



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

**JULY 22, 2014
5:00 PM**

2020 Hampton Street

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: June 24, 2014 [PAGES 4-7]

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Parking in Residential and Commercial Zones of the County [PAGES 8-13]
3. Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities [PAGES 14-20]

4. Mobile Home Park Regulations that are enforced by the Building Codes and Inspections Department [PAGES 21-47]
5. Stickers for Recycling Carts [PAGES 48-51]
6. Interstate Interchange Lighting Project [PAGES 52-62]
7. Undergrounding of Utilities on Transportation Penny Projects [PAGES 63-66]

ITEMS FOR DISCUSSION / INFORMATION

8. Report of Fire Advisory Committee

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

9. Sewage Sludge Spray Field Applications [PAGE 68]
10. RC Souvenirs [PAGE 69]

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.

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 Request of Action

Subject

Regular Session: June 24, 2014 [**PAGES 4-7**]

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE TUESDAY, JUNE 24, 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.

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MEMBERS PRESENT

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

ALSO PRESENT: Kelvin E. Washington, Sr., Greg Pearce, Paul Livingston, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Warren Harley, John Hixon, Andy Metts, Sara Salley, Ismail Ozbek, Brad Farrar, Ray Peterson, Brandon Madden, Nancy Stone-Collum, Rudy Curtis, Dale Welch, Anna Lange, Monique McDaniels, Monique Walters, Michelle Onley

CALL TO ORDER

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

APPROVAL OF MINUTES

May 27, 2014 (Regular Session) – Mr. Rose moved, seconded by Mr. Malinowski, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Malinowski moved, seconded by Mr. Rose, to adopt the agenda as published. The vote in favor was unanimous.

ITEMS FOR ACTION

Sustainability Policy – Mr. Malinowski moved, seconded by Ms. Dixon, to forward to Council with a recommendation to forward this item to Council to approve the Sustainability Policy to further define sustainability as a core value for Richland County. The vote in favor was unanimous.

High Performance Building Policy Options – Mr. Malinowski moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation to require that all major facility projects for County owned facilities meet the ENERGYSTAR Certification Rating, and strive to meet LEED or Green Globes certification to achieve the lowest thirty-year life cycle cost when funding allows. The vote in favor was unanimous.

Richland County Souvenirs – Mr. Jeter moved, seconded by Ms. Dixon, to hold this item in committee to obtain additional information. The vote in favor was unanimous.

Richland County Commission on Aging – Mr. Malinowski moved, seconded by Ms. Dixon, to forward this item to Council with a recommendation to form a committee to review services provided to the seniors in Richland County by existing agencies. The vote in favor was unanimous.

County Recycling Services – Mr. Malinowski moved, seconded by Mr. Rose, to forward to Council with a recommendation to not initiate the competitive procurement process for the County's recycling services at this time. A discussion took place.

The vote in favor was unanimous.

Department of Public Works: Denton Dr. Ditch Stabilization Project – Mr. Jeter moved, seconded by Ms. Dixon, to forward to Council with a recommendation to approve the request to fund the Denton Drive Ditch Stabilization Project in the amount of \$197,120. The vote in favor was unanimous.

Expiration of County's Municipal Solid Waste Disposal Contract – Mr. Rose moved, seconded by Ms. Dixon, to forward to Council with a recommendation to approve the extension of the County's municipal solid waste disposal contract with Waste Management of SC and bring back the final negotiated amount at the July 1st Council meeting. The vote in favor was unanimous.

RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property – Mr. Jeter moved, seconded by Mr. Rose, to forward to Council with a recommendation to approve the request for the Conservation Commission to contribute \$20,000 of FY15 funds toward the purchase of the original Olympia School for use as a mill village museum and community space. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Ms. Dixon, to forward to Council with a recommendation to forward to the July A&F Committee meeting. The vote in favor was unanimous.

Acceptance of parcel at 2207 Decker Blvd. – Mr. Jeter moved, seconded by Ms. Dixon, to forward to Council without a recommendation. The vote in favor was unanimous.

Fund Richland County Recreation Commission to provide transportation for 3 facilities – Mr. Malinowski moved, seconded by Mr. Jeter, to defer this item in committee. The vote in favor was unanimous.

South Carolina Rural Infrastructure Grant Approval and Additional Funding for Project Engineering Design and Easement Acquisition – Mr. Jeter moved, seconded by Ms. Dixon, to forward to Council with a recommendation to approve the acceptance of the Rural Infrastructure

Authority grant in the amount of \$350,000 and identify the source and allocate \$60,000 to be used for engineering design and easement acquisition. The vote in favor was unanimous.

ITEMS PENDING ANALYSIS

Parking in Residential and Commercial Zones of the County – Held in committee.

Mobile Home Park Regulations that are enforced by the Building Codes and Inspection Department – Held in committee.

ADJOURNMENT

The meeting adjourned at approximately 6:00 p.m.

Submitted by,

Torrey Rush, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Parking in Residential and Commercial Zones of the County **[PAGES 8-13]**

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. ____ -11HR

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; **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 is hereby amended to read as follows:

Sec. 17-10. Parking in residential and commercial zones of the county.

(a) It shall be unlawful for a truck tractor, a semi-trailer ~~having more than two (2) axles~~, or a trailer ~~having more than two (2) axles~~ to be parked on any public street, road, 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 ~~section paragraph~~, 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.

(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) Active loading, unloading and service provision exception: Notwithstanding subsection (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.

~~(b)~~(d) It shall be unlawful for an ~~n-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, road, or 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.

~~(e)~~(e) 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 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.

~~(d)~~(f) 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, 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.

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

~~(f)~~(h) *Administration and enforcement.* The Sheriff of Richland ~~the e~~ 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 _____.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chair

ATTEST THIS THE _____ DAY

OF _____, 2014

Clerk of Council

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

Richland County Council Request of Action

Subject

Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities [**PAGES 14-20**]

Reviews

Richland County Council Request of Action

Subject: Fund Richland County Recreation Commission to Provide Transportation for 3 Facilities

A. Purpose

Richland County Council is requested to approve appropriating \$35,000 from the General Fund to fund Richland County Recreation Commission (RCRC) to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.

B. Background / Discussion

At the 3rd reading budget meeting on June 12, 2014, Councilman Washington made the following motion:

“Fund \$35,000 from general fund to Richland County Park and Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.”

The three locations mentioned in the budget motions list where transportation is being requested are Killian Park, Denny Terrace Community Center, and Hopkins Park Adult Activity Center. This item was forwarded to the June D&S Committee.

RCRC has three adult activity centers (Parklane, Garners Ferry and Hopkins) – see attached maps – that provide programs and services for adults, ages 21 and older in Richland County. Also, they provide a variety of programs and services for senior citizens, including:

- Social programs
- Wellness education
- Traveling opportunities
- Fitness Programs

Fitness programs offered at RCRC facilities for seniors are free, including their arthritic fitness activities. All patrons can pay \$1 a day, \$10 a month or \$75 a year to use RCRC fitness equipment at their facilities.

Meals for seniors, provided by Senior Resources, are offered at Killian Park, Denny Terrace Community Center, and Hopkins Park Adult Activity Center.

Currently, RCRC does not transport senior citizens to and from their homes to various destinations for RCRC programs or services. RCRC provides traveling opportunities for senior citizens for field trips. However, participants are required to contribute some funding for the use of RCRC vehicles. The amount of their contribution is based on the activity

requiring transportation. RCRC has a 15 passenger van and a 14 passenger adult leisure bus for traveling.

C. Legislative / Chronological History

There is no legislative or chronological history other than the stated motion.

D. Financial Impact

For FY 15, the County would incur a direct cost of \$35,000. The motion requests funding this item from the General Fund. RCRC would be responsible for ensuring the funds are used as stated in the motion (“transporting Senior Citizens to and from home and also trips to various destinations for programming purposes” for the 3 facilities outlined in the motion). Further, it is unknown at this time if this will be a recurring annual cost, if the \$35,000 is sufficient to meet 100% of the needs at the three facilities, or if there are other similar needs that are outstanding at other RCRC facilities.

E. Alternatives

1. Approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.
2. Do not approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.
3. Fund another amount and/or other RCRC facilities for these purposes.

F. Recommendation

It is recommended that Council approve the motion to fund \$35,000 from the General Fund to Richland County Recreation Commission to provide transportation for 3 facilities to transport Senior Citizens to and from home and also trips to various destinations for programming purposes.

Recommended by: Kelvin Washington Department: County Council Date: June 12, 2014

G. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 6/18/14

Recommend Council approval

Recommend Council denial

Recommend Council discretion

Comments regarding recommendation:

The request is a funding decision for Council. During the FY15 budget process, Council approved the motion to be sent to committee for review without funding. Approval would require the identification of a funding source and based on source may require a budget amendment.

Legal

Reviewed by: Elizabeth McLean

Date: 6/19/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. Legal previously offered an opinion on this issue, which was provided to Council via email on June 11, 2014.

Administration

Reviewed by: Roxanne Ancheta

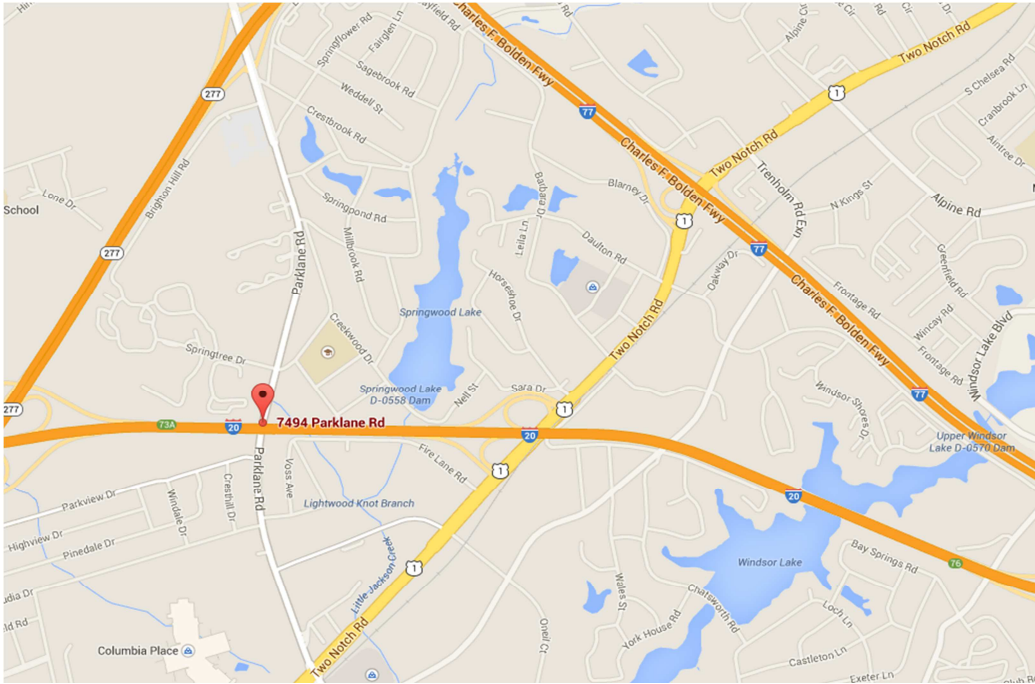
Date: June 19, 2014

Recommend Council approval

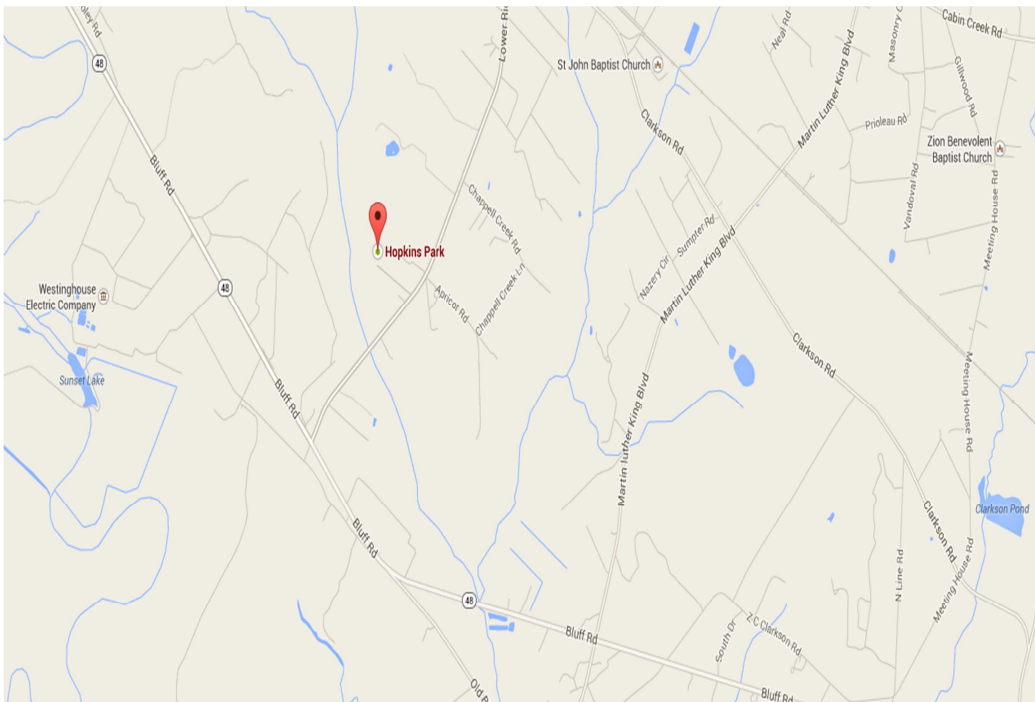
Recommend Council denial

Comments regarding recommendation: This is a policy decision at Council’s discretion. If Council approves this item a funding source will need to be identified.

