

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA

ORDINANCE REVIEW AD HOC COMMITTEE

July 12, 2016
3:00 PM
4th Floor Conference Room

1. Call to Order
2. Approval of Minutes: June 21, 2016 [PAGES 2-3]
3. Adoption of Agenda
4. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to change the uses of “Restaurants, Cafeterias” and “Restaurants, Full Service (Dine-In)” from permitted to ones with special requirements; and to add a new use of “Restaurants, Limited Service (Dine-In)” with special requirements [PAGES 4-11]
5. Amending Chapter 17 to prohibit the parking of motor vehicles in front yard within certain residential zoning districts [PAGES 12-18]
6. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (F), Parking of Recreational Vehicles, Boats, and Travel Trailers; so as to add utility trailers and to allow all such vehicles and trailers to be parked on any lot within the County [PAGES 19-20]
7. Adjournment



Committee Members

Julie-Ann Dixon, Chair
District Nine

Bill Malinowski
District One

Seth Rose
District Five

RICHLAND COUNTY COUNCIL SOUTH CAROLINA

ORDINANCE REVIEW AD HOC COMMITTEE

June 21, 2016
3:00 PM
4th Floor Conference Room

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

CALL TO ORDER

Ms. Dixon called the meeting to order at approximately 3:07 PM

APPROVAL OF MINUTES

April 19, 2016 – Mr. Malinowski moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

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

An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; so as to establish special requirements for restaurants – Mr. Price stated the recommendation is to amend the ordinance as follows:

1. Amend the # of patrons on Item (c). The current ordinance states ... "Seating must be provided for at least twenty (20) patrons.
2. Amend Item (h) to include a % of the existing establishment. The suggestion is between 5% and 10%.
3. Remove Item (k).
4. Amend Item (n) to remove the word "hot".
5. Item (o) will be reworded to address the concerns expressed by Councilman Manning.
6. Amend Item (q)(2) as follows ... must include at least twenty-one cubic feet of refrigerated space for food and a stove/oven.

Ms. McLean stated it would be hard to enforce Item (o): "...a substantial portion of..."



Committee Members Present

Julie-Ann Dixon, Chair
Bill Malinowski
Seth Rose

Others Present:

Geo Price
Elizabeth McLean
Michelle Onley

Ordinance Review Ad Hoc Committee
Tuesday, June 21, 2016
Page Two

Ms. Dixon inquired about the removal of “hot” from Item (n).

Mr. Malinowski stated there are establishments (i.e. Subway) that do not serve hot meals.

Ms. Dixon inquired about Item (h) The stage area.... What constitutes a stage area?

Mr. Price stated the stage area would be where entertainment (i.e. band) would take place.

The committee suggested removing the word “stage” from Item (h).

Ms. McLean inquired about Item (j): “Admission/cover charges prior to entrance are prohibited.”

Mr. Malinowski stated the key word is “prior to entrance”.

Mr. Malinowski moved, seconded by Ms. Dixon, to hold this item in committee and schedule a committee meeting on July 12th at 3:00 p.m.

