Mr. Danny Edwards, Mayor
Mr. Danny Woodward, Mayor Pro Tem
Ms. Sarai Melendez, Councilwoman
Mr. Keith Pace, Councilman
Mr. Tyler Jordan, Councilman
Mr. Grant Keehn, Councilman
Mr. David Underwood, Councilman
Mr. Michael Kozlarek, City Attorney
Mr. Timothy B. Burton, City Administrator

AGENDA
WALHALLA CITY COMMITTEE MEETING
March 7 2023
5:30 PM
Walhalla City Hall
206 N Church St, Walhalla, SC 29691

CALL TO ORDER & WELCOME **Mayor Edwards**

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC INPUT (Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2022-8)

STAFF REPORTS

PARKS & RECREATION- Director John Galbreath

PUBLIC WORKS -Director Russ Price

POLICE DEPARTMENT- Chief Tim Rice

UTILITIES DEPARTMENT- Director Scott Parris

FIRE DEPARTMENT - Chief Will Bates

COMMUNITY DEVELOPMENT- Manager Celia Myers, AICP

GENERAL GOVERNMENT-Administrator Brandon Burton

ACTION/DISCUSSION ITEMS (to include Vote and/or Action on matters brought up for discussion, if required)

1. ***Discussion on Committee Structure***
2. ***Discussion on Leash Ordinance***

Mr. Danny Edwards, Mayor
Mr. Danny Woodward, Mayor Pro Tem
Ms. Sarai Melendez, Councilwoman
Mr. Keith Pace, Councilman
Mr. Tyler Jordan, Councilman
Mr. Grant Keehn, Councilman
Mr. David Underwood, Councilman
Mr. Michael Kozlarek, City Attorney
Mr. Timothy B. Burton, City Administrator

EXECUTIVE SESSION (to include Vote and/or Action on matters brought up for discussion, if required)

(none scheduled)

MAYOR COMMENTS **Mayor Edwards**

ADJOURN

City Council Meeting 3/07/23

BASKETBALL
10 & UNDER BOYS ALL STARS WON THE DISTRICT
BASEBALL & SOFTBALL
Sign ups 338 Participants so far.

WALHALLA PUBLIC WORKS 3-7-2023

The Public Works Department

February 1 thru 28, 2023 the City of Walhalla picked up:

245 -ton of residential garbage

55 -ton of commercial garbage

42 -ton of recyclable brush

28 -ton C&D

5 -ton mattresses 2 Loads

Roll Carts for February

Delivered 25

Picked up 8

Repair/Replace 5

During the month of February our department continued picking up brush, leaves, trash, cleaning storm drains, trimming trees, and other routine maintenance tasks. Removed Bradford pear trees at the Post Office. The leaf truck is still down. The parts are finally in and installed. We hope it is running this week. The Autocar trash truck is back up and running. The front load truck had several issues but is now running. We have been working on replacing the boards at the Depot and if the weather will hold off we should complete in the next couple of weeks,

Thanks,

Russ Price

Walhalla Police Department
101 E. Main St.
Walhalla, SC 29691

Chief of Police Timothy J. Rice

Walhalla City Council - Committee Meeting
Tuesday March 7, 2023

February Events and Completed Training:

- Captain Watson attended the Reid Interview and Interrogation School.
- Staff Sgt Zach McCall completed a SCJJA training Organized Crim e & Narcotics.
- Cpl Parker Scruggs finished Speed Measurement Devices operator certification.
- Cpl Parker Scruggs just completed 2 of 8 weeks of EMR certification.
- New hire Cpl PJ Heaton. He comes from the OCSO with 6 years' experience, he will be assigned to Delta (night) Shift.

TOTAL CALLS FOR SERVICE	**1291**
TRAINING HOURS – December 2022	110 HOURS
Total Arrests	27 (Adult) 2 (Juvenile)
Extra Patrol / Business Checks	375

BREAKDOWN OF OVERTIME BY TYPE:

Shift Coverage	14.5 Hours
Court	16 Hours
Special Event Coverage	0 Hours
TOTAL OVERTIME	30.5 HOURS (previous month – 36 hours)

Upcoming Events and Training and News:

- We have a lot of training going on this month. Several officers will be traveling for training events.
- Annual firearms trainina and qualifications – Taught by SSGT McCall and Cpl. Jerde.
- Annual Taser Re-Certification – instructor Cpl. Jerde.
- Annual Emergency Vehicle Operation – hosted by OCSO

Walhalla Police Department
101 E. Main St.
Walhalla, SC 29691

Chief of Police Timothy J. Rice

Monthly Reference Material

February 2022 – Month End Stats

Total Calls for Service:		**1291**
Total Traffic Stops:		**238**
Total Traffic Collisions:		**12**

Reports Filed:

Collision Reports:		5
Pursuit After-Action:		0
Incident Reports:		71
Response to Resistance:		0
	TOTAL:	**76**

Citations/Warnings Issued:

Warnings:		198
Traffic Related:		67
Non-Traffic Related:		10
TOTAL:		**275**

Arrests:

Adults:		27
Juvenile Referrals:		2
	TOTAL:	**29**

Extra Patrols:	**TOTAL:**	**375**

UTILITIES COMMITTEE MEETING
MARCH 2023

- We have taken advantage of the wet weather to change over 100 meters in recent weeks. Progress has been steady, and this will help to improve reading time, accuracy, and provide early warnings for customers when leaks appear.
- We are now fully staffed on the front counter, which will improve efficiency in the office.
- Requests for new water taps have slowed, but we continue to have 1-2 requests per week.

City of Walhalla Fire Department

Home of the Mountaineer Engine Co. Est. 1871

Fire Chiefs Monthly Report

February 2023

FIRE-EMS

Incident Response-

We responded to 91 calls for service. 35 were fire calls and 56 were medical/rescue calls. During the month we were on multiple calls 18% of the time. We provided 14 instances of mutual aid. 40 calls were inside the City and 51 calls were either in the unincorporated area or another district. Average on scene time was 40 minutes. Both career and volunteer staff spent 214 hours on incidents.

