



# CITY OF WALHALLA

*Main Street to the Mountains*

## AGENDA

### WALHALLA CITY COUNCIL MEETING

March 19, 2024

5:30 PM

City Hall | 206 N Church St, Walhalla, SC

Tim Hall  
Mayor

Keith Pace  
Mayor Pro-Tem

Grant Keehn  
Councilman

Sarai Melendez  
Councilwoman

Josh Thomas  
Councilman

Josh Holliday  
Councilman

Kenny Johns  
Councilman

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Michael Kozlarek  
City Attorney

Celia Boyd Myers  
City Administrator

I. **Call to Order and Welcome**

Mayor Hall

II. **Moment of Silence**

III. **Pledge of Allegiance**

IV. **Approval of Agenda**

V. **Approval of Minutes**

A. Regular Council Meeting, February 20, 2024

B. Committee Meeting, March 3, 2024

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

VII. **Mayoral Proclamations:**

A. Proclamation 2024-03: A Proclamation to Declare April as Fair Housing Month

VIII. **First and Final Reading of Resolutions:**

A. Resolution 2024-04: A Resolution to Recognize Isaac Kanagy for Achievements in Oratory

B. Resolution 2024-06: A Resolution to Recognize Walhalla 10&U Boys Basketball for making it to State

IX. **Presentation**

A. Main Street, Jenny Boulware

X. **Administrator's Report**

A. Monthly Reports

XI. **Second, Final Reading and Public Review of Ordinances:**

A. Ordinance 2024-02: An ordinance to amend Chapter 330, Article III, Section 1.14 R-25 Single Family Residential District



# CITY OF WALHALLA

*Main Street to the Mountains*

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- B. Ordinance 2024-03: An ordinance to amend Chapter 199, Section 2 Construction Standards for Manufactured Homes
- C. Ordinance 2024-04: An ordinance to amend Chapter 330, Article III, Section 1.10 Downtown Development Overlay District Regarding Approval for Murals and Article V, Section 1.25 Sign Regulations Regarding Approval for Free-Standing Signs Within the Downtown Design Overlay
- D. Ordinance 2024-05: An ordinance to merge the Tree Committee and Beautification Committee
- E. Ordinance 2024-06: An ordinance amending the Business License Ordinance of the City of Walhalla to update the class schedule as required by act 176 of 2020

Tim Hall  
Mayor

Keith Pace  
Mayor Pro-Tem

Grant Keehn  
Councilman

Sarai Melendez  
Councilwoman

Josh Thomas  
Councilman

Josh Holliday  
Councilman

Kenny Johns  
Councilman

## XII. **First Reading of Ordinances:**

- A. Ordinance 2024-07: An ordinance to amend Chapter 310 Water and Sewers
- B. Ordinance 2024-08: An ordinance to amend Chapter 25 Economic Development Incentive Program
- C. Ordinance 2024-09: An ordinance to amend the FY23 Budget Appendix A related to Rental Fees

## XIII. **Discussion and/or Action Items** *(to include Vote and/or Action on matters brought up for discussion, if required)*

- A. Wage and Compensation Study
- B. Zoning Code Update

## XIV. **Executive Session** *(to include Vote and/or Action on matters discussed, if required):*

- A. Real Estate Matter: City Owned Property
- B. Contractual Matter: Water Contract

## XV. **Mayor Comments**

Mayor Hall

## XVI. **Adjournment**

**City of Walhalla**  
**City Council**  
**Tuesday, February 20, 2024 • 5:30 PM**  
**Council Chambers • City Hall**  
**Walhalla, South Carolina**  
**Minutes**

*In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.*

**Councilmembers Present:** Mayor Tim Hall, Mayor Pro Tem Keith Pace, Grant Keehn, Sarai Melendez, Kenny Johns, and Josh Thomas

**Councilmembers Absent:** Josh Holliday

**Staff Present:** Celia Myers, Kaylee Osbon

**Call to Order:** Mayor Hall called the meeting to order at 5:30 PM, with a quorum present to conduct the meeting and welcomed all present to the meeting.

**Moment of Silence:** Mayor Hall called for a moment of silence.

**Pledge of Allegiance:** Mayor Hall asked for a councilmember to lead the Pledge of Allegiance.

**Approval of Agenda:** Mayor Hall called for a motion to approve the agenda. The agenda was unanimously approved.

**Approval of Minutes:** Mayor Hall called for the approval of the following minutes January 16, February 1 and February 6. The minutes were unanimously approved.

**Public Comments:** Mayor Hall called for any public comments. Mrs. Caroline Harris presented a presentation on the Bailey Bill. Mrs. India Lancaster expressed that she was running for a county seat.

**Administrator's Comments:** Mrs. Myers presented the monthly reports as presented in the packet.

**Ordinance 2024-02: An Ordinance to Amend Chapter 330, Article III, Section 1.14 R-25 Single Family Residential District**

Mrs. Myers gave a brief overview of what Ordinance 2024-02 is and the changes that are requested from Planning Commission. She expressed that there is a need for affordable housing in the City of Walhalla. Mr. Johns asked Mrs. Myers if this would be the size of a tiny home. Mrs. Myers stated that is not really like a tiny home because if it over 501 square feet then it does not meet the codes for the city to be considered one. Mayor Hall called for a motion to discuss the ordinance. Mr. Johns moved to approve; Mr. Pace seconded. Mr. Keehn stated that he thought this was a great idea because the City is in shortage of homes. Mr. Keehn asked why it was not R-15? Mrs. Myers explained that Planning Commission believes that R-15 would be too small. Mr. Keehn stated that most people would need this would have a R-15 and they should be able to do what they want with their property. Mr. Thomas asked if Mr. Keehn had a suggestion for what size he thinks it should be at and Mr. Keehn stated a R-15 should be plenty of space. Mayor Hall stated that he could see the potential issue for public safety if they went with the R-15. Mr. Pace explained that they must also think of infrastructure as well because it can only support so much. Mr. Thomas stated that the City has a limit of water taps. Mr. Pace then stated that residents could ask for a variance with R-15. Mr. Keehn suggested that Director Scott Parris give more information about the infrastructure. Ordinance 2024-02 passed to a second reading unanimously.

### **Ordinance 2024-03: An Ordinance to Amend Chapter 199, Section 2 Construction Standards for Manufactured Homes**

Mrs. Myers gave a brief overview of Ordinance 2024-03 and Planning Commission's suggested changes. Mr. Pace moved to approve; Mr. Johns seconded. Mr. Keehn stated that roof pitch was not that big of a deal. Mr. Thomas asked if this would make it easier for manufactured homes to be placed within City limits. It would not. Mr. Pace made a motion to amend to add gable roof; Mr. Johns seconded. Mr. Thomas asked for clarification and if this would make it harder for manufactured homes and Mr. Pace stated if it is gable roof. Mr. Keehn stated that it should not matter what the roofs look like. Mr. Thomas expressed that they should take care of the property so property value does not go down. He asked if allowed now. Mrs. Myers explained that single section manufactured homes were not allowed in the City, but owners in General Residential (GR) zones can apply for a special exception for a multi-sectional manufactured home. Mayor Hall stated that everyone was making good points and that they should narrow down the roof pitch and correct oversights. Mr. Johns stated most manufactured homes have certain standards they have to follow. Ms. Melendez asked if this would affect current home owners and Mrs. Myers explained it would not, only future properties. Mr. Pace stated that the height of the pitch needs to change. The motion to amend did not pass with a vote of 3-3. Ordinance 2024-03 passed and moves to second reading 5-1; Mr. Thomas opposing.

### **Ordinance 2024-04: An ordinance to amend Chapter 330, Article III, Section 1.10 Downtown Development Overlay District Regarding Approval for Murals and Article V, Section 1.25 Sign Regulations Regarding Approval for Free-Standing Signs Within the Downtown Design Overlay**

Mrs. Myers gave a brief overview of Ordinance 2024-04 and Planning Commission's suggested changes. Mr. Pace moved to open for discussion; Mr. Keehn seconded. Mr. Thomas asked if someone was denied a mural at Planning Commission if they are notified of the appeal process. Mrs. Myers explained they are given the process immediately. Mr. Thomas then asked if council was notified because he is not thrilled of not knowing what is and is not passed. He stated that he does not like the idea of passing the buck to someone else. Ms. Melendez said that she appreciates what Mr. Thomas was stating and agreed that a communication process is important. Mrs. Myers explained that they should receive emails of the Commission and Board agenda packets plus monthly reports from the Zoning Administrator. Ms. Melendez asked if there are guidelines they have to follow and Mrs. Myers stated that there are. Mayor Hall expressed that he believes Walhalla should be an easy place to open a business and requested that a monthly report be made to know what is happening. Ordinance 2024-04 passed and moves to second reading 5-1; Mr. Thomas opposing.

### **Ordinance 2024-05: An ordinance to merge the Tree Committee and Beautification Committee**

Ms. Melendez moved to open for discussion; Mr. Pace seconded. Mrs. Myers explained that the Beautification Committee has similar responsibilities as the Tree Committee and recommends that they merge as one. Ordinance 2024-05 passed to a second reading unanimously.

### **Ordinance 2024-06: An Ordinance Amending the Business License Ordinance of City of Walhalla to update the class schedule as required by act 176 of 2020**

Mr. Pace moved to open for discussion; Ms. Melendez seconded. Mrs. Myers explained that this is a state requirement and then Mr. Pace reiterated that this is a requirement from the state. Ms. Melendez asked if by doing this the City would be up to date with state code. Mrs. Myers said that is correct. Ordinance 2024-06 passed to a second reading unanimously.

