



# **RICHLAND COUNTY COUNCIL**

## **DEVELOPMENT AND SERVICES COMMITTEE**

Julie-Ann Dixon	Damon Jeter	Torey Rush (Chair)	Bill Malinowski	Seth Rose
District 9	District 3	District 7	District 1	District 5

**MARCH 25, 2014**

**5:00 PM**

**2020 Hampton Street**

### **CALL TO ORDER**

### **APPROVAL OF MINUTES**

1. Regular Session: February 25, 2014 [PAGES 3-5]

### **ADOPTION OF AGENDA**

### **ITEMS FOR ACTION**

2. Expiration of Contracts for Solid Waste Curbside Collection Service Areas 1, 3 & 4 [PAGES 6-12]
3. Safe Routes to Schools Grants [PAGES 13-15]
4. Approving Reimbursement Resolution related to preliminary expenditures related to the Lower

5. Define the vehicles subject to Section 17-10, Parking in Residential and Commercial Zones of the County [PAGES 21-27]

## **ITEMS FOR DISCUSSION / INFORMATION**

6. Report of Fire Advisory Committee

## **ADJOURNMENT**



### **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.

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# Richland County Council Request of Action

## **Subject**

Regular Session: February 25, 2014 [PAGES 3-5]

## **Reviews**

# MINUTES OF



## RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE TUESDAY, FEBRUARY 25, 2014 5:00 P.M.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

=====

### MEMBERS PRESENT

Chair: Torrey Rush  
Member: Julie-Ann Dixon  
Member: Bill Malinowski  
Member: Seth Rose

Absent: Damon Jeter

**ALSO PRESENT:** Tony McDonald, Sparty Hammett, Roxanne Ancheta, Warren Harley, John Hixon, Brad Farrar, Andy Metts, Ray Peterson, Ismail Ozbek, Beverly Harris, Monique Walters

### CALL TO ORDER

The meeting started at approximately 5:00 p.m.

### ELECTION OF CHAIR

Ms. Dixon moved, seconded by Mr. Rush, to nominate Mr. Rush for the position of Chair.

Ms. Dixon moved, seconded by Mr. Malinowski, to close the floor for nomination. The vote in favor was unanimous.

The vote in favor of electing Mr. Rush to the position of Chair was unanimous.

### APPROVAL OF MINUTES

**December 17, 2013 (Regular Session)** – Ms. Dixon moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Ms. Dixon moved, seconded by Mr. Manning, to adopt the agenda as published. The vote in favor was unanimous.

Item# 1

### ITEMS FOR ACTION

**Sewage Sludge Spray Field Applications** – Mr. Rose moved, seconded by Ms. Dixon, to forward to Council with a recommendation to draft an ordinance with input from the Conservation Commission to prohibit sewage sludge spray field applications in Richland County. A discussion took place.

**Quit Claim of Hermes Road** – Mr. Malinowski moved, seconded by Ms. Dixon, to forward to Council without a recommendation. The vote in favor was unanimous.

**Policy for Naming County-Owned Facilities** – Mr. Rose moved, seconded by Ms. Dixon, to forward to Council with a recommendation to approve a prospective naming policy which will set the tone for the future and ensure a policy is in place for the next regularly scheduled painting of the water tower. A discussion took place.

**For**  
Rose  
Dixon  
Rush

**Opposed**  
Malinowski

The vote was in favor.

### ADJOURNMENT

The meeting adjourned at approximately 5:25 p.m.

Submitted by,  
Torrey Rush, Chair

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

**Subject**

Expiration of Contracts for Solid Waste Curbside Collection Service Areas 1, 3 & 4 [PAGES 6-12]

**Reviews**

## Richland County Council Request of Action

**Subject:** Expiration of Contracts for Solid Waste Curbside Collection Service Areas 1, 3 & 4

### **A. Purpose**

County Council is requested to provide Administration with direction regarding whether any or all collection contracts for Solid Waste Curbside Collection Service Areas 1, 3 & 4 should be re-bid or whether Council prefers to authorize Administration to begin negotiations with any or all contractors that currently provide curbside service in Areas 1, 3 & 4 in anticipation of renewing contracts set to expire on December 31, 2014.

