. Without objection, this item will be discussed in Executive Session.



**FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 8, 2022**

EXECUTIVE SESSION

Mayor Ervin said Council will be entering into Executive Session for a personnel matter and to receive legal advice on an issue that has arisen since the development of the agenda.

Without objection, Council entered into Executive Session at 2:20 p.m.

Council reconvened Open Session at 3:15 p.m. and took action on the following items:

COMMITTEE REPORTS
Judicial Review Committee

Councilman McCall made a motion to adjust the Chief Judge's salary consistent with other city employees for a 1% cost of living and a 2% merit increase effective January 1, 2023 and Councilwoman Moore seconded the motion. Council voted unanimously (7-0) in favor of the motion.

ADJOURN

Without objection, the August 8, 2022 Regular meeting of City Council was adjourned at 3:25 p.m.

Dated this 12th day of September 2022.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor



**SPECIAL MEETING OF FLORENCE CITY COUNCIL
THURSDAY, SEPTEMBER 1, 2022 – 4:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

MEMBERS ABSENT

Councilwoman Pat Gibson-Hye Moore

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Kevin Yokim, Assistant City Manager of Finance/Administration and Mr. Michael Hemingway, Director of Utilities

MEDIA PRESENT

Mr. Chris Day with the Florence Morning News was present for the meeting.

Notices of this special meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the September 1, 2022 special meeting of Florence City Council to order at 4:02 p.m.

INVOCATION

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2022-26

A Resolution and Conditional Grant and Development Agreement for an economic development project.

Mayor Ervin stated this item will be discussed in Executive Session.



**FLORENCE CITY COUNCIL
SPECIAL MEETING – SEPTEMBER 1, 2022**

EXECUTIVE SESSION

Pro tem Jebaily made a motion to enter into Executive Session and Councilman Schofield seconded the motion. Without objection, Council entered into Executive Session at 4:05 p.m. for a discussion related to a proposed economic development project.

Council reconvened Open Session at 4:52 p.m. Mayor Ervin said Council received information in Executive Session regarding an economic development project and no action is required at this time.

ADJOURN

Without objection, the September 1, 2022 Special meeting of City Council was adjourned at 4:53 p.m.

Dated this 12th day of September 2022.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: August 8, 2022

AGENDA ITEM: Ordinance To Annex and Zone 206 East Shenandoah Lane, TMN 90113-01-050.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 206 East Shenandoah Lane, Tax Map Number 90113-01-050, into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On July 12, 2022, Planning Commission held a public hearing on this matter, and voted unanimously, 8-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the July 12, 2022 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-6.1 Neighborhood Conservation 6.1.


IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO ANNEX AND ZONE 206 EAST SHENANDOAH LANE, TMN 90113-01-050.

WHEREAS, a Public Hearing was held in the Council Chambers on July 12, 2022 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Ian Carrese, owner of TMN 90113-01-050 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-6.1:

The property requesting annexation is shown more specifically on Florence County Tax Map 90113, block 01, parcel 050 (0.308656 acre).

Any portions of public rights-of-way abutting the property described above will be included in the annexation.

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 annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 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 _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

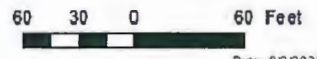
Vicinity Map 206 East Shenandoah Lane



- Legend**
- City Limits
 - 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.



Date: 8/2/2022

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
 Florence County Tax Map Number: 90113-01-050
3. Annexation is being sought for the following purposes: City services
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>1</u>	Race	<u>Caucasian</u>
Total 18 and Over	<u>1</u>	Total Registered to Vote	<u>1</u>

APPLICANT (S) (Please print or type):

Name(s): Ian M. Carrese

Address: 204 E. Stenwood Ln., Florence, SC 29506

Telephone Numbers: 919.680.3742 [work] _____ [home]

Email Address: ian.carrese@gmail.com

Signature [Signature] Date 06/17/22

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>6-17-22</u>	<u>[Signature]</u>

FLORENCE CITY COUNCIL MEETING

DATE: August 8, 2022

AGENDA ITEM: Ordinance to Annex and Zone a Portion of 3350 Clark Branch Road, TMN 00098-01-002.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex a portion of the property located at 3350 Clark Branch Road, Tax Map Number 00098-01-002, into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On July 12, 2022, Planning Commission held a public hearing on this matter, and voted unanimously, 8-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.


III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the July 12, 2022 Planning Commission meeting.
- (4) The Planning Commission concurrently approved a sketch plan for twelve single family lots for this parcel.
- (5) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-6.1 Neighborhood Conservation 6.1.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) Plat
- (4) Annexation Petition


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO ANNEX AND ZONE A PORTION OF 3350 CLARK BRANCH ROAD, TMN 00098-01-002.

WHEREAS, a Public Hearing was held in the Council Chambers on July 12, 2022 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by KDK Development, LLC, owner of TMN 00098-01-002 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-6.1:

The property requesting annexation is shown more specifically as a portion of Florence County Tax Map 00098, block 01, parcel 002 (2.315517 acres).

Any portions of public rights-of-way abutting the property described above will be included in the annexation.

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 annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 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 _____, 2022

Approved as to form:

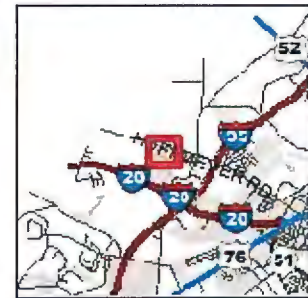
James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map 3350 Clark Branch Road



Legend

- City Limits
- Parcels
- Proposed Parcel

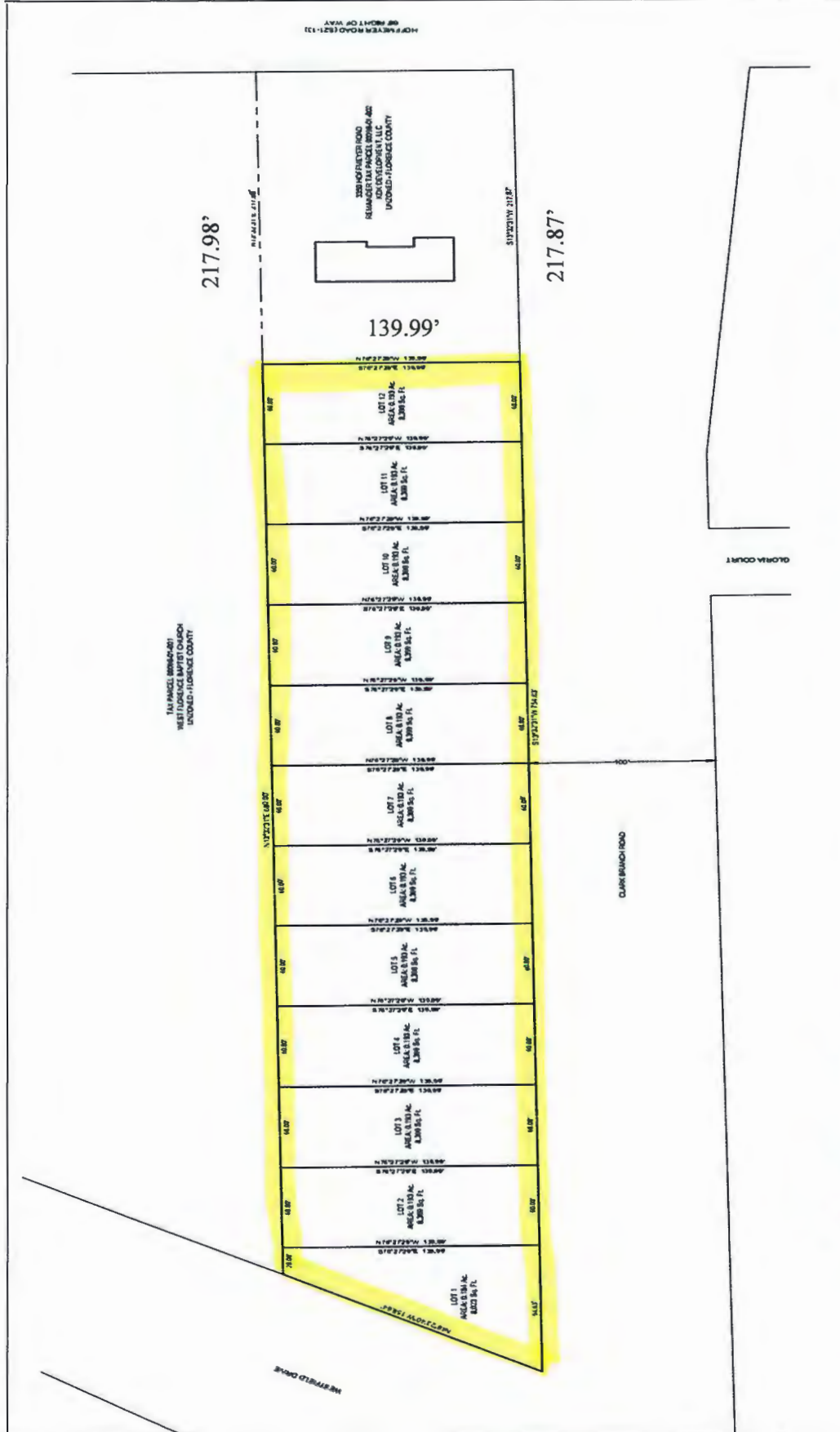
“LIVE LIFE. FULL FORWARD.”
FLORENCE
SOUTH CAROLINA

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

400 200 0 400 Feet



Date: 8/3/2022



I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE MAP(S) SHOWN HEREIN WAS/WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING ACT OF SOUTH CAROLINA AND THAT THE SAME DO NOT EXCEED THE REQUIREMENTS FOR A CLAIM OF LIABILITY AS SPECIFIED THEREIN, AND THAT THERE ARE NO VISIBLE ENCUMBRANCES OR PROJECTIONS OTHER THAN SHOWN. WE ALSO STATE THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION, AND BELIEF, THE INFORMATION SHOWN ON THIS MAP DOES NOT VIOLATE ANY APPLICABLE REGULATORY REQUIREMENTS OR ZONING ORDINANCES. THIS MAP DOES NOT BE A PROFESSIONAL ENGINEERING DESIGN AS SHOWN ON THE MAP SINCE IT IS NOT A PROFESSIONAL ENGINEERING DESIGN.

DATE: 12/20/2022
DRAWN BY: JME
SCALE: 1"=40'

FLORENCE COUNTY

SKETCH PLAN
PREPARED FOR
KDK DEVELOPMENT, LLC

SKETCH PLAN OF PROPOSED 12 LOT SUBDIVISION OF A PORTION OF FLORENCE COUNTY UNINCORPORATED PARCEL IDENTIFICATION CODE: 040-238-000-000

SOUTH CAROLINA

ERWIN
ERWIN ENGINEERING CO., INC.
1010 S. 1111 WEST COLUMBIA ST.
FLORENCE, S.C. 29502
PHONE: (803) 650-8181
WWW.ERWINENGINEERING.COM

STAIRCASE:
FRONT: 29'
REAR: 29'
MINIMUM LOT SIZE: 8,000 S.F.

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: An ordinance amending the FY 2022-23 budget
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2022-23 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

This will be the first reading of this proposed ordinance.

III. POINTS TO CONSIDER

1. The objective of the proposed ordinance is to amend the General Fund budget for FY 2022-23 to appropriate funding for the purchases designated by the City Manager in FY 2021-22 as early purchases to be funded in the FY 2022-23 budget from increases in the FY 2021-22 fund balance.

IV. STAFF RECOMMENDATION

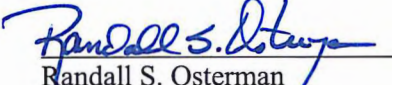
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled, that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023, is hereby amended as follows:

Section 1. That the budgeted revenues of the General Fund are hereby amended by the following additional appropriations:

100375-435010 From Unappropriated Reserve is increased in the amount of \$1,194,400 from unassigned fund balance for projects and purchases which are not currently included in FY 2022-23 budget.

Section 2. That the budgeted expenditures of the General Fund are hereby amended by the following additional appropriations:

10041600-580020 Office Furniture (Human Resources) is funded in the amount of \$8,500 for the purchase of two (2) fireproof file cabinets.

10041900-580040 Auto Equipment (Community Services) is funded in the amount of \$25,000 for the purchase of one (1) vehicle.

10041900-580060 Other Equipment (Community Services) is increased in the amount of \$11,000 for the purchase of a zero-turn mower for maintenance workers.

10042100-580020 Office Furniture (Police) is funded in the amount of \$1,200 for the purchase of four (4) office chairs in the Telecommunications Unit and one (1) office chair for the Police Chief's office.

10042100-580030 Office Equipment (Police) is increased in the amount of \$1,600 is for the purchase of filing cabinets for the Police Department main records storage area.

10042100-580040 Auto Equipment (Police) is funded in the amount of \$40,000 for the purchase of one (1) pickup trucks for the Property and Supply Unit.

10042100-580060 Other Equipment (Police) is increased in the amount of \$16,500 for the purchase of Bolawrap leg wrap device (\$5,500), 10 metal barricades (\$3,100), 150 traffic cones (\$2,900), and replacement radar speed measuring devices (\$5,000).

10042100-580070 Data Processing Equipment (Police) is funded in the amount of \$44,100 to purchase three (3) mobile data terminals and docking stations for patrol vehicles (\$15,000), internet improvements at the Training Range (\$2,100), replacement desktop computers for the Training Unit (\$12,300), security tokens for patrol officers' mobile data terminals (\$3,700), and replacement laptops for the Training Unit (3) and the Criminal Investigations Unit (6) (\$11,000).

FY 2022-2023 Budget Amendment Ordinance (continued)

- 10042200-580020 Office Furniture (Fire) is funded in the amount of \$5,000 for the replacement of furniture at various fire facilities.
- 10042200-580060 Other Equipment (Fire) is funded in the amount of \$90,500 for the replacement of three (3) thermal imaging cameras (\$10,500) and a replacement SCBA compressor and fill station (\$80,000).
- 10043020-580040 Auto Equipment (Beautification & Facilities) is funded in the amount of \$60,000 to purchase two (2) replacement pickup trucks.
- 10043020-580050 Facility Improvements (Beautification & Facilities) is funded in the amount of \$15,000 to refurbish gravels parking lots at the Rail Trail, the City Center Farmers Market, and the Jeffries Creek Nature Park.
- 10043020-580060 Other Equipment (Beautification & Facilities) is funded in the amount of \$33,000 to replace three (3) mowers (\$30,000) and one (1) trailer (\$3,000).
- 10043022-580040 Auto Equipment (Sanitation) is increased in the amount of \$600,000 to fund the purchase of a commercial sanitation truck, and residential sanitation truck, and a pickup truck.
- 10043022-580060 Other Equipment (Sanitation) is increased in the amount of \$4,500 to fund the purchase of two (2) commercial dumpsters.
- 10043023-580050 Facility Improvements (Equip. Maintenance) is funded in the amount of \$38,000 to purchase a replacement auto lift (\$30,000) and replace a portion of the back shop wall (\$8,000).
- 10043023-580060 Other Equipment (Equip. Maintenance) is funded in the amount of \$5,000 to purchase a replacement pressure washer.
- 10043025-580050 Facility Improvements (Athletics) is funded in the amount of \$93,000 to fund pond spraying (\$10,000), flooring replacement at the Tennis Center (\$13,000), fund the turf program (\$20,000) and fund the installation of batting cages at the Sports Complex (\$50,000).
- 10043025-580060 Other Equipment (Athletics) is funded in the amount of \$75,000 to purchase a ground master mower for the Sports Complex (\$40,000), a passenger golf cart for the Sports Complex (\$10,000), and a drag machine for the Sports Complex (\$25,000).
- 10046400-580040 Auto Equipment (Building Inspections & Permits) is funded in the amount of \$25,000 to purchase a pickup truck for the new inspector.

FY 2022-2023 Budget Amendment Ordinance (continued)

10046400-580060 Other Equipment (Building Inspections & Permits) is funded in the amount of \$2,500 to purchase an iPad and other inspection equipment for the new inspector.

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

ADOPTED THIS _____ DAY OF _____, 2022.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**VI. b.
Bill No. 2022-24
First Reading**

DATE: September 12, 2022
AGENDA ITEM: An ordinance amending the FY 2022-23 budget
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2022-23 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

This will be first reading of this proposed ordinance.

III. POINTS TO CONSIDER

1. The objective of the proposed ordinance is to align budgeted amounts more closely with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.
2. Funds are being re-appropriated from fiscal year 2021-22 to provide funding from Unappropriated Reserves for FY 2022-23 in the General Fund, the Water & Sewer Utilities Fund, the Water & Sewer Equipment Replacement Fund, Water & Sewer Construction Fund, and the Stormwater Equipment Replacement Fund to complete projects and purchases which were not finalized at the end of fiscal year 2021-22.

IV. STAFF RECOMMENDATION

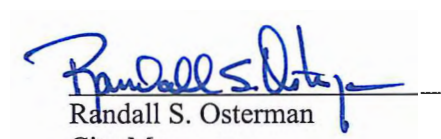
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, AND ENDING JUNE 30, 2023

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, 2022, and ending June 30, 2023, is hereby amended as follows:

Section 1. That the category of revenues of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 100120-790000 Miscellaneous Grants is increased in the amount of \$20,000 from Assigned Fund Balance to re-appropriate monies for the completion of projects and purchases which were not finalized at the end of FY 2021-22.
- 100325-415165 Farmers Market Community Garden Grant is increased in the amount of \$1,325 from Assigned Fund Balance to re-appropriate monies for the completion of projects and purchases which were not finalized at the end of FY 2021-22.
- 100325-415170 Farmers Market HopeHealth Market Sponsorship is increased in the amount of \$14,000 from Assigned Fund Balance to re-appropriate monies for the completion of projects and purchases which were not finalized at the end of FY 2021-22.
- 100375-435010 From Unappropriated Reserve is increased in the amount of \$2,530,429 from Assigned Fund Balance to re-appropriate monies for the completion of projects and purchases which were not finalized at the end of FY 2021-22.

Section 2. That the category of expenditures of the General Fund in said budget is hereby amended by the additional appropriations as follows:

- 10041000-561030 Travel and Lodging (City Council) is funded in the amount of \$4,000 to fund City Council travel expenditures.
- 10041300-560070 Marketing and Promotions (City Manager) is funded in the amount of \$22,025 to purchase two freezers for the commercial kitchen (\$6,700) and to account for marketing expenditures funded by two grants (\$15,325).
- 10041600-580020 Office Furniture (Human Resources) is funded in the amount of \$3,568 to purchase a fireproof locking file cabinet.
- 10042200-537000 Vehicle Repair and Maintenance (Fire) is funded in the amount of \$11,800 to purchase items associated with a pump repair that have extended delivery dates.
- 10042200-550280 Personal Protective Equipment (Fire) is funded in the amount of \$39,000 to purchase personal protective equipment due to delayed delivery.

FY 2022-2023 Budget Amendment Ordinance (continued)

- 10042200-550299 Other Supplies and Equipment (Fire) is increased in the amount of \$20,000 to purchase such things as an ice machine, a steam cleaning machine, and 5" supply hose due to delayed delivery.
- 10042200-561020 Conference and Training (Fire) is increased in the amount of \$13,000 to purchase audio/visual equipment due to delayed delivery and to fund training related to equipment purchased from the Duke Energy grant.
- 10042200-580010 Building and Fixed Equipment (Fire) is funded in the amount of \$16,000 for remaining upgrades at Station #1 and remaining upgrades to LED light fixtures at all fire stations.
- 10042200-580060 Other Equipment (Fire) is increased in the amount of \$11,361 to purchase equipment needed for the new command vehicle and to purchase equipment funded from the Duke Energy grant.
- 10043020-531000 Professional Services (Beautification & Facilities) is increased in the amount of \$35,000 to purchase equipment and services from ExecuTime Payroll/Munis Management (\$27,000) and for contract tree services (\$8,000).
- 10043020-580040 Auto Equipment (Beautification & Facilities) is funded in the amount of \$93,900 to provide for the replacement of two pickup trucks and one van which have been ordered but not yet received.
- 10043020-580050 Facility Improvements (Beautification & Facilities) is funded in the amount of \$50,000 to provide for a new Public Utilities shed.
- 10043022-531000 Professional Services (Sanitation) is increased in the amount of \$46,000 to purchase equipment and services from ExecuTime Payroll/Munis Management (\$8,000), to contract for yard debris assistance (\$30,000), and to purchase dumpsters for various city locations.
- 10043022-538900 Other Maintenance & Repairs (Sanitation) is increased in the amount of \$20,000 to provide funding for the repairs of a vehicle involved in an accident.
- 10043022-580040 Auto Equipment (Sanitation) is funded in the amount of \$85,000 to provide for the replacement of two recycling vans and one pickup truck.
- 10043022-580060 Other Equipment (Sanitation) is funded in the amount of \$12,900 to provide for recycling trailer repairs.
- 10043023-580040 Auto Equipment (Equipment Maintenance) is funded in the amount of \$30,900 to provide for the replacement of one pickup truck.

FY 2022-2023 Budget Amendment Ordinance (continued)

- 10043023-580060 Other Equipment (Equipment Maintenance) is funded in the amount of \$5,500 to purchase a tire balancer.
- 10043024-580010 Building & Fixed Equipment (Recreation) is funded in the amount of \$46,500 to provide for improvements to the Barnes Street facility to include a storage building and signage.
- 10043024-580050 Facility Improvements (Recreation) is funded in the amount of \$50,000 to provide for facility improvements and Levy Park parking lot.
- 10043024-890000 Miscellaneous Grants (Recreation) is increased in the amount of \$37,000 to provide matching funds for a PARD grant.
- 10043025-560070 Marketing and Promotions (Athletic Programs) is increased in the amount of \$80,000 to provide for cable & WiFi service to the Sports Complex (\$15,000), top-dress and fertilize fields at the Sports Complex (\$15,000), and various amenities at the Sports Complex (\$50,000).
- 10043025-574010 Tree Beautification (Athletic Programs) is increased in the amount of \$5,000 to provide for tree plantings at the Sports Complex.
- 10043025-574030 Tournament Expenditures (Athletic Programs) is increased in the amount of \$9,000 to provide for tournament All Star teams travel expenses.
- 10043025-574080 Athletic Expenditures (Athletic Programs) is increased in the amount of \$4,800 to replace youth football helmets.
- 10043025-580010 Building & Fixed Equipment (Athletic Programs) is funded in the amount of \$10,000 to provide for the soccer cabin improvements.
- 10043025-580020 Office Furniture (Athletic Programs) is increased in the amount of \$2,500 to provide for furniture at the Sports Complex.
- 10043025-580040 Auto Equipment (Athletic Programs) is funded in the amount of \$29,000 to provide for the replacement of one pickup truck.
- 10043025-580050 Facility Improvements (Athletic Programs) is increased in the amount of \$845,000 to provide for the reconstruction of courts 5 & 6 at the Florence Tennis Center (FTC) (\$52,000), irrigation at the Pearl Moore Gym and inclusive playground (\$10,000), refurbish the gravel drive at Freedom Florence (\$10,000), a ball storage room at the FTC (\$5,000), Freedom Florence office and concessions renovations (\$20,000), improvements to four (4) fields at the Soccer Complex (\$500,000), amenities for the Sports Complex (\$228,000), and the Veterans Park World War II monument (\$20,000).