ADJOURNMENT

The meeting adjourned at approximately 3:29 PM

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SO AS TO CHANGE THE USES OF “RESTAURANTS, CAFETERIAS” AND “RESTAURANTS, FULL SERVICE (DINE-IN)” FROM PERMITTED TO ONES WITH SPECIAL REQUIREMENTS; AND TO ADD A NEW USE OF “RESTAURANTS, LIMITED SERVICE (DINE-IN)” WITH SPECIAL REQUIREMENTS.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts And District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; Subsection (f), Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Retail Trade and Food Services” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Retail Trade and Food Services																	
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)											P	P	P	P	P		
Appliance Stores														P	P		
Art Dealers											P	P	P	P	P		
Arts and Crafts Supply Stores												P	P	P	P		
Auction Houses													P	P	P	P	
Automotive Parts and Accessories Stores													P	P	P	P	
Bakeries, Retail												P	P	P	P	P	
Bars and Other Drinking Places											SE	SE	SR	SR	SR	SR	
Bicycle Sales and Repair												P	P	P	P	P	
Boat and RV Dealers, New and Used														P	P	P	
Book, Periodical, and Music Stores											P	P	P	P	P		
Building Supply Sales with Outside Storage													P	P	P	P	P
Building Supply Sales without Outside Storage													P	P	P	P	P
Camera and Photographic Sales and Service												P	P	P	P		
Candle Shops												P	P	P	P		
Candy Stores (Confectionery, Nuts, Etc.)												P	P	P	P		
Caterers, No On Site Consumption											P	P	P	P	P	P	
Cigar Bars												SR		SR	SR	SR	
Clothing, Shoe, and Accessories Stores												P	P	P	P		
Coin, Stamp, or Similar Collectibles Shops												P	P	P	P		
Computer and Software Stores												P	P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Convenience Stores (with Gasoline Pumps)												P	P	P	P	P	P
Convenience Stores (without Gasoline Pumps)												P	P	P	P	P	P
Cosmetics, Beauty Supplies, and Perfume Stores												P	P	P	P		
Department, Variety or General Merchandise Stores												P	P	P	P		
Direct Selling Establishments, Not Otherwise Listed														P	P	P	
Drugstores, Pharmacies, with Drive-Thru											P		P	P	P	P	
Drugstores, Pharmacies, without Drive-Thru											P	P	P	P	P	P	
Electronic Shopping and Mail Order Houses														P	P	P	P
Fabric and Piece Goods Stores												P	P	P	P		
Flea Markets, Indoor													P	P	P	P	
Flea Markets, Outdoor													P	P	P	P	
Floor Covering Stores													P	P	P		
Florists												P	P	P	P		
Food Service Contractors												P	P	P	P		
Food Stores, Specialty, Not Otherwise Listed												P	P	P	P		
Formal Wear and Costume Rental												P	P	P	P		
Fruit and Vegetable Markets												P	P	P	P	P	
Fuel Sales (Non- Automotive)															SR		SR
Furniture and Home Furnishings													P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Garden Centers, Farm Supplies, or Retail Nurseries												P	P	P	P		
Gift, Novelty, Souvenir, or Card Shops												P	P	P	P		
Grocery/Food Stores (Not Including Convenience Stores)												P	P	P	P		
Hardware Stores												P	P	P	P		
Health and Personal Care Stores, Not Otherwise Listed												P	P	P	P		
Hobby, Toy, and Game Stores												P	P	P	P		
Home Centers														P	P		
Home Furnishing Stores, Not Otherwise Listed												P	P	P	P		
Jewelry, Luggage, and Leather Goods (May Include Repair)												P	P	P	P		
Liquor Stores												P	P	P	P		
Manufactured Home Sales														SR	SR	SR	
Meat Markets												P	P	P	P		
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building												P	P	P	P		
Motor Vehicle Sales – Car and Truck – New and Used													P	P	P	P	
Motorcycle Dealers, New and Used													P	P	P	P	
Musical Instrument and Supplies Stores (May Include Instrument Repair)												P	P	P	P		
News Dealers and Newsstands												P	P	P	P		
Office Supplies and Stationery Stores											P	P	P	P	P		

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Optical Goods Stores											P	P	P	P	P		
Outdoor Power Equipment Stores													P	P	P		
Paint, Wallpaper, and Window Treatment Sales												P	P	P	P		
Pawnshops														P	P		
Pet and Pet Supplies Stores												P	P	P	P		
Record, Video Tape, and Disc Stores												P	P	P	P		
Restaurants, Cafeterias											<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	
Restaurants, Full Service (Dine-In Only)											<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	<u>PSR</u>	
<u>Restaurants, Limited Service (Dine-In)</u>											<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	<u>SR</u>	
Restaurants, Limited Service (Delivery, Carry Out <u>Only</u>)											P	P	P	P	P	P	
Restaurants, Limited Service (Drive-Thru)													P	P	P	P	
Restaurants, Snack and Nonalcoholic Beverage Stores											P	P	P	P	P	P	
Service Stations, Gasoline													P	P	P	P	
Sporting Goods Stores												P	P	P	P		
Television, Radio or Electronic Sales													P	P	P		
Tire Sales													P	P	P		
Tobacco Stores												P	P	P	P		
Truck Stops														P	P	P	P
Used Merchandise Stores												P	P	P	P		
Video Tape and Disc Rental												P	P	P	P		
Warehouse Clubs and Superstores														P	P		

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended by the insertion of a new paragraph to read as Paragraph “(64) Restaurants, Cafeterias; Restaurants, Full Service (Dine-In Only); Restaurants, Limited Service (Dine-In) – OI, NC, RC, GC, M-1, LI”, the existing Paragraph (64) is renumbered to read as Paragraph (65), and all remaining paragraphs are renumbered in appropriate chronological order.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; is hereby amended by the insertion of a new paragraph to read as Paragraph “(64) Restaurants, Cafeterias; Restaurants, Full Service (Dine-In Only); Restaurants, Limited Service (Dine-In)”, the existing Paragraph (64) is renumbered to read as Paragraph (65), and all remaining paragraphs are renumbered in appropriate chronological order.