Incident Type	# Incidents	% of Total
Fires	7	7.69%
Overpressure rupture, explosion- no fire	0	0.00%
Rescue & EMS	56	61.54%
Hazardous Conditions	2	2.20%
Service Call	12	13.19%
Good Intent Call	7	7.69%
False Alarm and False Call	6	6.59%
Severe Weather & Natural Disaster	0	0.00%
Special Incident	1	1.10%
Total	91	100.00%

Operations/Training-

Staff, both career and volunteer, trained for a total of 300 hours during the month. Staff completed strenuous and physically demanding training on search and rescue techniques and scenarios in a commercial structure.

Department has 1 full time firefighter opening. This position is posted on the City webpage and the departments Facebook page.

Currently going through the process of credentialing for the department to be certified to respond to calls for service as a SC DHEC BLS agency. Setting up inspections from SC LLR, SC DHEC.

Firefighter Kyle Fox has completed his Candidacy period and graduated from the SC Fire Academy.

COMMUNITY RISK REDUCTION

207 E North Broad Street, Walhalla SC 29691
864-638-4345 Phone
864-638-2444 Fax

City of Walhalla Fire Department

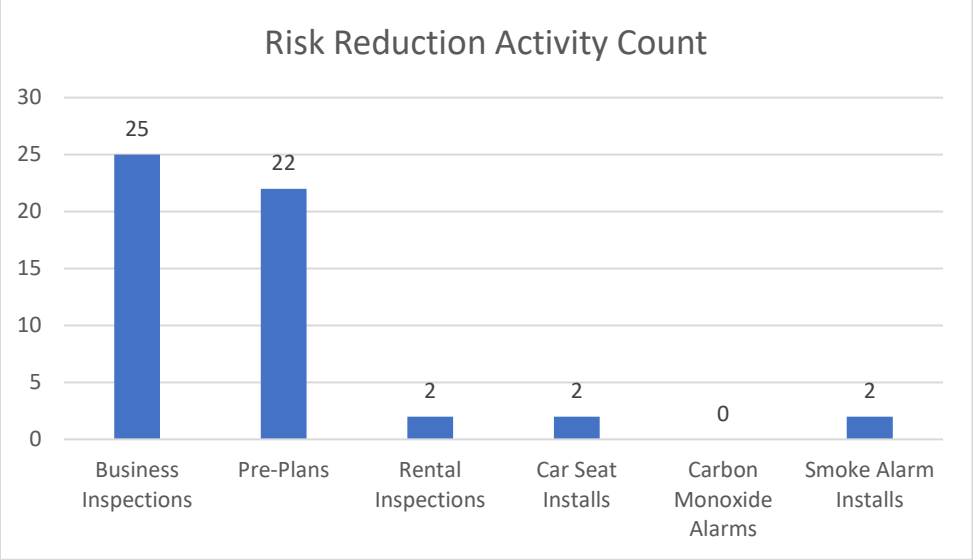
Home of the Mountaineer Engine Co. Est. 1871

Fire Marshal-

Continuing to complete pre fire plans and business inspections. Completing re-inspections as needed.

Fire Prevention/Life Safety-

Senior Firefighter Casali has been reaching out setting up community events for schools, local churches, and other groups. Working with Main Street Walhalla, Oconee County Veterans Council, and others for several upcoming events.



EMERGENCY MANAGEMENT

The following grants have been awarded:

- SC Municipal Association- $2,000
- SC Forestry Commission- $5,000
- FM Global- $5,243
- V-SAFE- $13,350

Please contact me should you have any questions.

Respectfully Submitted,

/s/ Will Bates
Will Bates, Fire Chief

207 E North Broad Street, Walhalla SC 29691
864-638-4345 Phone
864-638-2444 Fax

Subject: Report 3.7.23
Date: Tuesday, March 7, 2023 at 12:05:21 PM Eastern Standard Time
From: Catie Fisher
To: Brandon Burton
Attachments: image1.jpeg, image2.jpeg

Main Street Walhalla Report 3.7.23
-Catie Fisher

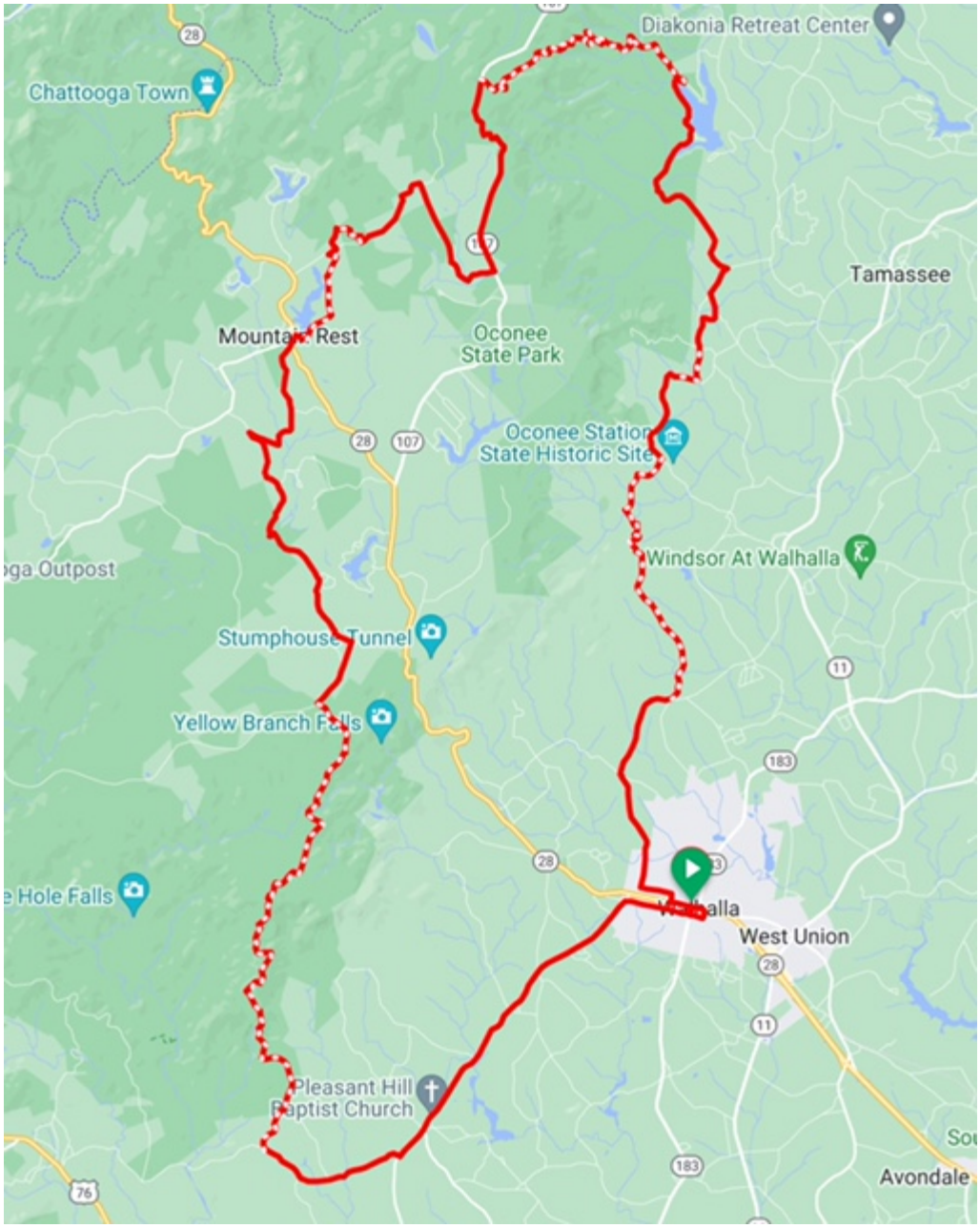
Main Street to the Mountains Festival - May 6th
-This festival will highlight downtown merchants, food and craft vendors, the Southeast Gravel "The Race to Valhalla" and the local community.
-The bike race will have a long course and a short course. The bike race will begin from brown square at 9am traveling down S. College St. (see attachment for maps of both courses).
-Main Street will be closed from College St. - Ann St. during the Festival. Vendors will be open 10am-3pm with everyone off the road by 4pm.
-We also welcome back Rock Creek Livery for more horse carriage rides.
-Applications for vendors will close April 28th.
-The vendor fee has been reduced to $25 for Handmade craft and food vendors.
-For non- handmade vendors the fee is $50 unless they provide a free community activity (kids crafts/games/facepainting etc..) then the fee is reduced to $30.
-Bluetooth music will be played over speakers on the sidewalks.

