

Mr. Danny Woodward, Mayor Pro Tem  
Ms. Sarai Melendez, Councilwoman  
Mr. Keith Pace, Councilman  
Mrs. Gwen Owens, Councilwoman

Mr. Danny Edwards, Mayor

Mr. Josh Roberts, Councilman  
Mr. David Underwood, Councilman  
Mr. Julian Stoudemire, City Attorney  
Mr. Timothy B. Burton, City Administrator

**AGENDA  
WALHALLA CITY COUNCIL  
November 16, 2021  
5:30 PM  
206 N. Church Street, Walhalla, SC**

**CALL TO ORDER & WELCOME**

**Mayor Edwards**

**MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT (Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2020-17)**

**APPROVAL OF MINUTES**

**September 21, 2021**

**ADMINISTRATOR COMMENTS**

**Brandon Burton**

**APPALACHIAN COUNCIL OF GOVERNMENTS PRESENTATION**

**Jennifer Vissage**

**READING OF PROCLAMATIONS, RESOLUTIONS, AND ORDINANCES**

**Mayoral Proclamation**

**(None proposed)**

**First and Final Reading of Resolutions**

**(None proposed)**

**Second, Final Reading and Public Review of Ordinances: (Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2020-17)**

**ORDINANCE 2021-22 AN ORDINANCE TO ISSUE AMENDMENT NO. 1 TO AMEND THE FY 2021 BUDGET DOCUMENT "APPENDIX A" AND OTHER MATTERS RELATED THERETO. – MRS. OWENS**

**ORDINANCE 2021-23 AN ORDINANCE PROVIDING FOR SPECIAL EVENTS, OFF-DUTY STAFFING, AND OTHER MATTERS RELATED THERETO. – MR. PACE**

Mr. Danny Woodward, Mayor Pro Tem  
Ms. Sarai Melendez, Councilwoman  
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### **ORDINANCE 2021-24 AN ORDINANCE TO ISSUE AMENDMENT NO. 2 TO AMEND THE FY 2021 BUDGET DOCUMENT "APPENDIX A" AND OTHER MATTERS RELATED THERETO. – MR. PACE**

#### **First Reading of Ordinances:**

**ORDINANCE 2021-25 AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17, TO REDESIGNATE PARCEL 500-15-02-014 ON THE ZONING MAP FROM OFFICE COMMERCIAL TO CORE COMMERCIAL- MR. PACE**

**ORDINANCE 2021-26 AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17 AND APPENDIX 2021A SECTIONS 6-1.10,10-2.B, AND ARTICLE 18- MR. PACE**

**ORDINANCE 2021-27 AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17, TO EXTEND THE DOWNTOWN DESIGN OVERLAY- MR. PACE**

#### **DISCUSSION AND/OR ACTION ITEMS**

**(None proposed)**

#### **Committee Reports**

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

#### **MAYOR COMMENTS**

**Mayor Edwards**

#### **EXECUTIVE SESSION**

- 1. Receive legal advice on potential litigation regarding contractual matter**
- 2. Receive legal advice on potential litigation regarding FOIA**

#### **ADJOURN**

MINUTES OF THE REGULAR MEETING  
OF THE WALHALLA CITY COUNCIL  
October 19, 2021, 530 PM

**Present-** Mayor Danny Edwards, Mayor Pro-Tempore Danny Woodward, Councilman Josh Roberts, Councilman Keith Pace, and Councilwoman Sarai Melendez, Councilman David Underwood, Administrator Burton

**Absent:** none

**Guests:**

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

Mayor Edwards led the moment of silence.

Mr. Woodward led the Pledge of Allegiance.

Mayor Edwards opened the floor for the acknowledgement of Police Officers that Administered Narcan in the line of duty. Chief Brinson presented Officer Austin Barnum, Sergeant Jessica Sanders, and Officer Austin Watson with a coin and certificate from Governor McMaster. Next, Chief Brinson recognized Captain Tim Rice as Blue Ridge Electrics Officer of the Year. Tim has been instrumental in progressing the police department.

City Administrator presented Captain Will Bates with Firefighter of the Year award. Wills contributions to the Fire Department have been top notch especially with the absence of a fire chief.

Mayor Edwards thanked all that were recognized.

Public comment was called for public comment. Tony Honea of N Poplar about the need of repairs to the trash trucks that leak oil on their street. He has talked to Russ and just wanted to make council aware of it.

Mr. Pace made motion to approve the minutes of the Sept 21, 2021 meeting. Mr. Woodward made second. All voted in favor. None opposed. Minutes were approved.

Administrator Burton commented that DDC made some changes to the façade grant program. The grant program would return to its original intent. Facelifts would be the primary focus, code/structural issues would no longer be addressed. SCDOT was contacted regarding traffic study for the intersection at Earle and Blude Ridge Blvd. It would take a few months to complete. We are planning a workshop for both a Main Street presentation and an ACOG presentation. We have been in early planning stages for a Memorial Day Run for veterans. The event will start and stop at Memorial Field.

Mayor Edwards read a proclamation for October proclaiming Disability Employment Month. All council affirmed by show of hands.

Mayor Edwards called for the first reading of ordinances. Mr. Burton stated that Ordinance 2021-22 pertains to raising tap fees on new water taps both inside and outside the city. This will allow us to adjust the fees for any new taps.

Mr. Pace made motion for Ordinance 2021-22. Mr. Roberts made second. Mayor Edwards recapped the reason behind the tap increase. No discussion followed. All voted in favor.

Mr. Pace made motion for Ordinance 2021-23. Mr. Woodward provided a second. Mr. Burton explained the reasoning and mechanics behind the ordinance. It will allow our off-duty staff to perform services for these events, if the event organizer chooses to. It also provides some criteria for staffing. All voted in favor.

Mr. Pace made motion for Ordinance 2021-24. Mr. Woodward provided a second. Mr. Pace explained this set the fees for the previous ordinance. All voted in favor.

Mr. Burton discussed the need for moving a vacant position from Public Works to Recreation. Director Price was ok with the move. Mr. Pace made motion, Mr. Roberts seconded and all voted in favor. The position will be posted.

Mr. Burton presented the request from the Military Museum in the amount of \$7470. They are replacing windows. There is a line item in the budget for this. Mr. Pace made motion, Mr. Woodward second. All voted in favor.

Mr. Burton discussed that the planning commission has recommended a rezone request for the old school building next to the WPAC this will go to core commercial. Planning commission also recommended that the downtown overlay be extended to Johnson to Maple and N Broad to S Broad. PC also recommends changing the zoning regs to allow staff to approve up to 5 lots that are being subdivided. Anything more goes to the PC. Lastly, there are a few changes recommended to be made to the subdivision's regulations. There is a need to restrict utility lines from crossing property lines and to create a new section for the insertion of standard design details. This will be sent to committee and then on to full council.

There was general discussion about the Walhalla Greenway. The official name will be the "Walhalla Greenway". We held public comment. When the period is over, we will give those to the engineers. There was discussion about the proposed signs along the trail. Kaufman Square will be the official trailhead. There was discussion that we are still in the planning stages.