FY 2022-2023 Budget Amendment Ordinance (continued)

- 10043025-580060 Other Equipment (Athletic Programs) is funded in the amount of \$113,000 to provide for a Yamaha Umax utility vehicle (\$10,000), a replacement mower for Freedom Florence (\$14,000), and field equipment, Workman Utility equipment (2), turf mower (2), grounds mower, and a Sand Pro field drag for the Sports Complex (\$89,000).
- 10046300-531000 Professional Services (Planning) is increased in the amount of \$204,340 to provide for the continuation of developing the City's Comprehensive Plan, Neighborhood Plans, and a Downtown Master Plan.
- 10046400-580060 Other Equipment (Building Inspections and Permits) is increased in the amount of \$3,000 to provide for the replacement and upgrade of electronic equipment used in the filed by inspectors.
- 10049300-594020 Contingency Fund (Non-Departmental) is increased in the amount of \$100,000 to provide for contingency funding for unanticipated General Fund projects, programs and/or other requirements in FY 2021-22.
- 10049300-594070 IT Hardware/Software Support (Non-Departmental) is increased in the amount of \$87,970 for IT upgrades in the General Fund related to IT system equipment replacement and upgrades.
- 10049300-594100 Animal Shelter Improvements (Non-Departmental) is funded in the amount of \$10,000 to provide funding for improvements to the animal shelter. These funds were donated to the City for this purpose.
- 10049300-594101 Recreation Facilities (Non-Departmental) is funded in the amount of \$22,000 to provide for existing recreation facilities improvements and upgrades.
- 10049300-594165 Lawton Chase House (Non-Departmental) is funded in the amount of \$111,690 to provide for renovations to the old Florence Museum building.
- 10049300-594168 Children's Museum (Non-Departmental) is funded in the amount of \$275,000 to provide for a children's museum.

Section 3. That the category of revenues of the Water and Sewer Enterprise Fund in said budget is hereby amended by the additional appropriations as follows:

- 200375-435010 From Unappropriated Reserve is funded in the amount of \$743,340 from unrestricted net assets.

FY 2022-2023 Budget Amendment Ordinance (continued)

Section 4. That the category of expenses of the Water and Sewer Enterprise Fund in said budget is hereby amended as follows:

- 20044044-534070 Building Maintenance (Distribution Operations) is increased in the amount of \$22,000 to provide for Public Works building repairs.
- 20049300-594020 Contingency Fund (Non-Departmental) is increased in the amount of \$100,000 to provide for contingency funding for unanticipated water and sewer facilities maintenance and improvements required in FY 2021-22.
- 20049300-594070 IT Hardware/Software Support (Non-Departmental) is increased in the amount of \$71,340 to provide for the Water and Sewer Enterprise Fund portion of IT hardware and software upgrades.
- 20049300-598084 2016 Special Obligation Bonds (Non-Departmental) is increase in the amount of \$550,000 to provide additional funding, if needed, to service the TIF debt.

Section 5. That the category of revenues of the Water and Sewer Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

- 210375-435010 From Unappropriated Reserve is funded in the amount of \$439,500 from unrestricted net assets.

Section 6. That the category of expenses of the Water and Sewer Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

- 21044040-580040 Auto Equipment (Engineering Equipment Replacement) is increased in the amount of \$30,000 to provide funding for the replacement of utility truck # 4911.
- 21044040-580040 Auto Equipment (Engineering Equipment Replacement) is increased in the amount of \$30,000 to provide funding for the replacement of utility truck # 4904.
- 21044041-580040 Auto Equipment (Wastewater Equipment Replacement) is increased in the amount of \$155,000 to provide funding for the replacement of bucket truck # 3887.
- 21044041-580040 Auto Equipment (Wastewater Equipment Replacement) is increased in the amount of \$35,000 to provide funding for the replacement of utility truck # 4815.
- 21044041-580040 Auto Equipment (Wastewater Equipment Replacement) is increased in the amount of \$40,000 to provide funding for the replacement of utility truck # 3470.
- 21044041-580060 Other Equipment (Wastewater Equipment Replacement) is increased in the amount of \$25,000 to provide funding for the replacement of sweeper boom # 1733.

FY 2022-2023 Budget Amendment Ordinance (continued)

21044041-580060 Other Equipment (Wastewater Equipment Replacement) is increased in the amount of \$130,000 to provide funding for the replacement of an emergency generator.

21044044-580060 Other Equipment (Distribution Operations Equipment Replacement) is increased in the amount of \$4,500 to provide for the replacement of asphalt roller #696.

21044045-580060 Other Equipment (Collection Operations Equipment Replacement) is increased in the amount of \$20,000 to provide for the replacement of a tap machine.

Section 7. That the category of revenues of the Water and Sewer Construction Fund in said budget is hereby amended by the additional appropriations as follows:

220375-435010 From Unappropriated Reserve is funded in the amount of \$443,785 from unrestricted net assets.

Section 8. That the category of expenses of the Water and Sewer Construction Fund in said budget is hereby amended by the additional appropriations as follows:

22049900-586010 W0037 Water Line Extension Requests – Florence County (Water and Sewer Construction Fund) is increased in the amount of \$100,000 to provide for and improve utility service.

22049900-586010 WT008 McCown/Third Loop Elevated Water Tank Repair/Repaint (Water and Sewer Construction Fund) is increased in the amount of \$343,785 to provide for and improve utility service.

Section 9. That the category of revenues of the Stormwater Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

310375-435010 From Unappropriated Reserve is funded in the amount of \$100,000 from unrestricted net assets.

Section 10. That the category of expenses of the Stormwater Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

31044060-580040 Auto Equipment (Stormwater Operations Equipment Replacement) is funded in the amount of \$50,000 to provide for the replacement of utility truck # 2620.

31044060-580060 Auto Equipment (Stormwater Operations Equipment Replacement) is funded in the amount of \$50,000 to provide for the replacement of ditch excavator # 4822.

Section 11. That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

FY 2022-2023 Budget Amendment Ordinance (continued)

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

ADOPTED THIS _____ DAY OF _____, 2022.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022

AGENDA ITEM: Ordinance to Annex and Zone AC and OSR the Parcel at 2507 West Palmetto Street, TMN 00100-01-147.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex the lot located at 2507 West Palmetto Street, Tax Map Number 00100-01-147, into the City of Florence and zone it to AC Activity Center and OSR Open Space and Recreation. The request is being made by the property owners.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On July 12, 2022, Planning Commission held a public hearing on this matter, and voted unanimously, 8-0, to recommend the zoning requests of AC Activity Center and OSR Open Space and Recreation.


III. POINTS TO CONSIDER:

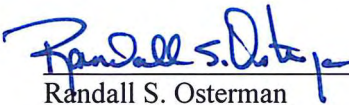
- (1) Request is being considered for first reading.
- (2) The AC Activity Center Zoning is being requested for the developable portion of the parcel and the OSR Open Space and Recreation zoning is being requested for the portion of the parcel in the floodplain.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) A Public Hearing for zoning was held at the July 12, 2022 Planning Commission meeting.
- (5) City staff recommends annexation and concurs with Planning Commission's recommendation to zone TMN 00100-01-147 to AC Activity Center and OSR Open Space and Recreation.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) Zoning Map
- (4) Plat dated April 19, 2007 (Florence County Plat Book 91, Page 303)
- (5) Annexation Petition


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO ANNEX AND ZONE AC AND OSR THE LOT LOCATED AT 2507 WEST PALMETTO STREET, TMN 00100-01-147.

WHEREAS, the property requesting annexation is shown more specifically on Florence County Tax Map 00100, block 01, parcel 147 (3.65 acres);

WHEREAS, a Public Hearing was held in the Council Chambers on July 12, 2022 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Naturally Outdoors Properties, owners of TMN 00100-01-147 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classifications of **AC** to the portion identified as Parcel "A" containing 2.42 acres on a plat dated April 19, 2007 and recorded in Plat Book 91, page 303 in the office of the Clerk of Court for Florence County and **OSR** to the property identified as containing 1.23 acres and lying between Parcel "A" and the "Present Run of Jeffries Creek" on the above referenced plat;

WHEREAS, any portions of public rights-of-way abutting the property described above will be included in the annexation;

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 annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 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.**

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map

2507 W. Palmetto St.

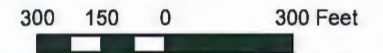


Legend

- City Limits
- Parcels
- Proposed Parcel



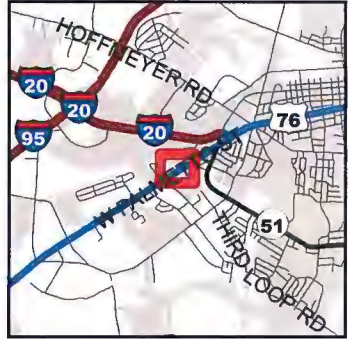
DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field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



Date: 9/7/2022

Zoning Map

2507 W. Palmetto St.



Legend

- Parcels
- Proposed Parcel

Zoning District

Agricultural and Open Space Districts

OSR

Business and Commercial Districts

CA

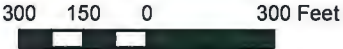
CG

Mixed-Use Districts

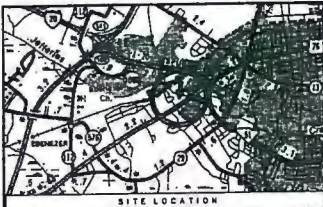
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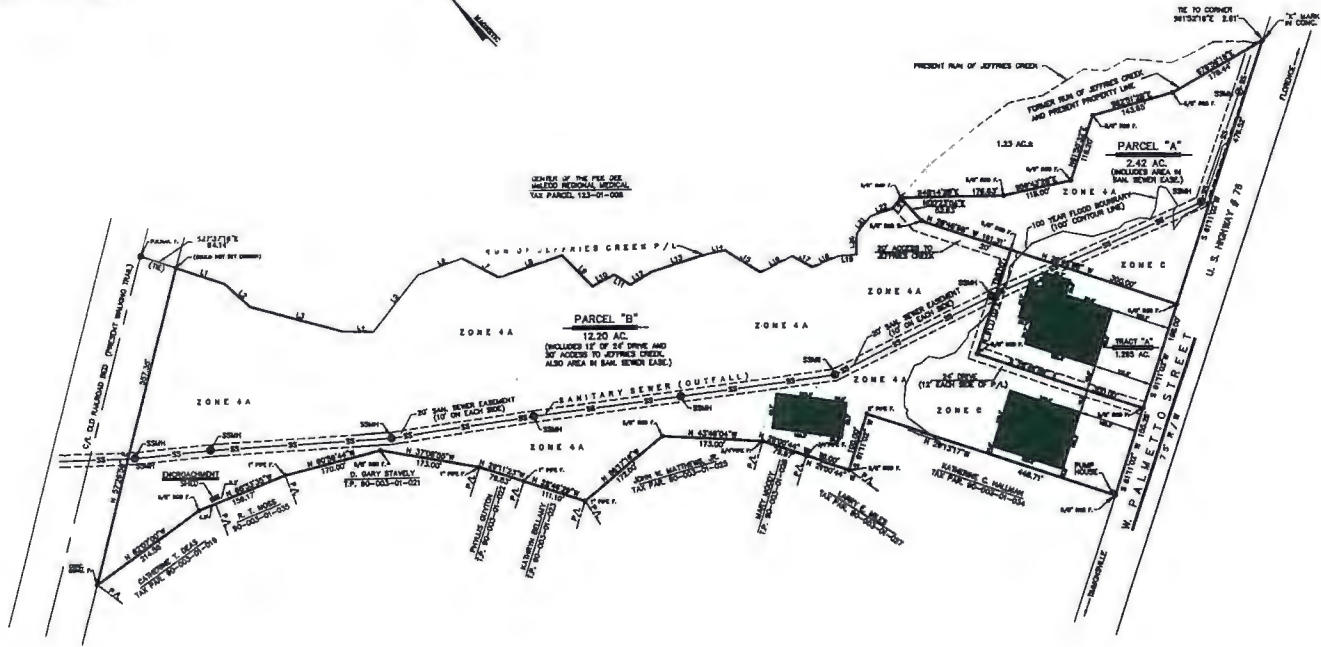
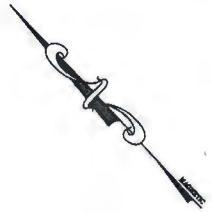
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Date: 9/7/2022



100-01-002
 FLORENCE COUNTY, SC



LINE TABLE

LINE	LENGTH	BEARING
L1	37.50	S77°21'N
L2	86.34	S04°36'27"E
L3	163.83	S43°24'20"E
L4	53.48	N55°15'26"E
L5	184.73	S61°21'28"E
L6	60.73	N67°22'48"W
L7	78.61	N18°20'37"W
L8	113.64	N68°30'28"E
L9	75.88	N02°26'29"E
L10	43.36	S72°17'24"E
L11	58.13	N13°48'24"E
L12	41.72	N78°48'52"W
L13	104.82	N61°21'28"E
L14	26.50	S08°23'09"E
L15	72.33	N14°17'28"E
L16	61.13	S76°17'21"E
L17	41.87	N18°26'02"E
L18	51.64	N77°15'38"E
L19	21.00	S61°30'24"W
L20	46.86	S43°20'28"E
L21	58.11	S61°31'00"E
L22	44.18	N68°26'11"E
L23	26.70	S63°13'21"E

100-01-002
 100-01-002

FLORENCE COUNTY MUNICIPAL PLANNING DEPARTMENT
 hereby certifies that this plan is approved on
 the 22nd day of April, 2007.
 COUNTY PLANNER: [Signature]

NOTE:
 SURVEYING AND INSTRUMENTAL CONDITIONS WERE NOT
 CLAIMED OR CONSIDERED AS A PART OF THIS SURVEY.

WE HEREBY STATE THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF
 THE MINIMUM STANDARDS OF LAND SURVEYING IN S.C. AND MEETS OR EXCEEDS THE REQUIRE-
 MENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACH-
 MENTS OTHER THAN SHOWN. WE ALSO STATE THAT, TO THE BEST OF OUR KNOWLEDGE AND IN
 OUR PROFESSIONAL OPINION THE REFERENCED PROPERTY LIES PARTLY IN A 100 YEAR FLOOD ZONE
 AS SHOWN ON FEMA MAP 200278 0220, DATED 12-18-04.

ERVIN ENGINEERING CO., INC.

SOUTH CAROLINA FLORENCE COUNTY

SURVEY

FOR
 JEFFRIES CREEK PROPERTIES, LLC- PARCEL "A" - 2.42 AC.
 GOPORTH BROWN PROPERTIES, LLP- PARCEL "B" - 12.20 AC.

PROPERTY SITUATE IN FLORENCE COUNTY, SOUTH CAROLINA.
 THE SAME BEING TAX PARCEL 100-01-002 AS FOUND
 IN THE OFFICE OF TAX ASSESSOR FOR FLORENCE COUNTY.

GRAPHIC SCALE



Surveyed by:
ERVIN ENGINEERING CO., INC.
 341 W. EVANS ST., P.O. BOX 3
 FLORENCE, S.C. 29503

SCALE: 1" = 100'
 DATE: APRIL 19, 2007



STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
 Florence County Tax Map Number: 00100-01-002 and -147
3. Annexation is being sought for the following purposes: be in City vs. County
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>0</u>	Race	<u>0</u>
Total 18 and Over	<u>0</u>	Total Registered to Vote	<u>0</u>

APPLICANT (S) (Please print or type):

Name(s): Naturally Outdoors Properties F Hunter Moretz
 Address: 2519 W. Palmetto St.
 Telephone Numbers: 843-229-2886 [work] 843-665-1551 [home]
 Email Address: hmredwing@gmail.com

Signature F. Hunter Moretz **Date** 6-21-22

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>6-21-22</u>	<u>AJ</u>

VI. e.
Bill No. 2022-31
First Reading

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

An Ordinance to amend the portion of Appendix A entitled "Rental Property" in the business license ordinance found in Chapter 13 of the Code of Ordinances of the City of Florence.

II. PREVIOUS ACTION TAKEN

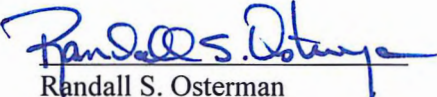
1. The Model Business License Ordinance (Ordinance No. 2021-04) was adopted on March 8, 2021 in accordance with the business license bill (H4431) passed by the South Carolina legislature in September 2020.

III. POINTS TO CONSIDER:

1. The intent of the proposed Ordinance is to clear up an unintended circumstance discovered since the adoption of the Model Business License Ordinance.
2. The Proposed Ordinance shall become effective on May 1, 2023, pending adoption.

IV. ATTACHMENTS:

1. Ordinance
2. Exhibit A


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND THE PORTION OF APPENDIX A ENTITLED “RENTAL PROPERTY” IN THE BUSINESS LICENSE ORDINANCE FOUND IN CHAPTER 13 OF THE CODE OF ORDINANCES OF THE CITY OF FLORENCE.

WHEREAS, the City of Florence has discovered an unintended circumstance caused by the recent adoption of the Model Business License Ordinance;

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 to amend the portion of Appendix A of Chapter 13 in the Code of Ordinances of the City of Florence entitled “Rental Property,” to read in its entirety as set forth on Exhibit A hereto which is incorporated herein by reference;
2. That, upon its approval and adoption on second reading by the City Council of the City of Florence, this Ordinance shall become effective on May 1, 2023.

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

EXHIBIT A

RENTAL PROPERTY

NAICS 531110 and 531120 – Lessors of Residential and Non-Residential Buildings

- (a) Individuals engaging in rental of more than four (4) residential units will be required to obtain a business license. Individuals engaging in rental of one (1) or more commercial properties will be required to obtain a business license unless it is a commercial property exempted by (c) below.
- (b) Businesses, corporations, limited liability corporations or partnerships, or other like entities engaging in rental of residential or commercial property will be required to obtain a business license unless it is a commercial property exempted by (c) below.
- (c) One (1) commercial property being leased by an individual or a business, corporation, limited liability corporations or partnerships, or other like entity is exempt from the business license requirement set out above if it is rented to a legal entity wholly owned by Lessor or to a legal entity owned by the identical principals that own the Lessor entity.

Minimum on first \$2,000	\$80.00 PLUS
Each additional \$1,000	\$2.77

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

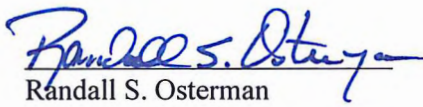
An Ordinance to repeal Sections 10-9 through 10-11 for the City Code and replace them with new sections 10-9 through 10-16 which shall constitute a new noise ordinance for the City of Florence.

II. POINTS TO CONSIDER:

1. The present noise ordinance in City Code contains language that could make it subject to assertions that it is unconstitutionally vague.
2. The proposed noise ordinance clarifies the existing noise regulations found in the Unified Development Ordinance and the general penalty section of City Code by locating them into one consolidated code section.

III. ATTACHMENTS:

1. Ordinance
2. Exhibit A


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO REPEAL SECTIONS 10-9 THROUGH 10-11 OF THE CITY CODE AND REPLACE THEM WITH NEW SECTIONS 10-9 THROUGH 10-16 WHICH SHALL CONSTITUTE A NEW NOISE ORDINANCE FOR THE CITY OF FLORENCE.

WHEREAS, the City of Florence presently has a noise ordinance that is set forth in Sections 10-9 through 10-11 of the City Code but require reference to the Unified Development Ordinance and the general penalty sections of the Code; and

WHEREAS, the present ordinance has language that could make it subject to assertions that is unconstitutionally vague;

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 to repeal the current Sections 10-9 through 10-11 of the City Code and replace them with new Sections 10-9 through 10-16 which shall read in their entirety as set forth on Exhibit A hereto which is incorporated herein by reference.
2. That, upon its approval and adoption on second reading by the City Council of the City of Florence, this Ordinance shall become effective.

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

EXHIBIT A

§ 10-9. DECLARATION OF POLICY.

- (A) The making and creation of excessive, unnecessary or unusually loud noises within the limits of the municipality is a condition which has existed for some time and the extent and volume of such noises is increasing.
- (B) The making, creation, or maintenance of such excessive, unnecessary, unnatural or unusually loud noises, which are prolonged, unusual and unnatural in their time, place and use, affect and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of the municipality.
- (C) The necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted, is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of safety, welfare and prosperity and the peace and quiet of the municipality and its inhabitants.

§ 10-10. DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"ANSI." The American National Standards Institute or its successor bodies.

"COMMERCIAL CONSTRUCTION." Construction requiring an IBC Permit.

"db(A)." The "A" means weighted sound level measured by a sound level meeting ANSI-S-1 4.1972 meter weighted for the "A" scale frequency response.

"DAYTIME HOURS." The hours from seven (7:00) a.m. to ten (10:00) p.m., local time.

"DECIBEL (db)". A measure on a logarithmic scale of the magnitude of a particular quantity, such as sound pressure with respect to a standard reference value.

"EMERGENCY WARNING DEVICE." Any gong, siren, whistle, horn or similar device that is designed to be used, and is actually used, to warn of the exposure of any human being or property to imminent danger.

"FAST METER RESPONSE." The meter ballistics of meter dynamic characteristics as specified by American National Standards SI. 4.1972, or subsequent revisions.

"HIGHWAY." Streets, roads or public ways.