Walhalla United 2023
-First open house gathering was Feb. 6th 2023 at the Walhalla Performing Arts Center with appetizers made and donated by Gather Uptown.
-We had 5 speakers explain what their organizations' roles are and how that supports Walhalla Downtown Businesses.
Speakers included:
-Catie Fisher from Main Street Walhalla
-David Lyle from Walhalla Partners for Progress
-Charlotte Waters from Visit Oconee
-Brandon Burton from The City of Walhalla
-Dari McBride from Oconee Chamber of Commerce
-Following the speakers we broke the room into individual Q & A sessions.

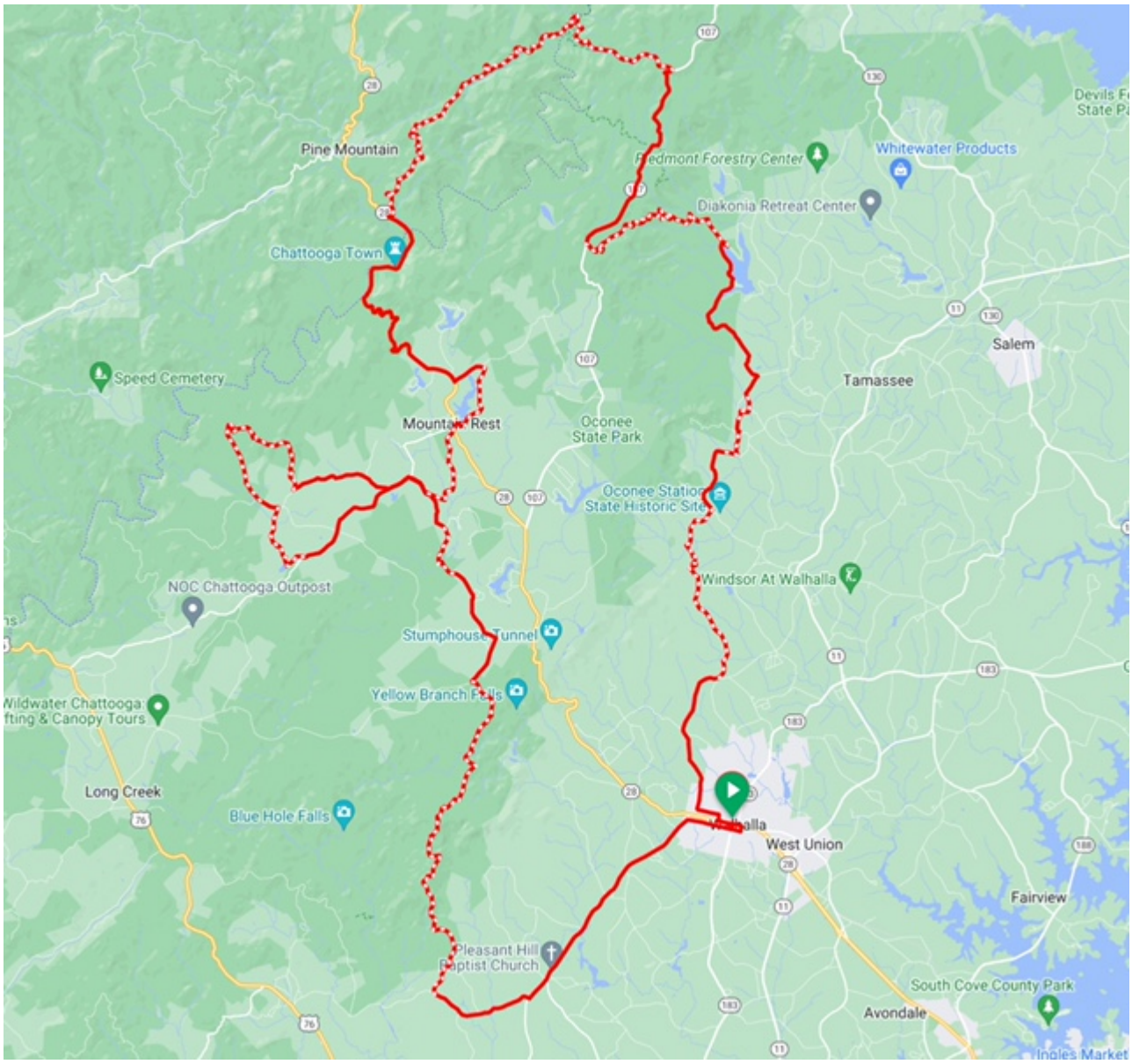
-This is a collaboration and partnership with Main Street Walhalla, The City of Walhalla, Walhalla Performing Arts Center, Oconee Chamber of Commerce, Visit Oconee, Greg Harris (owner of Gather Uptown), Melissa McCoy(owner of Corner Craft Boutique) and Alisuan Crenshaw(owner of the Mercantile Building, Sunni Ann, Glam Gal and Durham Hall). The purpose of our creating Walhalla United 2023 gatherings is to inform and support the Walhalla Downtown District Merchants. Each of these organizations provides unique experiences and feedback about Walhalla and the downtown district. We aim to create an open and honest support system for the Main Street businesses.

