

# CITY OF WALHALLA

Mr. Danny Edwards, Mayor  
Ms. Sarai Melendez, Councilwoman  
Mr. Keith Pace, Councilman  
Ms. Gwen Owens, Councilwoman

*"MAIN STREET to the MOUNTAINS"*

Mr. Danny Woodward, Mayor Pro Tem  
Mr. Josh Roberts, Councilman  
Mr. David Underwood, Councilman

---

**AGENDA  
WALHALLA CITY COUNCIL  
April 20, 2021  
5:30 PM  
206 N. Church Street, Walhalla, SC**

**CALL TO ORDER & WELCOME** Mayor Edwards

**SWEARING IN CEROMONY OF MS. GWEN OWENS** Mayor Edwards

**PLEDGE OF ALLEGIANCE** Mayor Edwards

**PROCLAMATION OF APRIL BEING CHILD ABUSE AWARENESS MONTH** Mayor Edwards

**DESIGNATION OF COMMITTEES** Mayor Edwards

**PUBLIC INPUT**

**APPROVAL OF MINUTES** March 16, 2021

**READING OF ORDINANCES AND RESOLUTIONS**

Second Reading and Public Review of Ordinance 2021-2 AN ORDINANCE TO APPROVE AN ECONOMIC INCENTIVE GRANT TO VOTGA HOLDINGS, LLC. AND TOTGA HOLDINGS, LLC. -Mr. Pace

Second Reading and Public Review of Ordinance 2021-3 AN ORDINANCE TO AUTHORIZE CITY EMPLOYEES TO ABATE NUISANCES ON PRIVATE PROPERTY, ESTABLISH FEES FOR SUCH SERVICE AND OTHER MATTERS RELATED THERETO. - Mr. Pace

Second Reading and Public Review of Ordinance 2021-4 AN ORDINANCE TO AMEND SECTION 501.2 (K) 2 OF ZONING ORDINANCE 1994- Ms. Melendez

First Reading of Ordinance 2021-5 AN ORDINANCE TO AMEND ZONING ORDINANCE 1994-8/2004-11/2017-11/2018-15 TO ADD A SUBDIVISION DESIGN GUIDELINES APPENDIX, KNOWN AS APPENDIX 2021-A, AND TO AMEND SECTION 202, 303E, 400.2, AND 403.4. – Ms. Melendez

# **CITY OF WALHALLA**

Mr. Danny Edwards, Mayor  
Ms. Sarai Melendez, Councilwoman  
Mr. Keith Pace, Councilman  
Ms. Gwen Owens, Councilwoman

## **"MAIN STREET to the MOUNTAINS"**

Mr. Danny Woodward, Mayor Pro Tem  
Mr. Josh Roberts, Councilman  
Mr. David Underwood, Councilman

### **Committee Reports**

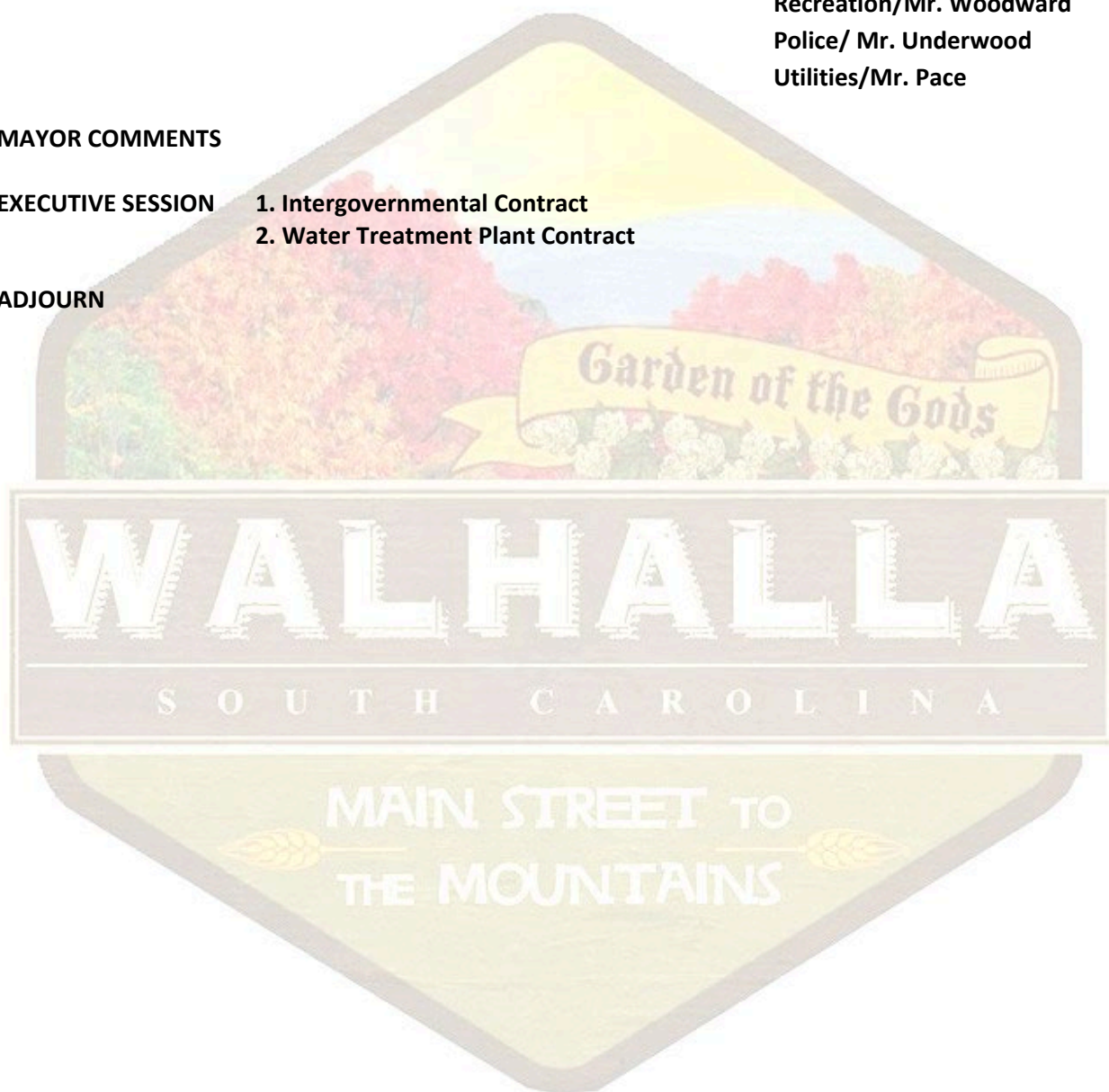
**Fire/Ms. Melendez**  
**General Gov't-Finance/Mr. Pace**  
**Public Works/Mr. Roberts**  
**Recreation/Mr. Woodward**  
**Police/ Mr. Underwood**  
**Utilities/Mr. Pace**

### **MAYOR COMMENTS**

**EXECUTIVE SESSION**

- 1. Intergovernmental Contract**
- 2. Water Treatment Plant Contract**

### **ADJOURN**



# CHILD ABUSE PREVENTION MONTH

## A Proclamation by

### The Mayor of the City of Walhalla

**WHEREAS**, in Federal fiscal year 2019, 4.4 million reports were made to child protective services; and

**WHEREAS**, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

**WHEREAS**, our children are our most valuable resources and will shape the future of the [State or jurisdiction]; and

**WHEREAS**, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

**WHEREAS**, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

**WHEREAS**, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

**WHEREAS**, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

**WHEREAS**, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

**WHEREAS**, prevention remains the best defense for our children and families.

**NOW, THEREFORE**, I, Danny Edwards, Mayor of Walhalla, SC proclaim April 2021 as "NATIONAL CHILD ABUSE PREVENTION MONTH" in Walhalla and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

---

Danny Edwards, Mayor

---

Attest

**MINUTES OF THE REGULAR MEETING  
OF THE WALHALLA CITY COUNCIL  
MARCH 16, 2021, 5:30 PM**

**Present:** Mayor Danny Edwards, Councilwoman Sarai Melendez, Councilman David Underwood, Mayor Pro-Tempore Danny Woodward, Councilman Josh Roberts, Councilman Keith Pace, and Mr. Brent Taylor, City Administrator.