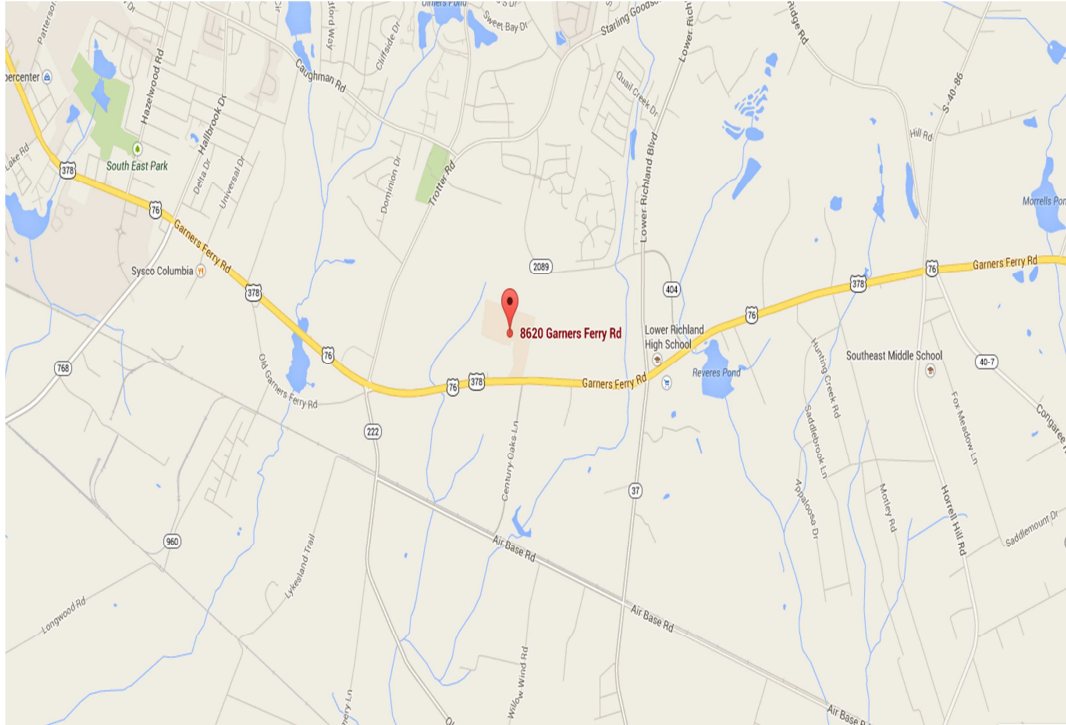
Parklane Adult Activity Center
7494 Parklane Road, Columbia, SC 29223



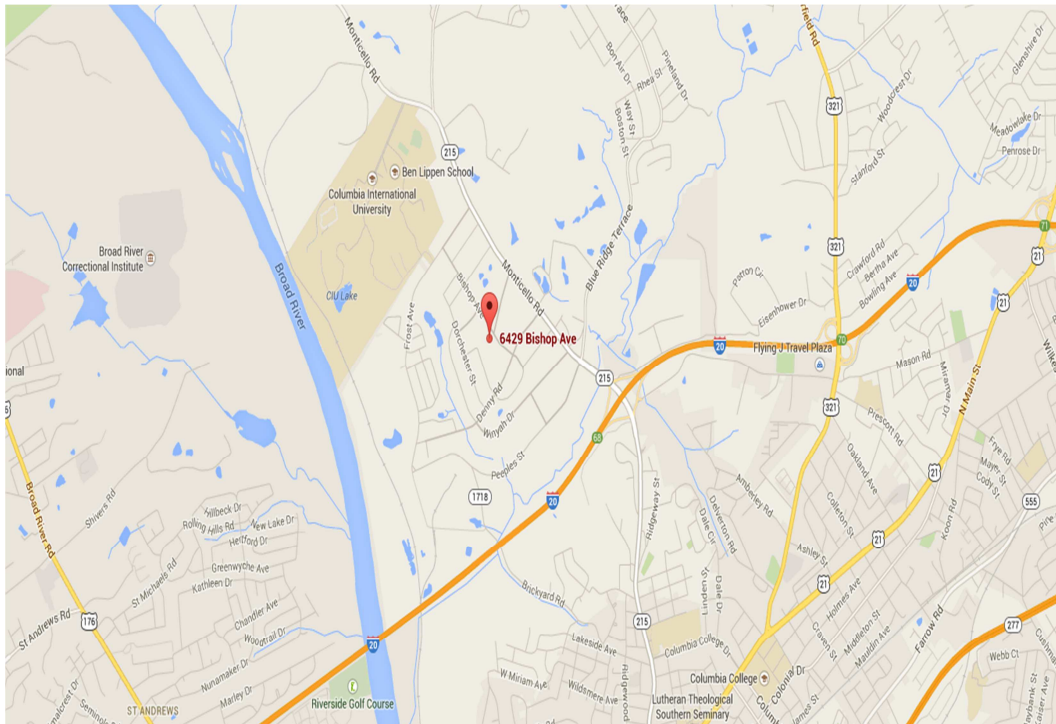
Hopkins Adult Activity Center
150 Hopkins Park Road, Hopkins, SC 29061



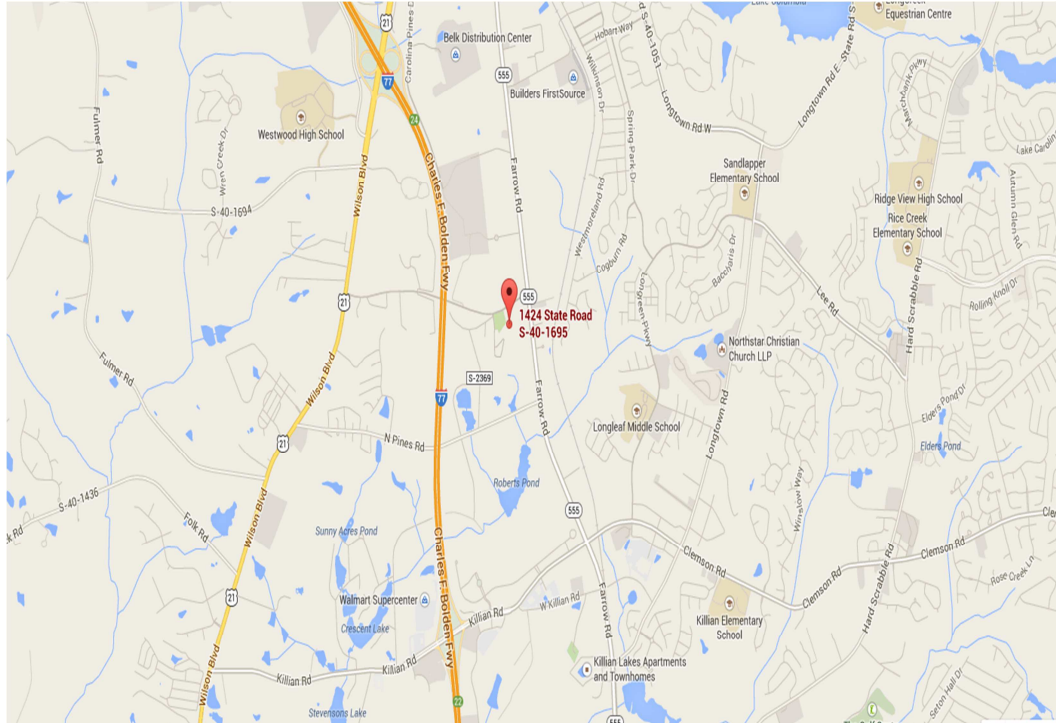
Garners Ferry Adult Activity Center
8620 Garners Ferry Road, Hopkins, SC 29061



Denny Terrace Community Center
6429 Bishop Avenue, Columbia, SC 29203



Killian Park
1424 Marthan Road, Blythewood, SC 29016



Richland County Council Request of Action

Subject

Mobile Home Park Regulations that are enforced by the Building Codes and Inspections Department **[PAGES 21-47]**

Reviews

Richland County Council Request of Action

Subject: Mobile Home Park Regulations that are enforced by the Building Codes and Inspections Department.

A. Purpose

County Council is requested to approve an amendment to Chapter 6 of the Richland County Code of Ordinances to add mobile home park regulations.

B. Background / Discussion

Mobile homes have been a housing option in Richland County for years, maybe even decades. The economy, finances, and various reasons forced many people to find inexpensive living quarters. Mobile homes are an affordable housing option. At the same time as offering price competition, they may be installed easily and quickly, and require little or no interior finishing work prior to occupation. This makes mobile homes an affordable and attractive form of housing for many, on either individual lots or in parks.

Landowners have taken advantage of a lack of lot size, home area and density requirements and have crammed as many mobile homes onto their lots as possible in an effort to extract the maximum amount of rental income from the property for the lowest investment. Basic amenities such as fresh water, adequate sewage and garbage disposal, privacy and fresh air suffered as a result. Over time, these same mobile homes become dilapidated; tenants add on illegal additions and make alterations, which is in violation of federal, state and local regulations and laws.

Federal and State Regulations of Mobile Homes:

The Federal Manufactured Housing Act of 1974 was adopted by Congress in response to the high number of injuries and deaths resulting from defects in mobile homes, to regulate the construction and safety of manufactured homes. The Department of Housing and Urban Development (HUD) was given the authority to develop nationwide construction codes to improve the construction quality. Federal regulations became effective July 15, 1976. Mobile homes manufactured after this date shall display a HUD seal or data plate to verify construction.

State regulations of mobile homes and parks are covered under the following 1976 Code of Laws and Regulations of SC:

Code of Laws:

Title 31, Chapter 17, Mobile Homes and House Trailers
Title 27, Chapter 47, Manufactured Home Park Tenancy Act
Title 40, Chapter 29, Uniform Standards Code for Manufactured Housing

Code of Regulations:

Chapter 79, Department of Labor, Licensing and Regulation-Manufactured Housing Board
Chapter 61-40, Mobile/Manufactured Home Parks

The above list covers the construction and installation of mobile/manufactured homes, except for SC Regulation 61-40, which regulates the condition of mobile home parks.

Item# 4

However, there are currently no concise local regulations which the County could use to enforce the condition and maintenance of mobile homes and mobile home parks.