- (64) Restaurants, Cafeterias; Restaurants, Full Service (Dine-In Only); Restaurants, Limited Service (Dine-In)
 - a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial; LI Light Industrial.
 - b. As a regular and substantial source of business to the licensed establishment, meals shall be served upon the demand of guests and patrons during the normal “mealtimes” which occur when the licensed business establishment is open to the public and that an adequate supply of food is present on the licensed premises to meet such demand.
 - c. Seating for Full Service (Dine-In Only) Restaurants must be provided for at least twenty (20) patrons.
 - d. Seating for Limited Service (Dine-In) Restaurants must be provided for at least twelve (12) patrons.
 - e. Tables and booths must be of adequate height and size to accommodate full food service in accordance with the number of chairs found at the table/booth.
 - f. The bar area shall not cover more than twenty-five (25) percent of floor area, excluding the kitchen, storage area(s), serving areas and offices.
 - g. A full floor plan of the restaurant shall be provided to the Zoning Administrator.
 - h. Alcoholic beverages shall not be sold or dispensed unless the kitchen is open and prepared food items from the menu are available to patrons.

- i. The stage area for entertainment shall not exceed one-hundred (100) square feet or ten (10) percent of the total floor area (excluding the kitchen, storage area(s), serving areas and offices), whichever is greater.
- j. The area devoted to dancing shall not exceed 250 square feet or ten percent of total floor area (excluding the kitchen, storage area(s), serving areas and offices), whichever is greater.
- k. Admission/cover charges prior to entrance are prohibited.
- l. The restaurant must be equipped with a kitchen that is primarily utilized for the cooking, preparation and serving of meals.
- m. The restaurant must have readily available to its guests and patrons either “menus” with the listings of the various meals offered for service or a listing of available meals and foods, posted in a conspicuous place readily discernible by the guest or patrons.
- n. The restaurant must prepare for service to customers meals at least once each day the business establishment chooses to be open.
- o. Any advertisement for the establishment must be in conjunction with the primary business activity.
- p. Dancing poles within the establishment are prohibited.
- q. The following definitions shall be used in conjunction with this paragraph:
 - 1. “Meal” means an assortment of various prepared foods which shall be available to guests on the licensed premises during the normal “mealtimes” which occur when the licensed business establishment is open to the public. Sandwiches, boiled eggs, sausages and other snacks prepared off the licensed premises but sold thereon, shall not constitute a meal.
 - 2. “Kitchen” means a separate and distinct area of the business establishment that is used solely for the preparation, serving and disposal of solid foods that make up meals. Such area must be adequately equipped for the cooking and serving of solid foods, and the storage of same, and must include at least twenty-one cubic feet of refrigerated space for food and a stove/oven.

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

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE _____ DAY

OF _____, 2016

S. Monique McDaniels
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: March 22, 2016 (tentative)
First Reading: March 22, 2016 (tentative)
Second Reading:
Third Reading:

Richland County Council Request for Action

Subject: Amending Chapter 17 to regulate the parking of motor vehicles in the front yard in certain residential zoning districts

A. Purpose

County Council is requested to consider a motion to amend Chapter 17 that would regulate the parking of motor vehicles in the front yard in certain residential zoning districts.

B. Background / Discussion

On September 15, 2015, a motion was made by the Honorable Damon Jeter and the Honorable Seth Rose, as follows:

“I move to propose an ordinance to impose regulations of motor vehicles parking on front lawns in certain residential zoning districts”

County Council forwarded this motion to the October D&S Committee for consideration and recommendation.

C. Legislative/Chronological History

- The D&S Committee sent the ordinance to the Ordinance Review Ad Hoc Committee on 10-27-15.
- The Ordinance Review Ad Hoc Committee sent the ordinance to County Council on 11-17-15.
- The ordinance received first reading on December 1, 2015.
- County Council deferred second reading on 12-8-15.
- County Council again sent the ordinance to the Ordinance Review Ad Hoc Committee on 12-15-15.
- The Ordinance Review Ad Hoc Committee deferred on 2-23-16.
- The Ordinance Review Ad Hoc Committee deferred on 3-15-16

D. Financial Impact

Dependent upon Council decision.