**Absent:** None

**Guests:** Players, Coaches, and Parents of the 2020 and 2021 8 and under girls' basketball teams

Luther Lyle, Museum of the Cherokee

Leslie Haggerty, Oconee History Museum

Mark Thompson, WPAC

Mayor Edwards called the meeting to order at 5:30 PM.

Mr. David Underwood led the Pledge of Allegiance.

Mr. Woodward read Resolution 2021-4 honoring the City of Walhalla Parks and Recreation 8 and under all-star basketball girl's teams for winning the state championship in 2020. Mr. Woodward made this in the form of a motion and was seconded by Mr. Pace. All voted in favor of the resolution 2021-1

Mr. Woodward read Resolution 2021-5 honoring the City of Walhalla Parks and Recreation 8 and under all-star basketball girl's teams for winning the state championship in 2021. Mr. Woodward made this in the form of a motion and was seconded by Ms. Melendez. All voted in favor of the resolution 2021-1.

Each member of the teams was given a copy of the resolution. Mr. Woodward congratulated all the girls, and they were given an ovation and made pictures.

Ms. Melendez announced there would be a special congratulations to the girls next to Arby's Saturday from 730 am to 730pm.

Mayor Edwards opened for Public Input there were none.

Leslie Haggerty Director of the Oconee History Museum gave an update for 2020. Spoke of the March to Memorial Day shutdown due to COVID-19. Increased their digital presence during the shutdown. Assisted OCPRT during the Seneca Tornado. Saw a large request for genealogical studies. Cut non-essential spending. Now they are recovering, they hope to have more interaction and with D&I committee to promote MLK and Black History Month and assisting the Main Street program. 1 and 3 museums won't survive the pandemic. They are feeling good about their program and asked for continued support. Traffic is completely recovered to their museum.

Luther Lyle of the Cherokee Museum spoke about the interns from Clemson University. Both interns got jobs afterward. A Clemson professor has been working with the museum. Working with the D&I Committee planting flowers at the west and east end main street stone monuments. Blue Hills Garden Club provided the flowers. Gave a handout on the Heritage Corridor starts in Charleston and ends in Walhalla. Palmetto Trail also comes to Walhalla. Working on another trail initiative that comes from Cherokee NC through Franklin to Walhalla. The trail wants to put up a kiosk in the next month or two denoting the path of the Cherokee. Gave out a story from a member of the EBCN that noted ties to Walhalla. Another article noted that the Cherokee loved to come to Walhalla. Doing activities with Main Street. Helping with the Kituwah Event (Earth Day). Mr. Underwood thanked Luther for bringing this and having pride in Walhalla. Luther stated they are working on expanding upstairs. He said they had steady traffic in the museum. Mr. Roberts asked if he had been on the Cherokee Trail, Luther said it was a driving trail. Walhalla was the railroad stop and the Cherokee came here to get supplies. Ms. Melendez asked if the interview in the Garnet and Black would be out, Luther said it would be out in the month. And she would like to have it on the internet.

Mayor asked for approval of minutes of the Feb 16 and March 2 meeting minutes. Mr. Underwood made motion to approve, Mr. Pace seconded, there were no changes or discussion. All voted in favor. None opposed.

Mayor called for reading of Ordinances.

Mr. Pace gave the second reading of Ordinance 2021-1 for the 6-month moratorium. Mr. Pace made this in the form of a motion with Mr. Roberts providing the second. Ms. Melendez asked if this was the revised one with updated and Mayor affirmed yes. Mayor opened this up for questions and comments. A public person asked that it this would be considered and researched during the period and an entity couldn't submit and would have to start over. Mr. Taylor stated that this would allow the city to research and look at zoning to see if city wants to limit or not limit these types of stores. The public person asked so they would go to planning commission and he confirmed it would and that it would take 2 readings and Mayor Edwards said he planned to have a town hall meeting so everyone could speak to the planning commission too. All voted in favor of the ordinance with none opposed.

Mr. Pace gave the first reading of Ordinance 2021-2 economic incentive to VOTGA and TOTGA Holdings. Mr. Pace made this in the form of a motion and Mr. Roberts provided the second. Mayor asked for discussion, none, and called for vote. All voted in favor, none opposed. Dick Mangrum from WGOG asked Mr. Pace to explain the difference in the address. The \$7000 is for the old davenport building for repairs and the other is for the old fire station to provide a water main for fire suppression.

Mr. Pace gave the first reading of Ordinance 2021-3 providing for the abatement of nuisance properties. Mr. Pace asked Mr. Taylor to explain. There are a handful of properties that are overgrown. Normally this goes to the code enforcement officer and give them time to clean up. This is for properties that we cannot get contact with the property owner. With this ordinance the city would be able to clean up the property. The city does not want to go on to private property but if we cannot contact the owner, we would clean the property and add the cost of the clean-up to the tax bill. Mr. Pace made the motion, Mr. Underwood seconded. Mayor Edwards explained this has been an ongoing problem for a number of years. This was not taken likely. Mr. Underwood said this would be last resort and Mayor stated when neighbors are worried about snakes and rats, we need to do something. All voted in favor with none opposed.

Ms. Melendez gave first reading of Ordinance 2021-4 to amend zoning ordinance relating to campaign signs. Ms. Melendez made it in form of a motion. Mr. XX provided the second. Mayor Edwards stated this was the rule several years ago and the rule got changed. This would change back to the old way. Ms. Melendez asked if there were penalties. Mr. Taylor said there were penalties codes would remove the sign. Mr. Underwood said codes called and told him he had to move a sign one time. Mayor Edwards stated that this was not a freedom of speech issue and that they could have a sign in their yard. This only pertained to city property and right of ways. Mayor called for vote, all voted in favor, and none opposed.

Mr. Woodward read Resolution 2021-3 authorizing the city administrator to enter into an agreement with YMCA to manage the city pool. Mr. Taylor has managed in the past. The YMCA would now purchase the chemicals the city has in the past. This agreement would provide that neither party receives any money from each other. Mr. Woodward made the motion; Mr. Pace made the second. Mayor Edwards asked Mr. Taylor that nothing would change, and the pool could still be rented by private groups or church groups. Mr. Taylor affirmed. All voted in favor, none opposed.

Mr. Roberts read Resolution 2021-6 to authorizing the city administrator to enter into an agreement with GMC for greenway project design. Mr. Taylor stated this would provide the engineering and design work starting at Coffee Road and continue to the depot. The City has an existing relationship with GMC including work at the Water Treatment Plant, drainage projects, and other projects. GMC was considered to be best, and work would start right away. Mr. Roberts made the motion and Mr. Pace seconded. Mr. Pace and Mayor Edwards said they were excited to see this start. Mr. Roberts Ms. Melendez asked if they could meet with the design team. Mr. Taylor stated there would be and also be public input. Mayor Stated this would be good for city residents and all could ride bikes like other city trails. It's the kind you can ride with grandchildren. Vote called for by Mayor and all voted in favor of, and none opposed.

Mr. Roberts stated that he mentioned in the budget meeting the Walhalla Performing Arts Center had some plumbing issues. Mr. Mark Thompson spoke about the issues they have with the sewer lines. They had this issue last year and again a few weeks ago in the downstairs bathroom and they had to close the bathroom and the concessions. They are not a full capacity due to covid. Mr. Thompson spoke with Brent, and they had 300 people and had issues. They found a broken cleanout and drainage system was filled. Utilities snaked the lines and WPAC got it repaired. Mr. Thompson considers himself a viable part of the city and running on a shoestring due to covid. He appreciates the help. Wants to know he can count on the city to help. Last year the city invested \$6000 for the back part of the sewer issue. The WPAC pays for 2 lights on city property. There is a power box that they don't use but the city uses it for lights. WPAC has 7 power bills and wants to shift those to the city. Wants to know what we could count on. Mayor Edwards said they voted Saturday to use Utilities camera to see what the issue is. Mr. Underwood said the camera would tell exactly where the block is. Mr. Thompson said they did that last year. Mr. Underwood said there's a jet machine if the cleanout is away from the building. Mr. Roberts wants to help them cause the bring a lot into Walhalla. We don't want to lose them. Mayor Edwards said no one wants to lose them and we are behind them, but we had to find out what the problem was. Mr. Thompson said the numbers can support, but lost shows due to covid. One of the few in the southeast that kept the doors open. With the county they can apply for ATAX money, and don't want to beg for city money. But they can provide economic data and want to apply for city money. Mayor stated last year city budgeted \$25000 for WPAC and there is money this next budget. Mr. Thompson

appreciated it and wanted to be informed. Mayor said rest assured that the WPAC would be in the budget, no one would not be in favor of not supporting. Mr. Thompson thanked the city.