According to the Assessor's Office, the County has a record of 77 mobile home parks, containing an average of 10-20 mobile homes. Four of these mobile home parks contain over 100 mobile homes and one park has 370 mobile homes. There are 9,357 registered mobile homes in Richland County. There are 6,895 homes that are taxed separately from the land and 2,462 that are taxed with the land account. There are approximately 94 mobile home accounts where the Assessor's Office does not have a record of where the mobile home is located. These are older mobile homes that were registered in the 1960's and 1970's. They do not have a serial number on file for many of these, as well.

Establishing new regulations will create nonconforming issues. A nonconforming use should be subject to termination upon abandonment of the mobile home unit or park or transfer of ownership of unit or park. Mobile home park owners should be given a timeline to bring parks into compliance with current regulations.

Regulation of mobile homes and mobile home parks by the Building Codes and Inspections Department assures adequacy of water and waste disposal, and adequacy of police and fire protection, and other municipal functions which further the health, safety and general welfare, and which would then provide a higher quality of life for its citizens. This requires a balance between an individual's interest in using his/her property, the citizen's interest in affordable housing and the County's interest in conserving resources and planning for future community development. Mobile home and mobile home park regulation can provide a viable way to achieve this balance.

C. Legislative / Chronological History

On September 24, 2013, the D&S Committee recommended approving a staff-initiated request to establish Mobile Home Park Regulations. On October 1, 2013, County Council unanimously approved drafting an ordinance amendment to Chapter 6 of the Richland County Code of Ordinances to add mobile home park regulations.

D. Financial Impact

Request has been made in the budget for FY14/15 for: Two (2) Inspectors, one (1) Administrative Assistant to include benefits, Two (2) vehicles, I-Pads, cell phones and 1 computer/monitor and additional funds for abatement of homes.

E. Alternatives

1. Approve the ordinance amendment to Chapter 6 of the Richland County Code of Ordinances to add mobile home park regulations.
2. Do not approve the ordinance amendment to Chapter 6 of the Richland County Code of Ordinances to add mobile home park regulations.

F. Recommendation

It is recommended that Council approve the ordinance amendment to Chapter 6 of the Richland County Code of Ordinances to add mobile home park regulations.

Recommended by: Donny Phipps

Date: April 3, 2014

Item# 4

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: 4/14/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Support approval of program however does not include any funding to operate program. As stated budget funds of approximately \$715k have been request in the FY15 budget process.

Procurement

Reviewed by: Rodolfo Callwood

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 4/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council’s discretion. I have no concerns with Council giving first reading approval; however, the Legal Department has not been involved in the drafting and review of the attached Draft Ordinance up to this point. As this issue is intertwined with multiple state laws and regulations, Legal would prefer to work with the Buildings and Inspections Department to ensure compliance with all applicable laws. Thus, if Council approves the draft for first reading, we request that Council allow Legal to work with the Buildings and Inspections Department to bring back any necessary changes to Council at second reading.

Administration

Reviewed by: Sparty Hammett

Date: 4/17/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval of the ordinance and the Mobile Home Abatement Program. If approved, Building Inspections staff would work directly with Legal to ensure compliance with all applicable laws. Funding for the program will be included in the County Administrator’s recommended budget if the program is approved by Council.

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; SO AS TO PROVIDE REGULATIONS FOR THE CONSTRUCTION, USE, MAINTENANCE, AND OCCUPANCY OF MOBILE HOME PARKS, MOBILE HOME PARK SITES, MOBILE HOMES, PERMANENT BUILDINGS, ACCESSORY BUILDINGS OR STRUCTURES, AND BUILDING COMPONENTS LOCATED WITHIN A MOBILE HOME PARK OR A MOBILE HOME SITE, IN ALL PARTS OF THE UNINCORPORATED AREAS OF RICHLAND COUNTY.

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 6, Buildings and Building Regulations; Article XII, Penalties; is hereby amended to read as follows:

ARTICLE XII. MOBILE/MANUFACTURED HOME PARKS

Sec. 6-200. Purpose and scope.

(a) The provisions of this article shall apply to the construction, use, maintenance, and occupancy of mobile/manufactured homes, permanent buildings, accessory buildings or structures, and building components located, within mobile/manufactured home parks and mobile/manufactured home sites, in all parts of the unincorporated areas of Richland County.

(b) These provisions shall also apply to the use, maintenance, and occupancy of manufactured homes, mobile homes, and multifamily manufactured homes, and the installations for supplying fuel gas, water, electricity, and the disposal of sewage from accessory buildings or structures, building components, manufactured homes, multifamily manufactured homes and mobile homes located within mobile/manufactured home parks and mobile/manufactured home sites, in all parts of the unincorporated areas of Richland County.

(c) Existing construction, connections, and installations of units, accessory buildings and structures, building components, plumbing, electrical, fuel gas, fire protection, earthquake resistant bracing, and permanent buildings completed before **September 16, 2014** may continue in use so long as they were in compliance with requirements in effect at the date of their installation and are not found to be substandard or in violation of the International Property Maintenance Code.

Sec. 6-201. Definitions.

In addition to the definitions contained in this section, which shall apply in the interpretation and enforcement of these regulations, the definitions contained in Chapter

Item# 4

Two of the current International Property Maintenance Code and the definitions relating to building standards contained in the IBC and IRC, are also applicable to this article.

Applicable code. The code language of the county, state, or national code or standard, whichever is more stringent.

Approved. Acceptable to the South Carolina Department of Health and Environmental Control.

Accessory building or structure. A structure or use that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves that principal building or use, and is subordinate in area, extent and purpose to the principal building or principal use served. An accessory structure must be on the lot on which the principal use is located.

Carport. An accessory structure for vehicle parking, used for shade or weather protection, supported by one or more posts or columns and partially supported by an accessory structure installed, erected, or used on a lot; or supported entirely by columns or posts and, other than flashing, not attached to or supported by a home or other accessory structure.

Family property mobile/manufactured home installation. Mobile homes occupied by family members on property owned by a member of the same family and not offered for rent or lease to the public. Such installations are exempt from this article.

Health authority. An authorized representative of the South Carolina Department of Health and Environmental Control.

Lot. A space within a mobile/manufactured home park or within a mobile/manufactured home site for the placement of a mobile/manufactured home.

Mobile/manufactured home. A factory assembled structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling. This definition shall include any structural addition to a mobile/manufactured home. The term “home” is included within this definition.

Mobile/manufactured home park. A parcel of land containing five (5) or more mobile/manufactured home lots which are available for rent or lease. The term “park” is included within this definition.

Mobile/manufactured home site. A parcel of land containing four (4) or less mobile/manufactured home lots which are available for rent or lease. The term “site” is included within this definition.

Permanent building. A structure that has its structural supports mounted into the ground and is not expected to change in status, condition, or place; and which is not on a lot and is expressly used in the operation of the park, such as for the park office, a community

Item# 4

center, or park storage facilities, and is under the control and ownership of the park/site owner or operator.

Permit. A written permit issued to a person who owns the mobile/manufactured home park by the health authority authorizing the mobile/manufactured home park to operate under this regulation; or a written permit issued by the Richland County Building and Inspections Department for any construction or demolitions.

Person. Any individual, firm, partnership, corporation, company, association or other entity.

Registered Owner. A person registered by the appropriate department as the owner of the mobile/manufactured home.

Sewer connection. All pipes, fittings and appurtenances from the drain outlet of the mobile/manufactured home to the inlet of the corresponding sewer riser.

Sewer riser pipe. That portion of the sewer lateral which extends vertically to or above the ground elevation and terminates at each mobile/manufactured home site. It contains a suitable connector which can be capped when not in use.

Storage Building. An accessory building located on a lot, and designed and used solely for the storage of personal equipment and possessions of the mobile/manufactured home's occupants.

Working Days. All days except Saturdays, Sundays, and applicable local, state and federal holidays.

Sec. 6-202. Permits.

(a) No person shall operate a mobile/manufactured home park or site, or a portion of a park or site, or rent, lease, sublease, hire out, or let out for occupancy, any new or existing lot or mobile/manufactured home within a park or site in the unincorporated areas of Richland County without a current permit to operate issued by the health authority and evidence of compliance with all Richland County Zoning, Building, Mobile/Manufactured Home, and Business License regulations.

(b) No person shall erect, construct, reconstruct, install, replace, relocate, or alter any building, structure, accessory building or structure, or building component; any electrical, mechanical, or plumbing equipment; or any fuel gas equipment and installations; or fire protection equipment within a park or site without first obtaining a permit from the Richland County Building Department.

Sec. 6-203. Copies of permits.

A copy of the "Permit to Operate" issued by the health authority shall be provided to the Property Maintenance Division for each mobile/manufactured home park or site.

Sec. 6-204. Layout plans.

(a) All mobile/manufactured home park development plans must be approved by the health authority. Detailed plans must be submitted to the Property Maintenance Division, which identify mobile homes and/or manufactured homes located in each approved space.

(b) All mobile home and manufactured home parks and sites shall meet the requirements of the Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-92, MH Manufactured Home Residential District; and Article VI, Supplemental Use Standards; Section 26-151, Subsection (c), Standards; Paragraph (45), Manufactured Home Parks.

Sec. 6-205. Applicant documents.

(a) The owner, operator, or designated representative shall complete and submit a Mobile/Manufactured Home Park Registration Form for the park or site to the Property Maintenance Division.

(b) The owner, operator, or designated representative shall also submit completed Mobile/Manufactured Home Registration Forms for every mobile/manufactured home within the park or site to the Property Maintenance Division.

Sec. 6-206. Emergency information.

(a) The owner, operator, or designated representative of a mobile manufactured home park or site shall adopt an emergency preparedness plan and notify park or site residents how to obtain a copy of this plan. It shall be posted at the Manager's office or on-site at a central location.

(b) At a minimum, the following items should be included in a park or site's emergency preparedness plan:

- (1) Maps showing evacuation routes out of the park including all exits and alternate routes and exits.
- (2) The elevation of the park property if the park is in a floodplain.
- (3) Contact information for emergency government agencies, local fire and police department and community assistance organizations and other emergency agencies contact information.
- (4) Information on how residents may obtain additional materials for establishing an individual household emergency plan, emergency supply kits, and individual home safety recommendations.

Sec. 6-207. Reporting change in park status.

Mobile homes and manufactured homes cannot be moved in or out of a park or site without proper approval from Richland County Zoning, Permits, and Assessor's Office (i.e. Mobile Home Division). An operator of the park or site shall submit any change or information related to the park or site to these divisions within Richland County government. Changes in information shall include, but not be limited to:

(a) Change of mobile/manufactured home park or site name, mailing address, telephone number, management, or ownership;

(b) Change in the number of lots resulting from the sale, lease, removal, construction or alterations of existing lots or facilities; and

(c) Change in the number of mobile or manufactured homes resulting from demolition and/or removal or additional mobile or manufactured homes moved into the park or site.

Sec. 6-208. Swimming pools.

Pool and barrier standards for public and private swimming pools constructed or erected within a park or site shall comply with the currently adopted International Building Code and with the currently adopted International Property Maintenance Code.

Sec. 6-209. Inspections.

(a) An inspection of a mobile/manufactured home park or site shall be performed annually or as often as the Richland County Property Maintenance Division deems necessary for the enforcement of this article.

(b) The permit holder, to whom a construction work related permit is issued by the Richland County Building and Inspections Department, shall request inspections of all work allowed under such permit.

Sec. 6-210. Stop work order.

Whenever any work is performed in violation of the provisions of this chapter, the International Building Code, the Property Maintenance Code, or any other applicable provisions of law, the Property Maintenance Division shall post an order to stop work on the site and provide a written notice to the person responsible for the work being performed and the park owner. The work shall immediately stop until authorized to proceed by the Property Maintenance Division.

Sec. 6-211. General park and site requirements.

(a) Purpose and Scope.

(1) The provision of this section shall apply to the construction, use, maintenance, and occupancy of mobile/manufactured homes within parks and sites in all parts of the unincorporated areas of Richland County.

Item# 4

- (2) Existing construction and installations made before **September 16, 2014** may continue in use so long as they were in compliance with requirements in effect at the date of their installation and are not found to be substandard or in violation of the International Property Maintenance Code.
- (3) Records of mobile/manufactured homes, owners and tenants shall be kept by the mobile/manufactured home park or site owner, operator, or designee.
- (4) The park or site shall be maintained in accordance with the most recently adopted International Property Maintenance Code.