### **Resolution 2024-02: A Resolution to Implement a Strategic Communication Plan**

Mayor Hall read Resolution 2024-02: A Resolution to Implement a Strategic Communication Plan. Mr. Johns made a motion to approve Resolution 2024-02; Mr. Pace seconded. The resolution unanimously passed.

### **Civic and Non-profit Organizations use of the Depot**

Mrs. Myers explained that this discussion may need to go before the PRT and/or the Finance Committee. She explained that there are several groups that use the Depot for free and the City would like a policy on

what is and is not allowed for the rental. Mr. Keehn, Mr. Thomas, and Mr. Pace all agreed that everyone should be treated equally. Mr. Pace suggested it go before the PRT Committee.

#### **Capital Purchase Request: Shop Enclosure and Roll Doors**

Mrs. Myers explained that the request is for \$25,000 and that there is money for it the budget. Mayor Hall asked if there was enough in the budget and Mrs. Myers said that there is. Mr. Pace made a motion to approve the purchase; Mr. Keehn seconded. The motion unanimously passed.

#### **Capital Purchase Request: Stumphouse Park Ranger Truck**

Mrs. Myers explained that the Ranger Truck would come from an appropriation for the Stumphouse Park and the City has the money in the budget and would not affect any other projects funding. She then explained they currently have a truck but it is not in adequate shape. Mayor Hall asked if there was enough in the budget and Mrs. Myers said that there is. Mr. Keehn made a motion to go with Chief Rice's recommendation for a new Park Ranger truck; Mr. Pace seconded. The motion unanimously passed.

#### **Executive Session**

Mr. Pace moved to enter executive session in order to discuss a real estate matter regarding a City owned property. Mr. Johns seconded. The motion to enter executive session was unanimous. Council entered executive session at 6:56 PM.

#### **Mayor Comments**

Mayor Hall thanked staff for all they have done and announced the Budget Workshop for February 27 at 5:30 PM in the Council Chambers.

Hearing no further business, the meeting adjourned at 7:32 PM, with a motion by Ms. Melendez and a second by Mr. Pace.

Respectfully Submitted,

Kaylee Osbon, MBA

**City of Walhalla  
City Committee Meeting  
Tuesday, March 5, 2024 • 5:30 PM  
Council Chambers • City Hall  
Walhalla, South Carolina  
Minutes**

*In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, the media was duly notified of the date, time, and place of the meeting.*

**Councilmembers Present:** Mayor Tim Hall, Mayor Pro Tem Keith Pace, Grant Keehn, Josh Thomas, and Josh Holliday

**Councilmembers Absent:** Sarai Melendez and Kenny Johns

**Staff Present:** Celia Myers, Kaylee Osbon, Russ Price, John Galbreath, Mark Bloomer, Breanna Richardson, Davy Lee, Andrew Martinez, and Scott Parris

**Welcome:** Mayor Hall called the meeting to order at 5:30 PM and welcomed all present to the meeting.

**Moment of Silence:** Mayor Hall called for a moment of silence.

**Pledge of Allegiance:** Mayor Hall asked Councilmember Keehn to lead the Pledge of Allegiance.

**Approval of Agenda:** Mayor Hall called for a motion to approve the agenda. Mr. Pace moved to approve the agenda; Mr. Holliday seconded. The agenda was unanimously approved.

### **Finance Committee**

Mr. Johns was absent. Mr. Pace explained that there is nothing new to share. However, he is pleased with the feedback he has received from the video from the Budget Workshop. Mr. Holliday stated that the school does not lease laptops.

### **Public Works Committee**

Mr. Russ stated that they do have any updates, other than his department is looking into applying for grants. Mr. Galbreath explained the various maintenance upkeeps that his department has completed this past month. Mrs. Myers explained that she would for staff to look into landscaping around the shop to shield some of the equipment that is all around the grounds. Mr. Pace asked about a stormwater drain off of Main Street. Mr. Russ stated that SCDOT is aware and has fixed it in the past. Mr. Keehn explained that he had the privilege of riding along one of the routes and learning more about the ins and outs of Sanitation. Mr. Holliday stated he appreciated that all staff was doing.

### **Parks, Recreation, & Tourism**

Ms. Melendez was absent. Ms. Richardson provided an update for the Recreation Department. She stated they hosted the 10&U State Basketball Tournament. Mr. Thomas stated that it had a great turn out and it went very well. Ms. Richardson then explained they have a total of 12 sponsorships and counting. Mrs. Myers then presented on the Civic and Non-Profit groups proposal. She explained there is some confusion on who and what to charge certain groups and staff would like a policy to follow. Mr. Holliday stated that we cannot offer a discount or free to one group and not another, that is needs to equal for all. Mr. Holliday and Mr. Thomas both stated they did not see a problem with City employees being about to use a city facility for free once a year. Mr. Holliday made a motion to bring the proposal to council to discuss; Mr. Thomas seconded. The motion passed 2-0.

## **Planning and Community Development**

A quorum was not present; Ms. Melendez and Mr. Johns were not present. However, Mr. Brian Blackwell City's Building Official, gave an informative presentation on HVAC codes per state code.

## **Utilities**

Mr. Parris explained that there is a new development outside of city limits that is requesting a water tap. He explained that they could use the gravity method or would have to create a new pump station for area. Mr. Pace pointed out that if we go with the pump station option the City would gain nothing from this deal because of the cost of maintenance and crew for the new station. Mr. Parris agreed that gravity would be better. Mr. Thomas made a motion for Mr. Parris to give the gravity option to the developers; Mr. Pace seconded. The motion passed 3-0. Mr. Parris then gave an explanation as to why the 10" and 20" line upgrades are important because they allow for much need upgrades to increase the quality of water. Mrs. Myers asked for the committee to bring an ordinance to council that needs to be updated for legal reasons. Mr. Pace made a motion to bring the updated ordinance to council; Mr. Thomas seconded. The motion passed 3-0. Mr. Parris also stated that the phone upgrades have been taken place and numbers should be porting over by the end of the week. The committee also decided to have a Water Plant tour on March 22.

## **Public Safety**

A quorum was not present; Ms. Melendez and Mr. Johns were not present.

## **General Government**

Mrs. Myers gave a brief overview of the Economic Incentives the City offers, primarily, looking at the one within City Ordinance. Mayor Hall noted that he would like to see criteria created for the initiative. Mr. Thomas stated that he believes this helps businesses come and stay in Walhalla. Mr. Keehn disagrees and believes this should not be allowed. Mayor Hall made a motion to bring to full council; it was seconded. The motion passed 4-1, with Mr. Keehn opposing.

## **Mayor Comments**

None were provided.

Hearing no further business, the meeting adjourned at 7:34 PM, with a motion by Mr. Pace and a second by Mr. Holliday.

Respectfully Submitted,

Kaylee Osbon, MBA

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

RESOLUTION 2024-03

**A RESOLUTION TO RECOGNIZE ISAAC KANAGY FOR ACHIEVEMENTS IN ORATORY**

**WHEREAS**, Isaac Kanagy, a sophomore at Walhalla High School, has demonstrated exceptional talent and dedication in oratory; and

**WHEREAS**, Isaac Kanagy emerged victorious in the South Carolina State American Legion Oratorical competition held in Columbia, triumphing over three other outstanding students from across the state; and

**WHEREAS**, Isaac Kanagy's remarkable achievement not only reflects his personal commitment to excellence but also brings great pride and honor to the Walhalla American Legion, Walhalla High School, and the entire community of Oconee County; and

**WHEREAS**, Isaac Kanagy's success in the South Carolina competition has earned him the opportunity to represent our state at the National American Legion Oratorical competition in Michigan, where he will compete for the prestigious national title and over \$35 thousand dollars in scholarship awards; and

**WHEREAS**, Isaac Kanagy's dedication and talent have already been recognized through the attainment of over \$4 thousand dollars in scholarship funds;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Walhalla, extends its heartfelt congratulations to Isaac Kanagy for his outstanding achievement in winning the South Carolina State American Legion Oratorical competition and commends Isaac Kanagy for his dedication, hard work, and exemplary representation of the community of Walhalla High School and Oconee County.

**AND IT IS SO RESOLVED** this 19<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Mayor Tim Hall

Attest:

\_\_\_\_\_  
Celia Myers. City Administrator



State of South Carolina )

Resolution 2024-04

County of Oconee )

City of Walhalla )

**A RESOLUTION HONORING THE WALHALLA 10 AND UNDER BASKETBALL TEAM AND THEIR COACHES FOR THEIR OUTSTANDING ACHIEVEMENT IN ADVANCING TO THE STATE TOURNAMENT**

**WHEREAS**, the City of Walhalla takes immense pride in recognizing and celebrating the accomplishments of its youth in sports; and

**WHEREAS**, the Walhalla 10 and Under Basketball Team, under the guidance of their coaches Isaac Williamson, Caleb Williamson, and Jamie Garland, has exhibited exceptional skill, dedication, and sportsmanship throughout their season; and

**WHEREAS**, the team consisting of Weston Alexander, Sully Garland, Silas Holliday, Asher Lusk, Avery McCaffrey, Colton Reid, Jax Roach, Cole Suttles, Braxton Taylor, and Jase Williamson has demonstrated remarkable teamwork and perseverance; and

**WHEREAS**, the hard work and guidance of their coaches have played a pivotal role in the team's success, instilling in them the values of discipline, resilience, and unity; and

**WHEREAS**, their collective efforts have resulted in their qualification for the State Basketball Tournament, hosted in the City of Walhalla, a testament to their talent, dedication, and commitment to excellence; and

**WHEREAS**, the City of Walhalla wishes to extend its deepest appreciation and congratulations to the players, coaches, and supporters of the Walhalla 10 and Under Basketball Team for their outstanding achievement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WALHALLA**, that the Walhalla 10 and Under Basketball Team and their coaches, Isaac Williamson, Caleb Williamson, and Jamie Garland, are hereby recognized and congratulated for their remarkable accomplishment of advancing to the State Tournament.