Fire and Codes- Ms. Melendez read the department report as follows:

100 calls for service

56 Fire calls

44 medical calls

17 mutual aid calls

256 hours spent on incidents

254 hours of training

24 inspections

20 preplans

13 code violations

4 zoning verifications

6 zoning permits

Planning Commission met and discussed subdivision regulations, livestock, and political signage.

Ms. Melendez encouraged people to stay in tune with social media. Ms. Melendez read the introduction of the 2020 Annual Report of the fire department.

General Gov/Finance- Mr. Pace read the department report as follows:

Libby Main Street met with state team about buildings downtown and the effect of discount stores and historic designations.

City administrator briefed on S Catharine, Stumphouse pay station, greenway, budget process, and moratorium on discount stores.

Streets and Sanitation- Mr. Roberts read the department report as follows:

For February :

Picked up 157 tons residential garbage

137 tons of commercial garbage collected

66 tons recycled brush collected

1-ton of mattresses

27 roll carts delivered and picked up 12

For January:

107 tons of residential garbage collected

128 tons commercial garbage collected

59 tons of brush picked up

3 tons of mattresses

Dept continued with cleaning storm drains and trees and normal tasks

On Feb 6 crews cleared roads during the snow event.

Recreation- Mr. Woodward read the department report as follows:

8 and under girl's basketballs team was honored, they won district and state tournaments

Baseball and softball have 210 participants with 15 teams

Having callouts

Updated on electronic registration

Police- Mr. Underwood read the department report as follows:

30 incidents

15 arrests

220 tickets

8 collisions

696 calls for service

160 extra patrols

Jennifer Kelley was named officer of the quarter

Hired 2 new officers,

Mr. Underwood thanked the dept in that they worked hard being down officers

Discussed future community meeting

Utilities- Mr. Pace read the department report as follows:

Updated 183 crossing

Sewer authority considered changes fees to the municipalities

Discuss waterlines in the downtown for fire suppression

Open city hall lobby back up for payments

Mayor Edwards mention groundbreaking event on Apr. 3 at 10 am for the community garden. The residents of Walhalla along with volunteers are helping. Got a \$3000 grant for the and Mayor thanked the partners for their financial support. Mayor thanked Ms. Melendez for heading this up and it would be a good thing.

Ms. Melendez made motion to adjourn. Mr. Pace seconded.

Mayor Edwards adjourned the meeting at 6:49 PM.

---

Timothy B. Burton, Interim City Administrator



COUNTY OF OCONEE )  
STATE OF SOUTH CAROLINA )  
CITY OF WALHALLA )

**ORDINANCE 2021-2**

**AN ORDINANCE TO APPROVE AN ECONOMIC INCENTIVES GRANT TO VOTGA HOLDINGS, LLC. AND TOTGA HOLDINGS, LLC.**

**WHEREAS**, the City Council of Walhalla strongly desires to improve the quality of life for its citizens; and

**WHEREAS**, the Walhalla City Council enacted a Business Incentive Ordinance, Ordinance 2017-7, to stimulate economic activity and revitalize in the City; and

**WHEREAS**, the VOTGA HOLDINGS, LLC. and TOTGA HOLDINGS are businesses dedicated to improving properties within the City of Walhalla; and

**WHEREAS**, VOTGA HOLDINGS, LLC owns the property and building located on 112 W. Main St. which has historic significance to the City of Walhalla as previously owned by the Davenport Funeral Home and most recently Christ Central Ministries Thrift Store; and

**WHEREAS**, the VOTGA HOLDINGS, LLC. has purchased the building and desires to renovate it and occupy it with multiple business tenants; and.

**WHEREAS**, TOTGA HOLDINGS, LLC purchases 113 W. Main St. and began renovations that has created new business such as Partner's-In-Wine, Little Japan and a residence. There plans are to continue to renovate the rest of the building for additional tenants; and,

**NOW, THEREFORE BE IT ORDAINED** the Walhalla City Council approve a business incentive grant to VOTGA HOLDINGS, LLC. not to exceed \$7,000 to improve the condition of 112 W. Main Street property; and **BE IT FURTHER ORDINATED** the City of Walhalla increase the water capacity to both 112 W. Main St. and 113 W. Main St. sufficient to operate fire suppression systems and provide the water line to each building from the City's main line. **Note: VOTGA HOLDINGS, LLC. and TOTGA HOLDINGS, LLC. will be responsible for the connection from the building to water line.**

**DONE AND RATIFIED** in Council duly assembled this <sup>th</sup> day of March, 2021.

\_\_\_\_\_  
Danny Edwards, Mayor

ATTEST:

\_\_\_\_\_  
Timothy B. Burton, City Administrator, Interim

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading

and adoption: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
CITY OF WALHALLA )

**ORDINANCE 2021-3**

**AN ORDINANCE TO AUTHORIZE CITY EMPLOYEES TO ABATE NUISANCES ON PRIVATE PROPERTY, ESTABLISH FEES FOR SUCH SERVICE AND OTHER MATTERS RELATED THERETO:**

**WHEREAS**, the City of Walhalla desires to address property maintenance issue for the overall health, safety and welfare for its citizens, and

**WHEREAS**, the City of Walhalla has Code Enforcement Officer dedicated to addressing nuisance issues and to obtain compliance from property owners, and

**WHEREAS**, the City of Walhalla has an established process of notifying property owners when they are non-compliant, and

**WHEREAS**, the City of Walhalla has had time when they have been unsuccessful in contacting a property owner including by certified mail, and

**WHEREAS**, the City of Walhalla has determined the need to expedite the process to abate the nuisance including using city crews or enter into a contract for that service, and

**WHEREAS**, the City of Walhalla has determined the burden for those cost should not be on the taxpayers, and

**Now Therefore Be It Resolved**, be enacted by the City Council of the City of Walhalla, South Carolina after reasonable and legal attempts to obtain compliance from the property owner in violation of the Zoning and Code enforcement ordinances authorize the City Administrator to determine when City Crews are required to enter private property, assess reasonable charges for such service and the means for collection.

DONE AND RATIFIED in Council duly assembled this \_\_\_\_\_ of \_\_\_\_\_, 2021

\_\_\_\_\_  
Danny Edwards, Mayor

**ATTEST:**

\_\_\_\_\_  
Timothy B. Burton, City Administrator, Interim

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading  
& Adoption: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
CITY OF WALHALLA )

**ORDINANCE 2021-4**

**AN ORDINANCE TO AMEND SECTION 501.2 K 2 OF ZONING ORDINANCE 1994-8/2004-11/2017-11 RELATING TO CAMPAIGN POLITICAL SIGNS**

**WHEREAS**, the City of Walhalla Zoning Ordinance requires re-adoption with existing amendments by active ordinances, and

**WHEREAS**, the City of Walhalla Planning Commission has recommended changes in the ordinance as a result of review by that body,

**Then, Let it Therefore Be Resolved**, by the City Council of the City of Walhalla, South Carolina amend the following sections of Zoning Ordinance as follows:

Such signs for election candidates or ballot propositions shall be displayed on public rights-of-way only for a period of fifteen (15) days preceding the election and shall be removed within ten (10) days after the election, provided that signs promoting successful candidates or ballot propositions in a primary election or unopposed primary candidates and certified petition candidates may remain displayed until not more than ten (10) days after the general election. Political signs may not be displayed in the medians or rights-of-way on Main St. from Ann St. to Tugaloo St.