(b) Responsibility.

- (1) The owner, operator, or designated agent for the park or site shall be responsible for the safe operation and maintenance of all lots within the park or site, common areas, electrical, gas, and plumbing equipment and their installations, and all permanent buildings or structures, within the park or site. When not owned by the serving utility, the park or site is responsible for lot services, including the gas riser, water riser, lot drain inlet, and the electrical pedestal. The mobile/manufactured home owner is responsible for ensuring the connection of all required utilities.
- (2) The owner of a mobile/manufactured home, its appurtenances, an accessory building or structure, or building component shall be responsible for the use and maintenance of the home, its appurtenances, accessory building or structure, or building component and utility connections up to the lot, all of which shall be in compliance with the requirements of this chapter.
- (3) Any person obtaining a building permit shall be responsible for the construction or installation in accordance with the requirements of this chapter.
- (4) The owner, operator, or designated agent of a park or site shall not permit a mobile/manufactured home, accessory building or structure, building component, or any utility to be constructed, installed, used, or maintained in the park or site unless constructed, installed, used, and maintained in accordance with the requirements of this chapter.
- (5) The person to whom a permit for a mobile/manufactured home park or site is issued shall at all times operate the park or site in compliance with this Article and shall provide adequate supervision to maintain the park or site and its facilities and equipment in safe repair and in a clean and sanitary condition. If the permit holder resides outside the boundaries of the state of South Carolina, s/he shall assign a person who resides in the county where the park or site is located to supervise and assume responsibility for compliance with these regulations. The assignment shall be made in writing to the Richland County Property Maintenance Division and immediately upon change of supervisor.

(c) The mobile/manufactured home park or site shall comply with the Richland County Code of Ordinances, Section 26-183(c), Addressing. In addition, all lots shall be identified by letters, numbers, or street address numbers. The lot identification shall be in a conspicuous location facing the roadway. If the lot identification number is to be installed on a wall surface of the home, the wall surface facing the roadway shall be used. The letters and/or numbers shall also meet the requirements of Section 26-183(c), Addressing.

(d) Roadways.

(1) All mobile home and manufactured home park or site roadways shall have a clear and unobstructed access to the public thoroughfare, except that a roadway may have security gates, if such security gates are not in violation of any law or regulation of Richland County.

(2) Paved roads shall be maintained free of potholes, sinkholes, or erosion.

(3) If a park or site owner or operator proposes reducing the width, or changing the layout or configuration, of the park or site roadways from the way they were previously approved or constructed, approval shall be obtained from Richland County Development Services.

(e) In every mobile/manufactured home park or site, lighting shall be installed in accordance with Section 26-177 of the Richland County Code of Ordinances.

(f) The mobile/manufactured home park or site owner and all residents of the park/site shall comply with Richland County's animal regulations, found in Chapter 5 of the Richland County Code of Ordinances.

(g) No person shall occupy a truck camper that has been dismantled from a truck or other vehicle, unless the truck camper is located in an approved RV park or RV park section of a mobile/manufactured home park.

(h) Refuse shall be stored, collected and disposed of as required by the International Property Maintenance Code and by Chapter 12 of the Richland County Code of Ordinances, and in such a manner as not to create a nuisance, vector attractant, breeding or harborage problem.

Sec. 6-212. Electrical, plumbing, mechanical, gas, and building requirements.

(a) The requirements of the National Electrical, International Plumbing, International Mechanical, International Gas, and International Building Codes shall apply to all mobile/manufactured home parks and sites, and all accessory buildings or structures, for construction and repair. The International Residential Code shall apply to all mobile/manufactured homes and/or structures for construction, installation, alteration, and repair.

(b) Existing construction, connections, and installations made before **September 16, 2014** may continue in use so long as they were in compliance with all county and state laws

Item# 4

in effect on the date of their installation and are not found to be substandard or in violation of the National Electrical Code, International Mechanical Code, International Gas Code, International Building Code, International Residential Code, and/or International Property Maintenance Code.

(c) All plumbing shall comply with DHEC Chapter 61-40, Sections III and IV, the International Residential Code, and the International Plumbing Code.

(d) Fuel storage tanks or cylinders shall comply with DHEC Chapter 61-40, Section VII, and the International Fuel Gas Codes.

Sec. 6-213. Sewage disposal.

(a) Every mobile/manufactured home parks drainage system shall comply with DHEC Chapter 61-40, Section IV.

(b) Onsite wastewater systems (septic tanks) shall comply with DHEC Chapter 61-56, Onsite Wastewater System.

Sec. 6-214. Fire protection requirements for parks and sites.

(a) Fire protection equipment meeting the requirements of the International Fire Code shall be installed and maintained in every park and site.

(b) All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

(c) In areas where fire department services are not available, the park or site owner/operator shall be responsible for the instruction of park/site staff in the use of private fire protection equipment and their specific duties in the event of fire.

(d) No person shall construct, reconstruct, modify, or alter any installations relating to fire protection equipment within a park or site unless a written permit has been obtained from the Richland County Building Department and/or the City of Columbia Fire Department, with written evidence of approval from the fire department responsible for fire suppression.

Sec. 6-215. Accessory buildings and structures.

(a) The requirements of this section shall apply to the construction, use, maintenance, and occupancy of accessory buildings or structures and building components constructed or installed adjacent to homes within mobile home parks or sites.

(b) An accessory building or structure or building component that is moved to a different location and any alterations or additions shall meet the requirements of Chapters 6 and 26 of the Richland County Code of Ordinances.

(c) No accessory structure may be attached to or be supported by a mobile/manufactured home if the manufacturer's installation instructions prohibit attachment or transmission of loads to the home or require freestanding structures.

(d) Playgrounds shall be kept clean and in safe conditions.

Sec. 6-216. Complaint investigations.

When a complaint is received, the Property Maintenance Division shall:

(a) Perform an inspection on allegations of violations representing an unreasonable risk to life, health, or safety within three (3) business days; unless imminent danger is apparent, and in that case, an inspection will occur sooner.

(b) Inform the complainant that an inspection was performed and, if violations were found, that a notice will be sent to the property owner regarding any valid code violations.

(c) If violations were found, issue a written order to correct violations, which shall be mailed to the property owner in accordance with the International Property Maintenance Code.

Sec. 6-217. Violations; Abatement.

(a) The substandard conditions and abatement requirements contained in this section shall apply to mobile home/manufactured home parks and sites, permanent buildings or structures in parks or sites, accessory buildings or structures, and building components located within the park or site in all unincorporated areas of Richland County.

(b) Existing construction, connections, and installations made before **September 16, 2014** may continue in use so long as they were in compliance with requirements in effect at the date of their installation and are not found to be substandard or in violation of the International Property Maintenance Code.

(c) Any permanent building, structure, or portion thereof, or the premises on which it is located, shall be deemed substandard and/or a nuisance when any of the following conditions exist that endanger the life, limb, health, property, safety, or welfare of the occupants or the public; or is in violation of the International Property Maintenance Code.

- (1) Health hazards or inadequate sanitation that includes, but is not limited to, the following:
 - a. Where required, the lack of, inoperable, or defective water closet, lavatory, bathtub or shower.
 - b. Where required, the lack of, inoperable, or defective kitchen sink.
 - c. Lack of or inadequate hot and cold running water to plumbing fixtures.

Item# 4

- d. Dampness of habitable rooms.
 - e. Infestation of insects, vermin or rodents.
 - f. General dilapidation or improper maintenance.
 - g. Lack of or defective connection of plumbing fixtures to a sewage disposal system.
 - h. Lack of adequate garbage and rubbish storage and removal facilities.
 - i. Lack of minimum amounts of required natural light and ventilation.
- (2) Structural hazards that include, but are not be limited to, the following:
- a. Deteriorated or inadequate foundations.
 - b. Defective or deteriorated flooring or floor supports.
 - c. Flooring or floor supports of insufficient size to carry imposed loads with safety.
 - d. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
 - e. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - f. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration.
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
 - h. Fireplaces or chimneys which list, bulge, or settle, due to defective material or deterioration.
 - i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
- (3) Electrical hazards that include, but are not limited to, the following:
- a. All electrical wiring that did not conform to all applicable laws and regulations in effect at the time of its installation, has not been maintained in good and safe condition, or is not being used in a safe manner.

- b. Lack of, inoperable, or defective required electrical lighting.
- (4) Plumbing that did not conform to all applicable laws and regulations in effect at the time of its installation, has not been maintained in good or safe condition, or has cross-connections and leakage between fixtures.
 - (5) Mechanical equipment, including heating equipment and its vents, that did not conform with all applicable laws and regulations in effect at the time of its installation or which has not been maintained in good and safe condition, or is not being used in a safe manner; and inoperable or defective heating facilities, and inoperable or defective ventilating equipment.
 - (6) Faulty weather protection shall include, but not be limited to, the following:
 - a. Deteriorated roofs.
 - b. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
 - c. Defective or lack of weather protection for exterior wall coverings.
 - d. Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
 - (7) Any building, structure, or portion thereof, device, apparatus, equipment, combustible waste, or vegetation which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
 - (8) Materials or construction not allowed or approved by this chapter or which have not been adequately maintained in good and safe condition.
 - (9) Those premises on which an accumulation of weeds, vegetation, rubbish, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
 - (10) All buildings or portions thereof not provided with adequate exit facilities, except those buildings or portions thereof whose exit facilities conformed with all applicable laws and regulations at the time of their construction.
 - (11) All buildings, structures, or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this chapter, except those buildings, structures, or portions thereof which conformed to all applicable laws and regulations at the time of their construction.
 - (12) All buildings, structures, or portions thereof occupied for living sleeping, cooking, or dining purposes which are not designed or intended to be used for these occupancies.

(d) Any mobile or manufactured home shall be deemed substandard and a nuisance when any of the following conditions exist that endangers the life, limb, health, property, safety, or welfare of the occupants or the public:

(1) Health hazards or inadequate sanitation that includes, but is not limited to, the following:

- a. Lack of, inoperable, or defective water closet, lavatory, bathtub or shower.
- b. Lack of, inoperable, or defective kitchen sink.
- c. Lack of or inadequate hot and cold running water to plumbing fixtures.
- d. Dampness of habitable rooms.
- e. Infestation of insects, vermin, or rodents.
- f. General dilapidation or improper maintenance.
- g. Lack of or defective connection of plumbing fixtures to a sewage disposal system.

(2) Structural hazards include, but are not limited to, the following:

- a. Deteriorated or inadequate foundation or stabilizing devices.
- b. Defective or deteriorated flooring or floor supports.
- c. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
- d. Members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split, or buckle due to defective material or deterioration.
- e. Lack of adequate or defective ventilation.
- f. Lack of adequate room and space dimensions.

(3) Electrical hazards include, but are not limited to, the following:

- a. All electrical wiring that did not conform to all applicable laws and regulations in effect at the time of its installation, has not been maintained in good and safe condition, or is not being used in a safe manner.

- b. Electrical conductors which are not protected by overcurrent protective devices designed to open the circuit when the current exceeds the ampacity of the conductor.
 - c. Electrical conductors which do not have amp capacity at least equal to the rating of outlet devices or equipment supplied.
 - d. Electrical conductors which are not protected from physical damage.
 - e. Metallic boxes, fittings, or equipment in an electrical wiring system which are not grounded to prevent shock.
 - f. Lack of operable, or defective, electrical lighting.
- (4) Plumbing hazards include, but are not limited to, the following:
- a. Plumbing that did not conform with all applicable laws and regulations in effect at the time of its installation, has not been maintained in good or safe condition, or has cross-connections and leakage between fixtures.
 - b. Lack of effective traps providing a water seal for each plumbing fixture.
 - c. Lack of effective venting of plumbing drain piping.
 - d. Broken, unsanitary or leaking plumbing pipe or fixtures.
 - e. Any fixture, fitting, device or connection installed in such a manner as to permit contamination of the potable water supply.
- (5) Hazardous mechanical equipment shall include, but not be limited to, the following:
- a. Mechanical equipment, including all heating equipment and its vent, that did not conform with all applicable laws and regulations in effect at the time of its installation or which has not been maintained in good and safe condition, or is not being used in a safe manner.
 - b. Unvented fuel burning heating appliances unless their use is permitted by all applicable laws and regulations.
 - c. Heating or fuel burning equipment, including its vent, without adequate clearance from combustible material.
 - d. Unsupported, loose, or leaking fuel supply piping.
 - e. Lack of, inoperable, or defective heating.