"MICROBAR." A unit of pressure commonly used in acoustics and is equal to one dyne per square centimeter.

"NIGHTTIME HOURS." The hours from ten (10:00) p.m. to seven (7:00) a.m. local time.

"NOISE." Sounds in the environment including, but not limited to, those sounds generated by man, his mechanical devices, domestic animals or pets.

"OFFICIAL TRAFFIC CONTROL DEVICE." Any traffic light, stop or yield sign, official or policeman.

"PURE TONE." A sound sensation characterized by its singleness of pitch.

"RESIDENTIAL CONSTRUCTION." Constructing requiring an IRC Permit.

"SOUND." An oscillation in air pressure, which evokes an auditory sensation.

- (1) Sound is impulsive if it exhibits distinct peaks in amplitude separated by a second or more in time and varying in amplitude at a rate of ten (10) decibels per second or more.

- (2) Sound is continuous if its intensity remains at a measurable level, which may vary, without interruption over an indefinite period of time.
- (3) Sound is discrete if it contains one or more prominent pure tones.

"SOUND LEVEL." A frequency weighted sound pressure level, obtained by the use of metering characteristics and the weightings A, B or C as specified in ANSI Specifications for Sound Level Meters, SI. 4.1971 or latest revision. The sound level meter shall conform to either Type 1 or Type 2. The weighting employed must always be stated.

"SOUND-LEVEL METER." An instrument including a microphone, amplifier, an output meter, and frequency weighting networks for the measurement of noise and sound levels in a specified manner.

"SOUND PRESSURE LEVEL." In decibels, of a sound is twenty (20) times the logarithm to the base 10 of the ratio of the pressure of this sound to the reference pressure of twenty (20) micro-newtons per square meter (2x10⁻⁴ microbar) per American National Standard SI. 4.1971.

In formula: $SPL = 20 \log_{10}(p/p_0)$

Where: SPL is the sound pressure level, p is the effective (root mean square) sound pressure level, and p₀ is the reference pressure.

"STREET." Any roadway in business, residential or urban areas.

§ 10-11. PROHIBITIONS.

(A) Residential, commercial, industrial.

- (1) It shall be unlawful for any person to make, continue or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the municipal limits.
- (2)
 - (a) Sound which has crossed the property line of the sound source site and is either in or entering into zones designated in Table I shall be prohibited noise when it possesses one or more of the characteristics listed in Table I.

**Table I
MAXIMUM ALLOWABLE NOISE LEVELS FOR RESIDENTIAL,
COMMERCIAL AND INDUSTRIAL ZONES**

Decibels		Time	Zone
Continuous	Impulsive		
55db(A)	60db(A)	10:00 pm to 7:00 am	residential
55db(A)	65db(A)	7:00 am to 10:00 pm	residential
70db(A)	75db(A)	10:00 pm to 7:00 am	commercial
75db(A)	85db(A)	7:00 am to 10:00 pm	commercial
60db(A)	70db(A)	10:00 pm to 7:00 am	industrial
80db(A)	90db(A)	7:00 am to 10:00 pm	industrial

- (b) Discrete tones that are continuous in character shall be prohibited noise when it possesses one or more pure tones, provided the pressure level of such tone is higher than five (5) decibels below the maximum allowable db(A) level for continuous sounds in residential zoned areas.
- (3) It shall be unlawful to project a sound or noise from a lesser restricted zoned area into a more restricted zoned area that exceeds the maximum sound level of the more restricted zoned area.

- (4) The measurement of noise shall be made with a sound level meter at the property lines of the property on which the noise is generated, or perceived as appropriate, three and one-half feet (3½') to five feet (5') above the ground.
- (5) The following uses and activities shall be exempt from regulation:
- (a) Domestic power tools, lawn mowers and agricultural equipment, when operated between the hours of seven (7:00) a.m. and nine (9:00) p.m.;
 - (b) Noises emanating from agricultural equipment and operations in the AR Districts of the City;
 - (c) Noises of safety signals, warning devices and emergency pressure relief valves;
 - (d) Noises resulting from any authorized emergency vehicles, when responding to an emergency call or acting in time of emergency;
 - (e) Noises resulting from emergency work;
 - (f) Noise from church bells and chimes;
 - (g) Sounds generated by natural phenomena;
 - (h) Sounds generated within environs subject to the provisions of federal law are exempt from regulation, provided that when such sound radiates beyond the boundary or property line of any such noise source, subsections (A)(1) through (4) of this section shall apply;
 - (i) Construction activities, including but not limited to the erection (including excavating), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. within commercial zoning districts on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. within residential zoning districts on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the codes enforcement officer, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. If the codes enforcement officer shall determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. in commercial zoning districts and 6:00 p.m. and 8:00 a.m. in residential zoning districts, and if such officer shall further determine that loss or inconvenience would result to any party in interest, such officer may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. in commercial zoning districts and 6:00 p.m. and 8:00 a.m. in residential zoning districts, upon application being made at the time the permit for the work is awarded or during the progress of the work.
 - (j) In recognition of the benefit to the citizens of Florence when the city, the county, and the agencies of the state promote public events within the downtown areas of the city, there is hereby established a specific exception to Sections 10-9 and 10-10 of the City Code of Ordinances for events and activities sponsored by the City of Florence, the County of Florence, and agencies of the State of South Carolina, which are held within the boundaries of the Overlay Districts designated as D-2, D-3, and H-1 as established by Section 1-2.4.2 of the Unified Development Ordinance, and which are held either on their premises or within the public rights-of-way. The following are examples which, if sponsored by the above-named entities in the locations described above, are specifically declared to be exempt from Section 10-9 and 10-10:

Parades, festivals, concerts, patriotic or holiday performances, celebrations, displays, and other outdoor performances.

This list of exempt events is neither meant to be exclusive, nor shall it be deemed to be exclusive. Similar events sponsored by the above-named entities and meeting the location requirements set out above shall also be exempted from the noise ordinances cited above.

(B) Motor vehicles.

- (1) It shall be unlawful to operate a motor vehicle within the municipality which creates a noise which exceeds the decibel limitations listed in Table II.

**Table II
MAXIMUM ALLOWABLE LEVELS FOR MOTOR VEHICLES**

	Maximum Limit	Minimum Measurement Distance
Trucks and Buses		
Over 10,000 pounds (GVWR)	86 db(A)	50 feet
Passenger Cars, Vans, Light Trucks		
Under 10,000 pounds (GVWR)	80 db(A)	25 feet
Motorcycles	85 db(A)	25 feet

- (2) The sound level shall be measured by a sound level meter, Type 1 or Type 2, A-scale weighting network, fast meter response at the specified distance from the centerline of lane of travel, approximately four feet (4') from the ground.
 - (3) The maximum limit in db(A) applies to any street with a speed of forty-five (45) mph or less, at any time under any condition of grade, load, acceleration or deceleration.
- (C) Specific prohibitions. In addition to the general prohibitions set out above, the following specific acts are declared to be in violation of this chapter:
- (1) Horns, signaling devices. The sounding of any horn or signaling device of any motor vehicle except as a danger warning;
 - (2) Radios, televisions, musical instruments and similar devices:
 - (a) The operating or playing of any radio, musical instrument, or similar device which produces or reproduces sound on the public rights-of-way in such a manner as to be plainly audible to any person other than the operator of the device,
 - (b) The operating or playing of any radio, television, phonograph, musical instrument or similar device which produces or reproduces sound in a motor vehicle or public park in a manner as to be plainly audible at a distance of fifteen (15) meters (fifty feet (50')),
 - (c) The operating or playing of any radio, television, phonograph, musical instrument or similar device which produces or reproduces sound in such a manner as to exceed the levels set forth in Table I for the land use category;
 - (3) Animals. The owning, possession or harboring of any animal which frequently, or for continued duration, howls, barks, meows, squawks or makes other sounds which create excessive and unnecessary noise across a residential or commercial real property line or within a noise sensitive area. For the purpose of this chapter, "barking dog" shall mean a dog that barks, bays, cries, howls or makes any other noise continuously or incessantly for a period of ten (10) minutes, or barks intermittently for one-half (½) hour or more to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. However, a dog shall not be deemed a "barking dog" if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon property in or upon which the dog is situated.

§ 10-12. PRIMA FACIE VIOLATIONS.

Any noise exceeding the maximum allowable noise level at the property line of any zoned property (or, if a condominium or apartment house, within any adjoining apartment) or at the measurement distance from the centerline of lane for motor vehicles, by more than two (2) decibels shall be deemed to be prima facie evidence of a violation of the provisions of this chapter.

§ 10-13. REMEDIES; INJUNCTIONS.

Besides the penalty provided by § 10-16, and as an additional remedy, the operation or maintenance of any device, instrument or machinery in violation of any provision of this chapter, which operation or maintenance causes discomfort or annoyance to reasonable persons of normal sensitiveness or which endangers the comfort, repose, health or peace of residents in the area, shall be deemed, and is declared to be, a public nuisance and may be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction.

§ 10-14. ENFORCEMENT.

Violations of this chapter shall be prosecuted in the same manner as other misdemeanor violations. In the case of a violation involving a motor vehicle, the person charged with a violation may be granted a period of fifteen (15) days in which to correct the source of the sound.

§ 10-15. RELIEF; SPECIAL PERMIT.

Application for a permit for relief from the noise levels designated in this chapter on the basis of undue hardship may be made to the Council. Any permit granted by the Council shall contain all conditions upon which said permit has been granted and shall specify a reasonable time that the permit shall be effective. The council may grant the relief as applied for it if finds:

- (A) That additional time is necessary for the applicant to alter or modify his activity or operation to comply with the chapter; or
- (B) The activity, operation or noise source will be temporary in duration, and cannot be done in a manner that would comply with the other subsections of this chapter; and
- (C) That no other reasonable alternative is available to the applicant.

§ 10-16. PENALTY.

Any persons violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the town or county jail for a period not exceeding thirty (30) days or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: Utilities/Wastewater

I. ISSUE UNDER CONSIDERATION:

Request to amend Chapter 12 Article I and II of the Municipal Utilities Code of Ordinances of the City of Florence regarding Regulation 61-9 403 (Pretreatment). This modification is at the direction of South Carolina Department of Health and Environmental Control (SCDHEC).

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

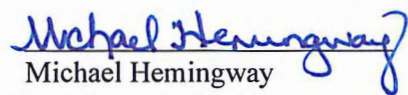
1. Current Municipal Utilities code was adopted by City Council on November 10, 1997 by Ordinance No. 97-36.
2. A United States Environmental Protection Agency (US EPA) inspection was conducted June 22, 2022.

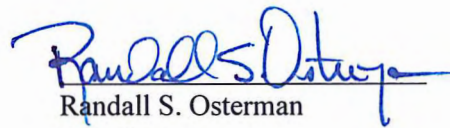
III. POINTS TO CONSIDER:

1. Request is being considered for first reading.
2. Tracked changes are highlighted in red as prepared by staff and the city's consulting engineer team.
3. The proposed amendments will modify the current City of Florence Code of Ordinances to be consistent with changes implemented by US EPA and SCDHEC.

IV. ATTACHMENTS:

1. Proposed Ordinance
2. Exhibit A


Michael Hemingway
Utilities Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND CHAPTER 12, ARTILCLE I AND II OF THE CODE OF ORDINANCE OF THE CITY OF FLORENCE ENTITLED “MUNICIPAL UTILITIES”.

WHEREAS, Chapter 12, Article I and II of the City of Florence, South Carolina Code of Ordinances (“the Code”) regulates industrial pretreatment users to the Public Owned Treatment Works (POTW); and

WHEREAS, it has been deemed in the State of South Carolina, South Carolina Department of Health and Environmental Control (SCDHEC) is the regulating entity through implementation of Regulation 61-9 Section 403 (Pretreatment Regulations); and

WHEREAS, certain minor amendments to the Ordinance adopted in 1997 to amend certain aspects of the Ordinance to be consistent with state law promogulated to SCDHEC the City proposes to revise its municipal utilities ordinance to amend the ordinance where appropriate with actions already taken by the City pursuant to its administration of the Ordinance.

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 to amend Chapter 12, Municipal Utilities, Article I and II of the Code of Ordinances of the City of Florence as shown in in the “tracked” version of said Articles attached hereto as Exhibit A and incorporated herein by reference;
2. This this Ordinance shall become effective upon its approval and adoption by the City of Council of the City of Florence and posting of this amendment.

ADOPTED THIS _____ DAY OF _____, 2022.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Chapter 12 MUNICIPAL UTILITIES

- Art. I. In General, §§ 12-1-12-4.1
- Art. II. Sewers and Sewage Disposal, §§ 12-5-12-119
 - Div. 1. Generally, §§ 12-5-12-16
 - Div. 2. Prohibited Use of Public Sewage System, §§ 12-17-12-27
 - Div. 3. Permitted Use of Public Sewage System, §§ 12-28-12-37
 - Div. 4. Operation and Control of Waste Water System, §§ 12-38-12-51
 - Div. 5. Enforcement, §§ 12-52-12-59
 - Div. 6. Sewer Connections, §§ 12-60-12-79
 - Div. 7. User Charges and Surcharges, §§ 12-80-12-99
 - Div. 8. Sewer System Extensions, §§ 12-100-12-119

ARTICLE I. IN GENERAL

Sec. 12-1. Definitions.

As used in this chapter, the following terms shall have the respective meanings ascribed to them:

Act or "the Act":

- (1) The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
- (2) The South Carolina Stormwater Management and Sediment Reduction Act, as set forth in § 48-14-10, et seq. of the Code of Laws of South Carolina, 1976, as amended.

Adverse impact: Significant negative impact to land, water and associated resources resulting from a land disturbing activity. The negative impact includes increased risk of flooding; degradation of water quality; increased sedimentation; reduced groundwater recharge; negative impacts on aquatic organisms; negative impacts on wildlife and other resources; and threatened public health.

Aesthetic water use: Water use for ornamental or decorative purposes such as fountains, reflecting pools, and waterfalls.

Alley: A minor way used for service access to the back or side of properties abutting on a street.

Appeals and hearing board: The stormwater management appeals board, as appointed by the City Council, City of Florence, to hear appeals and conduct administrative hearings associated with the provisions and requirements of article IV of this chapter.

Applicant: A person, firm, governmental agency, partnership, or any other entity who seeks to obtain approval or a permit under the requirements of this chapter and who will be responsible for the land disturbing activity and related maintenance thereof.

Approval authority: South Carolina Department of Health and Environmental Control.

Approved: Accepted by the department director or his designated as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

As-built plans or record documents: Set of engineering or site drawings that delineate the specific permitted stormwater management facility as actually constructed.

Authorized representative of the industrial user:

- (a) If the industrial user is a corporation, authorized representative shall mean:
 - (1) The president, secretary, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (2) The manager of one (1) or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding \$25 million (\$25,000,000.00) (in second-quarter 1980 dollars), if authority to sign documents or having gross annual sales or expenditures exceeding \$25 million (\$25,000,000.00) (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the industrial user is a partnership or sole proprietorship, an authorized representative shall mean a general partner or the proprietor, respectively.
- (c) If the industrial user is a federal, state or local government, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.

Auxiliary water supply: Any water supply, on or available, to the premises other than the city's approved public potable water supply.

Backflow: The flow of water or other liquids, mixtures or substances, under positive or reduced pressure in the distribution pipes of a potable water supply from any source other than its intended source.

Backflow preventer: A device or means designed to prevent backflow or back-siphonage. Most commonly categorized as air gap, reduced pressure principle device, double check valve assembly, pressure vacuum breaker, atmospheric vacuum breaker, residential dual check, double check with intermediate atmospheric vent and barometric loop. (See Appendix I for an approved list).

Back-siphonage: The flow of water or other liquids, mixtures or substances into the

distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

Best management practices (BMPs): A wide range of management procedures, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices which have been demonstrated to effectively control or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Biochemical oxygen demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at twenty (20) degrees centigrade expressed as a concentration (mg/l).

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. The term "building" shall be construed as if followed by the words "or parts thereof."

Certificate of annual inspection: A form supplied by the city which shall be used to certify that an annual inspection has occurred and such backflow preventer meets the minimum qualifications of these regulations, to be completed by a certified tester.

Certificate of installation: A form supplied by the city which shall be used to certify that an approved backflow preventer has been installed. Certification shall be made by a qualified person.

City: The city or any duly authorized official acting on its behalf.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

COD (chemical oxygen demand): Used to measure the content of organic matter that is susceptible to oxidation by a strong chemical oxidant.

Combined sewer: A sewer receiving both surface runoff and sewage.

Commercial and industrial water use: Water use integral to the production of goods and/or services by any establishment having financial profit as their primary aim.

Commercial business: Any occupant's use of a building or structure for any retail trade, service, professional, office, amusement, entertainment, or similar purpose as defined by the city zoning ordinance and as specifically permitted within any business or commercial district under the zoning ordinance.

Condominium: One (1) dwelling unit in a series or in a multiunit type structure which may be owned or leased by a person who may have common use of all related activities associated with

the structure and having one (1) sewer connection for each unit.

Conservation: A reduction in water use to prevent depletion or waste of the resource.

Construction activity: Activities subject to NPDES construction permits. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Containment: A method of backflow prevention which requires a backflow preventer at the water service entrance.

Contaminant: A substance that will impair the quality of the water to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease.

Cross-connection control authority: The City of Florence.

Credit: A conditional reduction in the amount of a stormwater service charge or other fees, rates, rentals, charges, fines, and penalties to an individual property based on: the provision and continuing presence of an effectively maintained and operational on-site stormwater system or facility; and/or continuing provision of a service or activity that reduces the stormwater utility's cost of providing stormwater management services and stormwater management systems and facilities; and/or on the direct discharge of runoff to a receiving water that is not operated, maintained, improved, and regulated, now or in the future, by the city.

Cross-connection: Any physical link or route that makes it possible for contamination to flow into the potable water system.

Customer: Any person, company, or organization using water supplied by the City of Florence.

Customers of the stormwater utility: Customers of the stormwater utility shall include those persons, properties, and entities served by and/or benefiting from the utility's acquisition, management, maintenance, extension, and improvement of the public stormwater systems and facilities and regulation of public and private stormwater, stormwater systems, facilities, and activities related thereto, and persons, properties, and entities which will ultimately be served or benefited as a result of the stormwater management program.

Designated watershed: A watershed designated by the City of Florence and identified as having an existing or potential stormwater, sediment control, or nonpoint source pollution problem.

Detached single-family dwelling unit: A developed land containing one (1) structure which is not attached to another dwelling and which contains one (1) or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one (1) family. Detached single family dwelling units may include houses, manufactured homes, and mobile homes located on one (1) or more individual lots or parcels of land. Developed land may be classified as a detached single-family

dwelling unit despite the presence of incidental structures associated with residential uses such as garages, carports, or small storage buildings, or the presence of a commercial use within the dwelling unit so long as such use does not result in additional areas of impervious surfaces such as parking spaces, playgrounds, or structures or additions to the building which are used as offices, storage facilities, meeting rooms, classrooms, houses of worship, or similar nonresidential uses. Detached single-family dwelling units shall not include developed land containing: structures used primarily for nonresidential purposes, manufactured homes and mobile homes located within manufactured home or mobile home parks where the land is owned by others than the owners of the manufactured homes or mobile homes, or multiple dwelling unit residential properties.

Detention structure: A permanent stormwater management structure whose primary purpose is to temporarily store stormwater runoff and release the stored runoff at controlled rates.

Develop land: The change the runoff characteristics of a parcel of land in conjunction with residential, commercial, industrial, or institutional construction or alteration.

Developed land: Property altered from its natural state by construction or installation of more than two hundred (200) contiguous square feet of impervious surfaces as defined in this division.

Developer: A person undertaking, or for whose benefit, activities covered by these regulations are commenced and/or carried out.

Development: Any physical improvement of real estate under the guidelines and requirements of the codes and ordinances of the city; Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

- (1) A minor development is any development involving five (5) or fewer lots and involving a land area of less than five (5) acres and not requiring the construction or extension of any streets or other municipal utilities.
- (2) A major development is any development larger than a minor development.

DHEC: The South Carolina Department of Health and Environmental Control.

Department director (or his delegated representative): The person in charge of the division, which is invested with the authority and responsibility for the implementation of a cross - connection control program and for the enforcement of the provisions of this division.

Domestic sewage: Liquid waste from bathrooms, toilet rooms, kitchens and home laundries.

Domestic water use: Water use for personal needs or for household purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Drainage: Surface water runoff; the removal of surface water or groundwater from lands by

drains, grading, or other means which include runoff controls to minimize erosion and sedimentation during and after construction or development, the means for preserving water supply and the prevention or alleviation of flooding.

Drainage area: Area contributing runoff to a single point; that area in which all of the surface water runoff resulting from precipitation is concentrated into a particular stream.

Drainage system: Any previously existing or newly constructed drainage facility that conveys stormwater or surface runoff such as drainage ways, watercourses, storm drainage pipe, culverts, catch basins, sewers, specifically designed for stormwater, open ditches, swales with or without inverts, and all appurtenances thereto.

Drought alert phases are as follows:

- (1) Moderate drought occurs when the Palmer Index reaches the--1.50 to-2.99 range and moderate drought conditions have been verified by the best available information, and conditions indicate this situation is expected to persist.
- (2) Severe drought occurs when the Palmer Index reaches the -3.00 to -3.99 range and severe drought conditions have been verified by the best available information.
- (3) Extreme drought occurs when the Palmer Index reaches or falls below -4.00 and extreme drought conditions are verified by the best available information.

Drought response committee: A committee composed of state and local representatives, created for the purpose of coordinating responses to water shortages within drought management areas and making recommendations for action to the South Carolina Water Resources Commission and/or the governor.

Duplexes and triplexes: Developed land containing two (2) (duplex) or three (3) (triplex) attached residential dwelling units located on one (1) or more parcels of land.

Easement: Grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.

Environmental protection agency, or EPA: The U.S. Environmental Protection Agency, or where appropriate, the term duly authorized official of said agency.

EPA pretreatment regulation: EPA regulation 40 CFR Part 403 titled, "General Pretreatment Regulations for Existing and New Sources of Pollution".

Equivalent residential unit: Two thousand five hundred (2,500) square feet of impervious surfaces. The equivalent residential unit shall be used as the basis for determining stormwater service charges to detached single-family dwelling unit properties or classes of detached single-family dwelling unit properties and other properties.