DONE AND RATIFIED in Council duly assembled this \_\_\_ of \_\_\_\_\_, 2021

\_\_\_\_\_  
Danny Edwards, Mayor

**ATTEST:**

\_\_\_\_\_  
Timothy B. Burton, City Administrator, Interim

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading  
& Adoption: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
COUNTY OF OCONEE )  
CITY OF WALHALLA )

ORDINANCE 2021-5

**AN ORDINANCE TO AMEND ZONING ORDINANCE 1994-8/2004-11/2017-11/2018-15 TO ADD A SUBDIVISION DESIGN GUIDELINES APPENDIX, KNOWN AS APPENDIX 2021-A, AND TO AMEND SECTION 202, 303E, 400.2, AND 403.4.**

**WHEREAS**, the City of Walhalla Zoning Ordinance requires re-adoption with existing amendments and appendices by active ordinances, and

**WHEREAS**, the City of Walhalla Planning Commission has recommended changes in the ordinance as a result of review by that body,

**Then, Let It Therefore Be Resolved**, by the City Council of the City of Walhalla, South Carolina amend the following sections of the Zoning Ordinance as follows:

#### **SECTION 202: DEFINITIONS**

NOW, THEREFORE, Section 202 of the Zoning Ordinance for the City of Walhalla is hereby amended to include the following definitions:

**Container Home:** A residential building, either for living or renting, that is made out of a shipping container or the like.

**Tiny Home:** A residential building, for either living or renting, that is 500 square feet or less.

#### **ADOPTION OF APPENDIX 2021-A**

NOW, THEREFORE, Appendix 2021-A is hereby adopted into the zoning ordinance to establish order in the realm of growth and to encourage the economically sound and stable development of the City of Walhalla. The appendix is as follows:

AN ORDINANCE GOVERNING THE SUBDIVISION OF LAND WITHIN THE CITY OF WALHALLA, PRESCRIBING THE PROCEDURE FOR PREPARING AND APPROVING PLATS, DESIGN STANDARDS, IMPROVEMENTS REQUIRED, BOND AND SURETY, VARIATIONS AND EXCEPTIONS, AND PROVIDING FOR AMENDMENTS, ENFORCEMENT AND PENALTIES.

**NOW, THEREFOR, BE IT RESOLVED** that the City of Walhalla, South Carolina adopts the Zoning changes to be affixed to the Zoning Ordinance.

**DODE, ORDERED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2021

**ATTEST:** ‘

\_\_\_\_\_  
Timothy B. Burton, City Administrator, Interim

\_\_\_\_\_  
Danny Edwards, Mayor

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

Second Reading & Adoption: \_\_\_\_\_

## ARTICLE 13. - CHANGES AND AMENDMENTS

[Section 13-1. - Amendment procedure.]

The city council may amend the regulations or provisions of this ordinance after study and report by the planning commission and the holding of a public hearing as required by law.

## ARTICLE 14. - ENFORCEMENT

[Section 14-1. - Plat approval required; unlawful sale of lots.]

- a. No plat of any subdivision shall be entitled to record with Oconee County, or shall have any validity until it has been approved in the manner prescribed herein.
- b. It shall be unlawful for the owner, or the agent of an owner to transfer or sell any land by reference to or by other use of a plat unless such plat has been approved as prescribed herein. The city may enjoin such transfer, sale, or agreement by appropriate action.

## ARTICLE 15. - PENALTY

[Section 15-1. - Penalty.]

Any violation of these regulations will be a misdemeanor and upon conviction is punishable with a fine of up to \$500 and or 30 days in jail.

## ARTICLE 16. - SEPARABILITY AND SEVERABILITY

[Section 16-1. - Severability.]

Should any article, section or provision of these regulations be for any reason held to be void or invalid, it shall not affect the validity of any other article, section or provision hereof which is not itself void or invalid.

## ARTICLE 17. - EFFECTIVE DATE

This ordinance shall be in full force and effect 30 days following its passage as provided by law

**SECTION 303E: MINIMUM REGULATIONS**

NOW, THEREFORE, Section 303E of the Zoning Ordinance for the City of Walhalla is hereby amended to read as follows:

E. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension below the minimum requirements set forth herein. Lots created by subdividing after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance and must be in compliance with Appendix 2021-A

**SECTION 400.2: PERMITTED USES IN R-25**

NOW, THEREFORE, Section 400.2 of the Zoning Ordinance for the City of Walhalla is hereby amended to read as follows:

The following buildings and uses shall be permitted in any R-25 Zoning District:

- A. Single family dwellings, detached (other than mobile homes, tiny homes, or container homes);
- B. Cultivation of land and general gardening, horticulture or growing agricultural crops, and plant nursery and sales;
- C. Accessory buildings and structures in conjunction with permitted uses as prescribed in Section 707.

**SECTION 403.4: SPECIAL EXCEPTION USES IN GR**

NOW, THEREFOR, Section 403.4 of the Zoning Ordinance for the City of Walhalla is hereby amended to read as follows:

Certain uses within any GR Zoning District are to be Special Exception Uses pursuant to the requirements and procedures of Section 708 and all subsections and all conditions stipulated herein.

- A. Antennas, towers, masts, and similar structures measuring over seventeen (17) feet above the top of the highest peak of the roof line.

- B. Mobile homes. Mobile homes and Mobile home parks are special exceptions in any GR districts subject to the requirements and procedures of Section 708, all subsections, and all conditions stipulated herein.
  
- C. Tiny homes or other non-traditional homes styles similar to container homes



BE IT ORDAINED by the Mayor and Council of the City of Walhalla, South Carolina, in Council assembled:

AN ORDINANCE GOVERNING THE SUBDIVISION OF LAND WITHIN THE CITY OF WALHALLA, PRESCRIBING THE PROCEDURE FOR PREPARING AND APPROVING PLATS, DESIGN STANDARDS, IMPROVEMENTS REQUIRED, BOND AND SURETY, VARIATIONS AND EXCEPTIONS, AND PROVIDING FOR AMENDMENTS,

ENFORCEMENT AND PENALTIES.

#### ARTICLE 1. - TITLE AND AUTHORITY

##### Section 1-1. - Title.

This ordinance shall be known as the Subdivision Regulations, City of Walhalla, South Carolina.

##### Section 1-2. - Authority.

This ordinance was prepared in accordance with the provisions of General Statutes of South Carolina, Act No. 487 of 1967 and the requirements of said Act supplement this ordinance.

#### ARTICLE 2. - PURPOSE

##### [Section 2-1. - Purpose.]

The purpose of this ordinance is for the promotion, protection and improvement of the public health, safety, economy, good order, appearance, convenience, morals and general welfare by providing for the harmonious, orderly and progressive development of land within Walhalla, South Carolina. In furtherance of this general intent, the regulation of land subdivision is authorized for the following purposes, among others:

- a. To encourage the economically sound and stable development of Walhalla;
- b. To assure the timely provision of required streets, utilities, and other facilities and services to new land developments;
- c. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- d. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational and other public purposes; and

e. To assure, in general, the wise and timely development of new areas in harmony with the comprehensive plan of Walhalla.

### ARTICLE 3. - JURISDICTION

[Section 3-1. - Territorial jurisdiction.]

From and after the date of adoption, these regulations shall govern all subdivision of land within the corporate limits of Walhalla as now and hereafter established.

### ARTICLE 4. - DEFINITIONS

[Section 4-1. - Definitions and rules of construction.]

When used in this ordinance, certain words and terms shall have the meaning as herein defined. Words and terms not herein defined shall have their customary dictionary definitions. The term "shall" is mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

1. *Block*: A parcel of land entirely surrounded by streets or highways or by a combination of streets, highways, parks or railroad rights-of-way.
2. *Comprehensive plan*: The official city plan or any part thereof for the City of Walhalla adopted and approved in accordance with the provisions of Act No. 487, South Carolina Acts of 1967.
3. *Easement*: A grant by the property owner of the use, for a specific purpose of a strip of land by the general public, a corporation, or a certain person or persons.
4. *Engineer*: A registered professional engineer in good standing with the South Carolina Board of Registration.