### **B. Background / Discussion**

- In January 1984 Richland County began providing county-wide curbside collection for residents through five contracted haulers.
- Richland County currently provides curbside collection service. The services provided include household garbage, recycling, yard waste, and bulk item collection.
- Upcoming negotiations associated with expiring contracts or contracts open for potential rebidding provide an opportunity to enhance our curbside service with additional services, such as 95 gallon roll carts for recycling, unlimited yard waste pick-up, and bulk and white goods collection by appointment, as is currently provided in Service Areas 2, 5A, 5B, 6 & 7.
- Negotiations or re-bidding will take into consideration current fuel surcharges and adjust the base price to a more current fuel pricing structure. At present the contract fuel surcharge base price is \$2.40 per gallon, and the average price of fuel is \$3.80 per gallon as of February 2014, which equates to a 21% fuel adjustment surcharge. By establishing a new baseline fuel price, we expect to stabilize our curbside collections cost for at least the next year since fuel prices are predicted to be flat for that time.
- If re-bidding is the preferred option, Procurement will have to issue a Request for Proposals and make the award well before December 31, 2014.
- Service Area contracts that will be expiring are ASI in Area 1 with approximately 16,000 homes (Appendix A); Advanced Disposal Services in Area 3 with approximately 14,000 homes (Appendix B); and Waste Industries in Area 4 with approximately 17,000 homes (Appendix C).

### **C. Legislative / Chronological History**

Although this is a staff-initiated request and there is no legislative history, a similar action was requested in November of 2011 for Service Areas 2 & 6 and again in March of 2013 for Areas 5A, 5B and 7. Service Areas 2, 5A, 5B, 6 and 7 contracts were re-negotiated with the respective haulers who had the contracts at the time.

### **D. Financial Impact**

There is no anticipated financial impact associated with this request at this time other than the built in CPI increases and potential increases in fuel costs.

### **E. Alternatives**

1. Direct administration to begin new contracts negotiations with one or more current contractors for Service Areas 1, 3 & 4.
2. Direct administration to rebid one or more of Service Areas 1, 3 and 4.

Item# 2

**F. Recommendation**

It is recommended that Council choose Alternative 1 to initiate new contract negotiations with current service providers for Service Areas 1, 3 & 4. This would allow Administration to investigate the possibility of additional services and collection cost adjustments as well as modify the fuel surcharge to a more current rate. The intent would be to agree on contracts similar to those in Service Areas 2, 5A, 5B, 6 and 7, which went into effect January 31, 2014.

Recommended by: **Rudy Curtis**                      Department: **Solid Waste & Recycling**                      Date: **3/3/14**

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by: Daniel Driggers                      Date: 3/9/14  
 Recommend Council approval                       Recommend Council denial  
Comments regarding recommendation:

Recommend approval of negotiation process based on no financial impact.

I would encourage the County to consider having the Procurement Director provide an estimated date that the County should make a decision on pursuing alternative 2 if that option is selected that would allow staff time for the bid process to be completed prior to the December 2014 contract end date. One option is for this date to establish an end date of the allowable time period for the negotiation phase and would still maintain a valid option for re-bidding the contracts if the negotiations do not produce results in the best interest of the County and users of the citizen.

Additionally, if alternative 2 is considered, the County should evaluate the hauler contracts to determine if it includes any required notification period of both parties of the intent of changes in service agreement to ensure that the County meets the requirements based on the contract.

Procurement

Reviewed by: Rodolfo Callwood                      Date: 3/10/14  
 Recommend Council approval                       Recommend Council denial  
Comments regarding recommendation: **Recommend alternative #2**



Legal

Reviewed by: Elizabeth McLean

Date: 3/10/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion. As Mr. Driggers suggests, if the contracts are to terminate at the end of the contract period, the language should be reviewed for possible notification requirements. Additionally, I would recommend that the same criteria be used here to determine whether to re-negotiate or re-bid as was used for the prior expiring hauler contracts.

Administration

Reviewed by:

Date:

Recommend Council approval

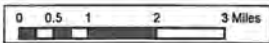
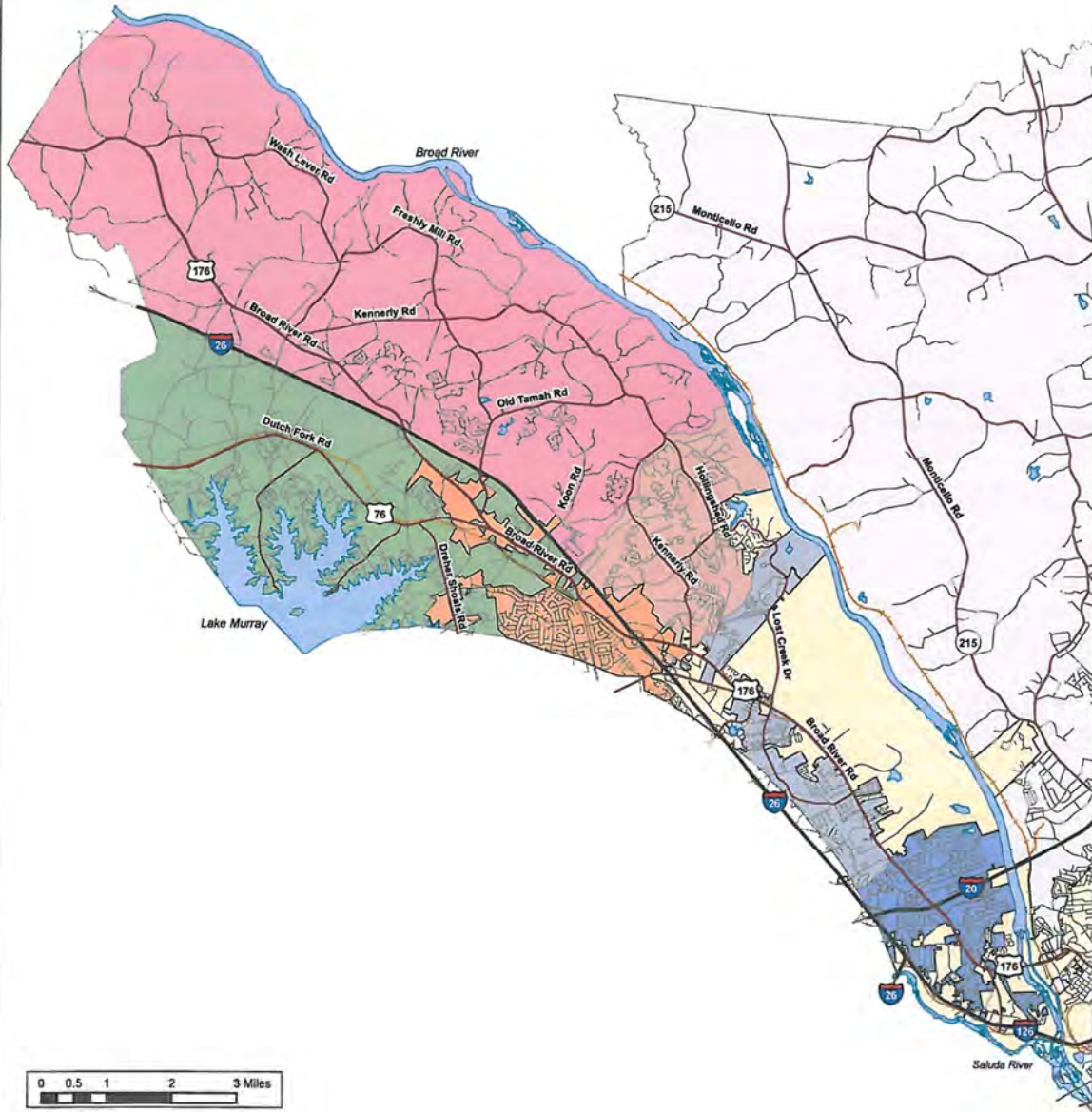
Recommend Council denial

Comments regarding recommendation:

Agree with Mr. Driggers that if Council decides on Alternative 2 appropriate time must be given to go through the bidding process.

# RC SWR Area 1 Collection

## Appendix A



### Legend

#### Municipalities

- Columbia
- Irmo

#### Solid Waste Collection Zones

Garbage, Recycling, Yard Waste  
Same day collection

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday



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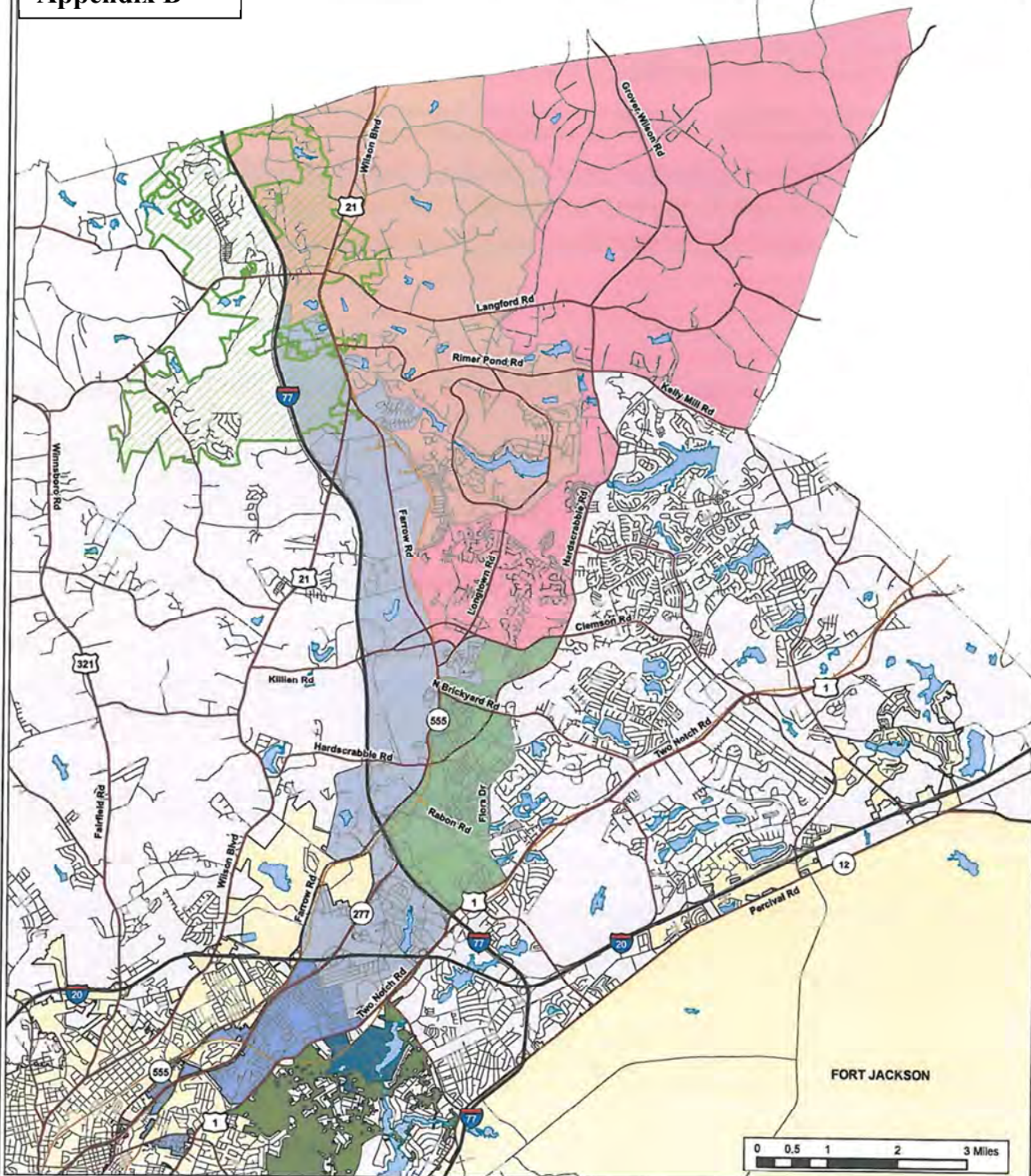
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Item# 2

# RC SWR Area 3 Collection

Appendix B



## Legend

### Municipalities

-  Blythewood (RC Collection)
-  Arcadia Lakes
-  Columbia
-  Forest Acres

### Solid Waste Collection Zones

Garbage, Recycling, Yard Waste  
Same day collection

-  Monday
-  Tuesday
-  Wednesday
-  Thursday
-  Friday



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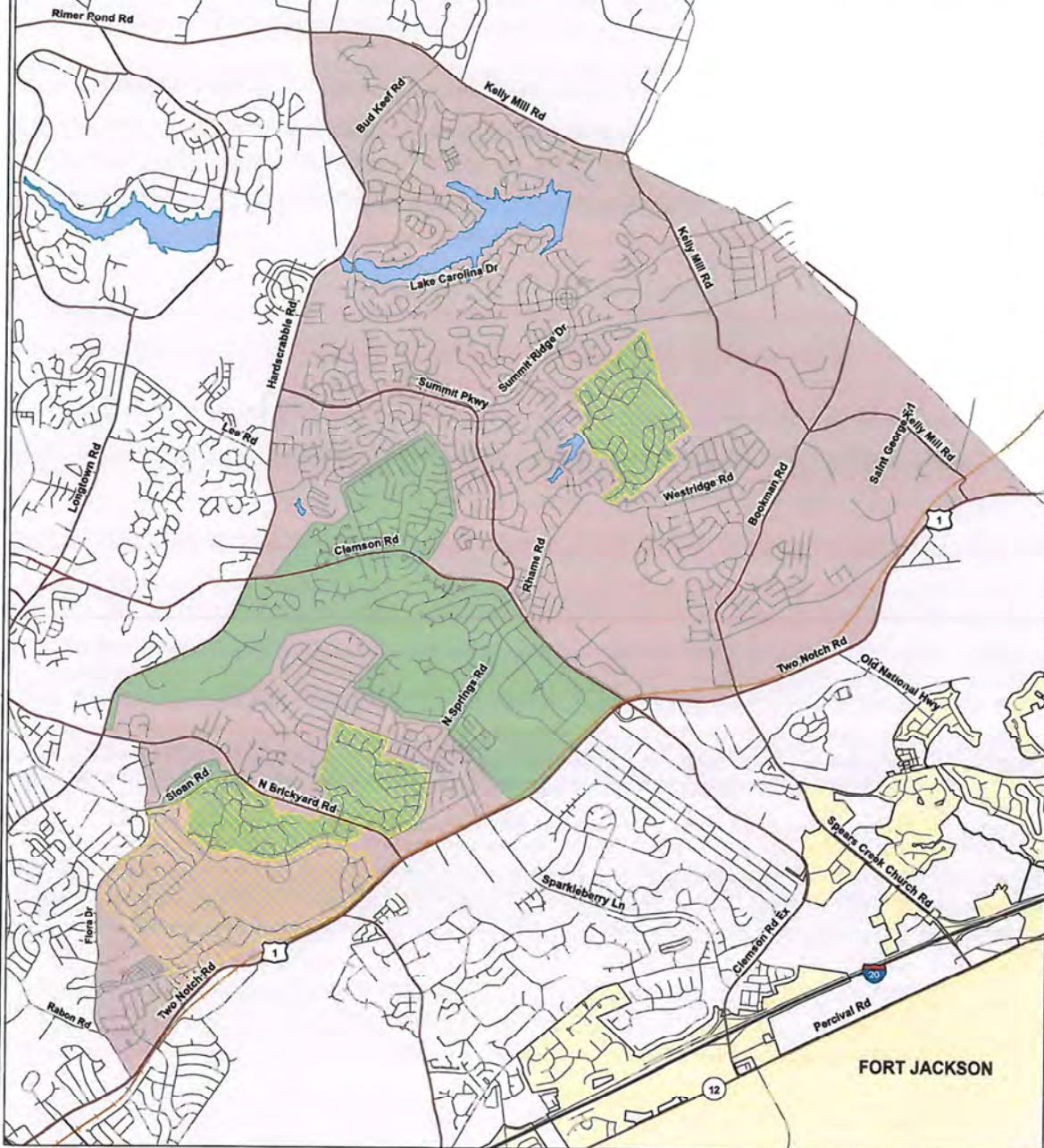
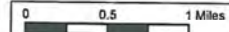
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Item# 2

# RC SWR Area 4 Collection

Appendix C



## Legend

### Municipalities

Columbia

### Solid Waste Collection Zones

All Areas:  
Recycling Friday, Yard Waste Wednesday

### Garbage Collection

Monday

Tuesday

Backyard Collection



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Item# 2

# Richland County Council Request of Action

## **Subject**

Safe Routes to Schools Grants [**PAGES 13-15**]

## **Reviews**

# Richland County Council Request of Action

**Subject:** Safe Routes to Schools Grants

## **A. Purpose**

County Council is requested to support the utilization of SCDOT Safe Routes to Schools Program for constructing sidewalks to connect schools to neighborhoods.

## **B. Background / Discussion**

On March 4, Councilwoman Dixon presented the following motion:

*To have Richland County Council utilize SCDOT grant funding under their Safe Route to Schools Program, availability to put sidewalks from schools to connect to neighborhoods.*

The Safe Routes to School Program enables and encourages children to safely walk and bicycle to and from school. The annual Program, managed by SCDOT, assists schools and communities in the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools while promoting a healthy lifestyle for children and their parents.

Eligible K-8 schools may directly apply for funding. At this time, Richland County does not need to apply for funds but provide support to individual schools with for their applications. County Council support is requested to help strengthen infrastructure (sidewalks) grant applications submitted by the schools each year. Support may include individual Council members writing a letter on the school's behalf and/or contacting other agencies such as the Central Midlands COG to help build project partnerships as well in order to strengthen school grant applications.

With stronger partnerships, the goal is to assist Richland County schools to apply for and secure as much in grant funds as possible creating safe travel environments for students, parents, staff and teachers.

## **C. Legislative / Chronological History**

March 4, 2014     Motion made by Councilwoman Dixon

## **D. Financial Impact**

There is no financial impact.

## **E. Alternatives**

1. Approve the request for Richland County to support schools in their applications for SCDOT grant funding under their Safe Route to Schools Program.

Item# 3

2. Do not approve the request for Richland County to support schools in their applications for SC DOT grant funding under their Safe Route to Schools Program.

## F. Recommendation

This motion was made by Ms. Dixon. This is a policy decision for Council.

Recommended by: Julie-Ann Dixon Department: County Council Date: 3/4/14

## G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

### Finance

Reviewed by: Daniel Driggers

Date: 3/12/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

### Public Works

Reviewed by: Ismail Ozbek

Date: 3/12/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

### Grants

Reviewed by: Sara Salley

Date: 3/13/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

### Legal

Reviewed by: Elizabeth McLean

Date: 3/13/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion.

### Administration

Reviewed by: Sparty Hammett

Date: 3/13/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

# Richland County Council Request of Action

**Subject**

Approving Reimbursement Resolution related to preliminary expenditures related to the Lower Richland Sewer System Project Phase I [**PAGES 16-20**]

**Reviews**



## Richland County Council Request of Action

**Subject:** APPROVING REIMBURSEMENT RESOLUTION RELATED TO PRELIMINARY EXPENDITURES RELATED TO THE LOWER RICHLAND SEWER SYSTEM PROJECT PHASE I

### A. Purpose

County Council is being requested to adopt a reimbursement resolution in connection with preliminary expenditures related to the Lower Richland Sewer System Project Phase I.

### B. Discussion

The County has been approved for funding by the United States Department of Agriculture, Rural Development, for the Lower Richland Sewer System Project Phase I. Before the County can be in a position to meet the terms of the letter of conditions and to seek interim financing for the project, there are certain expenses to be incurred including but not limited to design work. Rather than to seek financing for these costs, it would be in the best interest of the County to advance these funds from the Broad River Utility System. In order for the County to be able to reimburse the Broad River System for these expenses when the project is ready for interim financing and interim financing is obtained, the Internal Revenue Service requires that County Council adopt a reimbursement resolution setting forth its intentions to make the reimbursement.

### C. Financial Impact

The direct financial impact of an approval of this request would result in up to \$1,000,000 being temporarily transferred to the Lower Richland Sewer System from the Broad River Utility System. The intent is that the amounts advanced would be repaid within 18 months of the initial expenditure from interim financing.

### D. Alternatives

1. Approve the request to adopt the Resolution,
2. Do not approve the request, thereby requiring either :
  - (a) the County not reimburse itself
  - (b) the County incur debt to cover the preliminary expenditures

### E. Recommendation

#### Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

#### Utilities

Reviewed by Andy Metts:

Date: 3/7/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Item# 4

**Finance**

Reviewed by Daniel Driggers:

Recommend Council approval

Comments regarding recommendation:

Date: 3/9/14

Recommend Council denial

Recommendation to approve temporary short-term funding is based on the fact that a) the project has already been approved by Council and b) the resolution requires repayment on the funds from other sources (interim financing of bonds or general fund dollars) within 18 months of the initial expenditure.

The County currently operates a Lower Richland Utility System which provides water and sewer service. Although they are combined for operating efficiency, financing through Rural Development (R/D) requires that each system be independently self-supportive. It is advisable that the County re-evaluate the sewer rate structure and estimates for growth for the Lower Richland Sewer System prior to committing to the long-term loan covenants to minimize the risk of non-compliance with the agreements.

As stated the County currently has R/D financing for the Lower Richland Water project and the County has recently been advised by R/D that the current user rates are not meeting the County estimates and are not generating enough revenue to support the water system at an appropriate level to be considered self-sufficient. Therefore an increase in the water user rate or other funding source will need to be identified during the FY15 budget in order for the County to be compliant with the loan covenants.

**Legal**

Reviewed by Elizabeth McLean:

Recommend Council approval

Comments regarding recommendation:

Date:

Recommend Council denial

**Administration**

Reviewed by Sparty Hammett:

Recommend Council approval

Comments regarding recommendation:

Date: 3/12/14

Recommend Council denial

A RESOLUTION

RELATING TO THE DECLARATION OF INTENT BY RICHLAND COUNTY, SOUTH CAROLINA, TO REIMBURSE CERTAIN EXPENDITURES PRIOR TO THE ISSUANCE BY THE COUNTY OF ITS TAX-EXEMPT DEBT.

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have promulgated Section 1.150-2 of the Treasury Regulations (the "Regulations") which authorizes an issuer to reimburse itself from the proceeds of tax-exempt debt; and

WHEREAS, Richland County, South Carolina (the "County"), anticipates incurring certain expenditures up to \$1,000,000 (the "Expenditures") relating to the design work for Lower Richland Sewer System Project Phase I (the "Project") prior to the issuance by the County of tax-exempt debt for such purpose; and

WHEREAS, the County intends to fund the Project from proceeds of tax-exempt debt not to exceed \$9,359,000; and

WHEREAS, the Regulations require that the governing body of the political subdivision declare an official intent to reimburse an expenditure prior to the incurrence of the expenditure.

Pursuant to the authority 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 1. The Richland County Council (the "Council") hereby declares that this Resolution shall constitute its declaration of official intent pursuant to Regulation § 1.150-2 to reimburse the County from the proceeds of debt financing to be issued pursuant to South Carolina state law, for Expenditures with respect to the Project. The Council anticipates incurring Expenditures with respect to the Project prior to the issuance by the County of debt financing for such purposes.

Section 2. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid, or (b) the date the Project was placed in service, but in no event more than three (3) years after the original Expenditures; provided, however, it is intention of Council that the reimbursement be made within eighteen (18) months of the initial expenditure from the proceeds of interim financing related to the Project.

Section 3. The Expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one (1) year.

Section 4. The Council hereby authorizes the use of funds of the Broad River Utilities System or other funds on hand as the source of funds for the Expenditures with respect to the Project.

Section 5. This Resolution shall be in full force and effect from and after its adoption as provided by law. This Resolution shall be made available for inspection during normal business hours by the general public at the offices of the County.

PASSED, APPROVED, AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

RICHLAND COUNTY, SOUTH CAROLINA

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

Norman Jackson, Chair  
Richland County Council

(SEAL)

ATTEST THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014:

\_\_\_\_\_  
Interim Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

Item# 4

# Richland County Council Request of Action

## **Subject**

Define the vehicles subject to Section 17-10, Parking in Residential and Commercial Zones of the County [**PAGES 21-27**]

## **Reviews**

## Richland County Council Request of Action

**Subject:** Define the vehicles subject to Section 17-10, Parking in Residential and Commercial Zones of the County.

**A. Purpose**

County Council is requested to approve the ordinance amendment that will more clearly define the vehicles prohibited from parking in residential and commercial zones of the County.

**B. Background / Discussion**

Section 17-10's definitions and substantive provisions are antiquated, they do not take into account gross vehicle weight ratings, and create confusion by focusing on the number of axles rather than the size and purpose of the vehicles sought to be regulated. There also is no active loading and unloading/delivery section or provision for vehicles that might otherwise be subject to the penalties in the ordinance that are in residential and commercial areas for purposes of providing temporary services, making repairs, or deliveries. The County has received citizen complaints regarding the current section based on the above concerns, which are addressed in this proposed revision, and the amendment is intended to clarify these numerous issues and make enforcement of section 17-10 more practical and uniform.

**C. Legislative / Chronological History**

On March 4, 2014, Council approved a motion sponsored by the Honorable Norman Jackson as follows:

*“Revisit the ordinance on having commercial vehicles parked in neighborhoods or residential communities.”*

**D. Financial Impact**

There is no financial impact associated with this request.

**E. Alternatives**

1. Approve the ordinance amendment that will more clearly define the vehicles prohibited from parking in residential and commercial zones of the County.
2. Do not approve the ordinance amendment that will more clearly define the vehicles prohibited from parking in residential and commercial zones of the County.

**F. Recommendation**

This recommendation was made by the Honorable Norman Jackson. This is a policy decision for Council.

Recommended by: Norman Jackson      Department: County Council      Date: March 4, 2014

**G. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 3/11/14

Recommend Council approval

Recommend Council denial

✓ Recommend Council discretion

Comments regarding recommendation:

Recommendation based on no financial impact noted

**Sheriff**

Reviewed by: Deputy Chief Stephen Birnie

Date: 03/12/14

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval provided a perfecting amendment striking references to “right-of-way”. It is difficult for the enforcing deputy to determine where a “right-of-way” begins and ends. Insert “public street or roadway” as appropriate.

**Legal**

Reviewed by: Elizabeth McLean

Date: 3/18/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. As to Chief Birnie’s comments, I would recommend, if Council deems it necessary, adding the language suggested along with “right-of-way”. Right of way and roadway would be defined differently, with right-of-way giving more leeway.

**Administration**

Reviewed by: Warren Harley

Date:

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-14HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 17, MOTOR VEHICLES AND TRAFFIC; ARTICLE II, GENERAL TRAFFIC AND PARKING REGULATIONS; SECTION 17-10, PARKING IN RESIDENTIAL ZONES OF THE COUNTY; SO AS TO DEFINE VEHICLES SUBJECT THERETO.