Erosion: The wearing a way of land surface by the action of wind, water, gravity, ice, or any

combination of those forces.

Erosion and sediment control: The control of solid material, both mineral and organic, during a land disturbing activity to prevent its transport out of the disturbed area by means of air, water, gravity, or ice.

Essential water use: Water used specifically for firefighting and to satisfy federal, state, or local public health and safety requirements.

Even-numbered address: Street addresses, box numbers or rural route numbers ending in 0, 2, 4, 6, 8 or letters A through M; and locations without addresses.

Exemption: Land disturbing activities that are not subject to the sediment and stormwater requirements contained in these regulations.

Federal categorical pretreatment standard: Any regulation containing pollutant discharge limits promulgated by the environmental protection agency in accordance with section 307(b) and (c) of the Federal Clean Water Act which applies to a specific category of industry.

Fixture isolation: A method of backflow prevention in which a backflow preventer is located to correct a cross-connection at an in-plant location rather than at a water service entrance.

Fixture outlet protection: An approved backflow preventer.

Flood: The temporary overflowing of water onto land which is usually devoid of surface water.

Garbage: Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage, and sale of produce.

Grading: Excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.

Group dwelling unit: A building or portion of a building occupied or intended for occupancy by several unrelated persons or families, but in which separate cooking facilities and sewer connections are not provided for such residents, persons or families. The term "group dwelling" includes the terms rooming house, institutional house, fraternity house, or sorority house. A hotel, motel, or tourist home shall not be deemed to be a group dwelling as herein defined. For computation of charges, three (3) beds shall be computed as one unit.

Hazardous materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Holding tank waste: Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Hotel (including motel, tourist home, motor lodge, and tourist lodging): A building or buildings containing ten (10) or more rooms intended or designed to be used or which are used, rented, or hired out to be occupied for sleeping purposes by transient and/or permanent guests, and where only a general kitchen and dining room are provided within the principal building or in an accessory building. ("Efficiencies" are considered to be dwelling units). For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a rental unit.

Hydrologic response: The hydrologic response of a property is the manner and means whereby stormwater collects, remains, infiltrates, and is conveyed from a property. It is dependent on several factors including, but not limited to, the presence of impervious area, the size, shape, topographic, vegetative, and geologic conditions of a property, antecedent moisture conditions, and groundwater conditions on a property.

Illegal or illicit discharge: An illicit discharge is defined as any discharge to a municipal or county separate storm sewer system (stormwater drainage system) that is not composed entirely of stormwater runoff (except for nonpolluting discharges that may be allowed under a permit or by exemption).

Illicit connections: An illicit connection is defined as either of the following:

- (1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including but not limited to, any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system. This also includes any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- (2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Impervious surfaces: Impervious surfaces are those areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.

Indirect discharge or discharge: The discharge or the introduction of pollutants from any nondomestic source into the POTW (including holding tank waste discharged into the system).

Industrial: Any occupant's use of a building or structure for any industrial or manufacturing purpose as defined and permitted in any industrial district within the city zoning ordinance.

Industrial waste: The liquid waste from commercial and industrial processes and operations as distinct from domestic sewage.

Infiltration: The passage or movement of water through the soil profile.

Instantaneous Limit: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Institutional water use: water used by government, public and private educational institutions, public medians and rights-of-way, churches and places of worship, water utilities, and other lands, buildings, and organizations within the public domain.

Interference: The inhibition, or disruption of the POTW treatment processes, operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any requirement of the POTW's NPDES or non-discharge permit or prevents sewage sludge use or disposal in compliance with applicable state and federal statutes, regulations, or permits.

Land disturbing activity: Any use of the land by any person such as clearing, grading, transporting, filling or any other activity that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and quantity of stormwater runoff.

Landscape water use: water used to maintain gardens, trees, lawns, shrubs, flowers, athletic fields, rights-of-way and medians.

Land subdivision regulations: The land subdivision regulations of the city, including the definitions utilized within the land subdivision regulations, set out in chapter 18 of this Code.

Lot: A piece, parcel, tract, or plot of land intended as a unit for transfer of ownership or for development, the size of which shall be regulated by the city zoning ordinance.

Major drainage channels: All channels which drain an accumulation of primary and/or secondary drainage channels. These channels shall be the natural drainage channels of the watershed or manmade channels draining an area of one square mile or more.

Medical waste: Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Mobile home dwelling unit: Any mobile home unit as defined in the city's mobile home regulations set out in chapter 11 of this Code and for the purposes of this chapter shall be considered as a one-family dwelling unit.

Mobile home park: A premises where one (1) or more mobile homes are parked for living or sleeping purposes of [or] where spaces are set aside or offered for sale or rent for use by mobile homes for living or sleeping purposes, including any land, building, structure or facility used by occupants of mobile homes on such premises.

Multiple-dwelling unit: Residential properties shall mean developed land whereon more than one (1) residential dwelling unit is located, and shall include, but not be limited to duplexes, triplexes, apartment houses, condominiums, townhomes, attached single-family homes, boarding houses, group homes, hotels and motels, retirement centers, and other structures in which more than one (1) family group commonly and normally reside or could reside, In the application of stormwater service charges, multiple-dwelling unit properties shall be treated as other developed lands as defined in this division.

Multiunit structures: All structures having more than one (1) living unit, rented, leased or purchased, and not specifically covered in the other definitions in this section. For computation of charges, five (5) hospital beds shall be computed as one unit and three (3) nursing home beds shall be computed as one unit.

Natural outlet: Any outlet in a water course, pond, ditch, lake or other body of surface water or groundwater.

Natural waterways: Waterways that are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.

New source:

- (a) Any building, structure, facility, or installation from which there may be a discharge of pollutants, the construction of which commenced after the publication of proposed categorical pretreatment standards which will be applicable to such source if such standards are thereafter promulgated provided that:
 - (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility, or installation replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site.
- (b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (2) or (3) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (c) For purposes of this definition, construction of a new source has commenced if their owner or operator has:

- (1) Begun, or caused to begin as part of a continuous on-site construction program.
 1. Any placement, assembly, or installation of facilities or equipment; or significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this definition.

Noncontact cooling water: Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Nondomestic user: Any person who discharges, causes, or permits the discharge of wastewater from any facility other than a residential unit.

Nonerodible: A material, e.g., natural rock, riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces of wind, water, ice, gravity or a combination of those forces.

Nonpoint source pollution: Pollution contained in stormwater runoff from ill-defined, diffuse sources.

Nonstormwater discharge: Any discharge to the storm drain system that is not composed entirely of stormwater.

NPDES permit: National pollution discharge elimination system permit issued to the city pursuant to section 402 of the Federal Clean Water Act.

One family dwelling unit: A detached dwelling designated for or occupied exclusively by one family and owned or leased by the occupants on a continuing basis for thirty (30) days or more per year.

One hundred-year frequency storm: A storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in one hundred (100) years. It also may be expressed as an exceedence probability with a one (1) percent chance of being equaled or exceeded in any given year.

Operator: For the purpose of this article and in the context of stormwater associated with construction activity, means any party associated with a construction project that meets either of the following two criteria:

- (1) The party has operational control over construction plans and specifications. Note: A party has "operational control over construction plans and specifications" if they have the authority to prepare or modify stormwater pollution prevention plans

- (SWPPPS); or
- (2) The party has "operational control over day-to-day activities" at a project that are necessary to ensure compliance with a SWPPP for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions). This definition is provided to inform permittees of [EPASCDHEC](#)'s interpretation of how the regulatory definitions of "owner or operator" and "facility or activity" are applied to discharges of stormwater associated with construction activity.

Other developed lands: Shall mean, but not be limited to, multiple-dwelling residential unit properties, manufactured home and mobile home parks, commercial and office buildings, public buildings and structures, industrial and manufacturing buildings, storage buildings and storage areas covered with impervious surfaces, parking lots, parks, recreation properties, public and private schools and universities, research facilities and stations, churches, hospitals and convalescent centers, airports, agricultural uses covered by impervious surfaces, and water and wastewater treatment plants.

Outdoor uses: Aesthetic water use and water-based recreational uses such as swimming pools, water slides and other water related activities. Irrigation restricted to Wednesday and Saturday for odd-numbered addresses, Thursday and Sunday for even-numbered addresses.

Owner: Any person who has legal title to, or license to operate or occupies, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.

Palmer index: A measure of the severity of a drought or a wet spell, in an area. Dry conditions are associated with negative values, wet conditions with positive values, and normal conditions have a value of zero.

Pass through: A discharge which exits the POTW into water of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's, NPDES permit (including an increase in the magnitude or duration of a violation).

Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, joint venture, institution, commission, board, utility, cooperative, trust, estate, governmental entity or other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state, and local government entities.

Person responsible for the land disturbing activity:

- (1) The person who has or represents having financial or operational control over the land disturbing activity; and/or
- (2) The landowner or person in possession or control of the land who directly or indirectly allowed the land disturbing activity or has benefited from it or who has failed to comply with any provision of the act, these regulations, or any order or local ordinance adopted pursuant to this act as imposes a duty upon him.

pH: The logarithm (base 10) of the reciprocal of the weight of hydrogen ions in grams per liter of solution and indicates the strength of acidity or alkalinity of a substance. A pH value of seven (7.0) is considered neutral. A stabilized pH will be considered as a pH which does not change beyond the specified limits when the wastes are subjected to aeration. pH below seven point zero (7.0) is acid, above seven point zero (7.0) is alkaline.

Pollutant: Dredged spoil; solid waste; incinerator residue; sewage; garbage; sewage sludge; munitions; medical waste; chemical wastes; biological materials; radioactive materials; heat; wrecked or discarded equipment; rock; sand; cellar dirt; municipal, agricultural and industrial waste; and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor). A foreign substance, that if permitted to get into the public water system, will degrade its quality so as to constitute a moderate hazard, or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such water for domestic use.

Post-development: The conditions that exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of stormwater runoff.

POTW director: The City of Florence Wastewater Plant Manager.

PPM: Parts per million by weight expressed in pounds. One million (1,000,000) pounds of water and sewage equals approximately one hundred twenty thousand (120,000) gallons.

Pretreatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pre-development: The conditions that existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of stormwater runoff.

Pretreatment program: The program for the control of pollutants introduced into the POTW from nondomestic sources which was developed by the city in compliance with [EPA-SCDHEC](#) pretreatment regulation and approved by the approval authority.

Pretreatment requirements: Any substantive or procedural requirement related to pretreatment other than a pretreatment standard.

Pretreatment standard: Prohibited discharge standards, categorical standards, and local limits.

Primary drainage channels: All drainage channels which drain an area of two hundred (200) acres or more.

Process wastewater: Any water which, during manufacturing or processing, comes into direct contact with or results from the production of or use of any raw material, intermediate product, finished product, byproduct, or waste product. Excluded are sanitary noncontact cooling water, and boiler blow down wastewaters.

Publicly owned treatment works (POTW): Treatment works which are owned by the City of Florence. This includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant.

Public sewer: A sewer in which all owners of abutting properties shall have equal rights and which is controlled by public authority.

Receiving stream: That body of water, stream or watercourse receiving the discharge waters from the sewage treatment plant or formed by the discharge of the sewage treatment plant.

Redevelopment: A land disturbance activity that alters the current use of the land but does not necessarily alter the pre-development runoff characteristics.

Registered landscape architect: A landscape architect properly registered and licensed in South Carolina or permitted by the licensing board.

Registered professional engineer (engineer): A person who is registered by the State of South Carolina pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, 1976, as amended.

Registered Tier B Land Surveyor: A person who is registered by the State of South Carolina pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, 1976, as amended.

Responsible personnel: Any foreman, superintendent, or similar individual who is the on-site person in charge of land disturbing activities.

Retention structure: A permanent structure whose primary purpose is to permanently store a given volume of stormwater runoff. Release of the given volume is by infiltration and/or evaporation.

Runoff: Portion of the precipitation on the land which reaches the drainage system.

Sanitary sewer: A sewer which carries sewage or polluted industrial waste and to which stormwater, surface water and groundwater or unpolluted industrial wastes are not intentionally admitted.

Secondary drainage channels: All drainage channels which drain an area of less than two hundred (200) acres and the primary benefit is to the development.

Sediment: Solid particulate matter, both mineral and organic, that has been or is being transported by water, air, ice, or gravity from its site of origin.

Septic tank: A private domestic sewage treatment system consisting of an underground tank, distribution box and drain field designed and constructed in accordance with any or all existing local and state requirements.

Sewage: A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

Sewage system: All facilities for collecting, conveying, pumping, treating and disposing of sewage. *Sewage treatment plant:* Any arrangement or device and structure for treating sewage.

Sewer: A pipe or conduit for carrying sewage.

Significant industrial user:

- (a) Any user subject to categorical pretreatment standards; or
- (b) A user that:
 - (1) Discharges an average twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - (2) Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity on the POTW treatment plant; or
 - (3) Is designated as such by the city on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (c) Upon a finding that a user meeting the criteria above has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the city may at any time on its own initiative or in response to a petition received from a user, and in accordance with the procedures in SC R.61-9.403, determine that such user shall not be considered a significant industrial user.

Significant noncompliance: Significant noncompliance shall be applicable to all Significant Industrial Users (or any other industrial user that violates paragraphs (c), (d), or (h) and shall mean:

- (a) Chronic violations: Sixty-six (66) percent or more of all the measurements taken for the same pollutant parameter taken during a six-month period exceed (by any magnitude) parameter numeric pretreatment standard or requirement including instantaneous limits.

- (b) Technical review criteria (TRC) violations: Thirty-three (33) percent or more of all the measurements taken during a six-month period for the same parameter equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits multiplied by the applicable TRC.
- (1) For conventional pollutants
- (BOD, TSS, and fats, oil and grease)
 - TRC = 1.4 ~~or 40% over the limit-~~
- (2) For all other pollutants except pH TRC = 1.2 ~~or 2% over the limit-~~
- (c) Any other violation of a pretreatment standard or requirement (daily maximum, monthly average, long term average, instantaneous limit, or narrative standard) that the control authority determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of the treatment system personnel or the general public).
- (d) Any discharge causing imminent endangerment to human health/welfare or to the environment or resulting in the POTW's use of its emergency authority to halt or prevent such a discharge.
- (e) Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
- (f) Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- (g) Failure to accurately report noncompliance.
- (h) Any other violation or group of violations, which may include a violation of Best Management Practices, which the control authority determines will adversely affect the operation or implementation of the local pretreatment program.

Single-family residence-separately built: A noncommercial dwelling that is occupied exclusively by one family and not part of a residential and subdivision development; also referred to as detached single family.

Slug load: Any discharge to the POTW at a flow rate or concentration which would cause a violation of the prohibited discharge standards of this chapter.

Stabilization: The installation of vegetative or structural measures to establish a soil cover to reduce soil erosion by stormwater runoff, wind, ice and gravity.

Stop work order: An order directing the person responsible for the land disturbing activity to cease and desist all or any portion of the work that violates the provisions of this chapter.

Storm drain: A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted wastes.

Storm drainage system: Publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins,

natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm drainage plan/site plan: The development plan for one or more lots which shows the existing and proposed conditions of the lot including: topography, vegetation, drainage, flood-plains, waterways, easements, streets and any other information pertaining to the proposed development of the storm drainage system. This site plan can be a part of the site plan required by the city zoning ordinance for a zoning certificate and building permit.

Stormwater: Any surface flow, runoff, and drainage resulting from any form of natural precipitation.

Stormwater management: (a) Quantitative control, a system of vegetative or structural measures, or both, that control the increased volume and rate of stormwater runoff caused by manmade changes to the land; (b) qualitative control, a system of vegetative, structural, or other measures that reduce or eliminate pollutants that might otherwise be carried by stormwater runoff.

Stormwater management and sediment control plan: A set of drawings, other documents, and supporting calculations submitted by a person as a prerequisite to obtaining a permit to undertake a land disturbing activity, which contains all of the information and specification required by City of Florence.

Stormwater management services: Activities and functions conducted by the city that together result in the collection, conveyance, and disposal of stormwater runoff, including support activities and functions necessary to accomplish the mission of the stormwater management program, and shall include but not be limited to the administration, engineering, operation and maintenance, regulation and enforcement, and improvement of systems and facilities, review of development proposals and of the installation and maintenance of stormwater systems on private properties, provision of stormwater quality management programs to eliminate or mitigate the impact of pollutants contained in stormwater runoff, and flood emergency response and recovery measures.

Stormwater management systems and facilities: Include, but are not limited to, rivers, streams, creeks, lakes, ponds, channels, ditches, swales, other drainage ways, storm sewers, culverts, inlets, catch basins, headwalls, dams, reservoirs and other impoundments, flumes, stormwater detention and retention storage areas, filters, riparian areas, plants, works, instrumentalities, properties, and other structural and nonstructural components that control, capture, collect, convey, route, restrict, store, detain, retain, infiltrate, cleanse, or otherwise affect or influence the flow of stormwater within the city and the quality of stormwater discharged from the city.

Stormwater pollution prevention plan (SWPPP): A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable. A stormwater pollution prevention plan means the same as a stormwater management and sediment control plan.

Stormwater utility: Administrative organization that has been created for the purposes of planning, designing, construct and maintaining stormwater management, sediment control and flood control programs and projects.

Stormwater service charges: The periodic service charge imposed pursuant to this division by the city for the purpose of funding costs related to stormwater management services and stormwater management systems and facilities. The use of the area of impervious surface on each property as a stormwater service charge rate parameter shall not preclude the use of other parameters, or of grouping of properties having similar characteristics into classes or categories, grouping of properties having similar characteristics through the use of ranges or rounding up or down to a consistent numerical interval, or the use of flat-rate charges for one (1) or more classes of similarly-situated properties whose impact on city's cost of providing stormwater management services and stormwater management systems and facilities is relatively consistent. Stormwater service charges may also include special charges to individual properties or persons for services, systems, or facilities related to stormwater management, including but not limited to charges for development plan review, inspection of development projects and on-site stormwater control systems, and enhanced levels of stormwater service above and beyond the levels normally provided by the city.

Subdivider: Any person who divides or develops any land deemed to be a subdivision as herein defined.

Subdivision: Any division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes any division of land involving a new street or a change in existing streets, and includes re-subdivision and, where appropriate, related to the process of subdividing, or to the land or area subdivided.

Suspended solids: Solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Swale: A structural measure with a lining of grass, riprap or other materials, which can function as a detention structure and convey stormwater runoff without causing erosion.

Ten-year frequency storm: A storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in ten (10) years. It may also be expressed as an exceedence probability with a ten (10) percent chance of being equaled or exceeded in any given year.

Townhouse: One (1) or more buildings containing three (3) or more single-family units with common walls and having one (1) sewer connection for each unit.

Twenty-five year frequency storm: A storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in twenty-five (25) years. It also may be expressed as an exceedence probability with a four (4) percent chance of being equaled or exceeded in any given year.

Two-family dwelling unit: A detached or semidetached dwelling designed for or occupied exclusively by two (2) families living independently of each other and owned or leased by the occupant on a continuing basis for thirty (30) days or more per year.

Two-year frequency storm: A storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in two (2) years. It may also be expressed as an exceedence probability with a fifty (50) percent chance of being equaled or exceeded in any given year.

Undeveloped land: Land in an unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have no pavement, asphalt, or compacted gravel surfaces or structures which create an impervious surface that would prevent infiltration of stormwater or cause stormwater to collect, concentrate, or flow in a manner materially different than that which would occur if the land was in an unaltered natural state.

Upset: An exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, maintenance, or careless or improper operation.

User: Any person who contributes, causes or permits the contribution of wastewater into the city's POTW including persons who contribute such wastes from mobile sources.

Variance: The modification of the minimum sediment and stormwater management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of these regulations.

Waiver: The relinquishment from sediment and stormwater management requirements by the appropriate plan approval authority for a specific land disturbing activity on a case-by-case review basis.

Water quality: Characteristics of stormwater runoff from a land disturbing activity that relate to the physical, chemical, biological, or radiological integrity of water.

Water quantity: Characteristics of stormwater runoff that relate to the rate and volume of the stormwater runoff to downstream areas resulting from land disturbing activities.

Water service entrance: That point in the owner's system beyond the sanitary control of the district, generally considered to be the outlet end of the water meter and always before any unprotected branch.

Watershed: The drainage area contributing stormwater runoff to a single point.

Water shortage: lack of adequate available water to meet normal demands due to lower than

normal precipitation, reduced stream flows or soil moisture, and/or lowering of the potentiometric surface in wells which causes water supplies to be less than usual.

Wastewater:

- (1) The liquid and water-carried industrial or domestic wastewater from dwellings, commercial buildings, industrial facilities, mobile sources, treatment facilities and institutions, together with any groundwater, surface water and stormwater that may be present, whether treated or untreated, which are contributed or permitted to enter the POTW.
- (2) Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Wastewater contribution permit: A permit issued to significant industrial users specifying term and conditions for discharge of industrial wastewater to the POTW.

Zoning ordinance: The officially adopted zoning ordinance of the city.

Sec. 12-2. Abbreviations.

The following abbreviations when used in this chapter shall have the designated meanings:

BMP – Best Management Practices
BOD – Biochemical oxygen demand.
CFR – Code of Federal Regulations.
COD – Chemical oxygen demand.
EPA – Environmental Protection Agency.
gpd – gallons per day.
l – liter.
mg – Milligrams.
mg/l – Milligrams per liter.
NPDES – National pollution discharge elimination system.
O & M – Operation and maintenance.
POTW – Publicly owned treatment works.
ppm – Parts per million.
RCRA – Resource Conservation and Recovery Act.
SIC – Standard Industrial Classification.
SWDA – Solid Waste Disposal Act, 42 U.S.C. 6901, et. seq.
TKN – Total Kjeldahl Nitrogen.
USC – United States Code.

Sec. 12-3. Finding of fact.

The city council finds and declares that the matters set forth in the recitals hereof are in all respects correct.

Sec. 12-4. Fiscal year of systems; operation by city.

The water production and waste water treatment systems shall be operated on a fiscal year basis, commencing on the first day of July in each year and ending on the thirtieth day of June of the succeeding year. They shall continue to be operated by the city.

Sec. 12-4.1. Emergencies not covered.