Mayor called for committee reports.

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

**Present:** Mayor Danny Edwards, Mayor Pro-Tempore Danny Woodward, Councilman Josh Roberts, Councilman Keith Pace, Councilwoman Melendez, Councilwoman Gwen Owens, Councilman David Underwood, Administrator Burton,

**Absent:** none

Mayor Edwards Opened the committee meeting at 5:30PM

A moment of silence was observed

The Pledge of Allegiance was led by Councilman Underwood.

Public Comment was held. None present.

Mayor called for amending the agenda. Mr. Roberts motioned, Mr. Underwood seconded. All voted in favor to remove the PD recognition and add Oconee Military Museum funding request and changing the order of the committee reports. Community Development to go first.

Committee Reports were given by respective department heads.

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

Director Galbreath reported:

Last Soccer home games Oct 7

Basketball sign ups Oct 18-29

Discussion about playground equipment and finding grants for that.

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

Director Price reported:

County hasn't sent in data.

Roll Carts for Sept

Delivered 31

Picked up 10

Director Price gave a brief run down on the costs of maintaining 2 of the trash trucks. Stated that 2 were out of service for the moment and that they were using knuckle booms to get trash. Overtime was related to mechanic and trash pickup. Discussed ways to let public know if trash was going to be late.

**Police- Mr. Underwood, Chair**

Chief Brinson reported:

Events and completed training update:

1. D&I block party
2. Participated in 9/11 Climb

3. Participated in 9/11 Memorial
4. Performed traffic control for Homecoming

1566 Total Calls for service  
334 traffic stops  
11 traffic collisions  
62 reports filed  
309 citations/warnings issued  
34 arrests made  
843 extra patrols  
16 hours training

1 vacant position.

### **Utilities- Ms. Owens, Chair**

Director Parris reported:

SEPTEMBER 2021

New Water Taps - 15

New Sewer Taps - 0

New water contracts - 59

Emergency Locates – 7

Sanitation delivery work orders - 37

Sanitation pick up work orders - 13

Meter box changes - 28

Meter change outs – 71

Sewer Work Orders - 5

New development service inquiries – 4

Did work around Stumphouse Park  
Working on final easement docs for firelines  
Working on final design for Westminster Hwy bridge crossing

### **Community Development-Codes and Zoning**

Elijah Hayes gave report.  
Attended MASC training for business license standardization  
Will be attending Fall Planning Conference  
Busy with new business requests  
10 Zoning permits  
1 sign permit  
1 demo permit  
4 façade grants approved  
9 violations issued

**Community Development- Main Street**

Director Imbody gave report:  
Volunteers provided 135 hours of time in September  
Received \$4000 grant from ATAX  
MSW had mid-year review  
Several new business are opening  
Social Media is getting lots of hits  
Updates on all the events were given

**Fire - Ms. Melendez-Chair**

Captain Bates gave report:  
Fire responded to 120 calls for service 48 fire, 72 medical/rescue  
19 mutual aid calls  
43 calls inside city, 77 outside  
321 hours of training  
Fully staffed minus a fire chief  
Brush 5 is out of service all other apparatus is in service  
Participated with Homecoming  
30 fire inspections completed  
3 new business inspection

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

Administrator Burton gave the administrators report  
Submitted two grant applications, one for façades and one for parking lot at Ross mtn  
Scheduled Greenway viewing  
Uploading ordinances to website  
Construction costs are on the rise still  
Increased city liability insurance to \$4 million  
More work to take place at Stumphouse

This concluded committee reports.

Mayor Edwards adjourned the meeting.

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Timothy B. Burton

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

**ORDINANCE 2021-22**

**AN ORDINANCE TO ISSUE AMENDMENT NO. 1, TO AMEND THE FY 2021 BUDGET DOCUMENT “APPENDIX A” AND OTHER MATTERS RELATED THERETO.**

**WHEREAS, the Walhalla City Council adopted Ordinance 2021-8 entitled “AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF WALHALLA, SOUTH CAROLINA, WATER AND SEWER DEPARTMENTS FOR FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2021 and;**

**WHEREAS, the Walhalla City Council adopted Ordinance 2021-6 entitled “AN ORDINANCE TO RAISE REVENUE AND ADOPT FOR THE CITY OF WALHALLA, SOUTH CAROLINA A BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022 and;**

**WHEREAS, the amendment 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 and;**

**WHEREAS, the Walhalla City Council now would like to amend the FY 2022 Budget Document, Appendix A; adjusting fees for the water enterprise fund and;**

**NOW THEREFORE: it is ordained and enacted that:**

**The fees are amended as follows:**

- ¾” water taps (inside city) \$1800.00**
- ¾” water taps (outside city) \$1900.00**
- 1” water taps (inside city) \$2200.00**
- 1” water taps (outside city) \$2200.00**

**AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2021.**

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



**ATTEST:**

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

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

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

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

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

**ORDINANCE 2021-23**

**AN ORDINANCE TO ADOPT A SYSTEM OF SPECIAL EVENT PERMITTING,  
PROVIDE FOR OFF-DUTY STAFFING, AND OTHER MATTERS THERETO.**

**WHEREAS, that special events are a valued part of social life for the residents and visitors alike and;**

**WHEREAS, the Walhalla City Council finds that it must balance the peaceful enjoyment of one’s residence and the public health, safety and welfare in relationship to the rights and interest of commercial activities that sustain and promote our local economy and;**

**WHEREAS, it is the intent of the City Council to protect the rights of its citizens and guest to engage in protected free and expressive activities and yet provide for the least restrictive and reasonable, time, place and manner of regulation of those activities within the overall context of rationally regulating commercial special events that have an impact upon public facilities and services, and other residents and guest and;**

**WHEREAS, it is the purpose of the City Council to establish a structured process for the permitting of special events conducted by the private sector that use public streets, facilities or services or occupy, impact or consume public resources as a result of the congregation of people and activities.**

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

**SECTION 1- Title**

**The provisions embraced within the following sections shall constitute and be known and may be cited as “The Special Events Ordinance”,**

**SECTION 2- Authority**

**The Special Event Permit is enacted pursuant to the powers conferred upon the municipality.**

**SECTION 3- Scope and Purpose**

**The purpose is to ensure that the City and its residents and visitors will have adequate advance notice of a proposed special event and the cooperation of promoters, sponsors, organizers and enablers in order to properly plan for City services such as public safety, sanitation and traffic control.**

**By regulating special events frequency duration, intensity, time, place and manner, the City intends to strike this balance, and provide a predictable and coordinated process for applicants seeking to conduct a special event, and abate the cost thereof. The cost to recoup include, but are not limited to personnel, equipment, and supplies, sanitation, utilities, public facility maintenance and restoration, and monitoring.**