- (6) Faulty weather protection shall include, but not be limited to, deteriorated or ineffective waterproofing of exterior walls, roof, or floors, including broken windows or doors.
- (7) Any mobile or manufactured home or portion thereof, device, apparatus, equipment, or combustible material which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- (8) Materials or construction not allowed or approved by this chapter or which have not been adequately maintained in good and safe condition.
- (9) Those premises on which an accumulation of weeds, vegetation, rubbish, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health, or safety hazards.
- (10) All mobile or manufactured homes or portions thereof not provided with adequate exit facilities as required by this chapter except those mobile or manufactured homes or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction, and those facilities which have not been adequately maintained.
- (11) Any mobile or manufactured home containing fossil-fuel burning appliances or an attached garage that is not supplied with an operational carbon monoxide alarm.

(e) Any accessory structure or building, or building component or portion thereof, or the premises on which the same is located, shall be deemed substandard and a nuisance when any of the following conditions exist that endanger the life, limb, health, property, safety, or welfare of the occupants or the public:

- (1) Health hazards or inadequate sanitation include, but are not limited to, the following:
 - a. When installed, inoperable or defective water closet, lavatory, bathtub or shower.
 - b. When installed, inoperable or defective kitchen sink.
 - c. When installed, inadequate hot and cold running water to plumbing fixtures.
 - d. Dampness of habitable rooms.
 - e. Infestation of insects, vermin or rodents.
 - f. General dilapidation or improper maintenance.

Item# 4

- g. When installed, defective connection of plumbing fixtures to a sewage disposal system.
 - h. Lack of minimum amounts of required natural light and ventilation.
- (2) Structural hazards, which include, but are not limited to, the following:
- a. Deteriorated or inadequate foundations or stabilizing devices.
 - b. Defective or deteriorated flooring or floor supports.
 - c. Flooring or floor supports of insufficient size to carry imposed loads with safety.
 - d. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective material or deterioration.
 - e. Members of walls, partitions, or other vertical supports that are of insufficient size to carry imposed loads with safety.
 - f. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
 - g. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
 - h. Fireplaces or chimneys which list, bulge, or settle, due to defective material or deterioration.
 - i. Fireplaces or chimneys which are of insufficient size or strength to carry imposed loads with safety.
 - j. Lack of, inoperable, or defective required ventilating equipment.
- (3) Electrical hazards include, but are not limited to, the following:
- a. All electrical wiring that did not conform to all applicable laws and regulations in effect at the time of its installation, has not been maintained in good and safe condition, or is not being used in a safe manner.
 - b. Lack of, inoperable, or defective required electrical lighting.
- (4) Plumbing that did not conform to all applicable laws and regulations in effect at the time of its installation, has not been maintained in good or safe condition, or has cross-connections and leakage between fixtures.

- (5) Mechanical equipment, including heating equipment and its vents, that did not conform with all applicable laws and regulations in effect at the time of its installation or which has not been maintained in good and safe condition, or is not being used in a safe manner, or is inoperable or defective.
- (6) Faulty weather protection, which includes, but is not limited to, the following:
 - a. Deteriorated roofs.
 - b. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors, including broken windows or doors.
 - c. Defective or lack of weather protection for exterior wall coverings.
 - d. Broken, rotted, split, or buckled exterior wall coverings or roof coverings.
- (7) Any accessory structure or building or building component or portion thereof, device, apparatus, equipment, combustible waste, or vegetation which is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.
- (8) Materials or construction not allowed or approved by this chapter or which have not been adequately maintained in good and safe condition.
- (9) Those premises on which an accumulation of weeds, vegetation, rubbish, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or conditions constitute fire, health or safety hazards.
- (10) All accessory building or structures or building components or portions thereof not provided with adequate exit facilities as required by this chapter except those buildings or portions thereof whose exit facilities conformed with all applicable laws and regulations in effect at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- (11) All buildings, structures, or portions thereof which are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this chapter, except those buildings, structures, or portions thereof which conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing system or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.
- (12) All accessory buildings or structures or building components or portions thereof occupied for living, sleeping, cooking, or dining purposes which were not designed or intended to be used for such occupancies.

- (f) Abatement.
 - (1) The registered owner of a mobile/manufactured home, accessory building or structure, or building component that is constructed, altered, converted, used, or maintained in a manner that constitutes a violation is required to abate the violation.
 - (2) The legal owner of the property, or park/site owner or operator for properties or permanent buildings under their ownership or control, that is constructed, altered, converted, used, or maintained in a manner that constitutes a violation, is required to abate the violation.
- (g) Notice of violation, complaints, and order to correct.
 - (1) Whenever the Property Maintenance Division finds a condition that constitutes a violation of this chapter, the International Property Maintenance Code, or any other applicable provision of law, the Property Maintenance Division, in accordance with the International Property Maintenance Code shall provide a written notice to the person or entity responsible for correction of the violation.
 - (2) The written notice shall state the conditions which constitute the violation, including a reference to the law or regulation being violated, and shall order its abatement or correction within thirty (30) days after the date of notice or a longer period of time as allowed by the code official.
 - (3) If a mobile/manufactured home is in such condition that identification numbers are not available to determine ownership, the notice shall be given to the owner or operator of the park.
 - (4) Whenever the Property Maintenance Division determines a mobile/manufactured home, habitable accessory building or structure, or permanent building constitutes an imminent danger representing an immediate risk to the life, health, or the safety of an occupant, the Property Maintenance Division shall post a notice on the structure, declaring it uninhabitable. The home, habitable accessory building or structure, or permanent building shall not be occupied until deemed safe by the code official. At the time of the posting, the code official shall issue a notice as described in this section to the registered owner. A copy of the notice shall be issued to the occupant of the home, or accessory building or structure, or permanent building, if the occupant is not the registered owner.
- (h) Final notice requirements and appeals.
 - (1) If the initial notice from the Property Maintenance Division has not been complied with on or before the date specified in the notice, the code official may institute proceedings against the cited person or entity.
 - (2) The code official shall issue to the cited person, the last registered owner of a cited mobile/manufactured home, and the park owner or operator, or the legal

Item# 4

owner of the property where the cited home, structure, or property is located, a final notice of violation or notice to abate the violation in accordance with the International Property Maintenance Code that shall contain at a minimum the following:

- a. The date the notice is prepared;
 - b. The name or names of the responsible person or entity;
 - c. A list of the uncorrected violation(s) cited;
 - d. A final compliance date;
 - e. Notice of the right to request an informal conference, if one has not been requested previously with regard to the identified violations;
 - f. The right to request a hearing with the Building Codes Board of Appeals, but only after the denial or after the conclusion of the informal conference;
 - g. A statement that any willful violation is a misdemeanor.
- (3) The final notice shall be mailed, by registered or certified mail, return receipt requested, to the cited person, to the legal owner of the property as indicated on the permit to operate application and to the last known address of the last registered or legal owner of record of the cited mobile/manufactured home, unless the home is in such condition that identification numbers are not available to determine ownership. The final notice may also be served in accordance with state requirements.
- (4) If, after the re-inspection of an order to correct a violation, the code official determines that the cited person has made reasonable progress to abate the violation, or that circumstances beyond the control of the cited person have interfered with compliance or slowed compliance, the code official, in his/her sole discretion, may extend the period for compliance.
- (i) Consequences of failure to abate.
- (1) It is unlawful for the person ordered to abate a violation to fail or refuse to remove and abate that violation within the time period allowed in the order after the date of posting of an order on the cited mobile/manufactured home, structure, or property or receipt of an order. After the expiration of the time period allowed for an order related to a violation, the code official has the authority to initiate prosecution of violation in accordance with the International Property Maintenance Code, including, but not limited to, seeking a court order for abatement.
- (2) Notwithstanding the provisions of paragraph (1), above, if a violation poses an imminent danger representing an immediate risk to life, health, and safety and

Item# 4

requires immediate correction, the code official has the authority to initiate any appropriate action or proceeding to abate a violation if abatement is not complete within the time period allowed by the notice of violation and order.

- (j) Responsibility for Costs.
 - (1) The registered owner of the mobile/manufactured home or any other cited person or entity that fails to correct a violation or abate a nuisance within the time allotted in the original correction order, or any extension thereto, shall be held responsible for the costs of abatement of the violation. Costs of abatement, for purposes of this section, may include the Property Maintenance Division's investigative and case preparation costs, court costs and attorney fees, the cost associated with any physical actions taken to abate the violation, and any technical service or other fees due to the Property Maintenance Division related to the abatement activity.
 - (2) If the mobile/manufactured mobile home is in such condition that identification numbers are not available to determine ownership, or the Property Maintenance Division is unable to locate the owner after making a reasonable effort to do so, the owner of the property on which the home is located shall be liable for such costs.
- (k) Removal.
 - (1) A mobile/manufactured mobile home, permanent building, accessory building or structure or building component which has been ordered to be removed due to the existence of violations or a nuisance shall be removed in a manner consistent with local, state, and federal law.
 - (2) The owner or responsible person of a mobile home or manufactured home that has been ordered to remove or abate the home shall have the title, license plates, decal, and the federal labels, if available, forwarded to the appropriate authority to have the home removed from their records.

Sec. 6-218. Informal conference, hearings, and appeals.

- (a) Purpose and scope.
 - (1) The provisions of this section apply to the procedures available to a cited person who has received a notice of a violation ordering abatement or correction of a violation of this chapter, the International Property Maintenance Code or any other applicable provision of law, issued by the Property Maintenance Division.
 - (2) A request for an informal conference or hearing will not extend the time for correction of immediate risks to life, health, or safety.
 - (3) None of the procedures for the appeal and subsequent hearing process extends the time allowed for the correction of violations noted in the original notice of

Item# 4

violation or notice of abatement noted in subsequent notices of violation issued to the same person or about the same situation unless:

- a. An extension of time allowed for the correction of violations is contained in the written determination provided by the code official after an informal conference [see subsection (b), below]; or
 - b. An extension of the time allowed for the correction of violations is contained in the final decision issued by the Building Codes of Appeals pursuant to section 6-75 of the Richland County Code of Ordinances.
- (b) Informal conference.
- (1) An informal conference related to a violation shall occur at the time and place scheduled and shall provide the person requesting the conference with the opportunity to explain to the representatives of the Property Maintenance Division each issue disputed and the facts and circumstances of each dispute.
 - (2) Within ten (10) working days of the completion of the informal conference, the code official shall provide a written notification of its determination, to the person who requested the conference.
 - (3) The written determination shall sustain, overrule, or modify the original notice of violation that contained each issue disputed at the informal conference. Modification may include:
 - a. Changes to the original violation cited.
 - b. Where necessary to provide a reasonable time for compliance, an extension of the time within which the modified required corrective action shall be completed. The extension of time shall not exceed thirty (30) calendar days, or such longer period of time allowed by the code official, from the date of the code official's written determination or greater period of time as determined by the Property Maintenance Division.
 - (4) The written request for an informal conference shall be considered withdrawn if the person who submitted the request:
 - a. Does not appear at the mutually-agreed upon time and place scheduled for the informal conference, and
 - b. Does not notify the Property Maintenance Division, within five (5) calendar days prior to the date on which the informal conference was scheduled, with written confirmation of the good-cause reason for not appearing at the informal conference.
 - (5) If the code official determines that good cause exists for a postponement, the code official shall postpone an informal conference for a period of time not to

Item# 4

exceed fifteen (15) working days and shall notify the person in writing of the time and date of the postponed conference. Otherwise, the code official shall confirm the automatic withdrawal and, if applicable, the denial of the request due to a lack of a good-cause reason, as determined by the code official.

