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

AGENDA
WALHALLA CITY COUNCIL MEETING
May 16, 2023
5:30 PM
City Hall
206 N Church St, Walhalla, SC

CALL TO ORDER & WELCOME — **Mayor Edwards**

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES — **April 18, 2023**
May 2, 2023

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

Marcy Loucks,
McKinley, Cooper & Co., LLC

Mr. Jason Cox

ADMINISTRATOR COMMENTS — **Brandon Burton**

READING OF PROCLAMATIONS, RESOLUTIONS, AND ORDINANCES

Mayoral Proclamation:

None proposed

First and Final Reading of Resolutions:

Resolution 2023-11 Resolution Honoring Christopher T. Galloway

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

Second, Final Reading and Public Review of Ordinances: (Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2022-8)

1. **ORDINANCE 2023-11 AN ORDINANCE TO REPEAL ORDINANCE 2022-16 AND REPLACE WITH AN ORDINANCE PROVIDING FOR THE ELECTION OF MAYOR PRO-TEMP AND ESTABLISHING COMMITTEE DUTIES AND OTHER MATTERS RELATED THERETO**

2. **ORDINANCE 2023-12 AN ORDINANCE TO ADOPT THE CODIFIED ORDINANCES OF THE CITY OF WALHALLA**

3. **ORDINANCE 2023-13 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.**

4. **ORDINANCE 2023-14 AN ORDINANCE TO AMEND ORDINANCE #1994-8, THE CITY OF WALHALLA ZONING ORDINANCE, AS ADOPTED DECEMBER 13, 1994, BY AMENDING THE CITY OF WALHALLA OFFICIAL ZONING MAP TO REZONE +/- 2.19 ACRES FROM R-25 (SINGLE FAMILY RESIDENTIAL) TO MFR (MULTI-FAMILY RESIDENTIAL) ON TWO (2) PARCELS OF LAND, IDENTIFIED AS PROPERTY AT THE CORNER OF FRANK MARTIN DRIVE AND NORTH POPLAR STREET SHOWN IN DEED BOOK 2748 PAGE 222. THE PARCELS ARE FURTHER IDENTIFIED AS TMS # 500-06-01-005 AND 500-06-01-007.**

5. **ORDINANCE 2023-15 AN ORDINANCE TO AMEND ORDINANCE #1994-8, THE CITY OF WALHALLA ZONING ORDINANCE, AS ADOPTED DECEMBER 13, 1994, BY AMENDING THE CITY OF WALHALLA OFFICIAL ZONING MAP TO REZONE +/- 3.75 ACRES FROM GR (GENERAL RESIDENTIAL) TO OC (OFFICE COMMERCIAL) ON EIGHT (8) PARCELS OF LAND, IDENTIFIED AS PROPERTIES ALONG BOOKER DRIVE SHOWN IN DEED BOOK 2685 PAGE 276; BOOK 12-N PAGE 293; BOOK 2191 PAGE 225; BOOK 2516 PAGE 182; BOOK 2369 PAGE 28; BOOK 2445 PAGE 51; BOOK 1358 PAGE 29; BOOK 2593 PAGE 156. THE PARCELS ARE FURTHER IDENTIFIED AS TMS # 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014.**

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

First Reading of Ordinances:

1. **ORDINANCE 2023-16 AN ORDINANCE TO REPEAL CHAPTER 123 BUILDINGS AND BUILDING CONSTRUCTION OF THE CITY OF WALHALLA CODE OF ORDINANCES AND REPLACE WITH CHAPTER 123 BUILDING CODES**

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

1. **Approval of Contract for Ross Mountain Parking Lot**
2. **Approval of FY 2022 Audit**
3. **Approval of Agreement for Community Garden**

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

1. **Discussion on Contractual Real Estate Matter**

MAYOR COMMENTS **Mayor Edwards**

ADJOURN

The City of Walhalla held a Budget Meeting Tuesday April 18, 2023, at 4:00pm. The location of the meeting was in Council Chambers of City Hall, 206 N. Church Street, Walhalla, SC 29691.

PRESENT: Mayor Pro-Tempore Danny Woodward, Councilman Keith Pace, Councilman Grant Keehn, Administrator Burton

ABSENT:

STAFF: Brandon Burton, Administrator

OTHERS: Media

Councilman Pace called the meeting to order at 4:00pm and called for a moment of silence.

Councilman Pace asked Mayor Pro-Tempore Danny Woodward to lead the Pledge of Allegiance.

Councilman Pace asked for agenda approval. Mayor Pro-Tempore Danny Woodward made a motion to approve. Councilman Keehn second.

Public comment- none

Mayor Pro-Tempore Danny Woodward made a motion to discuss this year's fiscal budget, upcoming budget and moving it to council for first reading. Councilman Pace second.

Discussion:

Councilman Keehn mention no cost of living raise for employees. Keehn made a motion to amend the budget to include a 5% raise. Mayor Pro-Tempore second.
Discussion:
Councilman Pace asked for direction where would be funded from. Administrator Burton stated a 3% would equate to 5,181,836.00 5% 5,251,704.00 this does not include overtime.
Councilman Keehn suggested to stop paying non profits.
Councilman Pace asked for vote. Councilman Keehn yea. Councilman Pace and Mayor Pro-Tempore nay.

Councilman Keehn made a motion to not include volleyball, flag football, and 3 part timers. Mayor Pro-Tempore Danny Woodward second.
Discussion:
Administrator Burton stated once they get the 50k grant from the county (past years 30k) a small amount of that was budgeted for Capital Improvements and use the balance of that to

cover the additional programs. If that gets removed there would be some salary savings and remove part timers and reallocate the 50k what's remaining towards another rec operation.

Councilman Keehn asked for explanation of how the budget got balanced this year and next and what will happen the year after regarding the ARP funds? Administrator Burton replied last years budget relied heavily on ARP funds and the fund transfer from water. We budgeted around that same amount this year and use General operations with the addition of about 482k on ARP. Councilman Pace asked for vote.
Mayor Pro-Tempore Danny Woodward, Councilman Pace, and Councilman Keehn voted yea. None nay.

Councilman Keehn asked Administrator Burton if he could see possible somewhere in the budget to cut. Administrator Burton said the only place that he could see is the Capital Improvement Program that's about 80k. Otherwise not a lot to cut.

Councilman Pace made a motion to moving a line item in regard to the Retirees insurance. He would like to create a retirement fund. Councilman Keehn second. Councilman Pace called for a vote.
Mayor Pro-Tempore Danny Woodward, Councilman Pace, and Councilman Keehn voted yea. None nay.

Councilman Keehn made a motion when the money is reimbursed from the Greenway that we move the remaining money from the Greenway Fund into the General Fund. Councilman Pace second.
Discussion:
Councilman Pace when phase one is complete and the account is closed does that create an issue when phase 2 starts? Administrator Burton replied that the fund can still show active and just open another bank account at that time as more money comes in. Councilman Pace called for a vote.
Mayor Pro-Tempore Danny Woodward, Council Pace, and Councilman Keehn votes yea. None nay.

Councilman Pace called for final vote. Mayor Pro-Tempore Danny Woodward, Councilman Pace votes yea. Councilman Keehn voted nay.

Mayor Pro-Tempore made a motion to adjourn. Councilman Keehn second.

The City of Walhalla City Council held a Council Meeting Tuesday April 18, 2023, at 5:30pm. The location of the meeting was in Council Chambers of City Hall, 206 N. Church Street, Walhalla, SC 29691.

PRESENT: Mayor Danny Edwards, Mayor Pro-Tempore Danny Woodward, Councilman Keith Pace, Councilman Grant Keehn, Councilman Tyler Jordan, Councilwoman Councilman David Underwood

ABSENT: Councilwoman Sarai Melendez

STAFF: Brandon Burton, City Administrator
Tim Rice, Chief of Police
Will Bates, Fire Chief

OTHERS: Public and Media

Mayor Danny Edwards called the meeting to order at 5:30pm and called for a moment of silence.

Mayor Danny Edwards asked Councilman Jordan to lead the Pledge of Allegiance.

Mayor Edwards called for a motion to approve the agenda. Councilman Keith Pace made the motion, Mayor-Tempore Danny Woodward second. Mayor Edwards called for discussion. Councilman Keehn made a request to amend moving the ordinance City of Walhalla code of ordinance Allow for the Conditional Raising and Keeping of Chickens from point #5 to #1 so the speaker can answer questions. Councilman Jordan second. All present council members voted yea. None nay. Administrator Burton wanted to clarify both sets of minutes
Councilman Keehn made a motion to accept Councilman Pace second. All present council members voted yea, none nay.

Public Comment (General):

Ms. Martha requested the City look into a dog park

Chelsey Hucker executive director of First Light shared what her organization is about. The group is a 501c nonprofit that specialize in 3 programs a sexual trauma center, child advocacy center, prevent child abuse center

Dr Michelle Hall a poultry specialist with Clemson University shared a presentation on chickens in the city limits. She educates on the appropriate spacing, and properly raising of the chickens. She shared what other cities are doing.

Mayor Edwards inquired about how to handle the chicken poop in an urban setting. Dr Hall stated some cities require a metal bin to prevent run off and it's mostly used for composting. The recommended coop size is 10sq ft per bird.

Proclamation for small business week April 30th to May 6th read by Administrator Burton
Mayor Edwards called for a motion to approve the proclamation. Councilman Keehn made the motion, Councilman Underwood second. All present council members voted yea, none nay.

Ordinance 2023-6 City of Walhalla code of ordinance Allowance for the Conditional Raising and Keeping of Chickens in the Residential districts of the City. Mayor Edwards asked for a motion and second for debate. Councilman Jordan made a motion. Councilman Pace second. Discussion-Councilman Keehn recommended moving this to the next meeting to give everyone time to look over it. Councilman Jordan second. Administrator Burton recommended to withdraw the motion to table it. Councilman Keehn withdrew his motion and Councilman Jordan withdrew his second. Mayor Edwards stated with no discussion is all in favor of the motion to table. All present council members voted yea, none nay.

Ordinance 2023-2 Repeal and replace ordinance 96 1996-4 to establish the minimum regulations governing the regulation of burning of leaves trash and running waste materials outdoors by residents and commercial businesses in the City of Walhalla. Mayor Edwards asked for motion. Councilman Underwood made the motion. Councilman Pace second.
Discussion-Councilman Keehn asked if a burn permit is required to roast marshmallows according to this ordinance?
Fire Chief Bates answered no the ordinance is for any use other than cooking.
Mayor Edwards inquired about fire pits. Chief Bates states yes a permit is required.
Councilman Keehn asked the council if they should amend the ordinance to state that cooking on a fire less than six feet is permissible without a permit. Administrator Burton stated that in the ordinance under section two burning in connection with the preparation of preparing food covers that. Mayor Edwards called for public comment this is the second reading. No public comment. Mayor Edwards called for a vote. All present Council members voted yea, none yay.

Ordinance 2023-3 Repeal and replace ordinances 1980-4, 1987-6 this ordinance pertaining to the regulations and control of dogs. This will allow for leash ordinance. Councilman Pace made a motion to accept ordinance. Mayor Pro-Tempore Danny Woodward second.
Discussion
Councilman Keehn stated there were previous corrections, and it didn't show on the copy he has. Administrator Burton agreed there was an amendment to strike and keep it concealed from view while such animal is in heat. Councilman Keehn states its in the minutes correctly.
Councilman Keehn states another ordinance that wasn't mentioned was 1976-15
Mayor called for discussion

Discussion:
Mayor Edwards inquired to Chief Rice about how this would be handled the way this ordinance is written. Chief Rice's response couldn't be clearly heard.
Someone in audience asked if it specified a breed. Administrator Burton stated no.
Mayor Edwards asked once an owner is given a ticket what is the time frame before another ticket is issued. Chief Rice's response couldn't be clearly heard.
Mayor asked for public comment
Mrs. Martha shared her experience with a pitbull the neighbors had.
Unknown person asked if the city will have its own dog recovery team or work with the county and what is the cost. Chief Rice stated that officers try to get the dog back to the original owner if there is no tag on the dog the county would pick the animal up to determine if there is a chip.
Mayor took the vote. All present councilmembers voted yea none nay

Ordinance 2023-4 Repeal and replace ordinance 2006-5 to regulate false nuisance alarms which up the public safety services with city response this adds burglar alarm responses into an existing
fire alarm response. Councilman Underwood made a motion to accept ordinance 23-4. Councilman Keehn second. Mayor Edwards asked for discussion
Discussion:
Councilman Jordan asked if this was the ordinance that relates the fees to the structures. Councilman Keehn replied they lost that vote.
Mayor opened it up for public comment
Mrs. Martha asked if this pertains to home Ring systems. Councilman Pace advised her no then it was discovered her system goes to Police and Fire. So she would be charged after 2 calls for services each year. Chief Rice said that would be considered accidental that is not what this covers. This covers a nuisance.
Mayor Edwards asked for vote. All present council members voted yea, none nay.

Ordinance 2023-5 to establish a local historic property designation program and design review. Amendments were made and it should read the city's historic register shall be voluntary and require the approval of the property owner. Mayor Pro-Tempore Danny Woodward made a motion. Councilman Pace second. Mayor Edwards called for discussion.
Discussion:
Councilman Keehn said he will vote no his concern is cordial interaction between neighbors decreases when curb appeal increases.
Mayor Edwards asked if anyone from the public would like to comment since it's the 2nd reading
No comments
Mayor Edwards asked for vote. All present council member 3 yea, 2 nay. Motions carries.

Ordinance 23-6 After discussion, Councilman Keehm made a motion to table and Councilman Jordan seconded. This so that council could do more research. All voted in favor, none opposed.

Ordinance 23-7 to amend the zoning chapter of the municipal code of the City of Walhalla SC to provide short term rental establishing regulations for such use and other matters related Councilman Pace made a motion to accept. Mayor Pro-Tempore Danny Woodward second. Mayor Edwards called for discussion.
Discussion:
Councilman Keehn inquired should it be a case by case instead of limiting the amount of bedrooms/adults in the house. Inquired if hotels do this? Administrator Burton states the ordinance list a maximum of 12 occupants, 6 bedrooms, 2 adults per room. This was copied from zoning. (from the bed and breakfast) Speaker from audience said hotel are commercial buildings the ordinance is written for residential.
Mayor opened up for public comment
Jared Ketterman states room should be rented 45 days the state and county is 89 days or less and single family dwelling rental requirements stated 30 days (City) or more as long term rental. He just wants to make sure all documents are on the same page especially working back to other codes for zoning requirements. He inquired also about the word permit. Is it a zoning permit or approval letter is there a fee associated? Are we supposed to intentionally eliminate permit and add approval letter? When they get the permit they can also get the approval letter to operate the Airbnb. Ketterman inquired what the fee would be. Administrator Burton advised it depends on if council wants to keep the zoning permit and the registration sheet or another permit in addition to this. Mayor Edwards stated there are two separate things there. The zoning permit is not the same thing as a short term rental permit. The short term rental permit was taken away but the zoning permit is still going to be there. Mayor Edwards clarifies a zoning permit is required anytime a house is built or property use has changed not necessarily Airbnb but could be. Ketterman asked are existing Airbnb's grandfathered in? Administrator Burton said that was not the intent. Ketterman also reads non-transferable in two different ways (page 2 letter B) approvals are non-transferable and only valid for the short term property described in the zoning permit will these convey under real estate sale or is this only reading that it can't be used on short term rental permit on that house for another house down the block? Administrator Burton answered you would have to get a zoning permit for each property. Ketterman inquired if the words non-transferable is just for the physical address or if the house is sold during the remaining 8 months of the permit. Administrator Burton stated no it would be under a different ownership. Ketterman inquires about the property management plan he doesn't understand the one hour requirement. Ketterman wants clarification on fees and wants it revisited. Ketterman wants to know where to find applicable codes. Administrator Burton stated it was adopted by the ICC codes for existing residential for existing commercial fire code and all of the adoptive codes.
Ketterman asked how do you remit your Accommodation tax and will there be a portal online. He states there needs to be checks and balances. Administrator Burton met with County Administrator and they are working on that. Mayor Edwards states he had a motion to table this with a second. Mayor Edwards wanted it to go back to Mrs. Myers. Administrator Burton requested not to do that he would rather it go the planning commission. Councilman Underwood made a motion to send this back to the planning commission. Councilman Keehn second. Councilman Keehn then rescind his second. Councilman Underwood gave direction to

work on the documentation of the ordinance for better clarification. Councilman Pace gave a second. Administrator Burton stated there has been a motion and second on a second reading he would recommend making a motion to send it back. Councilman Pace made a motion on amending 2023-7 and sending it back to the planning commission for further review. Councilman Underwood second. All present councilmembers all voted yea, none nay.

Ordinance 2023-8 Annex areas of right away abutting the City including Coffee Road, Mueller Rd, Playground Rd, Pickens Hwy, Fowler Rd, Earle St. Cherokee St, E S Boundary, W S Boundary St, Blue Ridge Blvd and Torrington Rd
Councilman Pace made a motion, Councilman Underwood second. Mayor called for discussion
Discussion none
Public Comment
Speaker in audience asked how it goes from the county to city
Councilman Keehn answered it doesn't change property its just the right of way
Mayor Edwards called for a vote. All present councilmember voted yea, none nay

Ordinance 2023-9 Establish emergency operations program and other matters related. This creates the emergency management program for the city of Walhalla historically. Councilman Underwood makes a motion. Councilman ? second. (couldn't hear) Mayor calls for vote. All present council members voted yea, none yay. Mayor Edwards asked for discussion.
Discussion none
Public Comment none
Mayor Edwards hearing none called for a vote. All present councilmembers voted yea, none nay

Ordinance 2023-10 Authorizing the director of the City of Walhalla the intergovernmental agreement relating to SC local Revenue services to participate in one or more local Revenue Service programs. Councilman Underwood made a motion. Councilman Jordan second. Mayor asked for discussion.
Discussion none
Public Comment none
Mayor Edwards hearing none called for a vote. All present councilmembers voted yea, none nay.

Mayor Edwards stated all second reading are complete now starting first readings.

Ordinance 2023-11 Repeal ordinance 202-16 and replace with the ordinance provided from the election of Mayor Pro tem establishing committee duties. Councilman Underwood made a motion to accept. Councilman Jordan second. Mayor Edwards asked for discussion.
Discussion:
Councilman Pace stated the Community Development Committee was left out. Administrator Burton stated he would add it. Councilman Pace had discussion before making a motion to

change. Administrator Burton stated the discussion has been the mayor pro team will be elected
the first meeting of every calendar year and will serve for one year. All committee structures will remain the same with the exception of gov't finance committee. Instead of meeting quarterly they will meet as needed. Councilman Pace thinks you should roll off the committee you're on every two years as a council member/chair. Mayor agreed. Voting was discussed should it be appointed or voted. Councilman Pace made a motion to amend section 5 to say to strike the consent of council and also temporary committees Mayor Pro-Tempore Danny Woodward second. Mayor called for a vote. All present council members votes yea, non nay.
Councilman Keehn wants to amend section 6 to add or at the call of a majority of its members. Councilman Pace second. Mayor calls for vote. All present council members voted yea, none nay.
Mayor inquired about duties of committees if it will affect anything. Councilman Pace no. Councilman Pace makes a motion to add two years and rotating committees. Mayor Pro-Tempore Danny Woodward second. All present council members votes yea, none nay. Mayor called for final vote. All present council members voted yea, none nay.

Ordinance 2023-12 Adopt the Codified Ordinance for the City of Walhalla. Councilman Pace made a motion to accept. Councilman Keehn second. Mayor called for discussion. Hearing none. Mayor called for vote. All present council members votes yea, none nay.

Ordinance 2023-13 Raise revenue and adopt the budget for general water and hospitality funds as a unified budget. July 1st 2023-June 30, 2024 Coucilman Pace made a motion to accept from the finance committee. Mayor Pro-Tempore Danny Woodward second. Mayor asked for discussion.
Councilman Keehn asked Administrator Burton if he could put forward the amendments. Administrator Burton went over those. There will be further discussion after a 10 minute break. Three got recommended from committees.

Amendment 2 passed- Remove volleyball, flag football and 3 part-timers. Mayor Pro-Tempore Danny Woodward thinks we need the part timers. Councilman Keehn made a motion to not to accept Amendment two but to accept Amendment three and four. Councilman Keehn made a motion not to accept Amendment two. Councilman Pace second. Mayor called vote. All present councilmembers votes yea, none nay.

Amendment three-Retirement fund. Administrator Burton discussed it. It's a retired employee fund. Councilman Underwood made a motion to accept. Councilman Pace second. Mayor calls for a vote. All present council member voted yea, none nay.

Amendment 4- Greenway funds would go back in the general fund if not used/needed. Councilman Jordan made a motion. Councilman Underwood second. Mayor called for discussion.
Discussion- none
Mayor called for a vote. All present council members voted yea, none nay.

Councilman Keehn would like to make a motion to amendment to remove volleyball and flag football from the budget due to the economic crisis. Councilman Jordan second. Mayor called for discussion.
Discussion- Councilman Jordan inquired when would be a good time to discuss his concern of being upside down with finances and what's the plan. Mayor Edwards made mention of taking of funds from water. Administrator Burton stated none was taken in 2022 and it got transferred to the Fund balance. This year none has been taken as well. In 2022 the city took from ARP funds. The calculation for 2023 are not complete. Councilman Jordan asked for total revenue intake for the city. Administrator Burton estimated 3.9 million general fund revenue. Mayor confirmed that total does not include the 600k that was budgeted to come out of water. Administrator Burton agreed. Councilman Jordan inquired if everything was cut that was funded with hospitality tax virtually how much money is that and how much could be applied back to cover general fund expenses? Administrator Burton replied $119,500 has been proposed to be allocated twds non-profits. There is 30k that is used for events and advertising that could be added back. Councilman Jordan asked how much could be used in the general fund in theory from hospitality mainly for recreation? Mayor Edwards said 50% is the max. Administrator Burton stated for capital projects some could be pulled from hospitality. Councilman Jordan asked for the recreation budget. Administrator Burton replied ½ million. Mayor Edwards asked Councilman Keehn to restate his motion.
Councilman Keehn would like to make a motion to amendment to remove volleyball and flag football from the budget due to the economic crisis. Councilman Jordan second. Mayor is anyone else has discussion. Hearing none Mayor Edwards called for a vote. Councilman Keehn and Councilman Jordan voted yea, Mayor Pro-Tempore Danny Woodwards, Councilman Underwood, and Councilman Pace voted nay. Motion fails.

Councilman Keehn made the motion to amend giving employees cost of living raise of 5%. Councilman Jordan second. Councilman Keehn stated it will be 171k. Adminstrator Burton responded $171,818. Mayor Edwards opened for discussion. Councilman Pace asked what 3% would be. Administrator Burton replied $101k Mayor mention possible merit raises. Mayor calls for vote. Councilman Keehn and Councilman Jordan voted yea, Mayor Pro-Tempore Danny Woodwards, Councilman Underwood, and Councilman Pace voted nay. Motion fails.

Councilman Pace requests explanation on numbers of the administration budget the line item for training. Administrator Burton explained it would refer to training the administrator wanted to send dept heads to, the administrator to attend conferences, and finance officer conference trainings. Councilman Pace asked if Mayor and council expenses are separate from that? Administrator Burton correct. There is a Mayor/council fund that would come from. Councilman Pace inquired the difference of spending from $135 to $500 this year? Administrator Burton answered a council person took municipal training. Councilman Pace made a motion to amend this line item and strike it. Councilman Underwood second. Mayor called for discussion. Hearing none. All present council members votes yea, none nay. Administrator Burton confirmed to strike the Mayor/Council line item. Response yes. Administrator Burton advised this doesn't fix a policy issue of a councilmember coming

requesting to attend training and being told no. Councilman Pace said this will have to be put on next months agenda.

Councilman Keehn would like to make a motion to strike councils salaries. Councilman Jordan second. Mayor called for discussion. Hearing none. All present councilmembers voted yea, none nay.

Administrator Burton instead of creating another policy he would prefer to handle the training through the budget ordinance and the Proviso. Suggestion made was council to pay for their own training or have allotted x number of dollars. Councilman Jordan made the motion. Councilman Keehn second. Mayor called for discussion. Hearing none. Mayor called for vote. All present councilmembers votes yea, none nay.

Administrator Burton said there needs to be a vote on the as amended budget. Councilman Pace made a motion on 2023-13 as amended to move to second reading. Mayor Pro-tempore Danny Woodward second. Mayor asked for discussion. Hearing none. Mayor Pro-tempore Danny Woodward, Councilman Pace, Councilman Underwood voted yay, Councilman Keehn and Councilman Jordan voted nay.

Ordinance 2023-14 Councilman Jordan made a motion to accept. Councilman Pace second. Mayor called for discussion. Councilman Keehn asked Administrator Burton if any neighbors questioned this. Administrator Burton replied there were no comments in Celia's notes. Mayor called for vote. All present councilmembers votes yea, none nay.

Ordinance 2023-15 To amend ordinance 1984 zoning ordinance to rezone 3.75 acres from GR to commercial. Councilman Pace made a motion. Mayor Pro-Tempore second. Mayor asked for discussion. Councilman Keehn asked if any calls have been received on this. Administrator Burton responded a caller inquired about her taxes. Mayor called for vote. All present councilmembers voted yea, none nay.

Building codes-this is a rewrite to accomplish having a building official, we are not going to employ a person we will contract out for that. However, still need the mechanism in place. Councilman Pace made a motion. Mayor Pro-Tempore second. Mayor asked for discussion. Administrator Burton made a clarification to changes that are requested. They would have to be introduced as amendments. Mayor called for vote. All present council members voted yea, none nay.

South Catherine from two lane to one lane. Councilman Keehn made a motion to move forward. Councilman Pace second. Mayor asked for discussion. Councilman Pace asked if there was a timeline. Administrator Burton no. Mayor called for vote. All present council members voted yea, none nay.

Audit presentation- Administrator Burton spoke to McKinley Cooper. The unmodified opinion it is the best score that has been received in 10 yrs. All benchmarks were hit on, all of the financial management, record keeping, and internal controls.

YMCA- using the City pool. Councilman Underwood made a motion. Councilman Keehn second. Mayor asked for discussion. Hearing none. Mayor called for vote. All present councilmembers voted yea, none nay.

Executive session scheduled.
Administrator Burton asked for agenda to be amended for executive session to discuss a personal matter regarding the City Administrator. Councilman Underwood made a motion. Councilman Jordan second. Mayor asked for discussion. Hearing none. Mayor asked for vote. All present council members voted yea, none nay.

Councilman Underwood made a motion to go into executive session. Mayor Pro-Tempore Danny Woodward second. Mayor asked for vote. All present council members voted yea, none nay.

Executive session

Councilman Pace made a motion to give Administrator Burton approval to work on a contract or real estate matter and bring the discussion back to council. Councilman Jordan second. Mayor asked for vote. All present councilmembers voted yea, none nay.

Councilman Pace made a motion to be adjourned. Mayor Pro-Tempore Danny Woodward second. Mayor asked for vote. All present council members voted yea, none nay.

The City of Walhalla City Council held a City Committee Meeting Tuesday, May 2, 2023, at 5:30 PM. The location of the meeting was in Council Chambers of City Hall, 206 N. Church Street, Walhalla, SC 29691.

PRESENT: Mayor Danny Edwards, Councilman Keith Pace, Councilman Grant Keehn, Councilman Tyler Jordan, Councilwoman Sarai Melendez (By Phone)

ABSENT: Mayor Pro-Tempore Danny Woodward, Councilman David Underwood

STAFF: Brandon Burton, Administrator
Tim Rice Chief of Police
Will Bates, Fire Chief
Russ Price, Public Works Director
Scott Parris, Utilities Director
Celia Myers, Community Development Manager
Catie Fisher, Main Street Director

OTHERS: Public. Media.

Mayor Edwards called the meeting to order at 5:30 PM and called for a moment of silence.

Mayor Edwards asked Councilman Jordan to lead the Pledge of Allegiance.

Mayor Edwards called for a motion to approve the agenda. Councilman Pace made a motion to approve, Councilman Jordan second. Mayor Edwards called for discussion and vote. All present councilmembers voted yea. None nay.

Mayor Edwards opened for public comment and went over rules of meeting as it pertained to public comment. No public comment

Mayor introduced Lyndley Lou from Walhalla High School. She wishes to reunite Walhalla High School and downtown Walhalla.

Committee Reports were given by respective department heads.

**Note-no microphone at podium and volume was extremely low.

Parks and Recreation- Mr. Woodward, Chair
Director John Galbreath: (Mr. Galbreath not present due to working at water plant on electrical issue) Administrator Burton gave report.
Baseball/Softball entering 3rd week of games. City tournament May 19th and the 20th.

Public Works- Mr. Jordan, Chair
Director Russ Price gave report:

Leaf truck back up and running (low volume)
Completed the depot deck
Hydraulic system messed up on the other knuckleboom

Police- Mr. Underwood, Chair
Chief Tim Rice gave report:

April Events/Training/Other news:
Issaquena's Last Ride
JMB Family Festival
Block Party

Coming up: National Police Week May 14th- 20th
Quarterly meeting may 15th
May 6th Main St to the Mtns Festival and Gravel Bike Race

1137 total calls for service
276 traffic stops
22 traffic collisions
44 incident reports
281 traffic citations/ traffic/ non-traffic/warnings issued
22 arrests made/ 0 juvenile referral
504 business checks/extra patrols
37.8 hours of overtime- 19.8 shift coverage, 10 court, 8 special events
75 hours of training

Utilities- Mr. Keehn, Chair
Director Scott Parris gave report:

Low Volume- couldn't hear most of the remarks

New 6" Kamstrup meter installed on April 13th.

Replacing a unit in West Union

Several orders for larger meters

Notified of approval of $10 million SCIIP grant.

Mayor Edwards suggested looking at the cost of meters

Councilman Keehn inquired about the taps. There is 100 taps and we aren't in position to buy more until the new budget correct? Parris correct but the dept is good for right now.

Councilman Jordan asked if there is a time frame on using the SCIIP Grant funds? Administrator Burton believes by the end of 2024 a contract has to be in place.

Fire and Codes- Ms. Melendez, Chair
Chief Will Bates gave report:

147 Fire responded to calls for services- fire, medical/rescue
27 mutual aid calls
68 calls inside city, outside
276 hours on incidents
222 hours of training

2 full time openings

Passed SC DHEC BLS agency certification inspection waiting on SC DHEC inspection
New hire- Dean Fritz

Fire Marshal- pre fire plans, business inspections, and re-inspections as needed

Event for the month-JMB festival, Issaquena's Last Ride

Grants awarded: SC Municipal Association $2k, SC Forestry Commission $5k, FM Global $5,243k, V-Safe $13,350k

Main St Community Development Director- Mr. Pace, Ms. Melendez, Mr. Keehn
Catie Fisher gave report:

Walhalla United met and focused on presenters and small workshops
Main St to the Mtns this weekend along with Race to Valhalla, 80 vendors and horse carriage rides
Farmers market begins next Saturday at the WPAC
Next Cruise in May 26th
Attended the Historic Preservation Conference in Columbia
Councilwoman Melendez inquired about new vendors for the farmers market. Answer-go to the website and email for an application

Community Development - Mr. Pace, Ms. Melendez, Mr. Keehn
Celia Myers gave report:

*low volume

Issued:

8 Zoning permits
4 Violations
1 Variances
1 Special Exceptions
1 Signed permit

-Looking at the historical inventory
-Continued drafting the Building Official/Code ordinance
-Staff attended SC Chapter of Planning Conference
-Conducted 6 walk throughs of potential new business
-Conducted IPMC inspections
-2 resolved code violations

General Government- Mr. Pace, Chair
Administrator Burton gave report:

Received 10 million dollars RIA grant program and will attend mandatory training in Columbia end of May
Working on combined water and sewer ordinance
Created a new online reporting tool for public works and utilities. There will be a link on our website.
Working on a better work order system within the City
Placed an order and will begin the new payment envelope system @ Stumphouse
Worked on budget Ashely send out email on cost of living, budget reports. Updated Fund balance sheet was attached.
Auditor will be present at next council meeting
Stumphouse contractors making good progress. Several miles completed.
Pre-conference meeting planned for the Greenway on Friday May 5th
60% drawing on the water line project on Hwy 11
Received 3 bids all under $200k for Ross Mtn project-contract approval at next meeting
Sewer authority awarded 9 ½ million dollars by the SCIIP

Flat rock pump station approved last night that will be the first project

Councilman Pace discussed the council exspenses/training allowance. The line item is upside down. There is another $1700 on the books for training this month.

Mayor announced Oconee Habitat for Humanity ground breaking Wed 10am

Mayor Edwards states Executive Session was needed to have a discussion regarding contractual real estate. Councilman Jordan made a motion to go into Executive Session, Councilman Pace second. Mayor Edwards called for a vote. All present councilmembers voted yea. None nay.

Mayor Edwards declared back in regular session and no action was taken other than discussion. Mayor Edwards asked for a motion to adjourn. Councilman Pace made a motion, Councilman Jordan second. All present councilmembers voted yea. None nay.

Meeting adjourned.

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

CITY OF WALHALLA

Resolution 2023-11

A RESOLUTION TO HONOR CHRISTOPHER TRUMAN GALLOWAY

WHEREAS, Christopher Truman Galloway began his career with the City of Walhalla on May 30, 1995; and

WHEREAS, Christopher began as a meter reader and progressed to lead meter reader; and.

WHEREAS, Christopher has updated and organized all our meter routes to streamline the reading process; and

WHEREAS, Christopher was instrumental in our backflow prevention program, our valve inspection and maintenance programs; and

WHEREAS, Christopher is noted for having a photographic memory, recalling many meter and valve locations; and

WHEREAS, Christopher's work ethic and determination has been tremendous asset to the City of Walhalla and Christopher was always willing to put forth extra effort.

NOW, THEREFORE, Walhalla City Council resolves to commend Christopher T. Galloway on a job well done and expresses their gratitude for his service for 28 years.

BE IT FURHTER RESOLVED, Walhalla City Council wishes Christopher T. Galloway a happy and healthy retirement.

AND IT IS SO RESOLVED this 16th day of May 2023.

_____

Mayor Danny Edwards

Attest:

_____

Timothy B. Burton, City Administrator

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE NO. 2023-11

CITY OF WALHALLA)

AN ORDINANCE TO REPEAL ORDINANCE 2020-16 AND REPLACE WITH 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

Section 1. Meeting to Elect Mayor Pro Tempore.

The Council shall elect a Mayor Pro Tempore at the first meeting of every calendar year ~~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 one (1) ~~two~~ year~~s~~. 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. I) 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 and 7) Community Development Committee

The General Government and Finance Committee shall consist as council as a whole. The mayor shall serve as chair.

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.

The membership of the committee shall rotate off every two (2) years.

Section 6. Committee Meetings

Each committee shall meet ~~a minimum of quarterly or~~ as needed at the call of a majority of the committee or 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.

BE IT ORDAINED by the Mayor and the City council of the City of Walhalla in Council duly assembled and by the authority of the same:

DONE AND RATIFIED in council duly assembled this _____ day of _____ 2022.

By:_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

By:_____

Timothy B. Burton, City Administrator

Introduced By:_____

First Reading:_____

Second Reading:_____

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) **ORDINANCE NO. 2022-12**

CITY OF WALHALLA)

AN ORDINANCE TO ADOPT THE CODIFIED ORDINANCES OF THE CITY OF WALHALLA

WHEREAS, Section 5-7-290 of the South Carolina Code requires that ordinances be codified and indexed and available for public inspection at reasonable times; and

WHEREAS, The City of Walhalla desires to codify its ordinances;

NOW THEREFORE, it is ordained and enacted by the Mayor and Council members of the City of Walhalla in Council assembled that the Code of the City of Walhalla be adopted as follows:

ARTICLE II
Adoption of Code

§ **1-3. Code adopted; continuation of existing provisions.**

In accordance with S.C. Code Ann. § 5-7-290, as amended, the ordinances of the City of Walhalla, as codified T330, are hereby approved, adopted, and enacted as the Code of Ordinances of the City of Walhalla, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments.

§ 1-4. Code on file; additions and amendments.

A. A copy of the Code has been filed in the office of the City Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance such copy shall be certified to by the Clerk of the City of Walhalla by impressing thereon the Seal of the City, as provided by law, and such certified copy shall remain on file in the office of the City Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.

B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Walhalla" shall be understood and intended to include such additions and amendments. Nothing contained in this ordinance shall affect the status of any ordinance contained in the Code, and such ordinances may be amended, deleted or changed from time to time as the governing body deems desirable.

§ 1-5. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-6. Repeal of inconsistent enactments.

All ordinances of a general and permanent nature, or parts of such ordinances, inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the City of Walhalla which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

§ 1-7. Enactments saved from repeal; matters not affected.

The repeal of ordinances provided for in § 1-6 of this ordinance shall not affect the following classes of ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any right or liability established, accrued or incurred under any legislative provision of the City of Walhalla prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.

B. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the City of Walhalla or any penalty, punishment or forfeiture which may result therefrom.

C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision of the City of Walhalla.

D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the City of Walhalla.

E. Any ordinance of the City of Walhalla providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the City of Walhalla or any portion thereof.

F. Any ordinance of the City of Walhalla appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the City of Walhalla or other instruments or evidence of the City's indebtedness.

G. Ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.

H. The levy or imposition of special assessments or charges.

I. The annexation or dedication of property.

J. Any ordinance relating to salaries and compensation.

K. Any ordinance amending the Zoning Map.

L. Any ordinance relating to or establishing a pension plan or pension fund for City employees.

M. Any ordinance or portion of an ordinance establishing a specific fee amount for any license, permit or service obtained from the City.

N. Any ordinance adopted subsequent to November 15, 2022.

§ 1-8. Changes in previously adopted legislation.

A. In compiling and preparing the ordinances for publication as the Code of the City of Walhalla, certain grammatical changes and other minor, nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the governing body that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.

B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-9. Titles and headings; editor's notes.

A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-10. Penalties for tampering with Code.

Any person who alters or tampers with the Code of the City of Walhalla in any manner whatsoever which will cause the legislation of the City of Walhalla to be misrepresented thereby, or who violates any other provision of this ordinance, shall be guilty of a violation and shall, upon conviction thereof, be subject to a fine of not more than $500 or imprisonment for a term of not more than 30 days, or both.

DONE AND RATIFIED in council duly assembled this _____ day of _____ 2022.

By:_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

By:_____

Timothy B. Burton, City Administrator

Introduced By:_____

First Reading:_____

Second Reading:_____

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE NO. 2023-13

CITY OF WALHALLA)

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.

WHEREAS, The City of Walhalla desires to collect a tax and fee for the operation of the general fund and;

WHEREAS, The City of Walhalla desires to collect a fee for the operation of the water and sewer funds and;

WHEREAS, The City of Walhalla desires to collect a tax for the sole purpose of promoting tourism and/or tourism related activities and;

WHEREAS, The City of Walhalla recognizes the importance of long-range capital planning and;

WHEREAS, The City of Walhalla deems it necessary to establish a fund to meet those capital needs now and in the future;

WHEREAS, The City of Walhalla recognizes the importance of sound accounting and financial principles and;

WHEREAS, The City of Walhalla wishes to adopt a unified budget and;

BE IT ORDAINED by the governing body of the City of Walhalla in Council duly assembled and by the authority of the same:

ARTICLE I

The following amounts are appropriated for fiscal year 2023-2024 of the City of Walhalla, SC for operation and maintenance of the city and its utilities.

Revenues

General Fund	$5,750,963.00
Water	$4,929,340.00
Sewer	$192,747.00
Hospitality	$290,000.00
Total Revenues	**$11,163,050.00**

Expenditures

General Fund Total	**$5,750,963.00**
Parks and Recreation	*$492,233.00*
General Properties	*$888,809.00*
Court	*$72,488.00*
Street Department	*$1,221,225.00*
Fire	*$854,834.00*
Community Development	*$207,784.00*
Administration	*$486,656.00*
Police	*$1,526,934.00*
Hospitality Total	***$391,500.00***
Water Total	**$4,929,340.00**
Water Billing	$488,108.00
Water Crew	$2,318,019.00
Water Plant	$2,123,213.00
Sewer Total	**$192,747.00**
Total Expenditures	**$11,264,550.00**

ARTICLE II

SECTION 1.

That the prepared general fund budget and the estimated revenue for the payment of same are hereby adopted and is made part hereof as fully as if incorporated herein and a copy thereof is hereto attached and also be known as the current approved fiscal year budget document;

SECTION 2

The schedule of fees is listed in Appendix A of the current approved fiscal year budget document;

SECTION 3.

That the City has complied with the S.C. Code 6-1-80 which requires that a municipality shall provide notice to the public by advertising the public hearing before the adoption of its budget for the next fiscal year in at least one South Carolina paper of general circulation in the area;

SECTION 4.