[4.1.] *Land development*: A change in land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, or similar developments for sale, lease or any combination of owner and rental characteristics.

5. *Lot*: A portion of a subdivision or other parcel of land intended for transfer of ownership or for building purposes.
6. *Planning commission*: The planning commission of Walhalla, South Carolina.
7. *Plat*: A map, or drawing upon which the subdivider's plan of the subdivision is presented for approval.
8. *Street*: A way for vehicular traffic, whether designated as an avenue, boulevard, thoroughfare, road, highway, expressway, lane, alley, or other way; and for the purposes of this ordinance, streets are divided into the following categories:
  - a. *Thoroughfare*: Those streets designated as freeways, arterials or collectors on the preliminary thoroughfare plan of the City of Walhalla.

- b. *Minor collector*: A street within a subdivision used to carry traffic from minor streets to thoroughfares including principal entrance and circulation streets of a subdivision.
  - c. *Minor or local street*: A street used primarily for access to the abutting properties.
  - d. *Alley*: A minor way used for service access to the back or side of properties otherwise abutting on a street.
  - e. *Cul-de-sac*: A minor street having one end open to traffic and one end terminating in a vehicular turnaround.
  - f. *Marginal access street*: A minor street parallel and adjacent to major streets and which provides access to abutting properties with protection from through traffic.
9. *Subdivider*: An individual, firm, association, syndicate, co-partnership, trust or any other legal entity commencing proceedings under these regulations to affect a subdivision of land hereunder for himself or for another.
10. *Subdivisions*: A division of [a] tract or parcel of land into two or more lots, building sites, or other divisions. The land is divided for sale, lease or building development, whether immediately or in the future. The definition includes all divisions involving a new street or change in existing streets. It includes re-subdivisions involving the further division or relocation of lot lines of any lot or lots within a previously approved or recorded subdivision. The definition covers the alteration of any streets or the establishment of any new streets within any previously approved or recorded subdivision as well as combinations of lots of record. The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:
- a. Combining or recombining portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the ordinance standards.
  - b. Dividing land into parcels of five acres or more where no new street is involved. The planning commission must receive plats of these exceptions as information and indicate that fact on the plats.
  - c. Combining or recombining entire lots of record where no new street or change in existing streets is involved.
11. *Surveyor*: A registered land surveyor in good standing with the South Carolina board of registration.
12. *Zoning ordinance*: The officially adopted zoning ordinance, City of Walhalla, South Carolina.

## ARTICLE 5. - GENERAL PROVISIONS

[Section 5-1. - Prerequisites for filing of plats; minimum standards; dedication of public use sites.]

1. No plat of the subdivision of any land within the jurisdiction of the planning commission shall be filed with the Oconee County, until:
  - a. A preliminary plat shall have been prepared and shall have been approved by the planning commission as specified herein.
  - b. The required improvements shall have been satisfactorily installed and completed by the subdivider or a bond has been posted to secure the same.
  - c. A final plat shall have been prepared and approved by the planning commission as specified herein.
  - d. A resolution shall have been passed by the city council accepting the dedication of all public ways or lands, or a statement included on the final plat that the public ways or lands have not been accepted by the city council.
  - e. Statement by the planning commission as having received as information, plats identified as exceptions by state law under the definition of a subdivision.
2. All proposed subdivision of land shall conform to the applicable portions of the comprehensive plan for Walhalla.
3. Whenever regulations contained in this ordinance are different from regulations contained in other city ordinances, the most restrictive regulation shall prevail.
4. Where the area being subdivided includes lands to be used for parks, schools or other public uses under the officially adopted comprehensive plan of Walhalla, the subdivider shall indicate the location of such areas on the subdivision plat and shall dedicate said area or grant a two-year option for the purchase of such lands by a public agency at the appraised raw land value prior to subdividing, plus one-half the cost of grading and surfacing of the portions of any streets that are contiguous to the site. In case of a disagreement over the value of [the] land, said value shall be established by three qualified appraisers, one of whom shall be appointed by the city council, one of whom shall be appointed by the subdivider and one of whom shall be mutually agreed upon by the two previously appointed appraisers. The subdivider shall bear the cost of any appraisal. Should the park, school, or public use sites not be purchased within the two-year period, the subdivider may then sell or cancel them for an alternate purpose as shown on the approved subdivision plat.

#### ARTICLE 6. - PROCEDURE

[Section 6-1. - Administrative procedure for subdivision approval.]

The following is an outline of procedure for obtaining approval of a subdivision of land within the City of Walhalla:

1. Prior to preparing a preliminary plat and filing an application for approval thereof, the subdivider should consult Zoning Official regarding the proposal, the requirements of this ordinance and the provisions of the comprehensive plan.
2. An application requesting approval of the preliminary plat, together with supporting material, shall be filed with the zoning administrator 15 days prior to the regularly scheduled meeting of the planning commission at which the plat is to be considered.
3. The planning commission shall act on the preliminary plat within 60 days after filing of the application. Otherwise said plat shall be deemed to have been approved. The applicant may waive this requirement and consent to an extension of such period. Approval of the preliminary plat will not constitute approval of the final plat. Approval serves as authorization for the subdivider to proceed with site improvements.
4. The subdivider may install required improvements or post a bond securing the improvements in the area covered by the approved preliminary plat, or any portion thereof, which he proposes to record and develop at the time.
5. Upon installation of required improvements or the posting of a bond securing the same, a final plat may be submitted. Said final plat shall conform substantially to the preliminary plat, or portion thereof, as approved.
6. Application for approval of the final plat shall be submitted to the zoning administrator at least 15 days prior to the meeting at which it is to be considered. Said application shall be submitted within 12 months after approval of the preliminary plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted by the planning commission.
7. Action of the planning commission on the final plat shall consist of approval or disapproval. Disapproval shall be accompanied by reasons for such action.
8. After approval by the planning commission, the final plat shall be forwarded to city council for acceptance of the dedication of rights-of-way or other land.
9. After acceptance of dedication by city council, the planning commission shall file the plat for record with Oconee County. The zoning administrator shall act as recording agent for the subdivider.
10. Where a proposed subdivision contains no more than four lots and does not require dedication of any land to the public or installation of any public improvements, the planning commission may waive the hearing on the final plat and consider and act upon the preliminary plat as the final plat.

## ARTICLE 7. - PRELIMINARY PLAT

### Section 7-1. - Submittal.

Six copies of the preliminary plat shall be submitted to the zoning administrator with the application for approval. One copy of any supporting documents shall be submitted.

#### Section 7-2. - Distribution.

Copies of the preliminary plat shall be distributed by the zoning administrator to various departments within the city for review and recommendation. Recommendations shall be returned to the planning commission prior to the initial hearing on said plat.

#### Section 7-3. - Fees.

To defray the cost of investigation, processing the plat and notifying interested parties, the subdivider shall pay the following fees to the office of the zoning administrator at the time of filing:

- (1) \$50.00 minimum; or
- (2) \$5.00 for each residential lot or \$8 for each acre in a nonresidential subdivision.

No charge shall be made where the subdivision consists solely of the establishment or vacation of a new street.

#### Section 7-4. - Hearing notice.

Notice of hearing shall be sent by registered or certified mail to the subdivider not less than five days before the date set for the hearing.

#### Section 7-5. - Planning commission action.

Planning commission action shall consist of approval as submitted, conditional approval or disapproval. If the plat is conditionally approved or disapproved, the conditions or reasons for such action shall be noted. The action of the planning commission shall be noted on two copies of the plat, referenced and attached to any conditions determined. One copy shall be returned to the subdivider and the other retained by the planning commission.

#### Section 7-6. - Effect of preliminary plat approval.

Approval of the preliminary plat by the planning commission shall be authorization for the subdivider to proceed with preparation of construction drawings, layout of streets, installation of improvements and staking of lots.

#### Section 7-7. - Scale.

The preliminary plat shall be clearly and legibly drawn to a scale of not less than 100 feet to the inch nor larger than 20 feet to the inch and marked "Preliminary Plat."