- (c) Request for hearing: appeal of decision rendered in informal conference.
- (1) Any park/site owner or operator, cited person, or any registered owner of a mobile/manufactured home, who has received a notice of violation ordering abatement or correction of a violation of this chapter, the International Property Maintenance Code, or any other applicable provision of law from the Property Maintenance Division has the right to request a hearing on the matter before the Building Codes Board of Appeals after a decision is rendered in an informal conference or the code official has denied the request for an informal conference.
- (2) If a request for a hearing is not received within thirty (30) working days from the date of personal service or acknowledgment of receipt by mail of the notice, the Property Maintenance Division shall have the discretion to continue abatement proceedings.
- (3) If a hearing is requested, the appellant shall submit an application and pay the associated fee to the Property Maintenance Division within thirty (30) working days of the date of the denial of a request for an informal conference, or within thirty (30) working days of the date of the code official's written determination, following an informal conference, if the issues contained in the notice of violation and the request for hearing were disputed at the informal conference.
- (4) The written application for a hearing shall include:
 - a. The name, address, and phone number of the appellant;
 - b. The appellant's reasons for how the true intent of the International Property Maintenance Code or the rules legally adopted thereunder have been incorrectly interpreted, or why the provisions of the International Property Maintenance Code do not fully apply, or how the requirements of the International Property Maintenance Code are adequately satisfied by other means;
 - c. A summary of each issue to be disputed at the hearing; and
 - d. The remedy the appellant is seeking.
- (5) Upon receipt of a request for a hearing, the Property Maintenance Division shall set a time and place for the hearing before the Building Codes Board of Appeals and shall provide the appellant with a written notice of the scheduled time and place of the hearing.

- (6) The appellant shall have the right to apply to the code official for the postponement of the date of the hearing for a reasonable amount of time. The appellant shall provide a good cause for the request.
- (7) The code official shall grant a request for postponement if he/she determines that the appellant has a good cause for the postponement. The appellant shall only be allowed one postponement.
- (8) In the event that a cited violation constitutes an imminent danger representing an immediate risk to life, health and safety of persons or property which requires immediate correction, a request for a hearing shall not extend the time for the correction of the violation.
- (9) Upon receipt of the request for a hearing, the Property Maintenance Division shall not initiate any judicial or administrative action related to the defect or defects appealed until after the hearing. However, if the defect or defects cited become an imminent danger representing an immediate risk to life, health, and safety of persons or property which require immediate correction, the code official may demand immediate abatement or correction, and initiate any appropriate judicial or administrative action related to the defect or defects.

(d) Any cited person, owner, or other aggrieved person having any objections as to any proceedings or actions undertaken by the Building Codes Board of Appeals, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. After receipt of the final order or decision of the Building Codes Board of Appeals, an appeal from such decision may be taken to the circuit court by filing with the clerk of the court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty (30) days after the decision of the Building Codes Board of Appeals is mailed. For the purposes of this section, “aggrieved person” or entity is any person that claims to have been injured by actions of the Property Maintenance Division that would permit the person to file a lawsuit in court.

Sec. 6-219 – 6-222. Reserved.

SECTION II. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; is hereby amended to add a new article, to read as follows:

ARTICLE XIII. PENALTIES

Sec. 6-223. Penalties.

Any person who violates any of the provisions of this chapter shall be deemed guilty of a misdemeanor and shall be subject to a fine not exceeding five hundred (\$500) dollars or to imprisonment not exceeding thirty (30) days. Each day during which such violation continues shall constitute a separate offense.

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

SECTION V. Effective Date. This ordinance shall be effective from and after _____, 2014.

RICHLAND COUNTY COUNCIL

BY: _____
Norman Jackson, Chair

ATTEST THIS THE _____ DAY

OF _____, 2014

S. Monique McDaniels
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:

Richland County Council Request of Action

Subject

Stickers for Recycling Carts [**PAGES 48-51**]

Reviews

Richland County Council Request of Action

Subject: Stickers for Recycling Carts

A. Purpose

County Council is requested to direct staff to place stickers on the County's recycling roll carts that list all the recyclable items.

B. Background / Discussion

On July 1, 2014, Council member Rose brought forth the following motion:

“Move that staff pursue having the appropriate provides place stickers on the County's recycling bins that enumerate what items can be recycled. Rationale: Low County citizens participation in recycling and Sonoco's ability to handle more capacity. Additionally, the County has recently moved to the larger roll out recycling bins. This will serve as a direct citizen awareness tool to promote what items can be recycled.”

The county started delivering 95 gallon recycling roll carts in January 2013. By January 2015, every residence in the County will have one of these carts. The number of such carts is estimated to be upwards of 85,000.

With the delivery of every recycling roll cart, staff provides a list of current items that can be placed in the cart. Staff plans to do the same again this year. The list of items has changed 3 times in the past 18 months and staff expects it to change again in the future.

Also, staff provides a magnetic list of items that may be recycled, which can be placed on any metal surface (e.g. home refrigerator). The magnetic list is updated as needed (typically once or twice a year). These are handed out any time we meet with the public or receive a request for information.

We keep a list of the items that may be recycled in our *Talkin' Trash* booklet, which is also updated as needed (typically once or twice a year).

Staff is planning to aggressively promote the use of the new 95 gallon recycling roll carts early next year when every residence will have one at their house. Staff is in the midst of implementing a system of measuring actual participation rates to have the ability to target specific regions of the county. A new recycling program manager was approved in the FY15 budget whose function will be to coordinate all of the aforementioned activities and strategies over the next couple of years.

C. Legislative / Chronological History

Motion made by Seth Rose on July 1, 2014.

D. Financial Impact

The direct cost of adding stickers to 85,000 roll carts is estimated to be over \$85,000 for the stickers, plus several thousand dollars for the labor to place them on each cart as a special adhesive is required.

E. Alternatives

1. Approve the motion to direct staff to place stickers on the County's recycling roll carts that list all the recyclable items.
2. Do not approve the motion to direct staff to place stickers on the County's recycling roll carts that list all the recyclable items.

Item# 5

F. Recommendation

I recommend that Council direct staff pursue having the appropriate place stickers on the County's recycling bins that enumerate what items can be recycled. This will serve as a direct citizen awareness tool to promote what items can be recycled.

Recommended by: Seth Rose
Department: County Council
Date: 07/01/14

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
 Recommend Council approval
 Recommend Council discretion
Date: 7/15/14
 Recommend Council denial
Comments regarding recommendation:

Request is left to Council Discretion. As indicated, approval would require the department to absorb the budget funds for the purchase and any necessary labor cost.

Solid Waste

Reviewed by: Rudy Curtis
 Recommend Council approval
 Recommend Council denial
Date: 7/15/2014
Comments regarding recommendation:

I recommend that Council choose Alternative 2 for several reasons.

1. The sticker would likely be outdated in the near future.
2. Stickers do not easily adhere to the surface of the roll carts. It requires special glue.
3. The information is already being conveyed to every residence at the time of the delivery of the roll cart. 9x12 postcards with all the items and a calendar showing their collection week for a year.
4. We have updated magnetic lists that are available to the public at all times.
5. Talkin' Trash has an updated list of items to recycle that are distributed to the public anytime.
6. Our website has an updated list of items to recycle that can be viewed by the public any time.
7. We estimate the cost to add stickers to all carts would far exceed \$85K. Our experience with information placed on these roll carts strongly suggests that very few people read the material. Hence the return on the investment is not anticipated to be good.
8. We believe targeted encouragement would be a more effective use of resources as we learn more about the participation rate.
9. The new recycling program manager (when hired) will focus much more attention of meeting county and state goals.

Legal

Reviewed by: Elizabeth McLean

Date: 7/16/14

Recommend Council approval

Recommend Council denial

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

Administration

Reviewed by: Warren Harley

Date: 7/16/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Richland County Council Request of Action

Subject

Interstate Interchange Lighting Project [**PAGES 52-62**]

Reviews

Richland County Council Request of Action

Subject: Interstate Interchange Lighting Project

A. Purpose

County Council is requested to provide direction to staff regarding the Interstate Interchange Lighting project.

B. Background / Discussion

At the December 4, 2012 Council meeting, Council directed staff to engage a consultant to perform site review, placement, and types of lighting for the interstate interchanges in the County.

DRMP, Inc. (DRMP) was the engineering firm selected to provide the Interstate Interchange Lighting (IIL) report. DRMP prioritized nine (9) interchanges in the unincorporated areas of the County and developed lighting construction and maintenance cost estimates for each interchange. The 9 interchanges and their priority ranking are as follows:

<u>Interchange Location</u>	<u>Ranking</u>
Broad River Road at I-20 (Exit 65)	1
Two Notch Road at I-20 (Exit 74)	2
Two Notch Road at I-77 (Exit 17)	3
Clemson Road at I-20 (Exit 80)	4
Farrow Road at I-77 (Exit 19)	5
Spears Creek Road at I-20 (Exit 82)	6
Killian Road at I-77 (Exit 22)	7
Decker Boulevard at I-77 (Exit 13)	8
Broad River Road at I-26 (Exit 97)	9

Maps of these interchanges are attached for your convenience.

The interchange rankings were based on the weighted combined average of the weekday and weekend daily trips generated by the retail/commercial developments (such as hotels, restaurants, gas stations, shopping centers etc.) located at each of the interchanges.

The total estimated cost for constructing a conventional lighting system and the probable annual maintenance cost for the 9 interchanges is \$3,568,100 and \$174,520, respectively. More information is provided in the “Financial Impact” section.

Staff requests direction from Council regarding the IIL project.

C. Legislative / Chronological History

- At the D&S Committee on April 24, 2012, direction was given to Public Works to start researching interstate interchange lighting.
- At the May 22, 2012 D&S Committee, a presentation was given to Council by the

Hospitality Association about interstate lighting.

- June 26, 2012 – D&S Committee met and discussed interchange lighting.
- A memo was forwarded to the D&S Committee outlining estimated costs and types of lighting used for interstate interchanges on July 17, 2012 (attached).
- September 25, 2012 – Presentation by Rick Patel to the D&S Committee. Committee requested additional information (location, funding, and how other municipalities are paying for similar projects.)
- November 27, 2012 – D&S Committee recommended that Council engage a consultant to perform site review, placement, and types of lighting. An RFP / RFQ will be developed and advertised, and the recommendation for award will be brought back to Council for review and recommendation.
- December 4, 2012 – Council approved the D&S Committee’s recommendation.

D. Financial Impact

The potential financial impact is dependent upon Council’s decision regarding this project. However, the cost estimates provided in the report reflect the potential costs for constructing high mast lightning or conventional lighting systems at each of the interstate intersections, and the potential annual maintenance costs. Based on the construction and maintenance costs, DRMP recommended a conventional lighting system for all of the identified interchanges.

DRMP’s report provides a detailed breakdown of the probable construction and annual maintenance cost for each individual interchange. The total estimated cost for constructing a conventional lighting system and the probable annual maintenance cost for the 9 interchanges is \$3,568,100 and \$174,520, respectively.

Interchange Location	Construction Cost*	Maintenance Cost*
Broad River Road at I-20 (Exit 65)	\$419,350	\$20,204
Two Notch Road at I-20 (Exit 74)	\$364,375	\$17,612
Two Notch Road at I-77 (Exit 17)	\$384,150	\$19,052
Clemson Road at I-20 (Exit 80)	\$436,950	\$20,780
Farrow Road at I-77 (Exit 19)	\$431,750	\$19,052
Spears Creek Road at I-20 (Exit 82)	\$390,950	\$19,052
Killian Road at I-77 (Exit 22)	\$467,675	\$22,220
Decker Boulevard at I-77 (Exit 13)	\$246,275	\$15,480
Broad River Road at I-26 (Exit 97)	\$426,625	\$21,068
Totals	\$3,568,100	\$174,520

**Estimates*

If Council chooses to proceed with the IIL project, a funding source will need to be identified.

E. Alternatives

1. Direct staff to proceed with the Interstate Interchange Lightning project, and provide direction as to which interchanges receive priority.
2. Do not proceed with the Interstate Interchange Lightning project.