That the tax to cover the period July 1, 2023 through June 30, 2024, both inclusive of the sums and in the manner hereafter mentioned is and shall be levied, collected and paid to the treasury of the City of Walhalla for the use and service thereof; that is a tax of eight dollars and forty cents ($8.40) for every one hundred dollars ($100.00) assessed value of all real estate and personal property owned and used in the City of Walhalla, except that which is exempt pursuant to South Carolina law, is levied and shall be paid to the City Treasury improvements, and current expenses of the City, such tax shall constitute a levy to eighty-four (84) mills against all property which is assembled by Oconee County for tax purposes;

SECTION 5.

The billing dates, the penalty dates and the amount of penalty, which shall be levied for delinquent taxes, shall be as follows:

Tax notices shall be issued on before September 20, 2023, providing for payment on or before January 1, 2024, with penalty of three percent (3%) if paid by January 15, 2024, and execution with another three percent (3%) will be issued if paid after March 15, 2024. Cost of levy, advertisement and sale shall be added as additional costs on all property of a defaulting taxpayer;

SECTION 6.

The Tax Collector Oconee County shall be responsible for the collection of all delinquent taxes and to levy and sell all property to defaulting taxpayer:

SECTION 7.

That the City Council shall administer this budget and City Administrator and/or Finance Director shall authorize the transfer of funds within departments of the City and lease purchases deemed necessary and appropriate:

SECTION 8.

All new and existing business proposing to exercise, carry on any trade, or show intent to do business, shall procure a license before commending such trade, business, or profession in accordance with the provisions of Ordinance 2021-29 AN ORDINANCE TO REPEAL ORDINANCE 2020-18 AND ADOPT A NEW BUSINESS LICENSE ORDINANCE IN ACCORDANCE WITH THE BUSINESS LICENSE STANDARDIZATION ACT (2020 ACT NO. 176)

SECTION 9.

There will be an interfund transfer from FY 2024 Water Budget of $600,000.

ARTICLE III

SECTION 1.

That the prepared water and sewer budget and the estimated revenue for the payment of same, are hereby adopted and is made part hereof as fully as if incorporated herein and a copy thereof is hereto attached and also known as the current approved fiscal year budget document;

SECTION 2

The schedule of fees is listed in Appendix A of the current approved fiscal year budget document;

Walhalla will collect and remit fees set by Oconee Joint Regional Sewer Authority monthly. These fees will not be included in revenues;

SECTION 3.

That the City Council shall administer this budget and the City Administrator and/or the Finance Director may authorize the transfer of funds within the Water Department and Sewer Department, lease purchases as deemed necessary and appropriate;

SECTION 4.

As designated by the Walhalla City Council, an interfund transfer of $600,000 to the General Fund for obligations.

ARTICLE IV

SECTION 1.

That a 2% hospitality tax will be collected for the period of July 1, 2023, through June 30, 2024 and will be used for the sole purpose of promoting tourism and/or tourism related activities.

ARTICLE V

Financial Policies

I. Purpose

The purpose of this policy is to define the fiscal procedures for the development and execution of the city's operating and capital outlay budgets, along with the management of the city's debt and economic investments. Undergirding these procedures and this policy are the principles of sound fiscal management, fiscal stability, Generally Accepted Accounting Principles (GAAP) and the mission and vision of City Council.

II. Operating Budget Policy

The annual operating budget is the vehicle through which City Council authorizes City government to fund operations during a specific fiscal year for specific purposes and which establishes the economic resources that are required to support these activities. The budget is a fiscal, planning, and policy document, reflecting the allocation of limited revenues among diverse uses.

A. According to the laws of the State of South Carolina, the city will adopt a balanced operating budget, annually, and provide full discloser when a deviation from a balanced operating budget is planned or when it occurs.
B. The term of the fiscal year is July 1 – June 30.
C. The City Administrator will monitor the financial condition of the city and estimate present and future financial needs.
D. Department heads will be accountable for the implementing department budgets in a manner that accomplishes the programs and objectives for which the budgets were authorized, and ensuring that their respective budgets stay within the prescribed funding levels.
E. Departments must stay within budget by each major expense category of personnel, operating, and capital; Budget transfers or shifts in departmental budgets must be authorized by the City Administrator; provided that overall budget appropriations do not change without the approval of the City Council.
F. The city will develop a program to integrate performance measures and productivity indicators with the annual budget.

G. The city will maintain a risk management program to provide for protection against loss and a reduction in exposure to liability.

III. Revenues

The city will maximize and diversify its revenue base to raise sufficient revenue to support essential city services and to maintain services during periods of declining economic activity. The city must be sensitive to the balance between the need for services and the city's ability to raise fees, charges, and taxes to support those services.

A. The city shall conservatively estimate annual revenue increases.
B. All surpluses above the budgeted revenue estimates will be available to the city for appropriation through the city's budget monitoring and approval processes. Additional appropriations will be used for activities that support the function or program generating the additional fees.
C. Overall revenue shortfalls requiring additional discretionary General Fund resources will result in a city current appropriation level reduction. In the event of a current fiscal year projected total revenue shortfall, the city will document other offsetting revenues or reduce its budget within the regular budget monitoring process. Transfers from the city's General Fund balance to cover revenue shortfalls shall not occur without City Council authorization.
D. The city will maintain a diversified and stable revenue base to reduce the effects of short-term fluctuations in any one revenue source.
E. All enterprise funds will be self-supporting. The city will establish all user charges fees at a level related to the full costs (operating, direct, indirect and capital) of providing the service. The city will review these fees & charges annually in the budget process and target rates that meet the cost to provide the service.
F. Charges for services that benefit specific users should recover full costs, including all direct costs, General Fund overhead, loss of interest and depreciation on capital assets. Through a cost allocation program, city overhead rates and General Fund overhead allocations will be established annually by the Finance Department.
G. Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes other than debt service or capital projects. Expenditures in these funds are strictly limited to the mandates of the funding source. Special Revenue Funds are not to be used to subsidize other funds, except as required or permitted by program regulations.
H. One-time sources such as proceeds from asset sales, debt refinancing, one-time grants, revenue spikes, budget savings and similar non-recurring revenue shall not be used for current or new ongoing operating expenses. Appropriate uses of one-time resources include:
    - **Rebuilding General Fund Balance**
    - **Establishing or rebuilding and Emergency Reserve or Contingency Fund**

- **Early retirement of debt**
- **Funding capital expenditures and/or other non-recurring expenditures**

I. The city will actively seek grant funding to fund both operating and capital expenditures. Prior to the acceptance of grant funding, an elevation of the grant must determine the following:

- The grant purpose is compatible with city program objectives
- The benefits provided by the grant exceed the cost of administration
- The grant does not commit the city to long-term tax funded expenditures after the completion of the grant period.

The city will evaluate the cost and funding source to determine whether to continue the service when the grant period ends. The decision to continue to fund or drop will be made prior to accepting the grant. Alternatively, the city could choose to continue the service with other funding.

IV. Expenditures

The city will provide for a balanced budget, annually, whereby the current operating revenues will be sufficient to support current operating expenditures. An appropriate balance will be maintained between budget dollars provided for direct public services and dollars provided to assure good management and legal compliance. In addition to the City Administrator and the Chief Financial Officer, all department heads share in the responsibility of understanding the city's long-term financial viability, its general spending trends, its projected incomes, and educating themselves, and employees on the necessary short and long-term balance between revenues and expenditures.

A. High priority is given to expenditures that will reduce future operating costs, such as increased utilization of technology and equipment and proven business methods.
B. The annual expenditures shall not exceed the annual revenues (operating budget minus capital outlay)
C. Before the City undertakes and agreements that would create fixed ongoing expenses, the cost implications of such agreements will be estimated for current and future years with the aid of strategic financial planning models.
D. Organizations that are not part of the City, but which receive funding from the City, shall not have their appropriation carried forward from the year to year unless contractually authorized and directed by City Council.

V. Debt Policy

The city's debt policy establishes the parameters for issuing debt, managing its debt portfolio within available resources and within the legal debt margin as defined by South Carolina Statues and minimizing the costs to the taxpayer. Adherence to this policy will help assure maintenance of the city's AA credit ratings and undergird any future credit rating.

A. Long-term debt or bond financing will not be used to finance current operating expenditures.
B. All bonds, notes, contracts, accounts payable, and other monetary liabilities will be paid when due and shall have the most superior lien position during the allocation of resources in budget planning.
C. Capital projects, financed through the issuance of bonds, shall be financed for a period not to exceed the expected useful life of the project.
D. The general obligation debt of the city shall not exceed 8% of the assessed valuation of taxable property in the city in accordance with South Carolina State Statue, without a referendum approving such debt.
E. Annual general obligation debt service shall not exceed 20% of total operating revenue.
F. The city will attempt to use the lease-purchase of Capital Outlay, for equipment and heavy vehicles having a useful life of at least five years or more.

VI. 10 Year Financial Forecast

The city will prepare a 10-year financial forecast that will include projections for annual growth plus allowances for operating costs of new capital facilities. The forecast will provide the financial health of all major funds and assess the financial implications of current and proposed policies, programs, and assumptions. The forecast will include potential alternatives to improving the long-term financial health of the city.

VII. Capital Improvement Program

The city will maintain the Capital Improvement Fund and designate said funds for the implementation of capital projects. The city will prepare and adopt a 10-year Capital Improvement Program, annually, that will detail each capital project, the estimated cost, and funding source.

Moneys in the general government capital improvement fund shall be used to fund all capital improvement projects for general governmental purposes, other than those designated to be funded special assigned funds and to pay debt service on debt obligations incurred to finance such general government capital improvement projects, as authorized by the council in the annual budget.

In adopting the annual budget, and from time to time, the council may provide for the deposit of revenues collected by the city from taxes (by ordinance), loans, grants, or any other source to the general government capital improvement fund in amounts sufficient to fund the expenditures budgeted in that fund.

A. Operating expenditures will be programmed to include the cost of implementing the Capital Improvement Plan as required.
B. Capital assets shall be purchased and maintained on a regular schedule.
C. Within the legal limits of South Carolina Statue and the constraints of operating budgets, debt shall be issued for the purchase of capital assets, including major renovations.

D. An amount determined annually by council shall be deposited into the Capital Improvement Fund from general appropriations.
E. Lease purchases will be considered before the use of Capital Improvement Fund balance for capital equipment and fleet.

VIII. Accounting Policy

The city will establish and maintain accounting systems according to the generally accepted accounting principles (GAAP) and standards of the Government Accounting Standards Board (GASB).

A. An annual audit will be performed and completed no longer than six (6) months from the end of the prior fiscal year by an independent public accounting firm that will issue an official opinion on the comprehensive annual financial report (CAFR) with a management letter detailing areas that need improvement, if required.
B. Full disclosure will be provided in the financial statements and bond representations.
C. A management letter, the by-product of an annual audit, shall be presented by the independent certified public accounting firm no later than 60 days from issuance of the city's CAFR.
D. Financial systems will be maintained to monitor expenditures and revenues on a monthly basis with a thorough analysis and adjustment (if required) quarterly.
E. All revenue collections will be consolidated under the Finance Department (or Chief Financial Officer) and be audited at least annually.
F. The city will maintain an internal control system that safeguard assets and provide reasonable assurances (e.g., noting any changes in finance statements) for the proper recording of the financial transactions of the city.

G. The city shall establish accounting procedures to ensure that moneys deposited in the general government capital improvement fund from grants, loans or any other dedicated funding source are accounted for and expended in a manner consistent with the terms and conditions of the legislation or contractual agreements governing such funding sources.
H.

IX. Fund Balance Program

The term fund balance is used to describe the net assets or equity of a governmental fund. The fund balance is intended to serve as a measure of the financial resources available in that fund. GAAP distinguishes five types of fund balance, nonspendable, restricted, committed, assigned, and unassigned.

Nonspendable fund balance is restricted basically because of the form.
Restricted fund balance has external limitations on use.
Committed fund balance is city council designations made before the end of the fiscal year.
Assigned fund balance is city council designations for the intended use.

Unassigned is the total fund balance in excess of nonspendable, restricted, committed, and assigned.

A. Nonspendable and Restricted Fund Balance – Fund balance reserves indicates that some of the fund net assets are not available for discretionary appropriations and expenditures. Generally, this is due to a legal or contractual commitment to an outside entity. It does not include tentative plans of management or council.
B. Committed Fund Balance – City Council may commit a portion of fund balance for specific uses, as long as it is done by the year end. Committed fund balances are considered as reserved.
C. Unassigned Fund Balance – Unassigned fund balance is available for appropriation. City Council may either assign a portion of fund balance to indicate tentative plans of use or assign a portion for contingencies. Fund Balance that is assigned is considered unreserved.

1) Unreserved – Assigned Fund Balance
   a) Assigned Fund Balance-Contingency
      To help maintain services during short periods or economic decline and to meet emergency conditions, in addition to any other restricted or committed Fund Balance amounts, the budget shall provide for a contingency designation equivalent to 180 days of estimated annual operating revenues in all governmental type funds. The contingency shall also be exclusive of all fund balance types not anticipated to be readily available for use in emergencies. The contingency is established to provide for nonrecurring unanticipated expenditures.

   b) Committed/Assigned Fund Balance – Other Council Designations Council may at its discretion designate any portion of available unassigned fund balance as long as the remaining fund balance allows for unreserved unassigned fund balance to be maintained at no less than 10 percent of regular general fund annual operating revenues.

2) Unreserved – Unassigned Fund Balance
   At a minimum, maintain unreserved, unassigned fund balance in the general fund of no less than 10 percent of regular general fund annual operating revenues. The calculated unreserved, unassigned fund balance shall be exclusive of all other fund balance components not anticipated to be readily available for use in emergencies and contingencies.

X. Depository/Investment Policy

The city's investment policy is in conformance with all Federal, State and Local governing

legislation, the Government Finance Officers Association (GFOA) best practices and other legal requirements, and applies to the investment of all funds, excluding the investment of employee's retirement funds.

A. Except for funds in certain restricted and special funds, the city will consolidate cash and reserve balances from all funds to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration.
B. The city will participate in the South Carolina State Local Government Investment Pool (LGIP) to acquire maximum returns on investments by pooling available funds with funds from other political subdivisions through the South Carolina Treasurers Office as permitted by South Carolina State Statue.
C. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk.
D. All investments are authorized by City Council and are consistent with GFOA policies and statements.
E. Current operating funds (30-day demand deposits) will be maintained in interest bearing checking accounts.
F. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonable anticipated.
G. Reserves and funds not required for the maintenance of a positive cash flow position within the next 30 days (time deposits held in savings accounts or as Certificates of Deposits) will be maintained in accounts bearing the highest interest rates available to the city, provided that such accounts are secured from risk as provided by law. Where practicable, such accounts will be structured to ensure availability of funds without incurring unnecessary penalties upon withdrawal.
H. Full collateralization will be required on all demand deposit accounts, including checking accounts and non-negotiable certificates of deposit.
I. The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs.
J. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions.
K. The City Administrator or his/her designee is authorized with managing the investment portfolio.
L. A list will be maintained by the City's Finance Department of all financial institutions and depositories authorized to provide investment services for the city.
M. All financial institutions and broker/dealers who desire to become qualified for investment transactions must supply the following as appropriate:
    - Audited financial statements demonstrating compliance with state and federal capital adequacy guidelines.

- Proof of Financial Industry Regulatory Authority (FINRA) certification (not applicable to Certificate of Deposit counterparties).
- Proof of state registration.
- Completed broker/dealer questionnaire (not applicable to Certificate of Deposit counterparties).
- Certification of having read and understood and agreeing to comply with the city's investment policy.
- Evidence of adequate insurance coverage.

ARTICLE VI

SECTION 1.
A Retirement Insurance Fund is established for the sole purpose of covering insurance expenses for City retirees.

SECTION 2.
In order for employees to participate in this program they must:

a) Retire from the City of Walhalla with at least 28 years (SRS) or 25 years (PORS)
b) The list 15 years of their career must have been with the City of Walhalla.
c) Agree that the City of Walhalla will cover 75% of their health insurance and retiree is responsible for 25% plus any additional supplements.

ARTICLE VII

SECTION 1.

All orders, resolutions, and parts thereof in conflict herewith are to the extent of that conflict hereby repealed. This Ordinance shall take effect and be in full force upon adoption by the City Council.

SECTION 2.

That the prepared budget and the estimated revenue for the payment of same are hereby adopted and is made part hereof as fully as if incorporated herein and known as current fiscal year adopted budget document;

SECTION 3.
That the City Council shall administer this budget and City Administrator and/or Finance Director shall authorize the transfer of funds within funds and departments of the City and lease purchases deemed necessary and appropriate:

SECTION 4.
That the City has complied with the S.C. Code 6-1-80 which requires that a municipality shall provide notice to the public by advertising the public hearing before the adoption of its budget for the next fiscal year in at least one South Carolina paper of general circulation in the area;

DONE AND RATIFIED in council duly assembled this _____ day of _____ 2022.

By:_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

By:_____

Timothy B. Burton, City Administrator

Introduced By:_____

First Reading:_____

Second Reading:_____

STATE OF SOUTH CAROLINA
CITY OF WALHALLA
BUDGET PROVISOS FOR FISCAL YEAR 2023-2024
ORDINANCE 2023-13

Section 1
The fund appropriations made herein shall not be exceeded without proper authority or amendment by Walhalla City Council.

Section 2
The Finance Director/City Clerk of Walhalla City shall prepare such separate records and books of account as may be required by the United States Government or any of its agencies or by the State of South Carolina or any of its agencies, reflecting the receipt and disposition of all funds.

Section 3
All purchasing and contracting for the acquisition of goods and services for City purposes shall be in accordance with procedures outlined in the City Procurement Ordinance 2019-15.

Section 4
No bills or claims against Walhalla City shall be approved for payment and no check will be issued for same unless such bills or claims are properly itemized showing the goods purchased or services rendered, dated as of the date of delivery of said goods and/or services and signed by the person receiving said goods or services.

Section 5
No officer, elected official, or employee of Walhalla City shall furnish any services or sell any materials or supplies to the City for pay, except upon open quote or bid in accordance with the City Procurement Ordinance.

Section 6
For any equipment, vehicle, or any other item that is approved in the budget as a replacement for existing items, the item being replaced will be relinquished to the Procurement Director for disposal or reassignment.

Section 7
Allocation of proceeds from sale or disposal of Vehicles/Equipment shall be deposited into the Capital Improvement Fund. All other proceeds from the sale of disposal of surplus supplies and property shall be deposited into the City's general fund.

Section 8
Council members will be responsible for covering their own travel and training expenses.

Section 9
Excess (unused) funds from the Greenway Fund will be transferred back to the General Fund upon project completion.

Walhalla, South Carolina

STAFFING BY DEPARTMENT AND STATUS

2023-2024 Budget

Full Time

Department	FY20	FY21	FY 22	FY 23	FY 24 Requested	FY 24 Recommended
Administration (510)	3	3	2	2	5	4
Community Development (511)		0	2	2	3	2
Police (520)	13	13	14	17	18	17
Street (530)	12	13	14	13	13	13
Fire (540)	8	8	8	11	14	11
Recreation (550)	3	3	4	4	4	4
Court (558)	1	1	1	1	1	1
Water Crew (560)	10	10	12	13	16	12
Water Billing (563)	3	3	3	3	4	3
Water Plant (561)	4	4	4	4	4	4
Sewer (565)	1	1	1	1	1	1
Total	**58**	**59**	**65**	**71**	**83**	**72**

Part Time

Department	FY20	FY21	FY 22	FY 23	FY 24 Requested	FY 24 Reccommended
Administration (510)	0	0	0	0	0	0
Community Development (511)	0	0	0	0	2	0
Police (520)	0	0	0	0	0	0
Street (530)	2	2	1	0	0	0
Fire (540)	3	7	7	0	0	0
Recreation (550)	0	0	0	0	3	3
Court (558)	0	0	1	1	1	1
Water Crew (560)	0	0	0	0	0	0
Water Billing (563)	0	0	0	0	0	0
Water Plant (561)	3	3	3	3	3	3
Sewer (565)	0	0	0	0	0	0
Total Part time	**8**	**12**	**12**	**4**	**9**	**7**

ACCOUNT and FUND BALANCES AS OF 4/3/2023

First Citizens Bank:	Cash Balance	
Main Operating #5001	$ 679,052.01	
Credit/Debit Card #5401	$ 3,692,105.43	
Westminster Line #4561	$ 598,103.15	
Hospitality #7601	$ 633,515.14	
Greenway #9425	$ 579,262.57	
ARP	$ 775,315.25	
Stumphouse #9046	$ -	
CD West View Cemetary #1586	$ 3,393.27	
CD #9586	$ 13,336.14	
CD #1386	$ 17,299.59	
CD #0986	$ 8,984.44	
Oconee Federal Savings & Loan:		
Savings (UDAG) #0620	$ 257,597.74	
CD #2910	$ 33,321.02	
Local Gov't Investment Pool:		
Acct #1874	$ 1,431,991.88	
Acct #1109 (UDAG)	$ 160,495.06	$ 1,923,025.87
Total Cash	$ 8,883,772.69	
Assigned/Restricted Funds (Table 1)	$ 6,023,697.65	
Operating Contingency (180 days cash)	$ 1,448,988.00	
Total Unassigned Balance	$ 1,411,087.04	

Table 1. Assigned/Restricted Funds

	General Fund Reserve	$ 100,000.00	fuel contingency
	Captial Improvement Fund	$ 310,877.67	
	Stumphouse Park Fund	$ 821,333.75	
	Cemetary Fund	$ 3,393.27	
	ARP Fund	$ 775,315.25	
	Hospitality Fund	$ 633,515.14	
	Greenway Fund	$ 579,262.57	
	Water Sewer XXXXXXXXXXXXXXXXXX		
	a) Depreciation	$ 600,000.00	
	b) Contingency	$ 1,000,000.00	
	c) O&M	$ -	annual budget
	d) Revenue	$ -	Credit debit acct
	e) Debt Service	$ 1,200,000.00	
	TOTAL	$ 6,023,697.65	

Walhalla, South Carolina
Debt Coverage
2023-2024 Budget

Operating Revenue	
Water Revenue	4,584,000.00
Sewer Revenue	192,747.00
Total Utility Revenue	4,776,747.00
Operating Expenses	
Water Crew	1,694,019.00
Water Plant	812,713.00
Water Billing	488,108.00
Sewer	192,747.00
Total Operating Expenses	3,187,587.00
Operating Income	1,589,160.00
Debt Service	1,200,000.00
Approximate Coverage	1.32

Revenues

General Fund	$5,750,963.00
Water	$4,929,340.00
Sewer	$192,747.00
Hospitatily	$290,000.00
Total Revenues	**$11,163,050.00**

Expenditures

General Fund Total	**$5,750,963.00**
Parks and Recreation	*$492,233.00*
General Properties	*$888,809.00*
Court	*$72,488.00*
Street Department	*$1,221,225.00*
Fire	*$854,834.00*
Community Development	*$207,784.00*
Administration	*$486,656.00*
Police	*$1,526,934.00*
Hospitality Total	***$391,500.00***
Water Total	**$4,929,340.00**
Water Billing	$488,108.00
Water Crew	$2,318,019.00
Water Plant	$2,123,213.00
Sewer Total	**$192,747.00**
Total Expenditures	**$11,264,550.00**

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Sewer Revenues	
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General Properties	
Court	
Water Crew	
Water Plant	
Water Billing	
Sewer	

Walhalla, South Carolina

REVENUES

2023-2024 Budget

Description	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Reccommended
Taxes	797,847.92	833,084.66	873,113.05	888,883.88	896,467.36	821,504.91	906,500.00	911,500.00
Fees	635,316.30	1,218,214.85	1,466,902.48	1,064,772.86	1,469,382.00	728,270.42	1,555,100.00	1,612,238.00
Licenses	211,431.14	201,829.37	188,875.66	227,546.07	261,000.00	216,900.03	250,100.00	250,100.00
Intergovernmental	310,000.00	333,600.00	330,000.00	370,000.00	1,310,000.00	1,260,000.00	1,421,334.00	1,421,334.00
Fines and Assessments	39,877.71	49,255.93	55,127.53	36,956.80	70,300.00	30,866.27	55,500.00	55,500.00
Grants	-	285,000.00	3,748.00	717,835.50	823,835.50	7,243.00	50,000.00	50,000.00
Misc	301,409.06	107,795.00	77,921.76	130,960.55	126,190.85	1,193,978.38	126,291.00	126,291.00
Transfer other Funds	-	688,000.00	1,205,726.00	1,113,179.09	1,514,794.86	-	842,000.00	1,324,000.00
Other funding sources	-	-	-	-	-		-	-
TOTAL GENERAL FUND	**2,295,882.13**	**3,716,779.81**	**4,201,414.48**	**4,550,134.75**	**6,471,970.57**	**4,258,763.01**	**5,206,825.00**	**5,750,963.00**
Water	2,188,487.59	3,674,767.99	4,263,359.47	4,196,407.42	7,581,432.70	3,238,820.74	4,948,000.00	4,929,340.00
Sewer	447,085.79	744,309.56	862,384.00	852,297.47	1,572,028.69	798,413.36	192,747.00	192,747.00
TOTAL ENTERPRISE FUNDS	**2,635,573.38**	**4,419,077.55**	**5,125,743.47**	**5,048,704.89**	**9,153,461.39**	**4,037,234.10**	**5,140,747.00**	**5,122,087.00**
American Rescue	-	-	-	1,113,179.09	3,587,259.00		2,474,080.00	2,474,080.00
Greenway	-	-	-	642,374.57	500,000.00		486,002.00	486,002.00
Hospitality	131,017.39	276,829.00	270,850.14	270,057.78	285,000.00	193,601.50	290,000.00	290,000.00
DDC								
TOTAL OTHER FUNDS	**131,017.39**	**276,829.00**	**270,850.14**	**2,025,611.44**	**4,372,259.00**	**193,601.50**	**3,250,082.00**	**3,250,082.00**

Walhalla, South Carolina
EXPENDITURES
2023-2024 Budget

Department/Fund	FY 19 Actual	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY2023 YTD	FY2024 Requested	FY 2024 Reccommended
Administration	288,504.54	306,304.97	310,993.13	385,659.95	639,436.21	373,789.51	531,649.00	486,656.00
Community Development	-	-	-	-	135,425.00	48,902.94	232,941.00	207,784.00
Police	817,964.23	960,512.60	1,141,013.42	1,238,700.08	1,371,050.73	974,701.02	1,582,938.00	1,526,934.00
Public Works	892,595.55	1,366,489.12	1,082,315.46	1,212,526.50	1,924,234.63	766,094.59	1,277,925.00	1,221,225.00
Fire	510,099.79	535,848.15	743,189.14	783,688.73	826,202.07	571,159.33	1,065,240.00	854,834.00
Recreation	412,947.01	348,254.16	346,934.56	382,262.94	486,913.21	292,518.23	505,164.00	492,233.00
Court	45,221.58	45,120.72	64,219.67	71,813.45	76,936.53	56,422.26	80,104.00	72,488.00
Properties	94,944.12	42,042.84	50,866.19	47,760.61	1,019,300.00	178,067.77	888,809.00	888,809.00
TOTAL GENERAL FUND	**3,062,276.82**	**3,604,572.56**	**3,739,531.57**	**4,122,412.26**	**6,479,498.38**	**3,261,655.65**	**6,164,770.00**	**5,750,963.00**
Hospitality Fund	146,125.67	252,804.94	114,512.53	150,918.93	368,000.00	193,601.50	290,000.00	290,000.00
American Rescue Fund	-	-	-	329,645.00	3,920,038.59			
Greenway Fund	-	-	-	17,685.00	984,000.00			
DDC								
TOTAL OTHER FUND	**146,125.67**	**252,804.94**	**114,512.53**	**498,248.93**	**5,272,038.59**			
Water Crew	1,258,371.71	1,296,411.81	921,197.21	1,420,541.08	4,959,801.28	1,055,526.55	2,580,428.00	2,318,019.00
Water Billing	217,194.07	295,491.07	1,001,787.40	259,095.30	304,101.62	194,962.35	532,327.00	488,108.00
Water Plant	2,397,192.80	2,317,760.02	1,712,794.92	1,997,074.22	2,317,529.97	1,882,397.81	2,116,277.00	2,123,213.00
Sewer	1,318,791.73	772,632.43	1,675,690.08	925,366.38	1,572,028.69	899,757.10	182,747.00	192,747.00
TOTAL ENTERPRISE FUND	**5,191,550.31**	**4,682,295.33**	**5,311,469.61**	**4,602,076.98**	**9,153,461.56**	**4,032,643.81**	**5,411,779.00**	**5,122,087.00**
Contingency	-	-	-	-	25,000.00			
Depreciation	-	-	-	-	-			
Capital Improvement	-	-	-	-	102,000.00	352,517.82	846,100.00	93,000.00
TOTAL CONTRIBUTION FUND	**-**	**-**	**-**	**-**	**127,000.00**	**352,517.82**	**846,100.00**	**93,000.00**

Walhalla, South Carolina
GENERAL REVENUES
2023-2024 Budget

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Property Taxes	511,843.88	534,752.36	581,787.87	570,000.00	613,221.84	620,000.00	620,000.00
Delinquent Taxes	23,123.52	44,053.28	31,588.80	25,000.00	17,410.68	20,000.00	20,000.00
Homestead Exemption	62,646.00	57,987.72	57,365.28	60,000.00	-	58,000.00	58,000.00
Merchants Inventory Refund	9,040.00	9,040.48	9,040.96	9,000.00	6,780.72	9,000.00	9,000.00
Vehicle Property Tax	115,350.87	120,277.87	127,875.26	118,000.00	99,739.83	120,000.00	125,000.00
Brokers Premium				-	11,271.39	10,000.00	10,000.00
Business License	447,843.57	543,845.88	501,557.03	455,000.00	47,958.71	500,000.00	500,000.00
Building Permits	500.00	-	-	-	-	47,000.00	47,000.00
Accommodations Tax Rebate	10,007.58	3,989.99	8,208.40	5,500.00	8,700.09	5,500.00	5,500.00
SC Tax Rebate Aid	101,072.81	103,011.35	92,253.31	105,467.36	71,572.98	70,000.00	70,000.00
Accommodations Tax	-	-	4,951.86	3,500.00	4,078.77	4,000.00	4,000.00
Oconee County Fire Contract	300,000.00	300,000.00	300,000.00	300,000.00	300,000.00	550,000.00	550,000.00
Blue Ridge Electric	3,631.13	5,551.13	4,308.42	5,000.00	4,365.63	4,300.00	4,300.00
Duke Power	132,366.93	120,826.23	174,059.20	180,000.00	137,723.75	170,000.00	170,000.00
Fort Hill Nat. Gas	52,061.07	48,540.37	55,802.11	59,000.00	58,995.72	59,000.00	59,000.00
SC Housing Authority	4,362.85	4,934.00	7,494.83	5,000.00	8,132.19	8,000.00	8,000.00
Bell South/ AT&T	4,102.69	3,742.84	3,134.55	5,000.00	2,203.06	3,500.00	3,500.00
Northland Cable	5,304.70	5,281.09	5,642.65	7,000.00	5,479.68	5,300.00	5,300.00
Zoning Permits	1,355.00	1,775.00	3,964.00	4,500.00	3,251.00	5,800.00	5,800.00
Sanitation Fees	670,905.00	624,460.40	478,971.20	471,797.00	328,831.00	475,000.00	509,540.00
Recycling Revenue	2,115.28	4,591.23	1,821.69	4,975.00	-	-	-
Outside City Sanitation	-	95,923.75	336,731.75	333,110.00	231,246.40	335,000.00	357,598.00
Out of City Fees Recreation	20,034.00	16,289.94	24,615.00	25,000.00	16,950.00	30,000.00	30,000.00
Sponsorships Recreation	3,650.00	2,100.00	5,150.00	10,000.00	1,750.00	5,000.00	5,000.00
Oconee County Recreation Donation	30,000.00	30,000.00	30,000.00	50,000.00	-	50,000.00	50,000.00
Uniforms Recreation	22,470.00	20,325.00	28,961.00	28,000.00	17,490.00	28,000.00	28,000.00
Ins. Participants Recreation	300.00	127.00	30,408.00	300.00	90.00	300.00	300.00
In City Fees Recreation	2,410.00	1,935.00	2,610.00	2,500.00	1,380.00	3,000.00	3,000.00
Pictures Recreation	2,000.00	-	-	1,200.00	-	-	-
Tennis-Gym-Ball Rental			250.00				
Tunnel Gate	29,107.00	124,906.28	56,372.12	95,000.00	50,808.56	95,000.00	95,000.00
Tunnel Shelter Rental	625.00	225.00	650.00	1,000.00	100.00	500.00	500.00
Depot Rental	14,900.00	26,445.00	32,600.00	27,000.00	24,850.00	27,000.00	27,000.00
Old St Johns Rental			1,200.00		200.00	250.00	250.00
Tunnel/DNR	3,600.00	-	1,000,000.00	960,000.00	960,000.00	821,334.00	821,334.00
Traffic Fines	47,822.93	55,127.53	43,527.27	67,300.00	30,162.61	55,000.00	55,000.00
Fines & Assessments	-	-	200.00	-	379.66	-	-
SC Collection Cost	1,433.00	-	951.40	3,000.00	324.00	500.00	500.00
SRO Walhalla	67,530.00	70,047.90	70,047.90	74,990.85	37,495.42	74,991.00	74,991.00
Local Option Dispursement			3,000.00		3,000.00	3,000.00	3,000.00
Sale of Capital Assets			-				
Donations					25,000.00		
Property Rental (Bensons)	1,200.00	1,200.00	1,200.00	1,200.00	-	1,200.00	1,200.00
C Fund	285,000.00	3,748.00		717,835.50	-	-	-
Misc. Income	38,941.00	6,673.86	60,000.00	50,000.00	1,156,390.96	50,000.00	50,000.00
Grants			238,352.69	106,000.00	7,243.00	50,000.00	50,000.00
Interest Income	124.00	-	4.00	-	-	-	-
Copy/Report Fees	-	-		-	92.00	100.00	100.00
Transfer From Water (030)	521,000.00	420,000.00	-	600,000.00	-	600,000.00	600,000.00
Transfer from Fund Balance	167,000.00	626,726.00	-	-	-	-	
Fire Cost Recovery	-	3,953.00	-	10,000.00	3,564.75	3,500.00	3,500.00
Transfer from Hospitality (029)	-	159,000.00	-	239,491.27	-	242,000.00	242,000.00
Transfer from American Rescue (028)			216,348.00	675,303.59	-	-	482,000.00
General Fund Total	**3,716,779.81**	**4,201,414.48**	**4,633,006.55**	**6,471,970.57**	**4,298,234.40**	**5,220,075.00**	**5,764,213.00**

Walhalla, South Carolina
WATER REVENUES
2023-2024 Budget

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Water Sales	3,464,857.00	3,631,093.85	3,890,164.73	4,038,697.70	2,954,636.86	4,300,000.00	4,300,000.00
Water Tap Fees	112,531.00	52,200.00	212,376.50	120,000.00	126,570.00	120,000.00	120,000.00
Sale of Materials							
Charges for Damages		-	-	1,500.00	-	1,500.00	1,500.00
Fire hydrant Meters	304.32	240.00	120.00	500.00		500.00	500.00
Set up charges	100.00	175.00	1,235.00	15,000.00	18,545.00	15,000.00	15,000.00
Service Charges		-	-	3,000.00	-	3,000.00	3,000.00
Water Penalties	68,673.63	78,455.76	88,559.18	80,000.00	74,794.00	80,000.00	80,000.00
Re Connect Fees		3,605.00	26,580.00	40,000.00	29,080.00	40,000.00	30,000.00
Fire Sprinklers		2,424.60	8,234.90	10,000.00	4,233.50	10,000.00	6,000.00
Miscellaneous Income		-		-		-	-
Telecommunications	28,302.04	25,174.26	26,181.23	28,000.00	30,961.38	28,000.00	28,000.00
Westminster Walhalla Water Line Connection Grant		-					
American Rescue		-	-	3,244,735.00		350,000.00	345,340.00
Water Reserve Fund		469,991.00		-		-	-
Water Total	**3,674,767.99**	**4,263,359.47**	**4,253,451.54**	**7,581,432.70**	**3,238,820.74**	**4,948,000.00**	**4,929,340.00**

Walhalla, South Carolina
SEWER REVENUES
2023-2024 Budget

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Sewer Fees	691,232.52	688,591.98	901,606.77	1,194,101.50	769,317.96	182,747.00	182,747.00
West Union Fees	53,077.04	39,793.70	46,453.73	35,000.00	29,095.40		
Sewer Tap	-	-		-		10,000.00	10,000.00
Summer Sewer Fees	-	-	25.00	500.00			
Sewer fund balance OJSA Grant	-	103,884.00	-	290,595.00			
Transfer from water	-	13,500.00	-	51,832.19			
Transfer from fund balance			-				
Sewer Total	**744,309.56**	**862,384.00**	**948,085.50**	**1,572,028.69**	**798,413.36**	**192,747.00**	**192,747.00**

Walhalla, South Carolina
AMERICAN RESCUE FUND REVENUE
2023-2024 Budget

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
ARP Income			1,113,179.09	3,587,259.00	1,113,179.09	2,474,080.00	2,474,080.00

Walhalla, South Carolina
AMERICAN RESCUE FUND EXPENDITURES
2023-2024 Budget

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Transfer to General			216,348.00	675,303.59	60,000.00		482,000.00
Transfer to Water			88,297.00	3,244,735.00		350,000.00	345,340.00
Transfer to Sewer							
Transfer to Other			25,000.00		8,218.84		
Waterline Improvement D/B						2,474,080.00	2,474,080.00
Total	-	-	**329,645.00**	**3,920,038.59**	**68,218.84**	**2,824,080.00**	**3,301,420.00**
FUND BALANCE TOTAL			783,534.09		1,828,494.34		1,001,154.34

Walhalla, South Carolina
CONTINGENCY FUND
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Approved	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Initial Fund Designation				1,000,000.00	-			
Contributions- Water Revenue				-	60,000.00	45,000.00	60,000.00	60,000.00
Contributions- Sewer Revenue							31,417.00	29,212.00
Contributions- Rebate							206,595.00	206,595.00
Total Contributions to Fund	-	-	-	**1,000,000.00**	**60,000.00**	**45,000.00**	**298,012.00**	**295,807.00**
Contingency Expenses Water				-	25,000.00			
Contingency Expenses Sewer								
Total Contingency	-	-	-	**-**	**25,000.00**	**-**	**-**	**-**
FUND BALANCE TOTAL	-	-	-	1,000,000.00	1,035,000.00	1,045,000.00	1,343,012.00	1,340,807.00

Walhalla, South Carolina
DEPRECIATION FUND
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Initial Fund Designation			600,000.00	-			
Contributions			-	50,000.00	37,500.00	50,000.00	50,000.00
Total Contributions to Fund	-	-	600,000.00	50,000.00	37,500.00	50,000.00	50,000.00
Depreciation -Water			-				
Depreciation -Sewer			-				
			-				
			-				
Total Depreciation	-	-	-	-	-	-	-
FUND BALANCE TOTAL	-	-	600,000.00	650,000.00	637,500.00		700,000.00

Walhalla, South Carolina

CAPITAL IMPROVEMENT FUND

2023-2024 Budget

Item	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Initial Fund Designation			200,000.00	200,000.00		
Contribution			80,000.00	60,000.00	80,000.00	80,000.00
Sale of Surplus Property				11,122.44	20,000.00	20,000.00
Misc/Insursance				190,573.83		
Total Contributions to Fund			**280,000.00**	**461,696.27**	**100,000.00**	**100,000.00**
Capital -General- Other			-			
Capital-General-Police			-	142,041.00	300,000.00	-
Capital-General-Tunnel			-		-	-
Capital- General- PW			-	151,439.89	262,600.00	13,000.00
Capital- General- Fire			90,000.00	50,545.10	17,000.00	17,000.00
Capital -General- Rec			12,000.00	8,491.83		
Capital- Utilities- Water					193,000.00	63,000.00
Capital- Utilities- Sewer					73,500.00	
Total Capital			**102,000.00**	**352,517.82**	**846,100.00**	**93,000.00**
FUND BALANCE TOTAL			**178,000.00**	**109,178.45**		**116,178.45**

Walhalla, South Carolina
HOSPITATLITY FUND REVENUE (029)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Hospitality Revenue	276,829.00	270,850.14	297,472.89	285,000.00	193,601.50	290,000.00	290,000.00