-The next Walhalla United 2023 gathering will be April 24th 6-8pm at the Walhalla Performing Arts Center.

Short Course



Long Course



Catie E. Fisher

“Unless someone like you cares a whole awful lot, nothing is going to get better, it’s not.” - Dr. Seuss The Lorax

City of Walhalla

Community Development

206 N Church St. • P.O. Box 1099 • Walhalla, SC 29691 • (864)-723-4141 • Fax (864) 638-4357 • www.CityofWalhalla.com

February 2023 Monthly Report

1. Drafted/Revised ordinances for backyard chickens/animal, short-term rental and ROW annexation ordinances
2. Received SCDOT Secretary of Transportation's consent to annex abutting (ROW)
3. Staffed Planning Commission; reviewed upcoming comprehensive plan updates and 4 draft ordinances
4. Staffed Board of Zoning Appeals (BZA) meeting
5. Continued revisions to the zoning ordinance
6. Worked with potential new businesses (Booker St, Catherine St, Main St & 3 food trailers)
7. Weekly IPMC enforcement restarted 2/15; letters sent to owners
8. Notification sent to property owners along Booker Dr regarding proposed rezoning
9. Attended Walhalla United event, over a dozen façade grant applications were distributed.
10. Permit administration (see totals below)
11. Fielded additional calls/emails regarding signage, subdivisions, set-backs, land use allowances, ADA regulations, stormwater management, food trucks, code violations, Planning Commission and the development process
12. General office and website management

Applications/Violations Processed, February 2023

Request	Monthly Totals
Zoning Permits	8
Violations (IPMC, Sign, Zoning, etc.)	42
Variances	0
Subdivision Permits (Preliminary/Final)	0
Special Exceptions	0
Sign Permits	1
Food Truck Permits	0
Fence Permits	1
Demolition Permits	0
Appeals	0

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Mr. Timothy B. Burton, City Administrator

City Administrators Report

Feb 2023

Administration

Handbook is in final stages; final edits were made and attorney is reviewing it one last time.

Email systems have been switched over for staff. Will be sending out a directory soon.

Working on a film permit process. We have had higher-than-normal requests for filming.

Staff has completed an Emergency Operations Plan, be for review at the next council meeting.

Catie Fisher has been named new Main Street Director. Official start date is Friday, March 10.

Recreation survey is closed. Will have the data and presentation at the council meeting.

Been meeting with ILR and Main Street to the Mountains festivals.

Independence Fest plans are in place for July 1-3. WPAC (Mark Thompson) is handling the entertainment for the 3 days.

New sanitation truck has been ordered.

Budget

Been receiving HTAX grant requests from several non-profits in Walhalla.

Working on compiling requests from departments

Working on debt retirement plan. Have several lease purchases that we need to pay off. It frees up recurring revenue for fund balance growth and other recurring expenses.

March 25- Enterprise Fund budget workshop. 9am City Hall

April 8- General Fund budget workshop. 9am City Hall

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Finance/Procurement/City Clerk

Budget reports have been sent out. Fund balance sheet is attached.

Fuel expenditures are over. Will use the fuel contingency set aside to cover.

Spending will be cut off April 1.

Audit is coming along. They have the final pieces together.

Projects

Stumphouse- Contractor is onsite, See attached report.

Walhalla Wanderweg Greenway- ACOG has phone conference tomorrow with the federal government concerning this and Pendleton's greenway.

Chicopee- Ordered materials to fabricate and install safety railing.

Waterline Improvement- NTP has been issued for the work. We have the bonds, COI, etc in hand.

Depot Decking- work is steadily progressing on the deck.

Electric Charging Stations- Duke has the final inspection approved. They should be online next week sometime. Will know more later this week.

Ross Mountain Parking- working with SCDNR on this.

S. Catherine – Contractor is finishing their proposal.

Sewer

Flat Rock is progressing. Should have final design plans this week. DHEC issued the permit for construction in January. If the SCIIP funds come through for OJRSA then this project will be fully funded.

ACCOUNT and FUND BALANCES AS OF 3/6/2023

First Citizens Bank:	Cash Balance
Main Operating #5001	$ 694,116.49
Credit/Debit Card #5401	$ 3,945,263.48
Westminster Line #4561	$ 598,103.15
Hospitality #7601	$ 589,088.19
Greenway #9425	$ 579,262.57
ARP #9053	$ 775,315.25
Stumphouse #9046	$ 342.63
CD West View Cemetary #1586	$ 3,993.27
CD #9586	$ 13,336.14
CD #1386	$ 17,299.59
CD #0986	$ 8,984.44
Oconee Federal Savings & Loan:	
Savings (UDAG) #0620	$ 257,597.74
CD #2910	$ 33,321.02
Local Gov't Investment Pool:	
Acct #1874	$ 160,495.06
Acct #1109 (UDAG)	$ 1,431,991.88
Total Cash	$ 9,108,510.90
Assigned/Restricted Funds (Table 1)	$ 5,979,270.70
Operating Contingency (180 days cash)	$ 1,800,000.00
Total Unassigned Balance	$ 1,329,240.20

Table 1. Assigned/Restricted Funds

General Fund Reserve	$	100,000.00	fuel contingency
Captial Improvement Fund	$	310,877.67	
Stumphouse Park Fund	$	821,333.75	
Cemetary Fund	$	3,393.27	
ARP Fund	$	775,315.25	
Hospitality Fund	$	589,088.19	
Greenway Fund	$	579,262.57	
Water Sewer XXXXXXXXXXXXXXXXX			
a) Depreciation	$	600,000.00	
b) Contingency	$	1,000,000.00	
c) O&M	$	-	annual budget
d) Revenue	$	-	Credit debit acct
e) Debt Service	$	1,200,000.00	insurance policy
f) Sewer I&I	$	-	
TOTAL	$	5,979,270.70	

PREPARED BY JOSEPH LITAKER 2/28/23

BLACK DIAMOND TRAIL DESIGNS



2023 REPORT

FEBRUARY REPORT

PROGRESS UPDATE OF THE STUMPHOUSE MOUNTAIN BIKE PARK PHASE 3 PRJOECT FOR THE CITY OF WALHALLA

PROJECT STATUS



This month we focused on getting access to the main road that goes down to the dam. This access road will be the main artery for moving equipment and personnel to and from each zone. We have signage up warning users of construction zones.

Our main crew has busted through 3,100 feet on Trail number 7. We've been through some interesting soils and springs. The trail flows awesome and with surely be a fan favorite!

Our second crew, is staring their trail with some super fun rolling grades, tight squeezes, and big anchor trees! This crew is being lead by Britt Signer and Bill Noel two local trail builders and long time advocatoes of trails for Walhalla. They are 1,700 feet into trail #12

Our third crew is gearing up to start the reconditioning of the advanced jump line Starting March 1st. Everyone.

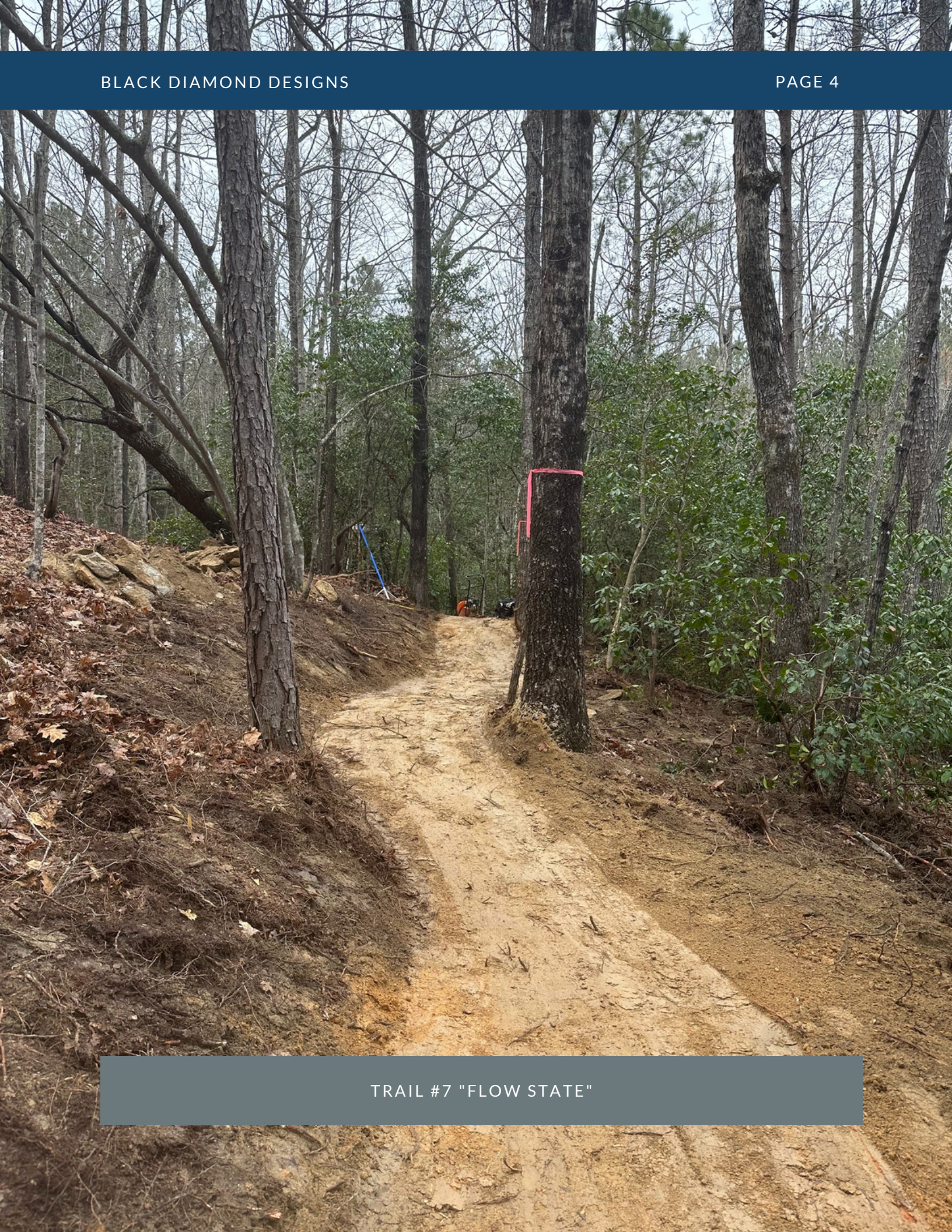
So far the weather has been moderately difficult but for February its been beautiful!



TRAIL #7 "CLAY WAVES"



TRAIL #7 "SWITCH-BERM"



TRAIL #7 "FLOW STATE"



TRAIL #12 "PEEKING OUT OF THE LAUREL "

BY THE NUMBERS

Gravity Park Scheduled to Start in July and will take 2 months to complete

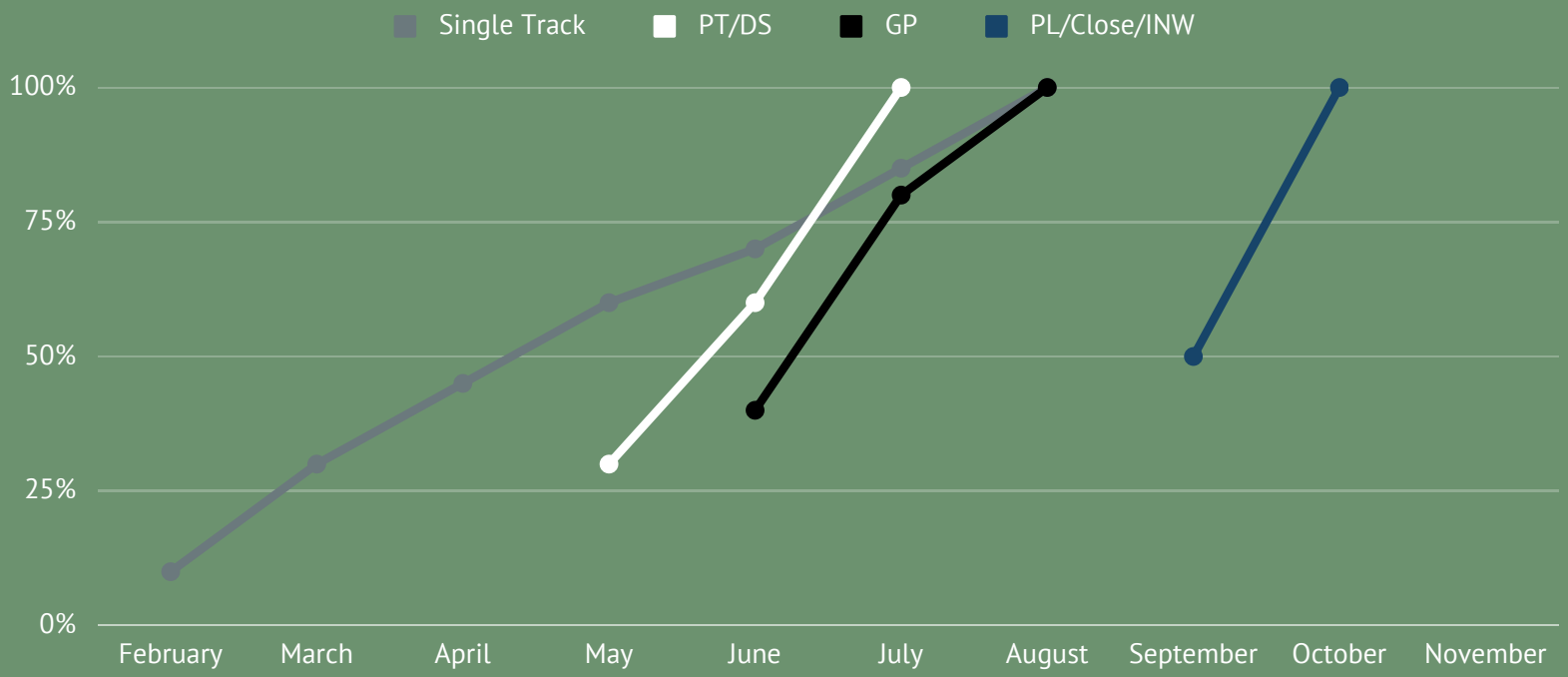
With a total of 9.23 Miles of new single track to be completed we are just under the 10% mark. Trail construction has been a 3 week effort for crew 1 and 2 week effort for crew 2. So average of 2.5 weeks of work for a result of 10% projects us out 5 months 3 weeks for single track completion (End of Aug).

Don't be alarmed though we have another crew coming March 1st. And and 4th crew after June. This sound have us completely done with the project by November

10%

Of Total Single Track complete

PROJECTED COMPLETION



City Council Committees

Current:

Finance/General Government
Police
Fire
Recreation
Community Development
Public Works
Public Utilities

Committee	Mayor	Council Seat 2	Council Seat 3	Council Seat 4	Council Seat 5	Council Seat 6	Council Seat 7
Finance Gen Govt	EO	X		X		X	
Police	EO		X		X		X
Fire	EO	X		X		X	
Recreation	EO		X		X		X
Community Development	EO	X		X		X	
Public Works	EO		X		X		X
Public Utilities	EO	X		X		X	

Figure 1.

X= denotes member
EO= denotes mayor (Mayor is ex-officio on all committees (non-voting)
Mayor appoints the committee the chair.
Committees meet monthly with other committees.

Proposed or some variation thereof:

Finance & Admin- council as a whole. Mayor is the finance & admin chair and votes.
Community Development & Planning- (planning, zoning, codes)
Public Safety- (fire and police)
Infrastructure- (utilities and streets and sanitation)
Recreation- (parks and rec)

Committee	Mayor	Council Seat 2	Council Seat 3	Council Seat 4	Council Seat 5	Council Seat 6	Council Seat 7
Finance & Admin	C	X	X	X	X	X	X
Public Safety	X	X		X	X		X
Infrastructure	X	X	X			X	X
CD & Planning	X		X	X	X	X	
Recreation	X	X		X	X		X

Figure 2.

C= denotes Chair
X= denotes member
Committee elects chair.
Each year committee assignments shift ahead. Seat 7 assignments returns to Seat 2.

Committees meet *as needed* throughout the year. Mayor appoints the committee, and the committee elects the chair.

Mayor Pro-Tempore

Mayor Pro-Tempore is elected at the ***first*** meeting of every calendar year.

Reports

Dept heads send reports to City Admin who then sends to committee chair. Chair gives the report at the council meeting. Dept heads are there to answer questions.

This model would allow either 1 or 2 “council” meetings a month.

STATE OF SOUTH CAROLINA)
COUNTY OF OCONEE) **ORDINANCE 2020-16**
CITY OF WALHALLA)

AN ORDINANCE PROVIDING FOR THE ELECTION OF MAYOR PRO-TEMP AND ESTABLISHING COMMITTEE DUTIES AND OTHER MATTERS RELATED THERETO

WHEREAS, Section 5-7-190 of the South Carolina Code requires that the Council elect from its membership a Mayor Pro Tempore for a term of not more than two years; and

WHEREAS, Section 5-7-190 of the South Carolina Code defines the role of Mayor Pro Tempore to serve during the absence or disability of the mayor. If a vacancy occurs in the office the Mayor Pro Tempore shall serve as Mayor until a successor is elected; and

WHEREAS, Section 5-7-250 of the South Carolina Code requires that Council shall determine its own rules of order of business; and

WHEREAS, the Walhalla City Council deems it beneficial to establish committees to research, study, obtain public input on matters important to the City

NOW, THEREFORE, BE IT RESOLVED, by the City of Walhalla, that:

Section 1. Meeting to Elect Mayor Pro Tempore.

The Council shall elect a Mayor Pro Tempore at the first meeting of a new Council.

Section 2. Method of Electing Mayor Pro Tempore

The Mayor Shall request nominations from the members of Council for the office of Mayor Pro Tempore. After nominations are closed, the members shall vote for the position. A Mayor Pro Tempore is elected when a member of Council has acquired a majority of the votes from the membership of Council.

Section 3. Term of Mayor Pro Tempore

The term of Mayor Pro Tempore shall be for two years. If the Mayor Pro Tempore cannot full fill the obligations of the office, then the members of Council shall vote a new Mayor Pro Tempore to complete the remainder of the term

Section 4. Standing Committees

The City shall maintain the following standing committees. 1) Utilities Committee 2) Fire Committee 3) Police Committee 4) Parks and Recreation Committee 5) Street and Sanitation Committee and 6) General Government and Finance Committee

Section 5. Committee Membership

The Mayor with the consent of Council shall appoint members to standing and temporary committees. Prior to the appointment, the Mayor shall request input from Council members regarding committee assignments.

Each committee shall have three members. One of the members shall serve as Chairman. The Mayor shall serve as an ex-officio member on all committees.

Section 6. Committee Meetings

Each committee shall meet a minimum of quarterly or as needed at the call of the Chairman who shall preside of each meeting.

Each committee shall be responsible for setting the conduct of its meetings provided that it doesn't conflict with State law.

Section 7. Duties of Committee

The Standing Committees shall formulate policies, investigate departments and make recommendations to Council concerning the operation of each department. Temporary committees shall make recommendations to Council.

Section 8. Severability

If any provision of this ordinance or the application hereof to any person or circumstance is held invalid, or in any exception to or limitation upon any provision contained herein be held to be unconstitutional, invalid or ineffective, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect, and to this end, the provisions of this ordinance are declared to be severable.

Section 9. Repealer

All Ordinances and parts of Ordinances that are in conflict with this Ordinance are hereby repealed.

Done and Ratified this 17th day of November, 2020.

Danny Edwards, Mayor

ATTEST:

Brent Taylor, City Administrator

Introduced By: Mr. Josh Roberts

First Reading: October 20, 2020

Second Reading

and adoption: November 17, 2020

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

ORDINANCE NO. 1976- 15

AN ORDINANCE TO CONTROL DOGS

BE IT ORDAINED by the Governing Body of the Town of Walhalla in Council duly assembled and by the authority of the same that:

SECTION I. ALLOWING DOGS IN HEAT TO PUBLIC VIEW.

It shall be the duty of the owner or any person having control or possession of any female dog or bitch to confine her securely and to keep her concealed from the public view while she is in heat. It shall be the duty of any policeman to kill or otherwise dispose of such bitch either on public or private property if she is not securely confined or concealed from view. Any owner or person having control or possession of such animal who shall fail, refuse or neglect to keep her securely confined or concealed while she is in heat shall be guilty of a misdemeanor and subject to a fine not to exceed Twenty-five Dollars ($25.00) or ten (10) days in the public jail of the city.

SECTION II. KEEPING OF VICIOUS DOGS PROHIBITED.

It shall be unlawful for the owner of any vicious, unruly or bad tempered dog willfully or negligently to permit such dog to run at large beyond the limits of his own lands or lands leased, occupied or controlled by him. The owner of any such vicious, unruly or bad tempered dog shall be required to keep the same confined upon his own lands or the lands leased, occupied or controlled by such person in a manner as such dog shall not be able to reach any person or animal not then on the lands owned, leased, occupied or controlled by said owner. Any vicious, unruly or bad tempered dog not confined so or restrained shall be and is hereby declared to be a public nuisance and may be disposed of by the city police in most humane manner possible.

SECTION III. BARKING DOGS A NUISANCE.

The howling or barking of any dog to such an extent or so continually as to materially interfere with or affect the health, comfort, peace and quiet or dignity of the public is hereby declared to be a nuisance and any person harboring or keeping in his possession such any animal who

shall fail and refuse to take such action or do such things as will abate such nuisance when requested to do so by the Mayor or the police department shall be guilty of a misdemeanor and shall be fined not more than Twenty-five Dollars ($25.00) or ten (10) days in jail upon proper conviction.

SECTION IV. DEFINITION.

Unless otherwise expressly stated, the term "dog" as herein used shall be and mean members of the canine family, four months or more of age, including foxes or other such canine animals.

SECTION V. ALL DOGS TO BE INNOCULATED AGAINST RABIES.

It shall be unlawful for any person to keep within the corporate limits of the city any dog which has not been innoculated against rabies as provided in this division and required in the South Carolina Code of Laws and not having a serially numbered metal tag, bearing the same number and year of the certificate of innoculation furnished by the person administering the vaccination as provided by the appropriate South Carolina laws.

SECTION VI. ALL DOGS TO CARRY TAG OR PROOF OF INNOCULATION.

Any dog or animal found upon the public street of the city unmarked or untagged or not wearing some identification or proof of innoculation against rabies as required herein, may be destroyed by any police officer.

SECTION VII. DOGS TO BE QUARANTINED IN CERTAIN INSTANCES.

Whenever it is shown that any dog has bitten any person, it shall be unlawful for the owner thereof to fail, refuse or neglect to quarantine such dog upon request of the proper city officials, including the Mayor, members of the city council or police officers and keep it tied or confined for a period of three weeks or to fail to refuse to allow such officer as may be appointed by the Town of Walhalla to make inspection or examination by officials thereof at any time during such period.

SECTION VIII. ABANDONED DOGS.

If it shall appear to police officers of the city in the execution of his duty that any dog has been abandoned or he believes same to be infected with rabies, he shall cause the dog to be humanely executed, forthwith.

SECTION IX. CRUELTY TO ANIMALS PROHIBITED.

It shall be unlawful for any person to mistreat, torment, torture, needlessly mutilate, cruelly kill, overwork, or overdrive or will-

fully abuse or inflict unnecessary pain upon any animal or cause the same to be done, whether such person be the owner of the animal or shall have custody of the same or not, and upon conviction of violation of this section, this person causing the ill treatment of any animal shall be, upon proper conviction, subject to a fine of not more than One Hundred Dollars ($100.00) or imprisonment for not more than thirty (30) days.

SECTION X. All ordinances of the Town of Walhalla inconsistent with the articles of this ordinance are hereby repealed.

DONE AND RATIFIED in Council Assembled.

Robert E. Gaillard

ROBERT E. GAILLARD, Mayor

ATTEST:

M. H. Westmoreland

Clerk & Treasurer

Introduced by: ~~Roy W. Phillips~~

First Reading: April 12, 1976

Final Reading and Adoption: April 26, 1976

COUNTY OF OCONEE)

STATE OF SOUTH CAROLINA) **ORDINANCE 2002-10**

CITY OF WALHALLA)

AN ORDINANCE FOR NOISE CONTROL

SECTION 1: DECLARATION OF NUISANCE AND PROHIBITIONS

1. Any unreasonably loud, disturbing or unnecessary noise which causes material distress, annoyance, discomfort, endangerment, or injury to a person of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.

2. Any noise of such character, intensity, and continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared a nuisance and is hereby prohibited.

SECTION 2: ILLEGALITY

For purposes of this section, "person" means any individual, partnership, association, corporation, or joint venture.

1. It shall be unlawful for any person to create or continue, or cause to be created or continued any such nuisance.

2. It shall be unlawful for any person, whether present or not, to allow or permit the creation or continuance of any such nuisance at or on the premises over which such person has dominion or control.

3. It shall be unlawful for any person to interfere with or obstruct any duly constituted law enforcement officer in the performance of his/her duties while enforcing the provisions of this Ordinance.

SECTION 3: ENUMERATION OF SPECIFIC ACTS

The following acts, among others, are declared to be nuisances in violation of this section, but such enumerations shall be exclusive.

1. Musical instruments, radios, phonographs, etc.

The using, playing or operating or permitting the use, play, or operation of any musical instrument, radio, phonograph, cassette player, compact disc player, television set, or other

machine or device for the producing or reproducing of sound in such a manner or with such volume as to disturb the peace, quiet, comfort, and repose of persons nearby.

2. Loudspeakers and amplifiers.

The use of loudspeakers or amplifiers in such a manner or with such volume as to disturb the peace, quiet, comfort, and repose of persons of ordinary sensibilities in the immediate vicinity thereof.

3. Yelling, shouting, etc.

Yelling, shouting, hooting, or making or causing to be made any loud, boisterous, and unreasonable noise which disturbs other persons of ordinary sensibilities in the immediate vicinity thereof.

4. Operation of vehicles.

The running of any automobile, motorcycle or other vehicle so out of repair, so loaded, or in such a manner as to create excessively loud noise or unnecessary grating, grinding, jarring, rattling or vibrating noise, the racing of any motor vehicle engine while such vehicle is not in motion, except when necessary to do so in the course of repairing, adjusting or testing the same between the hours of 7:00 am and 10:00 p.m.

5. Horns and other signal devices on vehicles.

The sounding of a vehicle horn or signal device except as a danger or warning signal, the continued or frequent sounding of any vehicle horn or signal device for an unnecessary or unreasonable period of time.

6. Construction work.

The erection, excavation, demolition, renovation, alteration, or repair work on any building or building site, or the clearing of any tract of land between the hours of 10:00 p.m. and 6:00 am which results in excessive and disturbing noise, except in cases of urgent necessity in the interest of public convenience or safety.

7. Near schools and churches.

Any excessive noise in the vicinity of a church, school, or other institution of learning, or court of law while the same is in session or rest home, nursing home, or residential care center which unreasonably interferes with the working of such institution(s) or which unduly disturbs residents, patients, students and/or those in attendance at such institutions.

SECTION 4: <u>EXCEPTIONS</u>

This ordinance does not apply to noise emanating from industrial and manufacturing operations, governmental activities, airports and aircraft, railways, emergency signal devices, firearms discharged as a result of lawful game hunting, agricultural activities, parades, carnivals, school band practice or performances, and school or government sponsored athletic events.

Additionally, this ordinance does not apply to noise between the hours of 7:00 am - 10:00 pm which emanates from lawn and yard maintenance activities, tree harvesting or clearing, or explosives for construction and land clearing.

Any lawful business operating as of the date of this ordinance that is not in compliance with this ordinance and does not fall under exceptions set out in this ordinance shall have six (6) months from the date of this ordinance to come into compliance with this ordinance.

Any lawful business or activity operating as of the date of this ordinance that is not in compliance with this ordinance and does not fall under exceptions set out in this ordinance will nevertheless be considered to be in compliance with this ordinance if said lawful business or activity has existed or occurred on or at its present location and made noise that is not in compliance with this ordinance prior to the complaining party moving to an area that is affected by the noise.

SECTION 5: ENFORCEMENT

The City of Walhalla Police Department or any duly constituted law enforcement officer will enforce the provisions of this ordinance. After receiving a complaint and upon a finding by the officer of a violation, or upon the occurrence of a violation in the officer's presence which would be in the public interest to quell, the officer may take any one of the following actions:

1. Warn the offender who will have the opportunity to immediately abate the offending noise without penalty. If the violation continues or reoccurs the officer may cite or arrest the violator.
2. Issue a courtesy summons to appear in municipal court.
3. Make a custodial arrest.

Officers may consider the following factors, among others, when deciding the appropriate method of enforcement.

- number of citizen complaints
- proximity and density of nearby dwellings or other occupied structures or areas
- prior complaints regarding the same offender or same location
- cooperation of violator and likelihood of compliance
- nature and volume or intensity of noise
- time of day

SECTION 6: PENALTIES

Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and shall for every offense be punished by imprisonment in jail not exceeding thirty (30) days or by a fine not exceeding five hundred dollars (500.00), or both. Each day on which there is any violation of this ordinance shall constitute a separate and distinct violation and offense.

SECTION 7: SEVERABILITY

If any word, term provision or section hereof is determined to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the remaining terms, provisions or sections shall not be affected thereby and shall remain in full force and effect.

DONE AND RATIFIED in Council duly assembled this 17th day of Sept., 2002.

William R. Whitmire, Jr.
William R. Whitmire, Jr., Mayor

ATTEST:

Nancy H. Goehle
Nancy H. Goehle, City Administrator

Present by: Mr. Chastain

First Reading: 8/20/02

Second Reading & Adoption: 9/17/02

Subject: Re: Definitions
Date: Friday, March 3, 2023 at 6:15:46 PM Eastern Standard Time
From: Tim Rice
To: Brandon Burton, Walhalla SC

External (trice@walhallapd.org)

Report This Email FAQ GoDaddy Advanced Email Security, Powered by INKY

Vicious animal means an animal with a propensity, tendency or disposition to attack, to cause injury, or to otherwise endanger the safety of human beings or domestic animals; or any animal which attacks a human being or domestic animal one or more times without provocation; or any animal which has been quarantined for the second time for biting humans.