F. Recommendation

It is recommended that Council proceed with the IIL project, and provide direction to staff regarding which interchanges receive priority. If Council proceeds with the IIL project, a funding source should be identified.

Recommended by: Ismail Ozbek, Interim Director
Department: Public Works
Date: July 3, 2014

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
✓ Recommend Council approval
Comments regarding recommendation:

Date: 7/16/14
 Recommend Council denial

Legal

Reviewed by: Elizabeth McLean
 Recommend Council approval
Comments regarding recommendation: Policy decision left to Council’s discretion.

Date: 7/16/14
 Recommend Council denial

Administration

Reviewed by: Sparty Hammett
✓ Recommend Council approval
Comments regarding recommendation: Recommend Council approval to direct staff to proceed with the Interstate Interchange Lightning project, and provide direction as to which interchanges receive priority. A funding source will also need to be identified.

Date: 7/16/14
 Recommend Council denial



RICHLAND COUNTY
Department of Public Works
C. Laney Talbert Center
400 Powell Road
Columbia, South Carolina 29203
Voice: (803) 576-2400 Facsimile (803) 576-2499
<http://www.richlandonline.com/departments/publicworks/index.asp>



MEMO

To: D&S Committee
Cc: Assistant Administrator Sparty Hammett
From: David Hoops, Director
Date: July 17, 2012
Re: Interstate Intersection Lighting

Update on Interstate Intersection Lighting:

1. At the June 26, 2012 D&S Committee meeting there appeared to be some confusion about the lighting proposed for interstate intersections. Following are descriptions and typical costs of lighting options with attached pictures. I have reviewed the Broad River Road proposal which is for leasing of light fixtures installed on existing power poles. This approach cannot be utilized on an Interstate interchange and cannot be compared for costs.
 - a. **Low Mount lights.** These are typically along low speed roadways. Due to the low mounting height the area illuminated is small, requiring the poles to be located close to the edge of the roadway. This close mounting location results in the need to protect the poles and vehicles from impact with curbing or guardrail. Due to the need for protection and the small area illuminated this style of light is not normally used along high speed roadways.



- b. **Mast Pole lights** (high mount) These lights are very efficient at lighting large areas, such as intersections. Due to the large area illuminated they can be located away from the edge of roadways, not needing to be protected from impact. Although considerably more expensive per unit, it may take 10-15 low mount fixtures to illuminate the area covered by a mast pole.

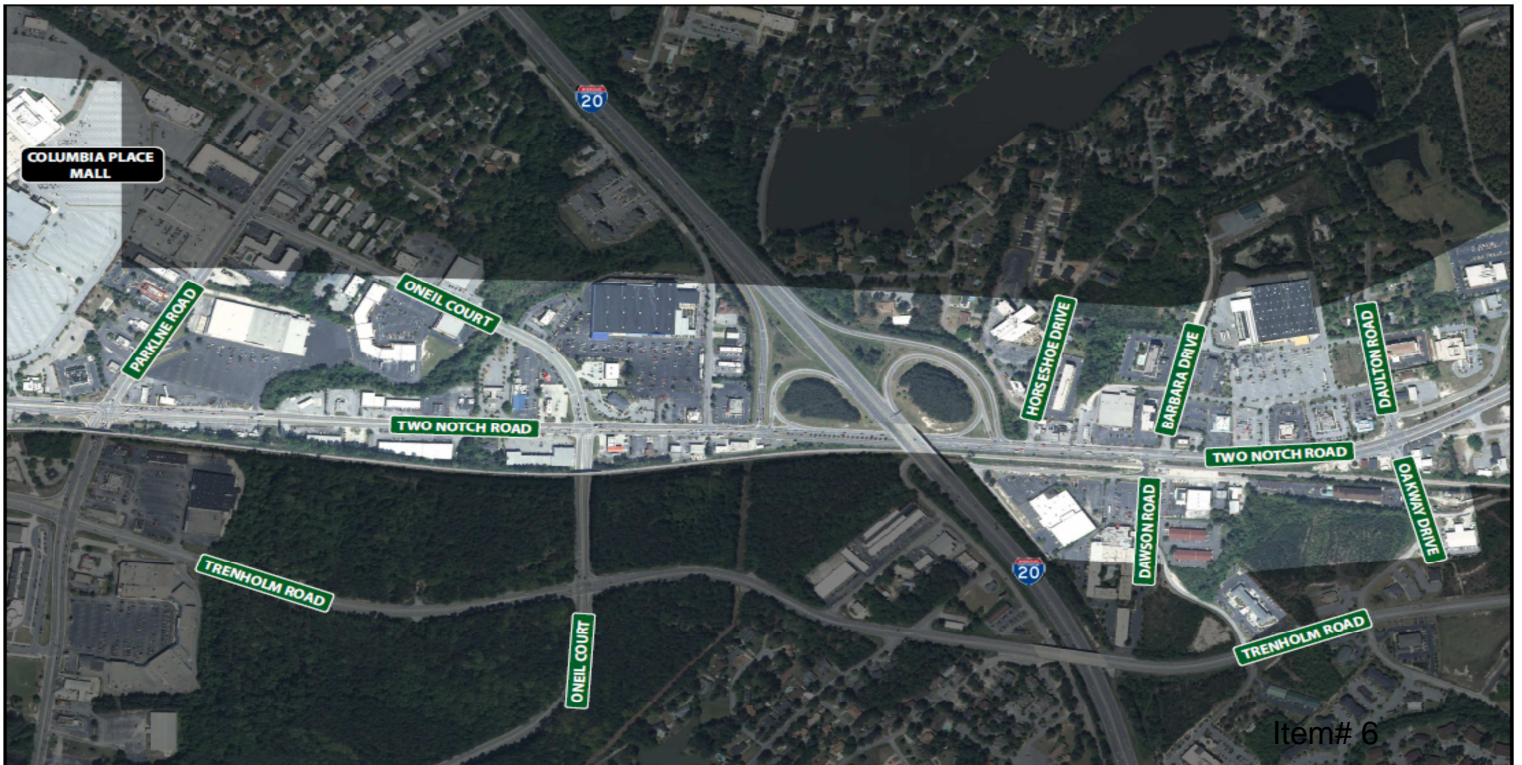


2. Installation costs.
- i. Low Mount lights. These installations typically cost **\$2,500 per unit**. The additional cost of providing power and traffic protection are site specific and cannot be determined at this time. The provision of power will be higher than for a mast unit due to the multiple locations. As noted above, many more fixtures are required to equal the coverage of one Mast Pole light.
 - ii. Mast Pole lights. These installations typically cost **\$100,000 per unit**. The additional cost of providing power is site specific and cannot be determined at this time.
3. Maintenance and power costs. SCDOT was contacted regarding their support of these costs after installation. At the time of the preparation of this report we had not received a response.

Broad River Road at I-20 (Exit 65)



Two Notch Road at I-20 (Exit 74)

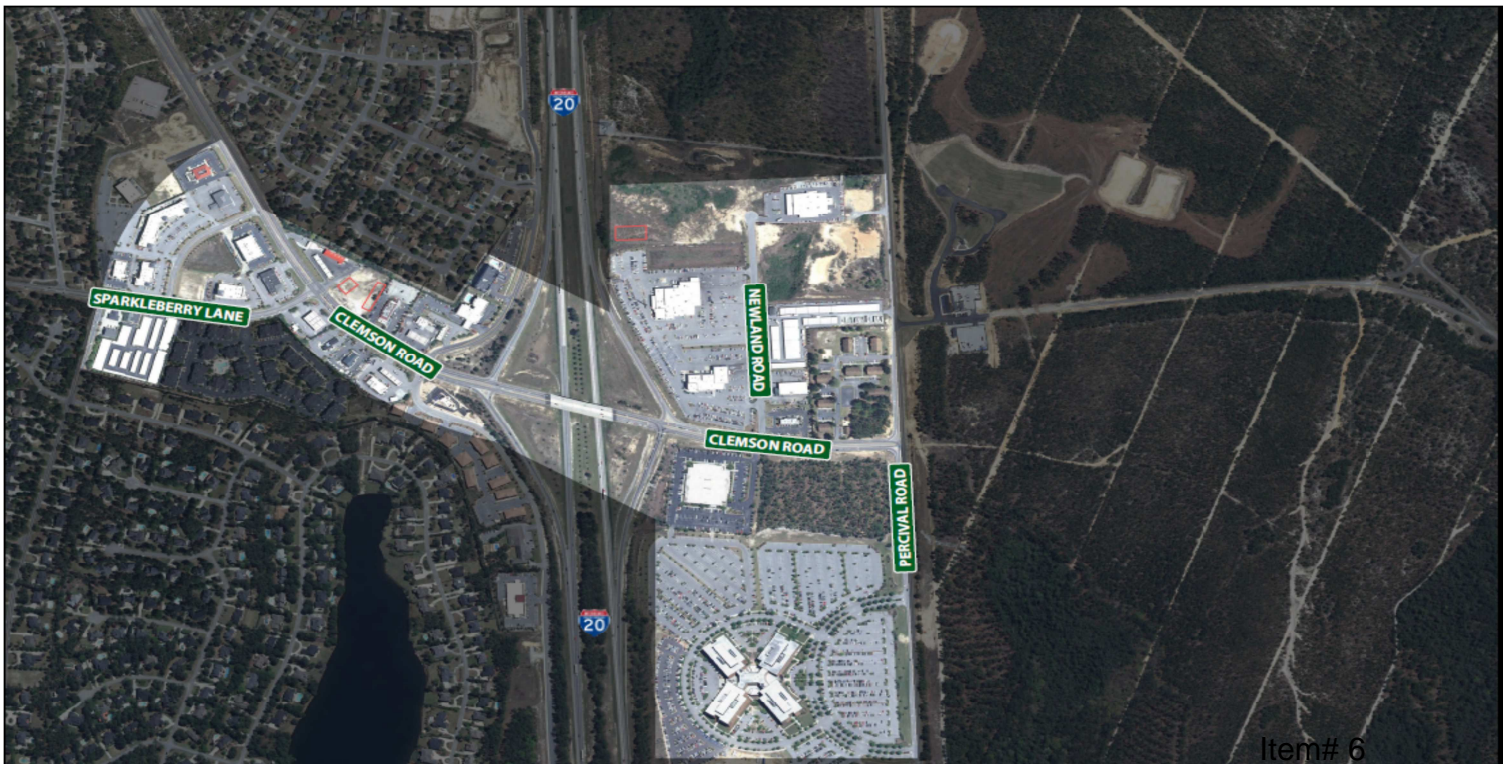


Item# 6

Two Notch Road at I-77 (Exit 17)