**Nothing in this section shall be construed to prevent members of the public from assembling in public places for the purpose of making any speech or conveying any message to the public or to the government without holding a permit pursuant to this Section. Should any such person wish to assemble for such purposes and should they not holding a permit under this section, they shall not be prevented from doing so, provided that they have complied with all other ordinances and law, if there be any, regulating such event or gathering and provided they are peaceable and not violation of any laws concerning public order.**

#### **Section 4- Applicability**

**Special events mean an outdoor event and can include:**

- 1. Any organized formation, parade, procession or assembly consisting of persons, and which may include animals, vehicles, or any combination thereof, which is to assemble or travel in unison on any street which does not comply with normal or usual traffic regulations or controls;**
- 2. Outdoor musical concerts, festivals, fairs, carnivals, or rallies which may be expected to have two hundred (200) or more people in attendance.**
- 3. Sporting events which require the use of temporary structures, including grandstands and tents which may be expected to have 3,000 or more people at one time.**
- 4. Examples of special events include but not limited to, filming, concerts, parades, circuses, fairs, festivals, rallies, block parties, community events mass participation, sporting competitions such as marathons and running events, bicycle races or tours, fishing tournaments or spectator sports such as football, basketball, baseball and soccer games, golf tournaments, or boat races. Excluded are City sponsored/organized events, funeral services and processions, lawful picketing on sidewalks, and demonstrations that do not involve the use of vehicles, animals, fireworks, pyrotechnics or equipment (other than sound equipment) (provided that no fee or donation is charged or required for participation or attendance and the City Administrator's office is notified at least 48 hours in advance of the commencement of the demonstration.)**

5. **This provision applies to all grandstands, stages tents or groups of tents and use of mechanical amusement rides.**
6. **This section does not apply to activities within a permanent facility specifically approved and permitted for the proposed activity.**

#### **Section 5- Permits required**

1. **Except as provided in this ordinance, no person may conduct, promote, sponsor, organize, or enable a special event as defined above, without having obtained a Special Event Permit from the City.**
2. **Any applicant who desires to conduct, promote, sponsor, organize or enables a special event is encouraged to submit a complete application for a Special Event Permit to include without limitation a site plan depicting existing facilities and proposed temporary facilities, a description of all activities which will be conducted, dates, times, and locations for proposed special event, and description of measures to be taken to ensure safety, health, and welfare of event goers as well as those in the surrounding community, as soon as possible prior to the schedule of the start of the event but such application no more than 2 years, and no less than 45 days prior to the scheduled start of the event.**
3. **Applicants for a Special Event Permit are required to acknowledge the responsibilities of hosting said event as it pertains to safety and security of staff members and prospective attendees. The City Administrators office may require the endorsement of the appropriate City department which has professional knowledge of potential issues that may be predicted for each specific event under consideration. General areas of consideration and regulation without limitation include: Security and Safety, Traffic Circulation and Parking, Waste Disposal, Temporary Structures, Lighting, Medical, Location, Activities, Hours of Operation, History, and Proximity to Residences, Churches, Schools and Other Special Events. Insurance and or posting of bond may be required as a conditioning of permitting.**
4. **The City Administrator may deny or revoke issuance of a Special Event Permit when among other things, the application contains a misrepresentation, false or misleading statement, evasion or suppression of material fact, does not comply with all other applicable City ordinances, when the event for which a permit is sought is unlawful or constitutes a public nuisance, or when the applicant has not provided an adequate traffic plan or traffic controls, an adequate parking plan, sufficient security, appropriate crowd control, health, safety or sanitation measures.**
5. **Any person aggrieved by the denial of the issuance, or conditional issuance of a Special Event Permit by the City Administrator may appeal the decision to**

the City Council by written request stating the reason thereof within ten (10) days after the notice of denial or conditional issuance is received.

6. The required permit must be displayed at the site in a conspicuous location for the duration of the event.

#### Section 6- Permit Fee

1. **A permit application must be accompanied by the payment of permitting fee as shown in Appendix A of the current approved budget document.** The fee requirement may be waived for events which occur solely for the benefit of and are solely sponsored and operated by, or in which the entire proceeds accrue to, a governmental entity or nonprofit organization or entity. If due to inclement weather or other act of nature the entire event is cancelled the permit holder will not be required to repay these fees so long as the content and scope of the event remains the same and the event is rescheduled with the approval of the City Administrator.

#### Section 7- Code Enforcement

1. All electrical wiring must be installed in compliance with the provisions set of the National Electric Code and the City's electrical code.
2. All tents and other temporary structures shall be erected in compliance with the provisions of Standard Building Code and Standard Fire Prevention Code.
3. It shall be the responsibility of the applicant to provide for the collection of solid waste and litter. Separate containers may be required for the collection of recyclable materials. All solid waste, litter and recyclable materials shall be removed from the site within 24 hours following the event. For multiple day events, the grounds shall be maintained during each day of the event with no on site accumulations which will create a nuisance or pose a health hazard.
4. Amusement rides must be in compliance with all local and state codes.
5. No event shall be conducted with in the City unless in compliance with all applicable city ordinances and applicable county and state laws, regulations or requirements.
6. Prior to event, the applicant shall call for inspection of to assure compliance with permitting conditions. If the building official, fire marshal or other city inspector finds that all permitting conditions have not been met, he shall notify the applicant indicating corrections to be made and then inspect the work apparatus without further charge. **If extra inspections are required a charge shall be made for each reinspection as shown in the current approved budget document.**

## Section 8- Off Duty Staffing/Details

### Section. 8-1. Off-duty police details.

(a) When used in this section 8, the word "department" shall mean the City of Walhalla Police Department. When used in this section, the word "dispatcher" shall mean employees in the classification of records supervisor, communications/records manager and records specialist who are state certified telecommunicators.

(b) The department may facilitate the employment of city police officers and public service aides and dispatchers by separate and independent private employers needing off-duty police, traffic control services or dispatch services. Such employment may be by either annual permit, contract, or both, as may be approved by the city attorney's office. No permit or contract shall in any way limit or restrict officers from discharging their primary law enforcement responsibilities or preventing and detecting crime. The department will maintain a roster of personnel who, at their sole option, wish to perform such work. The department will select the personnel for such off-duty details from the roster of those who wish to participate. Police officers serving in executive/management may not participate in off-duty details, except that the police chief or designee may assign executive/management personnel, except the chief and deputy chief, to supervise significant events in an off-duty detail capacity as he deems necessary.

(c) The city council shall establish rates for off-duty detail services and fees for the city's administrative expenses. The rates and administrative fees may be established by resolution. The department may require that the off-duty detail employer pay the charges for such services directly to the city and may establish procedures for the personnel to receive their pay for off-duty details through the city's payroll system. The department may require that private employers pay all charges in advance of services being performed.

Should the private employer recognize that the off-duty police services for which it contracted will no longer be required, for any circumstances, the private employer agrees to notify the department no later than twenty-four (24) hours prior to the start of such requested services.

In the event that the private employer fails to do so, the city shall charge a minimum of two (2) hours for each officer who responds to the private employer's establishment.