The city through its duly qualified officers reserves the right to take such immediate action for emergencies not specifically covered herein, as it may deem necessary in the interest of the public health and safety and further reserves the right to amend this chapter in part or whole, whenever it may deem necessary, but such right will be exercised only in the manner established or prescribed for such matters, including but not limited to public notice ninety (90) days prior to final action.

ARTICLE II. SEWERS AND SEWAGE DISPOSAL
DIVISION 1. GENERALLY

Sec. 12-5. Scope.

This article regulates, restricts and limits, in the interest of the public health and safety, the discharge or deposit of certain substances into any sanitary sewer now maintained and/or owned by or which may become the property of the city, and provides penalties for violation thereof.

Sec. 12-6. Applicability.

This article shall apply to the city and to persons outside the city, who are, by permit or agreement with the city, users of the Florence POTW. By discharging wastewater into the municipal wastewater system, users located beyond the city limits agree to comply with the terms and conditions established in this article, as well as any permits or orders issued hereunder.

Sec. 12-7. Facilities prerequisite to occupation of premises.

Before any place of human habitation or public assembly or place intended to be used therefore hereafter constructed within the city is occupied the owner or occupant thereof shall have installed therein facilities for the disposal of liquid wastes and human excreta of a type in compliance with the provisions of this chapter and other ordinances of the city. No person shall occupy any such place of human habitation or public assembly until the provisions of this section have been complied with.

Sec. 12-8. Where separate facilities required.

Separate facilities for the disposal of liquid wastes and human excreta, of a type in compliance with the provisions of this chapter and other ordinances of the city, shall be provided for each suite of family apartments, each store or office building, in every place of human habitation or public assembly within the city unless otherwise approved by the city.

Sec. 12-9. Duty of occupants to maintain facilities.

It shall be the duty of the occupants or tenants of all places of human habitation or public assembly to maintain all facilities for the disposal of liquid wastes and human excreta in a clean and sanitary condition at all times. All persons in charge of all places of human habitation or public assembly having water carriage facilities for the disposal of liquid wastes and human excreta shall maintain water under pressure on such facilities at all times. Occupants or tenants shall not abuse, misuse or destroy such facilities and shall not place in plumbing fixtures any material or thing which shall cause such plumbing fixtures to become inoperable.

Sec. 12-10. Duty of agent when owner resides beyond police jurisdiction.

Should the owner of any place of human habitation or public assembly located within the city have residence beyond the police jurisdiction of the city, the agent or person in charge of any such place shall comply with the provisions of sections 12-7 and 12-9.

Sec. 12-11. Unsanitary deposit or disposal.

No liquid wastes or human excreta shall be deposited upon the surface of the ground or where it is exposed to flies, fowl or animals.

Sec. 12-12. Septic tank-Permit.

Where no public sewer exists within limitations of section 12-60 or where connection is technically impractical, the owner of such property may then apply to the city and the health authorities for a permit to construct and operate a septic tank system. (Code 1973, App. H, Art. II, § 3.8)

Sec. 12-13. Same-Construction and maintenance.

Septic tanks, where permitted within the city shall be constructed and maintained as required by laws, rules and regulations of the state department of health and environmental control and of the city.

Sec. 12-14. Same-Discontinuance of use.

When public sewer lines are constructed, sewer tanks which have been in use less than five (5) years may continue to be used for a total of five (5) years from the date the tank was constructed. At the end of the five-year period such tanks are to be abandoned and the premises connected to the sewer system once a sewer system becomes available. Sewer charges shall be added to monthly billing at this time regardless of connection status.

Sec. 12-15. Prohibited use of public sewers-Prohibited method.

It shall be unlawful for any person to put any substance either solid or liquid into the public sewer of the city at manholes or in any way other than through a connection made as provided by

this article. (Code 1973, App. H, Art. II, § 1.1)

Sec. 12-16. Same-Unlawful damage.

It shall be unlawful and a violation of this chapter for any person to damage, deface, alter, change or tamper with any part of the sewage system; and upon conviction, said person shall be guilty of a misdemeanor and fined in accordance with the penalty for a misdemeanor and shall be liable for full cost incurred. (Code 1973, App. H, Art. II, ~ 1.5; Ord. No. 97-36, § 1(Attach.), 11-10-97)

DIVISION 2. PROHIBITED USE OF PUBLIC SEWAGE SYSTEM

Sec. 12-17. General.

These general prohibitions apply to all users of the POTW whether or not the user is a significant industrial user or subject to any federal, state, or local pretreatment standard or requirement.

Sec. 12-18. Interference and pass through.

No user shall contribute or cause to be contributed to the POTW, directly or indirectly, any pollutant or wastewater, which causes interference or pass through.

Sec. 12-19. Stormwater.

- (a) No person shall discharge or cause to be discharged into any sanitary sewers any stormwater, surface water, uncontaminated ground water, roof run-off, or subsurface drainage.
- (b) Stormwater and surface drainage shall be admitted to only such sewers as are specifically designated as storm sewers or storm drains. Unpolluted process and cooling waters may be discharged to storm sewers or storm drains; in their absence, authority may be granted for discharge into the sanitary sewer system upon written application.

Sec. 12-20. Prohibited discharges.

Except as hereinafter provided no person shall discharge or cause to be discharged any of the following described waters or waste into any POTW:

- (1) Any clothing, rags, textile, remnants or wastes, cloth, scraps, etc., which will not pass through a quarter-inch (1/4) mesh screen or its equivalent in screening ability.
- (2) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit (60°C) using the test methods specified in 40 CFR 261.21.
- (3) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in the sewerage system.

- (4) Any garbage that has not been properly shredded.
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, bones, feathers, tar, plastics, wood, paunch manure, butcher's offal, or any other solid or viscous substances capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system.
- (6) Any materials which forms excessive amounts of scum that may interfere with the operation of the sewage treatment works or cause undue additional labor in connection with its operation.
- (7) Any waters or wastes containing lint in such quantities as to be detrimental to sewer lines, sewage pumps or sewage treatment works.
- (8) Any wastewater having a pH less than five (5.0) or more than eleven (11.0) or wastewater having any other corrosive property capable of causing damage or hazard to the POTW or equipment.
- (9) Any wastewater containing pollutants, including oxygen demanding pollutants, in sufficient quantity, (flow or concentration) either singly or by interacting with other pollutants, to cause interference with the POTW
- (10) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repairs.
- (11) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal regulations or permits issued under section 405 of the act: the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being used.
- (12) Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts sufficient color to the treatment plant's effluent to render the waters injurious to public health, secondary recreation, or aquatic life and wildlife; to adversely affect the palatability of fish or aesthetic quality; to impair the receiving waters for any designated uses; or interfere with any wastewater treatment process.
- (13) Any wastewater having a temperature greater than one hundred fifty (150) degrees Fahrenheit (65°C), or which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater with the temperature at the introduction into the POTW to exceed one hundred four (104) degrees Fahrenheit (40°C).
- (14) Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the POTW director in compliance with applicable state or federal regulations.
- (15) Any trucked or hauled pollutants, except at discharge points designated by the POTW director.
- (16) Stormwater, surface water, uncontaminated ground water, well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water,

cooling water and unpolluted industrial wastewater, unless specifically authorized by the POTW director.

- (17) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- (18) Fats, oils, greases of animal or vegetable origin in concentrations greater than one hundred (100) mg/l.
- (19) Any sludges, screenings or other residues from the pretreatment of industrial wastes.
- (20) Any medical wastes, except as specifically authorized by the POTW director.
- (21) Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfere with the municipal wastewater system.
- (22) Any material that would be identified as hazardous waste according to 40 CFR Part 261 if not disposed of in a sewer except as may be specifically authorized by the POTW director.
- (23) Any wastewater causing the treatment plant effluent to violate state water quality standards for toxic substances or NPDES permit limitations.
- (24) Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the POTW.
- (25) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (26) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
- (27) Recognizable portions of the human or animal anatomy.
- (28) At no time, shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five (5) percent nor any single reading over ten (10) percent of the lower explosive limit (LEL) of the meter.
- (29) Any solid or viscous pollutants which will cause obstruction to the flow in the treatment facility resulting in interference.

Sec. 12-21. Waste storage and floor drains.

Wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. All floor drains located in process or materials storage areas must be discharged to the industrial user's pretreatment facility before connecting with the system.

Sec. 12-22. Waste of unusual strength.

The city, without limitation by other sections of this article, may authorize any person to discharge industrial waste of unusual strength or character into *the* sewers of the city under approved conditions. The city may prohibit entry of particular industrial wastes into the sanitary sewer whenever such action is necessary to prevent damage to the system or to determine the effects of such wastes on the sewage system.

Sec. 12-23. Federal (national) categorical pretreatment standards.

- (a) Users subject to categorical pretreatment standards are required to comply with applicable standards as set out in 40 CFR chapter 1, subchapter N, parts 405 through 471.
 - (1) Where a categorical pretreatment standard is expressed in terms of either mass or concentration of a pollutant in wastewater, the POTW director may impose equivalent concentration or mass limits.
 - (2) When wastewater subject to a categorical pretreatment standard is mixed with a wastewater not regulated by the same standard, the POTW director may impose an alternate limit using the combined waste stream formula in the ~~EPA~~-general pretreatment regulations.
 - (3) A user may obtain a variance from categorical pretreatment standards in accordance with the ~~EPA~~-general pretreatment regulations.
 - (4) A user may obtain a net gross adjustment to a categorical pretreatment standards in accordance with the ~~EPA~~-general pretreatment regulations.
- (b) Upon the promulgation of the federal categorical pretreatment standards for a particular industrial subcategory, the federal standard, if more stringent than limitations imposed under this article for sources in that subcategory, shall immediately supersede the limitations imposed under this article.
- (c) The City may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. This authorization is subject to the following conditions:
 - (1) The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
 - (2) The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit.
 - (3) In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
 - (4) The request for a monitoring waiver must be signed in accordance with Section 12-1, and include the certification statement in Section 12-42.
 - (5) Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest

minimum detection level for that pollutant was used in the analysis.

- (6) Any grant of the monitoring waiver by the City must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the City for 3 years after expiration of the waiver.
- (7) Upon approval of the monitoring waiver and revision of the User's permit by the City, the Industrial User must certify on each report with the statement in Section 12-42, that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.
- (8) In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 12-41, or other more frequent monitoring requirements imposed by the City, and notify the City.
- (9) This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

Sec. 12-24. Specific pollutant discharge (local) limitations.

To implement the general and specific discharge prohibitions provided by this article, the following specific discharge limits shall apply to all POTW users ~~unless otherwise specified~~ by a wastewater contribution permit issued by the city:

Local Limits. The City has the authority to establish local limits. Currently, the City has not developed any local limits, but in the event the City develops local limits, the City may impose mass limitations in addition to concentration-based limits. The City may develop BMPs by ordinance or in individual wastewater discharge permits to implement any local limits. If the City develops local limits, they will be included in the City's Industrial Pretreatment Program.

<i>Pollutant or Characteristic</i>	<i>Maximum Concentration (24-hr. flow proportional composite sample)</i>	<i>Maximum Instantaneous Concentration (grab sample)</i>
BOD	250 mg/l	--
TSS	250 mg/l	--
TKN	40 mg/l	--
Oil and grease	100 mg/l	--
Temperature	--	150°F

pH, (min.-max.)
~~COD~~

6.0 – ~~8.5~~11
~~350-mg/l~~

6.0 – ~~8.5~~11
–

Sec. 12-25. State and federal requirements.

- (a) State requirements and limitations on discharges shall apply *in* any case where they are more stringent than federal requirements and limitations or those in this article.
- (b) Federal requirements and limitations on discharges as contained in the ~~EPA~~-general pretreatment regulations shall apply in any case where they are more stringent than state requirements and limitations or those in this article. (Ord. No. 97-36, &l(Attach.), 11-10-97)

Sec. 12-26. Right of revision.

The city reserves the right to establish limitations and requirements which are more stringent than those required by either state or federal regulation if deemed necessary to comply with the objectives of this article. (Ord. No. 97-36, § l(Attach.), 11-10-97)

Sec. 12-27. Dilution.

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the federal categorical pretreatment standards. The City may impose mass limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations is appropriate. (Ord. No. 97-36, § l(Attach.), 11-10-97)

DIVISION 3. PERMITTED USE OF PUBLIC SEWERAGE SYSTEM

Sec. 12-28. Use of holding tanks.

Where it is deemed necessary in the opinion of the city, persons may be required, at no expense to the city, to construct holding or storage tanks in order to equalize the discharge. Such tanks shall be so equipped as to thoroughly mix the sewage so that its equality will be uniform when discharged to public sewers. Control of volume of discharge of the sewage to the sewer shall be by a waterworks type rate controller or other approved device, the operation and setting of which shall be directed by the city. (Code 1973, App. H, Art. II, § 2.2; Ord. No. 97-36, § l(Attach.), 11-10-97)

Sec. 12-29. Pretreatment-May be required.

Whenever the waste characteristics of sewage being discharged by any person exceed those requirements of section 12-20 or where necessary in the opinion of the city, the person discharging sewage shall construct or cause to be constructed, at no expense to the city,

preliminary handling or treatment as deemed necessary. (Code 1973, App. H, Art. II, § 2.3; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-30. Same-Approval of plans.

- (a) The pretreatment facilities shall be constructed in accordance with a compliance schedule specified by the city ~~or, the state SCDHEC, or EPA~~ whichever is more stringent.
- (b) Plans, specifications, and other pertinent information relating to proposed wastewater pretreatment facilities shall be submitted for the approval of the city and no construction of such facilities shall be commenced until such approval is obtained in writing. The review of such plans shall in no way relieve the user from the responsibility of complying with the provisions of this article and all other local, county, state, and other authorities having jurisdiction. Any changes in pretreatment facilities shall be approved by the city prior to initiation of the changes. (Code 1973, App. H, Art. II, § 2.4; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-31. Same-Maintenance of facility.

When preliminary treatment or holding facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation at no cost to the city. (Code 1973, App. H, Art. II, § 2.5; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-32. Submitting analysis of discharge.

Any person who is now discharging any sewage into the city public sewers may be required to submit a complete composite analysis by an independent laboratory to the city as to the nature and characteristic of the sewage. (Code 1973, App. H, Art. II, § 2.6; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-33. Change in discharge characteristics.

Any person having been granted authority by the city to discharge sewage into the city's public sewers and who shall significantly change or cause to be changed the nature or quantity of such sewage shall before making such change shall furnish the city a complete analysis of a composite sample of the sewage as determined by an independent laboratory. (Code 1973, App. H, Art. II, § 2.7; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-34. Application for unusual discharge.

Any person who wishes to make a connection and discharge sewage as described in section 12-33 shall make written application to the city and will be required to furnish the city a complete analysis of a composite sample of the sewage as determined by an independent laboratory, in addition to compliance with all other sections of this chapter. (Code 1973, App. H, Art. II, § 28; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-35. Grease, oil and sard traps.

Grease, oil and sand separators or traps shall be provided when in the opinion of the city they are necessary for the proper handling and control of liquid wastes containing grease, oil or sand in excessive amounts. Such separators shall not be required for private dwelling units, but may be required for industrial or commercial establishments and institutions. Such separators shall be readily accessible for inspection by *the* city and shall be maintained and cleaned by the person at no expense to the city and in continuously efficient operation at all times. (Code 1973, App. H, Art. II, § 2.9; Ord. No. 97-36, *1(Attach.), 11-10-97)

Sec. 12-36. Inspection manhole.

Any person discharging industrial wastes into the public sewers will be required to construct and maintain a suitable control or inspection manhole either downstream from any pretreatment, storage, or other approved works, or if pretreatment is not required, at the point where the sewage enters the public sewers. Such manhole shall be located so as to be readily accessible and shall be constructed in such a manner as may be approved by the city so as to facilitate such inspection or measuring as may be necessary for proper sampling and/or control of wastes discharged. (Code 1973, App. H, Art. II, § 2.9; Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-37. Hauled wastewater.

- (a) Septic tank waste may be introduced into the POTW only at locations designated by the POTW director, and at such times as are established by the POTW director. Such waste shall not violate division 2 of this article or any other requirements established by the city. The city may require septic tank haulers to obtain wastewater contribution permits.
- (b) *The* POTW shall require haulers of industrial waste to obtain wastewater contribution permits. The POTW director may require generators of hauled industrial waste to obtain wastewater contribution permits. The POTW director may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this article.
- (c) Industrial waste haulers may discharge loads only at location designated by the POTW director. No loads may be discharged without prior consent of the POTW director who may collect samples of each hauled load to ensure compliance with applicable standards. The POTW director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
- (e) Waste haulers shall comply with all requirements of the approving authority.

DIVISION 4. OPERATION AND CONTROL OF WASTE WATER SYSTEM

Sec. 12-38. Inspections-General.

The city shall have the right to inspect the facilities of any user to ascertain whether requirements of this article are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city, approval authority, and EPA-SCDHEC or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying, or observation in the performance of any of their duties. The city, approval authority, and EPA-SCDHEC shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the city, approval authority, and EPA-SCDHEC will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. (Code 1973, App. n, Art. II, *3.1; Ord. No. 97-32, § 1(Attach.), 11-10-97)

Sec. 12-39. Same-Industrial discharger subject thereto.

The waste water of each industrial discharger into the city's sewer system shall be subject to periodic inspection for a determination of character and concentration not less than semi-annually or more often as may be deemed necessary by the city. Such inspection and tests may also be immediately after any approved process change which might affect the quantity or quality of the waste discharged. (Code 1973, App. n, Art. II, § 8.1; Ord. No. 97-32, § 1(Attach.), 11-10-97)

Sec. 12-40. Performance of tests and analyses.

All tests and analyses of the characteristics of sewage to which reference is made in this chapter shall be made in accordance with the procedures given in the Federal Register 40 CFR, Part 136.

The results of all tests and analyses performed by significant industrial users shall be reported to the control authority. (Code 1973, App. n, Art. II, § 3.3; Ord. No. 91-7, 2-4-91; Ord. No. 97-32, § 1(Attach.), 11-10-97)

Sec. 12-41. Collection of samples and analysis.

Sewage samples shall be collected in such manner as to be representative of actual volume and quality of the waste. The collection of samples shall be at the control manhole provided for in section 12-36 or as specified in the industry's wastewater contribution permit. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge. Procedures used in all sample collection, measurement, test, and analysis shall be in accordance with Federal Regulation 40 CFR part 136. The determination of the flow, character, and concentration of industrial wastes as provided herein shall be used as a basis for charges, surcharges, and compliance with division 2 of this article.

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- (a) Except as indicated in Section (b) and (c) below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the city. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved [EPA-SCDHEC](#) methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.
- (b) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (c) For sampling required in support of baseline monitoring and 90-day compliance reports, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the city may authorize a lower minimum. For periodical compliance reports, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

(Code 1973, App. H, Art. II, § 8.2; Ord. No. 91-7, 2-4-91; Ord. No. 97-32, § 1(Attach.), 11-10-971

Sec. 12-42. Categorical reports.

All significant industrial users shall submit to the control authority self-monitoring reports indicating the nature and concentration of pollutants discharged to the sewer system. The frequency of the monitoring and report requirements shall be as specified in the industry's wastewater contribution permit.

In the event self-monitoring indicates a violation of any discharge limits as specified in the industry's wastewater contribution permit, the industry must notify the control authority within twenty-four (24) hours, resample, and submit the results of both analyses within thirty (30) days. (Code 1973, App. H, Art. II, § 8.4; Ord. No. 91-7, 2-4-91; Ord. No. 97-32, § 1(Attach.), 11-10-971

- (a) Certification of Pollutants Not Present

Users that have an approved monitoring waiver based must certify on each report with the following statement that there has been no increase in the pollutant in its wastestream due

to activities of the User.

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report.

Sec. 12-43. Emergency action.

In the interest of the public health and safety, any duly authorized representatives of the city shall be permitted to take such emergency actions as may be deemed necessary in the operation of the sewage system including, but not limited to, the right to close down any sewer or portion of the sewage system for the purpose of making connections, alterations or repairs. (Code 1973, App. H, Art. II, § 3.2; Ord. No. 97-32, § 1(Attach.), 11-10-97)

Sec. 12-44. System abuse.

Any person using the public sewer shall be responsible for any stoppage or damage caused by abuse of the sewerage system through the sewer connection of that person and shall be held accountable for all expenses incurred by the city or other property owners as a result of the abuse. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-45. Unlawful discharge.

In no event shall any person be allowed to discharge or cause to be discharged any domestic or industrial wastewater to the ground surface, stream, watercourse, ditch, lake, other body of surface water, *storm* sewers, or storm drains. (Ord. No. 97-36, *1(Attach.), 11-10-97)

Sec. 12-46. Legal action.

If any person discharges sewage, industrial wastes or other wastes into the city's sewage system contrary to the provision of this article, federal or state pretreatment requirement, or any order of the city, the city may commence an action for appropriate legal and/or equitable relief in the court of proper jurisdiction. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-47. Protection from damage.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any equipment or materials belonging to the City of Florence. This protection shall also apply to any part of the system whether city owned or not if it is such as to adversely affect the proper operating and maintenance of the city system. Any person violating this

provision shall be subject to penalties outlined in division 5 of this article as well as prosecution if deemed appropriate. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-48. Wastewater contribution permits.

- (a) All significant industrial users shall obtain a wastewater contribution permit prior to the commencement of discharge to the POTW. Existing industrial users who are determined by the POTW director to be significant industrial users shall obtain a wastewater contribution permit within one hundred eighty (180) days of receiving notification of the POTW director's determination. Industrial users who do not fit the significant industrial user criteria may at the discretion of the POTW director be required to obtain a wastewater contribution permit.
- (b) All person proposing to discharge nondomestic wastewater, or proposing to change the volume or characteristics of an existing discharge of nondomestic wastewater shall request from the POTW director a significant industrial user determination. If the POTW director determines or suspects that the proposed discharge fits the significant industrial user criteria he will require that a wastewater contribution permit application be filed.
- (c) Users required to obtain a wastewater contribution permit shall complete and file with the city, an application in the form prescribed by the POTW director. Significant industrial users shall apply for a permit within ninety (90) days after notification of the POTW director's determination in subsection (b) above. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge must be included in the application.
- (d) Upon receipt of a complete permit application including any and all request supporting documentation and data, the application will be evaluated by the POTW director. A determination will be made to issue or deny the permit within ninety (90) days thereafter. The POTW director is authorized to:
 - (1) Issue a wastewater contribution permit containing such conditions as are necessary to effect the purposes of this article.
 - (2) Issue a wastewater contribution permit containing time schedules for achieving compliance with applicable pretreatment standards and requirements.
 - (3) Modify any permit upon not less than sixty (60) days notice and pursuant to provisions of this article.
 - (4) Revoke or suspend any permit pursuant to provisions of this article.
 - (5) Deny a permit application when in the opinion of the POTW director such discharge may cause or contribute to pass-through or interference of the POTW.
- (e) Permit modification.
 - (1) Modification of permits shall be subject to the same procedural requirements as the issuance of permits except as follows:
 - a. Changes in the ownership of the discharge when no other change in the permit is indicated.
 - b. A single modification of any compliance schedule not in excess of four (4) months.
 - c. Modification of construction compliance schedule in permits for new sources.