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

SECTION I. The Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential Zones of the County; is hereby amended to read as follows:

**Section 17-10. Parking in residential zones of the county.**

(a) It shall be unlawful for a truck tractor, a semi-trailer, ~~or a trailer having more than two (2) axles, or a trailer having more than two (2) axles~~ to be parked on any public street, road, ~~right-of-way~~ or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended. For the purpose of this ~~paragraph~~ section, the following definitions shall apply:

- (1) *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles; and not so constructed as to carry a load other than a part of the weight of the vehicle and the load ~~so~~ drawn.
- (2) *Semi-trailer* means every vehicle ~~having more than two (2) axles~~, with or without motive power, ~~other than a pole trailer~~, designed for carrying persons or property and for being drawn by a motor vehicle, and ~~so~~ constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (3) *Trailer* means every vehicle ~~having more than two (2) axles~~, with or without motive power, ~~other than a pole trailer~~, designed for carrying persons or property and for being drawn by a motor vehicle, and ~~so~~ constructed that no part of its weight rests upon the towing vehicle; provided, however, that a “utility trailer” used solely for the transportation of the user’s personal property, not in commerce, which does not exceed a gross weight of 10,000 pounds, or a manufacturer’s gross vehicle weight rating (GVWR) of 10,000 pounds, may be kept in the user’s residential backyard.



(4) Vehicle means every device in, upon, or by which a person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

(5) Motor Vehicle means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(b) Except as is provided in subsection (c), below, it shall be unlawful for any truck tractor, semi-trailer or trailer to be parked, stored or located on a lot in any residential zoning district in the unincorporated areas of the county [except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district] unless such truck tractor, semi-trailer or trailer is parked, stored or located in an enclosed garage or in a carport at the residence where it is parked, stored or located.

(c) Notwithstanding subsections (a) and (b), above, truck tractors, semi-trailers or trailers that are in active use in the provision of a service or delivery or removal of property or material at or from a residence in a residential zoning district may park on the public street, road, right-of-way or lot at which the service is being provided or the delivery or removal is being made, for only the duration of the service provision or delivery or removal as provided for herein. For purposes of this section, “active loading or unloading” shall include, but not be limited to, the delivery or removal of furniture, yard trash or debris, household or building materials, tangible personal property and the like, evidenced by the active involvement (e.g., the loading, unloading, service provision or supervision thereof) of the owner, operator, delivery personnel, service provider, or other person responsible for parking or causing to be parked the truck tractor, semi-trailer or trailer while the truck tractor, semi-trailer or trailer is parked on the public street, road, right-of-way or lot subject to this section. For purposes of this section, “active loading and unloading” does not include parking or “staging” a truck tractor, semi-trailer or trailer, leaving the same unattended and then engaging in loading, unloading, removal or service provision at a subsequent point.

~~(bd)~~ It shall be unlawful for an ~~automobile vehicle~~, motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid licenses to be parked on any public street, ~~or~~ road, ~~right-of-way~~ or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

~~(ee)~~ All motor vehicles ~~and~~/or trailers without a valid state-issued license plate permitting operation on public roads and highways, which are stored, parked, or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such covered vehicle shall not be visible from the public right-of-way. Licensed automobile dealerships, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as

temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

(~~df~~) Any motor vehicle ~~and~~/or trailer that is not capable of operating in accordance with South Carolina law ~~and~~/or capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential or commercial zoning district in the unincorporated areas of the county (except for those parcels that are five (5) acres or greater in the (RU) Rural zoning district) for more than ~~a single period of~~ thirty (30) consecutive days during any calendar year unless it is kept in an enclosed garage, in a carport ~~attached to the residence~~, or protected from the elements by a fitted cover; provided, however, in the case of a vehicle protected from the elements by a cover, such vehicle shall not be visible from the public right-of-way.

(~~eg~~) *Penalties:* Unless otherwise prescribed by law, any owner ~~and/or operator~~ of a motor vehicle and/or trailer violating the provisions of this section shall be deemed guilty of a misdemeanor.

(~~fg~~) *Administration and enforcement:* The Sheriff of ~~the~~ Richland County shall be authorized to enforce the provisions of this section and to engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2014.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Norman Jackson, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2014

\_\_\_\_\_  
Michelle Onley  
Clerk of Council

First Reading:

Item# 5

Second Reading:  
Public Hearing:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Report of Fire Advisory Committee

**Reviews**