E. Alternatives

1. Approve the ordinance to regulate the parking of motor vehicles in the front yard within certain residential zoning districts.
2. Do not approve the ordinance to regulate the parking of motor vehicles in the front yard within certain residential zoning districts.
3. Approve an amended ordinance regulating the parking of motor vehicles in the front yard within certain residential zoning districts.

F. Recommendation

This request is at Council’s discretion.

Recommended by: Honorable Damon Jeter and Honorable Seth Rose
Date: September 15, 2015

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 2/24/16
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Based on information provided, the requested amendment has no financial impact.

Sheriff's Department

Reviewed by: Chris Cowan Date: 3/2/16
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

If passed, this would pose some issues related to encouraging people to park in the roadway, curbside or that they may find other solutions for parking their cars in front of their houses (this may include people putting up covered carports/metal sheds or fitted covers over the cars). This may cause some safety issues for public safety getting into communities or other related issues with parking on the street.

Clarification is needed on:

- what the grace period would be for those in violation; to have it corrected
- will there be exceptions for covering the car or for acreage

There will be a financial impact:

- New forms will have to be created for posting cars and notification (s) to property owners - \$3000 annual cost
- The number of complaints will far exceed the number of personnel the Sheriff's Department was allocated when the County separated staffing and responsibilities for Code Enforcement 30/70. Currently, the City has 12 personnel conducting the same operations as the 6 personnel RCSD was allocated.

Additional, recommendation/request is that if the County makes changes to any ordinances; before they go into effect, to please put information out to community leaders through the RC Neighborhood Council, News Outlets, Everbridge Notification System and Civic organizations and not rely on advertising public hearings.

Planning and Development Services

Reviewed by: Geonard Price, Zoning Admin. Date: 3/7/16
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Although Planning is not charged with enforcing the proposed ordinance, provision 17-10 (h) specifies that the parking of motor vehicles in the front yard will only apply to specific zoning districts, which is regulated by the Planning Department. Since residential development is not limited to the stated zoning districts of RS-LD, RS-MD, and RS-HD,

during enforcement the Sheriff's Department may encounter issues in determining the zoning of the property.

For practical enforcement, it is recommended that the proposed ordinance also include the zoning districts RM-HD, RM-MD, RU, RR, RS-E, and MH to fully account for where residential development is allowed.

Legal

Reviewed by: Brad Farrar

Date: 3/7/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision of Council. However, the "penalties" section of the draft ordinance may raise issues of arbitrariness and capriciousness in how the ordinance is enforced.

Administration

Reviewed by: Kevin Bronson

Date: 4/1/16

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

At the last Ordinance Review Ad Hoc Committee Councilmembers voted to defer this item until the April 5, 2016 meeting.

Concerns were expressed that the language in the ordinance (specifically the affected property zones) was a "one size fits all" approach. Council also asked for a provision that would accommodate special events.

Challenges seem to exist in two areas regarding this proposed ordinance: 1) which property zoning districts should be included in banning front yard parking; and 2) costs associated with enforcement.

Further, Mr. Malinowski asked for additional information regarding storm water impacts in the event current pervious areas are made impervious.

I have asked staff members of zoning, law enforcement and legal to attend the next meeting to discuss the concerns with the Councilmembers.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-16HR

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 AND COMMERCIAL ZONES OF THE COUNTY; SO AS TO REGULATE THE PARKING OF MOTOR VEHICLES IN THE FRONT YARD IN CERTAIN RESIDENTIAL ZONING DISTRICTS.

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

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

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

(a) For the purpose of this section, the following definitions shall apply:

- (1) ~~*Fitted cover*~~, ~~for the purpose of this section~~, means a cover that conforms to the basic shape of the vehicle and covers all portions of such vehicle.
- (2) *Improved surface means that the surface of a parking space is completely paved with concrete, asphalt, or some other like rigid surface, such as pavers or pervious concrete; to be certain, "improved" does not include gravel or crush and run, even when compacted.*
- (23) ~~*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.
- (34) *Semi-trailer* means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and exceeds a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds.
- (45) *Trailer (other than semi-trailer)* means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle; and which does not exceed a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds. ~~*This definition excludes camping trailers, boat trailers, travel trailers, and utility trailers, as such are regulated in the Richland County Land Development Code at Section 26-173 (f).*~~

(~~56~~) *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 drawn.