**AND IT IS SO RESOLVED** this 19<sup>th</sup> day of March 2024.

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Mayor Tim Hall

Attest:

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Celia Myers, City Administrator

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hereas, the City of Walhalla does not currently have many vacant, buildable lots; and

hereas, the City of Walhalla needs more housing; and

hereas, the City of Walhalla Planning Community Development Department and Planning Commission are currently responsible for enforcing zoning regulations and reviewing permit applications;

Not herefore it is ordained and enacted by the Mayor and Councilmembers of the City of Walhalla, in Council assembled, that Chapter 330, Article III, Section 1.14 shall be amended as follows:

Article III

Establishment of Con Districts Rules for Interpretation of Boundaries Application of District Regulations

§330-1.14. 2 in le family Residential District

B. Permitted uses. The following building and uses shall be permitted in any R-25 Zoning District.

- (1) Single-family dwellings, detached (other than mobile homes);
(2) Cultivation of land general gardening, horticulture or growing agricultural crops, and plant nursery and sales;
(3) Accessory building and structures in conjunction with permitted uses as prescribed in §330-1.46.
(4) An accessory dwelling unit subject to the following conditions:
(a) Only one accessory dwelling unit is permitted per lot. The accessory dwelling unit must be site built.
(b) Separate detached garages and separate accessory dwelling units are not permitted on the same lot. Accessory dwelling units may be created as a second story within detached garages if the height of the accessory dwelling unit on top of the garage does not exceed 28 feet.
(c) The gross floor area of an accessory dwelling unit must not exceed 50

percent of the principal building’s floor area. The building footprint of the accessory dwelling unit shall not exceed 40 percent of the living area of the principal residence. The “building footprint” includes patios and porches.

- (f) One off-street parking space must be provided for each bedroom within an accessory dwelling unit.
- (g) The maximum permitted height for an accessory dwelling unit is one story.
- (h) All required permits must be obtained prior to construction of the accessory dwelling unit. The accessory dwelling unit must comply with applicable requirements of the International Building Code and other applicable federal, state, or local codes.
- (i) The accessory dwelling unit must be completely detached from the principal structure.
- (j) The accessory dwelling unit must be placed on the rear of the property. It must be located at least 10 feet from the rear property line and at least 10 feet from side property line.

Duly assembled this [ ] Day of [ ] 2024.

[ ]

Tim Hall, Mayor

(seal)

A [ ]

[ ]

Celia Boyd Myers, City Administrator

Introduced By: [ ]

First Reading: February 20, 2024

Public Hearing,  
Second Reading

And Adoption: [ ]

## Background on roof pitch requirements:

A steeper roof of 4/12 or more will make a manufactured home look much more like a conventional home. Many manufactured homes come with a 3/12 roof pitch, but some can be upgraded to a 4/12, 5/12 or greater. Usually pitches of 5/12 are limited to modular homes with hinged roofs, so they can be transported within height limits.

In addition to aesthetics, it is believed a roof with a 4/12 pitch may also be better for shingles than a standard 3/12 pitched roof, assuming a shingled roof vs metal. Below is an image showing the angle of various roof pitches.



SECTION 1.01.01.01.01.01 )

SECTION 1.01.01.01.01.01 )

ORDINANCE 202-03

SECTION 1.01.01.01.01.01 )

**AN ORDINANCE OF THE CITY OF WALHALLA, SOUTH CAROLINA, TO AMEND CHAPTER 199, SECTION 2, OF THE CITY CODE OF WALHALLA, SOUTH CAROLINA, TO REMOVE THE REQUIREMENT THAT A MOBILE HOME BE BUILT ON A LOT ZONED GENERAL RESIDENTIAL; AND TO AMEND THE CITY CODE OF WALHALLA, SOUTH CAROLINA, TO REMOVE THE REQUIREMENT THAT A MOBILE HOME BE BUILT ON A LOT ZONED GENERAL RESIDENTIAL; AND TO AMEND THE CITY CODE OF WALHALLA, SOUTH CAROLINA, TO REMOVE THE REQUIREMENT THAT A MOBILE HOME BE BUILT ON A LOT ZONED GENERAL RESIDENTIAL;**

WHEREAS, the Walhalla City Council adopted Chapter 199 to set standards for mobile homes that are brought into the city limits for the purpose of bringing in mobile homes that are consistent with other homes in the vicinity; and

WHEREAS, the Board of Zoning Appeals must approve via Special Exception the placement of a mobile home on a lot that is zoned General Residential; and

WHEREAS, the City of Walhalla needs more housing; and

WHEREAS, removing the roof slope requirement from Chapter 199, Article 2, Section (C)(1) will potentially allow more affordable mobile homes to be brought in to the City of Walhalla; and

WHEREAS, the City of Walhalla Planning and Community Development Department and Planning Commission are currently responsible for enforcing zoning regulations and reviewing permit applications;

NOW, THEREFORE, it is ordained and enacted by the Mayor and Councilmembers of the City of Walhalla, in Council assembled, that Chapter 199, Section 2, shall be amended as follows:

**§ 199 - Manufactured Homes**

**§ 199-2 Construction standards.**

- A. No building permit shall be issued for any manufactured home originally brought into the City of Walhalla or relocated within the City subsequent to the adoption of this chapter unless a certificate of zoning compliance shall have been issued by the Zoning Administrator, to certify that the manufactured home is in full compliance with this chapter.
- B. All manufactured homes brought into the City of Walhalla, or relocated within the City of Walhalla after the adoption of this chapter, shall be required to be in compliance with each of the following requirements.
- C. All manufactured homes subject to this chapter shall meet or exceed the most current construction standards promulgated by the U.S. Department of Housing and Urban Development, as well as the South Carolina Manufactured Housing Board, including:

(1) ~~A gable roof having a pitch with a minimum vertical rise of 4.5 feet for each 12 feet of~~

~~horizontal run.~~

- (2) A roof finished with shingles, with a fire rating of Class C or better, and that are commonly used in standard residential construction.
- (3) A minimum width of 24 feet and a minimum length of 40 feet.
- (4) A roof structure that provides an eave projection of no less than 12 inches, which may include a gutter.
- (5) Exterior siding, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential constructions, consisting of one or more of the following:
  - (a) Vinyl siding whose reflectivity does not exceed that of flat white paint;
  - (b) Cedar or other wood siding;
  - (c) Wood grain;
  - (d) Stucco siding; or
  - (e) Brick or stone siding.
- (6) Skirting must be installed and maintained so that it encloses the area under the manufactured multi-section homes and modular porches, decks or other additions to ground level. The foundation skirting or curtain wall may be of brick, masonry or stone materials designed for permanent outdoor installation.
- (7) A permanent landing and steps with handrails are required for each outside doorway, excluding the front door. The structure must include steps which lead to ground level. The landing, handrails and steps must meet the following requirements:
  - (a) A minimum four-by-four landing shall be required outside each exit door.
  - (b) The landing shall not be more than 8.5 inches below the threshold.
  - (c) Steps shall be 8 1/4 inches maximum in height. Treads shall be a minimum of nine inches wide.
  - (d) All wood components in contact with the ground must be treated and approved for ground contact.
  - (e) If steps are 30 inches or greater in height, permanent handrails are to be installed.
- (8) A front porch shall be erected and be at least eight feet by 10 feet.
- (9) Units shall be placed on permanent foundation supports of concrete or other suitable material adequate for the load.
- (10) All visible mobile features shall be removed.

- (11) If the proposed unit will be replacing another dwelling unit (mobile home, manufactured home, stick-built) or be built within an existing neighborhood, the home must be constructed to blend into the street and/or neighborhood. It should have the aesthetic qualities of other dwelling units in the area.
- (12) Decorated windows, bay windows, columns and fancier exterior trim are encouraged.
- (13) Each manufactured home shall be anchored according to the HUD regulations of the National Manufactured Housing Construction and Safety Standards Act or the manufacturer's installation manual.

AND IS DONE AND RATIFIED in Council Duly assembled this  Day of  2024.