Walhalla, South Carolina
HOSPITATLITY FUND EXPENDITURE (029)
2022-2023 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY 2024 Requested	FY 2024 Recommended
Personnel Services							
Salaries Wages				46,500.00			
Contract Labor				-			
Retirement				7,700.40			
FICA				3,557.25			
Workers Comp.				567.30			
Health Insurance				6,166.32			
Christmas Bonus							
Personnel Services			-	**64,491.27**		-	-
Other Services							
Advertising	10,658.05	6,791.19	11,000.00	6,000.00	10,307.12	10,000.00	10,000.00
Capital Expenditures			-				
Swimming Pool			10,151.61	4,000.00			
Bank Service Charges	2,700.00	670.60					
Promotions			-				
Chamber of Commerce	10,000.00		763.14		-		
WCA	36,361.40	25,000.00	30,000.00	40,000.00	40,000.00	45,000.00	45,000.00
Aid to Non-profits	8,500.00	8,500.00	7,750.00	13,500.00	13,500.00	46,700.00	29,500.00
Miscellaneous Expenditures	184,585.49	73,550.74	59,674.27		13,824.59		
Office Supplies							
Computer Services							
Decorations							
Postage							
Materials and Supplies							
Janitorial Supplies							
Travel							
Training							
Ads							
Events						20,000.00	20,000.00
Dues							
Transfer to Main Street			56,415.56	65,008.73	85,714.93	72,000.00	45,000.00
Transfer to General Fund				239,491.27	-	242,000.00	242,000.00
Other Services	**252,804.94**	**114,512.53**	**175,754.58**	**368,000.00**	**163,346.64**	**435,700.00**	**391,500.00**
Total Hospitality	**252,804.94**	**114,512.53**	**175,754.58**	**368,000.00**	**163,346.64**	**435,700.00**	**391,500.00**
FUND BALANCE TOTAL					633,515.14	487,815.14	532,015.14

Walhalla, South Carolina
034 GREENWAY (570)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 23 YTD	FY 24 Request	FY 24 Reccommended
Greenway Grant			642,374.57	500,000.00	-	486,002.00	486,002.00

Walhalla, South Carolina
034 GREENWAY (570)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 23 YTD	FY 24 Request	FY 24 Reccommended
Advertising			-				
Engineering			14,680.00				
Construction				984,000.00	25,520.00	972,003.00	972,003.00
Bank			5.00				
Miscellenous			3,000.00		9,000.00		
Total			**17,685.00**	**984,000.00**	**34,520.00**	**972,003.00**	**972,003.00**
FUND BALANCE TOTAL			**624,689.57**	**140,689.57**	**590,169.57**	**104,168.57**	**104,168.57**

Walhalla, South Carolina
WALHALLA DOWNTOWN DEVELOPMENT CORP
2023-2024 Budget

Item	CY 19 Actual	CY 20 Actual	CY 21 Actual	CY 22 Actual
City of Walhalla	10,000.00	11,984.00	18,000.00	25,000.00
Individ, Business Contributions	0.00	0.00	0.00	202.46
Small Business Retention Grant	0.00	16,600.00	0.00	0.00
Diversity & Inclusion Committee	0.00	0.00	1,000.00	0.00
Art Walk Sponsorship	0.00	0.00	1,525.00	0.00
Cruise In Income	0.00	564.00	1,200.00	0.00
Event Sponsor	0.00	4,200.00	0.00	0.00
Farmers Market	0.00	217.55	0.00	0.00
Festival Spot	0.00	0.00	25.00	0.00
Grants Received	0.00	6,700.00	4,000.00	0.00
Kitwah	0.00	0.00	600.00	0.00
Mothers Day Brunch	0.00	0.00	3,030.00	0.00
T-Shirt Sales	0.00	1,481.52	0.00	0.00
Sponsorhips, Events & Sales - Other	0.00	42.93	4,170.10	0.00
Trails Donation				10,922.33
Total Revenue	**10,000.00**	**41,790.00**	**33,550.10**	**36,124.79**

Walhalla, South Carolina
WALHALLA DOWNTOWN DEVELOPMENT CORP
2022-2023 Budget

Item	CY 19 Actual	CY 20 Actual	CY 21 Actual	CY 22 Actual
Registration Fee	0.00	0.00	51.25	51.85
Contracts	0.00	0.00	0.00	0.00
D&I	0.00	0.00	900.07	99.93
Façade Grants	8,225.00	10180.75	16186.27	13230.00
Signs	0.00	0.00	0.00	0.00
Trashcans	0.00	0.00	0.00	0.00
County Grant	0.00	0.00	6613.81	0.00
Cruise In	0.00	1904.80	0.00	0.00
Farmers Markert	0.00	709.00	0.00	0.00
Independence Eve	0.00		2041.48	0.00
Summer Nights	0.00	200.00	0.00	0.00
T-Shirts	0.00	1230.00	0.00	0.00
Events & Fundraising Other	0.00	0.00	14657.01	0.00
Bank Service	10.00	10.00	0.00	0.00
Postage	0.00	82.50	0.00	0.00
Supplies	0.00	0.00	0.00	0.00
Small Bus Retention Grant	0.00	19500.00	0.00	0.00
Trails Expense				4326.90
Total Expenditures	**8235.00**	**33817.05**	**40449.89**	**17708.68**

Walhalla, South Carolina
01 ADMINISTRATION (510)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Salaries Wages	110,768.61	120,947.33	224,981.64	142,421.76	107,513.08	161,649.00	130,449.00
Contract Labor	8,646.92	22,331.80	2,589.46	-			
Retirement	15,243.00	17,415.31	36,180.77	23,585.04	17,900.69	30,002.00	24,211.00
FICA	8,444.98	9,249.42	17,194.56	10,895.26	8,185.53	12,366.00	9,979.00
Workers Comp.		807.00	2,626.72	1,137.08	995.00	1,959.00	1,887.00
Health Insurance	14,856.54	6,557.36	14,199.56	12,332.64	8,544.78	17,738.00	14,804.00
Christmas Bonus		757.99	974.54	974.54	703.84	750.00	750.00
Personnel Services Total	**157,960.05**	**178,066.21**	**298,747.25**	**191,346.32**	**143,842.92**	**224,464.00**	**182,080.00**
Interfund Transfer			**88,297.00**				
Interfund Transfer Total			**88,297.00**				
Materials & Supplies							
Office Supplies	1,473.37	1,918.61	1,723.75	2,000.00	1,528.33	2,000.00	2,000.00
Postage	200.00	275.00	28.42	250.00	-	250.00	250.00
Gas & Oil	437.37	74.05	2,106.93	1,000.00	1,051.15	1,000.00	1,000.00
Materials and Supplies	2,153.56	4,825.96	697.44	2,500.00		2,500.00	2,500.00
Health Supplies			-				
Materials & Supplies Total	**4,264.30**	**7,093.62**	**4,556.54**	**5,750.00**	**2,579.48**	**5,750.00**	**5,750.00**
Other Services							
Buildings							
Animal Shelter							
Surety Bonds			470.00	785.00	1,125.00	785.00	785.00
Janitorial Services & Supplies				400.00	-	400.00	400.00
Dues & Licenses	6,097.97	4,036.09	3,007.76	5,000.00	4,242.13	5,000.00	5,000.00
Travel	45.82	-	1,309.64	2,500.00	1,413.89	2,500.00	2,500.00
Training	120.00	275.00	769.16	6,000.00	380.00	6,000.00	6,000.00
Vehicle Parts & Repairs			1,030.15	500.00	-	500.00	500.00
Electricity							
Telephone	1,399.00	3,062.41	3,266.67	2,500.00	979.00	2,500.00	1,800.00
Equipment Maintenance			823.21	3,527.81	225.00	3,600.00	3,091.00
Leases & Service Contracts			597.94	253,250.00	145,004.33	114,000.00	114,000.00
Building Maintenance			119.47				
Cell Phones			339.76	450.00	585.79	450.00	650.00
Advertising	1,837.66	1,972.03	1,794.40	700.00	365.50	700.00	700.00
Legal Fees	10,565.00	11,610.00	23,843.50	12,000.00	6,000.00	12,000.00	12,000.00
Audit Fees	36,535.00	15,057.50	32,335.00	15,000.00	15,000.00	15,000.00	15,000.00
Engineering Fees		200.00		-		-	-
Property Fees				2,200.00	5,879.91	2,200.00	2,200.00
Administration Cost			23.21				
Tort/Liability	4,364.00	15,918.50	19,427.17	20,000.00	19,724.00	20,000.00	20,000.00
Property Ins.	1,386.00	522.00	330.50	-		-	-
Vehicle Insurance	280.00	284.50	880.50	900.00	759.00	900.00	900.00
Computer Services	35,308.56	9,250.70	7,900.86	10,000.00	6,243.15	10,000.00	10,000.00
Miscellaneous Expenses	22,653.00	15,569.11	5,978.43	9,000.00	10,148.59	9,000.00	9,000.00
Tax Notices			1,572.35	1,600.00		1,600.00	1,600.00
Mayor & Council Expense	360.00	100.00	135.00	500.00	500.00	500.00	500.00
Emergency Fund	20,134.00	6,850.40	3,740.00	7,000.00	2,199.27	7,000.00	5,400.00
Bank Service Charges		5,072.06	10,792.72	7,027.08	6,592.55	5,000.00	5,000.00
Election Expense	2,994.61	1,560.00	1,463.44	1,500.00		1,800.00	1,800.00
Interest Expense		34,493.00	29,949.00				
Lease Purchases-Gen Gov wide							
Capital Improvement				80,000.00		80,000.00	80,000.00
Other Services	**144,080.62**	**125,833.30**	**151,899.84**	**442,339.89**	**227,367.11**	**301,435.00**	**298,826.00**
Total Administration	**306,304.97**	**310,993.13**	**543,500.63**	**639,436.21**	**373,789.51**	**531,649.00**	**486,656.00**

Walhalla, South Carolina
01 COMMUNITY DEVELOPMENT (511)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages				85,587.84	31,874.76	142,000.00	92,000.00
Contract Labor				-			
Retirement				14,173.27	5,597.24	26,335.00	17,075.00
FICA				6,547.43	2,368.74	10,863.00	7,038.00
Workers Comp.				583.82	242.79	1,732.00	1,122.00
Health Insurance				12,332.64	3,227.58	35,511.00	30,299.00
Christmas Bonus				200.00	54.15	150.00	150.00
Personnel Services				**119,425.00**	**43,365.26**	**216,591.00**	**147,684.00**
Materials & Supplies							
Office Supplies				1,000.00	232.30	750.00	1,000.00
Postage				100.00		250.00	100.00
Gas & Oil				1,200.00	342.82	1,200.00	1,200.00
Materials and Supplies				200.00		150.00	200.00
Health Supplies				-		-	-
Materials & Supplies				**2,500.00**	**575.12**	**2,350.00**	**2,500.00**
Other Services							
Janitorial Services & Supplies				-		-	-
Dues & Licenses				1,500.00		1,500.00	1,500.00
Travel				1,000.00		750.00	1,000.00
Training				1,000.00		1,500.00	1,000.00
Vehicle Parts & Repairs				500.00		500.00	500.00
Electricity				-		-	-
Telephone				500.00		500.00	-
Equipment Maintenance				-		-	-
Leases & Service Contracts				-		-	45,000.00
Building Maintenance				-		-	-
Cell Phones				1,000.00	545.56	1,000.00	1,000.00
Advertising				500.00	54.50	750.00	500.00
Legal Fees				500.00		500.00	500.00
Tort/Liability				1,000.00	3,290.00	1,000.00	1,000.00
Property Ins.				500.00	455.50	500.00	500.00
Vehicle Insurance				1,000.00	521.00	1,000.00	600.00
Computer Services				4,000.00		4,000.00	4,000.00
Miscellaneous Expenses				500.00	96.00	500.00	500.00
Other Services				**13,500.00**	**4,962.56**	**14,000.00**	**57,600.00**
Total Administration				**135,425.00**	**48,902.94**	**232,941.00**	**207,784.00**

Walhalla, South Carolina
01 POLICE (520)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	473,343.83	574,210.73	649,054.04	761,091.55	511,520.32	868,458.00	818,458.00
Overtime	38,025.62	32,507.75	24,744.50	20,000.00	14,775.57	20,000.00	20,000.00
Retirement	104,948.79	107,335.79	117,525.06	145,453.30	104,390.85	183,480.00	172,860.00
FICA	44,823.33	45,079.99	49,855.68	58,223.50	38,970.90	66,437.00	62,612.00
Workers Comp.	-	30,634.45	31,463.16	39,062.14	26,983.61	44,839.00	42,149.00
Health Insurance	96,280.87	71,772.92	81,961.13	138,450.24	79,835.31	165,354.00	159,485.00
Christmas Bonus	1,172.89	2,307.44	1,840.81	2,200.00	2,246.91	2,300.00	2,300.00
Unemployment	-	84.80					
Reserve Officers	-	-					
Physicals	1,516.00	987.00	2,426.00	1,800.00	1,333.00	1,800.00	1,800.00
Personnel Services Total	**760,111.33**	**864,920.87**	**958,870.38**	**1,166,280.73**	**780,056.47**	**1,352,668.00**	**1,279,664.00**
Materials & Supplies							
Surety Bonds	-	-					
Polygraph Testing	-	-		3,500.00	250.00	3,500.00	3,500.00
Office Supplies	3,244.91	4,161.92	11,305.30	4,000.00	2,628.02	4,000.00	4,000.00
Postage	189.71	124.30	178.53	200.00	117.79	200.00	200.00
Tires	8,344.17	2,846.79	1,694.00	4,000.00	2,366.31	5,000.00	5,000.00
Gas & Oil	35,364.55	38,989.21	47,378.71	35,700.00	42,243.20	45,700.00	45,700.00
Materials and Supplies	5,667.43	3,239.09	3,101.90	3,500.00	2,910.20	4,000.00	4,000.00
Janitorial Supplies	2,369.83	3,728.08	3,334.06	3,500.00	3,865.17	4,000.00	4,000.00
Health Supplies	177.92	168.00	1,414.43	600.00	490.88	600.00	600.00
Materials & Supplies Total	**55,358.52**	**53,257.39**	**68,406.93**	**55,000.00**	**54,871.57**	**67,000.00**	**67,000.00**
Other Services							
Dues & Licenses	649.21	561.75	620.00	500.00	1,134.00	2,500.00	2,500.00
Travel	1,663.15	1,886.67	2,126.07	2,000.00	981.31	2,000.00	2,000.00
Training	4,371.39	4,843.49	4,856.11	6,000.00	4,707.91	6,000.00	6,000.00
Vehicle Repairs	16,369.09	20,354.25	11,619.84	7,000.00	12,854.99	15,000.00	15,000.00
Electricity	7,150.94	7,098.93	4,641.20	7,500.00	4,121.92	5,000.00	5,000.00
Telephone	6,455.53	7,613.95	3,862.20	3,800.00	2,896.65	3,800.00	3,800.00
Natural Gas	384.22	397.59	491.03	600.00	517.34	600.00	600.00
Leases & Services Contracts	-	55,525.29	36,194.58	25,200.00	-	25,200.00	25,200.00
Building Main.	4,949.75	7,331.26	5,947.81	5,000.00	4,091.75	5,000.00	5,000.00
Cell Phones	2,064.00	3,016.89	2,353.04	3,000.00	736.52	8,000.00	8,000.00
Radio Main.	1,765.06	1,029.23	1,588.00	1,500.00	400.70	1,500.00	1,500.00
Uniforms	11,933.54	14,371.87	10,673.03	8,000.00	11,498.39	8,000.00	8,000.00
Police Foundation	-	8,053.98	8,992.76	-	355.65		
Juvenile Detention	-	-	2,725.00	-	1,675.00	1,500.00	1,500.00
Advertising	719.06	250.38	1,336.83	2,000.00	1,295.53	2,000.00	2,000.00
Administration Cost	-	-			85.00		
Tort/Liability	22,670.00	36,233.99	43,605.80	45,000.00	61,137.00	45,000.00	62,000.00
Property Ins.	2,038.00	2,077.00	1,830.00	2,170.00	1,652.00	2,170.00	2,170.00
Vehicle Insurance	9,592.50	9,228.50	9,460.00	12,000.00	10,886.00	12,000.00	12,000.00
Computer Services	7,428.44	7,281.69	8,382.40	13,000.00	8,832.00	10,000.00	10,000.00
Canine Unit	1,488.33	1,367.45	3,988.37	3,500.00	3,576.52	4,000.00	4,000.00
Penalty	371.65	-	50.33		17.60		
Grant Match	23,861.68	-	35,580.39	2,000.00	527.88	4,000.00	4,000.00
Purchase Stolen Items/Recovery	318.92	-			-		
Other Services Total	**126,244.46**	**188,524.16**	**200,924.79**	**149,770.00**	**133,981.66**	**163,270.00**	**180,270.00**
Capital Outlay							
Capital Vehicle	-	34,311.00	128,996.47				
Capital- Equipment	18,798.29	-	8,999.92		5,791.32		
Capital-Miscellaneous	-	-					
Captial Outlay Total	**18,798.29**	**34,311.00**	**137,996.39**	**-**	**5,791.32**	-	-
Total Police	**960,512.60**	**1,141,013.42**	**1,366,198.49**	**1,371,050.73**	**974,701.02**	**1,582,938.00**	**1,526,934.00**

Walhalla, South Carolina
01 PUBLIC WORKS (530)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	390,765.14	423,811.53	464,664.57	521,634.30	296,205.30	504,514.00	504,514.00
Overtime	18,359.33	11,894.22	18,886.91	10,000.00	10,582.12	15,000.00	15,000.00
Retirement	73,803.94	65,833.90	71,372.25	86,382.64	53,517.51	93,638.00	93,638.00
FICA	37,009.22	32,404.52	36,086.06	39,905.02	22,757.42	38,595.00	38,595.00
Workers Comp.	-	21,130.28	20,562.05	37,436.61	14,643.62	26,457.00	26,457.00
Health Insurance	88,042.27	78,393.73	64,392.98	91,090.56	48,233.70	89,871.00	89,871.00
Christmas Bonus	2,096.00	2,111.52	2,138.56	2,200.00	2,100.00	2,200.00	2,200.00
Unemployment	-	858.00					
Personnel Services	**610,075.90**	**636,437.70**	**678,103.38**	**788,649.13**	**448,039.67**	**770,275.00**	**770,275.00**
Materials and Supplies							
Physicals	-	-	125.00	300.00	-	300.00	300.00
Office Supplies	337.90	55.31	520.08	1,400.00	674.07	1,400.00	1,400.00
Postage	-	-	-	50.00	-	50.00	50.00
Tires	21,317.68	22,071.06	29,783.01	33,000.00	17,899.65	33,000.00	33,000.00
Gas & Oil	72,114.30	85,554.66	110,065.09	96,000.00	93,346.26	137,000.00	137,000.00
Materials and Supplies	16,386.89	25,479.53	10,592.61	14,000.00	9,082.32	18,000.00	10,000.00
Tools	975.19	66.73	556.50	8,000.00	2,750.62	21,000.00	8,000.00
Gravel & Stone	1,980.07	575.91	1,180.71	3,000.00	-	3,000.00	3,000.00
Asphalt	525.18	-	2,400.00	3,000.00	-	3,000.00	3,000.00
Health Supplies	582.44	-	366.00	2,000.00	527.09	2,000.00	2,000.00
Materials and Supplies	**114,219.65**	**133,803.20**	**155,589.00**	**160,750.00**	**124,280.01**	**218,750.00**	**197,750.00**
Other Services							
Janitorial Supplies	146.59	353.73	-	500.00	-	1,500.00	1,500.00
Dues & Licenses	143.29	762.04	746.79	500.00	143.29	500.00	500.00
Travel	169.87	-	774.40	1,600.00	972.10	2,200.00	2,200.00
Training	115.28	-	235.00	1,200.00	370.00	1,200.00	1,200.00
Vehicle Repairs	30,551.48	46,681.59	85,757.10	34,000.00	35,508.60	45,000.00	40,000.00
Electricity	1,314.20	1,241.67	1,319.85	1,500.00	805.47	1,500.00	1,500.00
Telephone	943.78	1,170.07	1,452.29	1,000.00	1,252.22	1,500.00	1,500.00
Traffic Signals -Electricty	3,990.05	4,181.49	4,198.87	4,000.00	3,697.19	4,000.00	4,000.00
Natural Gas	2,310.83	2,224.41	2,442.50	3,000.00	1,701.47	3,000.00	3,000.00
Equipment Main.	26,047.72	17,393.28	27,931.04	27,000.00	10,929.40	27,000.00	16,000.00
Leases & Contracts	22,278.57	111,030.83	147,122.22	-	-	-	-
Building Main.	2,385.17	1,070.05	5,161.76	10,000.00	638.40	10,000.00	10,000.00
Grounds Main	9,494.13	5,224.64	9,239.34	10,000.00	9,208.48	17,000.00	10,000.00
Recycling	-	420.77	185.50	200.00	-	200.00	200.00
Cell Phones	1,321.97	980.77	1,107.28	1,200.00	689.85	1,200.00	1,200.00
Radio Main.	-	107.15	-	2,000.00	-	2,000.00	2,000.00
Uniforms	8,491.19	7,562.63	10,179.94	12,000.00	7,575.21	14,000.00	10,000.00
					-		
Advertising	1,200.10	401.74	73.00	1,300.00	150.00	1,300.00	1,300.00
Tort/Liability	5,924.00	3,662.41	3,505.56	4,000.00	4,709.00	4,800.00	4,800.00
Property Ins.	802.00	1,235.00	1,371.00	1,500.00	1,258.50	1,500.00	1,500.00
Vehicle Insurance	13,362.50	13,331.00	16,174.50	18,000.00	18,355.50	20,000.00	20,000.00
Computer Services	3,016.55	1,530.39	134.45	4,000.00	4,975.16	9,000.00	4,000.00
Penalty	55.00	127.82	-	-	-		
Grant Match	-	5,662.83	28,043.71	4,000.00	14,149.60	4,000.00	4,000.00
Miscellaneous Expense	-	-	35.00		-		
Electricity	4,605.00	5,245.71	4,577.06	5,000.00	3,446.03	5,000.00	5,000.00
Electricity-Christmas Lights	620.17	730.66	759.03	1,500.00	552.36	1,500.00	800.00
Electricity-Street Lights	52,871.82	57,014.84	55,778.20	57,000.00	40,286.38	57,000.00	57,000.00
Building & Fixed Assets	-	-	-				
Furniture & Fixtures	-	-	-				
Other Services	**192,161.26**	**289,347.52**	**408,305.39**	**206,000.00**	**161,374.21**	**235,900.00**	**203,200.00**
Capital Outlay							
Capital-Vehicle	-	-	375,874.56	-			
Capital-Equipment	25,696.14	22,727.04	12,957.06	51,000.00	32,400.70	53,000.00	50,000.00
Capital-Miscellaneous	-	-	-	-			
C-Funds Paving	424,336.17	-	-	717,835.50			
Capital	**450,032.31**	**22,727.04**	**388,831.62**	**768,835.50**	**32,400.70**	**53,000.00**	**50,000.00**
Total Streets and Sanitation	**1,366,489.12**	**1,082,315.46**	**1,630,829.39**	**1,924,234.63**	**766,094.59**	**1,277,925.00**	**1,221,225.00**

Walhalla, South Carolina
01 FIRE (540)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	231,950.72	392,622.21	390,206.02	442,601.96	296,233.82	537,371.00	453,400.00
Overtime	1,794.23	1,041.50	3,128.61	10,000.00	12,506.59	20,000.00	15,000.00
Retirement	34,815.27	61,791.18	60,903.28	84,038.80	60,365.83	112,972.00	95,069.00
FICA	20,709.52	30,096.38	29,659.97	33,859.05	23,144.49	41,109.00	34,685.00
Workers Comp.	-	17,402.61	15,530.96	17,925.38	12,632.11	21,764.00	18,363.00
Health Insurance	38,270.28	39,148.06	39,544.38	76,376.88	42,663.51	98,624.00	81,017.00
Christmas Bonus	1,191.11	1,732.51	1,624.22	2,000.00	1,326.51	1,500.00	1,500.00
Unemployment	-	-	-				
Physicals	-	250.00	-				
Personal Services	**328,731.13**	**544,084.45**	**540,597.44**	**666,802.07**	**448,872.86**	**833,340.00**	**699,034.00**
Materials and Supplies							
Volunteer Fireman	10,036.53	1,558.61	6,110.66	12,000.00	8,932.90	15,000.00	8,000.00
Office Supplies	3,158.29	2,444.22	-	4,000.00	3,007.69	5,000.00	5,000.00
Postage	50.00	9.50	-	50.00	7.85	50.00	50.00
Tires	3,823.82	421.81	672.26	4,000.00	3,447.64	6,000.00	6,000.00
Gas & Oil	11,197.70	11,285.34	19,582.03	12,000.00	17,589.43	32,000.00	20,000.00
Materials and Supplies	469.92	579.71	554.97	1,000.00	705.93	1,000.00	1,000.00
Janitorial Supplies	843.13	23.15	535.38	2,000.00	1,920.46	4,000.00	3,000.00
Health Supplies	424.83	4,181.24	4,278.60	8,000.00	2,994.30	12,000.00	12,000.00
Materials & Supplies	**30,004.22**	**20,503.58**	**31,733.90**	**43,050.00**	**38,606.20**	**75,050.00**	**55,050.00**
Other Services							
Dues & Licenses	3,386.15	5,534.74	6,895.72	8,000.00	4,029.84	12,000.00	8,000.00
Travel	1,731.48	1,144.51	75.00	3,000.00	954.85	6,000.00	3,000.00
Training	3,811.45	3,703.92	3,381.56	6,000.00	6,979.00	10,000.00	7,500.00
Vehicle Repairs	7,585.41	30,783.88	23,010.55	10,000.00	8,314.69	15,000.00	10,000.00
Fire Prevention	2,207.09	318.00	632.80	3,000.00	1,720.93	5,000.00	3,000.00
Electricity	7,025.15	7,286.46	8,579.64	7,000.00	5,772.24	7,000.00	7,000.00
Telephone	993.13	993.29	1,159.80	1,000.00	811.34	1,500.00	1,500.00
Natural Gas	1,220.75	1,400.51	1,087.81	1,000.00	1,034.44	1,000.00	1,000.00
Equipment Main.	8,506.72	7,060.96	5,610.48	10,000.00	5,108.04	20,000.00	10,000.00
Leases & Contracts	34,300.00	84,820.74	84,831.59	-	-	-	-
Building Main.	4,014.25	2,370.75	7,987.84	8,000.00	4,107.22	15,000.00	8,000.00
Grounds Main	-	298.34	508.33	250.00	275.66	450.00	350.00
Cell Phones	2,474.88	2,764.89	2,640.79	3,100.00	1,827.14	3,100.00	3,100.00
Radio Main.	5,296.90	4,839.45	5,094.34	6,700.00	832.29	12,000.00	8,000.00
Uniforms	10,859.12	5,320.98	4,769.02	7,500.00	7,889.66	12,000.00	8,500.00
Advertising	-	171.44	-	300.00	-	300.00	300.00
Tort/Liability	4,676.00	4,041.65	3,610.82	6,000.00	4,254.50	6,000.00	5,000.00
Property Ins.	1,616.00	1,582.50	1,834.50	2,500.00	2,260.50	2,500.00	2,500.00
Vehicle Insurance	6,888.50	5,707.50	7,406.00	8,000.00	8,372.00	8,000.00	9,000.00
Penalty	101.02		-				
Computer Services	-		-				
Grant Match	11,013.88	8.16	-	10,000.00	8,135.93	20,000.00	5,000.00
Emergency Recovery			-				
Other Services	**117,707.88**	**170,152.67**	**169,116.59**	**101,350.00**	**72,680.27**	**156,850.00**	**100,750.00**
Captial Outlay							
Capital-Vehicle	-			-			
Capital-Equipment	-	8,448.44	42,240.80	11,000.00	11,000.00		
Capital-Miscellaneous	59,404.92			-			
Capital- Facility	-			4,000.00			
Capital	**59,404.92**	**8,448.44**	**42,240.80**	**15,000.00**	**11,000.00**	**-**	**-**
Total Fire	**535,848.15**	**743,189.14**	**783,688.73**	**826,202.07**	**571,159.33**	**1,065,240.00**	**854,834.00**

Walhalla, South Carolina

01 PARKS AND RECREATION (550)

2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Salaries Wages	111,377.12	127,263.24	165,117.51	178,720.21	118,351.30	209,840.00	195,800.00
Overtime		600.00	-	-		-	2,500.00
Retirement	19,549.64	21,074.00	25,061.34	29,596.07	20,858.24	25,917.00	25,918.00
FICA	9,910.98	9,735.64	12,402.15	13,672.10	8,918.24	16,053.00	14,979.00
Workers Comp.		2,888.88	3,374.37	4,056.95	2,661.12	4,763.00	4,445.00
Health Insurance	22,047.54	22,452.80	21,735.44	28,232.88	14,940.72	17,606.00	17,606.00
Christmas Bonus	1,055.76	875.00	839.19	1,200.00	839.21	1,200.00	1,200.00
Unemployment			-				
Personnel Services	**163,941.04**	**184,889.56**	**228,530.00**	**255,478.21**	**166,568.83**	**275,379.00**	**262,448.00**
Materials and Supplies							
Office Supplies	194.54		314.36	400.00	204.27	400.00	400.00
Postage			-	50.00	-	50.00	50.00
Tires	201.40		313.38	400.00	-	800.00	800.00
Gas & Oil	2,644.13		4,571.79	3,000.00	3,679.25	4,500.00	4,500.00
Materials and Supplies	1,002.04		947.98	1,500.00	69.04	1,500.00	1,500.00
Gravel & Stone	243.21		56.00	1,000.00	-	1,000.00	1,000.00
Credit Card Service Charges			-	300.00	-	300.00	300.00
Health Supplies			65.46	200.00	-	200.00	200.00
Material and Supplies	**4,285.32**	**5,550.00**	**6,268.97**	**6,850.00**	**3,952.56**	**8,750.00**	**8,750.00**
Other Services							
Surety Bonds	-		135.00	135.00	-	135.00	135.00
Janitorial Services & Supplies	1,039.62		1,150.45	1,200.00	692.72	1,200.00	1,200.00
Dues & Licenses	2,156.47		2,408.49	2,500.00	1,850.00	3,500.00	3,500.00
Travel	6,842.62		6,019.00	6,500.00	425.00	6,000.00	6,000.00
Training			-	400.00	-	500.00	500.00
Vehicle Repairs	427.08		161.00	500.00	-	500.00	500.00
Electricity			-	-	-		
Telephone	687.04		1,148.02	700.00	873.65	900.00	900.00
Natural Gas	4,385.96		3,311.05	4,500.00	2,950.94	4,500.00	4,500.00
Equipment Main.	439.10		1,192.17	1,500.00	444.98	1,500.00	1,500.00
Lease and Service Contracts	5,428.54		6,427.99	-	-	-	-
Building Main.	4,528.54		3,682.06	4,000.00	1,671.12	4,000.00	4,000.00
Grounds Main	10,337.39		10,161.17	8,000.00	6,369.95	10,000.00	10,000.00
Cell Phones	540.42		448.18	700.00	325.41	700.00	700.00
Oconee County Rec. Funds	-		31,222.30	50,000.00	2,322.16	50,000.00	50,000.00
Game Officials	19,261.00		20,301.00	22,250.00	23,446.00	28,000.00	28,000.00
Senior Citizens	-		-	-	-		
Advertising	-		-	200.00	-	200.00	200.00
Sponsor Banner	-		400.00	400.00	343.44	400.00	400.00
Tort/Liability	1,870.00		1,511.18	1,900.00	1,887.00	1,900.00	1,900.00
Property Ins.	5,016.00		5,706.00	6,200.00	6,445.50	6,500.00	6,500.00
Vehicle Insurance	1,244.00		1,476.00	1,500.00	1,561.50	1,600.00	1,600.00
Computer Services	991.50		190.00	1,000.00	-	1,000.00	1,000.00
Penalty	-		-		-		
Special Events	(759.76)		-		-		
Miscellaneous Expense	-		-		-		
Electricity-Ballfields	16,410.87		16,857.38	17,000.00	11,241.55	17,000.00	17,000.00
Electricity-Tennis ct.	937.30		544.62	1,500.00	376.13	1,000.00	1,000.00
Electricity- Gym	6,228.68		7,912.68	9,000.00	6,694.81	9,000.00	9,000.00
Building & Fixed Assets	-		-		-		
Furniture & Fixtures	-		-		-		
Sports Equipment	-		21,073.89	30,000.00	10,653.11	30,000.00	30,000.00
Capital- Vehicle	-		-		-		
Capital- Equipment	23,141.24		18,717.38	12,000.00	-	-	-
Uniforms Sports	26,212.57		24,521.87	35,000.00	19,373.87	35,000.00	35,000.00
Insurance-Sports	5,526.60		2,141.00	6,000.00	48.00	6,000.00	6,000.00
Other Services Total	**142,892.78**	**156,495.00**	**188,819.88**	**224,585.00**	**99,996.84**	**221,035.00**	**221,035.00**
Capital Outlay							
Chicopee Ballfield	37,135.02				22,000.00	-	-
Capital	**37,135.02**	**-**	**-**	**-**	**22,000.00**	-	-
Total Recreation	**348,254.16**	**346,934.56**	**382,262.94**	**486,913.21**	**292,518.23**	**505,164.00**	**492,233.00**

Walhalla, South Carolina
01 DEPOT (555)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Contract Labor	2,630.00	4,280.00	5,080.00	3,700.00	3,750.00	5,000.00	5,000.00
Janitorial Supplies	278.41	-	-	350.00	-	350.00	350.00
Electricity	4,552.81	3,137.00	3,182.54	3,800.00	3,476.22	4,000.00	4,000.00
Natural Gas	1,929.38	989.22	1,025.68	1,100.00	820.36	1,100.00	1,100.00
Building Maintenance	1,000.00	90.00	975.97	1,000.00	280.32	1,000.00	1,000.00
Grounds Maintenance			-	300.00	-	300.00	300.00
Property Insurance	1,352.00	758.50	811.00	1,000.00	966.00	1,000.00	1,000.00
Miscellenous			-	-	125.00	125.00	125.00
Total Depot	**11,742.60**	**9,254.72**	**11,075.19**	**11,250.00**	**9,417.90**	**12,875.00**	**12,875.00**

Walhalla, South Carolina
01 TUNNEL (556)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Contract Labor		7,950.00	3,838.17	23,000.00	12,831.00	23,000.00	23,000.00
Gas & Oil	150.84	10.00	-	200.00	-	200.00	200.00
Materials & Supplies	7,999.61	1,567.38	1,064.58	3,000.00	232.88	3,000.00	3,000.00
Janitorial Supplies	2,789.01	4,490.94	3,042.22	2,000.00	1,919.04	2,000.00	2,000.00
Electricity	651.30	741.75	971.88	800.00	592.33	800.00	800.00
Miscellaneous Expense	4,085.22	3,265.47	6,562.94	5,000.00	4,443.00	5,000.00	5,000.00
Property Insurance		65.00	71.00	100.00	75.50	100.00	100.00
Capital Miscellaneous		9,753.00	2,966.94	8,000.00	-	8,000.00	8,000.00
Grant			7,518.00	953,700.00	138,731.00	821,334.00	821,334.00
Total Tunnel	**15,675.98**	**27,843.54**	**26,035.73**	**995,800.00**	**158,824.75**	**863,434.00**	**863,434.00**

Walhalla, South Carolina
17 POOL (551)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Item							
Materials & Supplies		-	-		-	-	-
Pool Chemicals	5,232.31	3,488.59	-			-	-
Dues & Licenses	250.00	250.00	250.00	250.00	250.00	300.00	300.00
Electricity	4,220.36	4,675.58	4,761.90	6,200.00	4,422.77	6,200.00	6,200.00
Telephone	633.27	882.64	1,113.90	800.00	770.42	800.00	800.00
Building Maintenance	772.32	457.62	373.39	500.00	66.43	500.00	500.00
Tort Liability	2,402.00	3,001.00	3,034.00	3,300.00	2,992.50	3,300.00	3,300.00
Property Insurance	1,114.00	1,012.50	1,116.50	1,200.00	1,323.00	1,400.00	1,400.00
Total Pool	**14,624.26**	**13,767.93**	**10,649.69**	**12,250.00**	**9,825.12**	**12,500.00**	**12,500.00**
Total Properties	**42,042.84**	**50,866.19**	**47,760.61**	**1,019,300.00**	**178,067.77**	**888,809.00**	**888,809.00**

Walhalla, South Carolina
01 COURT (558)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	31,082.75	41,336.46	45,422.04	50,706.88	34,638.19	50,715.00	47,200.00
Overtime	-	-	-	-	-	-	-
Retirement	5,235.40	6,340.96	7,118.17	8,397.06	5,614.16	6,096.00	5,791.00
FICA	2,704.14	2,849.36	3,218.48	3,879.08	2,513.58	3,880.00	3,611.00
Workers Comp.	-	230.25	233.26	275.03	195.88	275.00	267.00
Health Insurance	4,499.82	10,925.70	9,282.42	7,578.48	5,134.68	9,288.00	5,869.00
Christmas Bonus	54.15	81.22	135.35	150.00	135.35	150.00	50.00
Unemployment	-		-		-		
Jury Pay	-		-				
Personnel Services	**43,576.26**	**61,763.95**	**65,409.72**	**70,986.53**	**48,231.84**	**70,404.00**	**62,788.00**
Materials and Supplies							
Office Supplies	1,343.06	2,405.72	1,688.11	1,000.00	4,213.42	4,500.00	4,500.00
Travel	-			-	-	500.00	500.00
Training	201.40	50.00	658.12	1,250.00	-	500.00	500.00
Leases and Contracts			3,653.00	3,700.00	3,653.00	3,700.00	3,700.00
Restituiton Paid			404.50		324.00	500.00	500.00
Material and Supplies	**1,544.46**	**2,455.72**	**6,403.73**	**5,950.00**	**8,190.42**	**9,700.00**	**9,700.00**
Total Court	**45,120.72**	**64,219.67**	**71,813.45**	**76,936.53**	**56,422.26**	**80,104.00**	**72,488.00**

