

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE)

ORDINANCE NO. 2022-12

CITY OF WALHALLA)

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

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

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

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

**ARTICLE II
Adoption of Code**

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

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

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

- A. A copy of the Code has been filed in the office of the City Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance such copy shall be certified to by the Clerk of the City of Walhalla by impressing thereon the Seal of the City, as provided by law, and such certified copy shall remain on file in the office of the City Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the governing body to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Walhalla" shall be understood and intended to include such additions and amendments. Nothing contained in this ordinance shall affect the status of any ordinance contained in the Code, and such ordinances may be amended, deleted or changed from time to time as the governing body deems desirable.

§ 1-5. Severability.

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

§ 1-6. Repeal of inconsistent enactments.

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

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

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

- A. Any right or liability established, accrued or incurred under any legislative provision of the City of Walhalla prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the City of Walhalla or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision of the City of Walhalla.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the City of Walhalla.
- E. Any ordinance of the City of Walhalla providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the City of Walhalla or any portion thereof.
- F. Any ordinance of the City of Walhalla appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the City of Walhalla or other instruments or evidence of the City's indebtedness.
- G. Ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.

- I. The annexation or dedication of property.
- J. Any ordinance relating to salaries and compensation.
- K. Any ordinance amending the Zoning Map.
- L. Any ordinance relating to or establishing a pension plan or pension fund for City employees.
- M. Any ordinance or portion of an ordinance establishing a specific fee amount for any license, permit or service obtained from the City.
- N. Any ordinance adopted subsequent to November 15, 2022.

§ 1-8. Changes in previously adopted legislation.

- A. In compiling and preparing the ordinances for publication as the Code of the City of Walhalla, certain grammatical changes and other minor, nonsubstantive changes were made in one or more of said pieces of legislation. It is the intention of the governing body that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

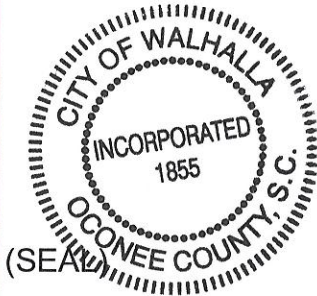
§ 1-9. Titles and headings; editor's notes.

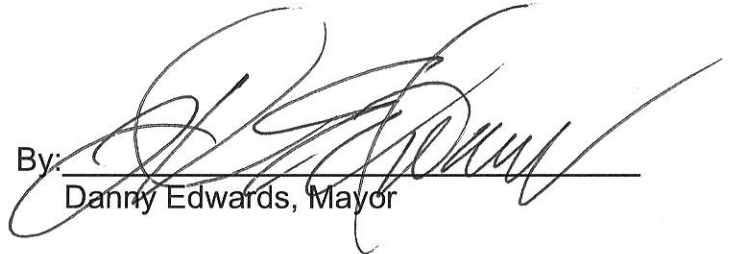
- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections,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

§ 1-10. Penalties for tampering with Code.

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

DONE AND RATIFIED in council duly assembled this 16TH day of MAY 2022.



By: 
Danny Edwards, Mayor

ATTEST:

By: Timothy B. Burt

Timothy B. Burton, City Administrator

Introduced By: MR. PACE

First Reading: APRIL 18 2023

Second Reading: MAY 16 2023