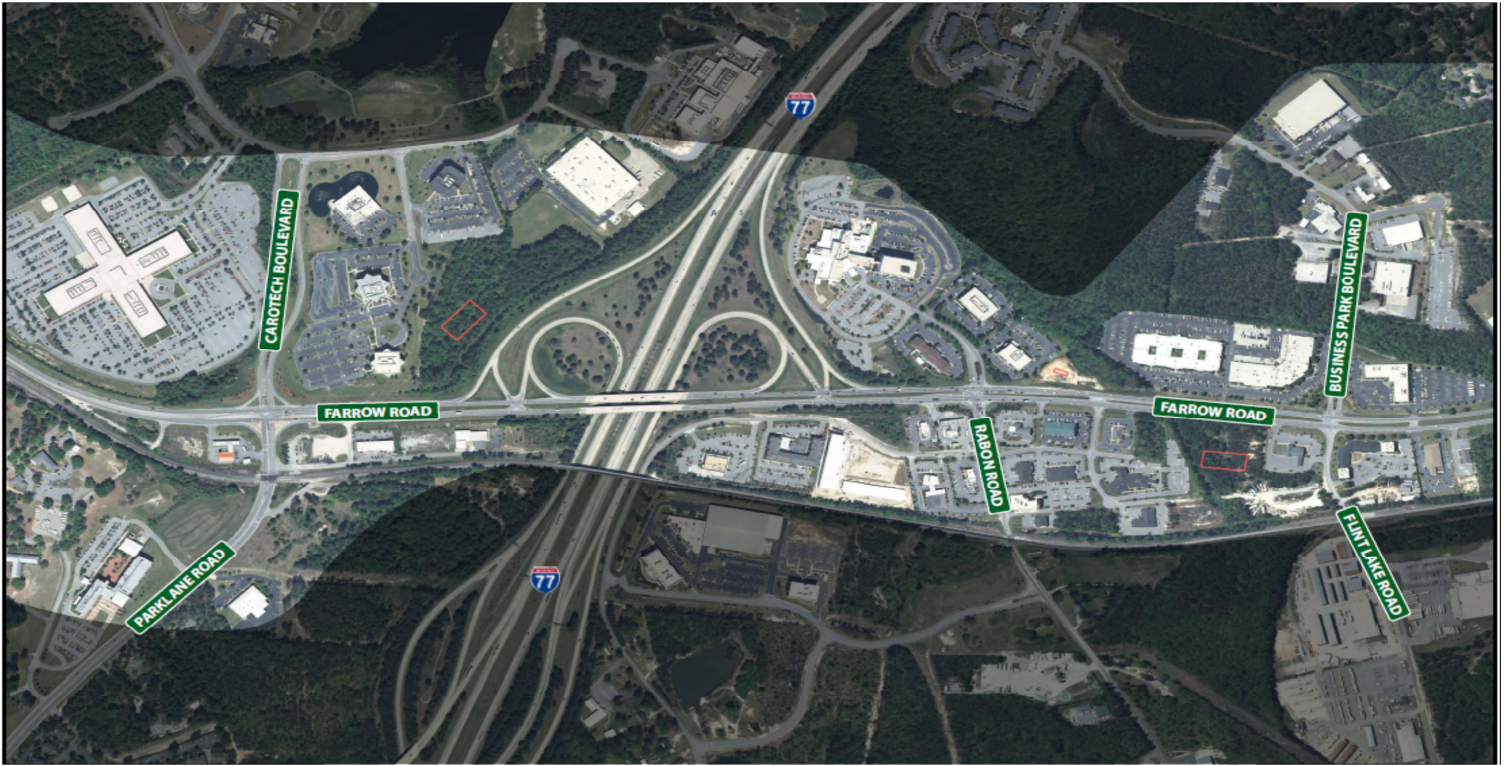


Clemson Road at I-20 (Exit 80)



Item# 6

Farrow Road at I-77 (Exit 19)



Spears Creek Road at I-20 (Exit 82)

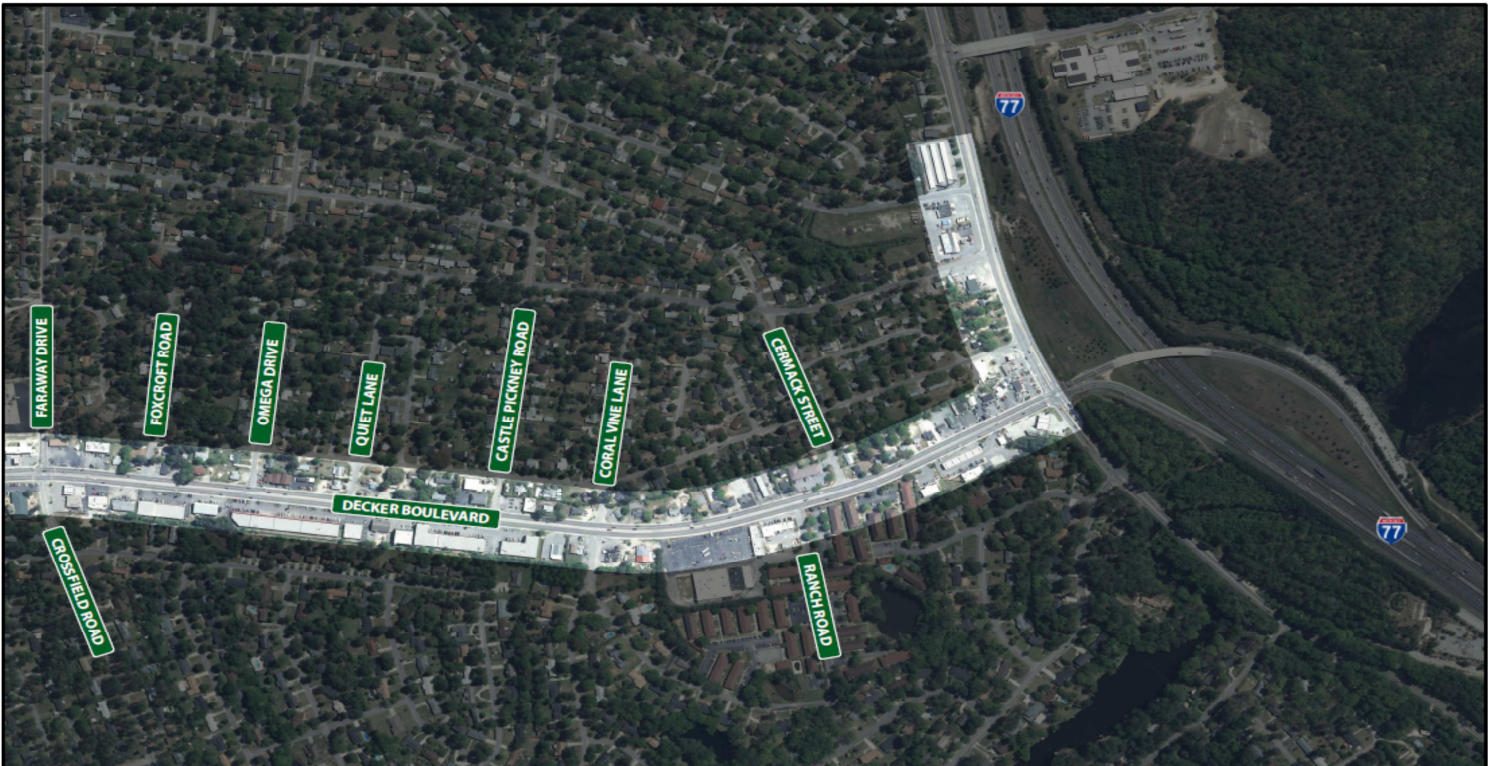


Item# 6

Killian Road at I-77 (Exit 22)



Decker Boulevard at I-77 (Exit 13)



Item# 6

Broad River Road at I-26 (Exit 97)



Item# 6

Richland County Council Request of Action

Subject

Undergrounding of Utilities on Transportation Penny Projects **[PAGES 63-66]**

Reviews

Richland County Council Request of Action

Subject: Undergrounding of Utilities on Transportation Penny Projects

A. Purpose

County Council is requested to direct staff to look at opportunities to place above-ground utilities underground during the implementation of Transportation Penny (Penny) projects.

B. Background / Discussion

On July 1, 2014, Council member Rose brought forth the following motion:

“Move that the County explore opportunities in burying power lines while penny projects are being implemented. The time to bury the lines would be when the roads and sidewalks are being built.”

Opportunities to explore placing above-ground utilities underground exist while staff is developing the scopes of the Penny projects. When scoping projects, staff would additionally evaluate whether replacing existing above-ground utilities with underground utilities could be accomplished within the preliminary project cost estimates.

Undergrounding utilities are usually not required when initiating projects similar to the road improvement projects associated with the Penny program. Typically, undergrounding a utility system is for aesthetic purposes, especially in high density areas. Research indicates that underground utilities may have slightly better reliability performance than overhead utilities, and may increase public safety.

Underground utility systems are normally more expensive to install than above-ground utility systems, and repairing damaged underground utility systems is more costly and time-consuming than above-ground utilities.

More information is provided in the “Financial Impact” section.

C. Legislative / Chronological History

Motion by Seth Rose on July 1, 2014.

D. Financial Impact

There is no additional cost to include undergrounding above-ground utilities in the project scopes for Penny projects. However, the costs to actually underground above-ground utilities are indeterminable, and would fluctuate on a project by project basis. However, the City of Columbia estimated undergrounding of utilities in the joint State Infrastructure Bank (SIB) application to cost \$1.0 million per block for the Assembly Street Gateway Project. Given the aforementioned City of Columbia example, undergrounding above-ground utilities would result in higher price estimates for Penny projects and may decrease the amount of funds available for actual road improvements.

E. Alternatives

1. Approve the motion to direct staff to explore opportunities in burying power lines while Penny projects are being implemented.

2. Do not approve the motion to direct staff to explore opportunities in burying power lines while Penny projects are being implemented.

F. Recommendation

I move that the County explore opportunities in burying power lines while penny projects are being implemented. The time to bury the lines would be when the roads and sidewalks are being built.

Recommended by: Seth Rose Department: County Council Date: 7/1/14

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 7/10/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Recommendation supports the request to explore options.

Transportation

Reviewed by: Rob Perry

Date: 7/10/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

In my opinion we should look into this on a project by project basis, but only if the City of Columbia sets aside funding to partner with Richland County for any these project that are located within the city limits since it would be a project enhancement.

From a project management perspective the undergrounding of utilities are very rarely viewed as a requirement since the purpose and need of a major project like road widening or intersection improvements typically address: safety, existing congestion and future capacity needs. In light of that, undergrounding of utilities are then viewed as a project enhancement unrelated to its actual purpose and need, and would most likely need to be solely funded locally by either the Transportation Penny or City of Columbia. However, there are safety improvements realized in a lot of cases if utilities located in the clear zone are then removed by being undergrounded.

To that end, one of the first tasks we intend to direct the Program Development Team to do is scope each of our projects and revise the project cost estimates the original transportation study produced. In scoping them and in conjunction with the purpose and need we intend to address operational issues first and foremost which again are: safety, existing congestion, and future capacity needs. If the identified individual project funding covered the updated cost estimates and there was excess funding we could look at the undergrounding of utilities as an additional enhancement to individual projects. During one conversation with the City Engineer I was quoted over \$1 million per block to underground utilities. In most cases it may be less than this \$1 million per block, but it's still an expensive endeavor.

Public Works

Reviewed by: Ismail Ozbek

Date: 7/11/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

I agree with the Transportation Department comments

Planning

Reviewed by: Tracy Hegler

Date: 7/14/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

I agree with the Transportation Director’s comments and would add that undergrounding utilities may be more desirable in projects that are near or within neighborhoods or along our commercial corridors where the County is promoting revitalization through Master Plans. In fact, some of the adopted Master Plans recommend undergrounding utilities as part of their neighborhood’s/corridor’s revitalization efforts (costs have already been estimated where appropriate).

Also, undergrounding utilities would not impact development review of these projects.

Utilities

Reviewed by: Andy Metts

Date: 7/15/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

I also agree with the Transportation Director’s comments. I believe that each project should be looked at on an individual basis. Some projects may have existing underground utilities that would make it both impractical and cost prohibitive to install additional utilities. If undergrounding or the relocation of utilities is considered, funding should be provided by the improvement project funding source with no expectation of these cost to be covered by the utility service provider.

Legal

Reviewed by: Elizabeth McLean

Date: 7/17/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: As long as such use is consistent with the ordinance creating the Penny Tax, then it is a policy decision left to Council’s discretion.

Administration

Reviewed by: Tony McDonald

Date: 7/18/14

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: I concur with all of the staff comments above and fully support the exploration, on a project by project basis, of undergrounding utilities as projects are being scoped and designed.

Richland County Council Request of Action

Subject

Report of Fire Advisory Committee

Reviews

Items Pending Analysis

Subject

Sewage Sludge Spray Field Applications [**PAGE 68**]

Reviews

Notes

This item was first reviewed at the February D&S Committee meeting, and Council approved staff to work with the Conservation Commission, Soil and Water District, Conservation staff, and Utilities staff to develop an ordinance related to sewage sludge spray fields that will protect County waterways. Staff is researching potential options to protect County waterways.

Items Pending Analysis

Subject

RC Souvenirs [**PAGE 69**]

Reviews

Notes

This item was last reviewed at the June D&S Committee meeting. At that meeting the Committee directed Staff to reexamine possible souvenir options, including a souvenir coin and provide a recommendation to the Committee. The Clerk's Office is working to create two additional souvenir options. It is planned for this item to be back on the D&S agenda at the September meeting.