Tim Hall, Mayor

(seal)

A

Celia Boyd Myers, City Administrator

Introduced By:

First Reading: February 20, 2024

Public Hearing,  
Second Reading  
And Adoption:

SECTION 1.01 PURPOSE AND SCOPE )

SECTION 1.02 ZONING ) **ORDINANCE 2021-01**

SECTION 1.03 ADMINISTRATION )

**AN ORDINANCE TO AMEND AND REPEAL CERTAIN CODES AND ORDINANCES, CHAPTER 330, ARTICLE III, SECTION 1.10 DOWNTOWN DEVELOPMENT OVERLAY DISTRICT DESIGN GUIDELINES AND STANDARDS, CHAPTER 330, ARTICLE III, SECTION 1.25 SIGNAGE AND SIGNAGE REGULATIONS IN THE DOWNTOWN DEVELOPMENT OVERLAY DISTRICT**

Whereas, the Walhalla City Council adopted the Downtown Design Overlay and Design Guidelines for the purpose of creating site and building designs consistent with the City’s principles, goals and policies, to be used by the City’s Planning & Community Development Department and Planning Commission as a consistent framework for reviewing new projects; and

Whereas, developments within the Downtown Design Overlay are expected to respond to design guidelines and standards in a manner that complements the historic character of the City of Walhalla; and

Whereas, goals of Downtown Design Guidelines include the creation of memorable downtown experiences that are attractive, safe and inviting; constructing a visually attractive and economically vibrant urban center; and assuring new developments relates to the character of downtown and is compatible with surrounding neighborhoods; and

Whereas, the City of Walhalla Planning and Community Development Department and Planning Commission are currently responsible for enforcing zoning regulations and reviewing permit applications;

Now therefore it is ordained and enacted by the Mayor and Councilmembers of the City of Walhalla, in Council assembled, that Chapter 330, Article III, Section 1.10, and Chapter 330, Article V, Section 1.25 shall be amended as follows:

**Article III**

**Establishment of Zoning Districts and Rules for Interpretation of Boundaries Application of District Regulations**

**§ 330-1.10 Downtown Development Overlay District**

**A. Downtown Development Overlay District**

**(4) Murals.**

(a) Goal. The City of Walhalla would like to promote its history and culture through the display of public art, including murals.

(b) Definitions. As used in this subsection, the following terms shall have the meanings indicated:



MURAL: An image, such as a painting or enlarged photograph, applied directly to a wall or external ceiling.

MURAL SIGN: A large picture/image (including but not limited to painted art) which is painted, constructed or affixed directly onto a vertical building wall, which may or may not contain text, logos and/or symbols.

(c) Regulations.

1 Murals are allowed with a mural permit in the Downtown Development Overlay District.

2 Murals are purely artistic forms of expression. While basic content is free from evaluation, obscenity and other language deemed questionable may require approval.

3 Depending on content, murals will be evaluated for signage calculation and the remaining area can be deemed a mural. If the following content is incorporated within a mural, those items shall be classified as signage and comply with the standards for attached wall signs:

a Advertising message for contemporary establishments and/or contemporary merchandise/services;

b Advertisement for products, services or businesses;

c Commercial text;

d Logos;

e Registered trademarks; and

f Containing graphics (other than logos or registered trademarks) related to goods and services provided on site.

4 Murals are highly visible in the public realm and may express City history and community character. In the absence of a recognized group tasked to review and consider these qualities, and the artistic intent of the design, evaluation will be regulated on a content-neutral basis.

5 No person shall paint a wall mural on the exterior of any structure or change any existing mural on the exterior of any structure prior to the issuance of a mural permit. The following design criteria shall apply to any mural artwork commissioned:

a The proposed wall mural shall be well-integrated with the building and neighboring structures and harmonious with the surrounding environment. The proposed wall mural, by its design, scale, construction and location, shall not have a substantial adverse effect on abutting property or the permitted use, and will contribute to Walhalla's character and quality of life.

b The proposed wall mural shall exhibit exceptional design quality that enhances the overall development and appearance of Walhalla. The paint and/or materials to be

used and applied on the structure shall be appropriate for use in an outdoor locale for an artistic rendition and shall be of a permanent or long-lasting variety.

6 Maintenance of the wall mural is the responsibility of the property owner. It shall be the property owner's responsibility to remove the wall mural if it is not maintained as required. While natural aging is acceptable, murals that are not maintained sufficiently may be considered a public nuisance.

7 A mural permit application shall be completed by the building owner or their applicant's agent and submitted to the Zoning Administrator. The application shall include at a minimum the intended location of the mural, size, subject matter, medium and a summary of the general color palette to be used. A visual representation shall also be included in the application. **Zoning Administrator shall prepare a staff recommendation and present to Planning Commission. City Council Planning Commission** shall review and act to approve, deny or require revisions in all submittals.

## Article in Regulations

### § 330-1.10 General Regulations

D. Permitted signs. The following signs are allowed, subject to the permitting requirements of § 330-1.26, Permitting process, and the applicable development regulations of this Part 1.

(1) Permanent freestanding business identification signs.

(a) Allowable area: not to exceed 36 square feet in area for a single business, or 120 square feet for multiple businesses on the same panel.

(b) Number. One freestanding sign is allowed for each developed site, lot or parcel on which a nonresidential use is constructed. Where a site or parcel fronts on more than one street, one freestanding sign is permitted for each street. Where two or more businesses or buildings occupy the same site or parcel controlled by a single owner or landlord (shopping center or industrial park), only one freestanding sign for the aggregate businesses shall be permitted per street frontage.

(c) Location. No freestanding sign shall:

1 Be located nearer than five feet to any property line, nor shall such sign face overhang or extend beyond the property line or in any way impair visual clearance at driveway or street intersections.

2 Be set back less than 10 feet from any street right-of-way line.

3 Be permitted in the Downtown Development Overlay District unless it meets all Downtown Design Guidelines, is aesthetically appropriate and is approved by **City Council the Zoning Administrator**.

(d) Height: not higher than eight feet above finished grade of the ground at the sign

base, except a maximum height of 30 feet from the ground (pavement) is permitted in Highway Commercial or Light Industrial Districts only.

(e) In Office Commercial Districts, a sign may be of berm or solid base design. Application for berm design must be accompanied by a landscape maintenance plan.

(f) Where average elevation of a lot is lower than the finished grade of the abutting edge of the sidewalk, a pole or support may be permitted to raise the sign to the level allowed by height regulations.

(g) Sign must be permanently affixed. A solid base sign shall be ground-mounted, solid all the way to the ground and constructed of wood, brick, masonry or similar durable materials.

AND IS DONE AND RATIFIED in Council Duly assembled this [ ] Day of [ ] 2024.

[ ]

Tim Hall, Mayor

(seal)

A [ ]

[ ]

Celia Boyd Myers, City Administrator

Introduced By: [ ]

First Reading: February 20, 2024

Public Hearing,  
Second Reading

And Adoption: [ ]

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2024-05

CITY OF WALHALLA )

**AN ORDINANCE AMENDING CHAPTERS 7 AND 287 OF THE CITY OF WALHALLA MUNICIPAL CODE TO MERGE THE BEAUTIFICATION COMMISSION AND TREE COMMITTEE.**

**WHEREAS**, the City of Walhalla (the “Municipality”) is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

**WHEREAS**, the Tree Committee has assumed the duties of the Beautification Commission over;

**WHEREAS**, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the “Association”) and adopted by the Director of the Revenue and Fiscal Affairs Office;

**WHEREAS**, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 2021-29 on December 21, 2021, in order to comply with the requirements of the Standardization Act (the “Current Business License Ordinance”);

**WHEREAS**, the City Council of Walhalla (the “Council”) wishes to remove Chapter 7, Article IV and to amend Chapter 7, Article II and Chapter 287.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Walhalla, Chapter 7 and Chapter 287 are amended as follows:

**Chapter 7, Article II**

**§ 7-5 Establishment of Tree and Beautification Committee**

- A. There is hereby created and established a Tree and Beautification Committee for the City of Walhalla, which shall consist of seven members, who shall be appointed by the Mayor with the approval of the City Council. Members of this Committee shall serve without compensation.
- B. Members shall have experience in forestry and/or gardening, including but not limited to arborists, master gardeners, tree care specialists and garden club representatives.

## **§ 7-6 Terms of Membership**

- A. The term of membership shall be two years. Members shall serve until reappointment or replacement. In the event that a vacancy should occur during the term of any member, his or her successor shall be appointed for the unexpired portion of the term.

## **§ 7-5 Powers and Duties**

- A. The Committee shall have advisory powers over all trees, plants and shrubs located within street rights-of-way, parks and public places of the City and to enforce Chapter 287 Trees and Vegetation.
- B. The duties of the Committee shall include the study, investigation, development and recommendation of plans for the improvement by beautification of the City of Walhalla, to encourage the placing and planting and preservation of trees, flowers, plants and shrubbery and other objects of ornamentation on City-owned property.
- C. The Tree and Beautification Committee, or any member thereof, shall have no power or authority to create any financial obligation or any other commitment for or against the City of Walhalla or any of its departments.

## **§ 7-6 through 7-13 RESERVED**

## **§ 7-20 RESERVED**

# **Chapter 287 Trees and Vegetation**

## **§ 287-1 Scope of authority.**

This chapter provides full power and authority over all trees, plants and shrubs located within street rights-of-way, parks and public places of the City.

## **§ 287-2 Definitions.**

For the purpose of this chapter, the following terms, phrases and words, and their derivations shall have the meanings given herein. The word "shall" is mandatory and not merely directory.

**CITY:** The City of Walhalla, Oconee County, South Carolina.

**LARGE TREES:** Trees attaining a height of 45 feet or more.

**MEDIUM TREES:** Trees attaining a height of 30 feet to 45 feet.

**PARK TREES:** Trees, shrubs, bushes and all other woody vegetation in public parks and areas owned by the City, or to which the public has free access as a park.

**SMALL TREES:** Woody vegetation attaining a height of less than 30 feet.

**STREET TREES:** Trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or ways within the City.

### **§ 287-3 Tree and Vegetation Protection.**

It shall be unlawful for any person to engage in the business of planting, cutting, trimming, pruning, removing, spraying or otherwise treating trees, shrubs or vines on City-owned property without first notifying the Tree and Beautification Committee. No person shall plant, remove, cut above the ground or disturb any tree on any street, park or other public place without first obtaining permission from the Tree and Beautification Committee. The person receiving permission shall abide by the standards set forth in this chapter. Emergency actions taken by utility providers and emergency personnel are exempt.

### **§ 287-4 Tree Planting, Maintenance and Removal.**

A. Planting species. The Tree and Beautification Committee shall develop and maintain a list of desirable trees, shrubs and other plants for planting along streets in three size classes: small, medium and large. A list of trees and other plants not suitable for planting will also be created and enforced by the Tree and Beautification Committee.

B. Spacing. The spacing of street trees will be in accordance with the three species size classes listed in this chapter, and no trees may be planted closer together than the following, except in special plantings designed or approved by the City's landscape designee:

- (1) Small trees: 30 feet.
- (2) Medium trees: 40 feet.
- (3) Large trees: 50 feet.

C. Utilities.

(1) No street trees other than those defined herein as "small trees" may be planted four feet from curbs or curblines and sidewalks; planting will be in accordance with the three species size classes defined in § 287-2 of this chapter, and no trees may be planted closer to any curb or sidewalk than the following:

- (a) Small trees: four (4) feet,
- (b) Medium trees: eight (8) feet,
- (c) Large trees: sixteen (16) feet.

(2) Distance from street corners, driveways and fire hydrants. No street tree shall be planted closer than 25 feet to any street corner, measured from the point of intersecting right-of-way lines. No tree shall be planted any closer than 10 feet to any driveway accessing public lands or lands containing multiple use. Single-family homes are exempt from the driveway provision. No tree shall be planted any closer than 10 feet to any fire hydrant.

D. Topping. It shall be unlawful as a normal practice of any person, firm or City department to top any street tree, park tree or other tree on public property. "Topping" is defined as the severe cutting back of limbs to stubs within the tree's crown to such a degree as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes may be exempted from this subsection at the determination of the Tree and Beautification Committee.

#### E. Removal.

(1) The City will consult with the Tree and Beautification Committee prior to the cutting of any tree(s) on City property, greater than six inches in diameter or 36 inches from the ground. The saving of all native trees is encouraged.

(2) Permission may be waived if the tree removal is in conjunction with an application for a building permit and a site plan approval.

(3) Permission is exempted in the following instances:

- (a) Dead trees.
- (b) Government construction of utilities or other infrastructure.
- (c) Jeopardizing the health, safety and welfare of the general public, as designated in this chapter.

(4) The Tree and Beautification Committee may remove or cause or order to be removed any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements, or is affected with any injurious fungus, insect or other pest. This section does not prohibit the planting of street trees by adjacent property owners.

(5) Every owner, either public or private, of any tree overhanging any street or right-of-way within the City shall prune the branches so that such branches shall not obstruct the light from any street lamp or obstruct the view of any street intersection. Owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs which constitute a menace to the safety of the public. The City shall have the right to prune any tree or shrub on private property when it interferes with the visibility of any traffic control device or sign. The City shall have the right to cause the removal of any dead or diseased trees on private property within the City when such trees constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees within the City. The City Tree and Beautification Committee will notify in writing the owners of such trees. Removal shall be done by said owners at their own expense within 60 days after the date of service of notice. In the event of failure of owners to comply with such provisions, the City shall have the authority to remove such trees and charge the cost of removal of any public tree.

F. Replacement of trees. As a condition of approval for the removal of certain trees, the Tree and Beautification Committee may require that suitable replacement trees be planted elsewhere on the site. In determining if replacement trees are required, the following will be considered:

- (1) The intended use of the property.
- (2) Existing (pre-development) tree coverage, sizes and types.
- (3) The general character of the site and its environs.
- (4) Grading, road, parking and drainage requirements of the project.

**§ 287-5 Tree Care; Landmark Trees.**

A. The Tree and Beautification Committee shall locate, select and identify trees which qualify as "landmark trees." A tree may qualify as a landmark tree if it meets one or more of the following criteria: species rarity, old age, association with an historical event or person, abnormality or scenic enhancement.

**§ 287-6 Enforcement; violations and penalties.**

A. The Tree and Beautification Committee shall have the power to promulgate and enforce rules, regulations and specifications concerning the trimming, spraying, removal, planting, pruning and protection of trees, shrubs, vines, hedges and other plants upon the right-of-way of any street, alley, sidewalk or other public place in the City.

B. The City Council shall have the right to review the conduct, acts and decisions of the Tree and Beautification Committee. Any person may appeal from any ruling or order of the Tree and Beautification Committee to the City Council, which may hear the matter and make final decisions.

C. Any person, firm or corporation violating or failing to comply with any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense a sum no less than \$1 nor more than \$500, or may be imprisoned for a term not exceeding 30 days.

AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Tim Hall, Mayor

(seal)

**ATTEST:**

\_\_\_\_\_  
Celia Boyd Myers, City Administrator

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

First Reading: February 20, 2024

Public Hearing,  
Second Reading  
And Adoption: \_\_\_\_\_



STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2024-06

CITY OF WALHALLA )

**AN ORDINANCE AMENDING THE BUSINESS LICENSE ORDINANCE OF THE CITY OF WALHALLA TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.**

**WHEREAS**, the City of Walhalla (the "Municipality") is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

**WHEREAS**, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the "Standardization Act"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

**WHEREAS**, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the "Association") and adopted by the Director of the Revenue and Fiscal Affairs Office;

**WHEREAS**, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 2021-29 on December 21, 2021, in order to comply with the requirements of the Standardization Act (the "Current Business License Ordinance");

**WHEREAS**, the City Council of Walhalla (the "Council") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Walhalla, as follows:

**SECTION 1. Amendments to Appendix A.** Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows:

- (a) Class 8.3 is hereby amended by deleting the NAICS Codes and replacing them with NAICS 517111, 517112, 517122 – Telephone Companies.
- (b) Class 8.6 is hereby amended and restated in its entirety to read as follows: "**8.6 NAICS Code Varies – Billiard or Pool Tables**. A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables

shall require their own separate business licenses pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that.”

**SECTION 2. Amendments to Appendix B.** Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” is hereby amended as follows:

- (a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” are hereby amended and restated as set forth on the attached Exhibit A.
- (b) Class 9 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” shall remain in full force and effect as set forth in the Current Business License Ordinance.

**SECTION 3. Repealer, Effective Date.** All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2024.

AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Tim Hall, Mayor

(seal)

**ATTEST:**

\_\_\_\_\_  
Celia Boyd Myers, City Administrator

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

First Reading: February 20, 2024

Public Hearing,  
Second Reading  
And Adoption: \_\_\_\_\_

**Exhibit A: Amendment to Classes 1 – 8 in Appendix B of the  
Current Business License Ordinance**

**APPENDIX B**

**Classes 1 – 8: Business License Class Schedule by NAICS Codes**

<b>NAICS Sector/Subsector</b>	<b>Industry Sector</b>	<b>Class</b>
<b>11</b>	Agriculture, forestry, hunting and fishing	1
<b>21</b>	Mining	2
<b>22</b>	Utilities	1
<b>31 - 33</b>	Manufacturing	3
<b>42</b>	Wholesale trade	1
<b>44 - 45</b>	Retail trade	1
<b>48 - 49</b>	Transportation and warehousing	1
<b>51</b>	Information	4
<b>52</b>	Finance and insurance	7
<b>53</b>	Real estate and rental and leasing	7
<b>54</b>	Professional, scientific, and technical services	5
<b>55</b>	Management of companies	7
<b>56</b>	Administrative and support and waste management and remediation services	3
<b>61</b>	Educational services	3
<b>62</b>	Health care and social assistance	4
<b>71</b>	Arts, entertainment, and recreation	3
<b>721</b>	Accommodation	1
<b>722</b>	Food services and drinking places	2
<b>81</b>	Other services	4
<b>Class 8</b>	<b>Subclasses</b>	
<b>23</b>	Construction	8.1
<b>482</b>	Rail Transportation	8.2
<b>517111</b>	Wired Telecommunications Carriers	8.3
<b>517112</b>	Wireless Telecommunications Carriers (except Satellite)	8.3
<b>517122</b>	Agents for Wireless Telecommunications Services	8.3
<b>5241</b>	Insurance Carriers	8.4
<b>5242</b>	Insurance Brokers for non-admitted Insurance Carriers	8.4
<b>713120</b>	Amusement Parks and Arcades	8.51
<b>713290</b>	Nonpayout Amusement Machines	8.52
<b>713990</b>	All Other Amusement and Recreational Industries ( pool tables)	8.6

*2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.*

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE NO. 2024-07

CITY OF WALHALLA )

**AN ORDINANCE AMENDING THE WATER AND SEWER USE ORDINANCE OF THE CITY OF WALHALLA**

**Whereas**, the City of Walhalla provides water service to City and surrounding area residents; and

**Whereas**, some properties do not have frontage, preventing them from connecting to water services; and

**Whereas**, the City desires to provide water services to area residents, when requested, while respecting property lines and the property rights of citizens; and

**Whereas**, the City of Walhalla desires to update the Water and Sewer Ordinance to allow customers the ability to access water service by a recorded utility easement;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Walhalla amends the Water and Sewer Ordinance to include the following:

Section 319. Water lines and meters shall be placed on property owned by the customer or on property where a valid utility easement is in effect, providing the customer access. Easements must be recorded and transfer with the land.

**DONE AND RATIFIED** in Council duly assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Tim Hall, Mayor

ATTEST:

\_\_\_\_\_  
Celia Myers, City Administrator

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

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

Second Reading  
and adoption: \_\_\_\_\_

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2024-08

CITY OF WALHALLA )

**AN ORDINANCE TO AMEND THE CITY OF WALHALLA CODE OF ORDINANCES, CHAPTER 25 ECONOMIC DEVELOPMENT INCENTIVES; AND OTHER MATTERS RELATED THERETO.**

**Whereas**, the Walhalla City Council adopted Ordinance 2017-07 to establish an Economic Development Incentive Program; and

**Whereas**, the program is to allow public support of economic projects to foster, promote and enhance local economic development efforts; and

**Whereas**, the City wishes to encourage and support economic development while also being responsive to the City's financial health; and

**Whereas**, the City of Walhalla desires to amend the Economic Development Incentive Program offerings;

**Now Therefore:** it is ordained and enacted by the Mayor and Councilmembers of the City of Walhalla, in Council assembled, that Chapter 25, Section 25-6 and Section 25-7 be amended as follows:

**§ 25-6 General eligibility criteria.**

Except for those incentives discussed in § 25-7I below as authorized by the state and which are intended by the terms of this Economic Development Incentive Program to be applied City-wide, in order for a development to be eligible to receive incentives, the Council must determine that the development meets, or upon completion will meet, each of the following criteria:

A. The development must be consistent with the City of Walhalla Comprehensive Plan, as adopted.

B. The development must be located within the City limits of Walhalla or establish a location for business within the City even if it has previously conducted the same or similar operations at locations outside the City.

C. The development must have a minimum threshold investment which may be comprised of a combination of physical improvements and acquisition costs; such threshold investment may be comprised of a single real property investment or a cumulative investment.

D. The development must be for one or more of the following:

- (1) Retail uses as identified in the most current Retail Market Power Database provided by Claritas.
- (2) Tourism-related business or activity.
- (3) Cultural arts activities and associated businesses.
- (4) District offices or corporate headquarters.
- (5) Research and development.
- (6) High technology growth business.
- (7) Residential projects including three or more single-family units, multifamily units or condominiums.
- (8) Other uses as may be determined the City of Walhalla which meet the intent of this chapter and as are identified more specifically according to the adopted master plans and/or redevelopment plans.

E. The City reserves the right to exclude from consideration proposed projects that it deems incompatible with the City's Comprehensive Plan, Downtown Design Overlay or with the City's overall goal of encouraging development that will strengthen property values and enhance appearance and quality of life within the community. Such proposed projects include but are not limited to the following:

- (1) Service or gas stations.
- (2) Tattoo parlors.
- (3) Manufactured home parks.
- (4) Auto garage facilities.
- (5) Commercial laundries.
- (6) Tobacco or vape shops
- (7) Liquor stores
- (8) Other retail and/or service uses determined by the City not to advance the goal of establishing quality investment in the City of Walhalla.

F. No business and no successor or affiliated business entity having one or more of the same principals and substantially the same business activity may cease business operations in the name of one business and then resume business operations in another name if the effect of such resumption is to circumvent this section or to prolong the incentives provided beyond the incentive agreement.

### **§ 25-7 Incentives from City.**

The Council may, at its discretion and on a case-by-case basis, enter into an incentive agreement to reimburse or refund any person, firm or corporation proposing to invest in development or redevelopment of property within the City of Walhalla the following fees and taxes up to the amounts and percentages provided for herein:

A. Up to 100% of the labor and equipment cost related to the installation of applicable tap fees collected by the City. Applicant shall be responsible for the materials cost.

B. Up to 50% of the local hospitality taxes collected by the City for as many as three years, but funds received through such incentive are to be spent only for purposes that are related to tourism, pursuant to S.C. Code Ann. § 6-1-730, and which have been approved by Council and included in the incentive agreement.

C. Up to 50% of local accommodations taxes collected by the City for as many as three years, but funds received through such incentive are to be spent only for purposes related to tourism, pursuant to S. C. Code Ann. § 6-1-530, and which have been approved by Council and included in the incentive agreement.

D. Such other incentives that the Council, at its discretion on a case-by-case basis, determines are appropriate given the amount or type of investment made by the incentive recipient, such as property tax credits for up to five years with the requirement that the financial investment be a minimum of 50% of the current property value and be spent within two years.

E. State incentive programs. The state programs that may be considered by Council to be included within any package of incentives or as a standalone set of incentives for in-City projects:

(1) Property tax credits authorized by the provisions of the South Carolina Abandoned Buildings Revitalization Act, codified at S.C. Code Ann. § 12-67-100 et seq. (collectively, the "Abandoned Building Act"). Incentive recipients requesting consideration for the Abandoned Building Act by Council shall submit an Abandoned Building Act application form.

(2) The South Carolina real property tax credit for the installation of a fire sprinkler system, codified as S. C. Code Ann. § 12-6-3622.

(3) Property tax credits authorized by the provisions of the South Carolina Textiles Communities Revitalization Act, codified at S.C. Code Ann. § 12-65-40.

AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Tim Hall, Mayor

(seal)

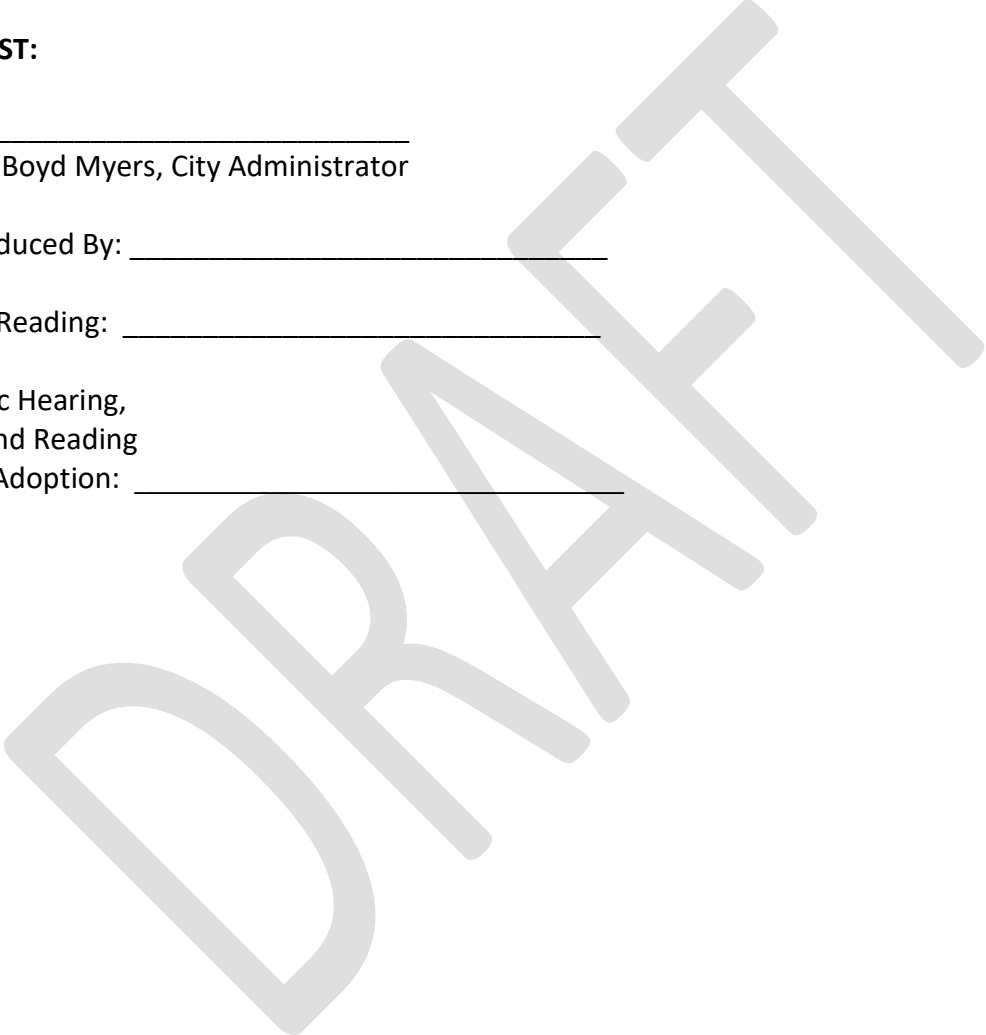
**ATTEST:**

\_\_\_\_\_  
Celia Boyd Myers, City Administrator

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

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

Public Hearing,  
Second Reading  
And Adoption: \_\_\_\_\_





## Red-Line Version

§ 25-6 General eligibility criteria.