Walhalla, South Carolina

030 WATER CREW (560)

2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	331,362.00	399,746.66	460,642.04	561,442.75	324,841.06	670,739.00	594,539.00
Overtime	34,185.36	27,723.07	17,925.54	25,000.00	12,053.64	25,000.00	20,000.00
Retirement	66,917.40	53,653.15	71,816.03	92,974.92	59,024.93	124,489.00	110,346.00
FICA	32,897.64	31,835.28	35,705.89	42,950.37	25,027.15	51,312.00	45,482.00
Workers Comp.		14,120.54	14,400.97	20,040.90	10,895.55	24,413.00	21,365.00
Health Insurance	81,332.10	70,102.38	73,223.46	89,523.60	50,010.12	118,595.00	106,857.00
Christmas Bonus	2,219.83	2,192.74	2,652.96	2,800.00	2,923.63	3,000.00	3,000.00
Unemployment		276.40					
Personnel Services	**548,914.33**	**599,650.22**	**676,366.89**	**834,732.54**	**484,776.08**	**1,017,548.00**	**901,589.00**
Materials and Supplies							
Office Supplies	27.55	-	100.00	100.00	30.04	100.00	100.00
Postage		-	-				
Tires	7,000.00	4,039.21	6,680.48	7,000.00	3,856.38	10,000.00	10,000.00
Gas & Oil	33,580.00	37,363.42	40,694.04	42,000.00	35,874.68	50,000.00	50,000.00
Materials and Supplies	50,814.49	4,839.00	78,640.15	150,000.00	87,938.04	200,000.00	125,000.00
Tools	3,879.37	4,000.00	2,906.36	4,000.00	3,086.81	6,000.00	5,000.00
Gravel	5,167.71	8,162.48	9,202.12	10,000.00	5,144.35	10,000.00	10,000.00
Asphalt	27,750.00	27,350.00	30,850.00	35,000.00	43,500.00	50,000.00	50,000.00
Janitorial Supplies	659.50	129.98	19.06	500.00	99.24	500.00	500.00
Health Supplies	577.62	359.34	1,087.50	1,000.00	214.00	1,000.00	1,000.00
Materials and Supplies	**129,456.24**	**86,243.43**	**170,179.71**	**249,600.00**	**179,743.54**	**327,600.00**	**251,600.00**
Other Services							
Surety Bonds			-				
Transfer to General Fund		-	-	600,000.00	-	600,000.00	600,000.00
Dues & Licenses	45.00	45.00	-	400.00	-	18,880.00	18,880.00
Travel		-	-	500.00	-	500.00	500.00
Training	1,137.82	129.00	75.00	1,250.00	-	1,250.00	1,250.00
Vehicle Repairs	5,956.72	8,987.93	7,318.94	9,000.00	3,451.27	12,000.00	12,000.00
Electricity	4,992.10	5,805.69	5,085.09	5,000.00	4,015.82	5,000.00	5,000.00
Telephone	635.00	883.53	930.35	900.00	770.44	900.00	900.00
Natural Gas	1,084.59	981.14	1,372.10	1,800.00	1,226.65	2,000.00	2,000.00
Equipment Main.	5,206.10	9,061.78	9,249.53	15,000.00	7,414.50	15,000.00	15,000.00
Leases & Contracts	22,821.86	382.87	82,089.92	94,450.00	73,461.94	94,450.00	24,000.00
Building Main.	26,839.04	10,996.12	6,209.41	12,000.00	1,500.68	12,000.00	12,000.00
Cell Phones	1,897.64	3,434.00	3,716.28	4,300.00	2,951.52	4,500.00	4,500.00
Radio Main.	33.90	354.87	550.31	800.00	-	800.00	800.00
Uniforms	14,308.38	18,035.05	26,757.12	20,000.00	20,383.84	30,000.00	30,000.00
Water Purchased	87,054.23	45,286.44	45,050.50	50,000.00	42,717.13	70,000.00	70,000.00
Advertising	549.15	266.70	627.05	750.00	299.00	500.00	500.00
Legal Fees							
Audit Fees							
Engineering Fees		-		500.00	-	15,000.00	15,000.00
Tort/Liability	2,318.00	3,168.93	4,915.20	3,500.00	4,709.00	5,000.00	5,000.00
Property Ins.	3,380.00	5,219.95	5,102.39	5,400.00	6,280.50	6,500.00	6,500.00
Vehicle Insurance	10,268.00	7,320.00	8,924.00	8,400.00	9,755.50	10,000.00	10,000.00
Computer Services		35.70	1,695.90	2,500.00	220.59	3,000.00	3,000.00
Penalty	687.46	87.42	5.29				
Grant Match							
Miscellaneous Expense							
System Maintenance	49,986.22	50,063.83	58,446.34	60,000.00	44,790.55	80,000.00	80,000.00
Depreciation Expense	-	-	-	-	-	-	-
Meters & Meter Main.	134,759.43	5,054.09	159,974.67	160,000.00	103,981.22	175,000.00	175,000.00
Hydrant and HYD Main.	892.79	1,000.00	-	1,000.00	-	1,000.00	1,000.00
Tank Main	34,371.02	34,938.25	38,061.07	38,000.00	38,061.07	40,000.00	40,000.00
Damages	580.88	-	-	800.00	-	1,000.00	1,000.00
Water Transfer to Other Funds			-				
HWY 11 PUMP	10,954.57	9,745.16	10,882.84	10,500.00	12,702.66	15,000.00	15,000.00
Rocky Knoll Pump	5,315.65	5,635.73	5,504.76	5,000.00	4,589.38	7,500.00	7,500.00
Tank Sites	1,903.02	3,068.22	2,584.03	1,500.00	1,613.24	1,500.00	1,500.00
Interest Expense		-		7,000.00	-	7,000.00	7,000.00
OSH Fines		-		500.00		-	-
Water Line Construction	164,390.39	5,316.16	81,472.27	2,700,000.00	6,110.43		-
Transfer to Sewer Fund	-	-		54,718.74	-	-	-
UDAG Loan 2022 Bond	-	-					
Other Services	**592,368.96**	**235,303.56**	**566,600.36**	**3,875,468.74**	**391,006.93**	**1,235,280.00**	**1,164,830.00**
Capital Outlay							
Capital-Vehicle	25,672.28	-	-				
Capital-Equipment	-	-	7,394.12	-	-	-	-
Capital-Miscellaneous	-	-	-				
Capital-Building	-	-	-	-	-	-	-
Capital Outlay	**25,672.28**	**-**	**7,394.12**	**-**	-	-	-
Total Water Crew	**1,296,411.81**	**921,197.21**	**1,420,541.08**	**4,959,801.28**	**1,055,526.55**	**2,580,428.00**	**2,318,019.00**

Walhalla, South Carolina
030 WATER PLANT (561)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	209,827.92	279,398.49	265,553.84	340,096.88	193,162.86	346,342.00	316,341.00
Overtime	37,319.55	50,867.28	44,395.89	20,000.00	30,655.81	30,000.00	30,000.00
Retirement	42,363.01	42,180.66	48,146.87	56,320.04	38,839.57	64,281.00	58,713.00
FICA	20,813.51	24,509.15	23,029.87	26,017.41	16,633.43	26,495.00	24,200.00
Workers Comp.		12,722.85	11,666.63	13,603.88	8,847.28	13,854.00	12,654.00
Health Insurance	34,731.60	32,551.38	35,520.12	42,791.76	24,536.88	47,905.00	47,905.00
Christmas Bonus	1,028.69	1,218.18	1,434.75	1,500.00	1,272.33	1,500.00	1,500.00
Unemployment			-	-			
Personnel Services	**346,084.28**	**443,447.99**	**429,747.97**	**500,329.97**	**313,948.16**	**530,377.00**	**491,313.00**
Materials and Supplies							
Office Supplies	21.60	272.18	393.46	400.00	126.13	400.00	400.00
Postage		-	-				
Tires		-	-				
Gas & Oil	544.49	2,271.89	2,697.82	2,000.00	686.56	2,000.00	2,000.00
Tools	276.42	1,477.47	645.33	2,300.00	175.53	1,000.00	1,000.00
Janitorial Supplies	116.88	72.22	987.63	1,000.00	494.86	1,000.00	1,000.00
Health Supplies			135.00	500.00	75.00	500.00	200.00
WP Diesel fuel	2,540.65	1,848.07	1,112.05	2,000.00	980.22	2,000.00	2,000.00
Materials and Supplies	18,182.45	18,865.55	14,555.49	26,000.00	12,246.91	26,000.00	16,000.00
WP Chemicals	115,850.91	97,373.21	37,652.37	80,000.00	39,736.42	80,000.00	45,000.00
WP NPDES Samples	7,184.29	7,733.46	8,875.04	7,000.00	7,480.03	7,000.00	8,000.00
WP Samples	168.00	-	-	500.00	-	500.00	500.00
Material and Services	**144,885.69**	**129,914.05**	**67,054.19**	**121,700.00**	**62,001.66**	**120,400.00**	**76,100.00**
Other Services							
Dues & Licenses	90.00	240.00	4,240.00	11,500.00	1,910.00	11,500.00	11,500.00
Travel		138.49	-	500.00	-	500.00	500.00
Training	618.57	-	-	700.00	-	700.00	500.00
Electricity	119,843.81	164,198.17	154,503.21	130,000.00	135,164.93	130,000.00	140,000.00
Telephone	960.71	1,373.70	1,801.84	1,500.00	1,410.14	1,500.00	1,500.00
Cell Phones	418.11	418.14	418.13	500.00	304.08	500.00	500.00
Advertising		-	-			-	300.00
Tort/Liability	2,182.00	2,247.87	3,339.76	4,000.00	1,981.00	4,000.00	2,000.00
Property Ins.	4,909.00	14,994.00	25,809.50	30,000.00	29,286.00	30,000.00	30,000.00
Vehicle Insurance	30.00	-	-	800.00	-	800.00	-
Computer Services	115.00	1,756.93	427.24	3,500.00	793.94	3,500.00	1,000.00
Penalty			-				
Grant Match			-				
Miscellaneous Expense (Bond payment)	1,186,107.32	805,995.00	1,183,000.00	1,200,000.00	1,197,793.81	1,200,000.00	1,200,000.00
Interest Expense			-				
Leases & Contracts	-	-	-			500.00	500.00
DHEC Fees	21,120.99	26,742.50	25,780.00	30,000.00	21,667.00	30,000.00	30,000.00
W/P Vehicle Parts & Repairs		65.00	45.70	500.00	-	-	
W/P Electricity Flood Lights	372.55	393.15	358.20	500.00	274.44	500.00	500.00
W/P Equipment & Machinery	22,621.38	22,561.58	8,177.28	-	436.56	500.00	500.00
W/P Leases and Contracts		370.99	122.96	500.00	-	-	500.00
W/P Building Maintenance	3,982.94	4,193.98	20,329.62	5,000.00	1,535.66	5,000.00	5,000.00
W/P Sludge Disposal		-	-	1,000.00	-	1,000.00	1,000.00
W/P Systems Maintenance	35,426.67	45,076.55	23,986.62	45,000.00	14,911.23	45,000.00	20,000.00
Consulting Services	427,991.00	48,666.83	-		2,169.20	-	-
Contingency			-	60,000.00	45,000.00	-	60,000.00
Depreciation			-	50,000.00	37,500.00	-	50,000.00
Other Services	**1,826,790.05**	**1,139,432.88**	**1,452,340.06**	**1,575,500.00**	**1,492,137.99**	**1,465,500.00**	**1,555,800.00**
Capital Outlay							
Capital- Miscellaneous	-	-	47,932.00	120,000.00	14,310.00		-
Capital	**-**	**-**	**47,932.00**	**120,000.00**	**14,310.00**		**-**
Total Water Plant	**2,317,760.02**	**1,712,794.92**	**1,997,074.22**	**2,317,529.97**	**1,882,397.81**	**2,116,277.00**	**2,123,213.00**

Walhalla, South Carolina
030 WATER BILLING (563)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	110,126.05	115,482.76	89,062.14	107,377.92	64,572.29	276,819.00	245,619.00
Overtime	2,466.92	1,213.63	1,108.87	1,500.00	241.83	1,000.00	1,000.00
Retirement	19,907.19	14,278.01	14,006.32	17,781.78	11,381.38	51,378.00	47,587.00
FICA	9,983.52	9,539.42	6,466.78	8,214.41	4,638.12	21,177.00	18,790.00
Workers Comp.	-	611.13	211.95	246.97	153.90	2,224.00	2,152.00
Health Insurance	27,067.37	22,906.96	18,983.32	25,891.20	14,144.77	38,279.00	32,410.00
Christmas Bonus	324.85	378.99	270.72	300.00	378.99	400.00	1,500.00
Unemployment	-	2,282.00	-		-		
Personnel Services	**169,875.90**	**166,692.90**	**130,110.10**	**161,312.28**	**95,511.28**	**391,277.00**	**349,058.00**
Materials and Supplies							
Office Supplies	1,065.49	2,033.82	3,198.06	4,000.00	1,100.56	4,000.00	4,000.00
Postage	44,271.63	53,738.62	42,927.63	45,000.00	37,101.62	45,000.00	45,000.00
Gasoline & Oil	-		-	-			
Materials and Supplies	3,744.76	3,127.87	1,145.37	4,000.00	2,045.20	4,000.00	4,000.00
Janitorial Supplies	1,648.23	2,388.25	2,138.36	2,000.00	1,991.44	2,000.00	2,000.00
Health Supplies	-	42.00	25.00	50.00	-	50.00	50.00
Materials and Supplies	**50,730.11**	**61,330.56**	**49,434.42**	**55,050.00**	**42,238.82**	**55,050.00**	**55,050.00**
Other Services							
Surety Bonds	655.00	655.00	420.00	420.00	-	500.00	500.00
Dues & Licenses	881.00	1,126.28	1,041.00	1,000.00	314.80	1,000.00	1,000.00
Travel	-		200.64	500.00	-	500.00	500.00
Training	2,270.84	520.60	-	1,500.00	-	1,500.00	1,500.00
Electricity	4,998.28	5,479.03	5,565.53	6,000.00	3,887.90	6,000.00	6,000.00
Telephone	3,133.86	1,592.59	1,280.79	1,500.00	1,266.47	2,000.00	-
Natural Gas	-		-	-			
Equipment Main.	483.76	1,054.71	2,841.71	2,500.00	3,070.91	2,500.00	2,500.00
Lease & Service Contracts		3,133.00	1,166.00	-			
Building Main.	9,908.38	7,897.43	5,927.00	8,000.00	7,168.12	8,000.00	8,000.00
Cellular Phone			-				
Radio Maintenance & Repairs			-	2,319.34			
Uniforms			-				
Legal Fees			-				
Audit Fees	26,980.00	29,312.50	35,995.00	40,000.00	8,890.00	40,000.00	40,000.00
Tort/Liability	934.00	1,600.47	2,141.62	2,500.00	1,239.00	2,500.00	2,500.00
Property Ins.		1,094.00	1,127.50	1,500.00	1,251.00	1,500.00	1,500.00
Vehicle Insurance			-				
Computer Services	24,639.94	23,747.33	21,843.99	20,000.00	30,124.05	20,000.00	20,000.00
Depreciation Expense		696,551.00	-	-			
Total Other Services	**74,885.06**	**773,763.94**	**79,550.78**	**87,739.34**	**57,212.25**	**86,000.00**	84,000.00
Capital Outlay							
Capital-Miscellaneous				-			
Captial	**-**	**-**	**-**	-		**-**	**-**
Total Water Billing	**295,491.07**	**1,001,787.40**	**259,095.30**	**304,101.62**	**194,962.35**	**532,327.00**	**488,108.00**

35 SEWER (565)
2023-2024 Budget

Item	FY 20 Actual	FY 21 Actual	FY 22 Actual	FY 2023 Approved	FY 2023 YTD	FY2024 Request	FY2024 Recommended
Personnel Services							
Salaries Wages	12,412.71	33,632.15	37,204.77	36,773.57	25,820.71	37,000.00	38,043.00
Overtime	2,644.04	4,711.01	3,839.43	3,500.00	2,230.48	4,500.00	4,500.00
Retirement	2,562.42	30,265.66	5,951.25	6,089.70	4,925.79	6,127.00	7,061.00
FICA	1,331.01	2,938.59	3,132.63	2,813.18	2,137.96	2,830.00	2,910.00
Workers Comp.		1,509.86	1,441.77	1,470.92	1,122.06	1,480.00	1,522.00
Health Insurance	2,602.54	6,004.44	5,542.56	6,166.32	4,156.92	5,763.00	5,869.00
Christmas Bonus		135.35	135.35	140.00	243.64	150.00	150.00
Unemployment			-				
Personnel Services	**21,552.72**	**79,197.06**	**57,247.76**	**56,953.69**	**40,637.56**	**57,850.00**	**60,055.00**
Materials and Supplies							
Office Supplies			-				
Postage			-				
Tires	1,573.80	1,262.74	3,112.36	4,000.00	234.11	6,000.00	6,000.00
Gas & Oil	3,512.41	16.24	-	5,000.00	-	5,000.00	5,000.00
Materials and Supplies	9,202.43	17,327.38	12,342.72	20,000.00	5,482.59	20,000.00	20,000.00
Tools	464.75	1,468.21	1,356.96	5,000.00	2,403.50	5,000.00	5,000.00
Gravel & Stone		3,695.74	1,050.00	7,000.00	-	7,000.00	7,000.00
Asphalt			-	9,000.00	-	9,000.00	9,000.00
Health Supplies			-				
Dues & Licenses			-				
Travel			-				
Training			-				
Vehicle Parts & Repairs	870.29	4,273.48	1,839.30	5,000.00	915.32	5,000.00	5,000.00
Electricity	4,770.61	380.09	4,550.38	5,600.00	3,418.99	5,680.00	5,680.00
Telephone			-				
Equipment Maintenance	3,919.17	8.00	8,005.81	10,000.00	1,489.15	15,000.00	15,000.00
Leases & Service Contracts			12,359.54				
Uniforms							
Advertising							
Legal Fees					10,318.75		
Audit Fees							
Tort Liability Insurance	624.00	702.60	459.00	800.00	413.00	800.00	800.00
Property Insurance							
Vehicle Insurance							
Miscellaneous Expense	29,604.57	619.00					
System Maintenance	24,705.88	25,335.29	16,610.10	25,000.00	8,777.94	25,000.00	25,000.00
Electricity-Pump							
Depreciation Expense							
Sewer Transfer to Other Funds						21,417.00	29,212.00
Sewer Reimbursement							
Sewer Treatment Charges	671,831.80	743,157.74	803,932.45	1,130,580.00	744,166.19	-	-
County Sewer Fees							
New Sewer Line Construction			2,500.00	288,095.00	81,500.00		
Materials and Supplies	**751,079.71**	**798,246.51**	**868,118.62**	**1,515,075.00**	**859,119.54**	**124,897.00**	**132,692.00**
Capital Outlay							
Capital-Vehicle		798,246.51	-				
Capital-Equipment		-	-				
Capital-Miscellaneous		-	-				
Capital Outlay	-	**798,246.51**	-	-	-	-	-
Total Sewer	**772,632.43**	**1,675,690.08**	**925,366.38**	**1,572,028.69**	**899,757.10**	**182,747.00**	**192,747.00**

Walhalla, South Carolina
GENERAL FUND FEES
2023-2024 Budget

Zoning Fees	FY 22 Approved	FY 2023 Approved	FY 24 Requested	FY 24 Recommended
Sign Permit	$35.00	$35.00	See New Schedule	
Fence Permit	$35.00	$35.00		
Zoning Permit	$35.00	$35.00		
Appeals or Variance	$100.00	$100.00		
Food Truck-Regular	$0.00	$0.00		
Food Truck -Temporary	$20/day	$20/day		
Food Truck - In County Yearlong	$120.00	$120.00		
Food Truck- Out of County Yearlong	$240.00	$240.00		
Special Event Permit	$100.00	$100.00		
Subdivision-Preliminary (residential lot)	$5.00	$5.00		
Subdivision-Preliminary (non-residential lot)	$8.00	$8.00		
Subdivision-Final (Per residential lot)	$3.00	$3.00		
Subdivision- Final (per non-residential lot)	$5.00	$5.00		
Off Duty Police, Fire, Sanitation	$25/hr	$25/hr	TBD	TBD
Recreation Registration				
Inside City	$30.00	$30.00	$30.00	$30.00
Outside City	$70.00	$70.00	$70.00	$70.00
Rental Fee				
Gymnasium	$25/hr	$25/hr	$35/hr	$35/hr
Banquet Hall	$25/hr	$25/hr	$35/hr	$35/hr
Tunnel Pavilion- Half Day (5 hours)	$75.00	$75.00	$75.00	$75.00
Tunnel Pavilion-All Day	$100.00	$100.00	$100.00	$100.00
Old St John Meeting House 4 hours	$200.00	$200.00	$200.00	$200.00
Old St John Meeting House 8 hours	$400.00	$400.00	$400.00	$400.00
Old St John Meeting House All Day (8-11PM)	$600.00	$600.00	$600.00	$600.00
Depot 4 hours	$200.00	$200.00	$200.00	$200.00
Depot 8 hours	$400.00	$400.00	$400.00	$400.00
Depot All Day (8-11PM)	$600.00	$600.00	$600.00	$600.00
Both OSJ & Depot 4 hours	$300.00	$300.00	$300.00	$300.00
Both OSJ & Depot 8 hours	$600.00	$600.00	$600.00	$600.00
Both OSJ & Depot All Day (8-11PM)	$900.00	$900.00	$900.00	$900.00
Both facilites all day (weekend, 2 days)	$1,300.00	$1,300.00	$1,300.00	$1,300.00
Stumphouse Daily entrance. Per vehicle	$5.00	$5.00	$5.00	$5.00
Stumphouse Annual Pass (Oconee Resident)	$25.00	$25.00	$25.00	$25.00
Stumphouse Annual Pass (Non Oconee resident)	$35.00	$35.00	$35.00	$35.00
Stumphouse Special Event Fee	$1,000.00	$1,000.00	$1,000.00	$1,000.00

Walhalla, South Carolina
GENERAL FUND FEES
2023-2024 Budget

Sanitation	FY 22 Approved	FY 23 Approved	FY 24 Requested	FY 24 Recommended
6 yard Inside City	$28.00	$28.00	$30.24	$30.24
6 yard Outside City	$28.00	$28.00	$30.24	$30.24
8 yard Inside City	$22.00	$22.00	$23.76	$23.76
8 yard Outside City	$31.25	$31.25	$33.75	$33.75
Residential Roll Cart Inside	$16.50	$16.50	$17.82	$17.82
Residential Roll Cart Outside	$25.50	$25.50	$27.54	$27.54
6 yard replacement cost	$756.00	$756.00	$816.48	$816.48
8 yard replacement cost	$1,680.00	$1,680.00	$1,814.40	$1,814.40
Residential Roll Cart	$86.00	$86.00	$92.88	$92.88
Commericial Roll Cart- 1 time weekly	$28.00	$28.00	$30.24	$30.24
Commericial Roll Cart- 2 times weekly	$33.00	$33.00	$35.64	$35.64
Commericial Roll Cart- 3 times weekly	$38.00	$38.00	$41.04	$41.04
Commericial Roll Cart- 4 times weekly	$43.00	$43.00	$46.44	$46.44
Commericial Roll Cart- 5 times weekly	$48.00	$48.00	$51.84	$51.84
Brush Pickup over 5 yards/month (per 5yds)	$100.00	$100.00	$100.00	$100.00
FOIA/Copy*				
A minimum charge to pay costs for responding to all FOIA requests	$3.00 (paid upon receipt of records)	$3.00 (paid upon receipt of records)	$3.00 (paid upon receipt of records)	$3.00 (paid upon receipt of records)
Charge per page for hard copy of records	$0.20 per copy	$0.20 per copy	$0.20 per copy	$0.20 per copy
Charge for staff time to search, retrieve, or redact records	$16.30 per hour	$16.30 per hour	$16.30 per hour	$16.30 per hour
Charge for other media used to provide records	Actual cost of media to City	Actual cost of media to City	Actual cost of media to City	Actual cost of media to City
Deposit for anticipated or apparent staff time exceeding 5 hours	1/4 of estimated costs	1/4 of estimated costs	1/4 of estimated costs	1/4 of estimated costs
*At the discretion of the City Administrator, any portion of the rate may be waived				

Fee Schedule		
Applications/Permits	**FY 22-23**	**Proposed FY 23-24**
Appeals (Staff, Special Exception & Variance)	100.00	100.00
Chicken Permit	-	50.00
Fire Pit Permit	-	50.00
Fire Pit Permit if Fire Dept called	-	100.00
Food Vendor - Regular	-	Eliminate
Food Vendor - Temporary	20/day	25/day
Food Vendor - In County Annual	120.00	150.00
Food Vendor - Out of County Annual	240.00	300.00
Sign - Permanent	35.00	50.00
Site Plan Review (Commerical, Multi-Family, PUD)	-	250.00
Special Event	100.00	100.00
Short-Term Rental Permit (per unit)	-	50.00
Subdivision - Preliminary Residential	5.00	Eliminate
Subdivision - Preliminary Nonresidential	8.00	Eliminate
Subdivision - Final Residential	3.00	Eliminate
Subdivision - Final Nonresidential	5.00	Eliminate
Summary Plat (5 lots or less)	-	50.00
Minor Subdivision - Preliminary (6 to 10 lots)	-	100.00
Major Subdivision - Preliminary (over 10 lots)	-	250.00
Subdivision - Final (Minor and Major)	-	100.00
Vacant Building Registration	-	See Table Below
Rezoning	-	100.00
Zoning	35.00	50.00

Building Permits	FY 22-23	Proposed FY 23-24
Total Valuation* (For all construction: Building, Electrical, Plumbing, HVAC, Fire Suppression) **Value shall be based on current ICC construction cost table or contract amount.* *Valuation does not include land value, site improvements, furnishings or non-fixed equipment.*		
Under $1,000		No building permit required
$1,000 - $9,999.99		$50 (minimum fee)
$10,000 to $49,999.99		$50 for the first $10,000 plus $5 for each additional $1,000 or fraction thereof
$50,000 to $99,999.99		$250 for the first $50,000 plus $4 for each additional $1,000 or fraction thereof
$100,000 to $499,999.99		$450 for the first $100,000 plus $3 for each additional $1,000 or fraction thereof
$500,000 or above		$1,650 for the first $500,000 plus $2 for each additional $1,000 or fraction thereof
Appeals to Construction Board of Appeals		100.00
Demolition	50.00	50.00
Fence	35.00	50.00
Land Disturbance Permit** (5,000 - 20,000 sq ft)		50.00
Land Disturbance Permit** (20,001 - 43,560 sq ft)		150.00
Land Disturbance Permit** (Over 1 acre)		200/acre
Manufactured Home (Moving, Set-up and Decal)		250.00
Moving Permit		100.00
No-Show/Failure to Cancel Scheduled Inspection		50.00
Re-Inspection Fee		50.00
If any permit is not obtained prior to commencement of work the fee is doubled.		

involve the construction of new structures, infrastructure (new roads or utilities), grading and infill. A permit is

Vacant Building Registration Fees, per Ordinance #2023-01			
Residential	**Category I**	**Category II**	**Category III**
Initital	-	-	-
1st Renewal	-	50.00	100.00
2nd Renewal	-	250.00	500.00
3rd Renewal	-	500.00	1,000.00
Each year after	-	500.00	1,000.00
Commercial	**Category I**	**Category II**	**Category III**
Initital	50.00	50.00	50.00
1st Renewal	100.00	150.00	200.00
2nd Renewal	500.00	750.00	1,000.00
3rd Renewal	1,000.00	1,500.00	2,000.00
Each year after	1,500.00	2,250.00	3,000.00

Walhalla, South Carolina
ENTERPRISE FUND FEES
2023-2024 Budget

	FY 22 Approved	FY 23 Approved	FY 24 Requested	FY 24 Reccommended
Water By Rate Class FY 23	**Unit Fee**	**Per 1000**	**Unit Fee**	**Per 1000**
Apartment Inside City	$18.00	$3.31	$18.00	$3.31
Apartment Outside	$35.00	$5.10	$35.00	$5.10
Residential Inside	$18.00	$3.31	$18.00	$3.31
Residential Outside	$35.00	$5.10	$35.00	$5.10
Business Inside	$18.00	$3.31	$18.00	$3.31
Business Outside	$35.00	$5.10	$35.00	$5.10
Industrial Inside	$49.39	$1.59	$49.39	$1.59
Industrial Outside	$80.00	$2.50	$80.00	$2.50
Farm (first 40,000 gal)	$0.00	$85.00	$0.00	$85.00
Farm (per 1000 gal)	$0.00	$2.07	$0.00	$2.07
Municipal (first 25,000 gal)	$0.00	$100.00	$0.00	$100.00
Municipal (per 1000 gal)	$0.00	$2.25	$0.00	$2.25
Sprinkler (un-metered per 100 sf)- Inside City	$0.00	$0.10	$0.00	$0.10
Sprinkler (un-metered per 100 sf)- Outside City	$0.00	$0.10	$0.00	$0.10
Tap Fee				
3/4" Meter (1-2 equiv. units) Inside City	$1,800.00	$1,800.00	$1,944.00	$1,944.00
3/4" Meter (1-2 equiv. units) Outside City	$1,900.00	$1,900.00	$2,052.00	$2,052.00
1" Meter (3-5 equiv. units) Inside City	$2,200.00	$2,200.00	$2,376.00	$2,376.00
1" Meter (3-5 equiv. units) Outside City	$2,200.00	$2,200.00	$2,376.00	$2,376.00
3/4" Meter (1-2 equiv. units) Inside City Premade	$850.00	$850.00	$918.00	$918.00
3/4" Meter (1-2 equiv. units) Outside City Premade	$1,200.00	$1,200.00	$1,296.00	$1,296.00
1" Meter (3-5 equiv. units) Inside City Premade	$1,150.00	$1,150.00	$1,242.00	$1,242.00
1" Meter (3-5 equiv. units) Outside City Premade	$1,500.00	$1,500.00	$1,620.00	$1,620.00
Fireline	$2,500.00	$2,500.00	$2,700.00	$2,700.00
Connection Fee	**FY 22 (No SSN)**	**FY 23 Approved (No SSN)**	**FY 24 Requested (No SSN)**	**FY 24 Reccommended(No SSN)**
Rental Units, 3/4" and 1"	$150 ($450)	$150 ($450)	$150 ($450)	$150 ($450)
3/4' and 1"	$70 ($450)	$70 ($450)	$70 ($450)	$70 ($450)
1 1/2"	$100 ($450)	$100 ($450)	$100 ($450)	$100 ($450)
2"	$140 ($450)	$140 ($450)	$140 ($450)	$140 ($450)
3"	$380 ($760)	$380 ($760)	$380 ($760)	$380 ($760)
4" or larger	$600 ($1200)	$600 ($1200)	$600 ($1200)	$600 ($1200)
All prices above include a non-refundable adminstrative fee	$15.00	$15.00	$15.00	$15.00
Sewer by Rate Class FY 23	**Unit Fee**	**Per 1000**	**Base, Per 1000gal**	**Base, Per 1000gal**
Apartment Inside City	$9.28	$6.63	$0, $1.40	$0, $1.40
Apartment Outside	$9.28	$6.63	$0, $1.40	$0, $1.40
Residential Inside	$6.63	$6.63	$0, $1.40	$0, $1.40
Residential Outside	$6.63	$9.28	$0, $1.40	$0, $1.40
Business Inside	$9.28	$9.28	$0, $1.40	$0, $1.40
Business Outside	$9.28	$9.28	$0, $1.40	$0, $1.40
Industrial Outside	$13.26	$8.29	$0, $1.40	$0, $1.40
Industrial Outside- SO	$13.26	$8.29	$0, $1.40	$0, $1.40

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE 2023-14

CITY OF WALHALLA)

An Ordinance to amend Ordinance #1994-8, the City of Walhalla Zoning Ordinance, as adopted December 13, 1994, by amending the City of Walhalla Official Zoning Map to rezone +/- 2.19 acres from R-25 (Single Family Residential) to MFR (Multi-Family Residential) on two (2) parcels of land, identified as property at the corner of Frank Martin Drive and North Poplar Street shown in Deed Book 2748 page 222. The parcels are further identified as TMS # 500-06-01-005 and 500-06-01-007.

Whereas, the City of Walhalla, a body politic and corporate and a political subdivision of the State of South Carolina (the "City"), acting by and through its City Council (the "City Council") has previously adopted City of Walhalla Ordinance # 1994-8, the City of Walhalla Zoning Ordinance (the "Ordinance"), which Ordinance contains the City of Walhalla Official Zoning Map (the "Map"); and,

Whereas, the Ordinance contains provisions providing for the amendment of the Map; and,

Whereas, City Council desires to amend the Map by adopting a zoning map amendment from R-25 to MFR for +/- 2.19 acres of TMS #500-06-01-005 and 500-06-01-007 described above; and,

Whereas, the City of Walhalla Planning Commission has held a duly advertised Public Hearing on April 10, 2023, during which it reviewed the proposed rezoning from R-25 to MFR on +/-2.19 acres of TMS #500-06-01-005 and 500-06-01-007 described above; and,

Whereas, the City of Walhalla Council has duly advertised and held a Public Hearing on May 16, 2023, regarding said amendment of the City of Walhalla Official Zoning Map:

NOW, THEREFORE, be it ordained by the City of Walhalla Council, in meeting duly assembled, that:

1. The City of Walhalla Council hereby finds that this proposed rezoning is consistent with the City of Walhalla Comprehensive Plan and in accord with requirements of the South Carolina Code of Laws Title 6, Chapter 29, Article 5.

2. The City of Walhalla Council hereby amends the City of Walhalla Official Zoning Map as previously adopted December 13, 1994, by City of Walhalla Ordinance #1994-8 to rezone from R-25 to MFR +/-2.19 acres of TMS #500-06-01-005 and 500-06-01-007 described above.

3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

4. All orders, resolutions, and enactments of City of Walhalla Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force and effect from and after second reading and enactment by City of Walhalla Council.

AND IS DONE AND RATIFIED in Council Duly assembled this _____Day of _____ 2023.

_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

_____
Timothy B. Burton, City Administrator

Introduced By: _____

First Reading: _____

Public Hearing,
Second Reading
And Adoption: _____

CITY OF WALHALLA PLANNING COMMISSION

Chris Grant, Chair
Jessie Bunning
William Tatum
Kelvin Bryant, Vice Chair
Regina Orr

April 10, 2023

Mayor Edwards
Members of City Council
206 N Church Street
Walhalla, SC 29691

RE: Request to Rezone 2.19 acres at Frank Martin Drive

Mayor Edwards and Members of Council:

On Monday, April 10, 2023, the Walhalla Planning Commission held an advertised public hearing and reviewed the request to rezone 2.19 acres on Frank Martin Drive from R-25 to MFR. After discussion, the Planning Commission voted to recommend approval to City Council.

If you have any questions or concerns, please don't hesitate to contact me. We appreciate the opportunity to partner alongside you to serve the citizens of Walhalla.

Sincerely,

Chris Grant
Planning Commission Chair

CG/cbm

Enclosure

City of Walhalla
Planning Commission Staff Report
April 2023

Applicant:	Manuel Almonte, Palmetto Construction & Designs
Current Owners:	Palmetto Construction & Designs
Property Addresses:	Corner of Frank Martin Drive and North Poplar Street
TMS #(s):	500-06-01-005 and 500-06-01-007
Acreage:	+/- (Total +/-2.19 acres)
Current Zoning:	R-25 (Single Family Residential, with a minimum lot size of 25,000 sq ft)
Requested Zoning:	MFR (Multi-Family Residential)
Surrounding Zoning:	North: R-25 (Single Family Residential) South: MFR (Multi-Family Residential) East: R-25 (Single Family Residential) West: R-25 (Single Family Residential)
Surrounding Land Use:	North: Residential South: Residential East: Residential West: Residential
Evaluation:	This request is to rezone two (2) parcels of property described above from R-25 (Single Family Residential) to MFR (Multi-Family Residential). The reasoning is to allow the construction of 12 duplex or quad multi-family homes. The purpose of the R-25 Zoning District is to provide for low-density single-family residential purposes on lots not small than 25,000 square feet and discourage any encroachment by commercial, industrial or other use capable of adversely affecting the residential character of the district The purpose of the MFR Zoning District is to provide for medium- and high-density residential purposes on lots or parcels not less than 15,000 square feet and to discourage unwarranted uses capable of adversely affecting the residential character of the district. Residential uses and zoning surround the subject parcels. The Housing Chapter in the City's Comprehensive Plan (2015)

	identifies the goals of (1) Continued blend of renovation, rehabilitation and new housing constructions; (2) Encouragement of Planned Unit Developments in large undeveloped tracts to promote mixed housing; (3) Provision a mixture of housing choices for all income levels; and a policy to tailor its land use objectives to ensure a proper amount of affordable housing.
Public Outreach:	Staff hereby certifies that the following public notification actions have been completed: - Public hearing sign was posted on subject properties; - Public hearing notice was posted on the City's website; - Planning Commission public hearing notice published in the *Seneca Journal*
Public Feedback:	To date, staff has received one phone call requesting more information. Update: Staff has received three phone calls requesting more information or to voice opposition. A petition was submitted and is attached.
Staff Recommendation:	Due to its compatibility with adjacent zoning of the area and the Housing and Future Land Use chapter of the 2015 Comprehensive Plan, staff recommends approval of this request.

Att: Walhalla City Council

From: Todd + Kimberly Ruppracht

Please Read our letter and view the concerned citizens signatures.

We were planning to come to the meeting but have to go out of town to take care of a family member.

Thank You. Todd + Kim

864-557-6664

To: The Council Members Regarding: Property on the corner of N. Poplar St, and Frank Martin Dr.

From: Todd and Kimberly Rupprecht
419 N. Poplar St.
Walhalla, SC 29691

Dear Council members: My wife and I are very disheartened to find out that the property next to ours is being considered, to be re-zoned as multi-family property. The property is the corner of N. Poplar St., and Frank Martin Dr.

We bought and built on this property knowing we were in a single- family zoned area. We do not want duplexes or any other type of multi-family dwellings in our neighborhood. We have absolutely no problem with single family homes being built next to us.

Walhalla as of late has had a building explosion with houses going up everywhere. We understand Walhalla is a desirable place to live, that is why we live here. Our neighborhood is a quiet, nice older quaint area with single family homes. We do not want that to change.

We are gathering names of neighbors and concerned citizens who want the same thing. We want to keep our neighborhoods the way they were when we purchased or built our homes.

We were told a development company bought this property. We understand companies are in business to make money. We have no problem with that. We have a problem with them trying to change the zoning for their profit.

We do not want our neighborhood to change. As we said earlier in the letter, we bought our properties here because they are zoned single family.

Todd and Kimberly Rupprecht.

864- 557- 6664

To: The Council Members

From: Concerned citizens of Walhalla Re: Property corner of N. Poplar St and Frank Martin Dr.

We are residents of Walhalla that do not want Single-Family lots to be re-zoned to Multi-Family lots on the corner of N. Poplar St and Frank Martin Dr.

We built or bought our Homes in a single-family zoned area and do NOT want that to change.

Robert Hooper Claude R. Hooper	1121 S. Ardarer Dr. Walhalla
Jody Cates	421 N. Poplar ST Walhalla SC 29691
Hilton Brandon Kelly Brandon	414 N. Poplar St Walhalla
Tony L. Hayes	416 N. Poplar St. Walhalla, SC
Katherine L. Hayes	416 N. Poplar St. Walhalla, SC
Brenda H. Keith Jones	649 N. Poplar St Walhalla SC
Hey St Rachael Dezmine	654 N. Poplar St Walhalla SC
John F. Rupprecht	636 N. Poplar St Walhalla SC
D Chastain	221 N. Poplar St 29691
Kimberly Marcantel Rupprecht	419 N. Poplar St. Walhalla SC.
Todd Rupprecht	419 N. Poplar St. Walhalla SC.
Brian Chastain	50 Sissy Cove Walhalla SC
Aimee Chastain	50 Sissy Cove Walhalla SC
Kathy Berger	414 N. Poplar St.
Tony Caffaro	416 S. Longwood Ave.
Todd Rupprecht	419 N. Poplar St
Kimberly Rupprecht	419 N. Poplar St

To: The Council Members

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We built or bought our Homes in a single-family zoned area and do NOT want that to change.

Furman Jenkins
105 B. South Maple St.
Walhalla SC 29691

James Medlin 301 S. Pine St. Walhalla SC 29691
Peggy Williamson 110 Bonnie Brae Lane Walhalla, SC 29691
Derrill Cape 110 Bonnie Brae Lane Walhalla, SC 29691
Pam Duncan 106 Bonnie Brae Ln. Walhalla, SC 29691
John + Barb Buddenberg 439 N. Poplar St. Walhalla SC 29691
Christine R. Norwood 433 N. Poplar St. Walhalla SC 29691
Michael S. Norwood 433 N. Poplar St. Walhalla SC 29691

To: The Council Members

From: Concerned citizens of Walhalla Re: Property corner of N. Poplar St and Frank Martin Dr.

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We built or bought our Homes in a single-family zoned area and do NOT want that to change.

Caleb Keehn	706	N. Poplar	St	Walhalla SC. 29691
Phil Thal "	706	N. Poplar	ST	Walhalla "
Ann Keehn "	706	N. Poplar	St	Walhalla "
Sarah Keehn "	706	N. Poplar	St	Walhalla "
Donna Keehn "	706	N. Poplar	St	Walhalla "
Virginia Keehn	706	N. Poplar	St	Walhalla "
Hailey Keehn	706	N. Poplar	St	Walhalla "
Charles Keehn	706	N. Poplar	St	Walhalla "
Theresa Schultheiss	420	N. Poplar	St	Walhalla, SC 29691

CITY OF WALHALLA
Community Development
206 N Church St. • P.O. Box 1099 • Walhalla, SC 29691 • (864) 638-4343 • Fax (864) 638-4357 • www.CityofWalhalla.com

Application for Rezoning

3/3/2023
Date of Submission

Application Number

Applicant's Information

Applicant Name: Manuel Almonte
Mailing Address: 9 Staffordshire Way, Simpsonville SC 29681
Telephone: 864-386-1921
Email: MannyPalmetto@yahoo.com

Owner's Information

(If Different from Applicant)

Owner Name: Palmetto Construction & Designs
Mailing Address: 9 Staffordshire Way, Simpsonville SC 29681
Telephone: 864 486 1921
Email: MannyPalmetto@yahoo.com

Designation of Agent: *(Complete only if owner is not the applicant)*

I hereby appoint the person named the Applicant as my agent to represent me in the request for rezoning:

Owner's Signature

Date

Project Information

Property Location:
Parcel Number(s): 500-06-01-005, 500-06-01-007
Current Zoning: R 25
Requested Zoning: MFR
Current Land Use: 100 Residential Vacant Land
Total Acreage: 2.19
Purpose of Rezoning: Build about 12 duplex or quad multi family home.

Covenants/Deed Restrictions

Are there any Private Covenants or Deed Restrictions on the Property? ____ Yes ____ No

If you indicated no, your signature is required.

_____ _____

Applicant's Signature Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application, pursuant to State Law (Section 6-29-1145), determining existence of restrictive covenants. Copies may be obtained at the Oconee County Register of Deeds. It is the applicant's responsibility for checking any subdivision or private covenants pertaining to the property.