#### Section 7-8. - Content.

The preliminary plat shall show:

- a. Title, north point, graphic scale and date.
- b. Names and addresses of the owners of the property, any existing mortgages, the subdivider and the person or firm preparing the plat.

- c. Boundaries of the proposed subdivision. Location of city limits line if within or adjacent to the area to be subdivided.
- d. A vicinity sketch at a scale of not more than 500 feet to the inch showing the relation of the proposed subdivision to surrounding development. Also, the boundaries of adjoining parcels of unsubdivided land with the names and addresses of owners.
- e. Location, width of right-of-way, width of roadway, and names of all existing or prior platted streets, roads or highways that pass through or adjoin the area to be subdivided.
- f. Location and extent of watercourses and all land subject to flooding.
- g. Location and size of sanitary and storm sewers and water mains within or adjacent to the area to be subdivided.
- h. Location and pertinent data for existing railroads, easements, structures, public land and other features affecting the plat.
- i. Topography at a contour interval of not greater than five feet; provided, however, the city may require one-foot contour intervals and intermediate spot elevations.
- j. Indication of existing zoning district classification applying to, and proposed use of, all land within the subdivision.
- k. Written and signed statements of the appropriate officials verifying the availability of gas, electricity and water to the proposed subdivision.
- l. The proposed location and width of all streets (right-of-way's and roadways), alleys and easements together with proposed street names.
- m. Typical street cross sections and proposed grades.
- n. Layout, numbers and approximate dimension of lots.
- o. Building setback lines with dimensions.
- p. Sketch plans indicating the proposed method of accomplishing drainage, water supply, sewage disposal and storm drainage.
- q. Location and size of all parcels of land intended to be dedicated or reserved for public use.
- r. Draft of any restrictions including protective covenants proposed to be included in the owner's declaration of plat.

## ARTICLE 8. - FINAL PLAT

### Section 8-1. - Submittal.

The original drawing and two copies of the final plat shall be submitted to the zoning administrator with the application for approval. The final plat shall include certification from the city engineer that required site improvements have been installed to the city's

satisfaction or a bond posted securing to the city the actual construction and installation of required site improvements.

#### Section 8-2. - Fees.

To defray the cost of investigation and processing the plat the subdivider shall pay an additional fee in the amount of:

- (1) \$3 for each residential lot.
- (2) \$5 for each acre in a nonresidential subdivision.

No charge shall be made where the subdivision consists solely of the establishment or vacation of a new street.

- (3) The actual cost of recording the final plat.

#### Section 8-3. - Recording of plat.

The zoning administrator, acting for the planning commission and as recording agent for the subdivider, shall file the final plat for record with Oconee County. Such filing shall take place after approval by the planning commission and acceptance of dedicated land by city council. The final plat shall show the plat book and page where recorded.

#### Section 8-4. - Final plat distribution.

Subsequent to recording, the original of the final plat shall be returned to the subdivider. Copies of the final plat shall be distributed to various departments within the City.

#### Section 8-5. - Scale; sheet size; material.

The final plat prepared by a surveyor or civil engineer licensed by the state shall be drawn in ink on linen or plastic film type material at a scale of 200 feet to the inch unless otherwise approved by the planning commission. The plat shall be identified as the final plat.

#### Section 8-6. - Content.

The final plat shall show:

- a. Title, north point, graphic scale, date.
- b. The name of the owner or owners, any existing mortgages and the subdivider. Notarized acknowledgement of the owner or owners and mortgagee, if any, to the plat, and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements included on the plat.
- c. The name and registration number of the surveyor or engineer. A notarized certificate attesting to the accuracy of the survey and the correct location of all monuments shown.



- d. The township, boundary line bearings and distances, and boundary ties with the nearest intersection of existing streets or roads.
- e. Right-of-way lines and widths of streets, alleys, easements and other rights-of-way, with accurate dimensions and bearings, or deflection angles and the radii and central angles of all curves.
- f. Names of all streets together with a letter from the post office department stating that proposed street names do not duplicate existing street names within the urban area of Walhalla.
- g. All lot lines, lot dimensions, building setback lines and an identification system for lots and blocks.
- h. Location and description of monuments. Monuments shall be designated by a small open circle at points of installation.
- i. The lines of streets and alleys that adjoin the subdivision with their width and names. Reference to recorded subdivision plats of adjoining platted land by plat book and page number or deed book and page number.
- j. Purpose for which lots or tracts other than residential are to be dedicated or reserved.
- k. Statement that all easements shown on the plat may be used for the installation of sanitary sewers, storm sewers, public utilities and open storm drains unless otherwise noted.
- l. Space for the approval of the city planning commission.
- m. Statement of, or reference to, private restrictions, trusteeships or protective covenants.
- n. Space for city council acceptance of public ways and lands included on the plat.
- o. Space for number of plat book, volume and page where recorded.
- p. The final plat shall be accompanied by certification:
  - (1) That all legally due taxes have been paid.
  - (2) That all required improvements have been installed and approved by the proper officials or agencies, or that a bond ensuring their installation has been accepted by the city.
  - (3) [For property located in a flood hazard area, a statement reading substantially as follows:]

Lot number(s) \_\_\_\_\_ are located wholly or partially within a flood hazard area as defined by the Federal Emergency Management Agency, and are subject to all codes and ordinances as they relate to floodplains. Special development permits are required for these areas.

## ARTICLE 9. - DESIGN STANDARDS

[Section 9-0. - Minimum requirements.]

The design standards herein presented are minimum requirements. All roadways, alleys, sidewalks, street lighting, and thoroughfares are to be constructed to the standards of the SCDOT Roadway Design Manual (2017). IF ANY PART OF THIS ORDINANCE CONFLICTS WITH SCDOT ROADWAY DESIGN MANUAL (2017), THE MORE STRINGENT LANGUAGE SHALL PREVAIL.

Section 9-1. - Streets and alleys.

a. *Street right-of-way width.*

- (1) Thoroughfares: Width shall conform to specifications of the preliminary thoroughfare plan.
- (2) Minor collector: Width shall not be less than 50 feet.
- (3) Minor street: Width shall not be less than 40 feet.
- (4) Cul-de-sac: Width shall not be less than 50 feet except that the terminal turnaround shall have a diameter of not less than 90 feet.
- (5) Marginal access street: Width shall not be less than 40 feet.
- (6) Subdivisions along existing streets of inadequate right-of-way shall provide additional right-of-way to meet the minimum standards contained herein.
- (7) When the subdivision abuts a major street, any land necessary for widening the major street shall be dedicated.
- (8) Subdivisions with unusual topographic conditions shall provide greater street right-of-way than herein required and/or provide slope easements for the sloping of banks or fill material.

b. *Alleys.*

- (1) Alleys will not be permitted in residential districts except as a continuation of a dead-end alley.
- (2) Alleys, not less than 20 feet in width, shall be required in commercial and industrial districts, except that the planning commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading and parking consistent with and adequate for the uses proposed.

c. *Street alignment.*

- (1) All street alignments must provide for the continuation of existing streets abutting the subdivision.

- (2) Arrangement of major streets in the subdivision shall conform as closely as possible with the thoroughfare plan.
- (3) The arrangement of streets shall be such as will not cause hardship to owners of adjoining property in providing convenient access.
- (4) Minor collector streets may be required where necessary to facilitate traffic flow in the subdivision.
- (5) Radii of not less than 100 feet shall be provided on all curves unless local conditions warrant a shorter radius.

d. *Street grades.*

- (1) Street grades shall comply with good engineering practice and shall not exceed ten percent or be less than 0.5 percent. Wherever possible, grades of thoroughfares shall not exceed 5.0 percent.
- (2) Grades approaching intersections shall not exceed 5.0 percent for a distance of not less than 50 feet from the right-of-way line of said intersection.
- (3) All changes in street grade shall be connected by vertical curves of at least 100 feet or the equivalent of 15 times the algebraic difference in the rate of grade, whichever is greater.

e. *Street intersections.*

- (1) Not more than two streets shall intersect at a point.
- (2) Street right-of-way lines at intersections shall be rounded by a minimum radius of 25 feet. The roadway edge at intersections shall be rounded by a minimum radius of 25 feet.
- (3) Streets shall intersect as nearly at right angles as possible, and in no case at an angle of less than 60 degrees. Intersections involving a thoroughfare shall not be less than 80 degrees.
- (4) Street intersections shall be located at least 150 feet apart.
- (5) Street intersections shall be located at least 150 feet from any railroad right-of-way.
- (6) Streets generally parallel to railroad rights-of-way shall not be closer than 150 feet to the railroad right-of-way.