Except for those incentives discussed in § 25-7I below as authorized by the state and which are intended by the terms of this Economic Development Incentive Program to be applied City-wide, in order for a development to be eligible to receive incentives, the Council must determine that the development meets, or upon completion will meet, each of the following criteria:

- A. The development must be consistent with the City of Walhalla Comprehensive Plan ~~and the City of Walhalla Master Plan~~, as adopted.
- B. The development must be located within the City limits of Walhalla or establish a location for business within the City even if it has previously conducted the same or similar operations at locations outside the City.
- C. The development must have a minimum threshold investment which may be comprised of a combination of physical improvements and acquisition costs; such threshold investment may be comprised of a single real property investment or a cumulative investment.
- D. The development must be for one or more of the following:
  - (1) Retail uses as identified in the most current Retail Market Power Database provided by Claritas.
  - (2) Tourism-related business or activity.
  - (3) Cultural arts activities and associated businesses.
  - (4) District offices or corporate headquarters.
  - (5) Research and development.
  - (6) High technology growth business.
  - (7) Residential projects including three or more single-family units, multifamily units or condominiums.
  - (8) Other uses as may be determined the City of Walhalla which meet the intent of this chapter and as are identified more specifically according to the adopted master plans and/or redevelopment plans.
- E. The City reserves the right to exclude from consideration proposed projects that it deems incompatible with the City's Comprehensive Plan, Downtown Design Overlay ~~Master Plan~~ or with the City's overall goal of encouraging development that will strengthen property values and enhance appearance and quality of life within the

community. Such proposed projects include but are not limited to the following:

- (1) Service or gas stations.
- (2) Tattoo parlors.
- ~~(3) Child-care homes.~~
- (4) ~~Mobile Manufactured~~ home parks.
- (5) Auto garage facilities.
- (6) Commercial laundries.
- ~~(7) Tobacco or vape shops~~
- ~~(8) Liquor stores~~
- (9) Other retail and/or service uses determined by the City not to advance the goal of establishing quality investment in the City of Walhalla.

F. No business and no successor or affiliated business entity having one or more of the same principals and substantially the same business activity may cease business operations in the name of one business and then resume business operations in another name if the effect of such resumption is to circumvent this section or to prolong the incentives provided beyond the incentive agreement.

#### § 25-7 Incentives from City.

The Council may, at its discretion and on a case-by-case basis, enter into an incentive agreement to reimburse or refund any person, firm or corporation proposing to invest in development or redevelopment of property within the City of Walhalla the following fees and taxes up to the amounts and percentages provided for herein:

A. Up to 100% of ~~the labor and equipment cost related to the installation of~~ applicable tap fees collected by the City. ~~Applicant shall be responsible for the materials cost.~~

~~B. The following business license tax incentives:~~

- ~~(1) Year 1: A grant in the amount of 100% of the business license tax due to the City will be reimbursed after the business license taxes are paid to the City of Walhalla.~~
- ~~(2) Year 2: A grant in the amount of 75% of the proposed business license tax rate based on gross income after the taxes are paid to the City will be reimbursed to the applicant.~~
- ~~(3) Year 3: A grant in the amount of 50% of the business license tax rate~~

~~based on gross income after the taxes are paid to the City will be reimbursed to the applicant.~~

~~(4) Year 4: A grant in the amount of 25% of the business license tax rate based on gross income after taxes are paid to the City will be reimbursed to the applicant.~~

~~(5) After Year 4, business license taxes will be the responsibility of the property owner/business owner and will be the proposed rate based on gross income.~~

C. Up to 50% of the local hospitality taxes collected by the City for as many as **five three** years, but funds received through such incentive are to be spent only for purposes that are related to tourism, pursuant to S.C. Code Ann. § 6-1-730, and which have been approved by Council and included in the incentive agreement.

D. Up to 50% of local accommodations taxes collected by the City for as many as **five-three** years, but funds received through such incentive are to be spent only for purposes related to tourism, pursuant to S. C. Code Ann. § 6-1-530, and which have been approved by Council and included in the incentive agreement.

~~E. Up to 100% of solid waste fees for as many as five years.~~

~~F. Up to 100% of infrastructure costs for commercial development projects for as many as five years.~~

~~G. Up to 100% of infrastructure costs for residential development projects for as many as five years.~~

H. Such other incentives that the Council, at its discretion on a case-by-case basis, determines are appropriate given the amount or type of investment made by the incentive recipient, **such as property tax credits for up to five years with the requirement that the financial investment be a minimum of 50% of the current property value and be spent within two years.**

I. State incentive programs. The state programs that may be considered by Council to be included within any package of incentives or as a standalone set of incentives for in-City projects:

(1) Property tax credits authorized by the provisions of the South Carolina Abandoned Buildings Revitalization Act, codified at S.C. Code Ann. § 12-67-100 et seq. (collectively, the "Abandoned Building Act").

Incentive recipients requesting consideration for the Abandoned Building Act by Council shall submit an Abandoned Building Act application form.

(2) The South Carolina real property tax credit for the installation of a fire sprinkler system, codified as S. C. Code Ann. § 12-6-3622.

(3) Property tax credits authorized by the provisions of the South Carolina Textiles Communities Revitalization Act, codified at S.C. Code Ann. § 12-65-40.

DRAFT

STATE OF SOUTH CAROLINA )

COUNTY OF OCONEE )

ORDINANCE 2024-09

CITY OF WALHALLA )

**AN ORDINANCE TO AMEND THE CITY OF WALHALLA FY 2023-2024 BUDGET, APPENDIX A GENERAL FUND FEES TO ALLOW DISCOUNTED RENTAL RATES FOR CIVIC AND NON-PROFIT ORGANIZATIONS THAT USE CITY FACILITIES; AND OTHER MATTERS RELATED THERETO.**

**Whereas**, the Walhalla City Council adopted Ordinance 2023-13 entitled “An Ordinance to raise revenue and adopt a budget for general, water, sewer and hospitality funds, herein known as the “Unified Budget of the City of Walhalla, South Carolina” for the fiscal year beginning July 1, 2023 and ending June 30, 2024, and other matters related thereto”; and

**Whereas**, the amendment is made part hereof as fully as if incorporated herein ad a copy thereof attached and also be known as the current approved fiscal year budget document; and

**Whereas**, the City of Walhalla wishes to encourage civic groups to actively participate in community-building activities, while upholding the principle of shared responsibility for public resources;

**Whereas**, the City of Walhalla desires to create a policy and discounted rental fee schedule for civic and non-profit organizations in the City of Walhalla;

**Now Therefore:** it is ordained and enacted by the Mayor and Councilmembers of the City of Walhalla, in Council assembled, that the FY 2023-2024 Budget, Appendix A is amended as follows:

**Discounted Pricing for Non-Profit and Civic Organizations**

Non-Profit and Civic Organizations based in Walhalla shall be entitled to use City facilities, available for rent, once a month at no cost. Additional usage would be subject to the below discounted rates.

Usage of 4 times a month or more  
4 hours - \$100  
8 hours - \$200  
All day - \$300

Usage of 3 times a month or more  
4 hours - \$150  
8 hours - \$350  
All day - \$550

Organizations shall supply documentation of their private, non-profit status at the time of reservation, when requesting the discounted rate. All other policies and insurance requirements remain in force.

City Council members and City employees, who have successfully completed a six-month probationary period are entitled to one City facility rental per calendar year at no charge. All other policies and insurance requirements remain in force.

AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Tim Hall, Mayor

(seal)

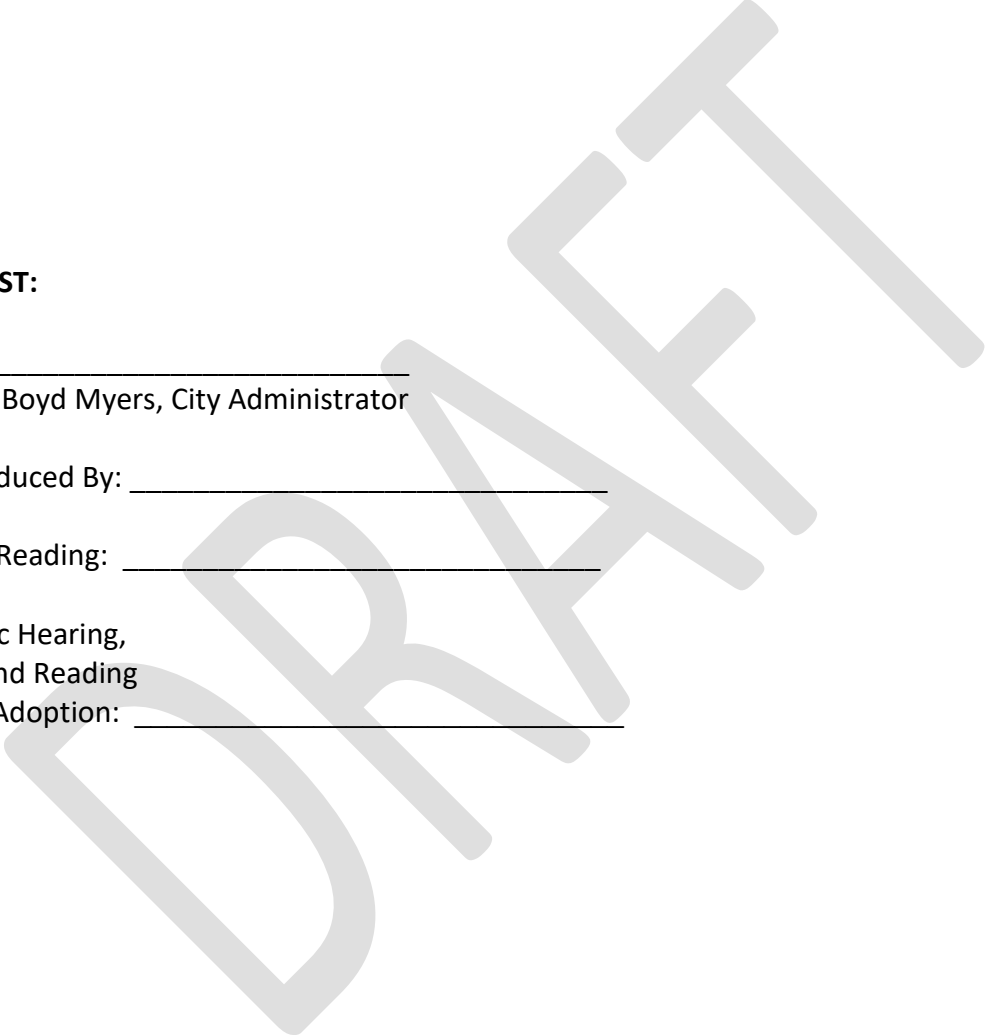
**ATTEST:**

\_\_\_\_\_  
Celia Boyd Myers, City Administrator

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

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

Public Hearing,  
Second Reading  
And Adoption: \_\_\_\_\_



## **Current Depot Usage for Civic and Non-Profit Groups**

Group A: Approximately fifteen uses a year

Uses at least 3 times a month on Mondays in March and April. Then again starting in August to prepare for Oktoberfest and the Main Street Christmas date.

Group B: Approximately ten uses a year

Uses the second Monday of each month for about 10 out of the 12 months. A nonprofit group that has donated funds toward the Earle House and Old St John meeting house, city pool, Tree City USA signs, Chicopee Field, heritage oaks replacements and funding for downtown trees.

Group C: Approximately fifty-two uses a year

Uses every Monday, every month. Helps the community through various projects, such as the Pedals Possible program, donates time for volunteering, works with Oktoberfest Committee for annual event and luncheon, and other community events.

**§ 330-1.19. OC Office Commercial District.**

A. Purposes.

- (1) It is the intent of this section that the OC Zoning District be developed and reserved for local or neighborhood-oriented business and compatible residential use purposes. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities; reduce traffic and parking congestion; avoid the development of "strip" business districts; promote residential uses compatible with commercial activities; and discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.
- (2) If a property contained within the OC District is also included in the Downtown Development Overlay District, the requirements of § 330-1.10A of this Part 1 will also apply to said property. See § 330-1.25 for sign standards for properties within the overlay district.

B. Permitted uses. The following uses shall be permitted in the OC Zoning District:

- (1) Retail business involving the sale or rental of merchandise on the premises, specifically including, but not limited to:
  - (a) Gift shop.
  - (b) Candy store.
  - (c) Office equipment and supplies shop.
  - (d) Drugstore or pharmacy, health and beauty aids.
  - (e) Grocery store.
  - (f) Hardware store, household goods, wallpaper.
  - (g) Package liquor store.
  - (h) Video and record store.
  - (i) Flower shop.
  - (j) Catalog sale store.
- (2) Business involving the rendering of a personal service or the servicing of small equipment, specifically including, but not limited to:
  - (a) Bank, savings and loan association, personal loan agency.
  - (b) Barbershop, beauty shop, or combination thereof.
  - (c) Self-service dry cleaning or laundromat.



- (d) Medical, dental or chiropractic office.
  - (e) Real estate agency.
  - (f) School offering instruction in art, music, dancing, drama or similar cultural activities.
  - (g) Shoe repair shop.
  - (h) Club, lodge, union hall or social center.
  - (i) Legal office.
  - (j) Insurance sales office.
  - (k) Custom embroidery production and sales.
- (3) Accessory use in compliance with the provisions of § 330-1.46.
- (4) All residential activities as described in the MFR Zoning District.
- C. Conditional uses. The following uses shall be permitted on a conditional basis in any OC Zoning District:
- (1) Auto accessory store, provided there is no storage of wrecked automobiles or scrapped or salvage auto parts on the premises.
  - (2) Automobile service station (not gasoline stations), provided operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars or trucks, trailers of any type or boats is not conducted on the premises. No junk or salvage vehicles shall be stored on site.
  - (3) Bakery, provided that goods baked on the premises are sold only at retail on the premises.
  - (4) Delicatessen, restaurant, soda fountain or other eating and drinking establishments (other than drive-in establishments), provided no outside loudspeaker systems are utilized, and provided all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties.
  - (5) Dry cleaning or laundry pickup agency, provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.
  - (6) Temporary use in compliance with the provisions of § 330-1.45.
  - (7) Funeral homes, provided that the minimum lot size is one acre.
  - (8) Single-family and multifamily residential uses as set forth in the MFR District.
  - (9) Any commercial establishment selling or serving alcoholic beverages, whether consumed on the premises or not.

- (10) Accessory uses as provided for in § 330-1.46.
  - (11) Major retailers, provided they adhere to the following conditions: They must comply with the Downtown Design Guidelines. **[Added 9-21-2021 by Ord. No. 2021-17 ]**
- D. Special exception uses. Certain uses within any OC Zoning District are to be special exception uses pursuant to the requirements and procedures of § 330-1.47 and all subsections and all conditions stipulated herein:
- (1) Gasoline filling stations. In addition to all conditions of the special exception use permit, at a minimum all pumps must be set back at least 25 feet from the right-of-way line of all abutting streets. No junk or salvage vehicles shall be stored on site.
  - (2) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.
  - (3) Communication towers.
- E. Other requirements. Uses in Office Commercial Zoning Districts shall be required to conform to the standards set forth below. All other relevant portions of this Part 1 shall apply.
- (1) Minimum lot requirements: 8,000 square feet.
  - (2) Minimum width in feet: 60 feet measured at the front setback line.
  - (3) Minimum setback requirements.
    - (a) Front: 30 feet.
    - (b) Side: 10 feet on either side, but the total shall not be less than 25 feet.
    - (c) Rear: 10 feet.
  - (4) Maximum height of building: four stories or 56 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
  - (5) Maximum structure surface coverage of lot: 60%.
  - (6) There shall be no more than two access points on an arterial street for every one lot of record; provided, however:
    - (a) If a primary access to a lot of record is available on an intersecting street, then access on the arterial street shall be limited to one access per lot of record.
    - (b) Such access on an arterial street is granted only provided that there is a minimum of 80 feet from such access to the right-of-way of an intersecting street.
    - (c) There shall be no more than one access point granted within a given 50 feet of frontage.
  - (7) No drive-throughs of any kind are permitted. **[Added 9-21-2021 by Ord. No. 2021-17 ]**

**§ 330-1.21. CC Core Commercial District.**

- A. Purpose. The intent of the CC Zoning District is to encourage the maintenance or enhancement of a centrally located trade, commercial, residential activities, and community service area, and to provide for the orderly expansion of such uses. All property contained within the CC District is also included in the Downtown Development Overlay District. Therefore, the requirements contained in § 330-1.10A of this Part 1 will apply to said property, in addition to all other requirements contained in this § 330-1.21. The sign requirements of § 330-1.25 pertaining to properties within the Downtown Overlay District also apply to all parcels within the CC District.
- B. Permitted uses. The following uses shall be permitted in any CC Zoning District:
- (1) Any use permitted in any OC Zoning District.
- C. Conditional uses. The following uses shall be permitted on a conditional basis in any CC Zoning District:
- (1) Any use permitted on a conditional basis in any OC Zoning District subject to the conditions of § 330-1.19C, including major retailers, provided they establish themselves in a structure that was constructed before Ord. No. 1994-8 and have over 15,000 square feet. **[Amended 9-21-2021 by Ord. No. 2021-17 ]**
  - (2) Single-family and multifamily residential uses as set forth in the MFR Zoning District, provided such use is not on the ground floor of the building.
  - (3) Hotel use as set forth in the HC Zoning District, provided no rooming units are on the ground floor of the building.
- D. Special exception uses. Certain uses within any Core Commercial District are to be special exception uses pursuant to the requirements and procedures of § 330-1.47 and all subsections and all conditions stipulated herein:
- (1) Gasoline filling stations. In addition to all conditions of the special exception use permit, at a minimum all pumps must be set back at least 25 feet from the right-of-way line of all abutting streets. No junk or salvage vehicles shall be stored on site.
  - (2) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.
- E. Other requirements. Uses permitted in CC Zoning Districts shall be required to conform to the standards set forth below. All other relevant portions of this Part 1 shall apply.
- (1) Maximum height of building: 5.5 stories or 77 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
  - (2) Setbacks from sidewalk shall not be required.
  - (3) No vacant building in the CC District shall be used for storage of equipment or materials. Any vacant commercial or office building in the CC District shall have 120 days following adoption of this Zoning Ordinance to come into compliance with the

aforementioned standard by removing all stored materials and equipment. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

- (4) Where provided, off-street parking for nonresidential uses shall be located in the rear or side yard of the use. Parking areas existing when this ordinance provision became effective may be used to meet parking needs for reuse of existing buildings in the CC District.
- (5) No drive-throughs of any kind are permitted. **[Added 9-21-2021 by Ord. No. 2021-17 ]**