Please provide additional information of the proposed use of the property including, but not limited to: General description of proposed use; Plans for protection of abutting properties, if applicable; Any additional information deemed reasonable for review:

We plan on building multi family duplex rental units. The exterior of the units will be vinyl siding with 30 year roofing architectural shingles. Landscaping will be 20 feet from Frank Martin Dr onto the property. All trees within 20 feet from the abutting property will remain undisturbed unless absolutely necessary to remove. All units will be individually landscaped. Shrubbery will be planted throughout the property.

An accurate plat (survey) of the property must be submitted with this application.

As the applicant, I hereby confirm that all required information and materials for this application are authentic and have been submitted to the Walhalla Community Development office.

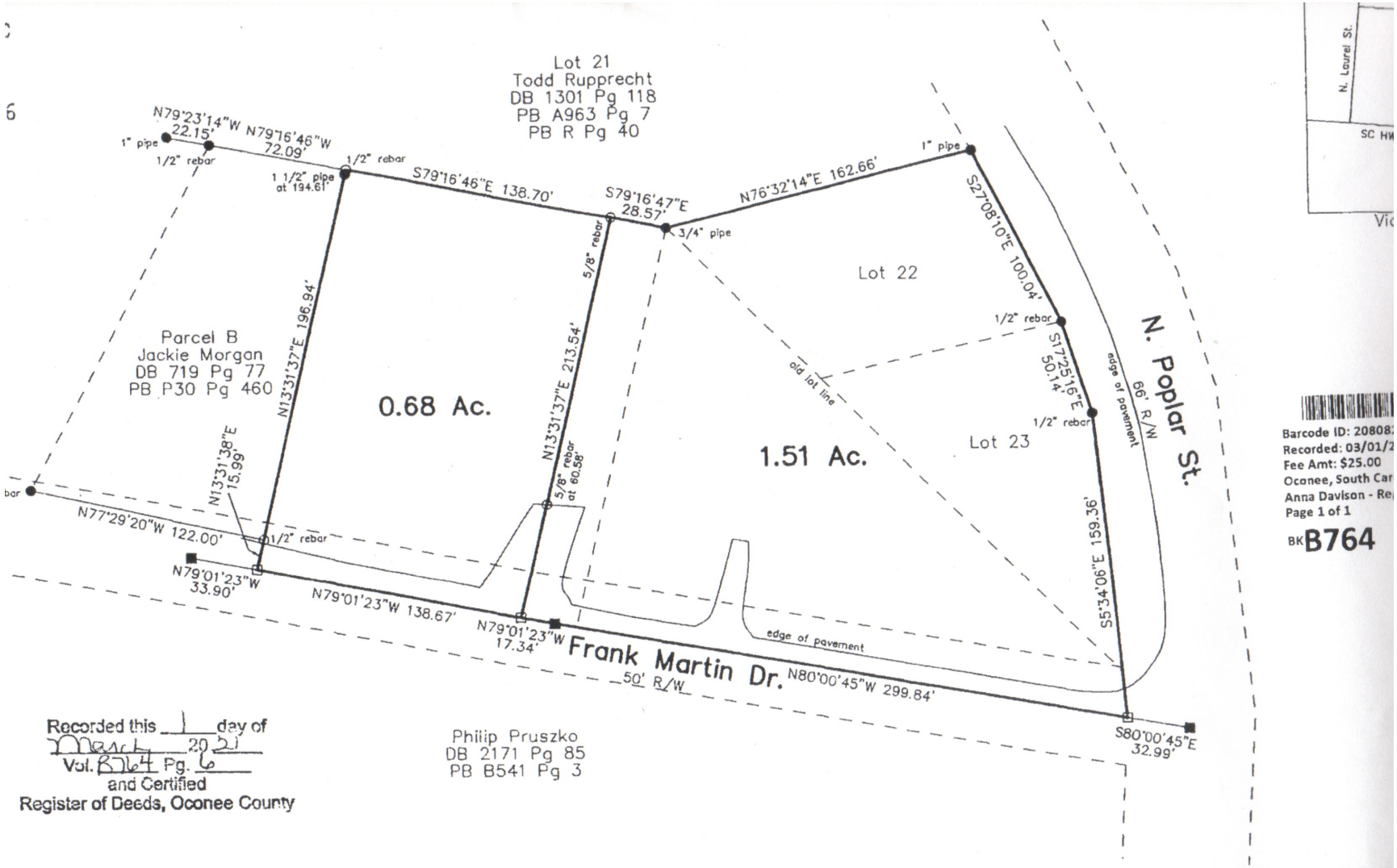
_____ 3/3/2023

Applicant's Signature Date

For Office Use Only: □ Approved □ Conditional □ Denied

Date Submitted: _____ Planning Commission Public Hearing: _____

City Council 1st Reading: _____ City Council 2nd Reading/Public Hearing: _____



Recorded this 1 day of March 2021
Vol. B764 Pg. 6
and Certified
Register of Deeds, Oconee County

Barcode ID: 20808
Recorded: 03/01/2
Fee Amt: $25.00
Oconee, South Car
Anna Davison - Re
Page 1 of 1
BK B764

B+C
250
013788

knowledge, information,
made in accordance
itandards Manual for
Carolina, and
a Class A survey

NOTES:
1) 500-06-01-005, 006 & 007
2) DB 12P Pg 473, 141 Pg 117, 9G Pg 126, 581 Pg 197
3) Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: flood zones; easements, other than possible easements that were visible at the time of making of this survey; building setback lines;

Golden Corner Surveying Inc.
213 North Pine St.
Seneca SC 29678
864-888-8702

Legend
(Old) (New)

Survey for
Margie A. Satterfield
To: Anthony Lov
Delores H. Lo
See Deed 259

Oconee County

AERIAL MAP



Rezoning Request – Single Family Residential (R-25) to Multi-Family Residential (MFR)

Properties at the corner of Frank Martin Drive and North Poplar Street

TMS 500-06-01-005 and 500-06-01-007

AERIAL MAP

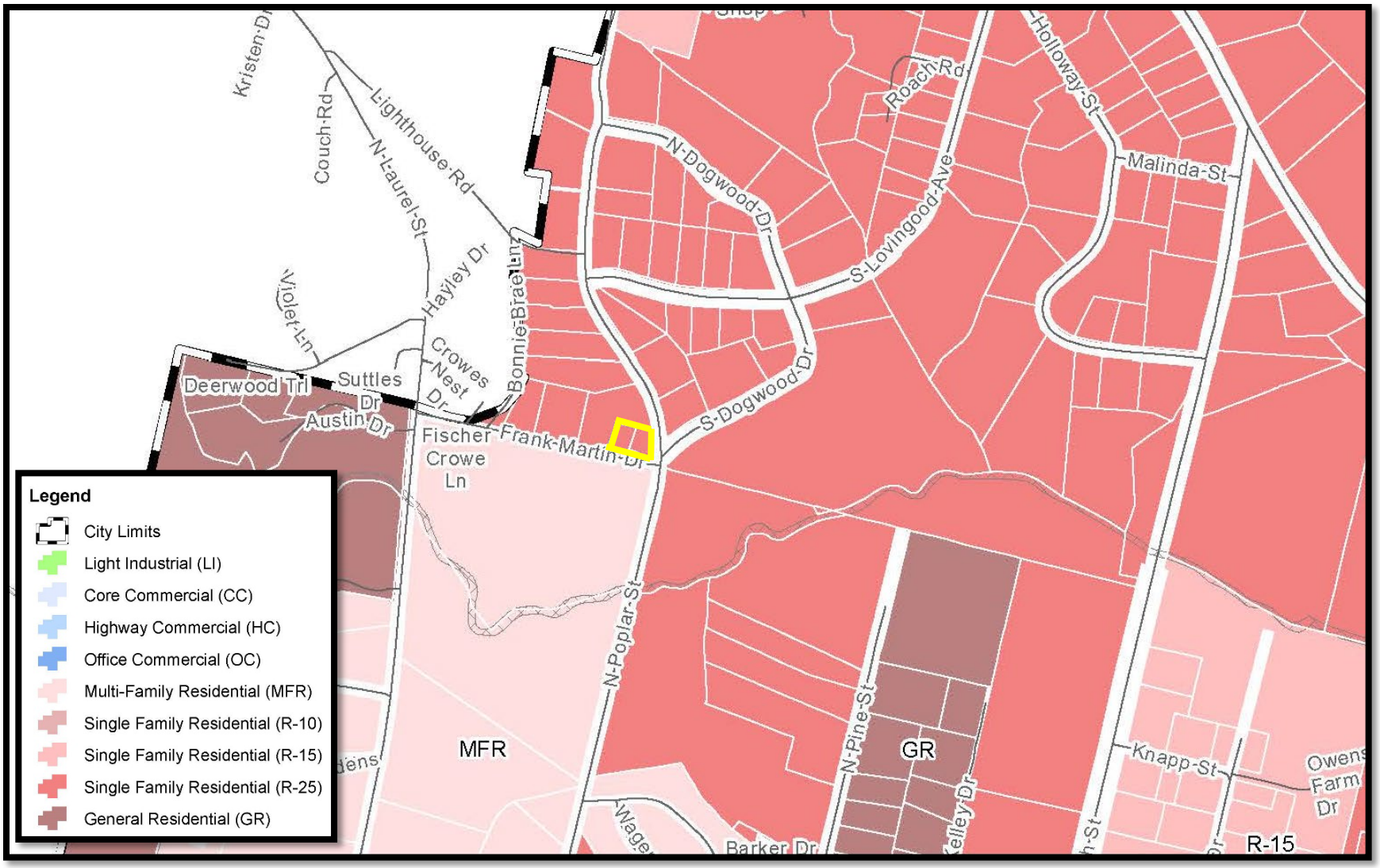


Rezoning Request – Single Family Residential (R-25) to Multi-Family Residential (MFR)

Properties at the corner of Frank Martin Drive and North Poplar Street

TMS 500-06-01-005 and 500-06-01-007

ZONING MAP



Rezoning Request – Single Family Resident (R-25) to Multi-Family Residential (MFR)

Properties at the corner of Frank Martin Drive and North Poplar Street

TMS 500-06-01-005 and 500-06-01-007

Photographs



Looking East from Frank Martin Drive
(Intersection of Frank Martin Drive and North Poplar Street)



Looking West on Frank Martin Drive
(Intersection of Frank Martin Drive and North Poplar Street)



Looking South from Frank Martin Drive
(Intersection of Frank Martin Drive and North Poplar Street)



Looking North from Frank Martin Drive
(Intersection of Frank Martin Drive and North Poplar Street)

Photographs



West onto the property
(Public hearing sign posted)

§ 330-1.14 **R-25 Single-Family Residential District.**

A. Intent of district. It is the intent of this section that the R-25 Zoning District be developed and reserved for low-density single-family residential purposes. No use or activity shall be permitted that would disturb or impair the natural character of the district. Areas impaired during construction shall be corrected, so as not to disturb the character of the district. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy environment with single-family dwelling units situated on lots of 25,000 square feet or more, and to discourage any encroachment by commercial, industrial or other use capable of adversely affecting the residential character of the district.

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

(1) Single-family dwellings, detached (other than mobile homes);

(2) Cultivation of land and general gardening, horticulture or growing agricultural crops, and plant nursery and sales;

(3) Accessory buildings and structures in conjunction with permitted uses as prescribed in § **330-1.46**.

C. Conditional uses. The following uses shall be permitted in any R-25 Zoning District, subject to the conditions of this Part 1:

(1) Temporary use in compliance with the provisions of § **330-1.45**.

(2) Lots containing one acre or more which is suitable for agriculture purposes, and which are in the R-25 Zoning District, may have horses and cattle at one animal per acre of pasturage, unless the County Extension Services Officer certifies that the land uses will support additional animals, grandfathered for one year and ceases to exist. This subsection is not to exclude Subsection **B(3)** or uses therein.

(3) A single parcel or lot which is two acres or greater may have one horse or head of cattle for each two acres unless the County Extension Service Officer certifies that the land uses will support additional animals. Such certificate shall be presented to the Zoning Administrator. Any such conditional use is subject to an annual review. This subsection is not to exclude Subsection **B(3)** or uses therein.

(4) Home occupations pursuant to § **330-1.43**.

(5) Bed-and-breakfast facilities shall be allowed but must meet the following requirements:

(a) The building shall be occupied by an owner or tenant at any time that a room is leased.

(b) One sign shall be allowed on the property, no larger than six feet tall and eight feet long.

(c) A maximum of six bedrooms shall be allowed, with no more than two adults in each room.

(d) All occupants shall sleep in bedrooms only.

(e) Parking shall conform to Article **VI** of this Part **1**.

(f) Rooms shall be rented to tenants for a maximum of 14 consecutive days.

(g) Cooking shall be allowed in the kitchen area only, with the exception of outdoor grills.

D. Special exception uses. Certain uses within an R-25 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) 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 or conditionally permitted in R-25 Zoning Districts shall be required to conform to the specific dimensional requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.

(1) Minimum lot requirements: 25,000 square feet.

(2) Minimum width in feet: 100 feet measured at the front setback line; but in no case is the lot to be less than 25 feet at the right-of-way line.

(3) Minimum setback requirements:

(a) Front: 30 feet.

(b) Side: 10 feet.

(c) Rear: 15 feet.

(4) Maximum height of building: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(5) Maximum structure surface coverage of lot: 35%.

§ 330-1.18 **MFR Multifamily Residential District.**

A. Intent of district.

(1) It is the intent of this section that the MFR Zoning District be developed and reserved for medium- and high-density residential purposes on lots or parcels not less than 15,000 square feet. The regulations which apply within this district are designed to encourage the formation and continuation of a stable, healthy environment and to discourage unwarranted uses capable of adversely affecting the residential character of the district.

(2) If a property contained within the MFR 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 any MFR Zoning District:

(1) All permitted uses in the R-15 Single Family Residential District, as shown in § **330-1.15B**;

(2) Multifamily dwellings;

(3) Duplex dwellings.

C. Conditional uses. The following uses shall be permitted in any MFR Zoning District on a conditional basis:

(1) All conditional uses permitted in the R-15 Zoning District.

D. Special exception uses. Certain uses within any MFR 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) 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 or conditioned in MFR Zoning District shall be required to conform to the specific dimension requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.

(1) Minimum lot requirements: 15,000 square feet, except that the minimum area per dwelling unit on a lot for multifamily dwellings shall not be less than indicated by dwelling unit type in the following table:

Table 1

Lot Area Square Footage Required for Multifamily Dwellings

	Stories			
Unit Type	**1**	**2**	**3**	**4**
Efficiency	2,000	1,435	1,410	1,240
1-bedroom	2,000	1,775	1,625	1,438
2-bedroom	2,650	2,475	2,125	1,825
3-bedroom	3,525	3,175	2,653	2,200
4 or more bedrooms	4,373	3,975	3,492	2,725

(2) Maximum dwelling units per acre. The maximum dwelling units per acre shall not exceed the number indicated by dwelling unit type in Table 2. In instances where the permitted figure is determined to include a fraction, the less round number shall apply.

Table 2

Permitted Multiple Dwelling Units Per Acre by Unit Type

	Stories			
Unit Type	**1**	**2**	**3**	**4**
Efficiency	21	30	30	35
1-bedroom	21	24	26	30
2-bedroom	16	17	20	23
3-bedroom	12	13	16	19
4 or more bedrooms	9	10	12	15

(3) Minimum width in feet: 75 feet measured at the front setback line; but in no case is the lot to be less than 25 feet at the right-of-way line.

(4) Minimum setback requirements:

(a) Front: 35 feet.

(b) Side: 10 feet.

(c) Rear: 20 feet.

(5) Maximum height. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(a) Multifamily building: four stories or 56 feet.

(b) Single-family building: 2.5 stories or 35 feet.

(6) Maximum impervious surface coverage of lot: 60%.

(7) Open space requirement: not less than 30% of lot.

(8) Parking as required by Article **VI**. Rear yard setbacks may be used for parking. Refer to § **330-1.31**.

Planning Commission
City of Walhalla

April 10, 2023

Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR

Applicant: Manuel Almonte, Palmetto Construction & Designs

Current Owners: Palmetto Construction & Designs

Property Address: Corner of Frank Martin Drive and North Poplar Street

TMS #(s): 500-06-01-005 and 500-06-01-007

Acreage: +/- 1.51 and 0.68 (Total +/-2.19 acres)

Current Zoning: R-25 (Single Family Residential, with a minimum lot size of 25,000 sq ft)

Requested Zoning: MFR (Multi-Family Residential)

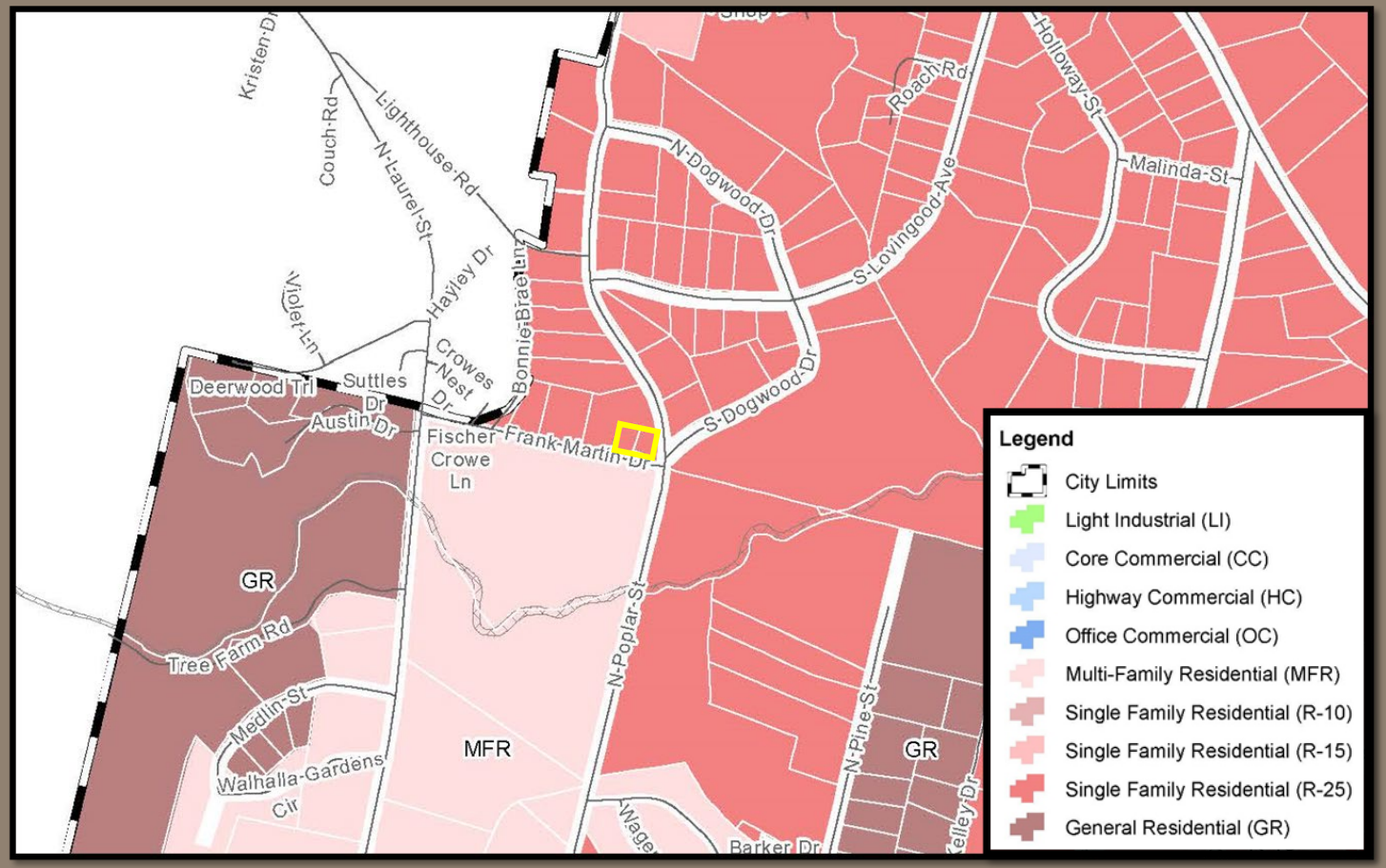
Surrounding Zoning: North: R-25 (Single Family Residential); South: MFR (Multi-Family Residential); East: R-25 (Single Family Residential); West: R-25 (Single Family Residential)

Surrounding Land Use: North: Residential; South: Residential; East: Residential; West: Residential

Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR



Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR



Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR



Looking East from Frank Martin Drive (Intersection of Frank Martin Drive and North Poplar Street)



Looking West on Frank Martin Drive (Intersection of Frank Martin Drive and North Poplar Street)



Looking South from Frank Martin Drive (Intersection of Frank Martin Drive and North Poplar Street)



Looking North from Frank Martin Drive (Intersection of Frank Martin Drive and North Poplar Street)

Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR

Staff Evaluation

- This request is to rezone two (2) parcels of property described above from R-25 (Single Family Residential) to MFR (Multi-Family Residential). The reasoning is to allow the construction of 12 duplex or quad multi-family homes.
- The purpose of the R-25 Zoning District is to provide for low density single-family residential purposes on lots not small than 25,000 square feet and discourage any encroachment by commercial, industrial or other use capable of adversely affecting the residential character of the district.
- The purpose of the MFR Zoning District is to provide for medium and high-density residential purposes on lots or parcels not less than 15,000 square feet and to discourage unwarranted uses capable of adversely affecting the residential character of the district.

Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR

Staff Evaluation Continued

- Residential uses and zoning surround the subject parcels. The Housing Chapter in the City's Comprehensive Plan (2015) identifies the goals of
  - (1) Continued blend of renovation, rehabilitation and new housing constructions;
  - (2) Encouragement of Planned Unit Developments in large undeveloped tracts to promote mixed housing;
  - (3) Provision a mixture of housing choices for all income levels; and a policy to tailor its land use objectives to ensure a proper amount of affordable housing.

Request to rezone +/- 2.19 acres at the corner of Frank Martin Dr and N Poplar St from R-25 to MFR

Staff Recommendation

- Due to its compatibility with adjacent zoning of the area and the Housing and Future Land Use chapter of the 2015 Comprehensive Plan, staff recommends approval of this request.

Petition Opposing the Rezoning Request

Staff was presented a petition, with 32 unique signatures by residents, representing 19 properties. (Duplicates were removed.) Of the 19 properties represented, 7 are within a 1,000 ft radius of the subject property. Several were up to and exceeded 1 mile in distance.

Property Owners within 150 feet

Current Zoning Ordinance language states "a statement of the names and addresses of the owners of all lots within 150 feet of the lots which will be affected by the proposed amendment" be included in the rezoning application packet.

A listing of all property owners within 150 feet of the rezoning request is enclosed. Of the ten (10) properties, three (3) are signatories on the petition opposing the requested rezoning, 30%.

Property Owners within 1,000 feet

A listing of all property owners within 1,000 feet of the rezoning request is enclosed. Of the seventy-five (75) parcels, seven (7) are signatories on the petition opposing the requested rezoning, roughly 9.3%

Map of Multi-Family Residential Zoned Parcels (attached)

Of the parcels zoned MFR, most are already built out and currently used as multi-family residential. Land between N Broad and Frank Martin is currently zoned MFR, but is either used as single-family or is currently undeveloped. Land around Burrells Circle is zoned MFR, but is currently undeveloped. Land at the corner of S Spring and S Broad is currently zoned MFR, but is undeveloped.

As a reminder, single-family residential is a permitted use under MFR zoning.

The property in question is adjacent to MFR zoned parcels.

Property Owners within 150 feet of the subject property

BROOME SYLVIA
408 N POPLAR ST
WALHALLA, SC 29691

CRAIG MARCUS JODY
421 N POPLAR ST
WALHALLA, SC 29691

HOPKINS TIMOTHY M & JENNIFER M
111 FRANK MARTIN DR
WALHALLA, SC 29691

MOODY GLADYS S & RICHARD D
645 PLAYGROUND RD
WALHALLA, SC 29691

MORGAN JACKIE V EST, % LOUDERMIL
146 FRANK MARTIN DR
WALHALLA, SC 29691

PALMETTO CONSTRUCTION & DESIGNS
9 SHAFFORDSHIRE WAY
SIMPSONVILLE, SC 29681

RUPPRECHT TODD A & MARCANTEL KI
419 N POPLAR ST
WALHALLA, SC 29691

SCHULENBURG MARY
124 S DOGWOOD DR
WALHALLA, SC 296910000

SCHULTHEIS THERESA M & BRIDGETTE
420 N POPLAR ST
WALHALLA, SC 29691

WELSH STEPHEN L & REBECCA W
110 TIMBERLINE RIDGE
WALHALLA, SC 29691

Property Owners within 1,000 feet of the subject property

ACETO LOUIS T & SUSAN E
419 S LOVINGOOD AVE
WALHALLA, SC 29691

AGUILAR JOCSAN
PO BOX 1112
WALHALLA, SC 29691

AGUILAR JOHN A
102 LIGHTHOUSE RD
WALHALLA, SC 29691

BARGERON KATHRYN C & TODD DAVID
605 N POPLAR ST
WALHALLA, SC 29691

BELLINO EMILY
524 S LOVINGOOD AVE
WALHALLA, SC 29691

BICKERS DONALD & PATRICIA LIV TR
509 S LOVINGOOD AVE
WALHALLA, SC 29691

BODIFORD KEEGAN A & KIMBERLY
606 N POPLAR ST
WALHALLA, SC 29691

BROOKS RENEE
517 N POPLAR ST
WALHALLA, SC 296910000

BROOME SYLVIA
408 N POPLAR ST
WALHALLA, SC 29691

BRUCKE DORIS E W L/E
115 LIGHTHOUSE RD
WALHALLA, SC 29691

BUDDENBERG JOHN M & BARBARA R
439 N POPLAR ST
WALHALLA, SC 29691

BURDETTE RODNEY C & JANE C
504 S LOVINGOOD AVE
WALHALLA, SC 29691

BURRELL RALPH & J ELAINE
401 N PINE ST
WALHALLA, SC 29691

CAPE DERRILL E
110 BONNIE BRAE LN
WALHALLA, SC 296910000

CARTER NANCY C
PO BOX 226
WALHALLA, SC 296910000

CHAPMAN LYNDA MAE BISHOP
311 N PINE ST
WALHALLA, SC 29691

CLARK KENNETH R & MARY L
233 DOGWOOD DR
WALHALLA, SC 296910000

CLARK KENNETH R & MARY L
233 DOGWOOD DRIVE
WALHALLA, SC 296910000

CONOVER MICHAEL A & MICHELLE R
516 S LOVINGGOOD AVE
WALHALLA, SC 29691

COYNER JAMES JR & CASSELMAN PAT
122 LIGHTHOUSE RD
WALHALLA, SC 29682

COYNER JAMES JR & CASSELMAN PAT
122 LIGHTHOUSE RD
WALHALLA, SC 29691

CRAIG MARCUS JODY
421 N POPLAR ST
WALHALLA, SC 29691

CROWE JANIE MOORE
30 CROWES NEST DR
WALHALLA, SC 296910000

DUNCAN PAMELA
106 BONNIE BRAE LN
WALHALLA, SC 29691

EPPS PAUL E & BARBARA H
513 S LOVINGOOD AVE
WALHALLA, SC 29691

FISCHER EVELYN L & THOMAS J
190 FISCHER CROWE LANE
WALHALLA, SC 296910000

FISCHER THOMAS J & EVELYN C
190 FISCHER CROWE LANE
WALHALLA, SC 296910000

GARVIN BETTY F
313 N PINE ST #A
WALHALLA, SC 29691

GOMEZ ALFONSO
208 DEERWOOD TRL
WALHALLA, SC 29691

GONZALEZ MIGUEL A
427 N POPLAR ST
WALHALLA, SC 29691

GRANT BRENDA C
504 N LAURAL ST
WALHALLA, SC 29691

GRIFFIN JAMES RANDALL & RONDA RE
115 S DOGWOOD DR
WALHALLA, SC 29691

HAMILTON MARY LOU R LIFE EST
423 S LOVINGOOD AVE
WALHALLA, SC 29691

HENSEN JOHN T
217 N DOGWOOD DR
WALHALLA, SC 29691

HOPKINS TIMOTHY M & JENNIFER M
111 FRANK MARTIN DR
WALHALLA, SC 29691

JENKINS KENNETH P & REGINA S
350 TUNNEL TOWN RD
MOUNTAIN REST, SC 29664

LARSON TALEA WENDY
512 S LOVINGOOD AVE
WALHALLA, SC 29691

LEROY CRYSTAL R
126 LIGHTHOUSE RD
WALHALLA, SC 29691

LOPEZ ALFREDO & LUCIA
15 SUSIE CIR
WALHALLA, SC 29691

LOPEZ ISAAC & MARIBEL
304 VIOLET LN
WALHALLA, SC 29691

LOPEZ RAUL SR & MARIA B
403 N LAUREL ST
WALHALLA, SC 29691

LOPEZ RAUL SR
403 N LAUREL ST
WALHALLA, SC 29691

MADDOX JEFFREY ARTHUR
20 NORWOOD CT
SAVANNAH, GA 31406

MANLEY IRIS M
528 S LOVINGOOD AVE
WALHALLA, SC 29691

MCCALL ROBERT B JR & PATRICIA L
3712 101ST ST W
BRADENTON, FL 34210

MELENDEZ EVANGELINA
208 DEERWOOD TRL
WALHALLA, SC 29691

MEZEY RALPH M JR
102 BONNIE BRAE LN
WALHALLA, SC 29691

MITTA HECTOR OMAR
112 HAYLEY DR
WALHALLA, SC 296910000

MOODY GLADYS S & RICHARD D
645 PLAYGROUND RD
WALHALLA, SC 29691

MORGAN JACKIE V EST, % LOUDERMIL
146 FRANK MARTIN DR
WALHALLA, SC 29691

NICHOLSON ALAN W
303 N PINE ST
WALHALLA, SC 29691

NORWOOD MICHAEL S & CHRISTINA R
433 N POPLAR ST
WALHALLA, SC 29691

OLIVER PHILIP MARK
242 OCONEE STATION RD
WALHALLA, SC 29691

OWENS KAYLA M
222 N DOGWOOD DR
WALHALLA, SC 29691

PALMETTO CONSTRUCTION & DESIGNS
9 SHAFFORDSHIRE WAY
SIMPSONVILLE, SC 29681

PINA ISMAEL E
215 MEDLIN ST
WALHALLA, SC 29691

REBURN THOMAS P
223 N DOGWOOD DR
WALHALLA, SC 29691

REVIS JESSICA & WILLIAM
243 DEERWOOD TRL
WALHALLA, SC 29691

REVIS WILLIAM & JESSICA LENORE
243 DEERWOOD TRL
WALHALLA, SC 29691

ROACH MICHAEL D & HARLEY C
998 WHITECUT RD
WALHALLA, SC 296910000

ROCHESTER R LANE
PO BOX 207
WALHALLA, SC 29691

ROTAX PATRICK HENRY
309 N PINE ST
WALHALLA, SC 29691

RUPPRECHT TODD A & MARCANTEL KI
419 N POPLAR ST
WALHALLA, SC 29691

SCHULENBURG MARY
124 S DOGWOOD DR
WALHALLA, SC 296910000

SCHULTHEIS THERESA M & BRIDGETTE
420 N POPLAR ST
WALHALLA, SC 29691

SMITH JAMES H & MARGARET B
229 NORTH DOGWOOD DR
WALHALLA, SC 296910000

TOP QUALITY HOMES INC
527 CHALMERS MTN RD
WALHALLA, SC 29691

TOWN OF WALHALLA-PLAYGROUND
PO BOX 1099
WALHALLA, SC 29691

TUCKER MICHAEL ANTHONY
133 LIGHTHOUSE RD
WALHALLA, SC 29691

VANHECK JANET C
286 SULLIVAN RD
WALHALLA, SC 29691

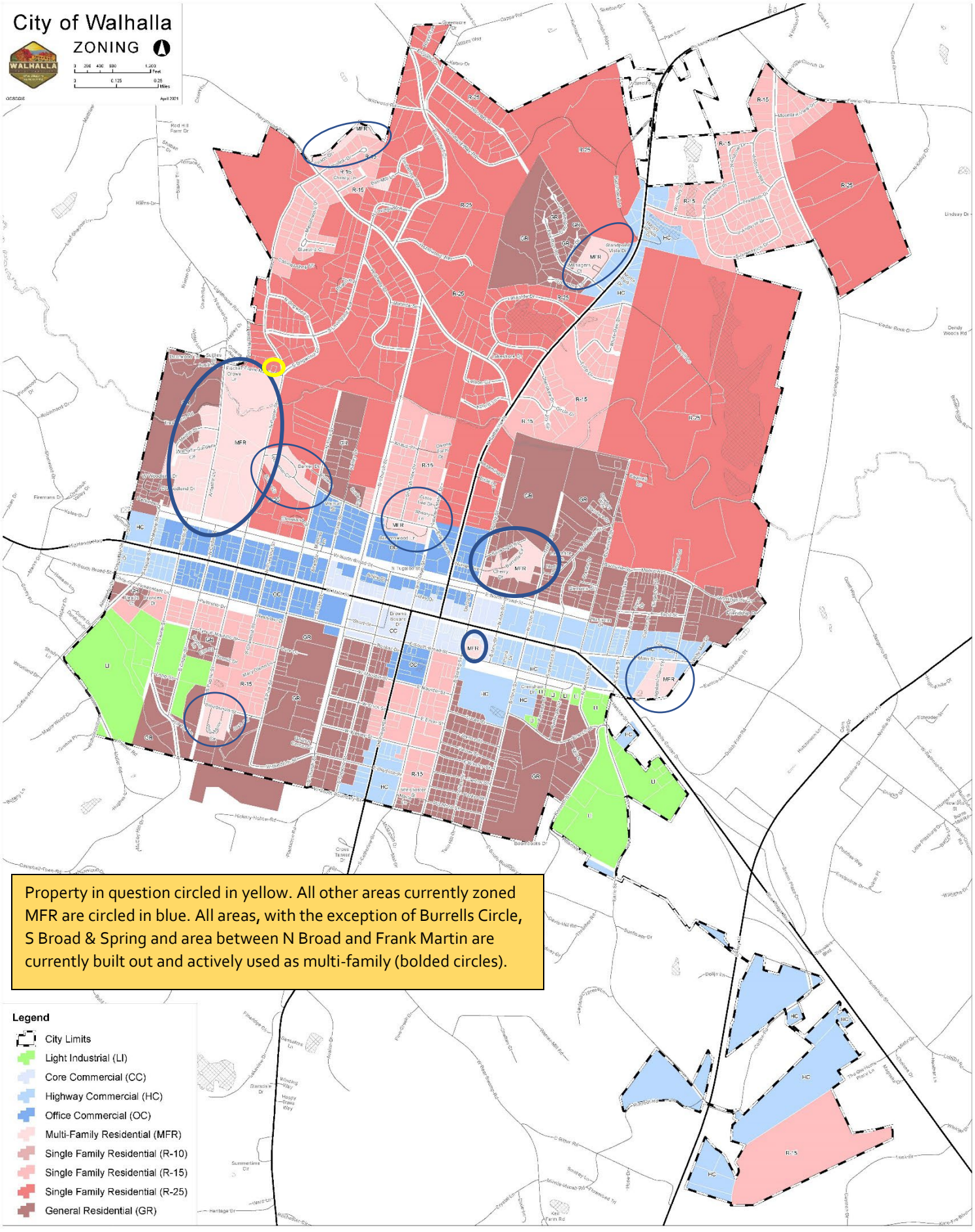
WALD GARY M
520 S LOVINGOOD AVE
WALHALLA, SC 29691

WELSH STEPHEN L & REBECCA W
110 TIMBERLINE RIDGE
WALHALLA, SC 29691

WILLIAMS BONNY L
114 BONNIE BRAE LANE
WALHALLA, SC 296910000

WILLIAMS GEORGE L JR & EVELYN
216 N DOGWOOD DR
WALHALLA, SC 29691

WOOD CALEY L & BALL NATHAN C
420 S LOVINGOOD AVE
WALHALLA, SC 29691


City of Walhalla
ZONING
Property in question circled in yellow. All other areas currently zoned MFR are circled in blue. All areas, with the exception of Burrells Circle, S Broad & Spring and area between N Broad and Frank Martin are currently built out and actively used as multi-family (bolded circles).
Legend
City Limits
Light Industrial (LI)
Core Commercial (CC)
Highway Commercial (HC)
Office Commercial (OC)
Multi-Family Residential (MFR)
Single Family Residential (R-10)
Single Family Residential (R-15)
Single Family Residential (R-25)
General Residential (GR)

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE 2023-15

CITY OF WALHALLA)

An Ordinance to amend Ordinance #1994-8, the City of Walhalla Zoning Ordinance, as adopted December 13, 1994, by amending the City of Walhalla Official Zoning Map to rezone +/- 3.75 acres from GR (General Residential) to OC (Office Commercial) on eight (8) parcels of land, identified as properties along Booker Drive shown in Deed Book 2685 Page 276; Book 12-N Page 293; Book 2191 Page 225; Book 2516 Page 182; Book 2369 Page 28; Book 2445 Page 51; Book 1358 Page 29; Book 2593 Page 156. The parcels are further identified as TMS # 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014.

Whereas, the City of Walhalla, a body politic and corporate and a political subdivision of the State of South Carolina (the "City"), acting by and through its City Council (the "City Council") has previously adopted City of Walhalla Ordinance # 1994-8, the City of Walhalla Zoning Ordinance (the "Ordinance"), which Ordinance contains the City of Walhalla Official Zoning Map (the "Map"); and,

Whereas, the Ordinance contains provisions providing for the amendment of the Map; and,

Whereas, City Council desires to amend the Map by adopting a zoning map amendment from GR to OC for +/- 3.75 acres of TMS #500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014 described above; and,

Whereas, the City of Walhalla Planning Commission has held a duly advertised Public Hearing on April 10, 2023, during which it reviewed the proposed rezoning from GR to OC on +/-3.75 acres of TMS #500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014described above; and,

Whereas, the City of Walhalla Council has duly advertised and held a Public Hearing on May 16, 2023, regarding said amendment of the City of Walhalla Official Zoning Map:

NOW, THEREFORE, be it ordained by the City of Walhalla Council, in meeting duly assembled, that:

1. The City of Walhalla Council hereby finds that this proposed rezoning is consistent

with the City of Walhalla Comprehensive Plan and in accord with requirements of the South Carolina Code of Laws Title 6, Chapter 29, Article 5.

2. The City of Walhalla Council hereby amends the City of Walhalla Official Zoning Map as previously adopted December 13, 1994, by City of Walhalla Ordinance #1994-8 to rezone from GR to OC +/-3.75 acres of TMS #500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014 described above.

3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

4. All orders, resolutions, and enactments of City of Walhalla Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force and effect from and after second reading and enactment by City of Walhalla Council.

AND IS DONE AND RATIFIED in Council Duly assembled this _____Day of _____ 2023.

_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

_____
Timothy B. Burton, City Administrator

Introduced By: _____

First Reading: _____

Public Hearing,
Second Reading
And Adoption: _____

CITY OF WALHALLA PLANNING COMMISSION

Chris Grant, Chair
Jessie Bunning
William Tatum

Kelvin Bryant, Vice Chair
Regina Orr

April 10, 2023

Mayor Edwards
Members of City Council
206 N Church Street
Walhalla, SC 29691

RE: Request to Rezone 3.75 acres along Booker Drive

Mayor Edwards and Members of Council:

On Monday, April 10, 2023, the Walhalla Planning Commission held an advertised public hearing and reviewed the request to rezone 8 parcels, totaling 3.75 acres, along Booker Drive from GR to OC. After discussion, the Planning Commission voted to recommend approval to City Council.

If you have any questions or concerns, please don't hesitate to contact me. We appreciate the opportunity to partner alongside you to serve the citizens of Walhalla.

Sincerely,

Chris Grant
Planning Commission Chair

CG/cbm

Enclosure

City of Walhalla
Planning Commission Staff Report
April 2023

Applicant:	City of Walhalla
Current Owners:	207 Booker LLC; Oconee County; Lee Mischelle Snow; Robert Morton; Jose Herrera; Osiel & Elvia Aguirre; Ray & Alicia Keys; Jessica Vargas
Property Addresses:	207 Booker Drive; 203 Booker Drive; 200 S Tugaloo Street; 201 S Tugaloo Street; 105 #B Booker Drive; 105 Booker Drive; 103 Booker Drive; 205 S Tugaloo Street
TMS #(s):	500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014
Acreage:	+/- 0.51; 1.15; 0.53; 0.36; 0.22; 0.28; 0.45; 0.25 (Total 3.75)
Current Zoning:	GR (General Residential)
Requested Zoning:	OC (Office Commercial)
Surrounding Zoning:	North: CC (Core Commercial) South: GR (General Residential) East: OC (Office Commercial) West: GR (General Residential)
Surrounding Land Use:	North: Commercial/Government South: Residential East: Residential/Government/Commercial West: Government/Cemetery
Evaluation:	This request is to rezone eight (8) parcels of property described above from GR (General Residential) to OC (Office Commercial). The reasoning is to better reflect the existing land uses and to provide a transition zone between the established residential and commercial districts. The purpose of the GR Zoning District is provide for medium-density residential purposes on lots not less than 5,000 square feet in size. The purpose of the OC Zoning District is to provide for local or neighborhood-oriented business and compatible residential use purposes.

	Both commercial and residential uses are adjacent to the subject parcels. The Future Land Use Chapter in the City's Comprehensive Plan (2015) identifies the goal of expanding of the downtown business district in an orderly manner, as well as policies to review the current zoning, make amendments as needed and to consider mixed use if compatible.
Public Outreach:	Staff hereby certifies that the following public notification actions have been completed: - Rezoning notification letters were sent to the affected property owners and adjacent property owners of the subject properties; - Public hearing notice was posted on the City's website; - Planning Commission public hearing notice published in the *Seneca Journal*
Public Feedback:	To date, staff has received two phone calls requesting more information.
Staff Recommendation:	Due to its previous and current use; its compatibility with the character of the area and the Future Land Use chapter of the 2015 Comprehensive Plan, and its ability to act as a transition zone between the established residential (GR) and commercial (CC) districts, staff recommends approval of this request.

AERIAL MAP



Rezoning Request – General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

AERIAL MAP

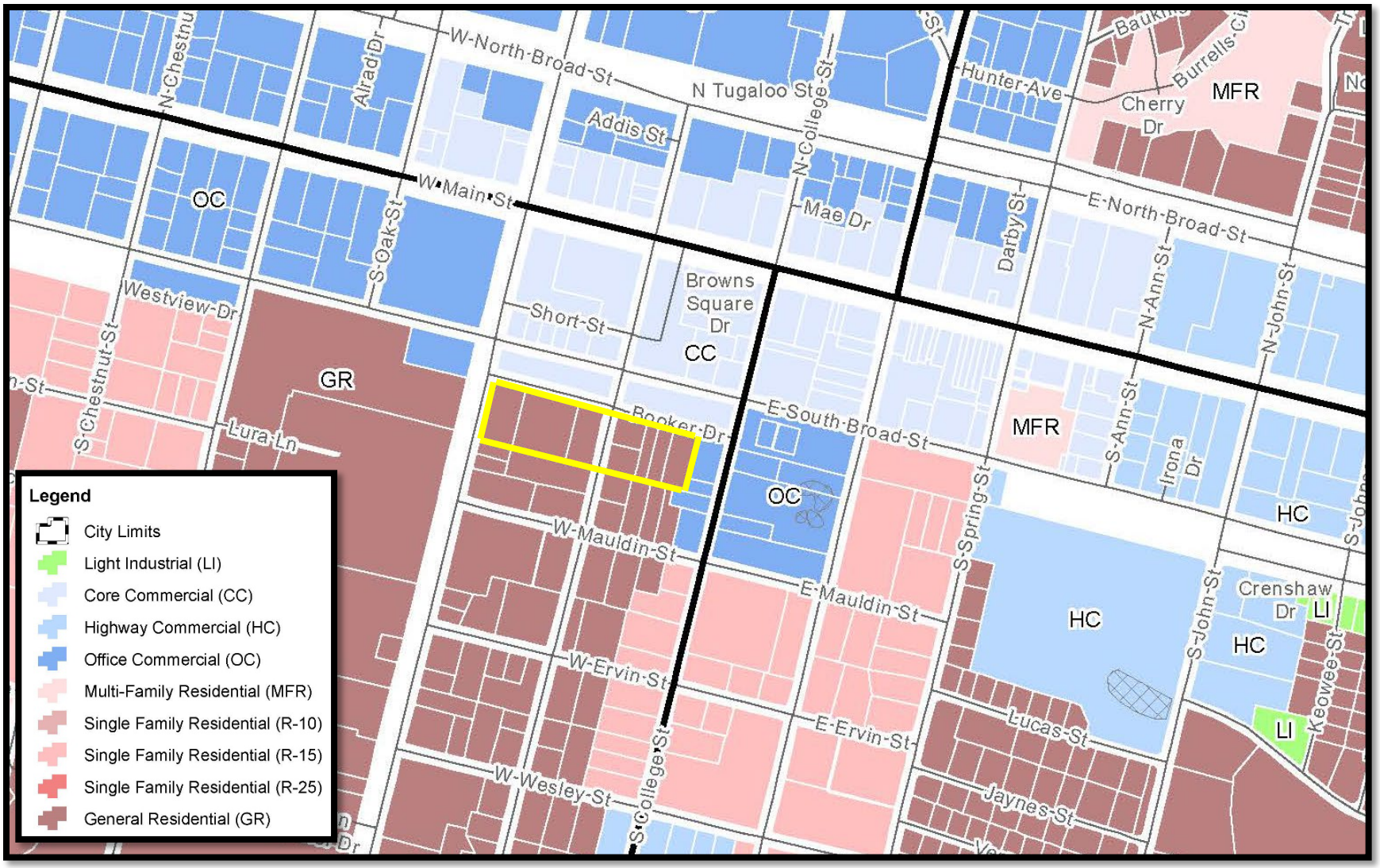


Rezoning Request – General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

ZONING MAP



Rezoning Request – General Residential (GR) to Office Commercial (OC)

Properties along Booker Drive

TMS 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

Photographs



Looking West from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking South from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking East from Booker Drive
(Intersection of Booker Drive and South Church Street)



Looking West along Booker Drive
(Intersection of Booker Drive and South Tugaloo Street)

§ 330-1.17 **GR General Residential District.**

A. Intent of district. It is the intent of this section that the GR Zoning District be developed and reserved for medium-density residential purposes on lots not less than 5,000 square feet in size. The regulations which apply within this district are designed to discourage any land use which would generate nonresidential traffic on local or collector streets, to encourage the formation and continuation of a stable, healthy residential environment and to discourage unwarranted encroachment of commercial, industrial or other uses capable of adversely affecting the residential character of the district.

B. Permitted uses. The following uses shall be permitted in any GR Zoning Districts:

(1) All permitted uses in the R-15 Single-Family Residential District, as shown in § **330-1.15B**.

(2) Duplex dwellings and dwellings with garage apartments, with no more than two dwelling units per building.

C. Conditional uses. The following uses shall be permitted on a conditional basis in any GR Zoning District:

(1) All conditional uses permitted in the R-25 and R-15 Zoning Districts, as shown in § **330-1.14C** and § **330-1.15C**;

(2) Public or private care homes, provided such uses meet the following requirements:

(a) Minimum lot area: one acre.

(b) Minimum lot width: 100 feet, measured at the front setback line.

(c) Minimum front yard setback: 35 feet.

(d) Minimum side yard setback: 15 feet.

(e) Minimum rear yard setback: 20 feet.

(f) Maximum building height: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(3) Vegetative screening. The owner of any public or private care home in this district which adjoins a lot restricted to residential use shall provide and maintain a suitable vegetative screen at least six feet in height above finished grade between it and any lot restricted to residential use.

(4) Additional requirements. Any public or private care home in this district shall meet all standards set forth in county, state, federal and local law.

D. Special exception uses.

(1) Certain uses within any GR 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:

(a) Antennas, towers, masts and similar structures measuring over 17 feet above the top of the highest peak of the roofline.

(b) Mobile homes. Mobile homes and mobile home parks are special exceptions in any GR Districts, subject to the requirements and procedures of § **330-1.47**, all subsections and all conditions stipulated herein.

(2) Mobile home parks.

(a) Each mobile home park shall be no less than one acre in size and be located on a well-drained site properly graded to ensure rapid drainage and freedom from stagnant pools of water.

(b) Each mobile home park shall not contain more than eight mobile home units per gross acre.

(c) Mobile home spaces shall be provided consisting of an average of not less than 5,000 square feet in area, each space to be at least 40 feet wide and 100 feet in depth.

(d) All mobile home spaces shall abut upon an all-weather surface driveway not less than 20 feet in width, which shall have unobstructed access to a street. The driveway surface may be of concrete, brick, asphalt, gravel or similar material, but not grass or dirt.

(e) Each mobile home park must be serviced by an approved community or public water and sewer system, and safe and adequate provisions for the centralized collection of waste and garbage must be provided by the owner or operator of the mobile home park, all of which shall comply fully with all laws, ordinances or regulations prescribed by the County Board of Health and the South Carolina Department of Health and Environmental Control (SCDHEC).

(f) Mobile home parks shall have a minimum of 25% common open space for active or passive recreation, which shall be easily accessible from all mobile home lots or spaces.

(g) All mobile homes, within or outside of mobile home parks, shall adhere to the standards and conditions set forth in Subsection **E**, below.

E. Manufactured home standards. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(1) Manufactured homes are permitted by special exception in the GR General Residential District and must comply with the requirements of Chapter **199**, Manufactured Homes, of the City Code.

(2) Abandoned mobile homes.

(a) Any mobile home which has been abandoned and is declared to be a nuisance under the terms of this Part **1** or Chapter **199** shall be removed by the owner of the land within 90 days of notification. A mobile home shall be considered abandoned if any one of the following applies:

[1] If it has been unoccupied with utilities disconnected for a period of one year or greater; or

[2] If it has been deemed unsafe, unfit or condemned by the Building Inspector, code official or a Health Authority and no attempt has been made to remedy or repair to current code requirements within 60 days of being declared unhabitable; or

[3] If the needed repairs exceed 75% of its replacement value.

(b) The City may recover from the owner of the land upon which such abandoned mobile home is located the expense of removal and disposal of the mobile home and any administrative fees.

(3) Enforcement. It shall be unlawful for any person to place or park any mobile home or manufactured home upon any premises within the corporate limits, except as provided by this Part **1**, Chapter **199** and any amendments thereto; and in the event of any violation of these provisions, such shall be sufficient grounds for the City of Walhalla to discontinue all municipal services to such mobile home.

F. Other requirements. Uses permitted or conditional uses in GR Zoning Districts shall be required to conform to the specific dimensional requirements unless otherwise specified. All other relevant portions of this Part 1 shall apply.

(1) Minimum lot requirements: 5,000 square feet.

(2) Minimum width in feet: 60 feet measured at the front setback line, but in no case is the lot to be less than 25 feet at the right-of-way line.

(3) Minimum setback requirements:

(a) Front: 25 feet.

(b) Side: 10 feet.

(c) Rear: 10 feet.

(4) Maximum height of building: 2.5 stories or 35 feet. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

(5) Maximum structure surface coverage of lot: 60%.

§ 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-**

Planning Commission
City of Walhalla

April 10, 2023

Request to rezone +/- 3.75 acres along Booker Drive from GR to OC

Applicant: City of Walhalla

Current Owners: 207 Booker LLC; Oconee County; Lee Mischelle Snow; Robert Morton; Jose Herrera; Osiel & Elvia Aguirre; Ray & Alicia Keys; Jessica Vargas

Property Address: 8 parcels along Booker Drive

TMS #(s): 500-19-05-001; 500-19-05-002; 500-19-05-003; 500-19-06-001; 500-19-06-003; 500-19-06-004; 500-19-06-005; 500-19-06-014

Acreage: Total +/-3.75 acres

Current Zoning: GR (General Residential)

Requested Zoning: OC (Office Commercial)

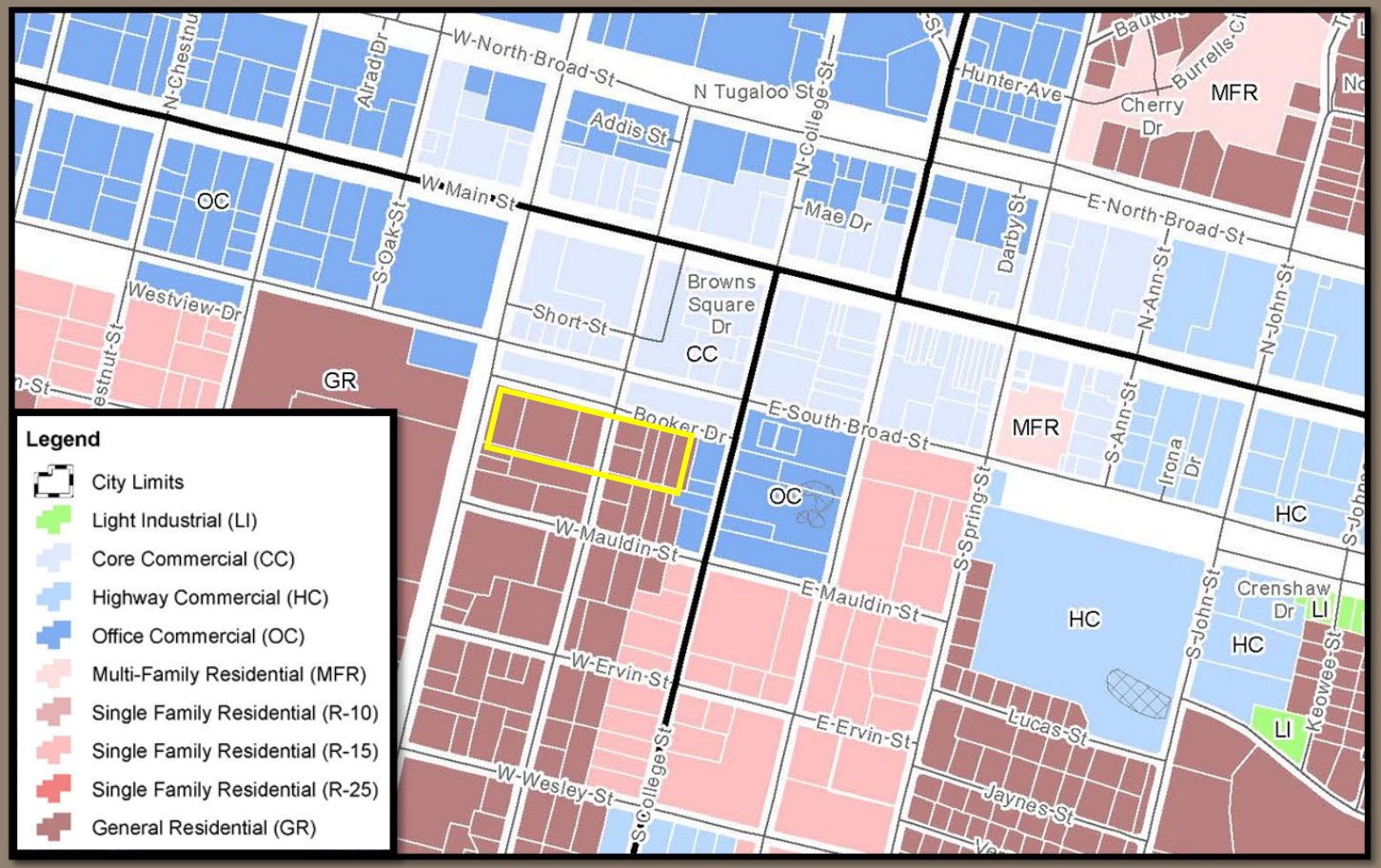
Surrounding Zoning: North: CC (Core Commercial); South: GR (General Residential); East: OC (Office Commercial); West: GR (General Residential)

Surrounding Land Use: North: Commercial/Government; South: Residential; East: Residential/ Government/Commercial; West: Government/Cemetery

Request to rezone +/- 3.75 acres along Booker Drive from GR to OC



Request to rezone +/- 3.75 acres along Booker Drive from GR to OC



Request to rezone +/- 3.75 acres along Booker Drive from GR to OC



Looking West from Booker Drive (Intersection of Booker Drive and South Church Street)



Looking South from Booker Drive (Intersection of Booker Drive and South Church Street)



Looking East from Booker Drive (Intersection of Booker Drive and South Church Street)



Looking West along Booker Drive (Intersection of Booker Drive and South Tugaloo Street)

Request to rezone +/- 3.75 acres along Booker Drive from GR to OC

Staff Evaluation

- This request is to rezone eight (8) parcels of property described above from GR (General Residential) to OC (Office
- Commercial). The reasoning is to better reflect the existing land uses and to provide a transition zone between the established residential and commercial districts. The purpose of the GR Zoning District is provide for medium density residential purposes on lots not less than 5,000 square feet in size.
- The purpose of the OC Zoning District is to provide for local or neighborhood-oriented business and compatible residential use purposes.
- Both commercial and residential uses are adjacent to the subject parcels. The Future Land Use Chapter in the City's Comprehensive Plan (2015) identifies the goal of expanding of the downtown business district in an orderly manner, as well as policies to review the current zoning, make amendments as needed and to consider mixed use if compatible.

Request to rezone +/- 3.75 acres along Booker Drive from GR to OC

Staff Recommendation

- Due to its previous and current use; its compatibility with the character of the area and the Future Land Use chapter of the 2015 Comprehensive Plan, and its ability to act as a transition zone between the established residential (GR) and commercial (CC) districts, staff recommends approval of this request.

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE 2023-16

CITY OF WALHALLA)

AN ORDINANCE TO REPEAL CHAPTER 123 BUILDINGS AND BUILDING CONSTRUCTION OF THE CITY OF WALHALLA CODE OF ORDINANCES AND REPLACE WITH CHAPTER 123 BUILDING CODES

Whereas, Unsafe construction or alteration of buildings poses a significant public safety threat; and

Whereas, The City of Walhalla desires to adopt and direct enforcement of building codes to protect life and property, improving the community's overall quality of life; and

Whereas, The City of Walhalla desires to have safe buildings and structures for its citizens and visitors and minimize public nuisances that may affect the overall community; and

Whereas, the State of SC mandates that all municipalities shall appoint or contract with a building official and enforce building codes, related to the construction, livability, sanitation, erection, energy efficiency, alteration, repair, occupancy, classification, or removal of structures located within their jurisdictions; and

NOW THEREFORE: it is ordained and enacted that: by the Mayor and Council members of the Municipality of Walhalla, in Council assembled, that the Chapter 123 Buildings and Building Construction be repealed and replaced with the following:

Article 1. – PURPOSE, SCOPE, AUTHORITY

Sec. 123-1. - Title.

This chapter shall be known as the "Building Codes Ordinance of the City of Walhalla, South Carolina."

Sec. 123-2. - Authority.

This chapter is adopted pursuant to the authority conferred by the South Carolina Code of Laws upon the City.

Sec. 123-3. - Purpose.

The purpose of this chapter shall be to establish rules and regulations for the construction, alteration or demolition of buildings, issuance of permits pertaining thereto and the duties of the building official.

Sec. 123-4. - Violations; Penalties.

(a) The violation of any of the codes or regulations adopted pursuant to the provisions of this chapter is hereby declared to be a misdemeanor, and any person violating such codes or regulations shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with this section. Each day such violation shall continue shall be deemed a separate offense. In case of any violation of, or proposed violation of the codes or regulations adopted pursuant to this chapter, the building official or other appropriate authority of the City, or any adjacent or neighboring property owner who would be damaged by such violation may, in addition to other remedies, apply for injunctive relief, mandamus or other appropriate proceedings to prevent, correct or abate such violation or threatened violation.

(b) Any person who shall violate any of the provisions of this chapter shall be subject to a civil fine not to exceed two-hundred dollars ($200) per offense, per day of violation.

(c) Any person who fails to correct a violation or submit a plan for correcting a violation within seven (7) days after citation or written notice shall be cited and subject to a civil fine not to exceed two thousand dollars ($2,000), per day of violation.

(d) Any person removing or defacing any notice posted on any unsafe building/structure or unfit dwelling or dwelling unit by any authorized officer, under the terms of this chapter shall be similarly prosecuted and punished upon convicted.

(e) Any person, individually or as a representative, interfering in any way with the enforcement of the codes and regulations of this chapter, or receiving rentals after the expiration of the time limits set forth in any notice or order issued by the Community Development Department shall be similarly prosecuted and punished upon conviction.

Sec. 123-5. - Frontage requirements relative to issuance of building permits, erection of buildings.

No building permit shall be issued and no building other than an accessory building shall be erected on any piece of property in the City unless such piece of property shall have frontage on a road or street.

Sec. 123-6. - Exemption for public schools.

(a) No fees shall be charged and the City shall refrain from plan review, permit issuance and on-site inspections when the project involves a public school.

(b) If the school district desires inspections and/or plan review by the City building official, fees shall be charged and normal departmental procedures followed.

Article 2. - ADMINISTRATION

Sec. 123-7. – Building and Codes.

(a) *Establishment*. There is hereby established Building and Codes duties and responsibilities within the Community Development Department for the purposes of administering the provisions of City adopted, nationally recognized building codes.

(b) *Building Official*. The Building and Codes duties shall be the responsibility of a building official, serving at the pleasure of the City administrator or by services contracted through an outside agency. Compensation shall be determined at the time of appointment.

(c) *Administration*. The Community Development Department shall accept all applications for required permits, review plans and specifications, make required inspections and issue required certificates and permits. The Building Official shall be responsible for all administrative functions required by the adopted codes.

(d) *Enforcement*. The enforcement of the codes will commence after a building official has been appointed and the administrator has determined that the codes may be effectively and efficiently administered.

(e) *Fees Imposed*. The administration of the building codes shall be assisted through the collection of fees established by the City Council. Any fee changes shall be made by the City Council.

Sec. 123-8. - Maximum time permitted for building official or inspector to appear on site following notification of readiness for inspection; effect of failure to appear.

The Building Official shall perform an inspection in a reasonable time period, but not more than five (5) work days following notification that the work is ready. If the inspection is not performed within the allotted five (5) work days, the work may be covered and/or construction continued. Saturdays, Sundays and legal holidays shall not be included in the computation of the five (5) work days.

Sec. 123-9. - Construction Board of Adjustment and Appeals.

(a) *Establishment*. There is hereby established a Construction Board of Adjustment and Appeals, which shall consist of five (5) members appointed by City Council and subject to the terms and provisions contained in Chapter 7, with the following exceptions. Pursuant to the requirements of the Southern Building Code Congress International (SBCCI) standard building code, the board should be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors or building industry representatives. No board members shall participate in a case in which he or she has a personal financial interest. Whenever the words "Board of Adjustment and Appeals" appear in the standard building codes in force in the City at any time (the "building code"), they shall refer to the Construction Board of Adjustment and appeals.

(b) *Quorum*. A simple majority of the board shall constitute a quorum.

(c) *Record*. The Building Official shall act as secretary of the board and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.

Article 3. - CODES ADOPTED

Sec. 123-10. - Building Codes.

Pursuant to South Carolina Title 6, Chapter 9, as may be amended by the General Assembly, the City of Walhalla hereby adopts the latest editions of the following national codes and the standards referenced, or as adopted by the South Carolina Building Codes Council, as set forth herein for the regulations of construction within the City of Walhalla:

(a) Building, residential, gas, plumbing, mechanical, fire, energy codes, property maintenance, performance codes for buildings and facilities, existing building, and swimming pool codes as promulgated, published, amended or made available by the International Code Council Inc.; and the National Electrical Code, as published by the

National Fire Protection Association.

(b Each code is published separately in book form and is adopted by reference as though copied fully in this section, as published by the International Code Council, Inc. and the National Fire Protections Code. Any provision identifying the jurisdiction shall be deemed to be the City of Walhalla.

(c) A file of record of these codes is in the office of the Building Official.

Sec. 123-11. - Height limit for weeds.

For purposes of section 302.4 of the International Property Maintenance Code regarding maintenance of weeds, all premises and exterior property shall be maintained free from weeds or plant growth, as described therein, in excess of 12 inches in height. This limitation on weed height shall only apply to tracts of land with a total area of less than ten acres.

Sec. 123-12. - Authority.

(a) The standards contained in the above building codes shall be controlling in the use, maintenance, and occupancy of all structures located within the City limits.

(b) The City Building Official shall have the authority to review and enforce the standards contained in the building codes. The Building Official shall work with the City Fire Chief and/or his designee to review and enforce those references to the building codes as contained in the fire code pertaining to plan review and new construction. The City Fire Chief and/or his designee shall have continued authority to review and enforce all maintenance and compliance items contained in the fire code.

(c) Applications for building permits of structures in excess of five thousand (5,000) square feet for commercial or industrial use are required to have a 3rd party administer the plan review and building inspection at the applicant’s expense. Applicants are to coordinate with the City Building Official and 3rd party to ensure compliance of all statues.

Sec. 123-13. - Exemption of property sold by the Master in Equity.

Any property that has been sold by the Master in Equity and is currently subject to a right of redemption period shall be exempt until such redemption period has expired. Such property shall be posted with a notice signifying such exemption.

Article 4. - PERMITS

Sec. 123-14. - Administration.

The Building Official or designated staff may require any person who is issued a building permit to keep accurate records of all costs of the improvement and such records shall be made available upon his request. If any person refuses to make such records available, it shall be presumed that the costs thereof are in excess of $1,000.00 and a permit shall be required. The personal labor of any owner or members of his immediate family shall not be included in computing the first $1,000.00. The building permit shall be issued for a period of twelve (12) months and may be renewed once for an additional six-month (6) period, at the end of the original twelve-month (12) period, upon the discretion of the building official if the construction or improvement is not completed. If construction is not completed in eighteen (18) months the permitting process must start anew, using the codes, standards and procedures then in effect.

Sec. 123-15. - Building Permit

(a) *Required*. No building, driveway, wall, structure, or other improvement shall be erected, installed, added to, or structurally altered without the owner or developer having first obtained a building permit from the Building Official, pursuant to this section and the standards of this section.

(b) *Application*. Applications for a building permit shall be filed on a form provided by the Building Official, and shall include the following:

(1) A general description of the proposed work to be completed and the proposed use(s) being developed;

(2) The zoning district designation of the land where development is proposed;

(3) The name and signature of the land owner or owner's authorized agent;

(4) The estimated cost of the construction, including labor and materials;

(5) A plan, drawn to scale, showing:

(5.1) The dimensions of the lot being developed;

(5.2) The size and location of buildings and structures to be erected;

(5.3) The building height from the top of the first living floor surface;

(5.4) The percentage of the lot covered by impervious surfaces;

(5.5) The total heated square footage;

(5.6) The front, side, and rear yards or setbacks; and

(5.7) Right-of-way width;

(6) Any other information considered necessary by the Building Official in order to render a decision.

(c) *Standards*. A building permit shall be approved by the Building Official upon a finding that the application complies with the standards of this Chapter and all other applicable City ordinances. No building permit shall be issued unless and until a Zoning Permit has first been issued.

(d) *Conditions*. In approving a building permit, the Building Official may impose appropriate conditions on the permit approval.

(e) *Expiration*.

(1) If the work described in any building permit has not begun within twelve (12) months from the date of issuance, the building permit shall expire and be void.

(2) Upon written application submitted at least thirty (30) days prior to the expiration of the permit by the applicant and upon a showing of good cause, the Building Official may grant one (1) extension not to exceed six (6) months. Failure to submit an application for an extension within the time limits established by this section shall render the building permit void.

(f) *Amendments*. A building permit may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval.

(g) *Revocation of Permit*. In the event that any person holding a building permit pursuant to this ordinance violates the terms of the permit or implements in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the building official may issue a stop work order and revoke the building permit.

Sec. 123-16. - Land Disturbance Permit (LDP).

(a) *Required*. A Land Disturbance Permit (LDP) is required for all residential, commercial and industrial land disturbing activity, including subdivision and PUD developments, that involve the construction of new structures, infrastructure (new roads, ponds or utilities), grading and infill. No grading or other land-disturbing activity over 5,000 square feet, including the addition or installation of any impervious surface, except as exempted by § 123-16(c), shall commence without first having obtained a land disturbance permit pursuant to this section.

(1) “Land-disturbing activity” means any grading, scraping, excavating, or filling of land; clearing of vegetation; and any construction, rebuilding, or alteration of a structure. Land-disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single-family residence, and the cutting of firewood for personal use.

(b) *SC DHEC Approval*. If the activity will require SC DHEC approval through the South Carolina's NPDES Stormwater Program, this approval is required prior to issuance of a land disturbance permit.

(c) *Exemptions*. The following activities are not required to obtain a land disturbance permit, but should follow best management practices for erosion and sediment control:

(1) Agricultural uses, including forestry;

(2) Minor Landscaping;

(3) Land-disturbing activities undertaken for the purpose of fighting fires or other emergency activity that is immediately necessary for the protection of life, property, or natural resources; and

(4) Land-disturbing activities taking place on a lot containing a lawfully established single-family dwelling, provided such activities are located outside of any sensitive natural areas and provided they are limited to a maximum of 2,500 square feet.

(d) *Application*. Applications for a land disturbance permit shall be filed on a form provided by the Building Official, and shall include the following:

(1) The name(s) and address(es) of the owner and/or developer of the site;

(2) Site plan, including area to be disturbed;

(3) Tree protection and/or tree replacement plan;

(4) Erosion and sediment control measures to be implemented;

(5) Temporary and permanent vegetation control measures, including, but not limited to seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching;

(6) Land disturbing activities of two (2) or more acres shall also include:

(6.1) A natural resources map identifying soils, topography, tree cover,

waterways and other natural resources; and

(6.2) A sequence of construction of the development site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

(7) Filing fee.

(e) *Standards*. A land disturbance permit shall be approved upon a finding that the application complies with the standards of this Chapter and all other applicable city ordinances, including Chapter 287 Trees and Vegetation and Chapter 330 Zoning and Subdivision; and complies with the South Carolina Erosion and Sediment Control Act. No land disturbance permit shall be issued unless and until a Zoning Permit has first been issued.

(1) Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized;

(2) Soil stabilization shall be completed within five (5) days of clearing or inactivity in construction;

(3) If seeding or another vegetative erosion control method is used, it shall become established within two (2) weeks or may require the site to be reseeded or a nonvegetative option employed;

(4) Special techniques on steep slopes or in drainage ways may be used to ensure stabilization;

(5) Soil stockpiles must be stabilized or covered at the end of each workday;

(6) Techniques that divert upland runoff past disturbed slopes shall be employed;

(7) Measures required in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains shall be implemented.

(f) *Conditions*. In approving a land disturbance permit, the Building Official or designee may impose appropriate conditions on the permit approval.

(g) *Expiration*. If the work described in any land disturbance permit has not begun within

six (6) months from the date of issuance, the land disturbance permit shall expire and be void. Land-disturbing activity shall not proceed unless and until a new land disturbance permit is obtained.

(h) *Amendments*. A land disturbance permit may be amended, extended, or modified only in accordance with the procedures established for its original approval.

(i) *Revocation of Permit*. In the event that any person holding a land disturbance permit pursuant to this ordinance violates the terms of the permit or implements in such a manner as to materially adversely affect the health, welfare, or safety of persons residing or working in the neighborhood or development site so as to be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Building Official may issue a stop work order and revoke the land disturbance permit.

Sec. 123-17. - Occupancy.

It shall be unlawful for any person to begin residing in, operating or conducting business within any building until a certificate of occupancy has been issued and electrical, water and sewer service to such building has begun.

Sec. 123-18. - Property Identification Number.

All property upon which houses, dwellings, buildings, house trailers, businesses and other such structures are constructed or located within the City of Walhalla shall be considered developed property and shall have on the face and/or other appropriate side of the house, dwelling, business or structure identification numbers, in a manner and location so that said identification numbers are clearly and readily readable to a person of normal vision from the adjacent roadway.

All applicants for building permits for new construction of residences or businesses or other such structures shall be required to submit a plan showing the proposed location of their property identification number before any building permit will be issued, and compliance with this article shall be a condition precedent to the issuance of a certificate of occupancy.

Sec. 123-19 - Exceptions.

No building permit shall be required for any construction performed by the owner himself, the cost for which is less than $1,000.00. No building permit shall be required for the addition of siding of any type to a residence. No building permit shall be required for the removal of the remains of a burned home. The issuance of zoning permits still apply.

Sec. 123-20 - Permit fee schedule.

The schedule of fees for permits for building, construction, land disturbance and repair of buildings and structures within the City limits is set by City Council; adopted by reference and on file in the City offices.

Article 5. - CITY BUILDINGS

Sec. 123-21. - Applicability.

This Chapter shall be applicable to any and all buildings, structures or similar improvements presently existing, or to be erected, on real property owned by the City or any agency, department, board or commission established or regulated by the City Council pursuant to S.C. Code 1976, § 4-9-30(6) or whose governing board is appointed pursuant to S.C. Code 1976, § 4-9-170 and all such buildings, structures or similar improvements shall be hereinafter referred to as City buildings.

Sec. 123-22. - Council approval for alterations, repairs, other construction projects.

(a) The City Council shall give prior approval before any City building is altered, repaired, built, removed, modified, demolished, condemned, rehabilitated or improved, including additions and permanent fixtures thereto.

(b) The City Council shall also give prior approval before any lessee of City property shall alter, repair, build, remove, modify, demolish, condemn, rehabilitate, or improve any buildings or structures not owned by the City but located on City property, including additions and permanent fixtures thereto unless such alteration, repair, building, removal, modification, demolition, condemnation, rehabilitation, or improvement is expressly permitted in the current lease or other current written agreements.

Article 6 – MANUFACTURED HOUSING

Section 123-23. – Manufactured Housing

(a) *Zoning Compliance*. No moving or manufactured home permit shall be issued for any manufactured home brought into the City of Walhalla or relocated within the City after the adoption of this chapter, unless a current certificate of zoning compliance has been issued by the Zoning Administrator, to certify that the manufactured home is in full compliance with Chapter 330 of the Walhalla Code.

(b) *Standards*. 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 and Chapter 199 of the Walhalla Code.

(c) *Registration*. Manufactured homes must be registered with Oconee County, per Oconee Code § 30-145 prior to applying for a permit.

(d) *Moving Permit*. Prior to the movement of any manufactured home being transported out of or within the boundaries of the county, a county moving permit must be acquired per Oconee Code § 30-150.

(e) *Permit*. Manufactured homes must apply for and obtain a Manufactured Home permit that includes moving within city limits, inspections for one (1) unit set up, supporting foundation, tie downs, connections, and any exterior HVAC unit. Permits for accessory decks, screened enclosures, room additions, or other accessory structures, are subject to a zoning permit and the fees set by City Council.

(f) *Installation*. Manufactured home installers must be properly licensed by the State of South Carolina Manufactured Housing Board. Installation shall be in compliance with the regulations of Chapter 79, South Carolina Department of Labor and Licensing-Manufactured Housing Board.

ARTICLE 7 - UNSAFE BUILDINGS/STRUCTURES AND UNFIT DWELLINGS

Section 123-24. - Authority.

This section is authorized by S.C. Code 1976, § 5-7-30; 5-7-32; 5-7-80; 31-15-10 et seq.

Section 123-25. - Generally.

(a) All buildings/structures regulated by this chapter which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life, are for the purposes of this chapter unsafe.

(b) Any dwellings regulated by this chapter which are dangerous or injurious to the health, safety or morals of the occupants, neighbors or community, are for the purposes of this chapter unfit.

(c) Any use of buildings or structures constituting a hazard to safety, health or public welfare by reasons of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment are for the purposes of this chapter unsafe uses.

(d) All such unsafe buildings/structures or appendages are hereby declared to be public nuisances and shall be abated by alteration, repair, rehabilitation, demolition or removal in accordance with the procedures set forth in this chapter.

(e) It shall be unlawful for any owner or party in interest thereof to keep or maintain any building/structure or part thereof which is an unsafe building/structure as herein defined.

Section 123-26. - Definitions.

(a) *Abate*. As used in this chapter, means repair, replace, remove, destroy or otherwise remedy the condition in question by such means, in such time, in such a manner and to such an extent as the Building Official or City Council shall determine to be in the best interest of the public, taking into account all facts and circumstances.

(b) *Enforcement officer*. As used in this chapter is the Building Official or his designee.

(c) *Public nuisance*. As used in this chapter, any condition located in a building or on premises, which constitutes a health hazard and/or which is or may be unsafe or dangerous by reason of inability to appreciate the peril therein, and/or affects the economic value preservation of property and the surrounding properties as determined by the Building Official or his designee based upon the facts and circumstances found after reasonable inquiry, investigation or upon citizen report.

(1) A building, structure, or portion thereof in a dilapidated or dangerous condition to be unsafe or unsuitable for human occupancy.

(1.1) Inadequate or inoperable mechanical, electrical, plumbing, or sanitation;

(1.2) Lack of sound and effective exterior walls or roof covering to provide weather protection;

(1.3) Lack of structural integrity, including deteriorated or inadequate foundations, joints, vertical or horizontal support;

(1.4) Broken, missing or inoperable windows, doors constituting a hazardous condition or potential attraction to trespassers;

(1.5) Broken, deteriorated structures presenting a risk to public safety.

(2) An abandoned building, manufactured home, or structure that violates health, safety, sanitation requirements and/or economic value preservation of properties such as:

(2.1) An unoccupied and unsecured building or structure;

(2.2) A partially constructed, partially reconstructed, or partially demolished building or structure where work is abandoned for a period of one-hundred and eighty (180) days;

(2.3) A manufactured home that is damaged, extensively deteriorated, does not have approved utilities, water, and septic service, or is deteriorated or is being used as other than residential occupancy.

(d) Unfit dwelling. As used in this chapter, “unfit dwelling” means any dwelling for human habitation with conditions that are dangerous or injurious to the health, safety or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents in the City, as determined by the Building Official. Such conditions may include the following, without limiting the generality of the foregoing: defects increasing the hazards of fire, accidents or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness; and breeding areas for insects or vermin.

(e) Unsafe building/structure. As used in this chapter, "unsafe building/structure" means any building/structure which has been determined to be unsafe by the Building Official or his designee. A vacant structure that is not secured against entry shall be deemed unsafe.

Section 123-27. – Enforcement; Powers of Building Official.

The Building Official is hereby authorized and directed to exercise the powers prescribed in this chapter. He may exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter, including the following powers, in addition to others granted by this chapter or the enabling legislation:

(a) To investigate building/structure conditions in the City, in order to determine whether building/structure is unsafe.

(b) To investigate dwelling conditions in the City, in order to determine whether dwellings therein are unfit for human habitation.

(c) To administer oaths and affirmation, examine witnesses and receive evidence.

(d) To enter into and upon any property, located within the City, with proper credentials, for the purpose of inspecting and enforcing the provisions of this Code, provided such entries are made in such manner as to cause the least possible inconvenience to the persons in possession. If the responsible party, owner, occupant or the agent of any owner of occupant of any property located within the City refuses to allow inspection of such property, the City is authorized to seek an administrative order or search warrant from any authorized judicial officer having jurisdiction over subject property.

Section 123-28. - Declared public nuisance.

All structures found to be maintained in violation of any one or more of the provisions of this chapter are hereby determined to be public nuisances and shall be abated by alteration, repair, rehabilitation, demolition or removal in accordance with the procedures specified hereinafter.

Section 123-29. – Complaint procedure.

(a) Whenever a complaint is made with the Community Development Department by the City Council, or authorized City personnel, or a public authority, or a petition is filed by at least five (5) residents of the City, charging that any building/structure is unsafe and/or that any dwelling is unfit for human habitation, or any lot or property in the municipality is not clean and free of rubbish, debris and other unhealthy and unsightly material so as to constitute a public nuisance, the Building Official shall establish by his own investigation that the building/structure is unsafe and/or that the dwelling is unfit for human habitation or the lot or property in the municipality is not clean and free of rubbish, debris and other unhealthy and unsightly material and constitutes a public nuisance.

(b) If his preliminary investigations disclose a basis for such charges and the uninhabited and/or habited building/structure or portion thereof is found to be a public nuisance and/or unfit dwelling, as defined in this chapter, he shall commence proceeding to cause the alteration, repair, rehabilitation, demotion or removal of the building or structure.

Section 123-30. - Notice and Order.

(a) *Unsafe Buildings/Structures.* The Building Official shall issue a notice and order directed to the owner or party in interest of the unsafe building/structure stating the defects thereof. This notice shall require the owner or party in interest of the unsafe building/structure or premises within thirty (30) days to commence either the required alterations, repairs, improvements, demolition or removal of the unsafe building/structure or portions thereof, and all such work shall be completed within such period of time as the Building Official shall determine to be reasonable to accomplish the work, which period shall be stated in the notice. If necessary, such notice shall also require the unsafe building/structure or portion thereof not to be used until the required repairs and improvements are completed, inspected and approved by the Building Official.

(b) *Unfit dwellings*.

(1) The Building Official shall issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges that the dwelling has been found to be unfit and/or a public nuisance and containing a notice that a hearing will be held before the Building Official or his designated

agent at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the serving of such complaint; that the owners and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Building Official.

(2) If, after such notice and hearing, the Building Official determines that the dwelling under consideration is unfit for human habitation, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order as described in Section 123-30 (a).

Section 123-31. - Service of notice and order.

Service of the notice and order shall be made upon the owner or party in interest either personally or by:

(a) Mailing a copy of such notice and order, by certified mail to each owner of or party in interest in the property as indicated by the records of the county tax assessor; or

(b) If no address so appears or is known to the Building Official, a copy of the notice and order shall be mailed to the owner or party in interest at the address of the unsafe building/structure and/or unfit dwelling, and a copy of the notice shall also be posted in a conspicuous place on the unsafe building/structure and/or unfit dwelling.

(c) The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this chapter. Service by certified mail in the manner herein provided shall be effective on the date of mailing. The receipt card, return and acknowledgement of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Building Official.

Section 123-32. - Posting of signs.

(a) The Building Official shall cause to be posted at the main entrance of such an uninhabited, unsafe building/structure a notice to read: "DANGER—THIS BUILDING/STRUCTURE IS DECLARED UNSAFE." Such notice shall remain posted until the required repairs, demolition or removal is completed. Such notice shall not be removed without written permission of the Building Official, and no person shall enter this unsafe building/structure except for the purpose of making repairs required or demolition of the unsafe building/structure.

(b) The Building Official shall cause to be posted at the main entrance of such an inhabited or uninhabited, unfit dwelling a notice to read: “THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPATION OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL.”

Section 123-33. - Condemnation of unsafe building/structure or unfit dwelling.

If, at the expiration of any time limit and the notice provided for in Section 123-30, the owner or party in interest has not complied with the requirements thereof, the Building Official may recommend abatement in accordance with the provisions set out hereinafter.

(a) *Notice of public hearing*. Notwithstanding any other provision of this chapter, when the whole or any part of any uninhabited building/structure or unfit dwelling is found to be in a dangerous or unsafe condition, the Building Official, having ascertained that the time for providing a notice has expired and that the nuisance has not been abated, shall issue a notice to each owner of record or party in interest of record in whose name the property appears on the last local tax assessment record.

(1) If the Building Official has determined that the structure is in a condition that would require demolition, the owner of record or party in interest may appeal the decision before the City Council and show cause why the building/structure or dwelling should not be demolished.

(2) In matters other than demolition of a structure, the owner of record or party in interest shall appeal the Building Official's decision before the Construction Board of Adjustments and Appeals and show cause why the building/structure should not be abated or otherwise made safe.

(3) Notice shall be given to the parties in the same manner as provided for in Section 123-31 of this chapter to appear at the hearing on the date, time and place specified in the notice, which shall not be less than ten (10) days after the mailing of this notice. When the whereabouts of such persons are unknown and cannot be ascertained by the Building Official in the exercise of reasonable diligence, then the serving of such complaint upon or order upon such person shall be made by publishing it once every week for two (2) consecutive weeks in a newspaper of general circulation printed and published in the county.

(b) *Hearing*. City Council or the Construction Board of Adjustments and Appeals shall conduct the hearing at the time and location fixed by the complaint and notice.

(c) *Failure to appear*. Failure of any person to appear at the hearing set in accordance with the provisions of this chapter shall constitute a waiver of his rights to the administrative hearing on the notice.

(d) *Scope of hearing*. The hearing shall offer the owner or party in interest the opportunity to be heard on only those specified matters or issues raised by the notice of violation. The owner or party in interest may appear at the hearing in person or through an attorney or other designated representative.

(e) *Staying of notice under appeal*. Any notice issued by the Building Official under the provisions of this chapter shall be held in abeyance during the course of an appeal.

(f) *Provisions for hearing appeals.*

(1) *Rules*. A hearing shall not be required to be conducted in accordance with the technical rules regulating evidence and testimony prevailing in courts of law or equity. Construction Board of Adjustments and Appeals may grant continuances for good cause.

(2) *Oaths, affirmations*. In any proceeding under this chapter, any member of City Council or the Construction Board of Adjustments and Appeals shall have the power to administer oaths and affirmations and certify official acts.

(3) *Evidence*. Relevant evidence shall be admitted if it is the type on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or evidence over objections in civil courts.

(4) *Inspections*. City Council or the Construction Board of Adjustments and Appeals may inspect any uninhabited, unsafe building/structure or unfit dwellings or premises involved in a hearing during the course of the hearing, provided the following are complied with:

(4.1) Notice of such inspection is given to the parties prior to making the inspection; and

(4.2) The parties are allowed to be present during inspection; and

(4.3) The inspector states for the record upon completion of the inspection the facts observed and any conclusions drawn.

(5) *Recourse*. If the owner or party in interest is aggrieved by the decision of City Council or the Construction Board of Adjustments and Appeals, nothing in this chapter shall be construed as depriving him of seeking redress in civil or other applicable courts. Said appeal must be filed within 30 days from the effective date of the final decision.

Section 123-34. - Implementation.

(a) *Failure to commence work.* Whenever the required repair, vacation or demolition is not commenced within thirty (30) days after the effective date of the City Council or Construction Board of Adjustments and Appeal order, the City may cause the uninhabited, unsafe building/structure or unfit dwelling to be repaired to the extent required to render it safe; or if the notice requires demolition, to cause the uninhabited,

unsafe building/structure or unfit dwelling to be demolished and all debris be removed from the premises, as described in Section 123-32 (b) and (c).

(b) *Order to correct*. The order for such entry to correct the conditions specified shall be done by the Mayor and Council of the City of Walhalla.

(c) *Petition to demolish*. If the owner fails to comply with an order to remove or demolish an unsafe building/structure or unfit dwelling, the Building Official may petition the courts to cause such structure or dwelling to be removed or demolished. If the City, in demolishing unsafe buildings/structures or unfit dwellings, as permitted by this section, contracts with a third party, not employed by the City to do the work, it must bid the work in conformity with the City's procurement code.

Section 123-35. - Recovery of cost of repair or demolition.

If the owner or party in interest of any uninhabited building/structure or unfit dwelling which has been condemned as unsafe or unfit by the Building Official, after being notified by the Building Official in writing of the unsafe building/structure or unfit dwelling, shall permit it to stand or continue in that condition, he shall be subject to penalties as prescribed by Section 223-29, general criminal penalty, continuing violations, of the City of Walhalla Code of Laws for each day such unsafe building/structure continues in such condition after such notice. The costs of repair or demolition shall be borne by the owner or party in interest to the extent permitted by law.

Section 123-36. - Liability for cost of repair or demolition.

City Council may direct the expenditure of public resources to abate the nuisance condition. The cost of abatement shall include an administrative assessment of $250.00, any attorney's fees and costs, in addition to the actual cost of labor and materials expended in public abatement. The person shall be served with a notice of assessment within seven (7) days of the completion of the abatement. The notice of assessment shall include the administrative fee and a statement of public cost, attested to by affidavit and shall be issued and served, as provided in Section 123-31, upon the person responsible for payment who shall make payment within thirty (30) days of the date of service. Upon the expiration of the thirty (30) day period, if the amount has not been paid in full or contested before City Council, the City Council may direct that a lien upon the real estate, in that amount, be filed with the County Clerk of Court or Register of Deeds and with the City Clerk that shall be collectable in the same manner as municipal taxes. The lien shall be of record in the County Courthouse until paid or recovered, or otherwise released.

Article 8. – LEGAL STATUS PROVISIONS

Sec. 123-37. - Rights of person affected by order.

In accordance with S.C. Code 1976, § 31-15-370, any person affected by an order issued by the Building Official pursuant to this chapter may, within sixty (60) days after the posting and service of the order, petition the Circuit Court for an injunction restraining the Building Official from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the Building Official pending the final disposition of the cause. Hearings shall be heard by the Court on such petitions within twenty (20) days or as soon thereafter as possible and shall be given preference over the matters on the Court's calendar. The Court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings, the findings of the Building Official as to facts, if supported by evidence, shall be conclusive. Costs shall be at the discretion of the Court. The remedies provided in this section shall be exclusive remedies and no person affected by an order shall be entitled to recover any damages for action taken pursuant to any order of the Building Official or because of compliance by such person with any order of the Building Official.

Sec. 123-38. - Preservation of rights and actions.

Nothing in this chapter hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Sec. 123-39. - Conflicts

In the event any conflict may arise between the provisions of these codes with amendments thereto, adopted by this section, and any other state law or city ordinance, rules or regulations, the most restrictive provisions shall prevail and be controlling.

Sec. 123-40. - Zoning Ordinance preserved

Nothing contained in these codes shall repeal any of the provisions of the Zoning and Subdivision Ordinance, and in the event, there should be any conflict between the terms of these Codes and of the Zoning Ordinance, the provisions of the Zoning and Subdivision Ordinance shall prevail and be controlling.

Sec. 123-41. Separability.

The provisions and sections of this chapter shall be deemed to be separable, and the invalidity of any portion of this chapter shall not affect the facility of any other article, section or provision hereof, which is not itself void or invalid.

This Ordinance shall be effective immediately upon final reading.

AND IS DONE AND RATIFIED in Council Duly assembled this _____Day of _____ 2023.

_____
Danny Edwards, Mayor

(SEAL)

ATTEST:

_____
Timothy B. Burton, City Administrator

Introduced By: _____

First Reading: _____

Public Hearing,
Second Reading
And Adoption: _____

South Carolina Legislature

South Carolina Code of Laws
Unannotated

Title 5 - Municipal Corporations

CHAPTER 7

General Structure, Organization, Powers, Duties, Functions and Responsibilities of All Municipalities

SECTION 5-7-10. Scope of chapter.

The provisions of this chapter provide for the structure, organization, powers, duties, functions and responsibilities of municipalities under all forms of municipal government provided for in Chapters 9, 11 and 13 unless otherwise specifically provided for in those chapters. The powers of a municipality shall be liberally construed in favor of the municipality and the specific mention of particular powers shall not be construed as limiting in any manner the general powers of such municipalities.

HISTORY: 1962 Code Section 47-30; 1975 (59) 692.

SECTION 5-7-12. School resource officers; procedures for certain arrests; jurisdiction; employment rights.

(A) The governing body of a municipality or county may upon the request of another governing body or of another political subdivision of the State, including school districts, designate certain officers to be assigned to the duty of a school resource officer and to work within the school systems of the municipality or county. The person assigned as a school resource officer shall have statewide jurisdiction to arrest persons committing crimes in connection with a school activity or school-sponsored event. In all circumstances in which a school resource officer arrests a student for a misdemeanor offense, the officer may issue a courtesy summons to appear to a student involved in the particular incident in connection with a school activity or school-sponsored event. Notwithstanding another provision of law, a student arrested for a misdemeanor offense by a school resource officer must have a bond hearing in magistrates court within twenty-four hours of his arrest. When acting pursuant to this section and outside of the sworn municipality or county of the school resource officer, the officer shall enjoy all authority, rights, privileges, and immunities, including coverage under the workers' compensation laws that he would have enjoyed if operating in his sworn jurisdiction.

(B) For purposes of this section, a "school resource officer" is defined as a person who is a sworn law enforcement officer pursuant to the requirements of any jurisdiction of this State, who has completed the basic course of instruction for School Resource Officers as provided or recognized by the National Association of School Resource Officers or the South Carolina Criminal Justice Academy, and who is assigned to one or more school districts within this State to have as a primary duty the responsibility to act as a law enforcement officer, advisor, and teacher for that school district.

HISTORY: 1998 Act No. 435, Section 3; 2008 Act No. 267, Section 2, eff June 4, 2008.

Effect of Amendment

The 2008 amendment, in subsection (A), in the first sentence substituted "another" for "any other" in two places and added the third and fourth sentences relating to student arrests.

SECTION 5-7-20. Form and effect of corporate name of municipality.

The corporate name of every city or town incorporated under this title shall be 'the city of "_____"' or 'the town of "_____"', and in such corporate name the municipality shall have all powers granted to municipalities by the Constitution and the general law of this State as fully and completely as though they were specifically enumerated herein.

HISTORY: 1962 Code Section 47-31; 1975 (59) 692.

SECTION 5-7-30. Powers conferred upon municipalities; surtax for parking spaces.

Each municipality of the State, in addition to the powers conferred to its specific form of government, may enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of this State, including the exercise of powers in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it, including the authority to levy and collect taxes on real and personal property and as otherwise authorized in this section, make assessments, and establish uniform service charges relating to them; the authority to abate nuisances; the authority to provide police protection in contiguous municipalities and in unincorporated areas located not more than three miles from the municipal limits upon the request and agreement of the governing body of such contiguous municipality or the county, including agreement as to the boundaries of such police jurisdictional areas, in which case the municipal law enforcement officers shall have the full jurisdiction, authority, rights, privileges, and immunities, including coverage under the workers' compensation law, which they have in the municipality, including the authority to make arrests, and to execute criminal process within the extended jurisdictional area; provided, however, that this shall not extend the effect of the laws of the municipality beyond its corporate boundaries; grant franchises for the use of public streets and make charges for them; grant franchises and make charges for the use of public beaches; engage in the recreation function; levy a business license tax on gross income, but a wholesaler delivering goods to retailers in a municipality is not subject to the business license tax unless he maintains within the corporate limits of the municipality a warehouse or mercantile establishment for the distribution of wholesale goods; and a business engaged in making loans secured by real estate is not subject to the business license tax unless it has premises located within the corporate limits of the municipality and no entity which is exempt from the license tax under another law nor a subsidiary or affiliate of an exempt entity is subject to the business license tax; and a business engaged in operating a professional sports team as defined in Section 12-6-3360(M)(17) is not subject to the business license tax; borrow in anticipation of taxes; and pledge revenues to be collected and the full faith and credit of the municipality against its note and conduct advisory referenda. The municipal governing body may fix fines and penalties for the violation of municipal ordinances and regulations not exceeding five hundred dollars or imprisonment not exceeding thirty days, or both. If the person or business taxed pays a business license tax to a county or to another municipality where the income is earned, the gross income for the purpose of computing the tax must be reduced by the amount of gross income taxed in the other county or municipality.

For the purpose of providing and maintaining parking for the benefit of a downtown commercial area, a municipality may levy a surtax upon the business license of a person doing business in a designated area in an amount not to exceed fifty percent of the current yearly business license tax upon terms and conditions fixed by ordinance of the municipal council. The area must be designated by council only after a petition is submitted by not less than two-thirds of the persons paying a business license tax in the area and who paid not less than one-half of the total business license tax collected for the preceding calendar year requesting the designation of the area. The business within the designated area which is providing twenty-five or more parking spaces for customer use is required to pay not more than twenty-five percent of a surtax levied pursuant to the provisions of this paragraph.

HISTORY: 1962 Code Section 47-32; 1975 (59) 692; 1976 Act No. 729; 1978 Act No. 409, Section 1; 1988 Act No. 495, Section 2; 1993 Act No. 171, Section 1; 1999 Act No. 113, Section 21; 2008 Act No. 412, Section 2, eff June 25, 2008; 2019 Act No. 83 (H.4243), Section 3, eff May 22, 2019.

Editor's Note

2019 Act No. 83, Section 9.B, provides as follows:

"B. The provisions of Sections 4-9-30 and 5-7-30 relating to a professional sports team, and the provisions of Section 5-3-20 only apply so long as the job and payroll provisions of Section 12-6-3360(M)(17) and (P) continue to be met by the professional sports team."

Effect of Amendment

The 2008 amendment, in the first undesignated paragraph, added the third sentence relating to reduction of the amount of gross income taxed.

2019 Act No. 83, Section 3, in the first undesignated paragraph, in the first sentence, inserted "and a business engaged in operating a professional sports team as defined in Section 12-6-3360(M)(17) is not subject to the business license tax;".

SECTION 5-7-32. Municipal code enforcement officers; appointment; powers and duties.

A municipality may appoint and commission as many code enforcement officers as may be necessary for the proper security, general welfare, and convenience of the municipality. These officers are vested with all the powers and duties conferred by law upon constables in addition to duties imposed upon them by the governing body of the municipality. However, no code enforcement officer commissioned under this section may perform a custodial arrest. These code enforcement officers shall exercise their powers on all private and public property within the municipality.

HISTORY: 1994 Act No. 341, Section 1.

SECTION 5-7-35. Mailing, to division superintendent or local agent of railroad, copies of certain municipal ordinances.

No ordinance of a municipality which affects the operation of any railroad, as defined by Section 58-17-10, is effective until a certified copy of the ordinance has been sent to the division superintendent or local agent of the railroad company affected, by certified mail, return receipt requested. If a municipality annexes an area in which a railroad company operates, any existing ordinance which affects the company is not effective until the division superintendent or local agent of the company has been sent a certified copy, by certified mail, return receipt requested, of the ordinance declaring the area annexed.

HISTORY: 1984 Act No. 343.

SECTION 5-7-36. Assessments for additional police, fire, and garbage services on residential property in improvement districts.

No assessment for the Improvement District improvements may be made on residential property for additional police, fire, and garbage services therein which are part of the plan. Provided, further, no assessment may be assessed against real property which qualifies for exemption from ad valorem taxes as a historic fort pursuant to the statutes of South Carolina.

HISTORY: 2000 Act No. 384, Section 4.

SECTION 5-7-40. Ownership and disposition of property by municipalities.

All municipalities of this State may own and possess property within and without their corporate limits, real, personal or mixed, without limitation, and may, by resolution of the council adopted at a public meeting and upon such terms and conditions as such council may deem advisable, sell, alien, convey, lease or otherwise dispose of personal property and in the case of a sale, alienation, conveyance, lease or other disposition of real or mixed property, such council action must be effected by ordinance.

HISTORY: 1962 Code Section 47-33; 1975 (59) 692; 1976 Act No. 623, Section 2; 1978 Act No. 435, Section 5.

SECTION 5-7-50. Municipalities' acquisition of land, easement or right-of-way by condemnation.

Any municipality desiring to become the owner of any land or to acquire any easement or right-of-way therein for any authorized corporate or public purpose shall have the right to condemn such land or right-of-way or easement, subject to the general law of this State, within and without the corporate limits in the county in which it is situated and in any adjoining county or counties. This authority shall not apply to any property devoted to public use; provided, however, the property of corporations not for profit organized under the provisions of Chapter 35 of Title 33, shall not be subject to condemnation unless the municipality in which their service area is located intends to make comparable water service available in such service area and such condemnation is for that purpose. After any such condemnation, the municipality shall assume all obligations of the corporation related to the property and the facilities thereon which were condemned. Provided, however, that any incorporated municipality, or any housing or redevelopment authority now existing or hereafter established to function, may undertake and carry out slum clearance and redevelopment work in areas which are predominately slum or blighted, the preparation of such areas for reuse, and the sale or other disposition of such areas to private enterprise or to public bodies for public uses and to that end the General Assembly delegates to any incorporated municipality, or such authorities, the right to exercise the power of eminent domain as to any property essential to the plan of slum clearance and redevelopment. Any incorporated municipality, political subdivision or authority may acquire air rights or subsurface rights, both as hereinafter defined, by any means permitted by law for acquisition of real estate, including eminent domain, and may dispose of air rights and subsurface rights regardless of who or for what purpose acquired for private or public use by lease, mortgage, sale or otherwise. Air rights shall mean estates, rights and interests in the space above the surface of the ground or the surface of streets, roads, or rights-of-ways including access, support and other appurtenant rights required for the utilization thereof. Subsurface rights shall mean estates, rights and interests in the space below the surface of the ground or the surface of streets, roads, or rights-of-way including access, support and other appurtenant rights required for the utilization thereof.

HISTORY: 1962 Code Section 47-34; 1975 (59) 692.

SECTION 5-7-60. Municipality authorized to perform any of its functions or to furnish any of its services; charges and financing.

Any municipality may perform any of its functions, furnish any of its services, except services of police officers, and make charges therefor and may participate in the financing thereof in areas outside the corporate limits of such municipality by contract with any individual, corporation, state or political subdivision or agency thereof or with the United States Government or any agency thereof, subject always to the general law and Constitution of this State regarding such matters, except within a designated service area for all such services of another municipality or political subdivision, including water and sewer authorities, and in the case of electric service, except within a service area assigned by the Public Service Commission pursuant to Article 5 of Chapter 27 of Title 58 or areas in which the South Carolina Public Service Authority may provide electric service pursuant to statute. For the purposes of this section designated service area shall mean an area in which the particular service is being provided or is budgeted or funds have been applied for as certified by the governing body thereof. Provided, however, the limitation as to service areas of other municipalities or political subdivisions shall not apply when permission for such municipal operations is approved by the governing body of the other municipality or political subdivision concerned.

HISTORY: 1962 Code Section 47-35; 1975 (59) 692.

SECTION 5-7-80. Ordinances relating to upkeep of property within municipality.

(1) Any municipality is authorized to provide by ordinance that the owner of any lot or property in the municipality shall keep such lot or property clean and free of rubbish, debris and other unhealthy and unsightly material or conditions which constitute a public nuisance.

(2) The municipality may provide by ordinance for notification to the owner of conditions needing correction, may require that the owner take such action as is necessary to correct the conditions, may provide the terms and conditions under which employees of the municipality or any person employed for that purpose may go upon the property to correct the conditions and may provide that the cost of such shall become a lien upon the real estate and shall be collectable in the same manner as municipal taxes.

HISTORY: 1962 Code Section 47-37; 1975 (59) 692.

SECTION 5-7-90. Trial of persons charged with violations of ordinances of municipality or laws of State.

The municipal judge or judges of a municipality shall speedily try all persons arrested and incarcerated with violations of the ordinances of the municipality or the laws of the State within their jurisdiction in a summary manner without a jury unless jury trial is demanded by the accused. Trial must be held within ten days after the arrest or at a time scheduled by the court, in which event the trial is deferred. The municipal judge shall have the same power as a magistrate to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for the violation of ordinances of the municipality or the laws of this State subject to Section 5-7-30.

HISTORY: 1962 Code Section 47-38; 1975 (59) 692; 2012 Act No. 263, Section 1, eff June 18, 2012.

Effect of Amendment

The 2012 amendment deleted "mayor or" twice before "municipal judge", substituted "arrested and incarcerated" for "charged", substituted "ten days" for "seven days", and made other nonsubstantive changes.

SECTION 5-7-100. Investigations of departments of municipal government by governing body; compelling attendance of witnesses; subpoenas; contempt.

The governing body of the municipalities or its agents may investigate any department of the municipal government and any office thereof and such governing body shall have the same power which a magistrate has to compel the attendance of witnesses and to require them to give evidence under oath in the same manner as is customary in the courts of this State. In case of contumacy of any person or refusal to obey a subpoena issued to any person, any circuit court of this State or circuit judge thereof within the jurisdiction of which the municipality is located, upon application by the governing body of the municipality or its designated agent, may issue to such person an order requiring him to appear before the governing body of the municipality to produce evidence if so ordered or to give testimony on the matter under investigation. Any failure to obey an order of the court may be punished as a contempt thereof. Subpoenas shall be issued in the name of the municipality and shall be signed by a majority of the governing body. Subpoenas shall be issued to such persons as the governing body may designate.

HISTORY: 1962 Code Section 47-39; 1975 (59) 692.

SECTION 5-7-110. Municipal police officers; contracting to provide police protection beyond corporate limits of municipality.

Any municipality may appoint or elect as many police officers, regular or special, as may be necessary for the proper law enforcement in such municipality and fix their salaries and prescribe their duties.

Police officers shall be vested with all the powers and duties conferred by law upon constables, in addition to the special duties imposed upon them by the municipality.

Any such police officers shall exercise their powers on all private and public property within the corporate limits of the municipality and on all property owned or controlled by the municipality wheresoever situated; provided, that the municipality may contract with any public utility, agency or with any private business to provide police protection beyond the corporate limits. Should the municipality provide police protection beyond its corporate limits by contract, the legal description of the area to be served shall be filed with the State Law Enforcement Division, the office of the county sheriff and the Department of Public Safety.

HISTORY: 1962 Code Section 47-40; 1975 (59) 692; 1993 Act No. 181, Section 62.

SECTION 5-7-120. Municipalities authorized to send law enforcement officers to other political subdivisions of State upon request in emergency situations.

(A) The governing body of any municipality may upon the request of the governing body of any other political subdivision of the State, send any law enforcement officers to the requesting political subdivision in cases of emergency. A complete record of the request, together with the names of the officers sent, must be recorded in the minutes of the next regular or special meeting of the governing bodies of both the requesting and the sending political subdivisions. Failure to record the request at the next regular or special meeting of the governing bodies does not affect the applicability of the tort liability coverage. Expenses of the requested services may be borne by the requesting municipality.

(B) When law enforcement officers are sent to another municipality pursuant to this section, the jurisdiction, authority, rights, privileges, and immunities, including coverage under the workmen's compensation laws, and tort liability coverage obtained pursuant to the provisions of Chapter 78 of Title 15, which they have in the sending municipality are extended to and include the area in which like benefits, authorities, and tort liability coverage are or could be afforded to the law enforcement officers of the requesting political subdivision. When so sent they have the same authority to make arrests and to execute criminal process as is vested by law in the law enforcement officers of the requesting political subdivision, but this section does not extend the effect of the laws of the sending political subdivision.

HISTORY: 1962 Code Section 47-41; 1975 (59) 692; 1978 Act No. 435, Section 1; 1993 Act No. 36, Section 1.

SECTION 5-7-130. Conflict of interests of municipal officer or employee.

Any municipal officer or employee who has a substantial financial interest in any business which contracts with the municipality for sale or lease of land, materials, supplies, equipment or services or who personally engages in such matters shall make known that interest and refrain from voting upon or otherwise participating in his capacity as a city officer or employee in matters related thereto.

Any city officer or employee who wilfully conceals such a substantial financial interest or wilfully violates the requirements of this section shall constitute malfeasance in office and upon conviction shall forfeit his office or position. Violation of this section with the knowledge express or implied of the person or corporation contracting with or making a sale to the city shall render the contract or sale voidable by the municipal governing body.

HISTORY: 1962 Code Section 47-42; 1975 (59) 692.

SECTION 5-7-140. Extension of police jurisdiction and authority of municipalities bordering on high tide line or high water mark of navigable body of water.

(A) The corporate limits of any municipality bordering on the high-tide line of the Atlantic Ocean are extended to include all that area lying between the high-tide line and one mile seaward of the high-tide line. These areas are subject to all the ordinances and regulations that may be applicable to the areas lying within the corporate limits of the municipality, and the municipal courts have jurisdiction to punish individuals violating the provisions of the municipal ordinances where the misdemeanor occurred in the area defined in this section.

(B) The corporate limits of any municipality bordering on the high-water mark of a navigable body of water, other than the Atlantic Ocean, are extended to include all that area lying between the high-water mark and the low-water mark. These areas are subject to all of the ordinances and regulations that may be applicable to the areas lying within the corporate limits of the municipality, and the municipal courts have jurisdiction to punish individuals violating the provisions of the municipal ordinances where the misdemeanor occurred in the areas defined in this section.

HISTORY: 1962 Code Section 47-43; 1975 (59) 692; 1986 Act No. 4576; 1996 Act No. 420, Section 3, and 1996 Act No. 443, Section 2.

SECTION 5-7-145. Lifeguard and safety services provided by coastal municipalities.

(A) Each municipality bordering on the Atlantic Ocean is authorized to provide lifeguard and other safety related services on and along the public beaches within its corporate limits. A coastal municipality may enact and enforce regulations it determines necessary for the safety of all persons on the beach.

(B) Lifeguard services may be provided using municipal employees or by service agreement with a private beach safety company.

If the municipality elects to provide the services by an agreement with a private beach safety company, the following conditions apply:

(1) the municipality shall follow the procedures of the State Procurement Code, as found in Chapter 35 of Title 11, or the procedures of the municipal procurement code, in the awarding of contracts with private beach safety companies;

(2) the agreement between the municipality and private beach safety company may last no longer than seven years;

(3) the municipality may grant the exclusive right to the beach safety company to rent only the beach equipment and to sell only the items to the public on the beach that are allowed by the municipality on the effective date of this section; provided, however, that on and after the effective date of this section there shall be no granting of the right to rent any additional tangible items, or to sell any beverages to the public on the beach, or otherwise, unless and until additional personnel are hired for the additional rentals and additional activities sufficient in number so that employees already employed on the effective date of this section will not be unduly burdened as determined by the appropriate municipal governing body;

(4) lifeguard personnel employed by the private beach safety company must be tested and certified as required by the municipality; and

(5) the conduct of the limited commercial activities granted to the private beach safety company shall not prevent or interfere in a substantial way with the peaceful, recreational use of the public beach by the general public.

(C) Nothing in this section enlarges, restricts, or infringes upon the existing rights of the owners of private property adjacent to the public beaches.

HISTORY: 1999 Act No. 113, Section 21.

SECTION 5-7-150. Coastal municipalities' criminal jurisdiction over piers and other structures and waters of the ocean.

Every coastal municipality has criminal jurisdiction over piers and other structures and the waters of the ocean, a sound, or an inlet within one mile of those portions of the strand within the corporate limits. The corporate limits of the municipality are extended in a straight line from the strand into the ocean, inlet, or sound from the point where the corporate limits of the municipality reach the high-water mark of the strand. If an extension overlaps with the criminal jurisdiction of another political subdivision, the jurisdiction of each political subdivision extends to the equidistant point from the high-water mark of each strand.

HISTORY: 1962 Code Section 47-44; 1975 (59) 692; 1991 Act No. 133, Section 1.

SECTION 5-7-155. Police jurisdiction over certain streets and highways along which municipal boundaries run.

If any portion of a street or highway is within the boundary of a municipality, the right of way of the street or highway not within the municipal boundary but touching the boundary is nevertheless considered to be within the boundary of that municipality for purposes of its police jurisdiction.

A street or highway which serves as the boundary between municipalities is under the police jurisdiction of both municipalities regardless of the municipality in which the street or highway is located.

HISTORY: 1987 Act No. 164, Section 1; 1989 Act No. 141, Section 1; 1994 Act No. 414, Section 1.

SECTION 5-7-160. Powers of municipality vested in council; quorum.

All powers of the municipality are vested in the council, except as otherwise provided by law, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the municipality by law. A majority of the total membership of the council shall constitute a quorum for the purpose of transacting council business.

HISTORY: 1962 Code Section 47-45; 1975 (59) 692; 1976 Act No. 623, Section 3.

SECTION 5-7-170. Salaries and expenses of mayor and councilmen determined by council through ordinance.

The council may determine the annual salary of its members by ordinance; provided, that an ordinance establishing or increasing such salaries shall not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance, at which time it will become effective for all members whether or not they were elected in such election. The mayor and council members may also receive payment for actual expenses incurred in the performance of their official duties within limitations prescribed by ordinance.

HISTORY: 1962 Code Section 47-46; 1975 (59) 692; 1979 Act No. 98, Section 1.

SECTION 5-7-180. Mayor or councilman prohibited from holding other political office during term elected.

Except where authorized by law, no mayor or councilman shall hold any other municipal office or municipal employment while serving the term for which he was elected.

HISTORY: 1962 Code Section 47-47; 1975 (59) 692.

SECTION 5-7-190. Mayor pro tempore elected from council membership.

Immediately after any general election for the municipal council, the council shall elect from its membership a mayor pro tempore for a term of not more than two years. The mayor pro tempore shall act as mayor during the absence or disability of the mayor. If a vacancy occurs in the office of mayor, the mayor pro tempore shall serve as mayor until a successor is elected.

HISTORY: 1962 Code Section 47-48; 1975 (59) 692.

SECTION 5-7-200. Grounds for forfeiture of office of mayor or councilman; filling vacancies in office.

(a) A mayor or councilman shall forfeit his office if he (1) lacks at any time during his term of office any qualification for the office prescribed by the general law and the Constitution; (2) violates any express prohibition of Chapters 1 to 17; or (3) is convicted of a crime involving moral turpitude.

(b) A vacancy in the office of mayor or council shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more prior to the next general election.

HISTORY: 1962 Code Section 47-49; 1975 (59) 692.

SECTION 5-7-210. Council as judge of election and qualifications of its members and of grounds for forfeiture of their office.

The council shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing, and notice of such hearing shall be published in one or more newspapers of general circulation in the municipality at least one week in advance of the hearing. Decisions made by the council under this section may be appealed to the court of common pleas.

HISTORY: 1962 Code Section 47-50; 1975 (59) 692.

SECTION 5-7-220. Appointment and duties of municipal clerk.

The council under the council and mayor-council forms of government or city manager under the council-manager form shall appoint an officer of the municipality who shall have the title of municipal clerk. The municipal clerk shall give notice of council meetings to its members and the public, keep the minutes of its proceedings and perform such other duties as are assigned by council.

HISTORY: 1962 Code Section 47-51; 1975 (59) 692; 1978 Act No. 435, Section 2.

SECTION 5-7-230. Appointment or election of municipal attorney and judge of municipal court.

The city council may elect or appoint a municipal attorney and a judge or judges of the municipal court, whose duties shall be as prescribed by law. No mayor or councilman shall be so elected or appointed to serve as municipal judge during his term of office. The provisions of this section do not apply to a mayor who presides over a mayor's court in his capacity as mayor as authorized in Section 5-7-90.

HISTORY: 1962 Code Section 47-52; 1975 (59) 692.

SECTION 5-7-240. Council required to provide for independent annual audit of financial records and transactions of municipality and agencies funded by municipal funds.

The council shall provide for an independent annual audit of all financial records and transactions of the municipality and any agency funded in whole by municipal funds and may provide for more frequent audits as it deems necessary. Special audits may be provided for any agency receiving municipal funds as the municipality deems necessary. Such audits shall be made by a certified public accountant or public accountant or firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the municipal government or any of its officers. The council may, without requiring competitive bids, designate such accountant or firm annually or for a period not exceeding four years, provided, that the designation for any particular fiscal year shall be made no later than thirty days after the beginning of such fiscal year. The report of the audit shall be made available for public inspection. The council may in its discretion accept independent audits of municipal agencies and departments and include such audits in its general report of the audit of the municipality.

HISTORY: 1962 Code Section 47-53; 1975 (59) 692; 1977 Act No. 109.

SECTION 5-7-250. Council meetings; rules and procedures for meetings; freedom of information; emergency ordinances.

(a) The council, after public notice shall meet regularly at least once in every month at such times and places as the council may prescribe by rule. Special meetings may be held on the call of the mayor or of a majority of the members.

(b) The council shall determine its own rules and order of business and shall provide for keeping minutes of its proceedings which shall be a public record.

(c) Procedures for meetings of a municipal governing body shall not conflict with the provisions of the general laws of the state with regard to freedom of information.

(d) To meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment.

HISTORY: 1962 Code Section 47-54; 1975 (59) 692.

SECTION 5-7-260. Acts of municipal council which are required to be done by ordinance.

In addition to other acts required by law to be done by ordinance, those acts of the municipal council shall be by ordinances which:

(1) Adopt or amend an administrative code or establish, alter or abolish any municipal department, office or agency;

(2) Provide for a fine or other penalty or establish a rule or regulation in which a fine or other penalty is imposed for violations;

(3) Adopt budgets, levy taxes, except as otherwise provided with respect to the property tax levied by adoption of a budget, pursuant to public notice;

(4) Grant, renew or extend franchises;

(5) Authorize the borrowing of money;

(6) Sell or lease or contract to sell or lease any lands of the municipality; and

(7) Amend or repeal any ordinance described in items (1) through (6) above.

In matters other than those referred to in this section council may act either by ordinance or resolution.

HISTORY: 1962 Code Section 47-55; 1975 (59) 692.

SECTION 5-7-270. Form and procedures for introducing and passing ordinances.

Every proposed ordinance shall be introduced in writing and in the form required for final adoption. Each municipality shall by ordinance establish its own rules and procedures as to adoption of ordinances. No ordinance shall have the force of law until it shall have been read two times on two separate days with at least six days between each reading.

HISTORY: 1962 Code Section 47-56; 1975 (59) 692.

SECTION 5-7-280. Adoption of standard codes or technical regulations in ordinances.

The council may adopt any standard code or technical regulations authorized under Section 6-9-60 by reference thereto in the adopting ordinance; provided, that the council shall hold at least one public hearing before the adoption of any such standard code or technical regulations. The procedure and requirements governing such ordinance shall be as prescribed for ordinances listed in Section 5-7-260 and subject to the provisions of Section 5-7-270.

Copies of any adopted code or technical regulations shall be made available by the municipal clerk for distribution or for purchase at a reasonable price.

HISTORY: 1962 Code Section 47-57; 1975 (59) 692; 1982 Act No. 351, Section 2.

SECTION 5-7-290. Municipal ordinances to be codified; public inspection.

Each municipal council shall provide by ordinance for the codification and indexing of all ordinances, either typewritten or printed, and the maintenance of ordinances in a current form reflecting all amendments and repeals. All ordinances as codified shall be available for public inspection at reasonable times.

HISTORY: 1962 Code Section 47-58; 1976 Act No. 623, Section 1.

SECTION 5-7-300. Collection of delinquent ad valorem property taxes by municipalities.

(A) All municipalities of the State may provide by ordinance a procedure for the collection of delinquent real and personal property taxes, except taxes on motor vehicles. The municipal governing body may provide for a penalty not exceeding fifteen percent of the taxes levied for nonpayment of these taxes payable when the taxes become delinquent. The property taxes levied, with any penalty added for nonpayment when due and costs of execution, are a lien upon the property upon which the tax is levied until paid. The lien is paramount to all other liens except the lien for county and state taxes. Payment of a lien for state or county taxes, without payment of a lien for

municipal taxes, does not extinguish a lien for municipal taxes. For those municipalities that, as of the effective date of this sentence collect their delinquent municipal taxes without an agreement as to collection with a county, such payment makes the municipal lien a first lien on the property which shall continue in full force and effect until legally discharged.

(B) For the purpose of collecting delinquent real and personal property taxes, the municipal governing body may enforce payment against the property of delinquent property taxpayers to the same extent, and substantially in the same manner, as is provided by law for the collection of county property taxes and penalties, except that a municipal governing body may determine the municipality's tax year, penalty dates, and the amount of penalty to be added on the penalty dates. Executions to enforce the payment of the taxes and penalties must be issued under the seal of the municipality and directed to the person designated by the municipal governing body for that purpose. All sales under and by virtue of that execution must take place at a public place in the municipality designated by ordinance, unless otherwise provided in subsection (D) if the sale is held in conjunction with the delinquent tax sale of the county.

(C) All expense of the levy, seizure, and sale must be added and collected as additional execution costs, and includes, but is not limited to, the expense of taking possession of real or personal property, advertising, storage, identifying the boundaries of the property, and mailing certified notices.

(D) A municipality may contract with the county for the collection of municipal taxes or for the collection of delinquent municipal taxes upon terms and conditions mutually agreeable to both the municipality and the county. If a municipality contracts with a county for collection of municipal taxes or delinquent municipal taxes, the provisions of state law that prescribe the procedure for collection of property taxes by counties must be followed. A delinquent tax sale for the purpose of collecting municipal taxes and held in conjunction with a delinquent tax sale for the purpose of collecting county taxes may take place at the public place in the county that is designated by the county.

(E) A municipality may contract by ordinance with an individual, firm, or organization to assist the municipality in collecting property or business license taxes.

HISTORY: 1987 Act No. 19 Section 1; 1988 Act No. 419; 2002 Act No. 179, Section 1; 2006 Act No. 238, Section 1, eff March 15, 2006.

Effect of Amendment

The 2006 amendment, in subsection (A), added the fifth and sixth sentences relating to municipal taxes and making a municipal lien a first lien.

SECTION 5-7-310. Provisions of Section 4-9-55 apply to general laws which affect municipalities.

The provisions of Section 4-9-55 apply to general laws enacted by the General Assembly which affect municipalities.

HISTORY: 1993 Act No. 157, Section 2.

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Title 6 - Local Government - Provisions Applicable to Special Purpose Districts and Other Political Subdivisions

CHAPTER 9

Building Codes

SECTION 6-9-5. Public policy for building codes.

(A) The public policy of South Carolina is to maintain reasonable standards of construction in buildings and other structures in the State consistent with the public health, safety, and welfare of its citizens. To secure these purposes, a person performing building codes enforcement must be certified by the South Carolina Building Codes Council, and this act is necessary to provide for certification.

(B) To clarify the intent of the General Assembly and address questions which might arise or have arisen with respect to provisions of the nationally known codes which have been or are in place, only those portions or provisions of the nationally known building and safety codes which relate to building standards and safety are binding upon a state or local governmental entity or agency which adopts the building and safety codes authorized or required by this chapter.

(C) To further clarify the intent of the General Assembly, Chapter 9, Title 23 continues to apply to a person who may act under authority of the State Fire Marshal and that the allocation of inspection duties among local officials is not dictated by Title 6 but remains a matter for the local authority.

HISTORY: 1997 Act No. 123, Section 7; 2003 Act No. 83, Section 1, eff July 2, 2003.

Code Commissioner's Note

This section was classified as Section 6-9-5 at the direction of the Code Commissioner.

Effect of Amendment

The 2003 amendment designated the first and second undesignated paragraphs as subsections (A) and (B), substituted "this chapter" for "Chapter 9 of Title 6 of the South Carolina Code of Laws" and made a nonsubstantive change in subsection (B), and added subsection (C) relating to persons acting under the authority of the Fire Marshal and the allocation of inspection duties.

SECTION 6-9-10. Enforcement of building codes by municipalities and counties; applicability to electric cooperatives, Public Service Authority and certain public utility corporations; conflicts with federal manufactured housing construction and installation regulations.

(A) All municipalities, as defined by Section 5-1-20, and counties in this State shall enforce building, energy, electrical, plumbing, mechanical, gas, and fire codes, referred to as building codes in this chapter, relating to the construction, livability, sanitation, erection, energy efficiency, installation of equipment, alteration, repair, occupancy, classification, or removal of structures located within their jurisdictions and promulgate regulations to implement their enforcement. The municipality or county shall enforce only the national building and safety codes provided in this chapter.

(B) With the exception of structures used primarily for offices, storage, warehouses, shop areas, or residential housing, nothing in the building codes or regulations applies to electric cooperatives, the Public Service Authority, or to a public utility corporation subject to regulation by the authorities of the South Carolina Public Service Commission or the Liquefied Petroleum Gas Board.

(C) To the extent that federal regulations preempt state and local laws, nothing in this chapter conflicts with the federal Department of Housing and Urban Development regulations regarding manufactured housing construction and installation.

HISTORY: 1962 Code Section 14-400.581; 1972 (57) 2607; 1977 Act No. 173 Section 1; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Editor's Note

Under the provisions of Chapter 34, Title 1, an agency is required to adopt the latest edition of a nationally recognized code which it is charged by statute or regulation with enforcing by giving notice in the State Register.

Effect of Amendment

The 2003 amendment designated the three existing undesignated paragraphs as subsections (A), (B), and (C); in new subsection (A) substituted "enforce" for "adopt" and added "classification," after "occupancy," in the first sentence and substituted "shall enforce" for "may adopt", "building and safety" for ", regional, or model", and "this chapter" for "Section 6-9-50" in the second sentence; and in subsection (C) substituted "conflicts" for "shall conflict".

SECTION 6-9-14. Wheelchair ramps built with Medicare or Medicaid dollars; fees and permits.

A municipality or county may not charge a permit fee or require a permit for a wheelchair access ramp built with Medicare or Medicaid dollars as long as the construction is performed, overseen, or inspected by an Americans with Disabilities Act inspector.

HISTORY: 2006 Act No. 341, Section 3, eff June 10, 2006.

SECTION 6-9-20. Agreements with other governmental entities for provision of services required by this chapter.

Municipalities and counties may establish agreements with other governmental entities of the State to issue permits and enforce building codes in order to provide the services required by this chapter. The South Carolina Building Codes Council (council) may assist in arranging for municipalities, counties, or consultants to provide the services required by this chapter to other municipalities or counties if a written request from the governing body of the municipality or county is submitted to the council.

HISTORY: 1962 Code Section 14-400.582; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Editor's Note

Under the provisions of Chapter 34, Title 1, an agency is required to adopt the latest edition of a nationally recognized code which it is charged by statute or regulation with enforcing by giving notice in the State Register.

Effect of Amendment

The 2003 amendment deleted the last three sentences relating to an affidavit of exemption.

SECTION 6-9-30. Appointment of building official or contractual arrangement for such services; affidavit for exemption.

(A) Each county shall appoint a building official or contract with other political subdivisions as authorized in Section 6-9-20 so that the unincorporated area of the county is under the jurisdiction of a building official. Each municipality shall appoint a building official or contract for a building official within the municipal limits. Based on the needs established by each municipality or county, the building official or appointing authority may appoint and employ other personnel and assistants necessary to perform the required inspections and duties and may prescribe fees for construction permits and inspections.

(B) If a municipality or county determines that it is unable to arrange for services for any annual period at costs totally within the schedule of fees recommended in the appendices to the building codes referred to in Section 6-9-50, the municipality or county shall submit an affidavit to the council to be exempt from the requirements of this chapter. The affidavit shall provide the financial reasoning as to why the municipality or county cannot provide the services. If such affidavit is submitted, the municipality or county is exempt from the requirements of this chapter, which exemption is effective until such time as it becomes financially feasible for a municipality or county to provide the services, or five years, whichever is less. A municipality or county may renew its affidavit at the end of five years and at each five-year interval thereafter if it makes another determination that it cannot arrange for services at costs totally within the schedule of fees recommended in the building codes referred to in Section 6-9-50.

HISTORY: 1962 Code Section 14-400.583; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment designated the first undesignated paragraph as subsection (A), deleted the fourth sentence and items (1), (2), and (3) relating to building inspection programs and correlating date and population figures, and added subsection (B) relating to affidavits for exemption.

SECTION 6-9-40. Building code adoption procedure; notice, comments and public meetings; effective date; promulgation and readoption of modifications.

(A) The council is authorized to review, adopt, modify, and promulgate the building codes referenced in Section 6-9-50, provided that:

(1) a notice of intention to adopt a code, adopt a new edition of a code, or modify an existing code must be published in the State Register as a Notice of General Interest, on websites published by the Department of Labor, Licensing and Regulation, and must be provided to each local building department with instructions for its prominent display;

(2) the notice must include:

(a) the address to which interested persons may submit written comments; and

(b) a period of not less than one hundred eighty days during which comments may be received;

(3) comments must be assigned to a study committee appointed by the council which shall publish Notice of General Interest in the same manner as provided in item (1) setting out the committee's scope of review. The notice must give instructions for filing an intention to appear before or provide evidence or comments to the committee, or both. The committee must be comprised of at least three people with different technical backgrounds; and

(4) the committee shall hold at least one public meeting, accept evidence and comments, and make a written recommendation to the council. Within one hundred eighty days from the end of the comment period, the council shall adopt, modify, or deny the recommendations from the committee. The council may modify or amend the code after a finding on the record that the modifications provide a reasonable degree of public health, safety, and welfare.

Any amended or modified code shall be codified as provided for in Section 1-23-90. The council shall determine whether the amended or modified code becomes effective on the first day of January or July.

(B)(1) If it is discovered at any time between building code cycles that an existing building code requirement constitutes a new threat to the life or safety of building occupants that was unknown when the building code was last approved, an emergency building code modification may be made by the council. An emergency building code modification shall take effect on a date established by the council.

(2) The council must provide notice of a request for an emergency building code modification in the same manner as required for a regular council meeting.

(3) The council must conduct a hearing to consider an emergency building code modification at an open council meeting, and all proponents and opponents must be given ample time to state their positions.

(C) Modifications promulgated pursuant to this section do not require readoption by the council for subsequent editions of the building codes. Upon submission of a formal request, existing modifications shall be reconsidered each time a new edition of the building code is considered for adoption by the council.

HISTORY: 1962 Code Section 14-400.584; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003; 2005 Act No. 28, Section 1, eff March 22, 2005; 2007 Act No. 54, Section 1, eff June 6, 2007.

Editor's Note

Under the provisions of Chapter 34, Title 1, an agency is required to adopt the latest edition of a nationally recognized code which it is charged by statute or regulation with enforcing by giving notice in the State Register.

2005 Act No. 28, Section 2, provides as follows:

"This act takes effect upon approval by the Governor and affects modifications authorized from the 2000 code cycle forward."

Effect of Amendment

The 2003 amendment rewrote this section.

The 2005 amendment designated subsection (A) and added subsection (B) relating to readoption of previously promulgated modifications.

The 2007 amendment, in subsection (A), in paragraph (1) substituted ", adopt" for "or" and added ", or modify an existing code", deleted paragraphs (5) and (6), and added the undesignated paragraph at the end; added subsection (B) relating to emergency modifications; and redesignated subsection (B) as subsection (C).

SECTION 6-9-50. Adoption by reference of nationally recognized codes and standards; outdoor burning exception.

(A) The council shall adopt by reference and amend only the latest editions of the following nationally recognized codes and the standards referenced in those codes for regulation of construction within this State: building, residential, gas, plumbing, mechanical, fire, and energy codes as promulgated, published, or made available by the International Code Council, Inc. and the National Electrical Code as published by the National Fire Protection Association. The appendices of the codes provided in this section may be adopted as needed, but the specific appendix or appendices must be referenced by name or letter designation at the time of adoption. However, the provisions of the codes referenced in this section which concern the qualification, removal, dismissal, duties, responsibilities of, and administrative procedures for all building officials, deputy building officials, chief inspectors, other inspectors, and assistants do not apply unless they have been adopted by the municipal or county

governing body.

(B) The governing body of a county may not enforce that portion of a nationally recognized fire prevention code it has adopted which may regulate outdoor burning for forestry, wildlife, and agricultural purposes as regulated by the South Carolina Forestry Commission.

HISTORY: 1962 Code Section 14-400.585; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 1998 Act No. 381, Section 1; 1999 Act No. 44, Section 2; 2003 Act No. 83, Section 1, eff July 2, 2003; 2009 Act No. 46, Section 2, eff July 1, 2009.

Editor's Note

2009 Act No. 46 Section 3, effective July 1, 2009, provides as follows:

"The provisions of this act do not apply to projects which have received the proper permits as required by law before the effective date of this act."

Effect of Amendment

The 2003 amendment rewrote subsection (A) and added subsections (D), relating to public accessibility through the Internet to referenced codes adopted by the council, and (E), relating to homes with three floors of living space being considered a three-story building.

The 2009 amendment deleted subsections (C) through (E) relating to compliance by residential buildings.

SECTION 6-9-55. Council to promulgate certain regulations.

(A) The council shall promulgate as regulations, in accordance with the procedure and requirements contained in Article 1, Chapter 23, Title 1, any provision of or amendment to any building code that would affect construction requirements for one-family or two-family dwellings. No building code provision that would otherwise become effective after the effective date of this section concerning construction requirements for one-family or two-family dwellings shall be enforced until the effective date of the regulations required to be promulgated by this section.

(B) Notwithstanding subsection (A), a regulation mandating the installation of an automatic residential fire sprinkler system in one-family or two-family dwellings shall not become effective at any time before July 1, 2015.

(C) Notwithstanding subsection (A), Section 501.3 of the 2012 International Residential Code must not be enforced.

HISTORY: 2010 Act No. 232, Section 2, eff June 7, 2010; 2013 Act No. 65, Section 1, eff June 14, 2013; 2015 Act No. 17 (H.3662), Section 1, eff May 7, 2015.

Effect of Amendment

The 2013 amendment, in subsection (B), substituted "July 1, 2015" for "January 1, 2014", and added subsection (C) relating to the International Residential Code.

2015 Act No. 17, Section 1, substituted "enforced" for "enforced at any time before July 1, 2015".

SECTION 6-9-60. Adoption by reference of certain nationally recognized codes and standards.

Municipalities and counties may adopt by reference only the latest editions of the following nationally recognized codes and the standards referenced in those codes for regulation of construction within their respective jurisdictions: property maintenance, performance codes for buildings and facilities, existing building, and swimming pool codes as promulgated, published, or made available by the International Code Council, Inc. The appendices of the codes provided in this section may be adopted as needed by a municipality or county, but the specific appendix or appendices must be referenced by name or letter designation in the adopting ordinance. However, the provisions of the codes referenced in this section which concern the qualification, removal, dismissal, duties, responsibilities of, and the administrative procedures for all building officials, deputy building officials, chief inspectors, other inspectors, and assistants do not apply unless they have been adopted by the municipal or county governing body.

HISTORY: 1962 Code Section 14-400.586; 1972 (57) 2607; 1977 Act No. 173 Section 2; 1978 Act No. 629; 1984 Act No. 481, Section 2; 1993 Act No. 181, Section 64; 1997 Act No. 123, Section 1; 1998 Act No. 381, Section 2; 1999 Act No. 44, Section 3; 2002 Act No. 173, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment rewrote this section.

SECTION 6-9-63. South Carolina Building Codes Council; membership; function of council; per diem; meeting requirements.

(A) Each member of the council must be appointed by the Governor for a term of four years and until a successor is appointed and qualifies. Each member of the council must be a resident of this State. The council consists of sixteen members composed of:

(1) an architect licensed in South Carolina from a list of qualified candidates submitted to the Governor by the South Carolina Chapter of the American Institute of Architects;

(2) an engineer licensed in South Carolina from a list of qualified candidates submitted to the Governor by the South Carolina Council of Engineering and Surveying Societies;

(3) a residential home builder licensed in South Carolina from a list of qualified candidates submitted to the Governor by the Home Builders Association of South Carolina;

(4) a general contractor licensed in South Carolina from a list of qualified candidates submitted to the Governor by the Association of General Contractors;

(5) a representative of the modular building industry from a list of qualified candidates submitted to the Governor by the Manufactured Housing Institute of South Carolina;

(6) a code enforcement officer registered in South Carolina;

(7) a fire marshal or fire chief designated by the State Fire Marshal;

(8) a municipal administrator, manager, or elected official;

(9) a county administrator, manager, or elected official;

(10) a representative designated by the State Engineer of the Department of Administration;

(11) a representative of the general public who is not in the practice of home or commercial safety inspection, construction, or building, and who does not have any financial interest in these professions, and who does not have any immediate family member in these professions;

(12) a disabled person;

(13) a representative of the property and casualty insurance industry;

(14) a representative of the electrical industry who is either an engineer licensed in South Carolina or a master electrician from a list of qualified candidates submitted to the Governor by the Mechanical Contractors Association of South Carolina;

(15) a representative of the mechanical or gas industry who is either an engineer licensed in South Carolina or a master mechanic from a list of qualified candidates submitted to the Governor by the Mechanical Contractors Association of South Carolina; and

(16) a representative of the plumbing industry who is either an engineer registered in South Carolina or a master plumber from a list of qualified candidates submitted to the Governor by the Mechanical Contractors Association of South Carolina.

(B) A vacancy must be filled in the manner of the original appointment for the unexpired portion of the term.

(C) The primary function of the council is to accept all requests for variation from the series of codes listed in this chapter and to determine which variations, if any, are justified by local conditions and can be enacted after a finding on the record that the modification provides a reasonable degree of public health, safety, and welfare.

(D) Each member of the council shall receive mileage, subsistence, and per diem as provided for other state boards, committees, or commissions for attendance at board meetings called by the chairman.

(E) The council shall elect from its members a chairman and vice chairman. The council shall adopt regulations consistent with this chapter. A meeting may be called by the chairman on his own initiative and must be called by him at the request of three or more members of the council. Each member must be notified by the chairman in writing of the time and place of the meeting at least seven days before the meeting. Nine members constitute a quorum. Each meeting is open to the public. An official decision of the council may be made only by a vote of at least two-thirds of those members in attendance at the meeting.

HISTORY: 2003 Act No. 83, Section 1, eff July 2, 2003; 2022 Act No. 205 (S.934), Section 1, eff May 18, 2022.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Effect of Amendment

2022 Act No. 205, Section 1, in (A), in the introductory paragraph, inserted the second sentence, in (1), inserted "from a list of qualified candidates submitted to the Governor by the South Carolina Chapter of the American Institute of Architects" following "South Carolina", and made a nonsubstantive change in (13).

SECTION 6-9-65. Regulation of construction or improvement of farm structure; authority to issue building permits.

(A) For purposes of this section, "farm structure" means a structure which is constructed on a farm, other than a residence or a structure attached to it, for use on the farm including, but not limited to, barns, sheds, and poultry houses, but not public livestock areas. For purposes of this section, "farm structure" does not include a structure originally qualifying as a "farm structure" but later converted to another use.

(B) The governing body of a county or municipality may not enforce that portion of a nationally recognized building code which regulates the construction or improvement of a farm structure. The standards published by the Federal Emergency Management Agency for the National Flood Insurance Program shall apply.

(C) The provisions of this section do not apply unless, before constructing a farm structure, the person owning the property on which the structure is to be constructed files an affidavit with the county or municipal official responsible for enforcing the building code stating that the structure is being constructed as a farm structure. The affidavit must include a statement of purpose or intended use of the proposed structure or addition.

(D) This section does not affect the authority of the governing body of a county or municipality to issue building permits before the construction or improvement of a farm structure.

HISTORY: 1987 Act No. 24 Section 1; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Editor's Note

Under the provisions of Chapter 34, Title 1, an agency is required to adopt the latest edition of a nationally recognized code which it is charged by statute or regulation with enforcing by giving notice in the State Register.

Effect of Amendment

The 2003 amendment deleted "it has adopted" after "nationally recognized building code" in subsection (B) and made a nonsubstantive change in subsection (C).

SECTION 6-9-67. Classification of structures lacking commercial kitchens used in agritourism activity.

Structures without a commercial kitchen used in agritourism activity as defined by Section 46-53-10 shall fall under the group A-3 classification, as defined in the latest edition of the applicable building codes pursuant to Section 6-9-50. Such structures may accommodate up to three hundred guests without installing a sprinkler system.

HISTORY: 2020 Act No. 157 (H.4327), Section 1, eff September 28, 2020.

SECTION 6-9-70. Omitted by 2003 Act No. 83, Section 1, eff July 2, 2003.

Editor's Note

Former Section 6-9-70 was entitled "Penalties for violation of code or regulation; opportunity to remedy certain violations" and was derived from 1962 Code Section 14-400.587; 1972 (57) 2607; Amended by 1984 Act No. 481, Section 2, eff June 20, 1984; 1997 Act No. 123, Section 1", eff June 13, 1997.

SECTION 6-9-80. Mandamus and injunctive relief for violation of code or regulation; penalties.

(A) For a violation of the building codes or regulations adopted pursuant to this chapter, the local building officials, municipal or county attorneys, or other appropriate authorities of a political subdivision, or an adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may apply for injunctive relief, mandamus, or other appropriate proceeding. A court may grant temporary injunctive relief upon receipt of a verified complaint of an imminent danger or emergency situation.

(B) A person found to be in violation of a building code or regulation adopted pursuant to the provisions of this chapter must be cited and fined, by civil fine, in an amount not more than two hundred dollars. Before being charged with a second violation, the person must be given seven calendar days to remedy the violation or submit a plan for correcting the violation.

(C) A person who fails to correct a violation or submit a plan for correcting a violation within seven calendar days after citation or written notice must be cited and fined, by civil fine, in an amount not to exceed two thousand dollars. Each day a violation continues is a separate offense.

HISTORY: 1962 Code Section 14-400.588; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Editor's Note

Under the provisions of Chapter 34, Title 1, an agency is required to adopt the latest edition of a nationally recognized code which it is charged by statute or regulation with enforcing by giving notice in the State Register.

Effect of Amendment

The 2003 amendment designated the existing undesignated paragraph as subsection (A) and added the second sentence of new subsection (A), relating to granting injunctive relief upon complaint of imminent danger or emergency, and subsections (B) and (C), relating to penalties for violations of the building code and the failure to correct or submit a plan to correct violations.

SECTION 6-9-90. Imposition of fees upon vote; exceptions.

Notwithstanding any other provision of law, the governing body of a county or municipality may impose fees necessary and consistent with Section 6-9-30(B) to implement and continue the programs required by this chapter upon a vote of a simple majority of the governing body unless a super majority vote is required by local ordinance.

HISTORY: 1962 Code Section 14-400.589; 1972 (57) 2607; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment added "and consistent with Section 6-9-30(B)" preceding "to implement" and deleted "(1)" preceding "a super majority", ", or" after "ordinance", and clauses (2) and (3) relating other exceptions to this section following "local ordinance".

SECTION 6-9-100. Provisions of chapter cumulative; county and municipality authority not limited.

The provisions of this chapter are cumulative to other local ordinances and do not limit the authority of counties or municipalities.

HISTORY: 1962 Code Section 14-400.590; 1972 (57) 2607; 1982 Act No. 351, Section 3; 1984 Act No. 481, Section 2; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment made no apparent changes.

SECTION 6-9-105. Variations based on physical or climatological conditions; description of boundaries.

(A) If a municipality or county contends that the codes authorized by this chapter do not meet its needs due to local physical or climatological conditions, the proposed variations and modifications must be submitted to the council.

(B) The council may issue an approval after a finding on the record that the variation or modification provides a reasonable standard of public health, safety, and welfare.

(C) Where a boundary for a physical or climatological condition is referenced in a code, the council, upon adoption of the code, is required to define the boundary so that it approximates the physical or climatological area, using logical geographic features such as major highways, waterbodies, or ridgelines. Political boundaries may not be used unless they approximate the physical area.

HISTORY: 2003 Act No. 83, Section 1, eff July 2, 2003.

SECTION 6-9-110. Ordinances or regulations requiring purchase or acquisition of permit or license; inapplicability to certain state and school district projects; jurisdiction of deputy state fire marshals and certified State Engineer's Office personnel.

(A) A county, municipal, or other local ordinance or regulation which requires the purchase or acquisition of a permit, license, or other device utilized to enforce any building standard does not apply to a:

(1) state department, institution, or agency permanent improvement project, construction project, renovation project, or property; or

(2) school district facility, permanent improvement project, construction project, renovation project, or property which is reviewed and approved by the State Department of Education; except that the State Department of Education or a local school district may direct that the local ordinance or regulation apply to a particular facility, project, or property.

(B) After successful completion of all requirements, the State Fire Marshal shall certify personnel of the State Engineer's Office of the State Fiscal Accountability Authority designated by the State Engineer. The certified personnel and deputy state fire marshals, including resident state fire marshals, have exclusive jurisdiction over state buildings, including schools, in the exercise of the powers and jurisdictional authority of the State Fire Marshal under Sections 23-9-20, 23-9-30, and 23-9-50.

HISTORY: 1982 Act No. 466 Part II Section 28; 1984 Act No. 481, Section 2; 1986 Act No. 347, Section 6; 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Code Commissioner's Note

At the direction of the Code Commissioner, references in this section to the offices of the former State Budget and Control Board, Office of the Governor, or other agencies, were changed to reflect the transfer of them to the Department of Administration or other entities, pursuant to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

At the direction of the Code Commissioner in 2016, in (B), "State Fiscal Accountability Authority" was substituted for "Department of Administration", to conform to the directive of the South Carolina Restructuring Act, 2014 Act No. 121, Section 5(D)(1), effective July 1, 2015.

Editor's Note

Section 23-9-40, previously referenced in (B), was repealed by 2022 Act No. 170, Section 12. See, now, Section 23-9-20.

Effect of Amendment

The 2003 amendment made no apparent changes.

SECTION 6-9-120. Effect on water, landscape irrigation and sewer systems.

Nothing in this chapter affects landscape irrigation systems, except those where chemical concentrates are directly injected, water systems, or sewer systems in this State.

HISTORY: 1997 Act No. 123, Section 1; 2000 Act No. 308, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment made no apparent changes.

SECTION 6-9-130. Codes applicable to building inspections.

(A) Buildings must be inspected in accordance with the codes in effect for the locality on the date of the issuance of the original building permit, except that:

(1) If no date of issuance of original building permit can be found, the date of submission of the completed application to the local authority must be used.

(2) If no date of application for, or date of issuance of, building permit is available, the director of the applicable county planning and development service (or similar agency) shall determine the nearest possible date by using available documents, such as transfer of property records, mortgage records, tax records, or rent records.

(B) A building inspection conducted in conjunction with any change in structure must be performed in accordance with the applicable code in effect on date of application or date of permit.

(C) A building inspection conducted in conjunction with a change of use for the building or space must be performed in accordance with the applicable code in effect on the date of the inspection. This inspection should be done with the intention of avoiding extreme hardship to the owner whenever practical.

HISTORY: 1997 Act No. 123, Section 1; 2003 Act No. 83, Section 1, eff July 2, 2003.

Effect of Amendment

The 2003 amendment designated the existing undesignated paragraph as subsection (A); in new subsection (A) substituted "in accordance with" for "according to" and added "original" preceding "building" and ", except that:" at the end; and added subsections (A)(1) and (A)(2), relating to exceptions to subsection (A), and subsections (B) and (C), relating to inspections conducted in conjunction with a change in structure or change in the use of a building.

SECTION 6-9-135. Repealed by 2010 Act No. 232, Section 4, eff June 7, 2010.

Editor's Note

Former Section 6-9-135 was entitled "Adoption of certain provisions in 2006 International Residential Code relating to flood coverage" and was derived from 2008 Act No. 353, Section 2, Pt 32D.1.

Legislative Services Agency
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South Carolina Legislature

South Carolina Code of Laws
Unannotated

Title 31 - Housing and Redevelopment

CHAPTER 15

Dwellings Unfit for Human Habitation

ARTICLE 1

In Municipalities of Over 1,000

SECTION 31-15-10. Definitions.

The following terms whenever used or referred to in this article shall have the following respective meanings for the purposes of this article, unless a different meaning clearly appears from the context:

(1) "Municipality" shall mean any city or town regardless of population;

(2) "Governing body" shall mean the council or other legislative body charged with governing a municipality;

(3) "Public officer" shall mean the officer or officers who are authorized by ordinances adopted hereunder to exercise the powers prescribed by such ordinances and by this article;

(4) "Public authority" shall mean any housing authority or any officer who is in charge of any department or branch of the government of the municipality or State relating to health, fire or building regulations or to other activities concerning dwellings in the municipality;

(5) "Owner" shall mean the holder of the title in fee simple and every mortgagee of record;

(6) "Parties in interest" shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any who are in possession thereof; and

(7) "Dwelling" shall mean any building or structure, or part thereof, used and occupied for human habitation or intended to be so used and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

HISTORY: 1962 Code Section 36-501; 1952 Code Section 36-501; 1942 Code Section 5271-82; 1939 (41) 347; 1945 (44) 156; 1982 Act No. 311, Section 1; 1997 Act No. 100, Section 1.

SECTION 31-15-20. Repairing, closing, or demolishing unfit dwellings.

Whenever any municipality of this State finds that there exist in such municipality dwellings which are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities or (d) other conditions rendering such dwellings unsafe or insanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of such municipality, such municipality may exercise its police powers to repair, close or demolish any such dwelling in the manner herein provided.

HISTORY: 1962 Code Section 36-502; 1952 Code Section 36-502; 1942 Code Section 5271-81; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-30. Provisions permitted to be included in ordinances relating to unfit dwellings.

Upon the adoption of an ordinance finding that dwelling conditions of the character described in Section 31-15-20 exist within a municipality, the governing body of such municipality may adopt ordinances relating to the dwellings within such municipality which are unfit for human habitation. Such ordinances may include the following provisions:

(1) That a public officer be designated or appointed to exercise the powers prescribed by the ordinances;

(2) That whenever a petition is filed with the public officer by a public authority or by at least five residents of the municipality charging that any dwelling is unfit for human habitation or whenever it appears to the public officer (on his own motion) that any dwelling is unfit for human habitation, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer or his designated agent at a place therein fixed not less than ten days nor more than thirty days after the serving of such complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer;

(3) That if, after such notice and hearing, the public officer determines that the dwelling under consideration is unfit for human habitation he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order

(a) if the repair, alteration or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the municipality may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner, within the time specified in the order, to repair, alter or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation or

(b) if the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the municipality may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner, within the time specified in the order, to remove or demolish such dwelling;

(4) That, if the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the public officer may cause such dwelling to be repaired, altered or improved or to be vacated and closed; that the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

(5) That, if the owner fails to comply with an order to remove or demolish the dwelling, the public officer may cause such dwelling to be removed or demolished; and

(6) That the amount of the cost of such repairs, alterations or improvements, vacating and closing, or removal or demolition by the public officer shall be a lien against the

real property upon which such cost was incurred and shall be collectible in the same manner as municipal taxes.

(7) If a municipality in demolishing unfit dwellings as permitted by this article contracts with a third party not employed by the municipality to do the work, it must bid the work in conformity with the procurement code applicable to the municipality.

HISTORY: 1962 Code Section 36-503; 1952 Code Section 36-503; 1942 Code Section 5271-83; 1939 (41) 347; 1945 (44) 156; 1954 (48) 1719; 1997 Act No. 100, Sections 2, 3.

SECTION 31-15-40. Power of municipality to declare nuisances not impaired.

Nothing in Section 31-15-30 shall be construed to impair or limit in any way the power of a municipality to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

HISTORY: 1962 Code Section 36-504; 1952 Code Section 36-504; 1942 Code Section 5271-83; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-50. Standards in ordinances for determining fitness of dwelling for human habitation.

An ordinance adopted by a municipality under this article shall provide that a public officer may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling which are dangerous or injurious to the health, safety or morals of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of such municipality. Such conditions may include the following (without limiting the generality of the foregoing): Defects therein increasing the hazards of fire, accident or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness. The ordinance may provide additional standards to guide the public officer or his agents in determining the fitness of a dwelling for human habitation.

HISTORY: 1962 Code Section 36-505; 1952 Code Section 36-505; 1942 Code Section 5271-84; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-60. Service of complaints or orders; posting and filing copies.

Complaints or orders issued by a public officer pursuant to an ordinance adopted under this article shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper printed and published in the municipality or, in the absence of such newspaper, in one printed and published in the county and circulating in the municipality in which the dwellings are located. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of the county in which the dwelling is located and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

HISTORY: 1962 Code Section 36-506; 1952 Code Section 36-506; 1942 Code Section 5271-85; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-70. Rights of persons affected by orders.

Any person affected by an order issued by a public officer may within sixty days after the posting and service of the order petition the circuit court for an injunction restraining the public officer from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the public officer pending the final disposition of the cause. Hearings shall be had by the court on such petitions within twenty days or as soon thereafter as possible and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the public officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the public officer or because of compliance by such person with any order of the public officer.

HISTORY: 1962 Code Section 36-507; 1952 Code Section 36-507; 1942 Code Section 5271-86; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-80. Provisions in ordinances with respect to powers of public officer.

An ordinance adopted by the governing body of a municipality may authorize a public officer to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this article, including the following powers in addition to others herein granted:

(1) To investigate the dwelling conditions in the municipality in order to determine which dwellings therein are unfit for human habitation;

(2) To administer oaths and affirmations, examine witnesses and receive evidence;

(3) To enter upon premises for the purpose of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession;

(4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of the ordinances; and

(5) To delegate any of his functions and powers under the ordinances to such officers and agents as he may designate.

HISTORY: 1962 Code Section 36-508; 1952 Code Section 36-508; 1942 Code Section 5271-87; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-90. Sale of materials of removed or demolished dwelling.

If a dwelling is removed or demolished by a public officer he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.

HISTORY: 1962 Code Section 36-509; 1952 Code Section 36-509; 1942 Code Section 5271-83; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-100. Funds for enforcement; estimate of amount needed.

The governing body of any municipality adopting an ordinance under this article shall as soon as possible thereafter prepare an estimate of the annual expenses or costs to provide the equipment, personnel and supplies necessary for periodic examinations and investigations of the dwellings in such municipality for the purpose of determining the fitness of such dwellings for human habitation and for the enforcement and administration of its ordinances adopted under this article. Any such municipality may make such appropriations from its revenues as it may deem necessary for this purpose and may accept and apply grants or donations to assist it in carrying out the provisions of such ordinances.

HISTORY: 1962 Code Section 36-510; 1952 Code Section 36-510; 1942 Code Section 5271-88; 1939 (41) 347; 1945 (44) 156.

SECTION 31-15-110. Establishment by municipality of commission to exercise powers of public officer.

Any municipality adopting an ordinance under the provisions of this article may establish a commission composed of not less than three nor more than seven duly qualified electors of such municipality, to exercise any of the powers authorized to be granted to the public officer by the terms of this article. The members of this commission shall be appointed by the mayor with approval of a majority of the council or governing body of the municipality and shall serve for such term and compensation as designated by the ordinance. The commission shall exercise the powers prescribed by the ordinance and formulate the rules of procedure before it; provided, that a majority of the members thereof must be present for the conduct of its business, and decisions must be by majority vote of the members present.

HISTORY: 1962 Code Section 36-510.1; 1954 (48) 1719.

SECTION 31-15-120. Article provisions are cumulative.

Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of any municipality to enforce any provisions of its charter or its ordinances or regulations, or to prevent or punish violations thereof and the powers conferred by this article shall be in addition and supplemental to the powers conferred by any other law.

HISTORY: 1962 Code Section 36-511; 1952 Code Section 36-511; 1942 Code Section 5271-89; 1939 (41) 347.

ARTICLE 3

In Counties

SECTION 31-15-310. Definitions.

For the purposes of this article:

(1) "County" shall mean that area comprising the county other than municipalities;

(2) "Public officer" shall mean the officer or officers who are authorized by ordinances adopted hereunder to exercise the powers prescribed by such ordinances;

(3) "Owner" shall mean the holder of the title in fee simple and every mortgagee of record;

(4) "Parties in interest" shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any who are in possession thereof; and

(5) "Dwelling" shall mean any building or structure, or part thereof, used and occupied for human habitation or intended to be so used and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

HISTORY: 1962 Code Section 36-521; 1972 (57) 2622.

SECTION 31-15-320. Repairing, closing, or demolishing unfit dwellings.

Whenever the governing body of any county of this State finds that there exist in the county dwellings which are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities or (d) other conditions rendering such dwellings unsafe or insanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of the county, such county may, upon the approval of a majority of the resident members of the county legislative delegation which the members represent, exercise its police powers to repair, close or demolish any such dwelling.

HISTORY: 1962 Code Section 36-522; 1972 (57) 2622.

SECTION 31-15-330. Provisions permitted to be included in ordinances relating to unfit dwellings.

Upon the adoption of an ordinance finding that dwelling conditions of the character described in Section 31-15-320 exist within the county, the county governing body may adopt ordinances relating to the dwellings within the county which are unfit for human habitation. Such ordinances may include the following provisions:

(1) That a public officer be designated or appointed to exercise the powers prescribed by the ordinances;

(2) That whenever a petition is filed with the public officer by at least five residents of the county charging that any dwelling is unfit for human habitation or whenever it appears to the public officer (on his own motion) that any dwelling is unfit for human habitation, the public officer shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer or his designated agent at a place therein fixed not less than ten days nor more than thirty days after the serving of such complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer;

(3) That if, after such notice and hearing, the public officer determines that the dwelling under consideration is unfit for human habitation he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order

(a) If the repair, alteration, or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the county may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner, within the time specified in the order, to repair, alter or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation or

(b) If the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling (the ordinance of the county may fix a certain percentage of such cost as being reasonable for such purpose), requiring the owner, within the time specified in the order, to remove or demolish such dwelling;

(4) That, if the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the public officer may cause such dwelling to be repaired, altered or improved or to be vacated and closed; that the public officer may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful";

(5) That, if the owner fails to comply with an order to remove or demolish the dwelling, the public officer may cause such dwelling to be removed or demolished; and

(6) That the amount of the cost of such repairs, alterations or improvements, vacating and closing, or removal or demolition by the public officer shall be a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as county taxes.

(7) If a county in demolishing unfit dwellings as permitted by this article contracts with a third party not employed by the county to do the work, it must bid the work in conformity with the Procurement Code applicable to the county.

HISTORY: 1962 Code Section 36-523; 1972 (57) 2622; 1997 Act No. 100, Sections 4, 5.

SECTION 31-15-340. Power of county to declare nuisances not impaired.

Nothing in Section 31-15-330 shall be construed to impair or limit in any way the power of a county to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

HISTORY: 1962 Code Section 36-524; 1972 (57) 2622.

SECTION 31-15-350. Standards in ordinances for determining fitness of dwelling for human habitation.

An ordinance adopted by the county governing body under this article shall provide that a public officer may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling which are dangerous or injurious to the health, safety or morals of the occupants of such dwelling, the occupants of neighboring

dwellings or other residents in the county. Such conditions may include the following (without limiting the generality of the foregoing): Defects therein increasing the hazards of fire, accidents or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanliness. The ordinance may provide additional standards to guide the public officer or his agents in determining the fitness of a dwelling for human habitation.

HISTORY: 1962 Code Section 36-525; 1972 (57) 2622.

SECTION 31-15-360. Service of complaints or orders; posting and filing copies.

Complaints or orders issued by a public officer pursuant to an ordinance adopted under this article shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper printed and published in the county or, in the absence of such newspaper, in one printed and published in the municipality and circulating in the county. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of court of the county in which the dwelling is located and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

HISTORY: 1962 Code Section 36-526; 1972 (57) 2622.

SECTION 31-15-370. Rights of persons affected by orders.

Any person affected by an order issued by a public officer may within sixty days after the posting and service of the order petition the circuit court for an injunction restraining the public officer from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the public officer pending the final disposition of the cause. Hearings shall be had by the court on such petitions within twenty days or as soon thereafter as possible and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the public officer as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the public officer or because of compliance by such person with any order of the public officer.

HISTORY: 1962 Code Section 36-527; 1972 (57) 2622.

SECTION 31-15-380. Provisions in ordinances with respect to powers of public officer.

An ordinance adopted by the county governing body may authorize a public officer to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this article, including the following powers in addition to others herein granted:

(1) To investigate the dwelling conditions in the county in order to determine which dwellings therein are unfit for human habitation;

(2) To administer oaths and affirmations, examine witnesses and receive evidence;

(3) To enter upon premises for the purpose of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession;

(4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of the ordinances; and

(5) To delegate any of his functions and powers under the ordinances to such officers and agents as he may designate.

HISTORY: 1962 Code Section 36-528; 1972 (57) 2622.

SECTION 31-15-390. Sale of materials of removed or demolished dwelling.

If a dwelling is removed or demolished by a public officer he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.

HISTORY: 1962 Code Section 36-529; 1972 (57) 2622.

SECTION 31-15-400. Article provisions are cumulative.

Nothing in this article shall be construed to abrogate or impair the powers of the courts or of any department of any municipality in the county to enforce any provisions of its charter or its ordinances or regulations, or to prevent or punish violations thereof and the powers conferred by this article shall be in addition and supplemental to the powers conferred by any other law.

HISTORY: 1962 Code Section 36-530; 1972 (57) 2622.

Legislative Services Agency
http://www.scstatehouse.gov

CITY OF WALHALLA
CONTRACTING AND FUNDING APPROVAL FORM

DEPARTMENT: Administration

DATE REQUESTED: 5/1/2023

PROJECT NAME: Ross Mountain Parking

PROJECT DESCRIPTION: Construct a parking lot and trail head for Stumphouse Mtn Bike Park on Ross Mtn Road.

AWARDEE NAME: Black Diamond

CONTRACT COST: $182,797.75

FUNDING SOURCE: Stumphouse Fund

BUDGET CODE:

Timothy B. Burton
_____
APPROVAL TO SUBMIT TO COUNCIL

5/1/2023
_____DATE

_____
CITY COUNCIL APPROVED

_____DATE

BID TABULATION SHEET

CITY OF WALHALLA
PO Box 1099
206 N Church Street
Walhalla, SC 29691

OPENED: Timothy B. Bunt 5/1/23
WITNESS: Ashley Jones 5/1/23

ITB 2023-4 (CGRE210110) Ross Mtn Parking Lot

BID DATE: April 30, 2023 5PM

CONTRACTOR	BID DATE	BID TIME	BID BOND	QUAL ?	BID AMT $					
FOOTHILLS GRADING CENTRAL, SC	4/28	702pm	✓	✓	198,530	00				
DAN GRADY CO LLC SYLVA, NC	4/28	1145am	✓	✓	188,140	00				
BLACK DIAMOND CHINAGROVE, NC	4/29	142pm	✓	✓	182,717	75				

Oconee Cultivation Project
1222 Catherine St.
Walhalla, SC 29691

May 15th, 2023

Dear Walhalla City Council Members,

Since 2018, The Oconee Cultivation Project's (OCP) Re-Fresh Community Gardens have worked to create an educational, shared garden space in areas requesting access to affordable fresh food in Oconee County. Re-Fresh programming provides the community with resources and educational workshops to make growing, acquiring, and preparing fresh food accessible for those desiring the opportunity.

Oconee Cultivation Project would like to continue to manage the established community garden located at the Walhalla City Pool located at 101 N Maple St. The Oconee Cultivation Project is responsible for maintaining the garden and a 10 foot perimeter around the raised garden beds in a neat and orderly manner and are open to communication regarding maintenance of the site as-needed. OCP will organize volunteers and staff work days and educational workshops.

OCP again requests the The City of Walhalla, as before, to provide water for the community garden at no cost. The garden beds will be planted by community volunteers, the product grown is open to the public and free for anyone to take what they need.

If you have any other questions or concerns, you can reach us at our email oconeecultivationproject@gmail.com or call James Toye at 828.384.4275.

Thank you,

James Toye
Community Garden Manager
Oconee Cultivation Project