(b) It shall be unlawful for a truck tractor, a semi-trailer, or a trailer to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

(c) Except as is provided in subsection (d), 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 one (1) acre or greater in the (RU) Rural zoning district] unless the entire portion of such truck tractor, semi-trailer or trailer is parked, stored or located in an enclosed garage or in a carport at the residence, or is enclosed under a fitted cover.

(d) Notwithstanding subsections (b) and (c), 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 beyond twenty-four (24) hours.

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

(f) All motor vehicles 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 three (3) 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. 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.

(g) Any motor vehicle or trailer that is not capable of operating in accordance with South Carolina law or, in the case of a motor vehicle, not 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 three (3) acres or greater in the (RU) Rural zoning district) for more than forty-five (45) consecutive days unless it is kept in an enclosed garage, in a carport, or protected from the elements by a fitted cover.

(h) All motor vehicles parked within the front yard or secondary front yard (corner lots) of any property zoned RS-LD, RS-MD, or RS-HD must be parked on an improved surface. Provided, however, motor vehicles may be parked on the grass of the front yard or secondary front yard on a temporary basis if the homeowner is hosting a special event and there is not enough parking available on the street.

(hi) Penalties: Upon a finding by a deputy sheriff of a violation, any offender shall have an opportunity to cure the violation within a prescribed period of time; provided that the period of time allowed shall not begin to run until notice of the violation is provided to the offender. Notice shall be sufficient if provided by personal contact directly with the offender or by talking on the telephone with the offender, by the offender having accepted written notice by certified mail, or by placement of a notice of violation on the vehicle, motor vehicle, truck tractor, semi-trailer, or trailer. If the offender, resident, owner of the vehicle, motor vehicle, truck tractor, semi-trailer, or trailer or owner of the real property on which the violation occurred fails to take proper corrective action, in the prescribed time, such person shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred (\$500.00) dollars or imprisoned for not more than thirty (30) days, or both. Each day such violation continues after due notice shall be considered a separate offense. Any owner and/or operator of a vehicle, motor vehicle, truck tractor, semi-trailer, or trailer which is in violation of this section (or if the offender is unable to be located, any owner of land on which the violation occurred), and any person who commits, participates in, assists in, or maintains that violation may each be found guilty of a separate offense and suffer the penalties set forth herein. In the event that an offender has been previously cited for or given notice of a violation of this section, enforcement action may be taken immediately without the requirement of an opportunity to cure the violation.

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

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

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

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE _____ DAY
OF _____, 2016

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: December 1, 2015
Second Reading:
Public Hearing:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-16HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-173, OFF-STREET PARKING STANDARDS; SUBSECTION (F), PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAVEL TRAILERS; SO AS TO ADD UTILITY TRAILERS AND TO ALLOW ALL SUCH VEHICLES AND TRAILERS TO BE PARKED ON ANY LOT WITHIN THE COUNTY.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (f), Parking of Recreational Vehicles, Boats, and Travel Trailers; is hereby amended to read as follows:

- (f) *Parking of recreational vehicles, boats, ~~and boat trailers~~, travel trailers, camping trailers, and utility trailers. ~~Travel or camping vehicles: Not more than one (1) Recreational vehicles, boats, boat trailers, travel trailers, camping trailers, and utility trailers travel or camping vehicle, per family living on the premises, shall be permitted to be parked on any lot in any residential zone. within the County. The vehicle shall not be parked in the required front or side yard nor shall any such vehicle be parked or stored in front of the principal structure on a residentially zoned lot.~~ Provided, however, ~~T~~the vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized recreational vehicle park.*

- ~~(2) — Boats or travel trailers: No boat or travel trailer shall be stored in any required front or side yard of any residentially zoned property nor shall any boat or travel trailer be stored or parked in front of a principal structure on a residentially zoned lot.~~

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 enforced from and after _____, 2016.

RICHLAND COUNTY COUNCIL

BY: _____
Torrey Rush, Chair

ATTEST THIS THE ____ DAY
OF _____, 2016

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: March 22, 2016 (tentative)
Public Hearing: March 22, 2016 (tentative)
Second Reading:
Third Reading: