

**RICHLAND COUNTY
DEVELOPMENT AND SERVICES
COMMITTEE**

AGENDA



THURSDAY DECEMBER 15, 2022

5:00 PM

COUNCIL CHAMBERS

Richland County Council 2021-2022



Deirek Pugh
District 2



Bill Malinowski
District 1



Overture Walker
District 8
Chair



Gretchen Barron
District 7



Yvonne McBride
District 3



Chakisse Newton
District 11



Allison Terracio
District 5



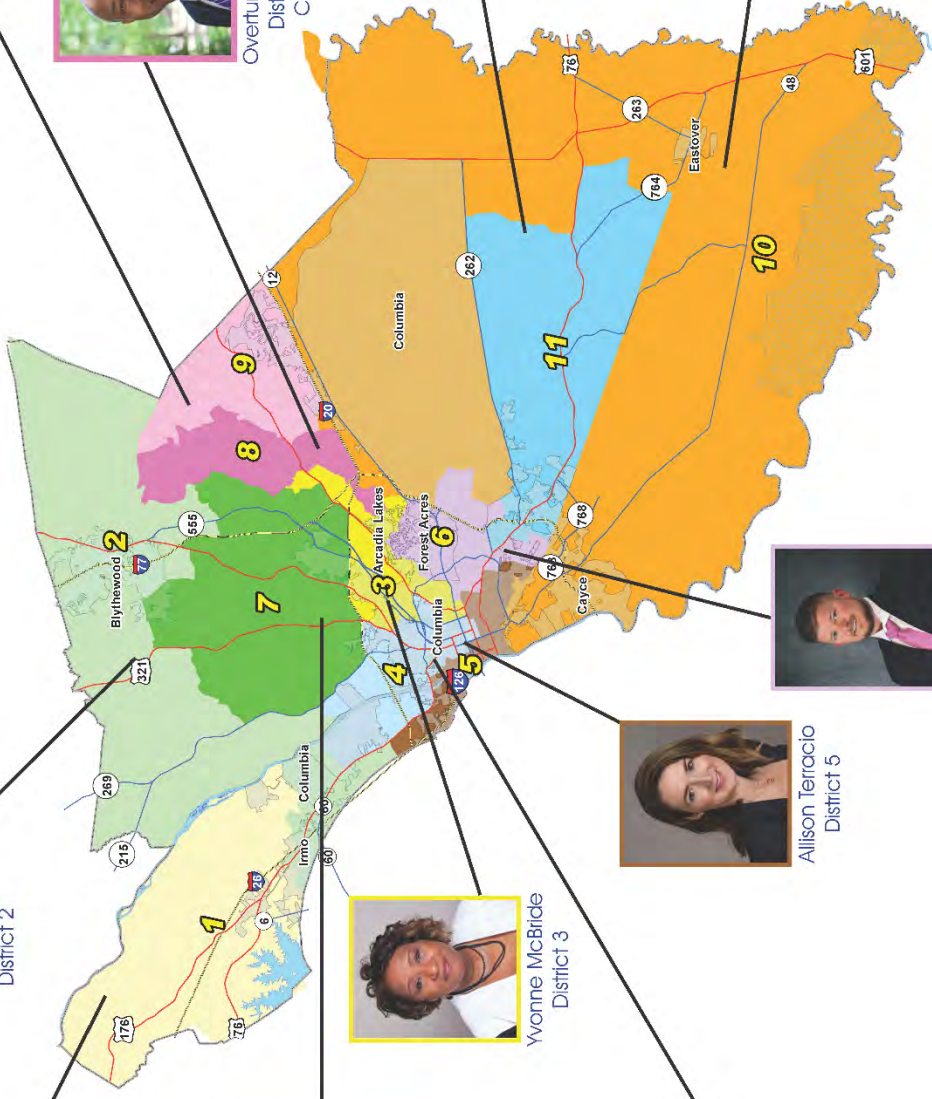
Paul Livingston
District 4



Cheryl English
District 10



Joe Walker, III
District 6





**Richland County
Development and Services Committee**

AGENDA

December 15, 2022 05:00 PM
2020 Hampton Street, Columbia, SC 29204

The Honorable Derrek Pugh, Chair	The Honorable Allison Terracio	The Honorable Gretchen Barron	The Honorable Cheryl English	The Honorable Chakisse Newton
County Council District 2	County Council District 5	County Council District 7	County Council District 10	County Council District 11

1. **CALL TO ORDER** The Honorable Derrek Pugh

2. **APPROVAL OF MINUTES** The Honorable Derrek Pugh
 - a. November 17, 2022 [PAGES 5-6]

3. **ADOPTION OF AGENDA** The Honorable Derrek Pugh

4. **ITEMS FOR ACTION** The Honorable Derrek Pugh
 - a. FY22 Annual Roads Report : Staff requests that County Council receive the attached Annual Road Report for information and general publication [PAGES 7-34]
 - b. Amending "Fireworks" Ordinance [PAGES 35-37]

5. **ITEM PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Derrek Pugh
 - a. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton - August 30, 2022]

***Staff Update: Staff submits the following schedule regarding its efforts for the committee's awareness:*

 - Jan-Feb 2023 – Research ordinances from other communities and industry best management practices
 - Mar 2023 – Report on research findings to Committee
 - Apr 2023 – Direction from Committee

6. **ADJOURNMENT** The Honorable Derrek Pugh



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
Development and Services Committee
MINUTES
November 17, 2022 – 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Derrek Pugh, Chair, Allison Terracio, Gretchen Barron, Cheryl English, and Chakisse Newton.

OTHERS PRESENT: Tamar Black, Anette Kirylo, Susan O’Cain, Angela Weathersby, Lori Thomas, Aric Jensen, Michelle Onley, Leonardo Brown, Patrick Wright, Stacey Hamm, Michael Byrd, Justin Landy, Kyle Holsclaw, and Dale Welch

1. **CALL TO ORDER** – Chairman Derrek Pugh called the meeting to order at approximately 5:00 PM.

2. **APPROVAL OF MINUTES**

a. **October 25, 2022** – Ms. Terracio moved to approve the minutes as distributed, seconded by Ms. Newton.

In Favor: Pugh, Terracio, Barron, English, and Newton.

The vote in favor was unanimous.

3. **ADOPTION OF THE AGENDA** – Ms. English moved to adopt the agenda as published, seconded by Ms. Terracio.

In Favor: Pugh, Terracio, Barron, English, and Newton.

The motion in favor was unanimous.

4. **ITEMS FOR ACTION**

a. I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance [NEWTON and DICKERSON] – Mr. Wright noted the language of the motion needs to be modified as Council should not make motions directing the County Attorney.

Ms. Newton stated, as the maker of the motion, she would approve the rewording of the motion before it is forwarded to Council for action.

Ms. Newton moved to forward to Council with a recommendation to approve the proposed ordinance and business license amendments, seconded by Ms. Barron.

Ms. Newton inquired if people who currently do short-term rentals must have business licenses.

Mr. Jensen responded the answer is “yes” and “no” as it is not regulated as it is in other jurisdictions. This particular ordinance will not directly impact short-term rentals.

Ms. Newton stated, for clarification, if any other ordinances or business license codes require individuals doing short-term rentals to have a business license.

Mr. Jensen responded that he did not know and would have to research the specifics.

Mr. Malinowski stated, after speaking with the Zoning Director and the County Attorney, he is going to modify his motion to encompass his intent, which was to establish rules and regulations for short-term rentals in Richland County. If part of creating those rules and regulations means we need to include language from this ordinance, he would like to do so.

Ms. Newton inquired as to the status quo regarding short-term rentals.

Mr. Wright noted currently there are no regulations regarding short-term rentals as most of the ordinances were done before the short-term rental boom.

Mr. Malinowski inquired if Section 1-8 of the Code of Ordinances includes jail time.

Mr. Wright responded he believes Section 1-8 references fines and is a civil offense, not a criminal matter.

Mr. Malinowski indicated he wanted clarification before this goes to Council. He inquired about the following language: “If the owner shall not reside within 50 miles of the registered address then all the above information is required of the authorized agent”. He noted you can be outside the 50-mile range and still be within Richland County. He suggested it may be more appropriate to say, “If the owner shall not reside within a 50-mile radius of the registered address or reside within Richland County, then all the above information is required.”

Ms. Terracio made a friendly amendment to include the language suggested by Mr. Malinowski. *“If the owner shall not reside within a 50-mile radius of the registered address or reside within Richland County, then all the above information is required.”*

Ms. Newton accepted the friendly amendment.

In Favor: Pugh, Terracio, Barron, English, and Newton.

The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton - August 30, 2022]
– No action was taken.

6. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. Terracio.

In Favor: Pugh, Terracio, Barron, English, and Newton

The motion in favor was unanimous.

The meeting adjourned at approximately 5:13 PM.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Shirani W Fuller	Title:	County Engineer
Department:	Public Works	Division:	Engineering
Date Prepared:	November 21, 2022	Meeting Date:	December 15, 2022
Legal Review	Patrick Wright via email	Date:	November 28, 2022
Budget Review	Abhijit Deshpande via email	Date:	November 30, 2022
Finance Review	Stacey Hamm via email	Date:	November 28, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Development & Services		
Subject	Annual Road Report for Fiscal Year 2022 (FY-22)		

RECOMMENDED/REQUESTED ACTION:

Staff requests that County Council receive the attached Annual Road Report for information and general publication.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Not applicable.

Applicable department/grant key and object codes:

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

Not Applicable

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The creation of this document is intended for information and distribution to the public to inform them of the scope and effort necessary to maintain the Richland County Road Maintenance System (CRMS) during the 2022 fiscal year (FY 2022).

The document provides a summary of ongoing maintenance activities and projects completed during this time frame. Projects in this report were constructed or managed by the Richland County Department of Public Works (DPW) and the Transportation Penny staff. All of the projects shown in this report have been accepted into the CRMS.

ADDITIONAL COMMENTS FOR CONSIDERATION:

It is intent of the DPW Staff to prepare an Annual Road Report each fiscal year to detail general activities, maintenance preformed, and capital projects completed by the Department of Public Works and the Transportation Penny staff.

ATTACHMENTS:

1. Annual Road Report Fiscal Year 2022



Annual Road Report

Richland County, South Carolina

Department of Public Works

Fiscal Year 2022



Pavement Preservation - New Castle



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Introduction and Purpose

This report is provided to inform residents of Richland County about activities required to maintain and improve the County Road Maintenance System (CRMS) each year.

The report is intended to provide a summary of activities and projects completed during Fiscal Year 2022 (FY-22), which ran from July 1, 2021, through June 30, 2022. Projects in this report were managed and/or constructed by the Richland County Department of Public Works (DPW) and the Transportation Penny Department. All of the projects included in this report have been accepted into the CRMS. This system represents the large network of roads and roadside drainage that DPW maintains, repairs and improves.

The Department of Public Works is dedicated to providing exceptional service to the residents of Richland County and to improving their quality of life today and in the future.

Director of Public Works
Michael Maloney, PE

Deputy Director of Public Works
Chris Eversmann, PE

County Engineer
Shirani W. Fuller, PE

Main Office:
400 Powell Road
Columbia, SC 29203
(803) 576-2400

Maintenance Locations:

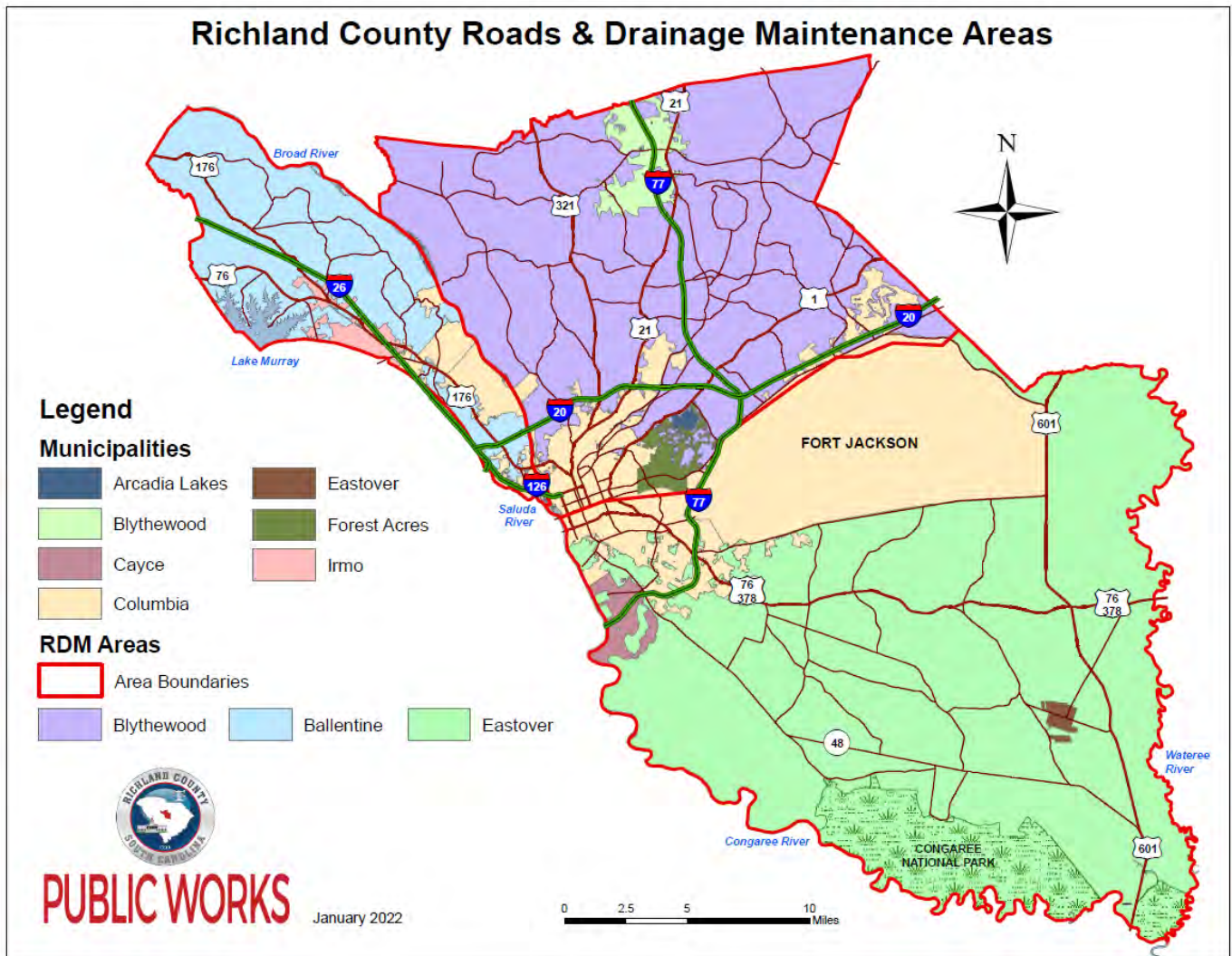
Specialty Sections
400 Powell Road
Columbia, SC 29203

Blythewood (North) Section
437 Blythewood Road
Blythewood, SC 29106

Ballentine (West) Section
1009 Bickley Road
Irmo, SC 29063

Eastover (South) Section
2009 Chain Gang Road
Eastover, SC 29044

Richland County Roads & Drainage Maintenance Areas Map



Comprehensive Transportation Improvement Plan (CTIP)

The Richland County Department of Public Works (DPW) maintains an extensive network of roads within the County Road Maintenance System (CRMS). Department staff currently maintain 836 miles of various types of roads.

Road Type	Mileage
Unpaved Prescriptive Easement	157
Unpaved Right-of-Way	46
Paved	633
Total	836

Most of the roads accepted into the CRMS are classified as residential. These are low-volume, low-speed, two-lane roadways. The County also maintains a small group of collector roads and industrial/commercial roads. As subdivision roads are deeded to the County by developers, the drainage system associated with those roads is also conveyed for maintenance. In order to be accepted into the CRMS, roads and drainage systems must be constructed to County standards.

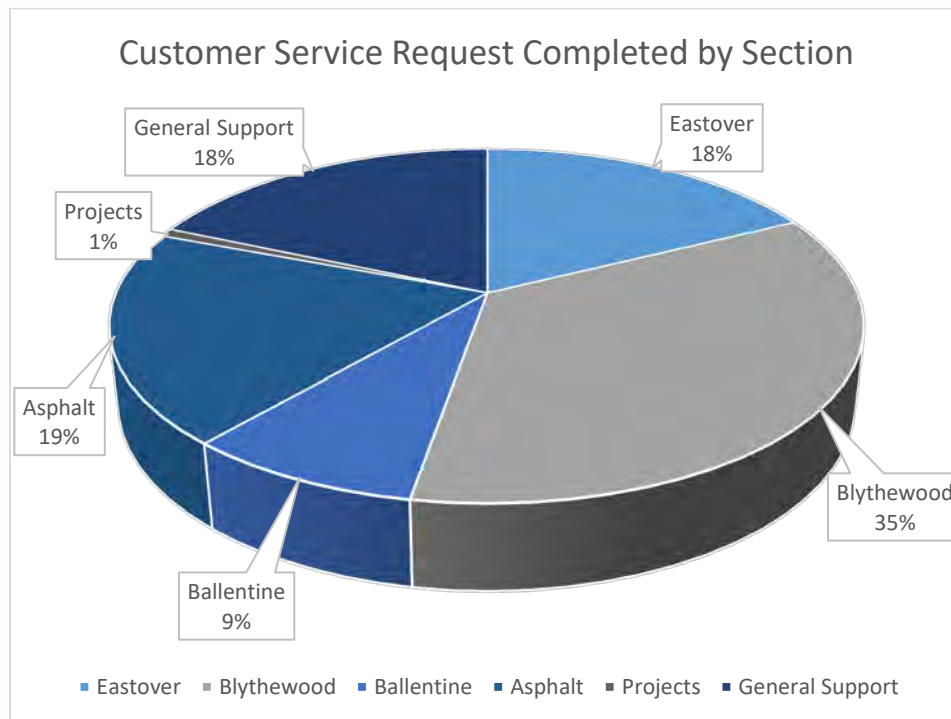
In fiscal year 2020 (FY-20), DPW released its first Comprehensive Transportation Improvement Plan (CTIP). This plan is updated annually to address the transportation projects that are intended to be started and/or completed in the coming fiscal year. Projects are chosen based on an evaluation of assets and a distribution of resources within each Council district. Once the budget is determined for the upcoming year, the Roads & Drainage Maintenance Division (RDM) and Engineering staff create the preliminary plan under the guidance of the Director of Public Works. The plan is updated and presented to County Council for approval each year.

Funding for these projects comes from two main sources: the Road Maintenance Fee and “C” Funds (County Transportation Committee grants). The Road Maintenance Fee is collected on vehicle personal property tax bills from residents of Richland County. This generates about \$6 million per year, which is applied to funding capital roadway projects, maintenance and repair of roads, sidewalk construction and repair, and drainage repair and improvement. “C” Funds are allocated on a per project basis at the CTC’s discretion to agencies whose projects meet established criteria. With the Road Maintenance Fund for capital projects being on hold, the department’s Capital Improvement Projects (CIP) in FY22 were funded strictly through grants from the CTC.

Based on Intergovernmental Agreements (IGAs) with small municipalities within Richland County, the DPW staff requests funding from the CTC on their behalf.

Customer Service Focus

Within the Department of Public Works, the divisions of Roads & Drainage Maintenance (RDM) and Engineering are customer service-focused groups that respond directly to Citizen Service Requests (CSRs). In FY-22, these divisions completed a total of 4,432 CSRs (with RDM completing 3,663 of those).



DPW staff work with the Public Information Office (PIO) to engage the community and promote awareness of upcoming activities. The PIO uses various methods, such as news releases, social media posts, flyers and video, to communicate information to residents on multiple platforms.

Below is a breakdown of major categories for service requests assigned to the RDM and Engineering divisions during FY-22:

CSRs by Category	# Requests	Percentage
Road Maintenance/Repairs	1,378	31%
Drainage Maintenance	1,070	24%
Traffic Control/Safety Issues	707	16%
Vegetation Maintenance	589	13%
Emergency Maintenance/Road Hazards	75	2%
Other	613	14%
Total	4,432	100%

As part of a partnership with smaller municipalities, Richland County has IGAs for maintenance of roads and their associated drainage systems:

- Town of Blythewood
- Town of Irmo
- Town of Arcadia Lakes
- City of Forest Acres
- Town of Eastover

IGAs enable a basic level of maintenance to be efficiently provided to residents of these municipalities, while avoiding the high cost of the municipalities developing their own public works departments.

The County also enters into maintenance agreements with the South Carolina Department of Transportation (SCDOT). There are currently three such agreements in which DPW shares some of the maintenance responsibilities with SCDOT within its rights-of-way on Shared Use Paths (SUP):

- Polo Road SUP
- Clemson Road SUP
- Rabbit Run/Lower Richland Boulevard SUP



Clemson Road SUP

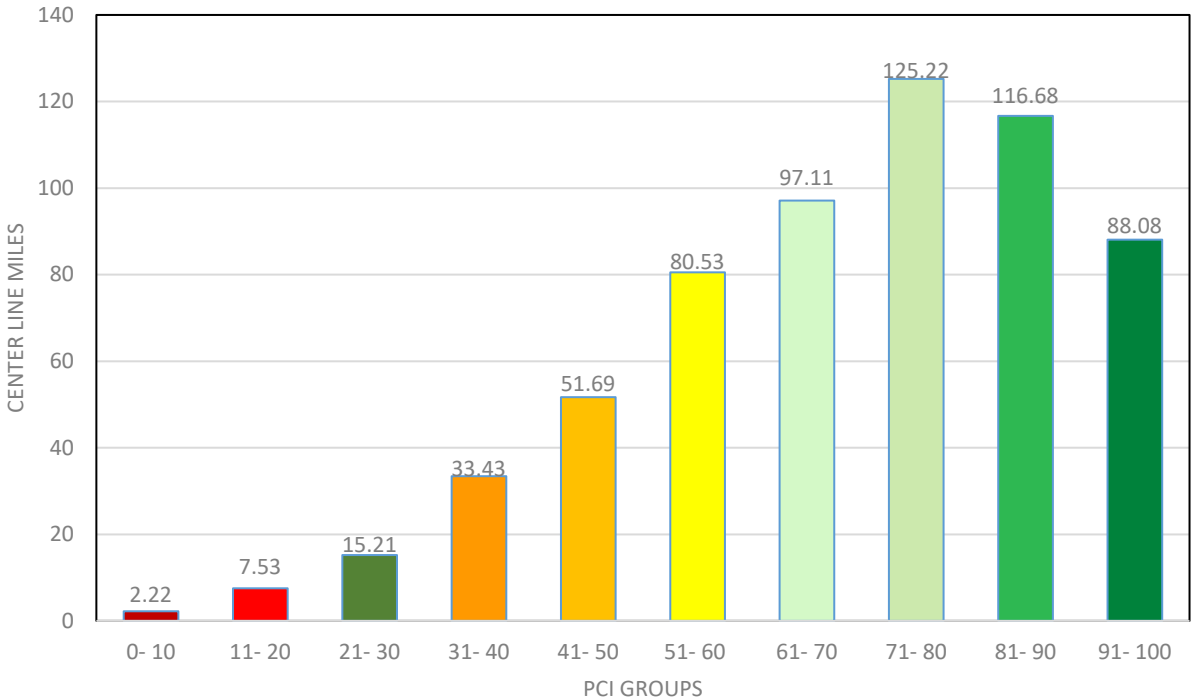
DPW also maintains an agreement with SCDOT to provide assistance in clearing the SCDOT road system in the case of a winter weather snow or ice event. County resources of labor and equipment are provided on a reimbursable basis.

Pavement Management Study (PMS)

The County conducted its second Pavement Management Study (PMS) to assess the condition of all paved roads within the County Road Maintenance System (CRMS) in September 2021. The study generated a Pavement Condition Index (PCI) for each road based on evaluation of common distresses such as alligator, longitudinal and transverse cracking. The extent and severity of these distresses correlate to a numerical value between 0-100. Every two years, these values will be updated through inspection by Engineering staff. A new comprehensive study will be performed every six years.

The other function of the PMS is to help develop both short- and long-term plans for allocating funding into the CRMS. Various methods of pavement treatment, such as preservation, resurfacing and rehabilitation, will be employed. The plans are data-driven, based on PCI values and available funding. The County’s goal is to elevate all County roads to a standard of “good” and maintain them at that level thereafter.

PCI Data Based on 2021 PMS



Operations Performed by Public Works

Road Maintenance and Repair

The majority of Citizen Service Requests (CSRs) received by RDM are for road maintenance and repair. In FY-22, 1,378 CSRs were categorized as “road maintenance.” Each workday, crews perform activities such as patching potholes, installing driveway aprons, and scraping/crowning unpaved roads. Smaller paving jobs, curb and gutter repair, and sidewalk repair are also performed.

Larger scale projects are constructed by the RDM Projects section or outsourced to a contractor as part of the Capital Improvement Projects (CIP) program. RDM and Engineering staff work together to determine how best to manage and prioritize these projects.

Also in FY-22, a dust suppression compound was applied to 56 unpaved roads, equaling 31.45 miles of roadway.



Unpaved road scrape performed by RDM crew

Drainage Maintenance

Drainage maintenance includes cleaning and repairing culverts, pipes, pipe inlets and outfalls, installation and extension of drainage pipes, cleaning and repairing catch basins, and cleaning and re-establishing ditches. During FY-22, 1,070 CSRs were classified as drainage related. A well-functioning drainage system is essential to the longevity of roadways and the protection of property. When a drainage system fails, it can lead to property damage and pose health and safety concerns.



Countyline Trail bridge replacement

DPW is working to create a comprehensive inventory of all County drainage system components as a layer within our Geographic Information System (GIS). DPW’s Stormwater Division is starting a preventative maintenance program in which all drainage systems in our network will be evaluated.

Until this program is complete, RDM will continue to rely heavily on residents to inform staff when drainage systems are not functioning properly and need maintenance.

Traffic Control and Traffic Safety

This category of requests includes such tasks as sign installation, traffic calming, pavement marking, and traffic signal and school zone light maintenance. RDM crews perform many of these tasks; the remainder are performed by an on-call contractor.

The General Support section of RDM has a sign shop at the Powell Road compound where all signs for County-maintained roads and all street name signs for roads within Richland County (including both SCDOT and private roads) are fabricated. The General Support section is also responsible for installing all traffic control signs within the CRMS.

The Engineering Division manages requests for traffic-calming studies. Following established County policy, studies are conducted to determine whether a traffic-calming device needs to be installed on a road. Engineering performs all studies for both County- and SCDOT-maintained paved roadways. If a study meets the established criteria and qualifies for a speed hump, the Asphalt & Concrete section of RDM installs these devices at the designated location. In FY-22, 60 studies were conducted and eight roads (~13%) qualified to receive speed humps.



Speed hump installed by RDM on Whitehurst Way

Vegetation Maintenance

Vegetation maintenance includes mowing rural road shoulders, tree trimming, and clearing brush that obscures roadway visibility or restricts drainage through ditches.

Joint projects between the Transportation Penny Department and SCDOT have resulted in maintenance agreements in which the County has responsibility for mowing Shared Use Paths (SUPs) on some state roads.



Slope mower cutting County right-of-way

Mowing operations are both seasonal and affected by rainfall amount. The County does not perform this service within subdivisions; the majority of mowing and trimming activities are performed in rural areas of the County. RDM operates five slope mowers to accomplish all of its mowing responsibilities.

Tree trimming is frequently performed in response to a citizen request in the event that school buses or trucks cannot maneuver properly because of low-hanging limbs close to the roadway. Trimming can be accomplished by RDM employees and equipment or by a tree contractor, depending on the circumstances.

Emergency Maintenance and Road Hazards

The Roads & Drainage Maintenance Division (RDM) staff responds to calls 24 hours a day, with on-call personnel for after-hours emergencies. RDM crews work with other emergency response agencies to dispatch staff as needed.



RDM frequently responds to road hazards, such as trees or other obstacles blocking the roadway that could endanger the traveling public.

Emergency maintenance projects are constructed with the approval of the County Administrator or when a state of emergency is declared. During a state of emergency, all essential personnel in the department work rotating shifts to ensure around-the-clock response to keep roadways safe. Weather events such as snow and ice or hurricanes are the most common reasons for a state of emergency. When a hazard cannot immediately be corrected, staff has the ability to close a road until a safe route can be established.

Sinkhole on Waterford Drive - before

DPW staff also work with the Richland County Emergency Management Division (EMD). When EMD activates the Emergency Operations Center (EOC), the Engineering Division staffs the center to coordinate efforts and enhance communication throughout County departments.



Waterford Drive - after

Roads & Drainage – Projects Section

The Department of Public Works has a Projects section to address infrastructure needs that exceed the scope of routine maintenance. Projects in this category are of a more complex nature, require a longer time to complete, and also require some level of basic engineering analysis and design.

The Projects section performs a broad range of tasks, from drainage improvement to roadway repair, replacement of curb and gutter, and occasional work at the Jim Hamilton-L.B. Owens Airport (CUB). Projects typically start with a CSR, which is investigated by Roads & Drainage Maintenance staff. If determined to be beyond the scope of routine maintenance, RDM will refer the request to the Engineering Division for evaluation. The County Engineer determines whether the request qualifies for the internal project list or should be performed by a contractor as a Capital Improvement Project (CIP).