- (2) Within nine (9) months of the promulgation for a federal categorical pretreatment standard, the wastewater contribution permit of users subject to such standard shall be revised to require compliance.
- (f) Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date.
- (g) Industrial users shall retain, and make available for inspection and copying, all records and information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with BMPs. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples, the dates analyses were performed, who performed the analyses, the analytical techniques or methods used, and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning compliance with this article, or where the industrial user has been specifically notified of a longer retention period by the POTW director. (h) Wastewater permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, a new user, different premises, or a new or changed operation.
- (i) A significant industrial user shall apply for permit reissuance by submitting a complete permit application in accordance with this section a minimum of one hundred eighty (180) days prior to the expiration of the existing permit.
- (j) Wastewater contribution permits shall be expressly subject to all provisions of this article and all other applicable regulations, user charges, and fees established by the city. Permits may contain discharge limitations, including BMPs, and conditions as deemed appropriate by the city to ensure compliance with this article including requirements to control slug discharges if determined to be necessary. Discharge limitations and conditions may be more stringent than federal or state limitations and conditions if determined necessary to ensure compliance with all applicable federal, state and local regulations. (Code 1973, App. H, Art. II, § 3.10; Ord. No. 91-7, 2-4-91; Ord. No. 97-36, *1(Attach), 11-10-97)

Sec. 12-49. Pretreatment program administration charge.

All significant industrial users shall be charged an annual permit administration fee of three hundred dollars (\$300.00) to defray the cost of administration of the pretreatment program in accordance with federal and state requirements. The amount of this charge may be revised periodically based upon the following:

- (1) Reimbursement of costs of operating the pretreatment program;
- (2) Monitoring, inspections and surveillance procedures;
- (3) Reviewing slug control plans, including accidental and/or slug load discharge procedures and construction plans and specifications;
- (4) Permitting;
- (5) Other fees as the city may deem necessary to carry out the requirements of the pretreatment program.

Industrial users are subject to the following reporting requirements as required by the ~~EPA~~ general pretreatment regulations, their wastewater contribution permit, and this article.

- (1) *Base line monitoring reports:* Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination, whichever is later, existing categorical user shall submit to the POTW director a base line monitoring report as required by ~~EPA~~ general pretreatment regulations. At least ninety (90) days prior to commencement of their discharge, new users, and users that become categorical users shall submit to the POTW director a base line monitoring report as required by the ~~EPA~~-general pretreatment regulations.
- (2) *Compliance schedule progress reports:* All users subject to compliance schedules shall submit a progress report to the POTW director as specified by the ~~EPA~~-general pretreatment regulations or the compliance order.
- (3) *Report of compliance with categorical standard deadline:* Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, users subject to such standards shall submit a report of compliance as required by the ~~EPA~~-general pretreatment regulations.
- (4) *Periodic compliance reports:* All significant industrial users shall be required to submit a report no less than twice per year indicating the nature, concentration of pollutants in their discharge which are limited by pretreatment standards, and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a BMP or pollution prevention alternative, the user must submit documentation required by the city or the pretreatment standard necessary to determine the compliance status of the user. Said reports shall be as specified by the users wastewater contribution permit.
- (5) *Reports of changed conditions:* All users must notify the POTW director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least thirty (30) days before the change. Significant Industrial Users are required to notify the city immediately of any changes at its facility affecting the potential for a Slug Discharge.
- (6) *Reports of potential problems:* In the case of any discharge that may cause potential problems for the POTW, the user shall immediately notify the POTW director. Within five (5) days following such discharge, the user shall submit a written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.
- (7) *Nitrification of discharge of hazardous wastes:* The industrial user shall notify in writing, the POTW director, ~~the state, and EPA~~ of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste in accordance with ~~EPA~~-general pretreatment regulations.
- (8) *Accidental discharge / slug control plans:* The city shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control

Slug Discharges within one (1) year of being identified as an SIU. As required, the POTW may require other POTW users to develop, submit for approval, and implement said plan. Accidental discharge/slug control plans shall be in accordance with the ~~EPA~~-general pretreatment regulations.

Sec. 12-51. Confidential information.

- (a) Information and data on a person obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restrictions unless the person specifically requests and is able to demonstrate to the satisfaction of the POTW director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user. Any such request must be asserted at the time of submission of the information or data.
- (b) All records relating to compliance with pretreatment standards shall be made available to officials of the approval authority ~~and EPA~~ upon request. (Code 1973, App. H, Art. II, § 3.11; Ord. No. 97-36, § HAttach.), 11-10-97)

DIVISION 5. ENFORCEMENT

Sec. 12-52. Administrative remedies.

- (a) *Notification of violation.* Whenever the city finds that any user has violated or is violating this article, wastewater contribution permit, or any prohibition, limitation or requirements contained therein or any other pretreatment requirement, the city may serve upon such a person a written notice stating the nature of the violation. Within thirty (30) days from the date of this notice, an explanation for the violation and a plan for the satisfactory correction thereof shall be submitted to the POTW director by the user. Submission of this plan does not relieve the discharger of liability for any violations occurring before or after receipt of notice of violation.
- (b) *Consent orders.* The city is hereby empowered to enter into consent orders, assurances of voluntary compliance, of other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the discharger to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as an administrative order issued pursuant to subsection (d) below.
- (c) *Show cause hearing.* The city may order any user who causes or is responsible for an unauthorized discharge, has violated this article or is in noncompliance with a wastewater contribution permit to show cause why a proposed enforcement action should not be taken. In the event the city determines that a show cause order should be issued, a notice shall be served on the user specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

The city shall review the evidence presented at the hearing and determine whether the proposed enforcement action is appropriate.

A show cause hearing under this section is not a prerequisite to the assessment of a civil penalty nor is any action or inaction taken by the city under this section subject to an administrative appeal.

- (d) *Administrative orders.* When the city finds that an user has violated or continues to violate this article, permits or orders issued hereunder, or any other pretreatment requirement the city may issue an order to cease and desist all such violations and direct those persons in noncompliance to do any of the following:
 - (1) Immediately comply with all requirements;
 - (2) Comply in accordance with a compliance time schedule set forth in the order;
 - (3) Take appropriate remedial or preventive action in the event of a continuing or threatened violation;
 - (4) Disconnect.
- (e) *Emergency suspensions.* The city may suspend the wastewater treatment service and/or wastewater permit when such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, interferes with the POTW or causes the POTW to violate any condition of its NPDES *or* non-discharge permit.

Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate the contribution. A hearing will be held within fifteen (15) days of the notice of suspension to determine whether the suspension may be lifted or the user's waste discharge permit terminated. In the event of a failure to comply voluntarily with the suspension order, the city shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The city shall reinstate the wastewater permit and the wastewater treatment service upon proof of the elimination of the noncompliant discharge. The user shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the city prior to the date of the above-described hearing.

- (f) *Termination of permit.* Any user who violates the following conditions of this article, or applicable state and federal regulations, is subject to having its wastewater contribution permit terminated:
 - (1) Failure to accurately report the wastewater constituents and characteristics of his discharge;
 - (2) Failure to report significant changes in operations, or wastewater constituents and characteristics;
 - (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
 - (4) Violation of conditions of the permit.

Noncompliant industrial users will be notified of the proposed termination of their wastewater

permit and will be offered an opportunity to show cause under section 701 of this article why the proposed action should not be taken. (Ord. No. 97-36, § 1(Attach. 1, 11-10-97)

Sec. 12-53. Civil penalties.

Any user who *is* found to have failed to comply with any provisions of this article, or the orders, rules, regulations and permits issued hereunder, may be fined up to two thousand dollars (\$2,000.00) per day per violation. In addition to the penalties provided herein, the city may recover reasonable attorney's fees, court costs, court reporters' fees, and other expenses of litigation by appropriate suit at law against the person found to have violated this article or the orders, Rules, regulations, and permits issued hereunder. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-54. Other available remedies.

Remedies, in addition to those previously identified in this article, are available to the city which may use any single one or combination against a noncompliant user. Additional available remedies include, but are not limited to:

- (1) *Criminal violation.* The district attorney for the judicial district may, at the request of the city, prosecute noncompliant users who violate the provisions of this article.
- (2) *Injunctive relief.* Whenever a user is in violation of the provisions of this article or an order or permit issued hereunder, the city may petition the superior court of justice for the issuance of a restraining order or a preliminary and permanent injunction, which restrains or compels the activities in question.
- (3) *Water supply severance.* Whenever a user is in violation of the provisions of this article or an order or permit issued hereunder, water service to the user may be severed and service will only recommence, at the user's expense, after *it* has satisfactorily demonstrated ability to comply.
- (4) *Public nuisance.* Any violation of the provisions or effluent limitations of this article or of a permit or order issued hereunder, is hereby declared a public nuisance and shall be corrected or abated as directed by the city. Any person(s) creating a public nuisance shall be subject to the provisions of the Florence City Code governing such nuisances, including reimbursing the POTW for any costs incurred in removing, abating or remedying said nuisance.

Sec. 12-55. Reconnection.

It shall be unlawful for any person to reconnect a sewer when the same has been cut off for noncompliance with provisions of this article, or any other reason, until specifically approved in writing by the city. Said approval shall be contingent upon satisfaction of all provisions of this article including, but not limited to, payment of all penalties, charges, claims, damages, judgments, and costs incident thereto. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-56. Hearings.

- (a) *Initial adjudicatory hearing.* An applicant whose wastewater contribution permit is

denied, or is granted subject to conditions the applicant deems unacceptable, a user assessed a civil penalty, or a user issued an administrative order shall have the right to an adjudicatory hearing before a hearing officer designated by the city upon making such written demand, identifying the specific issues to be contested within thirty (30) days following receipt of the wastewater contribution permit, civil penalty assessment, or administrative order. Unless such written demand is made within the time specified herein, the action shall be final and binding. The hearing officer shall make a final decision of the contested action within sixty (60) days of the receipt of the demand for a hearing.

- (1) New permits. Upon appeal, including judicial review in the general courts of justice, of the terms or conditions of a newly issued permit, the terms and conditions of the entire permit are stayed and the permit is not in effect until either the conclusion of the judicial review or until the parties reach a mutual resolution.
 - (2) Renewed permits. Upon appeal, including judicial review in the general courts of justice, of the terms or conditions of a renewed permit, the terms and conditions of the existing permit remain in effect until either the conclusion of judicial review or until the parties reach mutual resolution.
- (b) *Final appeal hearings.* Any decision of a hearing officer made as a result of an adjudicatory hearing held under subsection (u) above may be repealed, to the city council upon filing a written demand within ten (10) days of receipt of notice of the decision. Hearings held under this subsection shall be conducted in accordance with City Code. Failure to make written demand within the time specified herein shall bar further appeal. The city council shall make a final decision on the appeal within ninety (90) days of the date the appeal was filed.
- (c) *Official record.* When a final decision is issued under subsection (b) above the city council shall prepare an official record of the case that shall include all notices, motions, and other like pleadings; a copy of all documentary evidence introduced; a certified transcript or narrative summary of any testimony taken; and a copy of the final decision of the city council.
- (d) *Judicial review.* Any person against whom a final order or decision of the city council is entered, pursuant to the hearing conducted under subsection (b) above, may seek judicial review of the order or decision by filing a written petition within thirty (30) days after receipt of notice, but not thereafter, with the superior court of Florence County along with a copy to the city. Within thirty (30) days after receipt of the copy of the petition of judicial review, the city council shall transmit to the reviewing court the official record. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-57. Annual publication of significant noncompliance.

At least annually, the POTW director shall publish, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of those industrial users which were found to be in significant noncompliance with applicable pretreatment standards and requirements during the previous twelve (12) months. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-58. Affirmative defenses to discharge violations.

- (a) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards in accordance with the ~~EPA~~-general pretreatment regulations.
- (b) A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the prohibitions in sections 17.309 and 17.312 in accordance with R.61-9.403.5.
- (c) Bypass is prohibited except in accordance with R.61-9.403.17. (Ord. No. 97-36, § 1(Attach.), 11-10-97)

Sec. 12-59. Reserved.

DIVISION 6. SEWER CONNECTIONS*

Sec. 12-60. Mandatory connection.

Every building which is located in the city within two hundred fifty (250) feet of any sewer main operated and maintained by the city shall be connected thereto and shall utilize the same for waste water disposal. Said connection shall be made prior to occupancy of any new building. This section shall not apply in cases where such connections cannot be made due to inadequate grade or the presence of obstructions. (Code 1973, App. H, Art. II, § 3.6)

Sec. 12-61. Date of connection.

Existing buildings which are provided with access as described in section 12-60 shall connect to the sewer main within a period of sixty (60) days from the date of completion of the sewer main; or at such time of failure or malfunction of existing waste disposal means; or at such time as directed by the codes enforcement officer upon notice that existing means of waste disposal is a community health hazard and violation of federal, state or city laws. (Code 1973, App. H, Art. II, § 3.7)

Sec. 12-62. Permission to connect.

The city shall reserve the right to inspect and grant permission for all connections to the sanitary sewer system and require the payment of a tap fee before permission to connect can be granted to any person. (Code 1973, App. H, Art. II, § 2.1)

Sec. 12-63. Application for connection.

Any person desiring connection to be made with the sewer system shall make application on an appropriate form to the city and shall pay the appropriate connection fee at that time. (Code 1973, App. H, Art. II, § 4.1)

Sec. 12-64. Inability to serve applicant.

The receipt of an application for service, regardless of whether or not accompanied by the

payment of fees or deposit, shall not obligate the city to render the service applied for. If the service applied for cannot be supplied, the liability of the city shall be limited to the refund of any such payments received. (Code 1973, App. H, Art. II, § 4.2)

Sec. 12-65. Sewer tap specifications.

All sewer taps shall conform to the requirements of the utility department on location, size, type, materials and methods used and shall be accomplished only by a licensed plumber authorized by the city or by representatives of the city. The minimum size for any sewer tap shall be four (4) inches. (Code 1973, App. H, Art. II, § 4.3)

Sec. 12-66. Periodic establishment of tap fees.

Tap fees, cutting of pavement, if required, and other such expenses concerning sewer connections may be periodically established by the city council. (Code 1973, App. H, Art. II, § 5.7)

Sec. 12-67. Charges for connections generally.

- (a) The cost of service connections for multiunit structures shall be governed by the number of individual units to be served by the same connection. Individual units added where no additional main tap is required shall be subject to the applicable unit charges.
- (b) All multiunit structures except duplexes shall be limited to a minimum size connection of six (6) inches unless otherwise approved by the city.
- (c) All connections over four (4) inches will need to be connected to a manhole unless otherwise approved by the city.
- (d) Unit contributory loadings to waste water treatment facilities. The following are guidelines for the design loadings to the waste treatment facilities. These guidelines along with the cost to make the tap will be used by the city in determining the sewer connection fee.
- (e) For a sewer connection inside the city, the connection fee will be sixty cents (\$0.60) per gallon per day based on the unit contributory loading chart of estimated daily flows plus the following if the tap is to be done by the city:

(1) For a 4-inch tap.....	\$550.00
(2) For a 6-inch tap with manhole.....	5,000.00
(3) For a 6-inch tap without a manhole.....	2,000.00
(4) For a 8-inch tap with manhole.....	6,000.00
(5) For a 8-inch tap without a manhole.....	3,000.00

Tap sizes to be approved by the city.

If the owner has a state licensed contractor make the tap under the supervision of the city, then the connection fee will be based solely on sixty cents (\$0.60) per gallon per day as obtained from the unit contributory loading chart. The city is to be notified at least two (2) working days before the tap is to be made.

- (f) For a sewer connection outside the city, the connection fee will be three dollars (\$3.00)

per gallon per day based on the unit contributory loading chart of estimated daily flows plus the following if the tap is to be done by the city:

(1)	For a 4-inch tap.....	\$825.00
(2)	For a 6-inch tap with manhole.....	7,500.00
(3)	For a 6-inch tap without a manhole.....	3,000.00
(4)	For a 8-inch tap with manhole.....	9,000.00
(5)	For a 8-inch tap without a manhole.....	4,500.00

Tap sizes to be approved by the city.

If the owner has a state licensed contractor make the tap under the supervision of the city, then the connection fee will be based solely on the three dollars (\$3.00) per gallon per day as obtained from the unit contributory loading chart. The city is to be notified at least two (2) working days before the tap is to be made.

(g) Unit contributory loading chart.

<i>Type of Establishment</i>	<i>Gallons Per Day</i>
Airport	
Each employee	10
Each passenger	5
Apartments	
3-bedroom	300
2-bedroom	200
1-bedroom	100
Bars	
Each employee	10
Each seat (excluding restaurant)	40
Boardinghouse, resident	50
Bowling alley	
Per lane (no restaurant)	125
Additional for bars and cocktail lounges	3
Camps	
Resort (luxury)	100
Summer	50
Day (with central bathhouse)	35
Per travel trailer site	175
Churches	
Per seat	3
Clinics	
Per staff	15
Per Patient	5
Country club, each member	50
Factories	

Each employee (no showers)	25
Each employee (with showers)	35
Each employee (with kitchen facilities)	40
Fairgrounds, average attendance	5
Food service operations	
Ordinary restaurant (not 24 hours), per seat	70
24-hour restaurant (per seat)	100
Curb service (drive-in), per car space	70
Vending machine restaurant ³⁵	70
Hospitals	
Per bed	200
Per resident staff	100
Hotels, per bedroom (no restaurant)	100
Institutions, per resident	100
Laundries, self service, per machine	400
Mobile homes	300
Motels, per unit (no restaurant)	100
Nursing homes	
Per bed (no laundry)	100
Offices, per person (no restaurant)	25
Picnic parks, average attendance	10
Residences	300
Rest homes	
Per bed (no laundry)	100
Per bed (with laundry)	150
Schools	
Per person (no showers, gym, cafeteria)	10
Per person with cafeteria (no gym, showers)	20
Per person with cafeteria, gym and showers	20
Service stations	
Each car served	10
Each car washed	75
First bay (per day)	1,000
Each additional bay (per day)	500
Shopping centers, per 1,000 sq. ft. space (no restaurant)	200
Stadiums, per seat (no restaurant)	2
Swimming pools, per person (with sanitary facilities and showers)	10
Theaters	
Drive-in, stall	5
Indoor, seat	5

- (h) Any deviation from the above guidelines must be so noted and substantiated by the owners engineer in a written report to the city. The deviation must then be approved by the city. Any type establishment not listed in this chart will require city determination of

the unit contributory loading.

- (i) City council finds that a reduction in initial wastewater connection fees may be appropriate for public educational institutions which are positioned to deliver services or activities which mitigate the city's cost of providing wastewater collection, treatment and management services, including public information and education. Public educational institutions which are located outside the corporate limits may apply for a reduction, not to exceed fifty (50) percent, in connection fees prior to payment. Nothing in this section shall constitute any grounds for refund of previously paid connection fees or for reduction of any other charges or rate schedules specified in the code. The following guidelines apply to such reduction requests.
 - (1) Connection fee reductions are available only to bona fide, publicly funded and operated educational institutions located outside the corporate limits for new, on-campus facilities. The reductions are available only to those facilities that are owned by the institution, are not-for-profit operations and are a legitimate part of the school's educational mission.
 - (2) Applications for connection fee reductions must document the services and activities to be provided by the school. The services must provide long-term benefits to the city system.
 - (3) The level of reduction granted will be approved by the city manager.
- (j) City council finds that a reduction in the initial wastewater connection fee is appropriate for residential new construction, either multi-family or single family, when located within the city's designated community development block grant (CDBG) area. This area is determined by the use of U.S. Census Tract demographic information and is recognized by the U.S. Department of Housing and Urban Development as a special needs area qualifying for grants and other federally provided assistance. The reduction in the initial wastewater connection fee is solely designed to provide an incentive to developers and builders to construct and make available affordable housing within the CDBG area. The following guidelines shall apply:
 - (1) Connection fee reductions shall be made available to the developer, builder, or owner of any new residential construction, either multi-family or single-family, which IS located within the boundary of the CDBG area.
 - (2) The connection fee reduction shall be fifty (50) percent of the calculated rate.
 - (3) For demolition projects. new residential construction shall be defined as new if the extent of the demolition and subsequent redevelopment is in excess of fifty (50) percent of the fair market value immediately prior to obtaining a residential building permit.
 - (4) For mixed use developments within the CDBG area only the residential portion of the contributory demand charge will be used in determining the connection fee reduction for residential wastewater services.
- (k) For areas outside the corporate limits, the City of Florence evaluates requests for extension of service on the basis of physical and economic feasibility, as well as overall compatibility with its plans for addressing the needs of its service area. Decisions regarding the extension of service to any new area are solely those of the city. However, when the city determines that an extension of service is feasible, city council finds that a reduction in the initial wastewater connection fee may be appropriate for new industrial

manufacturing facilities which are being constructed outside the city limits. In order to be considered for the reduction, a manufacturing facility must be listed in Sectors 31 through 33 of the most current edition of the North American Industry Classification System and must exceed an average annual wastewater discharge to the system of seven hundred fifty thousand (750,000) gallons per month.