[f. Reserved.]

g. *Cul-de-sac.*

- (1) The length of a cul-de-sac, measured from the intersecting street to the center of the turnaround, shall not be longer than 750 feet.

#### Section 9-2. - Easements and special rights-of-way.

- a. An adequate right-of-way shall be dedicated along each side of surface drainage courses for purposes of constructing, widening, deepening, relocating, improving or maintaining the drainage course. The location of any surface drainage course shall not be changed without the approval of the city engineer.
- b. Easements of at least 7½ feet in width shall be provided on each side of rear and side lot lines where necessary for poles, wires, conduits, storm and sanitary sewers, gas, water or other utilities. Easements of greater width may be required along rear lot lines or across lots where necessary for the extension of major utility lines, or where more than one utility is located in the same easement. A three-foot easement shall be required on one side of an alley to accommodate pole lines.

#### Section 9-3. - Lots.

- a. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of surrounding development.
- b. Where easements for public utilities and sewers are contemplated, the lot lines shall be located in such manner as to facilitate the construction and maintenance of such improvements.
- c. Lot areas shall not be less than minimum zoning requirements in the area in which the property is located.
- d. All side lines of lots shall be at right angles or radial to street lines, except where a variation will provide a better street and lot layout.
- e. Double frontage lots shall be avoided wherever possible.
- f. Corner lots for residential use shall have additional width sufficient to provide equal setback from front and side streets.
- g. Every lot shall abut on a street. In no case shall an alley serve as the only access to a lot.
- h. The depth of a lot shall not be less than 100 feet, and excessive depth in relation to width shall be avoided.

#### Section 9-4. - Blocks.

- a. No block shall be more than 1,500 feet in length, and preferably not less than 800 feet in length.
- b. The greater dimension of a block adjoining a major street shall abut the major street.

c. Where blocks are over 1,000 feet in length, a crosswalk easement not less than 20 feet wide may be required if necessary, to provide proper access to schools, playgrounds or other public facilities.

Section 9-5. - Sanitary sewers and storm drainage.

Except in cases determined to be impractical by the Water Department, sanitary sewer mains shall not be less than eight inches in diameter. Tap connections shall be provided from mains to each lot line and marked at the lot line by a permanent iron pin. Storm drainage shall be provided to the degree deemed necessary by the city engineer to prevent property damage.

Section 9-6. - Public sites and open spaces.

Where the subdivision contains a park, school or other public area which is shown on the comprehensive plan, the size and exact location shall be determined by the planning commission based on criteria and requirements specified in the comprehensive plan. Where other public agencies are involved, current criteria and specifications of said agency shall prevail unless waived.

Section 9-7. - Land subject to flooding.

Land subject to flooding or inadequately served by drainage facilities will not be acceptable for subdivision unless the subdivider agrees to make such improvements as will in the opinion of the city engineer render the land fit for occupancy.

Section 9-8. - Character of development.

The subdivider should confer with the planning commission regarding the type and character of development that will be permitted in the subdivision. The planning commission may require that certain minimum requirements be incorporated in restrictive covenants to apply to all lots in the subdivision for the purpose of protecting the character and value of the proposed subdivision and of adjoining property.

ARTICLE 10. - MINIMUM IMPROVEMENTS REQUIRED

The satisfactory installation of the improvements required herein or the posting of a bond securing the improvements shall be a prerequisite to approval of a final plat by the planning commission. Prior to starting construction of any proposed improvements for a subdivision, construction plans and specifications shall be prepared by an engineer.

Section 10-1. - Street improvements.

- a. All streets shall be graded to their full width, including side slopes.
- b. A standard curb and gutter, with not less than a six-inch face, shall be constructed on both sides of the street.
- c. Streets shall be surfaced to a width stated herein and with a type of pavement conforming to paving standards SCDOT.

- (1) Marginal access streets: Minimum 24-foot width between curb faces.
  - (2) Minor collector streets: 40-foot width between curb faces.
  - (3) Minor streets: 28-foot width between curb faces.
- d. Alleys, wherever platted, shall be surfaced to their full width with a pavement conforming to paving standards of SCDOT.
- e. Except as hereinafter provided those portions of thoroughfares included within the subdivision shall be paved by the subdivider to widths and in accordance with paving standards SCDOT. Whenever the property abutting both sides of a major street is zoned for residential purposes, the subdivider shall be responsible for only that portion of the cost equal to the installation of minor street improvements.

#### Section 10-2. - Underground utilities.

Storm drainage and sanitary sewers shall be provided by the subdivider. All underground utilities, including water, gas, electrical and telephone service, shall be installed prior to the installation of paving. Sufficient taps shall extend to lot lines to insure against subsequent cutting of pavement. When sanitary sewers are not reasonably accessible to the subdivision, septic tanks conforming to the standards and requirements of the county health department shall be installed. Fire hydrants shall be installed in accordance with specifications of Fire Underwriters.

#### Section 10-3. - Sidewalks.

Sidewalks shall be constructed along both sides of a thoroughfare and in such other locations where they are deemed necessary for public safety by the planning commission. Such sidewalks shall conform to the width requirements and specifications of SCDOT.

#### Section 10-4. - Street name signs.

Street name signs shall be installed for a payment of \$25.00 per sign made to the City of Walhalla.

#### Section 10-5. - Monuments.

Permanent monuments shall be placed at the tangent points of curves and at all corners in the exterior boundary of the subdivision (except at such corners that are inaccessible due to topography) and at such other points as may be designated by the city engineer. All monuments shall be set flush with the surface of the ground or finished grade. Monuments shall be of reinforced concrete, 30 inches or more in length and six inches or more in diameter with a metal pin at the point of intersection, or an iron rod (five-eighths inch or more in diameter and 30 or more inches long) completely embedded in concrete.

### ARTICLE 11. - BOND AND SURETY

#### Section 11-1. - Construction bond.

In the event the subdivider elects to defer construction of the improvements required under article 10 until after approval of the final plat, a bond shall be required of the subdivider, the amount and specifications of which shall be approved by zoning administrator, securing to the city the actual construction and installation of such improvements within a period of two years from the date of recording the plat and in accordance with standard specifications of the City of Walhalla. Such bond shall be in cash or be made by a surety company authorized to do business in the State of South Carolina, and shall be made payable to and enforceable by the City of Walhalla, South Carolina. Such bond must equal at least 125 percent of the cost of the required improvements. The surety shall not be released from said bond except by written release from the city council.

(Ord. No. 99-05, 4-26-1999)

Section 11-2. - Maintenance bond.

- a. In any case in which the zoning administrator may have reasonable doubt concerning the stability or proper construction of any improvement required herein, upon his recommendation the city council may require a maintenance bond for a period of two years for maintenance of said improvement. This bond shall be in cash or be made by a surety company authorized to do business in the State of South Carolina.
- b. The subdivider, by agreement with the zoning administrator, shall maintain for a period of nine months the fill and improvements in and over the ditches that were cut for the installation of utilities including storm and sanitary sewers, water, gas and laterals.

## ARTICLE 12. - VARIATIONS AND EXCEPTIONS

[Section 12-1. - Modifications, variations and waivers.]

- a. Whenever strict compliance with these regulations would result in extraordinary hardship or injustice to the subdivider because of unusual topography, unusual size or shape of the property, or unusual conditions in surrounding property or development, the planning commission, acting with the concurrence of the city engineer, may modify, vary or waive such regulations in order that the subdivider may subdivide his property in a reasonable manner provided that such modification, variation or waiver will not nullify the intent or purpose of these subdivision regulations and that the public welfare, interest of the city and the surrounding area shall be protected. Any such variance, together with reasons therefor shall be entered upon the minutes of the planning commission.
- b. In granting modifications, variations or waivers, the planning commission may impose such other reasonable conditions as will, in its judgment, justify such modification, variation or waiver and still maintain the objectives of these regulations.
- c. Each modification, variation or waiver of these regulations sought by a subdivider shall be applied for specifically on forms supplied by the planning commission, a copy of which shall be forwarded to the zoning administrator.

**MINUTES OF THE COMMITTEE MEETING  
OF THE WALHALLA CITY COUNCIL  
April 6, 2021, 5:30 PM**

**Present:** Mayor Danny Edwards, Councilwoman Sarai Melendez, Councilman David Underwood, Mayor Pro-Tempore Danny Woodward, Councilman Josh Roberts, Councilman Keith Pace, and Mr. Timothy Burton, Interim City Administrator.

**Absent:** None

Mayor Edwards Opened the committee meeting at 5:30PM

Ms. Amy Welch spoke in the public session. She expressed thanks to Jesse Dickerson and Brad Hancock for working on her sewer issue. Councilman Underwood also thanked them for not giving up and finding the issue and working on it. Councilman Underwood stated that we should do an appreciation dinner for the staff, and he would donate his council check to the cause. Mayor Edwards also stated he would as well.

Mayor Edwards thanked the Walhalla Women's Club for doing work around the depot today.

Committee Reports were given by respective department heads.

**Parks and Recreation- Mr. Woodward, Chair**

Director Galbreath reported:

Sertoma is good and getting ready for sports. It's in better shape than last year.

**Public Works- Mr. Roberts, Chair**

Director Price reported:

For March:

165 -ton of residential garbage

160 -ton of commercial garbage

97-ton of recyclable brush

1.75 -ton of Mattresses

Delivered 41 roll carts

Picked up 10 roll carts

During the month of March our department continued picking up leaves, brush, cleaning storm drains, trimming trees and other routine maintenance tasks. We began grass cutting. SCDOT completed drainage project on North Johns Street and Broad. Began pool clean-up for the summer season. On March 26 with the help of the water department, Zane Thompson repaired roads at Stumphouse that the storms washed out.

Discussion about: concrete work on oil recycling center

Ms. Melendez thanked Russ and the crews for the tree removal and work for the community garden.



### **Police- Mr. Underwood, Chair**

Chief Brinson reported:

860 Calls for service

251 traffic stops

6 collisions

56 incident reports

235 citations issued

25 arrests

105 extra patrols

41 hours of training

Participated in emergency vehicle operations training

Completed Municipal Association Risk Assessment with a 100% score.

Chief Brinson thanked Russ for the soffit repairs. He stated that 2 new officers are in training and waiting on a date to go to Columbia for the academy. One officer is on military leave.

Mr. Underwood thanked them, and Ms. Melendez mentioned the pin wheels for the Child Abuse Month event.

### **Utilities- Mr. Pace, Committee Member**

Director Parris gave report:

1. Waiting on comments from SCDOT on Westminster Hwy project
2. Cane Creek manhole project is in progress. Staged on N. Church St.
3. Working with Russ to get a hydrant for the community garden
4. Getting complaints about the WTP from Backwater Landing. Needs some direction on how to proceed. There was \$15000 in the contract, but it was removed and decided to do the landscaping in house.
5. Buxton subdivision issue- the city attorney said the city has no responsibility for the damage.
6. Property on Thompson Ave is experiencing washout from the tank overflowing. Sensor fails, quick remedy is to lower tank level.
7. Discussion ensued about an issue with a mobile home (possibly from the 90's) on an easement and over a waterline. The property owner has put Walhalla on trespass from the property before. The easement is from the 1950's. Utility committee told Mr. Parris to speak with the landowner, if there is a language barrier get an interpreter. The PD has one available. Mr. Parris will also talk to the city attorney.
8. Mr. Parris needed direction on installing a pressure reducer in the Tanglewood area. The lines are from 1965 and can't handle the new pressure from the WTP. Mr. Pace asked if it was common to have adjustable pressure, Mr. Parris responded yes. He would need a crane to do the work and Mr. Roberts how long it would take, Mr. Parris responded 3 days. Mr. Pace instructed Mr. Parris to get prices. Mayor Edwards stated there was \$49,000 in line construction.

9. Mr. Parris asked about a customer on S Spring that had a \$4800 water bill due to a leak at the meter. The customer was established at other addresses but not this one and wasn't eligible for an adjustment. A payment plan would still be \$800/mo for 6 months. The customer fixed the issue quickly but was asking for relief. The committee asked if the customer had good history and the reply was yes. The committee approved the adjustment. Mayor Edwards stated that the guy rents from someone and moved back to the city.
10. Mr. Underwood recapped the situation that Mrs. Welch spoke about. Said there was a lot of grease in the line from the neighbor. He questioned if the ordinance prevented multiple lines into one tap. Mr. Parris responded no there wasn't. Mr. Parris did state they should be, he would look at the situation.
11. Mr. Pace reported the Pickett Post road issue was resolved.
12. Mr. Parris stated the materials are in for the Mill Street project and waiting on utility locates. Kenneth street has taps and will do the project in conjunction.
13. Mr. Parris went over the Sewer Authority board meeting and stated the ORJSA would implement new rates for impact fees after July 1. There would be no impact fees if the address kept the same size meter. He mentioned the \$16 million repairs the STP needed as presented by the engineering firm. Mr. Roberts asked if sewer rates would change, Mr. Parris said yes they are likely to increase. Mr. Pace asked about the county taking a seat on the board, Mr. Parris said there were no discussion on that. Mr. Roberts asked who monitors all this, Mr. Parris replied SCDHEC.
14. Mr. Parris stated that the lift station at Flat Rock had a video inspection and washout. About 2 weeks' worth of work to raise manholes and \$1.5 million lift station upgrade. ORJSA was doing this.

### **Main Street (General Gov't)- Mr. Pace-Chair**

Director Imbody gave report of upcoming events and noted the Main Street Board had a 5-year workplan. They are working on getting sponsorships. The Main Street board would vote to approve the 5-year plan.

She needed volunteers to help serve brunch on the Mother's Day event.

### **Fire and Codes- Ms. Melendez-Chair**

Chief Burton gave March report:

115 calls for service

62 Fire, 53 medical/rescue

15 mutual aid

43 inside city, 72 outside

356 hours spent on incidents

439 hours of training completed

30 inspections completed

8 code enforcement issues addressed

The codes and zoning administrator is fulltime at Walhalla now and is at city hall

The BZA held a meeting and issued a variance for a property.

Working with DHEC for a vaccination site in the city.

### **General Government- Mr. Pace, Chair**

Chief Burton gave the administrators report

1. City wide department head meeting on April 7.
2. General Code is working on the codification. They have begun their analysis and indexing. First report should be within the week.
3. Working on budget document
4. Spending will be cut off on May 25, 2021
5. Use and revenues are on the upswing at Stumphouse.
6. Met with SCDNR regarding the Ross Mountain Road issue. The bike park has only one official entrance, through the tunnel park off Highlands Highway.
7. The pay station is still being programmed. The vendor is working through an issue getting the funds from the collection system sent to the correct bank account.
8. The Ross Mountain Parking is being reviewed. We are working on design documents, materials, and quantities estimates.

This concluded committee reports.

Chief Burton asked for direction transferring funds to the WDDC to complete Community Development Grants. \$6000 was agreed to move from hospitality fund to WDDC.

Mr. Pace led discussion on plans for the Brown's square greenspace. He would like to see the city develop or sell it. It is space that needs to be utilized for events or something. No action was taken.

Mrs. Imbody asked about budget request through the end of the FY. She needs around \$15,000. Mayor Edwards said we could find the funds and give Main Street \$15000. Mr. Roberts agreed. Consensus was to give Main Street \$15000.

Mayor Edwards reminded the group about the KOBA event on April 17.

Final agenda item was for moving to city hall. Mr. Underwood made the motion, Mr. Pace seconded, and all were in favor. Ms. Melendez was absent for this.

Mayor Edwards adjourned the meeting.