In FY-22, the Projects section completed 20 projects, most of which were related to drainage concerns from residents.



Morninglo ditch before maintenance



Morninglo ditch after maintenance

Capital Improvement Projects

The Department of Public Works budgets each year to complete Capital Improvement Projects through a procurement process used to select consultants and contractors.

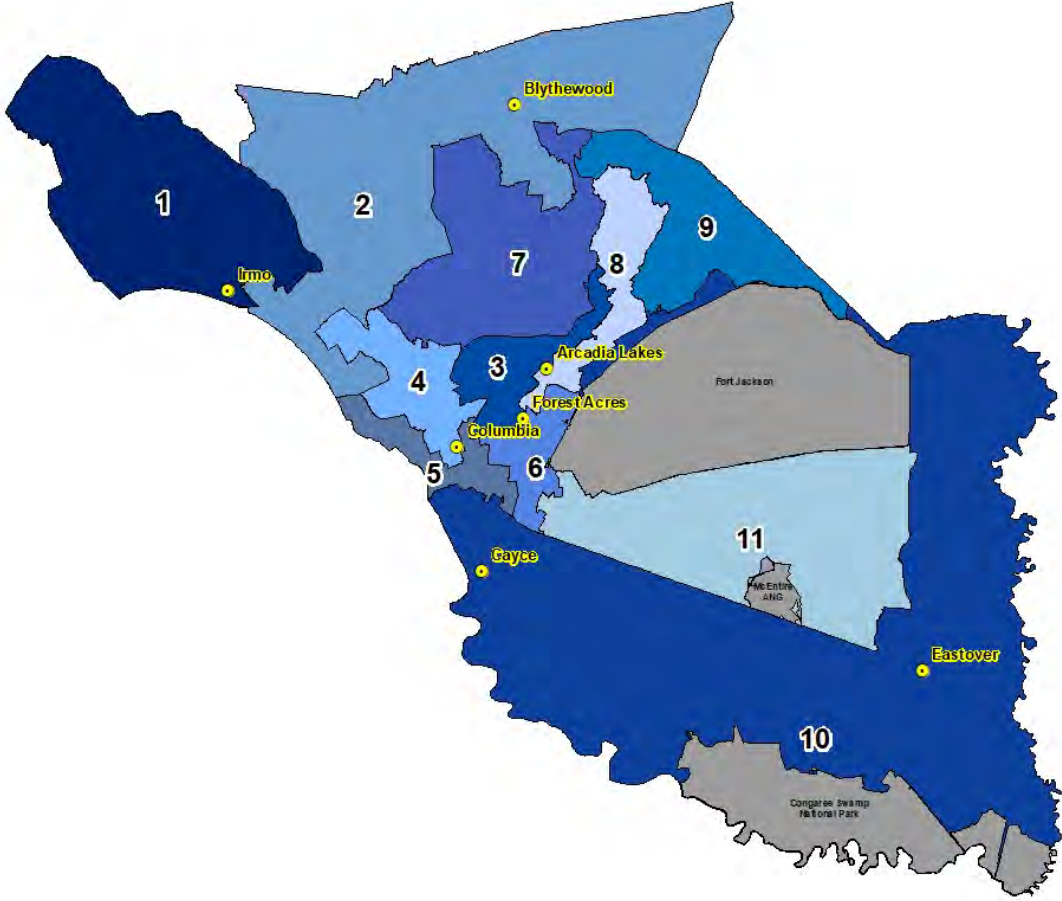


Resurfacing Hunters Pond

When the scope of a project is deemed too large for Public Works crews, a consultant and/or a contractor are engaged to perform the work to County-specified standards. The Engineering Division employs inspection staff to observe and inspect work as it is being performed.

The most common Capital Improvement Projects are road resurfacing and sidewalk construction. Comprehensive lists, by County Council district, of these projects (as well as dirt road paving) managed by the Department of Public Works and the Transportation Penny Department, follow hereafter.

Council District Map



Projects by Council District

District 1



Project	Total Mileage
Resurfacing	5.56

Resurfacing Projects:

Road Name	District	Linear Miles	Department
Averill Ln	1	0.36	Transportation
Bucktail Way	1	0.04	Transportation
Kip Ct	1	0.04	Transportation
Little Hampton Rd	1	0.19	Transportation
Osbourne Ln	1	0.25	Transportation
Ramblewood Dr	1	0.24	Transportation
Redington Way	1	0.28	Transportation
Staffwood Ct	1	0.04	Transportation
Staffwood Dr	1	0.18	Transportation
S. Royal Tower Dr	1	0.22	Transportation
Stonemedede Dr	1	0.11	Transportation
W. Royal Tower Dr	1	0.74	Transportation
Wyncliff Court	1	0.05	Transportation
Steeple Ridge Rd	1	1.36	Public Works
Laurent Way	1	0.81	Public Works
Dunleith Way	1	0.37	Public Works
Dunleith Ct	1	0.10	Public Works
Laurent Ct	1	0.12	Public Works
Cotting Ct	1	0.07	Public Works

District 2

Project	Total Mileage
Resurfacing	5.09

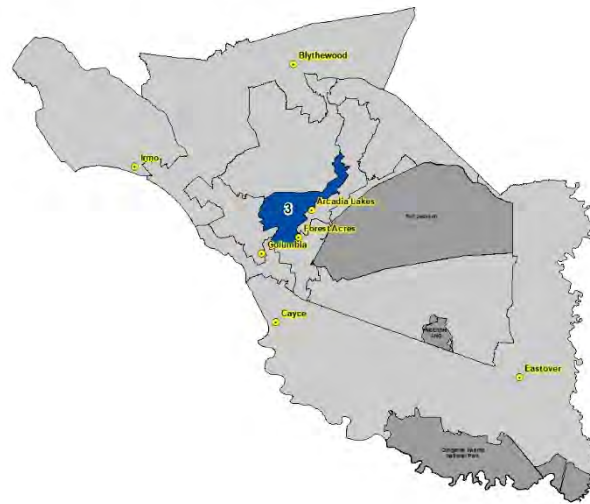


Resurfacing Projects:

Road Name	District	Linear Miles	Department
Belk Ct	2	0.19	Transportation
Carolina Pines Dr	2	1.21	Transportation
Harper Park Rd	2	0.07	Transportation
Northpoint Blvd	2	1.23	Transportation
Oak Knoll Dr	2	0.40	Transportation
Ramsgate Dr	2	0.32	Public Works
Rolling Hills Dr	2	0.32	Public Works
Rolling Hills Cr	2	0.02	Public Works
Hunters Run Dr	2	0.23	Public Works
Bowhunter Dr	2	0.66	Public Works
Bear Rock Dr	2	0.08	Public Works
Duck Pt	2	0.03	Public Works
Grouse Ct	2	0.03	Public Works
Labrador Dr	2	0.17	Public Works
Ranger Ln	2	0.05	Public Works
Coyote Ln	2	0.07	Public Works

District 3

Project	Total Mileage
Resurfacing	0.53



Resurfacing Projects:

Road Name	District	Linear Miles	Department
Olde Springs Rd	3	0.53	Transportation

District 4

Project	Total Mileage
Resurfacing	0.36

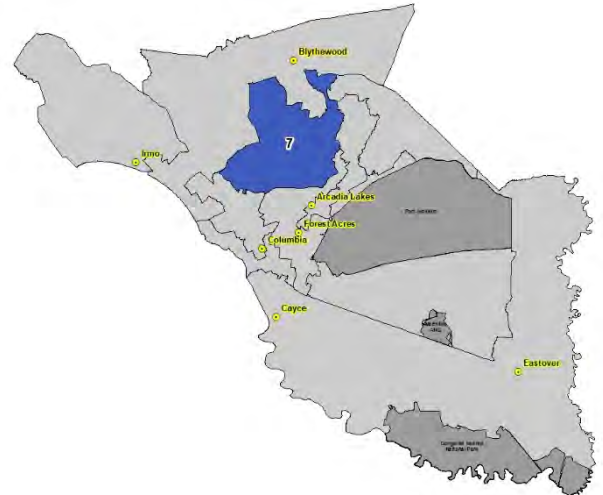


Resurfacing Projects:

Road Name	District	Linear Miles	Department
Garner Ln	4	0.36	Transportation

District 7

Project	Total Mileage
Resurfacing	1.65

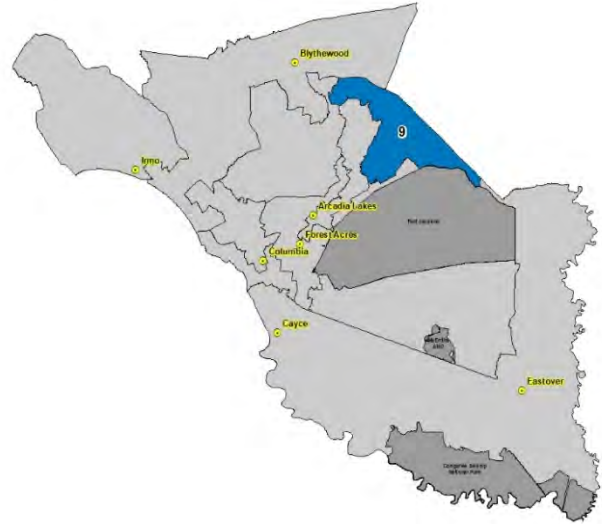


Resurfacing Projects:

Road Name	District	Linear Miles	Department
Bent Oak Ct	7	0.03	Transportation
Longtown W Rd	7,9	0.43	Transportation
Abney Estates Dr	7	0.42	Public Works
Valley Estates Dr	7	0.51	Public Works
Winding Brook Loop	7	0.21	Public Works
Abney Wood Ct	7	0.06	Public Works

District 9

Project	Total Mileage
Resurfacing	2.83

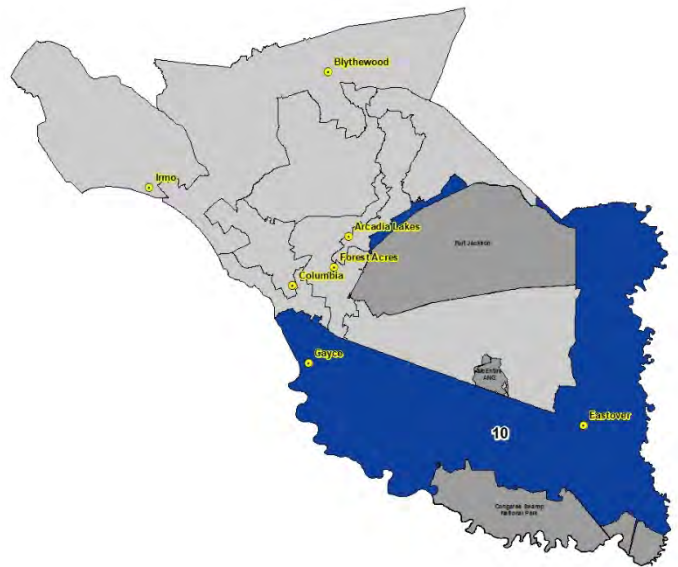


Resurfacing Projects:

Road Name	District	Linear Miles	Department
Bombing Range Rd	9	0.95	Transportation
Columbia Club Dr E	9	0.90	Transportation
Muirfield Court W	9	0.15	Transportation
Woodlands West	9	0.40	Transportation
Longtown W Rd	7,9	0.43	Transportation

District 10

Project	Total Mileage
Paving	0.54



Dirt Road Paving Projects:

Road Name	District	Linear Miles	Department
South Dr	10	0.32	Transportation
Robert James	10	0.22	Transportation

District 11

Project	Total Mileage
Resurfacing	5.77
Paving	0.41



Resurfacing Projects:

Road Name	District	Linear Miles	Department
Ashley Place	11	0.05	Transportation
Bedford Way	11	0.38	Transportation
Berkeley Forest Ct	11	0.04	Transportation
Berkeley Forest Dr	11	0.77	Transportation
Candlewood Dr	11	0.54	Transportation
Cardington Dr	11	0.73	Transportation
Exton Shore Dr	11	0.47	Transportation
Flowerwood Dr	11	0.18	Transportation
Greys Ct	11	0.03	Transportation
Jadetree Ct	11	0.05	Transportation
Jadetree Dr	11	0.36	Transportation
Kildare Dr	11	0.06	Transportation
Mountainbrook Dr	11	0.42	Transportation
Padgett Woods Blvd	11	0.10	Transportation
Pear Tree Cir	11	0.36	Transportation
Prince Charles Ct	11	0.19	Transportation
Ragsdale Dr	11	0.36	Transportation
Raintree Ct	11	0.42	Transportation
Raintree Ln	11	0.18	Transportation
Regents Ct	11	0.11	Transportation

Dirt Road Paving Projects:

Road Name	District	Linear Miles	Department
Rocky Rd	11	0.17	Transportation
Barkley Rd	11	0.24	Transportation

Conclusion

The staff of the Department of Public Works is dedicated to its mission of maintenance and improvement of the County Road Maintenance System and its component infrastructure. Our goal is to create excellent public facilities and to improve the quality of life for residents today and in the future. We strive to achieve this goal through steady improvement in the effectiveness and efficiency with which we perform daily tasks. We look forward to reporting on this progress in future annual reports.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-22HR

AN ORDINANCE ESTABLISHING THE OFFENSE OF USING, DISCHARGING, SHOOTING, OR IGNITING FIREWORKS OR SIMILAR EXPLOSIVES WITHIN RICHLAND COUNTY BETWEEN CERTAIN HOURS, TO PROVIDE EXCEPTIONS, AND TO PROVIDE A PENALTY FOR EACH VIOLATION.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 18, Offenses, is hereby amended by adding:

Sec. 18-7. Fireworks and Similar Explosives

- (a) Except as otherwise provided in this section, it is unlawful for a person to use, discharge, shoot, or ignite fireworks or similar explosives within Richland County between the hours of 10:00 PM and 7:00 AM. This section may not be construed to prohibit the discharge or lighting of sparklers or similar pyrotechnic products which generate no appreciable noise at any time.
- (b) Notwithstanding the provisions of subsection (a), the permitted hours for the use of fireworks must be extended on the Fourth of July and New Year's Eve. Therefore, it is only unlawful for a person to use, discharge, shoot, or ignite fireworks or similar explosives within Richland County between the hours of 12:30 AM and 9:00 AM on July 5th and January 1st.
- (c) It is unlawful to:
 - (1) Negligently, recklessly, or intentionally direct the discharge of fireworks towards a structure, animal, or person;
 - (2) Intentionally detonate fireworks upon the land of another without express prior consent;
 - (3) Offer for sale or sell permissible fireworks to children under the age of fourteen (14) years unless accompanied by a parent;
 - (4) To ignite or detonate fireworks within six hundred (600) feet of a church, hospital, public school;
 - (5) To ignite or detonate permissible fireworks within a motor vehicle or discharge a permissible fireworks from a motor vehicle; and
 - (6) To place or throw an ignited firework into or at a motor vehicle.
- (d) A County fire or law enforcement official may seize, take, remove, or cause to be removed all stocks of fireworks or explosives held in violation of the provisions of this section.
- (e) A violation of this section is punishable by a civil penalty of up to one hundred dollars (\$100). Each violation of this section may be punished as a separate offense.

- (f) After three separate violations in a single location, the location is declared to be a public nuisance and further unlawful activities may be abated by the county sheriff or a lawful officer serving under him.
- (g) The County fire official may issue a permit authorizing the use of fireworks or a public display of fireworks or similar explosives. The fire official may, in his discretion, grant or refuse to grant the permit or grant the permit subject to restrictions and limitations provided by this ordinance or deemed necessary in the interest of public safety in connection with such public display or exhibition by the fire official.
- (h) Nothing in this article may be construed to prohibit the use of flares or similar devices necessary for the safe operation of railroads, buses, trucks, or other vehicles within the County.

SECTION II. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2022.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

First Reading:
Second Reading:
Public Hearing:
Third Reading:

To: Patrick Wright

From: Chris Ziegler

Date: May 16, 2022

Re: Fireworks Ordinance Inquiries

PUBLIC NUISANCE

The term “public nuisance” is exceptionally broad and was held in State v. Turner to be “an offense against the public order . . . of the State, being either the doing of a thing to the annoyance of the people, or the neglecting to do a thing which the common good requires. Public nuisances are not specifically classified and are generally punished by civil fines or penalties with the level of the fine similar to a state level violation, if applicable. An opinion from the Attorney General’s Office noted that Courts were favorable towards ordinances with civil penalties rather than those that establish misdemeanors. Relying on that information and looking at active state law, the fines for knowingly and wilfully discharging fireworks in a Fireworks Prohibited Zone is not more than one hundred dollars for a first offense and two hundred dollars for a second and all subsequent offenses. I believe that this is likely the closest infraction and penalty to the overall purpose of this ordinance. The time frame inquiry is one that is up to the discretion of Council. The use of fireworks in the County likely only takes place around New Years and July 4th. I believe that the best practice would be to use a short period of time for stacking violations – within a week or even just a few days.

A public nuisance can be defined and declared in the ordinance. In Section 18-4 of the Code of Ordinances of Richland County, weeds or rank vegetation at a height of two feet or more “may be deemed and declared a nuisance in the judgment of the sheriff.” Alternatively, in Section 18-6, relating to the prohibition of smoking in certain places, a violation of this section is automatically declared to be a public nuisance. The choice as to whether grant the sheriff the authority to make the judgment as to whether the use of fireworks outside of the suggested time frame is one that remains with Council. As a best practice, I think that when an issue is less clear cut it is best to introduce human judgment into the equation. Despite that belief, abatement is the goal when dealing with fireworks taking place at late hours so using the Sheriff’s department would be the best practice in my opinion. Please let me know if you have any questions that I can assist with please let me know and I will do my best to answer them promptly and completely.

Very respectfully,

Chris Ziegler