- (1) For those cases in which the new industry can be served by existing sewer lines and infrastructure, i.e. there is no requirement for construction of line extensions or upgrades to the existing wastewater collection system, the connection fee will be based on inside rates as outlined in subsection (e). above.
- (2) For those cases in which line extensions and/or upgrades to the wastewater collection system are required in order to serve the industry, the city will estimate the project cost. The estimate will include all appropriate project costs for professional services (design, inspection and legal), construction, and acquisition of necessary interests in real property. Project costs will not include administrative costs or efforts by city staff. The project cost will be reduced by any available grants or contributions from city or non-city sources to determine the out-of-pocket costs to the city. This out-of-pocket cost to the city will be used in the calculation of connection fees under this section. Up to the value of the city's calculated out-of-pocket costs, the connection fee will be calculated at outside rates as outlined in subsection (f), above. The calculation of the balance of any remaining estimated wastewater connection fees will revert to the inside rate as outlined in subsection (e), above.

Sec. 12-68. Charges for connections-Installment payment option.

Sewer connection and tap fees for four-inch residential sewer service, both inside and outside the city, as described in section 12-67(e) and (f), may be paid in monthly installments over a period of up to thirty-six (36) months. The installment payment for connection and tap fees shall be assessed each month with a five (5) percent flat interest fee. The option for installment payment of connection and tap fees shall apply only to domestic, residential connections for owner-occupied dwellings constructed and inhabitable on or before January 1, 2008. Business, commercial, and industrial connection and tap fees, regardless of tap size, are not eligible for installment payment. If sewer service is terminated before the connection and tap fees paid on an installment basis are fully satisfied at any given location, the balance due on the connection and tap fees shall be paid by successive applicants for sewer service at that location until paid in full. The balance due for connection and tap fees may also be paid in monthly installments as provided herein. At the option of the customer, tap and connection fees may be paid in full in a lump sum at any time during the term of an established installment payment period. (Ord. No. 2008-28, 7-14-2008)

Secs. 12-69, 12-70. Reserved.

Sec. 12-71. Liability for tap fee increased.

In case a sewer connection is not made within twelve (12) months from the date a permit therefor was first obtained, any tap fee increases during the previous twelve (12) months will be

paid by the user before making such tap. (Code 1973, App. H, Art. II, § 5.8)

Sec. 12-72. Taps coordinated with building permits.

All sewer taps shall be applied for concurrently with the applicable building permits. No monthly user charges shall be given until services are put in use. (Code 1973, App. H, Art. II, § 4.5)

Sec. 12-73. Discontinued sewer taps.

Sewer taps discontinued may be placed back in service at no charge to the user provided such tap is in serviceable condition. The property owner shall be responsible for protecting the structure and locating any taps to be placed back in service after demolition operations. Any taps damaged or lost during such operations shall be replaced at the current tap fee rate. (Code 1973, App. H, Art. II, § 4.6)

Sec. 12-74. Service line stoppage.

When a service line or tap becomes stopped, the property owner shall engage a qualified plumber to clear the service line on private property and open the service at the property line/right-of-way and shall under no circumstances, other than checking flow in mains, perform any work on private property. Regardless of the location of the stoppage, the city shall not be liable for any charges incurred by a plumber engaged by the property owner and shall not be responsible for any damages resulting therefrom. (Code 1973, App. H, Art. II, § 4.7)

Sec. 12-75. Right to disconnect.

Except as herein provided, the city reserves the right to prevent or discontinue sewer connection by any person until such time as the requirements of this chapter have been fulfilled to the satisfaction of the city. (Code 1973, App. H, Art. II, § 3.9)

Sec. 12-76. Unlawful charges.

It shall be unlawful when giving a bid, quotation or estimate to others for such work, for any person to charge more for a sewer connection than the price quoted by the city for such connection, both inside and outside the city. (Code 1973, App. H, Art. II, § 4.9)

Secs. 12-77-12-79. Reserved.

DIVISION 7. USER CHARGES AND SURCHARGES

Sec. 12-80. Purposes of charges.

The city shall adopt by ordinance an adequate schedule of user charges and surcharges to defray the cost of operating and maintaining the sanitary sewer system of the city. The cost to be used as a basis of determining charges shall include) but not necessarily be limited to, operation

and maintenance) administration, collection and billing of charges, bond redemption, studies and reports, professional fees, repairs, capital improvements, and depreciation. The charges adopted shall be such that each user pays at least such users proportionate share of all cost herein noted. (Code 1973, App. H, Art. II, § 5.1)

Sec. 12-81. Industrial waste metering devices - Providing.

Where the person discharging industrial wastes into the sanitary sewers of the city procures any part or all of such person's water supply from sources other than the city water system, all or part of which is discharged into the sanitary sewer, the person discharging said wastes shall install and maintain at such person's expense meters or other approved measuring devices for the purpose of determining the proper volume of flow to be charged. This meter or other device shall be tested at the expense of the person discharging and by an authorized testing agency each year to insure that accuracy is maintained.

Sec. 12-82. Same – Measuring flow used for water user charges.

The volume of flow used in computing waste user charges and surcharges shall be based upon metered water consumption as shown in the records of meter reading maintained by the utilities division.

Sec. 12-83. Basis of monthly ordinary user charges; payment and delinquency dates; billing error.

- (a) The city shall levy monthly sewer user charges based upon actual water consumption recorded by the water meters. Such charges shall be due and payable upon notice and shall be considered delinquent for failure to pay within fifteen (15) days. Service may be discontinued following a delinquent notice giving ten (10) calendar days from the date notice was mailed. Failure to receive a statement will not release the customer from payment obligation, nor entitle the customer to any delay in paying the amount due.
- (b) In the event a customer feels there has been an error in the billing of the account the customer must notify the city at least two (2) working days before disconnection date state on delinquent notice. In the event that an error has been made, a correction will be made to insure that the customer service is not disconnected.

Sec, 12-84. Surcharge for unusual wastes.

Any user discharging wastewater into the collection system which exceeds domestic wastewater concentrations shall be subject to surcharges for additional treatment requirements. ~~The city may at its discretion allow industrial wastes which exceed the limitation of section 12-30 to be discharged into the sanitary sewer system provided that eth person discharging such waste shall agree to the payment of a surcharge to offset any cost to treat that BOD or suspended solids in excess of allowable limits.~~ This surcharge shall be imposed in addition to any other charges made for sewer service.

Sec. 12-85. Determination of surcharge.

The surcharge covering the cost of treatment of said industrial wastes shall be determined in the following manner:

- (1) The city shall fix the rate to be charged during the new fiscal year at the beginning of said fiscal year for the excess BOD of suspended solids from actual cost per one thousand, 1.0001 pounds removed from the combined domestic and industrial wastes as experienced at the sewage treatment plant of the city during the preceding fiscal year.
- (2) The rate shall be applied to the amount of excessive BOD, and suspended solids as determined by averaging at least three (3) waste discharge samples taken in accordance with provisions of section 12-52.

(Code 197:3, App. H, Art. II, § 5.5)

Sec. 12-86. Determination of industrial waste charge basis.

The determination of the flow, character, and concentration of industrial wastes as provided herein shall be used as a basis for charges, cost recovery, surcharges, and compliance with section 12-30.

(Code 1973, App. H, Art. II, § 83)

Sec. 12-87. Additional charge for discharges outside city.

Any user of the sanitary sewer system whose discharges originate outside the city limits may be required by the utilities division to pay an additional charge to offset use of existing sanitary sewage facilities and/or use of the city's bonding capacity for future expansion or upgrading of the sanitary sewer system. (Code 1973, App. H, Art. II, ~ 5.6)

Sec. 12-87.01. Policies re treatment of sewage from outside city's service area.

- (a) All costs for line extensions, pumping facilities, etc., to the point of connection with the city system shall be borne by private or public entities; provided, the City of Florence will assume no cost for such service extension.
- (b) The city will accept lines for operation and maintenance only inside of its service area boundary. Facilities located outside the city service area shall be operated and maintained by others. A copy of the service area shall remain on file in the city engineer's office.
- (c) Metering of flow for billing purposes shall occur at the service area boundary. A suitable meter approved by the city engineering and utility finance divisions shall be constructed, operated and maintained by the entity desiring sewer service. Operation and maintenance shall include annual recalibration and certification of the flow meter. The meter will be read by the city utility finance personnel for billing purposes.
- (d) All sewage delivered to the city through the meter for treatment shall have been derived from customers who have directly or indirectly purchased water from the City of Florence. No extraneous or makeup water shall be delivered to the city for treatment.
- (e) Usage fees shall be paid in accordance with the ordinances of the City of Florence.
- (f) Billings will be based upon current rates for customers outside the city limits.

- (g) Maximum flow rates to be delivered to the city for treatment shall be established at the time of contract negotiation. In no instance shall these rates be exceeded prior to renegotiation of the contract limit. The city's willingness to accept sewage for treatment shall be conditioned upon the capability of its sewer system to handle the proposed wastewater flow. This shall be determined exclusively by the city. Improvements to the city's system for the convenience of another entity shall be at the expense of the other entity. The City of Florence will assume no costs for such improvements.
- (h) Wastewater flow shall be normal domestic strength sewage as outlined in the ordinances of the city; provided industrial or other high strength waste may be considered by the city on a case by case basis.
(Ord No. 88-40, §§ 1-8, 7-11-88)

Editor's note-Ord. No. 88-40, §§ 1-8, adopted July 11, 1988, did not specifically amend the Code; hence codification herein as § 12-87.01 has been at the editor's discretion.

Sec. 12-87.1. Monthly rates for ordinary -service.

- (a) On all sanitary sewer users being served by connections to the sanitary sewer system there is hereby imposed a monthly service charge, as specified in this section. The monthly service charge shall be comprised of an availability charge (based on the customer's water meter size), a customer (account maintenance charge, and a volume charge based on the monthly water meter reading or estimated water meter reading as specified in section 12-167 of the Code. The water reading shall be as determined by the officially installed water meter as required in this chapter. The exemption from minimum charges for commercial and industrial business sewer taps made prior to December 17, 1979. as fanner}:\-' provided for in subsection 12-87.1(d) of the Code, is herewith specifically repealed.
- (b) Residential users of the city's sanitary sewer system that are not connected to the city's water supply system shall be billed as outlined hereafter.
 - (1) Single-family units with one account shall be billed based upon an availability charge for a three-quarter inch meter, a customer charge and a volume charge for eight thousand (8,000) gallons of usage.
 - (2) Multi-unit complexes or trailer parks which are served by one account shall be billed a single customer charge, availability charges for three-quarter inch meters for each unit and volume charges for eight thousand (8,000) gallons of usage per unit.
 - (3) That all residential customers with a water tap which occurred prior to December 16, 1991, shall be considered for the purpose of billing sewer availability charges, to be equivalent to a three-quarter-inch meter.
 - (4) That all commercial customers with a water tap which occurred prior to December 16, 1991. shall be considered for the purpose of billing sewer availability charges to be equivalent to a three-quarter-inch meter, if the average actual metered water usage, for the most recently completed fiscal year, is less than or equal to the unit contributory loadings for residences as specified in section 12-67 of the Code.
If the actual metered water usage for the customer is greater than the unit contributory loading for residences then the customer shall be billed for the availability charge as specified in the Code.

- (c) Each institutional, commercial or industrial user of the city's sanitary sewer system that is not connected to the city's water supply system shall operate and maintain a suitable meter, approved by the utility finance division, for billing purposes. Operation and maintenance shall include annual recalibration and certification of the meter's accuracy. at the user's expense, to the satisfaction of the utility finance division. The availability charge in such cases will be based upon a meter size as determined by the city.
- (d) Institutional, commercial or industrial users of the city's sanitary sewer system that are not connected to the city's water supply system shall be billed based upon an availability charge, customer charge and volume charge as determined by the city. The proposed sewer user must demonstrate to the satisfaction of the city manager that it is impractical to maintain a suitable meter, that flow from the user's facility will be predictable and reasonably constant and that it is in the interest of the city to accept the discharge.
- (e) All other users of the city's sanitary sewer system shall be billed as described in subsection (a J).
- (f) All users of the city's sanitary sewer system must connect to the city water system as soon as water service becomes available. Sewer bills will then be calculated as described in subsection (a).
- (g) The schedule for sanitary sewer rates inside the city limits based on subsections (a) through (f), shall be set for a period of ten (10) years consecutive fiscal years and thereafter, unless amended, as follows: FY 2011, FY 2012, FY 2013, FY 2014, FY 2015, FY 2016, FY 2017, FY 2018, FY 2019, and FY 2020. Rates will be effective from July 1 through June 30 of each fiscal year. The fiscal year 2020 rates shall remain in effect for subsequent years unless amended.

MONTHLY CHARGES

Availability charge ~per account):

<i>Water Meter Size (inches)</i>	<i>FY 2011</i>	<i>FY 2012</i>	<i>FY 2013</i>	<i>FY 2014</i>	<i>FY 2015</i>
<i>3/4"</i>	<i>\$17.50</i>	<i>\$18.00</i>	<i>\$18.55</i>	<i>\$19.10</i>	<i>\$19.65</i>
<i>1"</i>	<i>43.75</i>	<i>45.00</i>	<i>46.38</i>	<i>47.75</i>	<i>49.13</i>
<i>1 1/4"</i>	<i>65.63</i>	<i>67.50</i>	<i>69.56</i>	<i>71.63</i>	<i>73.69</i>
<i>1 1/2"</i>	<i>87.50</i>	<i>90.00</i>	<i>92.5</i>	<i>95.50</i>	<i>98.25</i>
<i>2"</i>	<i>140.00</i>	<i>144.00</i>	<i>148.50</i>	<i>152.80</i>	<i>157.20</i>

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<i>Water Meter Size (inches)</i>	<i>FY 2011</i>	<i>FY 2012</i>	<i>FY 2013</i>	<i>FY 2014</i>	<i>FY 2015</i>
<i>3"</i>	<i>280.00</i>	<i>288.00</i>	<i>296.80</i>	<i>305.60</i>	<i>314.40</i>
<i>4"</i>	<i>437.50</i>	<i>450.00</i>	<i>463.75</i>	<i>477.50</i>	<i>491.25</i>
<i>6"</i>	<i>875.00</i>	<i>900.00</i>	<i>927.50</i>	<i>955.00</i>	<i>982.50</i>
<i>8"</i>	<i>1,400.00</i>	<i>1,440.00</i>	<i>1,484.00</i>	<i>1,528.00</i>	<i>1,572.00</i>

Customer charge (per account)

	3.10	3.20	3.30	3.40	3.50
Volume charge (per 1,000 gallons)	2.48	2.55	2.63	2.71	2.79

Availability charge (per account):

<i>Water Meter Size (inches)</i>	<i>FY 2016</i>	<i>FY 2017</i>	<i>FY 2018</i>	<i>FY 2019</i>	<i>FY 2020</i>
3/4"	\$20.25	\$20.85	\$21.50	\$22.15	\$22.80
1"	50.63	52.13	53.75	55.38	57.00
1 1/4"	75.94	78.19	80.63	83.06	85.50
1 1/2"	101.25	104.25	107.50	110.75	114.00
2"	162.00	166.80	172.00	177.20	182.40
3"	324.00	333.60	344.00	354.40	364.80
4"	506.25	521.25	537.50	553.75	570.00
6"	1,012.50	1,042.50	1,075.00	1,107.50	1,140.00
8"	1,620.00	1,668.00	1,720.00	1,772.00	1,824.00

Customer charge (per account)

3.60	3.70	3.80	3.90	4.00
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Volume charge (per 1,000 gallons)

2.87	2.96	3.05	3.41	3.23
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- (h) The schedule for sanitary sewer rates outside the city limits based on subsections (a) through (e) shall be set for a period of ten (10) years consecutive fiscal years and thereafter, unless amended, as follows: FY 2011, FY 2012, FY 2013, FY 2014, FY 2015., FY 2016, FY 2017, FY 2018, FY 2019, and FY 2020. Rates will be effective from July 1 through June 30 of each fiscal year. The fiscal year 2020 rates shall remain in effect for subsequent years unless amended.

MONTHLY CHARGES

Availability charge (per account):

<i>Water Meter Size (inches)</i>	<i>FY2011</i>	<i>FY2012</i>	<i>FY 2013</i>	<i>FY 2014</i>	<i>FY2015</i>
3/4"	\$28.00	\$28.80	\$29.68	\$30.56	\$31.44
1"	70.00	72.00	74.21	76.40	78.61
1 1/4"	105.01	108.00	111.30	114.61	117.90
1 1/2"	140.00	144.00	148.40	152.80	157.20
2"	224.00	230.40	237.44	244.48	251.52
3"	448.00	460.80	474.88	488.96	503.04
4"	700.00	720.00	742.00	764.00	786.00
6"	1,400.00	1,440.00	1,484.00	1,528.00	1,572.00
8"	2,240.00	2,304.00	2,374.40	2,444.00	2,515.20

Customer charge (per account)

3.10	3.20	3.30	3.40	3.50
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Volume charge (per 1,000 gallons)

3.97	4.08	4.21	4.34	4.46
------	------	------	------	------

Availability charge (per amount):					
<i>Water Meter Size (inches)</i>	<i>FY2016</i>	<i>FY2017</i>	<i>FY 2018</i>	<i>FY 2019</i>	<i>FY2020</i>
3/4"	\$32.40	\$33.36	\$34.40	\$35.44	\$36.48
1"	81.01	83.41	86.00	88.61	91.20
1 1/4"	121.50	125.10	129.01	132.90	136.80
1 1/2"	162.00	166.80	172.00	177.20	182.40
2"	259.20	266.88	275.20	283.52	291.84
3"	518.40	533.76	550.40	567.04	583.68
4"	810.00	834.00	860.00	886.00	912.00
6"	1,620.00	1,668.00	1,720.00	1,772.00	1,824.00
8"	2,592.00	2,668.80	2,752.00	2,835.20	2,918.40
Customer charge (per account)					
	3.60	3.70	3.80	3.90	4.00
Volume charge (per 1,000 gallons)					
	4.59	4.74	4.88	5.02	5.17

(i) Reserved.

(j) There shall be a septage disposal fee for each hauler recognized by the city who disposes of septage at the city's wastewater treatment plant. This fee shall be amended effective July 1, 2007 for the following fiscal years: FY 2008, FY 2009, and FY 2010, and thereafter. The fiscal year 2008 fee in the amount of eighty-three cents (\$0.83) per one hundred (100) pounds of septage will be effective from July 1, 2007 through June 30, 2008. The fiscal year 2009 fee in the amount of ninety cents (\$0.90) per one hundred (100) pounds of septage will be effective from July 1, 2008 through June 30, 2009. The fiscal year 2010 fee in the amount of ninety-eight cents (\$0.98) per one hundred (100) pounds of septage will be effective from July 1, 2009 through June 30, 2010. The fiscal year 2010 fee shall remain in effect for subsequent years unless amended.

(Code 1973, App. H, Art. II, § 6.1; Ord. No. 87-11, 4-6-87; Ord. No. 88-27, 5-25-88; Ord. No. 89-90, § 1, 12-22-89; Ord. No. 91-27, 6-24-91; Ord. No. 91-54, § 1, 12-16-91; Ord. No. 92-01, 1-13-92; Ord. No. 92-04, 2-10-92; Ord. No. 95-06, 2-13-95; Ord. No. 95-49, § 1, 11-13-95; Ord. No. 2000-14, 4-10-2000; Ord. No. 2007-28, 6-11-2007; Ord. No. 2010-07, 3-8-2010)

Editor's note-Ord. No. 95-06, adopted Feb. 13, 1995, deleted § 12-87.1ii, effective after June 30, 1995. Prior to deletion, subsection (i) pertained to sludge disposal fee.

Sec. 12-87.2. Schedule of rates for outside industrial sewer customers.

(a) The schedule for outside industrial sanitary sewer rates shall be set for a period of ten (10) years consecutive fiscal years and thereafter, unless amended, as follows: FY 2011, FY 2012, FY 2013, FY 2014, FY 2015, FY 2016, FY 2017, FY 2018, FY 2019, and FY 2020. Rates will be effective from July 1 through June 30 of each fiscal year. The fiscal year 2020 rates shall remain in effect for subsequent years unless amended. The industrial rates are applicable only for qualified customers that are shown in Sectors 31 through 33 of the most current edition of the North American Industry Classification System and exceed an average annual water usage of seven hundred fifty thousand (750,000) gallons

per month.

- (1) Availability charges (per account) and customer charges (per account) shall be as shown in section 12-87.1\gl.
- (2) Volume charges (per 1,000 gallons) shall be as follows:

Monthly Volume Charges (Sewer)

Use (Gallons)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
0-750,000	\$3.97	\$4.08	\$4.21	\$4.34	\$4.46
750,000-3,000,000	2.52	2.57	2.64	2.69	2.75
3,000,001-6,000,000	2.10	2.15	2.20	2.24	2.30
6,000,001-9,000,000	2.46	2.55	2.66	2.79	2.89
9,000,001 and above	2.48	2.55	2.63	2.71	2.79

Monthly Volume Charges (Sewer)

Use (Gallons)	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
0-750,000	\$4.59	\$4.74	\$4.88	\$5.02	\$5.17
750,000-3,000,000	2.81	2.86	2.93	2.98	3.04
3,000,001-6,000,000	2.34	2.39	2.44	2.48	2.54
6,000,001-9,000,000	3.01	3.16	3.29	3.45	3.58
9,000,001 and above	2.87	2.96	3.05	3.14	3.23

(Ord. No. 2008-03, 1-23-2008; Ord. No. 2010-07, 3-8-2010)

Sec. 12-88. Public notices.

Annual notification of user charges and surcharges shall be given to all users of the city sanitary sewer system. This notification shall include identification of the base account charge, the charge (per thousand gallons) for operation, maintenance and replacement and the charge (per thousand gallons) for capital cost and debt service.

(Code 1973, APP. H, Art. II, & 5.2; Ord. No. 90-62, & 1, 11-19-90)

Sec. 12-89. Scope of provisions for payment and collection of sewer service charges.

All provisions of this chapter and other ordinances of the city and all rules and regulations govern the payment and collection of the sewer service charges provided for in this article.

Secs. 12-90 – 12.99. Reserved.

DIVISION 8. SEWER SYSTEM EXTENSIONS

Sec. 12-100. Right-of-way and access of new developments.

Ownership of sewer lines constructed "Within new developments shall be conveyed to the city provided all such lines are located within public rights-of-way or upon approval of easements of adequate unobstructed widths to provide maintenance vehicle access.

(Code 1973, App. H, Art. II, § 7.2)

Sec. 12-101. Responsibility of developer.

Construction of sewer lines in any new development shall be the responsibility of the person responsible for such development as outlined in the land subdivision regulations.

(Code 1973, App. H, Art. II, § 7.1)

Cross reference-For such regulations, see Ch. 18.

Sec. 12-102. Development plan requirements.

Any new development proposing to construct sewer collection lines or extensions to existing interceptor mains to connect directly into the city's sewer system shall conform its plans and specifications to the requirements of the utilities division. The plans and specifications shall be prepared by a registered engineer who is authorized by the laws of the state and approved or approvable by all local and state authorities having jurisdiction. (Code 1973, App. H, Art. II, § 7.3)

Sec. 12-103. Administrative procedure.

The administrative procedures shall be as outlined in the city land subdivision regulations where applicable, and in all other cases as follows:

- (1) Prepare detail construction drawings and documents for the city's approval.
- (2) Upon receipt of approval, proceed with construction, notifying the city of construction schedules.
- (3) Provide the city with permission for on-site inspection during construction.
- (4) Furnish the city with a certificate of completion, instrument of conveyance, and warranty, together with such other legal documents as may be required for annexation and similar special provisions.
- (5) Information required on plans:
 - (A) Name and type of building or project.
 - (B) Owner's name and address.
 - (C) Location by:
 - (i) Highway or streets.
 - (ii) North point.
 - (iii) Vicinity map.
 - (D) Name of registered professional engineer or responsible for plans.
 - (E) Date plans prepared and revised.
 - (F) Scale or scales to which plans are drawn.

(G) Plans must consist of the following drawings:

- (i) Site plan showing:
 - (a) Immediate area concerned indicating contours or elevations, property lines and drainage courses.
 - (b) Outline of existing and proposed buildings and designation by distance or outline of buildings on adjacent property.
 - (c) Water lines and sewers including manholes with elevations, sizes, material, and gradients, location of all hydrants and valves.
- (ii) Construction details, including:
 - (a) Sewer profiles, manhole details, normal stream elevation and flood level finished grade elevations.
 - (b) Water mains by size and material by national accepted standards designation.

Plans should be clearly drawn and be complete. Submit only those drawings pertaining to the water supply or sewage treatment. It is suggested that details pertaining to these items be included on the plans of these items. The more complete and comprehensive are the plans, the more rapidly they can be reviewed and approved. (Code 1973, App. H, Art. II, ~ 7.41)

Sec. 12-104. Construction by licensed contractor.

Construction of the proposed sewer system shall be accomplished by a registered licensed contractor under the laws of the state who shall have paid all business licenses required by the city. (Code 1973, App. H, Art. II, § 7.5)

Sec. 12-105. Certificate of completion and "as-constructed" drawings by development engineer.

Upon completion of construction, the engineer employed by the development shall inspect and furnish the city at no cost his certificate of completion indicating that the subject sewer system has been constructed in accordance with the approved plans and specifications and shall provide four (4) copies of "as-constructed" drawings. (Code 1973, App. H, Art. II, § 7.6)

Sec. 12-106. Owner guarantee requirement.

The owner or the owner's authorized agent shall submit a guarantee in which the owner warrants the materials, equipment and construction of the system for twelve (12) months. The owner shall further warrant to the city that all fees have been paid by such owner such that there is no outstanding indebtedness remaining, and holding the city harmless in each instance. (Code 1973, App. H, Art. II, § 7.7)

Sec. 12-107. Sewer tap construction.

All sewer taps shall be made during construction from the main out to the property line. Location of all taps shall be recorded on the as-constructed drawings. (Code 1973, App. H, Art. II, § 7.8)

Sec. 12-108. Compatibility.

All sewer system extensions must be compatible with present and future plans and needs of the city. (Code 1973, App. H, Art. II, § 7.9)

Sec. 12-109. Conveyance requirement.

When all other requirements of this division have been met and approved, the owner shall prepare and submit to the utilities division an instrument of conveyance, conveying the constructed system to the city at no cost to the city and the system shall thereafter be owned, operated and maintained by the city as provided for in this article. The instrument of conveyance shall also include permanent easements and rights-of-way fully described and duly recorded at the appropriate authority. (Code 1973, App. H, Art. II, ~ 7.10)

Sec. 12-110. Annexation.

In those instances where subdivisions, apartments and other individual parcels of property are proposed for development or existing requiring city utilities, temporarily or permanently, and such property is contiguous to the city limits, annexation of the property shall be initiated prior to receiving such services from the city. All permits and licenses for proposed developments shall be obtained before construction can begin and all rules and regulations of the city shall apply as if all such property had already been annexed. (Code 1973, App. H, Art. II, § 7.11; Ord. No. 85-33, 7-8-85)

Sec. 12-111. Systems outside city tying into city system, specific compliance required.

All wastewater systems installed outside the city's MSA (municipal service area) which tie to the city's wastewater system shall comply with the Code of Ordinances of the city. This section is applicable to any system conveying wastewater, which ultimately enters the city's wastewater collection, transportation and treatment system. Compliance is specifically required with, but not limited to, the following sections of the City Code:

VII. a.
Resolution No.
2022-27

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Councilman William Schofield

I. ISSUE UNDER CONSIDERATION:

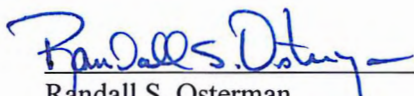
A Resolution of recognition for the 2021 McLeod Park Division I Majors Dixie Baseball Team.

II. POINTS TO CONSIDER:

1. The 2021 McLeod Park Division I Majors Dixie Baseball Team earned the distinction of World Series Champions by winning the 2021 Dixie Youth Baseball World Series in Laurel, Mississippi.
2. Through hard work and determination, these athletes have proven themselves Champions and are role models for area youth.

III. ATTACHMENTS:

1. Proposed Resolution


Randall S. Osterman
City Manager

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

RESOLUTION NO. 2022-27

**A RESOLUTION OF RECOGNITION FOR THE 2021 MCLEOD PARK DIVISION I
MAJORS DIXIE YOUTH BASEBALL TEAM**

WHEREAS, the 2021 McLeod Park Division I Majors Dixie Youth Baseball Team won the 2021 Dixie Youth Baseball World Series in Laurel, Mississippi; and

WHEREAS, with a 6-1 win over Tennessee in the final game, McLeod Park earned the distinction of World Series Champions; and

WHEREAS, this team is comprised of 11 and 12 year old young men whose skill and talent drove them to success, ending the postseason undefeated; and

WHEREAS, through hard work and determination, these athletes have proven themselves Champions and are role models for area youth; and

WHEREAS, this winning season is a great source of pride for the players, coaches, families, supporters of Florence athletics and the Florence community.

NOW, THEREFORE BE IT RESOLVED:

THAT, the City Council of the City of Florence, South Carolina commends this tremendous athletic accomplishment and congratulates the 2021 McLeod Park Division I Majors Dixie Youth Baseball Team: Conner Neal, North Willis, Bennett Bradshaw, Avery Weaver, Shan-non Langston, Kayden Parker, Tyce Edwards, Josh Haney, Manning Hatchell, Cooper Moseley, Fisher Hartman, and Landon Feagin and Coaches: Brandon Collins, BJ Edwards and Joey Bradshaw for winning the Dixie Youth Baseball World Series.

RESOLVED THIS 12TH DAY OF SEPTEMBER 2022.

Approved as to form:

JAMES W. PETERSON, JR.
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Councilman Bryan Braddock

I. ISSUE UNDER CONSIDERATION:

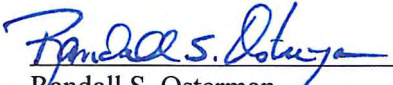
A Resolution to support Suicide Prevention Awareness Month and recognize The Jonathan Foundation for their efforts to raise awareness in youth suicide.

II. POINTS TO CONSIDER:

1. Suicide Prevention Awareness Month is recognized during the month of September each year.
2. Suicide is the 2nd leading cause of death for young people ages 15-24 in the U.S.
3. The mission of The Jonathan Foundation is to touch the lives of at-risk teens through mental health and suicide risk assessment, awareness building, advocacy, education, and support.
4. The vision of The Jonathan Foundation is to impact mental health and suicide awareness, education, and support for the next generation informing schools and communities and influencing policy across the nation in support of Project 2025, reducing suicide by 20% by 2025.

III. ATTACHMENTS:

1. Proposed Resolution


Randall S. Osterman
City Manager

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

Resolution No. 2022-28

A Resolution to support Suicide Prevention Awareness Month and recognize The Jonathan Foundation for their efforts to raise awareness in youth suicide.

WHEREAS, mental health organizations around the country recognize Suicide Prevention Awareness Month annually during the month of September; and

WHEREAS, suicide is the 2nd leading cause of death for young people ages 15-24 in the United States; and

WHEREAS, The Jonathan Foundation is aligning with the American Foundation for Suicide Prevention in PROJECT 2025, a campaign that aims to reduce the rate of suicide by 20 percent by the year 2025, directly supporting their mission to touch the lives of at risk teens through mental health and suicide risk assessment, awareness building, advocacy, education, and support; and

WHEREAS, The Jonathan Foundation is launching three new strategic community awareness campaigns in support of PROJECT 2025, The Will George Project, The Robert Duffee Project and The Jonathan Smith Project, that address key elements of their mission and brings a call to action to health and community care systems in South Carolina to step up and make care “Suicide Safe”; and

WHEREAS, each of these campaigns will aim to partner with local organizations in the counseling community, primary care centers, emergency departments, schools and colleges, churches, and first responder services in Florence County and the entire Pee Dee Region to advocate for effective suicide prevention.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Florence, does hereby support Suicide Prevention Awareness Month and commend The Jonathan Foundation for their efforts to raise awareness in youth suicide and advocate for prevention strategies in the City of Florence, Florence County, the Pee Dee Region and surrounding communities.

RESOLVED THIS 12th DAY OF SEPTEMBER 2022.

Approved as to form:

JAMES W. PETERSON, JR.
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Councilman Chaquez McCall

I. ISSUE UNDER CONSIDERATION:

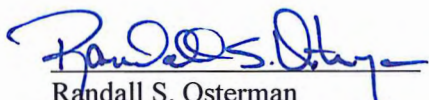
A Resolution by the City of Florence recognizing Hispanic Heritage Month.

II. POINTS TO CONSIDER:

1. Hispanic Heritage Month is a period from September 15 to October 15 recognizing the contributions and influence of Hispanic Americans to the history, culture and achievements of the United States.
2. The observation started in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was expanded by President Ronald Reagan in 1988 to cover a 30-day period. It was enacted into law on August 17, 1988.
3. September 15 was chosen as the starting point for the commemoration because it is the anniversary of independence of five Hispanic countries; Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua, who all declared independence in 1821. In addition, Mexico, Chile and Belize celebrate their independence days on September 16, September 18, and September 21, respectively.

III. ATTACHMENTS:

1. Proposed Resolution


Randall S. Osterman
City Manager

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

Resolution No. 2022-28

A Resolution by the City of Florence recognizing Hispanic Heritage Month.

- WHEREAS,** Hispanic Heritage Month celebrates the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and
- WHEREAS,** each year, Americans observe National Hispanic Heritage Month from September 15 to October 15; and
- WHEREAS,** from food and fashion to music and art, Hispanics have had a positive influence on the lifestyle of all Americans and inspire others through their courageous, relentless, and essential labor, sacrifice, and talent; and
- WHEREAS,** Hispanic Americans have served as leaders in many fields, including the military, education, science, technology, business, industry, politics, athletics, and entertainment; and
- WHEREAS,** Hispanic Americans represent one of the fastest-growing ethnic groups in South Carolina, enriching communities through their strong commitment to family, hard work, and faith.

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Florence, does hereby proclaim September 15 to October 15 as

Hispanic Heritage Month

in the City of Florence and encourage all citizens to celebrate the heritage and achievements of Hispanic Americans and recognize their contributions to the commonwealth.

RESOLVED THIS 12TH DAY OF SEPTEMBER 2022.

Approved as to form:

JAMES W. PETERSON, JR.
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

DATE: September 12, 2022
AGENDA ITEM: Report to Council
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

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

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

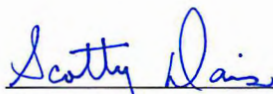
There are three (3) Boards or Commissions that have either vacancies and/or expired terms.

III. POINTS TO CONSIDER:


1. Each member of a City of Florence Board or Commission shall be either a resident of the city, a representative of a business or other organization located or operating within the city, or a non-resident having professional qualifications which are required for a position, and, in the council's opinion, there are no acceptable and qualified residents to fill the vacancy.
2. Members of the boards and commissions shall be appointed in consideration of their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens.

IV. ATTACHMENTS:

1. Spreadsheet of Council Nominations to Boards and Commissions.
2. Nomination Packet.



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - SEPTEMBER 2022

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Schofield	Moore	Braddock	Jebaily	Barnes	McCall	Ervin
Construction & Maintenance Board							x ²
Parks & Beautification Commission				x			
Public Safety Citizen's Review Board				x			

CONSTRUCTION AND MAINTENANCE BOARD OF ADJUSTMENTS AND APPEALS

I. NOMINATIONS:

There are two (2) vacancies on the Construction and Maintenance Board of Adjustments and Appeals.

- Gary Bullard has resigned his position. Mr. Bullard served as a Mechanical Contractor. The unexpired term of Mr. Bullard will expire on 06/30/2023.
- Darryll Mitchell has resigned his position on the board. Mr. Mitchell served as a layperson. The unexpired term of Mr. Mitchell will expire on 6/30/2025.

II. APPOINTMENT REQUIREMENTS:

1 – Mechanical Contractor

1 – Layperson

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Ervin will make all nominations to this Board, per City Code.

IV. NEW APPLICANT(S):

Harry Cook – Meets qualifications for: Layperson

V. ATTACHMENTS

- Applications received

City of Florence Boards and Commissions Application

Form Status

Notes:

Board or Commission for which you are applying: Construction & Maintenance Board of Adjustments & Appeals
Council District District 1
County DARLINGTON

Your Name Harry Cook Jr.
Email Address hcelectric@bellsouth.com

Residential Address 2325 sprout road, darlington, South Carolina 29532
Mailing Address 2325 sprout road, darlington, South Carolina 29532

Your Occupation - Title Electrician
Business Phone (843) 616-2131
Residence Phone (843) 616-2131

Employer Name Harry Cook Electric
Employer Address 2325 sprout road
City Darlington
State South Carolina

General Qualifications

Are you a resident of the City? No
If so, how Long?
Why would you like to serve? To help the city and its residents with my knowledge in the electric field.

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

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

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? Yes/No
No

If so, list the position and date: **Are you involved in any Community Activities?** No
If so, please list:

What are your goals and objectives if appointed to the Commission/Board?
To better assist the citizens of the City of Florence with appeals using my knowledge of current electrical codes.

PARKS AND BEAUTIFICATION COMMISSION

I. NOMINATIONS:

There is one (1) vacancy* on the Parks and Beautification Commission.

*Ms. Alexis Fleming indicated she would not like to be considered for reappointment.

II. MEMBERSHIP REQUIREMENTS

All commission members are required to be qualified voters and residents of the city.

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Pro tem Jebaily

IV. NEW APPLICANT(S):

There are currently no applicants for this Board.

V. ATTACHMENTS:

Letters of interest from current serving members



FULL LIFE. FULL FORWARD.
FLORENCE
SOUTH CAROLINA

OFFICE OF THE CITY MANAGER

TEL: (843) 665-3113

FAX: (843) 665-3110

May 5, 2022

Ms. Alexis Fleming
1216 Madison Avenue
Florence, SC 29501

Dear Ms. Fleming,

Our records indicate that your term on the Parks and Beautification Commission will expire on June 30, 2022. City Council will begin reviewing the vacancies on the Boards and Commissions at their July meeting.

If you wish to be considered for reappointment to the Parks and Beautification Commission or if you would like to discontinue serving, please indicate your choice by marking the appropriate blank below. Please sign and return this letter to our office **no later than June 20, 2022** and keep the enclosed copy for your records.

The City of Florence appreciates your past service on this Board. If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

Randall S. Osterman
City Manager

I would like to be considered for reappointment to the Parks and Beautification Commission.

I do not want to be considered for reappointment to the Parks and Beautification Commission.

Signature

PUBLIC SAFETY CITIZEN'S REVIEW BOARD

I. NOMINATIONS:

There is one (1) vacancy* on the Public Safety Citizen's Review Board.

* Derrick Cattenhead has resigned from his position on the Board. Mr. Cattenhead's unexpired term will expire on 6/30/2023.

II. APPOINTMENT REQUIREMENTS:

- Must be a city resident
- At least 21 years of age

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Pro tem Jebaily

IV. NEW APPLICANT(S):

- David Jones
- William Matthews Jr.
- Wattie Snowden

V. ATTACHMENTS

- Letter of resignation
- Applications received

Casey Moore

From: Casey Moore
Sent: Tuesday, July 26, 2022 1:04 PM
To: Casey Moore
Subject: FW: Public Safety Citizen Review Board Training, July 28, 9am-12pm
Attachments: image001.jpg; 7-28-22 PSCRB Training Agenda.docx

Begin forwarded message:

From: "J. Derrick Cattenhead" <jdcatenhead@gmail.com>
Date: July 26, 2022 at 12:43:47 PM EDT
To: Jennifer Krawiec <jkrawiec@cityofflorence.com>
Subject: Re: Public Safety Citizen Review Board Training, July 28, 9am-12pm

CAUTION: This email originated from outside the City of Florence. Maintain caution when opening external links/attachments

Good morning,

Please remove me from the Board. I do not stay in the area anymore. Thank you.

Sent from the iPhone of The Rev. Dr. J. Derrick Cattenhead

On Jul 26, 2022, at 11:29 AM, Jennifer Krawiec <jkrawiec@cityofflorence.com> wrote:

All,

Good morning! Attached you will find Thursday's training agenda, 9:00am-12:00pm at the Police Department Range/Training Facility, 200 Brass St, Florence. Please let me know if you have questions. I look forward to seeing you!

Best regards,
Jennifer

Jennifer L. Krawiec | Human Resources Director
City of Florence | 324 W. Evans Street | Florence, SC 29501
P: 843-665-3158 | F: 843-676-8806 | E: JKrawiec@cityofflorence.com

City of Florence Boards and Commissions Application

Form Status

Notes:

Board or Commission for which you are applying:

Public Safety Citizen's Review Board

Council District County

District 3

Florence

Your Name

Snowden Watson Wattie Ervin. III

Email Address

wattiesnowden@aol.com

Residential Address

1616 Hillside Avenue, Florence, South Carolina
29501

Mailing Address

1616 Hillside Avenue, Florence, South Carolina
29501

Your Occupation - Title

Retired law enforcement

Business Phone

Residence Phone

(843) 624-1524

Employer Name

N/a

Employer Address

City

State

South Carolina

General Qualifications

Are you a resident of the City?

Yes

If so, how Long?

22

Why would you like to serve?

Former Ombudsman and mediator for the state of South Carolina. Retired law enforcement. Serving as a Major in the South Carolina Military Department and work with the trouble youth academy.

Based on my past experiences I feel I can be objective to reviewing and deal with both law enforcement and the public.

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? Yes/No

No

If so, list the position and date: Are you involved in any Community Activities? If so, please list:

No

What are your goals and objectives if appointed to the Commission/Board?

To assist both the public and law enforcement in resolving any issues at the lowest level possible.

City of Florence Boards and Commissions Application

Form Status

Notes:

Board or Commission for which you are applying:

Public Safety Citizen's Review Board

Council District County

District 3

Florence

Your Name

Jones, Jr. Roy Davidson (David)

Email Address

david@themasterschoice.org

Residential Address

1200 Rutledge Ave, Florence, South Carolina 29505

Mailing Address

PO BOX 12446, FLORENCE, South Carolina 29504

Your Occupation - Title

CEO

Business Phone

(843) 942-0447

Residence Phone

(843) 618-6440

Employer Name

The Master's Choice, Inc. 2217 W Driftwood Ave

Employer Address

City

Florence

State

South Carolina

General Qualifications

Are you a resident of the City?

Yes

If so, how Long?

14

Why would you like to serve?

I have served in emergency services since 1981. I currently still volunteer as a Paramedic with Timmonsville Rescue Squad. I feel it is my duty to continue to give back to the profession I love and seek to keep it both controlled and progressive in the care delivered.

Do you presently serve on any Commissions/ Boards of the City/ County/ State?

No

If so, please list:

NA

Have you formerly served on any Commissions/ Boards of the City/ County/ State?

No

If so, please list:

In the 1990's I served as a member of the NC Association of EMT's and I chaired the Paramedic Committee.

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? Yes/No

No

If so, list the position and date:

NA

Are you involved in any Community Activities?

Yes

If so, please list:

I serve as a volunteer Paramedic and advisor for Timmonsville Rescue Squad. I coordinate with and sponsor numerous events with the Senior Citizens Association

(Leatherman Senior Center).

What are your goals and objectives if appointed to the Commission/Board?

I want to help direct the oversight and funding of emergency services. While every wish and whim cannot be funded, emergency services should not be starved either. Common sense and fiscal responsibility is key.

I certify that the information above is true and correct.

Today's Date
5/11/2022

A handwritten signature in black ink, appearing to be 'AJL'.

Information on this form will be considered public.

Today's Date
5/11/2022

A handwritten signature in black ink, appearing to be 'AJL'.

City of Florence Boards and Commissions Application

Form Status

Notes:

Board or Commission for which you are applying:

Public Safety Citizen's Review Board

Council District County

District 1

SC

Your Name

William Matthews Jr

Email Address

williammatthewsjr56@gmail.com

Residential Address

2113 Loquat Drive, Florence, South Carolina 29505

Mailing Address

2113 Loquat Drive, Florence, South Carolina 29505

Your Occupation - Title

Retired S.C.Hwy Patrol (Sergeant)

Business Phone

(843) 601-6310

Residence Phone

(843) 601-6310

Employer Name

Retired in 2004 from the
S.C. Dept. of Public
Safety

Employer Address

City

Florence

State

South Carolina

General Qualifications

Are you a resident of the City?

Yes

If so, how Long?

13

Why would you like to serve?

I would like to give back and serve the community that serves me well. Public Safety is the area I believe I would be most helpful.

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? Yes/No

No

If so, list the position and date: Are you involved in any Community Activities? If so, please list:

No

What are your goals and objectives if appointed to the Commission/Board?

My goals and objectives would be to help the City of Florence provide the best public safety services our city resources could provide for our citizens and visitors.