

Mr. Danny Woodward, Mayor Pro Tem
Ms. Sarai Melendez, Councilwoman
Mr. Keith Pace, Councilman
Mr. Tyler Jordan, Councilman

Mr. Danny Edwards, Mayor

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**

CITY OF WALHALLA

"MAIN STREET to the MOUNTAINS"

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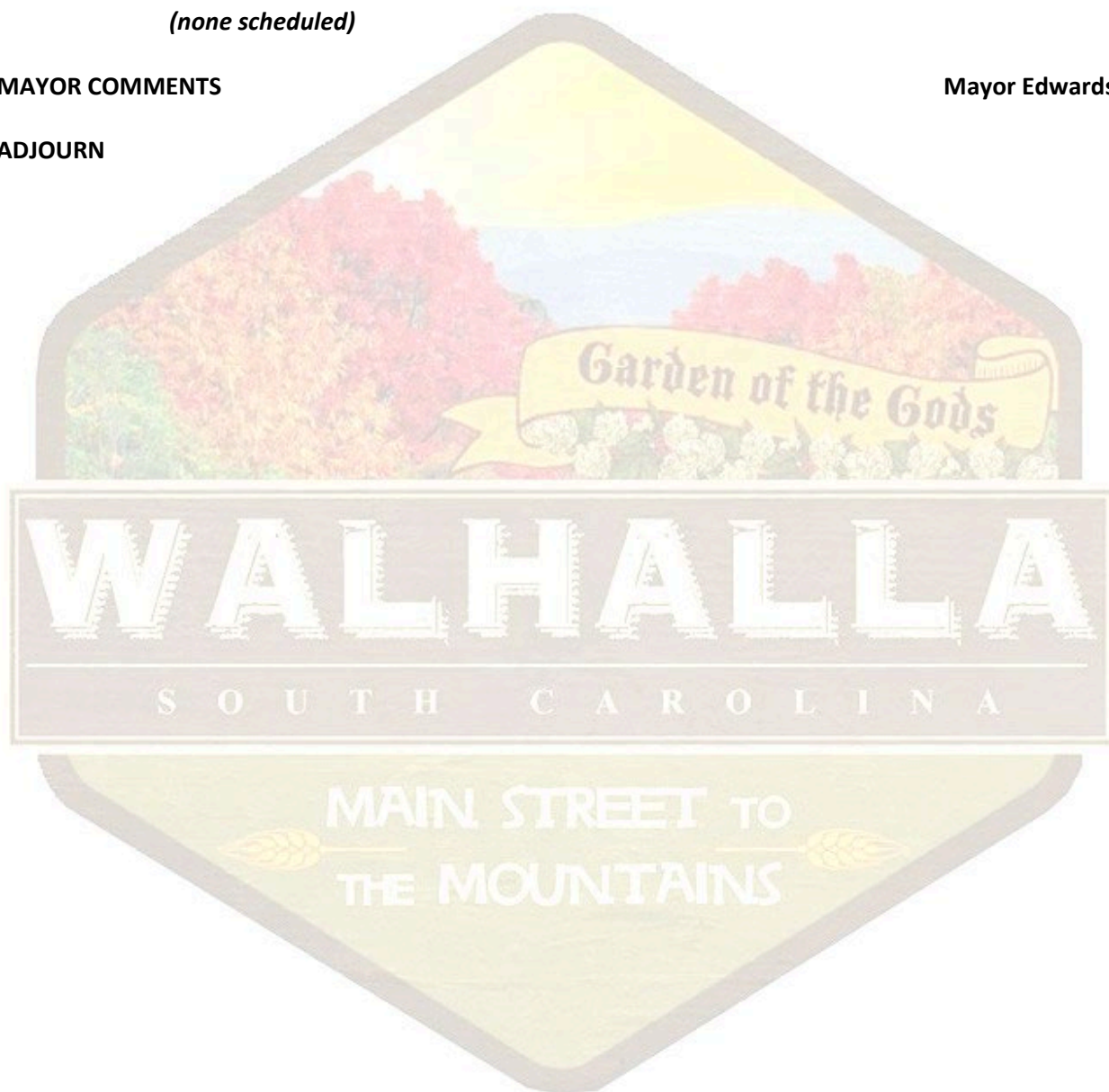
EXECUTIVE SESSION (to include Vote and/or Action on matters brought up for discussion, if required)

(none scheduled)

MAYOR COMMENTS

Mayor Edwards

ADJOURN



City Council 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)
CITY OF WALHALLA)

ORDINANCE 2020-16

**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 ~~ver~~drive 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. Westlund
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: EXCEPTIONS

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