Should an investigation or arrest be initiated by an off-duty detail officer arising out of the performance of the services provided by the officer to the private employer, and the investigation or arrest requires the officer to work more than the allotted time as specified within the permit or contract, the private employer agrees to pay for the additional time at the city's established rates.

(d) Off-duty personnel shall observe the department's normal standards of conduct, rules and regulations and other policies and procedures during such details and shall be subject to disciplinary action by the city for their failure to do so.

(e) In accordance with 29 C.F.R. Section 553.227 (the federal regulations implementing the Fair Labor Standards Act), an officer's, service aide's or

dispatcher's hours of work for the off-duty detail employer shall not be combined with the hours worked for the city for purposes of overtime compensation.

(f) By enacting this section, the city has not agreed, and does not agree, to provide workers' compensation coverage for injuries sustained by off-duty personnel performing services for private employers. Such coverage shall be determined in accordance with this ordinance and comply with SC Code 23-24.

(g) This section in no way effects or, in any way limits, other city regulations governing outside employment by city employees.

(h) In consideration for the city allowing private employers to hire police personnel for off-duty details, the private employer shall indemnify and save harmless the city, its officers, agents and employees from or on account of any injuries or damages received or sustained by any person or persons during or on account of any negligent act of a police officer, public service aide or dispatcher while the police officer, public service aide or dispatcher is employed by the private employer regardless of whether the negligent act occurred while the officer, service aide or dispatcher was discharging his or her primary law enforcement responsibilities of preventing and detecting crime or controlling traffic or dispatching services. This requirement may be waived by the city council for off-duty details on public property provided the city is named as an additional insured on the liability insurance of the owner or manager of the public property and provided the insurance coverage limits are at least as great as those maintained by the city.

#### Section 8-2. Off-duty fire-rescue details.

(a) When used in this section, the word "department" shall mean the City of City of Walhalla Fire Department. When the word "firefighter" is used it shall also mean "fire inspector," "paramedic," or "emergency medical technician." Off-duty details may include standby fire watches ordered by the fire chief pursuant to the South Carolina Fire Code.

(b) The department may facilitate the employment of city firefighters by separate and independent private employers needing off-duty fire-rescue services. Such employment may be by either permit, contract, or both, as may be approved by the city attorney's office, or by order of the fire chief in the case of a standby firewatch. No permit or contract shall in any way limit or restrict firefighters from discharging their primary responsibilities of preventing and detecting fires or other life-threatening conditions. The department will maintain a roster of firefighters who, at their sole option, wish to perform such work. The department will select the firefighters for such off-duty details from the roster of those who wish to participate. Firefighters serving in executive/management positions may not participate in off-duty details, except that the fire chief or designee may assign executive/management personnel, except the chief and deputy fire chief, to supervise significant events in an off-duty detail capacity as he deems necessary.

(c) The city council shall establish rates for off-duty detail services and fees for the city's administrative expenses. The rates and administrative fees may be established by resolution. The department may require that the off-duty detail

employer pay the charges for such services directly to the city and may establish procedures for the firefighters to receive their pay for off-duty details through the city's payroll system.

(d) Firefighters shall observe the department's normal standards of conduct, rules and regulations and other policies and procedures during such details and shall be subject to disciplinary action by the city for their failure to do so.

(e) In accordance with 29 C.F.R. Section 553.227 (federal regulations implementing the Fair Labor Standards Act), a firefighter's hours of work for the off-duty detail employer shall not be combined with the hours worked for the city for purposes of overtime compensation.

(f) By enacting this section, the city has not agreed, and does not agree, to provide workers' compensation coverage for injuries sustained by off-duty firefighters performing services for private employers.

(g) This section in any way effects or, in any way limits, other city regulations governing outside employment by city employees.

(h) In consideration for the city allowing private employers to hire firefighters for off-duty details, the private employer shall indemnify and save harmless the city, its officers, agents and employees from or on account of any injuries or damages received or sustained by any person or persons during or on account of any negligent act of a firefighter while the firefighter is employed by the private employer regardless of whether the negligent act occurred while the firefighter was discharging his or her primary responsibilities of preventing and detecting fires or other life threatening conditions. This requirement may be waived by the city council for off-duty details on public property provided the city is named as an additional insured on the liability insurance of the owner or manager of the public property and provided the insurance coverage limits are at least as great as those maintained by the city.

### Section 8-3. Off-duty public works details.

(a) When used in this section, the word "department" shall mean the City of City of Walhalla Public Works Department.

(b) The department may facilitate the employment of city public works technicians by separate and independent private employers needing off-duty public works (sanitation, equipment, and/or road closure) services. Such employment may be by either permit, contract, or both, as may be approved by the city administrator's office. The department will maintain a roster of public works technicians who, at their sole option, wish to perform such work. The department will select the technicians for such off-duty details from the roster of those who wish to participate.

(c) The city council shall establish rates for off-duty detail services and fees for the city's administrative expenses. The rates and administrative fees may be established by resolution. The department may require that the off-duty detail employer pay the charges for such services directly to the city and may establish procedures for the public works technicians to receive their pay for off-duty details through the city's payroll system.



(d) Public works technicians shall observe the department's normal standards of conduct, rules and regulations and other policies and procedures during such details and shall be subject to disciplinary action by the city for their failure to do so.

(e) In accordance with 29 C.F.R. Section 553.227 (federal regulations implementing the Fair Labor Standards Act), an employee's hours of work for the off-duty detail employer shall not be combined with the hours worked for the city for purposes of overtime compensation.

(f) By enacting this section, the city has not agreed, and does not agree, to provide workers' compensation coverage for injuries sustained by off-duty public works technicians performing services for private employers.

(g) This section in any way effects or, in any way limits, other city regulations governing outside employment by city employees.

(h) In consideration for the city allowing private employers to hire public works technicians for off-duty details, the private employer shall indemnify and save harmless the city, its officers, agents and employees from or on account of any injuries or damages received or sustained by any person or persons during or on account of any negligent act of a public works technician while the public works technician is employed by the private employer regardless of whether the negligent act occurred while the public works technician was discharging his or her primary responsibilities. This requirement may be waived by the city council for off-duty details on public property provided the city is named as an additional insured on the liability insurance of the owner or manager of the public property and provided the insurance coverage limits are at least as great as those maintained by the city.

### **Section 8-3. Staffing Matrix for selected events**

(a) For events from 200 to 500 attendees the City of Walhalla May require staffing for events, depending on the nature of the event and other criteria as stated in Section 5.3.

Generally staffing is as follows:

**Fire/EMS- 2 FF/EMT's**

**Police – 2 Officers**

**Public Works- 1 Technician**

(b) For Events over 500, staffing levels will depend on type of event and other criteria as listed in Section 5.3. The city reserves the right to require adequate staffing, at the organizers expense, to provide for safety of the event.

### **Section 8-4. Fees and Payment to off duty detailers**

(a) The fees for off duty detailers shall be as shown in the current approved budget document Appendix A.

(b) Fees could be higher depending on the nature and complexity of the event.

**(c) It is preferred that the event organizer pay the employee directly. However as stated in 8-1c, 8-2c, and 8-3c the city could require payment be made to the city for payment to the detailer.**

**Section 9- Event Permit**

**The event shall have a signed permit as attached in Exhibit 1.**

**Section 10- Penalties for violation**

**Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not to exceed two hundred dollars (\$200) dollars or imprisoned for not to exceed thirty (30) days, or both. In the case of continuing violations, each day of violation shall constitute a separate offense.**

**Section 11- Severability**

**If any section, subsection or part of this Ordinance shall be deemed or found to conflict with provision of South Carolina law or other preemptive legal principal the that section, sub section or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.**

**Section 12- Conflict with Preceding Ordinances**

**If a section, sub section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-Section or part of preceding ordinance of the City, unless expressly so providing then the proceeding section, sub-section or part shall be deemed repealed and no longer in effect.**

**DONE AND RATIFIED** in Council Duly Assembled this \_\_\_ Day of \_\_\_\_\_ 2021.

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

**ATTEST:**

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

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

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

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

Exhibit 1. Special Event Permit Application.



Walhalla City Hall \* 206 N. Church St. \* Walhalla, SC \* 29691\* (864) 638-4343

### SPECIAL EVENT PERMIT APPLICATION

This application must be completed and submitted to the City Administrators office no fewer than 60 days prior to the start of the event. Any misrepresentation or deviation from the final agreed upon route and or method of operation described herein may result in the immediate revocation of this permit. All questions must be fully answered. If a question does not apply, please write "Does not apply" in that space. Please type or print information clearly. You may attach additional sheets as necessary.

The information requested by this form will be used to determine your eligibility for the permit requested. Completed forms may be released upon the request of any citizen provided by the Freedom of Information Act. Completion of this for ins voluntary; however, failure to do so will prevent processing of your application. Incomplete applications will be returned.

Name of Event \_\_\_\_\_

Date(s) of Event \_\_\_\_\_

Times of Event \_\_\_\_\_

Specific Location of Event \_\_\_\_\_

Fax | Email \_\_\_\_\_

### Applicant Information

Name of Person in Charge of Event \_\_\_\_\_

Street Address \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

Organization Representing \_\_\_\_\_

Home Phone \_\_\_\_\_ Other Phone \_\_\_\_\_ work cell

Is this a charity or non-profit organization? ..... yes no

Does your event carry liability insurance listing the City as co-insured? ..... yes no

Will event use amplified sound? ..... yes no

If yes, what will it be used for?

---

---

Describe any revenue to be generated from admission fees, solicitation from spectators, concessions and any other sources:

---

---

Will proceeds benefit any organization? ..... yes no

If yes, name the organization(s):

---

### Event Set Up

Entertainment area (Include on Site Plan) Location(s) \_\_\_\_\_

---

Speakers/Microphones yes no Electrical Connections yes no

Note: City doesn't provide unless otherwise noted.

Other: \_\_\_\_\_

List entertainers and type of entertainment \_\_\_\_\_

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Will you require use of the stage owned by the City for this event? ..... yes no

If yes, see attached Stage and Reservation Policies and Stage Rental Agreements

Do you plan to sell or serve food and beverages at the event? ..... yes no

If yes, describe the types of food and beverages to be served:

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If yes, describe the types of alcoholic beverages and how it is going to be served. Must comply with federal, state and local laws and regulations.

---

---

Will there be any cooking with grease? ..... yes no  
If yes, how do you plan to dispose of grease?

---

---

Will your event include pyrotechnics (fireworks)? ..... yes no  
Must comply with all federal, state and local laws. Must coordinate with City of Walhalla fire department.

Expected number of participants: \_\_\_\_\_ Expected number of spectators: \_\_\_\_\_

The event is .....  Public  Private

It will be held on property that is .....  Public  Private

Will tents be used for the event? ..... yes no  
If yes, list the number of tents, size, type and locations: (Include on Site Plan)

---

---

Will signs or banners be erected? .....   
yes no  
If yes, list size and locations (Include on Site Plan)

---

---

Describe any power/ water or other utility needs and locations of power sources:

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Will generators be used? ..... yes no

If yes list number, size and locations: (Include on Site Plan)

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---

Have arrangements been made for restroom facilities? ..... yes no

If yes list locations, number of toilets, frequency of servicing. (Include on Site Plan)

---

---

Describe sanitation provisions (provider, trash cans, recycling, event clean up). (Include on Site Plan)

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If using Walhalla Street and Sanitation a fee for these services may be required.

Roll Carts yes no How many? \_\_\_\_\_ Locations: \_\_\_\_\_

Date and time(s) to be emptied. \_\_\_\_\_

Date and time roll carts are to be picked up: \_\_\_\_\_

Dumpster yes no How many? \_\_\_\_\_ Locations: \_\_\_\_\_

Date and time(s) to be emptied. \_\_\_\_\_

Date and time dumpster(s) are to be picked up: \_\_\_\_\_

Barricades: yes no How many? \_\_\_\_\_ Locations: \_\_\_\_\_

Include on Site Plan

Who will be responsible for placing barricades?

---

---

Will City personnel be responsible for street and property clean-up? yes no

Parking (Include all on site plan)

Anticipated number of spaces \_\_\_\_\_ Number of Handicapped Spaces \_\_\_\_\_

Participant Parking Location \_\_\_\_\_

Vender Parking Location \_\_\_\_\_ Entertainment Parking Location \_\_\_\_\_

Traffic Control, Safety, Emergency Response and Security

Have arrangements been made for medical assistance? (Include staging area on Site Plan)

If yes, include provide and contact information \_\_\_\_\_

\_\_\_\_\_

What are the traffic control measures? (Include on Site Plan)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Are you requesting Walhalla Police and Fire Department for assistance? yes no

If yes, how many officers? \_\_\_\_\_ Fire personnel \_\_\_\_\_

Note: City reserves the right to require city personnel, at the event's expense, to provide staffing for sufficient security and safety.

Dates and times security to be on site? \_\_\_\_\_

\_\_\_\_\_

Are you planning on using private security? If yes, name and contact information.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you contracted for mechanical rides, space walks, petting zoos or other attractions.....

yes no

If yes, please list company and details.



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Anticipated number of vendors not include above. please list vendors

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Experience:

Please list name(s), location(s) and date(s) of special events you have staged over the last five years:

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Rain Policy for Event

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## Hold Harmless Clause

Permittee/organization hereby shall assume all risks, incident to or in connection with permitted activity and shall be solely responsible for damage or injury of whatever kind or nature, to person or property, directly or indirectly arising out of or in connection with the permitted activity or the conduct of permittee's operation. Permittee hereby expressly agrees to defend and save the City harmless from any penalties for violation of law, ordinance or regulation affecting its activity and from any and all crimes, suits, losses, damages or injuries directly or indirectly arising out of or in connection with the permitted activity of conduct of its operation or resulting from the negligence or intentional acts or omissions or its officers, agents, volunteers, sponsors and employees.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

Title; \_\_\_\_\_

Return complete application to:

City Administrator's Office  
Walhalla City Hall  
206 N. Church St.  
Walhalla, SC 29691

### DEPARTMENTAL REVIEW & APPROVAL

Police .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature
Fire .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature
Street and Sanitation .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature
Codes .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature
Parks & Recreation .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature
Utilities .....	<input type="checkbox"/> yes <input type="checkbox"/> no	_____
		Authorized Signature

Application:            Granted  Denied

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

## Special Event Check List for Applicant

- Application Fee/ TBD
  
- Special Event Bond/ TBD
  
- SITE PLAN/ Must Show the following
  1. Location of all structures with respect to existing buildings, property lines, roads and walkways to include
    - Tents and other similar structures.
    - Grandstands size and capacity
    - Bandstands/ staging including electrical connections
    - Vendor booths
    - Restrooms
    - Portable Toilets
    - Refreshment Stands
    - Signs
    - Parking areas including handicap.
    - Speakers
    - Support vehicles
    - Sanitation receptacles
    - Security stations
    - Emergency response stations
  
  2. Additional applications/ licenses or permits as required
    - Business Licenses
    - Liquor license and/or beer/wine license from State of SC.
    - State of SCDHEC approval for all food vendors
    - SCDOT approval for use of State owned roads and owner approval of privately owned roads.
    - Sign Permits
  
- Application Fee/ TBD

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

**ORDINANCE 2021-24**

**AN ORDINANCE TO ISSUE AMENDMENT NO. 2, TO AMEND THE FY 2021 BUDGET DOCUMENT “APPENDIX A” AND OTHER MATTERS RELATED THERETO.**

**WHEREAS, the Walhalla City Council adopted Ordinance 2021-6 entitled “AN ORDINANCE TO RAISE REVENUE AND ADOPT FOR THE CITY OF WALHALLA, SOUTH CAROLINA A BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022 and;**

**WHEREAS, the amendment 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 and;**

**WHEREAS, the City of Walhalla recognizes the need for certain events to have off duty staffing and permitting fees and;**

**WHEREAS, the City of Walhalla desires to create a formal fee structure for events and for said off duty staffing and;**

**WHEREAS, the city sets the fee and the event pays the off duty employee directly and;**

**WHEREAS, the permit fee will be deposited into the General Fund and;**

**WHEREAS, the Walhalla City Council now would like to amend the FY 2022 Budget Document, Appendix A;**

**NOW THEREFORE: it is ordained and enacted that:**

- 1. The Permit Fee will be \$100.00**
- 2. An ordered re-inspection fee will be \$50.00 per inspection.**
- 3. The off duty staffing fees are added as follows:**
  - a. Firefighter/EMT \$25.00 hour**
  - b. Police Officer \$25.00 hour**
  - c. Public Works Technician \$25.00 hour**

**AND IS DONE AND RATIFIED in Council Duly assembled this \_\_\_\_\_ Day of \_\_\_\_\_ 2021.**

Danny Edwards, Mayor

**ATTEST:**

Timothy B. Burton, City Administrator

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

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

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

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

**ORDINANCE 2021-25**

**AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17, TO REDESIGNATE PARCEL 500-15-02-014 ON THE ZONING MAP FROM OFFICE COMMERCIAL TO CORE COMMERCIAL.**

**WHEREAS**, the City of Walhalla Zoning Ordinance requires amending in order to establish a new zoning designation for Parcel 500-15-02-014 and,

**WHEREAS**, the City of Walhalla would like to amend this map in order to provide the opportunity to the owners of the property to develop a vacant building and,

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

**Then, Let It Therefore Be Resolved**, by the City Council of the City of Walhalla, South Carolina to amend the current zoning ordinance map to change the zoning designation of Parcel 500-15-02-014 to Core Commercial (CC).

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

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

**ATTEST:**

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

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

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

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

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

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

**ORDINANCE 2021-26**

**AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17 AND APPENDIX 2021A SECTIONS 6-1.10,10-2.B, AND ARTICLE 18**

**WHEREAS**, the City of Walhalla Zoning Ordinance Appendix 2021-A requires amending to ensure development in Walhalla continues in a safe and orderly manner and,

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

**Then, Let It Therefore Be Resolved**, by the City Council of the City of Walhalla, South Carolina amend the following sections Appendix 2021-A:

**SECTION 6-1.10: PROCEDURE:**

**NOW, THEREFORE**, Section 6-1.10 of Appendix 2021-A for the City of Walhalla is hereby amended to read as follows:

10. Where a proposed subdivision contains no more than 5 lots and does not require dedication of any land to the public or installation of any public improvements, the zoning administrator and utility director may approve the preliminary plats as the final without approval from the planning commission.

**SECTION 10-2.B: UNDERGROUND UTILITIES:**

**NOW, THEREFORE**, Section 10-2.B of Appendix 2021-A for the City of Walhalla is hereby amended to read as follows:

b. No water or sewer tap will be approved with service lines crossing a property line.

**ARTICLE 18: DETAILS AND SAMPLE DRAWINGS:**

**NOW, THEREFORE**, Article 18 is hereby added to Appendix 2021-A which will consist of details and sample drawings which will be available in the near future.

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

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

**ATTEST:**

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

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

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

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

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



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

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

#### ARTICLE 1. - TITLE AND AUTHORITY

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

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

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

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

#### ARTICLE 2. - PURPOSE

##### Section 2-1. - Purpose.

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

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

#### ARTICLE 3. - JURISDICTION

##### Section 3-1. - Territorial jurisdiction.

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

#### ARTICLE 4. - DEFINITIONS

##### Section 4-1. - Definitions and rules of construction.

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

1. *Block*: A parcel of land entirely surrounded by streets or highways or by a combination of streets, highways, parks or railroad rights-of-way.
2. *Comprehensive plan*: The official city plan or any part thereof for the City of Walhalla adopted and approved in accordance with the provisions of Act No. 487, South Carolina Acts of 1967.
3. *Easement*: A grant by the property owner of the use, for a specific purpose of a strip of land by the general public, a corporation, or a certain person or persons.
4. *Engineer*: A registered professional engineer in good standing with the South Carolina Board of Registration.
- [4.1.] *Land development*: A change in land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, or similar developments for sale, lease or any combination of owner and rental characteristics.
5. *Lot*: A portion of a subdivision or other parcel of land intended for transfer of ownership or for building purposes.
6. *Planning commission*: The planning commission of Walhalla, South Carolina.
7. *Plat*: A map, or drawing upon which the subdivider's plan of the subdivision is presented for approval.
8. *Street*: A way for vehicular traffic, whether designated as an avenue, boulevard, thoroughfare, road, highway, expressway, lane, alley, or other way; and for the purposes of this ordinance, streets are divided into the following categories:
  - a. *Thoroughfare*: Those streets designated as freeways, arterials or collectors on the preliminary thoroughfare plan of the City of Walhalla.
  - b. *Minor collector*: A street within a subdivision used to carry traffic from minor streets to thoroughfares including principal entrance and circulation streets of a subdivision.
  - c. *Minor or local street*: A street used primarily for access to the abutting properties.
  - d. *Alley*: A minor way used for service access to the back or side of properties otherwise abutting on a street.
  - e. *Cul-de-sac*: A minor street having one end open to traffic and one end terminating in a vehicular turnaround.
  - f. *Marginal access street*: A minor street parallel and adjacent to major streets and which provides access to abutting properties with protection from through traffic.
9. *Subdivider*: An individual, firm, association, syndicate, co-partnership, trust or any other legal entity commencing proceedings under these regulations to affect a subdivision of land hereunder for himself or for another.
10. *Subdivisions*: A division of [a] tract or parcel of land into two or more lots, building sites, or other divisions. The land is divided for sale, lease or building development, whether immediately or in the future. The definition includes all divisions involving a new street or change in existing streets. It includes re-subdivisions involving the further division or relocation of lot lines of any lot or lots within a previously approved or recorded subdivision. The definition covers the alteration of any streets or the establishment of any new streets within any previously approved or recorded subdivision as well as combinations of lots of record. The following exceptions are

included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

- a. Combining or recombining portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the ordinance standards.
  - b. Dividing land into parcels of five acres or more where no new street is involved. The planning commission must receive plats of these exceptions as information and indicate that fact on the plats.
  - c. Combining or recombining entire lots of record where no new street or change in existing streets is involved.
11. *Surveyor*: A registered land surveyor in good standing with the South Carolina board of registration.
12. *Zoning ordinance*: The officially adopted zoning ordinance, City of Walhalla, South Carolina.

## ARTICLE 5. - GENERAL PROVISIONS

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

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

## ARTICLE 6. - PROCEDURE

### Section 6-1. - Administrative procedure for subdivision approval.

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

1. Prior to preparing a preliminary plat and filing an application for approval thereof, the subdivider should consult Zoning Official regarding the proposal, the requirements of this ordinance and the provisions of the comprehensive plan.
2. An application requesting approval of the preliminary plat, together with supporting material, shall be filed with the zoning administrator 15 days prior to the regularly scheduled meeting of the planning commission at which the plat is to be considered.
3. The planning commission shall act on the preliminary plat within 60 days after filing of the application. Otherwise said plat shall be deemed to have been approved. The applicant may waive this requirement and consent to an extension of such period. Approval of the preliminary plat will not constitute approval of the final plat. Approval serves as authorization for the subdivider to proceed with site improvements.
4. The subdivider may install required improvements or post a bond securing the improvements in the area covered by the approved preliminary plat, or any portion thereof, which he proposes to record and develop at the time.
5. Upon installation of required improvements or the posting of a bond securing the same, a final plat may be submitted. Said final plat shall conform substantially to the preliminary plat, or portion thereof, as approved.
6. Application for approval of the final plat shall be submitted to the zoning administrator at least 15 days prior to the meeting at which it is to be considered. Said application shall be submitted within 12 months after approval of the preliminary plat; otherwise such approval shall become null and void unless an extension of time is applied for and granted by the planning commission.
7. Action of the planning commission on the final plat shall consist of approval or disapproval. Disapproval shall be accompanied by reasons for such action.
8. After approval by the planning commission, the final plat shall be forwarded to city council for acceptance of the dedication of rights-of-way or other land.
9. After acceptance of dedication by city council, the planning commission shall file the plat for record with Oconee County. The zoning administrator shall act as recording agent for the subdivider.
10. Where a proposed subdivision contains no more than 5 lots and does not require dedication of any land to the public or installation of any public improvements, the zoning administrator and utility director may approve the preliminary plats as the final without approval from the planning commission.

## ARTICLE 7. - PRELIMINARY PLAT

### Section 7-1. - Submittal.

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

### Section 7-2. - Distribution.

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

Section 7-3. - Fees.

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

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

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

Section 7-4. - Hearing notice.

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

Section 7-5. - Planning commission action.

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

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

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

Section 7-7. - Scale.

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

Section 7-8. - Content.

The preliminary plat shall show:

- a. Title, north point, graphic scale and date.
- b. Names and addresses of the owners of the property, any existing mortgages, the subdivider and the person or firm preparing the plat.
- c. Boundaries of the proposed subdivision. Location of city limits line if within or adjacent to the area to be subdivided.
- d. A vicinity sketch at a scale of not more than 500 feet to the inch showing the relation of the proposed subdivision to surrounding development. Also, the boundaries of adjoining parcels of unsubdivided land with the names and addresses of owners.
- e. Location, width of right-of-way, width of roadway, and names of all existing or prior platted streets, roads or highways that pass through or adjoin the area to be subdivided.
- f. Location and extent of watercourses and all land subject to flooding.
- g. Location and size of sanitary and storm sewers and water mains within or adjacent to the area to be subdivided.
- h. Location and pertinent data for existing railroads, easements, structures, public land and other features affecting the plat.

- i. Topography at a contour interval of not greater than five feet; provided, however, the city may require one-foot contour intervals and intermediate spot elevations.
- j. Indication of existing zoning district classification applying to, and proposed use of, all land within the subdivision.
- k. Written and signed statements of the appropriate officials verifying the availability of gas, electricity and water to the proposed subdivision.
- l. The proposed location and width of all streets (right-of-ways and roadways), alleys and easements together with proposed street names.
- m. Typical street cross sections and proposed grades.
- n. Layout, numbers and approximate dimension of lots.
- o. Building setback lines with dimensions.
- p. Sketch plans indicating the proposed method of accomplishing drainage, water supply, sewage disposal and storm drainage.
- q. Location and size of all parcels of land intended to be dedicated or reserved for public use.
- r. Draft of any restrictions including protective covenants proposed to be included in the owner's declaration of plat.

#### ARTICLE 8. - FINAL PLAT

##### Section 8-1. - Submittal.

The original drawing and two copies of the final plat shall be submitted to the zoning administrator with the application for approval. The final plat shall include certification from the city engineer that required site improvements have been installed to the city's satisfaction or a bond posted securing to the city the actual construction and installation of required site improvements.

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

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

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

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

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

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

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

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

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

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

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

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

The final plat shall show:

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

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

#### ARTICLE 9. - DESIGN STANDARDS

Section 9-0. - Minimum requirements.

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

Section 9-1. - Streets and alleys.

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

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

b. *Alleys.*

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

c. *Street alignment.*

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

d. *Street grades.*

- (1) Street grades shall comply with good engineering practice and shall not exceed ten percent or be less than 0.5 percent. Wherever possible, grades of thoroughfares shall not exceed 5.0 percent.
- (2) Grades approaching intersections shall not exceed 5.0 percent for a distance of not less than 50 feet from the right-of-way line of said intersection.



- (3) All changes in street grade shall be connected by vertical curves of at least 100 feet or the equivalent of 15 times the algebraic difference in the rate of grade, whichever is greater.

e. *Street intersections.*

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

[f. Reserved.]

g. *Cul-de-sac.*

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

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

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

Section 9-3. - Lots.

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

Section 9-4. - Blocks.

- a. No block shall be more than 1,500 feet in length, and preferably not less than 800 feet in length.
- b. The greater dimension of a block adjoining a major street shall about the major street.
- c. Where blocks are over 1,000 feet in length, a crosswalk easement not less than 20 feet wide may be required, if necessary, to provide proper access to schools, playgrounds or other public facilities.

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

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

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

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

Section 9-7. - Land subject to flooding.

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

Section 9-8. - Character of development.

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

ARTICLE 10. - MINIMUM IMPROVEMENTS REQUIRED

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

Section 10-1. - Street improvements.

- a. All streets shall be graded to their full width, including side slopes.
- b. A standard curb and gutter, with not less than a six-inch face, shall be constructed on both sides of the street.
- c. Streets shall be surfaced to a width stated herein and with a type of pavement conforming to paving standards SCDOT.
  - (1) Marginal access streets: Minimum 24-foot width between curb faces.
  - (2) Minor collector streets: 40-foot width between curb faces.
  - (3) Minor streets: 28-foot width between curb faces.
- d. Alleys, wherever platted, shall be surfaced to their full width with a pavement conforming to paving standards of SCDOT.
- e. Except as hereinafter provided those portions of thoroughfares included within the subdivision shall be paved by the subdivider to widths and in accordance with paving standards SCDOT. Whenever

the property abutting both sides of a major street is zoned for residential purposes, the subdivider shall be responsible for only that portion of the cost equal to the installation of minor street improvements.

Section 10-2. - Underground utilities.

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

b. No water or sewer tap will be approved with service line crossing a property line.

Section 10-3. - Sidewalks.

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

Section 10-4. - Street name signs.

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

Section 10-5. - Monuments.

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

ARTICLE 11. - BOND AND SURETY

Section 11-1. - Construction bond.

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

Section 11-2. - Maintenance bond.

a. In any case in which the zoning administrator may have reasonable doubt concerning the stability or proper construction of any improvement required herein, upon his recommendation the city council may require a maintenance bond for a period of two years for maintenance of said improvement. This bond shall be in cash or be made by a surety company authorized to do business in the State of South Carolina.

- b. The subdivider, by agreement with the zoning administrator, shall maintain for a period of nine months the fill and improvements in and over the ditches that were cut for the installation of utilities including storm and sanitary sewers, water, gas and laterals.

#### ARTICLE 12. - VARIATIONS AND EXCEPTIONS

##### Section 12-1. - Modifications, variations and waivers.

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

#### ARTICLE 13. - CHANGES AND AMENDMENTS

##### Section 13-1. - Amendment procedure.

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

#### ARTICLE 14. - ENFORCEMENT

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

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

#### ARTICLE 15. - PENALTY

##### Section 15-1. - Penalty.

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

#### ARTICLE 16. - SEPARABILITY AND SEVERABILITY

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

ARTICLE 17. - EFFECTIVE DATE

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

ARTICLE 18. – Details and sample drawings. (These will be added when they are completed by the engineer and will strictly follow this ordinance

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

**ORDINANCE 2021-27**

**AN ORDINANCE TO AMEND ZONING ORDINANCE 2021-17, TO EXTEND THE DOWNTOWN DESIGN OVERLAY.**

**WHEREAS**, the City of Walhalla Zoning Ordinance requires amending in order to establish new boundaries for the Downtown Business District Map and,

**WHEREAS**, the City of Walhalla would like to amend this map in order to provide regulations for development and to facilitate the walkability of downtown and,

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

**Then, Let It Therefore Be Resolved**, by the City Council of the City of Walhalla, South Carolina to amend the Downtown Business District Map to include the following area:

**The Downtown Business District Map shall now include:**

- All areas formerly in the overlay map.
- Areas from Maple Street to John Street and from North Broad Steet to South Broad Street to include all lots touching either North Broad or South Broad Streets.

**The new overlay map will include all areas depicted by the following map on the next page.**

(This is not the formal map that will be included in the design guidelines)





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

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

**ATTEST:**

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

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

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

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

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



**PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**CITY OF WALHALLA**

**IN RE: Notice of Public Hearing**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 11/02/2021 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



\_\_\_\_\_  
Hal Welch  
General Manager



\_\_\_\_\_  
Jessica Wells  
Notary Public  
State of South Carolina  
My Commission Expires November 13, 2030

Subscribed and sworn to before me this  
11/02/2021



Jessica Lee Wells  
NOTARY PUBLIC  
State of South Carolina  
My Commission Expires  
November 13, 2030

# Oconee Publishing

dba THE JOURNAL

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## Classified Advertising Invoice

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Total Amount: 32.52

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Comments: Notice of Public Hearing

Attention: Please return the top portion of this invoice with your payment including account and ad number.

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#### Notice of Public Hearing

Pursuant to SC Code Section 6-1-80, Section 6-1-300, Section 6-1-300(a) a public hearing will be held on Nov 16, 2021 at 530pm at the regularly scheduled Council Meeting for the following Ordinances: Ordinance 2021-22 An Ordinance to Issue Amendment No. 1, to Amend FY 22 Budget Document Appendix A and other matters related thereto AND Ordinance 2021-23 An Ordinance to Issue Amendment No. 2, to Amend FY 22 Budget Document Appendix A and other matters related thereto. Ordinance 2021-22 pertains to raising water tap fees and 2021-23 pertains to creating fees for off duty staffing for events.

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**PUBLISHERS NOTICE**

ALL real estate advertising in this newspaper is subject to Federal Fair Housing Act of 1968 which makes it illegal to advertise "any preference, limitations or discrimination" based on race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preference, limitation or discrimination." This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.

**FIND IT IN THE CLASSIFIEDS!**

**REAL ESTATE SALES**

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**PUBLISHERS NOTICE**

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**LEGAL NOTICES**

**LEGALS**

**Notice to Heirs and Legatees**

State of: South Carolina  
County of: Oconee  
Court: Probate Court  
Estate of: Eva H. Cobb  
Case No.: 2004GC3700010

To the heir, legatees and devisees of the aforementioned estate: This notice is to inform you that Eva H. Cobb of Oconee County died on March 17, 2018. You have been named in the petition as a possible heir with a legal interest in the decedent's estate. Carla Nelson of New York, NY has been named as the administrator of the estate. Documents, information and petitions are on file in the above-listed court under the aforementioned case number. Any heir or legatee is entitled to administrative information concerning the decedent's estate and has 20 days to petition the court in order to receive proof of the will in open court. Executed by Carla Nelson on this day, 10/19/2021.

Sincerely,

Name: Oconee County Probate  
Address: 415 S. Pine St.  
City: Walhalla  
State: SC 29691  
Phone: 864-638-4275

**Notice of Public Hearing**

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