

RICHLAND COUNTY
COUNTY COUNCIL AGENDA



Tuesday, MARCH 15, 2022

6:00 PM

COUNCIL CHAMBERS

RICHLAND COUNTY COUNCIL 2022



Bill Malinowski
District 1
2018-2022



Derrek Pugh
District 2
2020-2024



Yvonne McBride
District 3
2020-2024



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker III
District 6
2018-2022



Gretchen Barron
District 7
2020-2024



Overture Walker
District 8
2020-2024



Jessica Mackey
District 9
2020-2024



Cheryl English
District 10
2020-2024



Chakisse Newton
District 11
2018-2022





Richland County Council

Regular Session
March 15, 2022 - 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Overture Walker,
Chair Richland County Council
 - a. ROLL CALL
2. **INVOCATION** The Honorable Overture Walker
3. **PLEDGE OF ALLEGIANCE** The Honorable Overture Walker
4. **APPROVAL OF MINUTES** The Honorable Overture Walker
 - a. Zoning Public Hearing: February 22, 2022 [**PAGES 7-8**]
 - b. Regular Session: March 1, 2022 [**PAGES 9-19**]
5. **ADOPTION OF AGENDA** The Honorable Overture Walker
6. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS** Patrick Wright,
County Attorney
 - a. After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.
7. **CITIZEN'S INPUT** The Honorable Overture Walker
 - a. For Items on the Agenda Not Requiring a Public Hearing
8. **CITIZEN'S INPUT** The Honorable Overture Walker

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.)

9. REPORT OF THE COUNTY ADMINISTRATOR

Leonardo Brown,
County Administrator

- a. Conservation Commission Annual Plan [PAGES 20-39]
- b. Coronavirus Update [PAGES 40-41]
- c. Project Update [PAGE 41]
- d. Other Updates [PAGE 41]

10. REPORT OF THE CLERK OF COUNCIL

Anette Kirylo,
Clerk of Council

11. REPORT OF THE CHAIR

The Honorable Overture Walker

12. APPROVAL OF CONSENT ITEMS

The Honorable Overture Walker

- a. An Ordinance Authorizing an easement to East Richland County Public Service District for sewer utility facilities; specifically located at the Cooper Library Branch of the Richland Library, being at 5317 Trenholm Road and described as TMS # 14014-06-25 [SECOND READING] [PAGES 42-59]
- b. An Ordinance Amending Sections 16-5 and 16-7 of Article 1, Chapter 16 of the Code of Ordinances of Richland County relating to business licensing and regulation and to establish an effective date for certain amendments to the Code of Ordinances [SECOND READING] [PAGES 60-76]

13. THIRD READING ITEMS

The Honorable Overture Walker

- a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County [PAGES 77-124]

14. REPORT OF RULES & APPOINTMENTS COMMITTEE

The Honorable Gretchen Barron

a. NOTIFICATION OF APPOINTMENTS

1. Hospitality Tax – Three (3) Vacancies (ONE applicant must be from the Restaurant Industry)
 - a. Christopher Ziegler [**PAGES 125-126**]
2. Richland Memorial Hospital Board of Trustees – Two (2) Vacancies
 - a. William Garland [**PAGES 127-130**]

15. REPORT OF THE SEWER AD HOC COMMITTEE

The Honorable Bill Malinowski

- a. Modifications to ERCPSD Special Purpose District Boundary [**PAGES 131-142**]
- b. Richland County Properties Identified for Water Master Plan - TMS# R02315-01-14 and TMS# R01700-02-02 [**PAGES 143-147**]
- c. Projects Funded by Grants [**PAGES 148-151**]

16. OTHER ITEMS

The Honorable Overture Walker

- a. FY22 - District 10 Hospitality Tax Allocations: [**PAGES 152-153**]
 1. Township Auditorium - \$7,500.00
 2. Town of Eastover - \$7,500.00
 3. Lower Richland Alumni Foundation - \$7,500.00
 4. Auntie Karen Foundation - \$5,000.00
 5. LR Sweet Potato Festival - \$5,000.00
 6. Columbia City Ballet - \$5,000.00
 7. EdVenture - \$5,000.00

17. EXECUTIVE SESSION

Patrick Wright,
County Attorney

- a. After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

18. MOTION PERIOD

19. 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
Zoning Public Hearing
MINUTES
February 22, 2022 – 7:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Overture Walker, Chair; Jesica Mackey, Vice-chair, Bill Malinowski, Derrek Pugh, Yvonne McBride, Paul Livingston, Allison Terracio, Joe Walker, Gretchen Barron, Cheryl English and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Geo Price, Tamar Black, Justin Landy, Patrick Wright, Anette Kirylo and Kyle Holsclaw

- II. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 7:00 PM.
- III. **ADDITIONS/DELETIONS TO THE AGENDA** – Mr. Geonard Price, Division Manager/Zoning Administrator, stated staff received a request for withdrawal of Case # 22-002MA. Due to the request being received within 15 days of the Zoning Public Hearing, it has to be brought to Council for either acceptance or denial of the withdrawal.

- IV. **ADOPTION OF AGENDA** – Ms. Barron moved, seconded by Ms. Mackey, to adopt the agenda as published.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

MAP AMENDMENTS

V.

1. *Case # 22-002MA*
Kara Durant
PDD to GC (3.23 Acres)
1304 Peacehaven Road
TMS# R01500-02-09 [FIRST READING]

Mr. Malinowski moved, seconded by Mr. J. Walker, to accept the applicant's withdrawal request.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

Mr. Price stated the remapping for the County was scheduled to come before the Planning Commission on March 7th and Zoning Public Hearing on March 22nd. Due to the number of emails and phone calls,

Zoning Pubic Hearing
February 22, 2022

they want to allow staff to go back to the communities to address the questions.

VI. **ADJOURNMENT** – Mr. Pugh moved, seconded by Ms. McBride, to adjourn the meeting.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 7:07 PM.



Richland County Council
Regular Session
MINUTES
March 1, 2022 – 6:00 PM
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Overture Walker, Chair, Jesica Mackey, Vice-Chair, Bill Malinowski, Derrek Pugh, Yvonne McBride, Paul Livingston, Joe Walker, Gretchen Barron, Cheryl English and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Angela Weathersby, Kyle Holsclaw, Ashiya Myers, Randy Pruitt, Michael Byrd, Stacey Hamm, John Thompson, Bill Davis, Dale Welch, Geo Price, Jeff Ruble, Leonardo Brown, Tamar Black, Lori Thomas, Patrick Wright, Justin Landy, Michael Maloney, Aric Jensen, Shane Kitchen, Abhi Deshpande, Jennifer Wladischkin, Casey White, Jani Hussain, Quinton Epps, Zachary Cavanaugh and Allison Steele

1. **CALL TO ORDER** – Chairman O. Walker called the meeting to order at approximately 6:00PM. He stated Councilwoman Allison Terracio informed him she would not be present at tonight’s meeting.
2. **INVOCATION** – The Invocation was led by Pastor David Finklea, Advancement Officer of Major Gifts, Columbia International University, on behalf of the Honorable Overture Walker.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Overture Walker.
4. **PRESENTATION OF PROCLAMATIONS**

- a. **A Proclamation Recognizing James C Brown’s Retirement [McBRIDE]** – Ms. Tamar Black, Assistant to the Clerk to Council, read the proclamation into the record. Mr. Brown was not in attendance at the meeting.

POINT OF PERSONAL PRIVILEGE – Mr. Pugh, Mr. O. Walker and Mr. Livingston expressed their appreciation for Mr. Brown’s service to Richland County.

- b. **A Proclamation Supporting CIU’s RAMServe Day [BARRON and LIVINGSTON]** – Ms. Black read the proclamation into the record. Ms. Barron and Mr. Livingston presented the proclamation to Pastor David Finklea.

POINT OF PERSONAL PRIVILEGE – Ms. Barron stated it is an honor for her to serve as a liaison for the RAMServe. She thanked Mr. Livingston for introducing Council members to this project.

Mr. Livingston thanked Columbia International University (CIU) for the program. He noted there has been tremendous improvement to the Broad River area with their contributions.

Special Called
March 1, 2022

-1-

5. **APPROVAL OF MINUTES**

- a. **Regular Session: February 15, 2022** – Ms. Newton moved, seconded by Ms. Barron, to approve the minutes as distributed.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

6. **ADOPTION OF AGENDA** – Mr. Leonardo Brown, County Administrator, requested to defer Item 15(a): “An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County” to the March 15, 2022 Council meeting.

Mr. Patrick Wright, County Attorney, noted the items under the Report of the Attorney for Executive Session were incorrectly numbered. The correct numbering was (a) and (b), not (b) and (c).

Ms. Barron moved, seconded by Ms. English, to adopt the agenda as amended.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous to adopt the agenda as amended.

POINT OF PERSONAL PRIVILEGE – Ms. English thanked staff for assisting her with matters in her district.

7. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS**

- a. **Alvin S. Glenn Detention Center**
b. **Convention Center Expansion**

Mr. Pugh moved, seconded by Mr. Livingston, to go into Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

Not Present: Terracio

The vote was in favor of going into Executive Session.

***Council went into Executive Session at approximately 6:17 PM
and came out at approximately 7:33 PM***

**Special Called
March 1, 2022**

-2-

Mr. Malinowski moved, seconded by Mr. Livingston, to come out of Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- a. **Alvin S. Glenn Detention Center** – No action was taken.
- b. **Convention Center Expansion** – Ms. Barron moved, seconded by Mr. Pugh, to authorize the County Administrator to explore, and review, all available options for the Convention Center.

In Favor: Malinowski, Pugh, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: McBride

Not Present: Terracio

The vote was in favor.

8. **CITIZENS' INPUT**

a. **For Items on the Agenda Not Requiring a Public Hearing**

- 1. Javar Juarez, 1924 Spotswood Drive, Columbia, SC 29210; spoke about Broad River District gun violence.

9. **CITIZENS' INPUT**

- a. **Must Retain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time)** – No one signed up to speak.

10. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. **Coronavirus Update** – Mr. Leonardo Brown, County Administrator, stated COVID-19 has moved from a pandemic to an endemic, which means this is something we will be living with and normalized over time. Going forward, we will be looking at hospitalizations and deaths opposed to the confirmation of cases within the community. Richland County is still a high transmission community. He noted Council will be considering extending the mask ordinance at tonight's meeting. Regardless of the outcome of the vote, as an employer we are under the Occupational Safety and Health Administration (OSHA), and as a part of their charge employers must follow the guidelines associated with protecting the health of employers within the organization. OSHA's guidelines communicates the way to mitigate the spread of COVID-19 is to follow CDC guidance, which means we will continue to follow mask requirements until the County is not in a high transmission community.
- b. **Project Updates** – The project updates were included in the agenda packet for Council's review.
- c. **Other Updates** – There was a letter from Pawmetto Lifeline and information on Public Work's FY21

Special Called
March 1, 2022

-3-

Annual Roads Report and FY22 Comprehensive Transportation Improvement Plan (CTIP) included in the agenda packet. These items will be coming before Council in the future.

11. **REPORT OF THE CLERK OF COUNCIL** – No report was given.
12. **REPORT OF THE CHAIR** – No report was given.
13. **OPEN/CLOSE PUBLIC HEARINGS**
 - a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County** – The public hearing was deferred.
 - b. **Authorizing the sale of certain real property owned by Richland County, South Carolina; and other matters related thereto** – No one signed up to speak.
14. **APPROVAL OF CONSENT ITEMS**
 - a. **An Ordinance Authorizing an easement to East Richland County Public Service District for sewer utility facilities; specifically located at the Cooper Library Branch of the Richland Library, being at 5317 Trenholm Road and described as TMS # 14014-06-25 [FIRST READING]**
 - b. **County Attorney's Office - Purchase of the Edgewood Library Branch property (2101 – 13 Oak Street)**
 - c. **Road Closure Petition (Pointe Grand Columbia, LLC v. SCDOT, RC, DPX Holdings, LLC, 2021-CP-40-06246) to close Research Court for which Richland County currently provides maintenance**
 - d. **Award Contract for Body Removal Services**
 - e. **Community Planning & Development – Business Service Center – Business License Tax Rate Schedule Rebalance [FIRST READING]**
 - f. **Operational Services – Approve Funding for the Modernization of (6) Elevators at 2020 & 2000 Hampton Street**
 - g. **Operational Services – Approval to Award Contract for (2) Fire Station Roofs**
 - h. **Utilities – Hopkins Utilities Office – Sewer Connection**
 - i. **Department of Public Works – Solid Waste & Recycling Division – Approval of Class 2 Solid Waste Disposal Contract Amendment**

Ms. Mackey moved, seconded by Mr. Livingston, to approve Item 14(a).

Mr. Malinowski made a substitute motion, seconded by Ms. McBride, to approve the Consent Items.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Special Called
March 1, 2022

-4-

Not Present: Terracio

The vote in favor of the substitute motion was unanimous.

Mr. J. Walker moved, seconded by Mr. Malinowski, to reconsider Item # 14(h).

Opposed: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The motion for reconsideration failed.

15. **THIRD READING ITEMS**

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County** – This item was deferred to the March 15th Council meeting.
- b. **Authorizing the sale of certain real property owned by Richland County, South Carolina; and other matters related thereto** – Ms. Barron moved, seconded by Ms. Mackey, to approve this item.

Mr. Malinowski stated, for clarification, this is the Economic Development property matter.

Mr. Brown responded in the affirmative.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

16 **SECOND READING ITEMS**

- a. **21-028MA, Matt Rains, HI to RS-MD (113.2 Acres & 8.32 Acres), Farrow Road, TMS # R17600-02-32 & 46** – Mr. Pugh moved, seconded Mr. Livingston, to accept the applicant's withdrawal request.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton.

Not Present: Terracio

The vote in favor was unanimous.

17. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. **Committing to negotiate a fee-in-lieu of ad valorem taxes and incentive agreement between**

Special Called
March 1, 2022

-5-

Richland County and Project Vanguard: identifying the project; and other matters related thereto – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- b. **Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Project Vanguard to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; the conveyance of certain real property to Project Vanguard; and other related matters [FIRST READING]** – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: Terracio

The vote was in favor.

- c. **Committing to negotiate a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County and a company known for the time being as Project Wolf; identifying the project; and other matters thereto** – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- d. **Committing to negotiate a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County and company known for the time being as Project Jackal; identifying the project; and other matters related thereto** – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- e. **A Resolution certifying property as an abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 of the Code of Laws of South**

Special Called
March 1, 2022

-6-

Carolina 1976, as amended – Mr. Livingston stated this is a resolution certifying the building at 209 Stoneridge Drive was abandoned and is eligible for the abandoned tax credit.

Mr. Malinowski inquired if this is an item that was previously approved and has already been rehabilitated, and now they are requesting the tax incentive.

Mr. Ruble responded this was approved in 2017. The property is currently up for sale, and the new buyer has requested the certification.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

18. **CORONAVIRUS AD HOC COMMITTEE**

- a. **Grant Management Software** – Ms. Barron stated the committee recommended Council approve the allocation of \$687,949.00 in American Rescue Funds and other Federal funds that are applicable sources to purchase comprehensive grant management software to facilitate the process of distributing, tracking and processing both grant funds received and distributed.

Mr. J. Walker inquired if this was the recommendation of staff to the committee.

Mr. Brown nodded his head in the affirmative.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- b. **ERAP Vendor** – Ms. Barron stated the committee recommended Council approve an extension of the existing agreement with TetraTech to administer the distribution of any reallocated Emergency Rental Assistance 1 funds.

In Favor: Malinowski, Pugh, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: McBride

Not Present: Terracio

The vote was in favor.

Ms. Barron moved, seconded by Ms. Newton, to reconsider Item 18(b).

In Favor: McBride

**Special Called
March 1, 2022**

-7-

Opposed: Malinowski, Pugh, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The motion for reconsideration failed.

19. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. **Blythewood Rd. Widening Right-of-Way Condemnations** – Ms. Mackey stated the committee recommended Council adopt a resolution to exercise the County’s eminent domain powers for the purpose of initiating condemnation actions for the acquisition of certain real property, which is two tracts for the Blythewood Road Widening Project.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

- b. **Mitigation Credit Sales – Villages at Congaree Point** – Ms. Mackey stated the committee recommended Council the sale of mitigation credits in the amount of \$55,200. The funds will be credited to the Transportation Penny Program.

Mr. Malinowski inquired why there are old highlighted minutes in the agenda packet.

Mr. Epps responded it is their practice to show previous actions Council took to purchase other credits.

Mr. Malinowski requested to discontinue the practice.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey and English

Opposed: J. Walker and Newton

Not Present: Terracio

The vote was in favor.

Ms. Mackey moved, seconded by Mr. Livingston, to reconsider Items 19(a) and (b).

In Favor: Newton

Opposed: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey and English

Not Present: Terracio

The motion for reconsideration of Items 19(a) and (b) failed.

**Special Called
March 1, 2022**

20. **OTHER ITEMS**

a. **FY22 – District 2 Hospitality Tax Allocations:**

1. Auntie Karen Foundation - \$5,000

b. **FY22 – District 7 Hospitality Tax Allocations:**

1. Columbia City Ballet: Motown -- \$5,000
2. Auntie Karen Foundation – 18th Annual Legends Concert - \$5,000

c. **FY22 – District 9 Hospitality Tax Allocations:**

1. Auntie Karen Foundation: 18th Annual Legends Concert - \$5,000

d. **FY22 – District 11 Hospitality Tax Allocations:**

1. Auntie Karen Foundation - \$5,000

Mr. Pugh moved, seconded by Ms. Barron, to approve Items 20(a) – 20(d).

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

Not Present: Terracio

The vote was in favor.

Ms. McBride moved, seconded by Ms. Barron, to reconsider Items 20(a) – 20(d).

Opposed: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The motion to reconsider Items 20(a) – 20(d) failed.

e. **Regional Gateway Project – Intergovernmental Agreement (IGA)** – Mr. Livingston moved, seconded by Ms. Mackey, to approve this item.

Ms. Newton inquired if the Legal Department was fine with the proposed IGA.

Mr. Wright responded, in bullet point 4(b)(2) of the IGA, the previous version says, “Each county government share will be based on the full county population, less the population of any participating municipalities.” The response document says, “It would specify the population of the unincorporated areas of the county.” He noted Council can either approve the provided language or the pending language.

**Special Called
March 1, 2022**

-9-

Mr. Malinowski stated he believes the IGA should be more detailed. We have not received a response from the South Carolina Department of Transportation (SCDOT) on whether they are going to allow us to move forward with any encroachment permits. There is no language regarding exceeding certain costs, liability and indemnification. The IGA states, "The agreement shall not be terminated as long as there is a contract, grant or other mutual obligation in effect." He noted it is unclear on the obligations and potential liabilities.

Ms. Newton made a substitute motion, seconded by Mr. J. Walker, to accept the IGA pending the recommendations Legal counsel has suggested.

Mr. Wright stated, based on the responses received, the language will be to specify the population of the unincorporated areas of the county.

Ms. McBride inquired if the County Attorney is satisfied with the agreement, based on the comments made by Mr. Malinowski.

Mr. Wright responded in the affirmative. The indemnification language will be included in the forthcoming contracts.

Mr. Malinowski inquired if Blythewood and Chapin were invited to participate.

Mr. Brown stated he could not respond specifically. He knows a question was raised about ensuring all municipalities were given an opportunity to participate. He believes the Midlands Business Leadership Group (MBLG) made an effort to contact all of the municipalities.

In Favor: Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: Terracio

The vote was in favor of the substitute motion.

- f. **An Emergency Ordinance extending previous emergency ordinances requiring the wearing of face masks to help alleviate the spread of COVID-19** – Ms. Mackey moved, seconded by Ms. Barron, to approve this item.

Ms. Newton noted she supports masking wearing, and she will continue to mask. The County should encourage people to continue to mask. She stated, in the past, she raised some questions about the mask ordinance, in terms of updating it in light of vaccination status, and she still has those concerns.

Mr. Malinowski inquired about how many citations have been issued since the last mask ordinance went into effect.

Mr. Brown responded six citations were issued, and two were fined.

Mr. J. Walker stated, for the record, this evening, the President of the United States and the

Speaker of the House were seated in the packed Chamber of Congress where the State of the Union speech was delivered maskless. The reality is people should be able to choose whether they want to wear a mask or not. We continue to mandate and mandate. He inquired what the sunset is on this. When do we accept this is an endemic and not a pandemic, and allow people to make the choice? From a morale perspective, it is hurting our employees. He encouraged Council to consider where we are and make a common sense based decision, which is still supported by the guidance and data.

Ms. Barron stated, to the point of following the guidance from our local and federal officials, they also state, if we are in a high transmission area, we need to continue to mask. Richland County is in a high transmission area and we need to continue to mask.

Mr. J. Walker noted, as he read the CDC guidance, it indicated while in a high transmission area you need to continue to mask while indoors, in large groups and not separated.

In Favor: Pugh, McBride, Livingston, Barron, O. Walker, Mackey and English

Opposed: Malinowski, J. Walker and Newton

Not Present: Terracio

The vote was in favor.

21. **EXECUTIVE SESSION** – There were no items for Executive Session.

18. **MOTION PERIOD** – There were no motions.

19. **ADJOURNMENT** – Ms. Newton moved, seconded by Mr. J. Walker, to adjourn.

In Favor: Malinowski, Pugh, McBride, Livingston, J. Walker, Barron, O. Walker, Mackey, English and Newton

Not Present: Terracio

The vote in favor was unanimous.

The meeting adjourned at approximately 8:13 PM

**Special Called
March 1, 2022**

-11-

**Richland County Conservation Commission (RCCC) FY2022 Annual Plan
October 19, 2021**

Introduction

Richland County Council created the RCCC by ordinance in 1998. The RCCC is charged with promoting the protection of the county's natural, historical, and cultural resources and promoting nature-based recreation and eco- and heritage tourism. The commission does this by negotiating voluntary protection strategies with landowners through conservation easements and land acquisition, and through grant programs and special projects. Each of the eleven members of County Council appoints a representative to the RCCC ([RCCC Members](#)). The members have backgrounds in land conservation, historic preservation, and other related fields. Members meet monthly and serve without pay. The Conservation Division in the Community Planning & Development Department provides staff support to the RCCC.

Chapter 2: Administration; Article VII. Boards, Commissions and Committees; Section 2-332 Boards, commissions and committees created of the Richland County ordinance states the RCCC shall prepare and submit to County Council an Annual Plan.

Financial Summary for Fiscal Year 2021 (FY2021)

In FY2021 the RCCC spent \$529,147.53 from its \$772,225.00 budget for salaries and benefits, professional services, property management, and normal operating expenses. The grant program also awarded \$212,439.00 in Community Conservation Grants and distributed \$208,721.27 to grantees for their projects. Expenses were lower during FY21 due to an 18.1% reduction in the Community Conservation Grants budget as well as staff reductions during the COVID-19 pandemic. Any funds not expended during the year are collected in the Conservation Fund Balance for later use by the RCCC for large projects or property purchases.

Significant Resources

The RCCC has produced numerous resources documenting the significant natural, cultural, and historical resources in the county which outline potential actions the RCCC may undertake to protect these resources. These documents include the attached Lower Richland Tourism Plan (LRTP, Attachment A), Feasibility of Stream and Wetland Restoration Alternatives for Walden Pond (Attachment B), Final Report – Richland County Cemetery Survey (Attachment C), Richland County Historical Resources (Attachment D), the Richland County Green Infrastructure GIS Analysis (Attachment E) as well as other supporting documents for property management (Attachment F) and strategic planning (Attachment H).

Recommendations for Acquisition

RCCC acquires property for conservation purposes through donation and purchase. It also acquires property rights through conservation easements. Areas of Richland County which are prioritized for protection are detailed in the Richland County Green Infrastructure GIS Analysis (Attachment E). Utilizing Geographical Information System (GIS) layers and analysis 6 watersheds were identified within the county for priority protection:

- Priority Area 1 – Myers Creek/Cabin Branch Watershed
- Priority Area 2 – Sandy Run Watershed
- Priority Area 3 – Mussel Creek Watershed
- Priority Area 4 – Big Cedar Creek Watershed
- Priority Area 5 – Wateree Creek Watershed

Priority Area 6 – COWASSE Basin

Although these 6 watersheds have been selected for prioritization other areas in the county will be considered for acquisition if they are presented to the RCCC. The RCCC’s Conservation Easement Strategic Plan (Appendix G) identifies additional criteria for evaluating properties for protection. Specific properties identified for acquisition potential are not provided in this report due to ongoing or potential contract negotiations.

Financing strategy for these acquisitions: RCCC’s ½ mil and individual donations of property or property rights through conservation easements.

Recommendations for Lease

RCCC does not currently lease or recommend any resources for lease. Therefore no financing strategy is indicated.

Recommendations for Development

RCCC recommends and is working towards the development of various resources this year including issuance of \$250,000 in Conservation Grants (Appendix I) to organizations and constituents to protect existing natural, cultural and historical resources. Managing existing conservation resources, beginning the LRTP by hiring a consultant to develop local tourism businesses in Lower Richland and improving the roads leading into the Mill Creek property are the largest of RCCC’s proposed FY22 objectives. These projects would be financed through grants (if available), partnerships with other entities and constituents, and the utilization of the RCCC ½ mill special revenue funds.

Funding Source	Project
½ mill special revenue fund	Grants <ul style="list-style-type: none"> • FY22 Conservation Commission Grants (\$250K) (Appendix I) <ul style="list-style-type: none"> ○ Review, approve, and pay grant reimbursement requests ○ Participate in grant tours, open houses, and other events ○ Publicize grant accomplishments through PIO when appropriate • FY23 Conservation Commission Grants (\$250K) <ul style="list-style-type: none"> ○ Advertise application period in partnership with PIO ○ Review and rank applications ○ Recommend applications for award ○ Notify applicants of awards ○ Conduct grantee information session ○ Publicize grant recipients through PIO
½ mill special revenue fund and donations	<ul style="list-style-type: none"> • Conservation Easements (over 1,200 acres) <ul style="list-style-type: none"> ○ Monitor existing easements ○ Evaluate potential easements (specific properties not disclosed due to ongoing negotiations with land owners) in accordance with the Conservation Easement Strategic Plan (Attachment G) and the Richland County Green Infrastructure GIS Analysis (Attachment E). Although these areas have been prioritized proposed easements which meet the easement criteria will be considered by the RCCC for acquisition.

	<ul style="list-style-type: none"> ○ Troubleshoot issues/provide customer service to existing easement donors
General Fund Transfer In (*except where otherwise noted)	<ul style="list-style-type: none"> ● Land Management (approximately 3,800 acres) <ul style="list-style-type: none"> ○ Manage Cabin Branch ○ Manage Mill Creek <ul style="list-style-type: none"> ▪ *Pay off debt (special revenue fund reserve fund) ▪ Design of bridge repair and road improvements to entrance road (working towards utilizing CDBG Funds) ▪ Manage Mitigation Bank ○ Manage Pinewood Lake Park <ul style="list-style-type: none"> ▪ Support regular volunteer workdays ▪ Support Pollinator Garden (NACD grants and volunteers) ▪ Re-open park un-manned July 1, 2021 and add additional services once Division staff returns to 80% ○ Manage Broad River Road property <ul style="list-style-type: none"> ▪ Propose new agreement with Columbia Rowing Club
½ mill special revenue fund	<ul style="list-style-type: none"> ● Historic Markers <ul style="list-style-type: none"> ○ Provide funding for historic markers (State Library Historic Marker) ○ Publicize marker unveilings through PIO
½ mill special revenue fund, grants, and donations where available	<ul style="list-style-type: none"> ● Special Projects <ul style="list-style-type: none"> ○ Conduct County Council Workshop for LRTP ○ Ask for County Council approval of LRTP ○ Incorporate into Lower Richland Master Plan for implementation ○ Discuss path forward for Walden Pond property with Walden Pond Home Owners Association (Appendix B)

To complete these objectives the Conservation Program Analyst and Land Program Planner as well as the Administrative Assistant positions must be hired and this will be the first objective in all of the above projects.

Attachments (Links provided below - documents not printed for brevity and can be printed on request):

- A) [Lower Richland Tourism Plan](#)
- B) [Feasibility of Stream and Wetland Restoration Alternatives for Walden Pond](#)
- C) [Final Report - Richland County Cemetery Survey and other cemetery information](#)
- D) [Richland County Historical Resources – May 2017](#)
- E) [Richland County Green Infrastructure GIS Analysis](#)
- F) [Conservation Land Management Manual](#)
- G) [Conservation Easement Program Strategic Plan](#)
- H) [RCCC Strategic Plan](#)
- I) [Approved FY22 Conservation Grants](#)

**Richland County Conservation Commission (RCCC) FY22-23 Annual Plan
(March 3, 2022)**

Introduction

Richland County Council created the RCCC by ordinance in 1998. The RCCC is charged with promoting the protection of the county's natural, historical, and cultural resources and promoting nature-based recreation and eco- and heritage tourism. The commission does this by negotiating voluntary protection strategies with landowners through conservation easements and land acquisition, and through grant programs and special projects. Each of the eleven members of County Council appoints a representative to the RCCC ([RCCC Members](#)). The members have backgrounds in land conservation, historic preservation, and other related fields. Members meet monthly and serve without pay. The Conservation Division in the Community Planning & Development Department provides staff support to the RCCC.

Chapter 2: Administration; Article VII. Boards, Commissions and Committees; Section 2-332 Boards, commissions and committees created of the Richland County ordinance states the RCCC shall prepare and submit to County Council an Annual Plan.

Financial Summary for Fiscal Year 2022 (FY21-22)

As of March 2, 2022 the RCCC has spent \$241,616 in FY21-22 from its \$963,746 budget for salaries and benefits, professional services, property management, and normal operating expenses. Large projects included \$250,000 (rolled over from FY20-21) for the Mill Creek bridge design to replace a flood damaged bridge and over \$305,000 for the recommended Cabin Branch conservation property purchase. The grant program also awarded \$250,000.00 in Community Conservation Grants and has distributed to date \$34,992 to grantees for their projects. Staff vacancies have contributed to low spending in both FY20-21 and FY21-22. Two staff were hired in October and November 2021 for the Land Program Planner and the Conservation Program Analyst. Unfortunately, as of Feb. 28, 2022 the Land Program Planner staff took a volunteer opportunity with Peace Corps Zambia in conservation leaving the position open again. Any funds not expended from the ½ mil appropriated to the RCCC during the year are collected in the Conservation Fund Balance for later use for large projects or property purchases.

Significant Resources

The RCCC has produced numerous resources documenting the significant natural, cultural, and historical resources in the county which outline potential actions the RCCC may undertake to protect these resources. These documents include the attached Lower Richland Tourism Plan (LRTP, Attachment A), Feasibility of Stream and Wetland Restoration Alternatives for Walden Pond (Attachment B), Final Report – Richland County Cemetery Survey (Attachment C), Richland County Historical Resources (Attachment D), the Richland County Green Infrastructure GIS Analysis (Attachment E) as well as other supporting documents for property management (Attachment F) and strategic planning (Attachment H).

Recommendations for Acquisition

RCCC acquires property for conservation purposes through donation and purchase. It also acquires property rights through conservation easements. Areas of Richland County which are prioritized for protection are detailed in the Richland County Green Infrastructure GIS Analysis (Attachment E). Utilizing Geographical Information System (GIS) layers and analysis 6 watersheds were identified within the county for priority protection:

- Priority Area 1 – Myers Creek/Cabin Branch Watershed
- Priority Area 2 – Sandy Run Watershed
- Priority Area 3 – Mussel Creek Watershed
- Priority Area 4 – Big Cedar Creek Watershed
- Priority Area 5 – Wateree Creek Watershed
- Priority Area 6 – COWASSE Basin

Although these 6 watersheds have been selected for prioritization other areas in the county will be considered for acquisition if they are presented to the RCCC. The RCCC’s Conservation Easement Strategic Plan (Appendix G) identifies additional criteria for evaluating properties for protection. Specific properties identified for acquisition potential are not provided in this report due to ongoing or potential contract negotiations.

Financing strategy for these acquisitions: RCCC’s ½ mil and individual donations of property or property rights through conservation easements.

Recommendations for Lease

RCCC does not currently lease or recommend any resources for lease. Therefore no financing strategy is indicated.

Recommendations for Development

RCCC recommends and is working towards the development of various resources this year including issuance of \$250,000 in Conservation Grants (Appendix I) to organizations and constituents to protect existing natural, cultural and historical resources. Managing existing conservation resources, beginning the LRTP by hiring a consultant to develop local tourism businesses in Lower Richland and improving the roads leading into the Mill Creek property are the largest of RCCC’s proposed FY22 objectives. These projects would be financed through grants (if available), partnerships with other entities and constituents, and the utilization of the RCCC ½ mill special revenue funds.

Funding Source	Project
½ mill special revenue fund	Grants <ul style="list-style-type: none"> • FY22-23 Conservation Commission Grants (\$250K) (Appendix I) <ul style="list-style-type: none"> ○ Review, approve, and pay grant reimbursement requests ○ Participate in grant tours, open houses, and other events ○ Publicize grant accomplishments through PIO when appropriate • FY23-24 Conservation Commission Grants (\$250K) <ul style="list-style-type: none"> ○ Advertise application period in partnership with PIO ○ Review and rank applications ○ Recommend applications for award ○ Notify applicants of awards ○ Conduct grantee information session ○ Publicize grant recipients through PIO
½ mill special revenue fund and donations	<ul style="list-style-type: none"> • Conservation Easements (over 1,200 acres) <ul style="list-style-type: none"> ○ Monitor existing easements ○ Evaluate potential easements (specific properties not disclosed due to ongoing negotiations with land owners) in accordance with the

	<p>Conservation Easement Strategic Plan (Attachment G) and the Richland County Green Infrastructure GIS Analysis (Attachment E). Although these areas have been prioritized proposed easements which meet the easement criteria will be considered by the RCCC for acquisition.</p> <ul style="list-style-type: none"> ○ Troubleshoot issues/provide customer service to existing easement donors
General Fund Transfer In (*except where otherwise noted)	<ul style="list-style-type: none"> ● Land Management (approximately 3,800 acres) <ul style="list-style-type: none"> ○ Manage Cabin Branch ○ Manage Mill Creek <ul style="list-style-type: none"> ▪ Procure and construct new bridge on entrance road based on design plans from FY21-22 (working towards utilizing CDBG Funds) ▪ Manage Mitigation Bank ○ Manage Pinewood Lake Park <ul style="list-style-type: none"> ▪ Support regular volunteer workdays ▪ Support Pollinator Garden (grants and volunteers) ▪ Enhance conservation education programs ▪ Add additional signage on history and nature ○ Manage Broad River Road property
½ mill special revenue fund	<ul style="list-style-type: none"> ● Historic Markers <ul style="list-style-type: none"> ○ Provide funding for historic markers (State Library Historic Marker) ○ Publicize marker unveilings through PIO
½ mill special revenue fund, grants, and donations where available	<ul style="list-style-type: none"> ● Special Projects <ul style="list-style-type: none"> ○ Begin implementation of LRTP <ul style="list-style-type: none"> ▪ Hire specialized contractor to find local interested individuals to develop identified and unidentified tourism experiences in Lower Richland ▪ Provide access to small business training and other resources to aid in small business start-ups ▪ Improve entrance road to Mill Creek property ○ Begin implementation of the Forest Stewardship Plan <ul style="list-style-type: none"> ▪ Develop harvesting plan for timber ▪ Work with RCCC to determine split proposal for funds generated by timber sales ▪ Utilize funds to put in fire breaks ○ Heritage Tourism Plan <ul style="list-style-type: none"> ▪ Continue development of plan ▪ Have RCCC adopt the plan once it is completed

Attachments (Links provided below - documents not printed for brevity and can be printed on request):

- A) [Lower Richland Tourism Plan](#)
- B) [Feasibility of Stream and Wetland Restoration Alternatives for Walden Pond](#)
- C) [Final Report - Richland County Cemetery Survey and other cemetery information](#)

- D) [Richland County Historical Resources – May 2017](#)
- E) [Richland County Green Infrastructure GIS Analysis](#)
- F) [Conservation Land Management Manual](#)
- G) [Conservation Easement Program Strategic Plan](#)
- H) [RCCC Strategic Plan](#)
- I) [Approved FY22 Conservation Grants](#)



Richland County Conservation Commission

FY2022 & FY2023 Annual Work Plans

County Council
March 15, 2022

About RCCC

- Created by ordinance in 1998
- 11 appointed commissioners
- Promotes the protection of the county's natural historical, and cultural resources and promotes nature-based recreation and eco- and heritage tourism.



Conservation Easements



Historic Preservation Grants



Conservation Grants



Special Projects

What are Richland County's significant resources?

Significant natural, cultural and historic resources documented in:

- Lower Richland Tourism Plan
- Feasibility of Stream and Wetland Restoration Alternatives for Walden Pond
- Richland County Cemetery Survey
- Richland County Historical Resources
- Richland County Green Infrastructure GIS Survey
- Additional property management and strategic planning documents



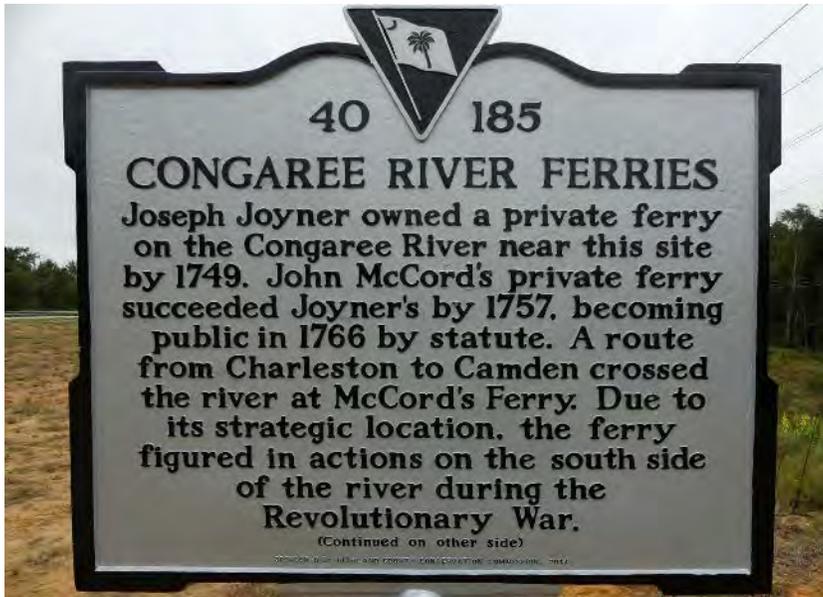
FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund
- Conservation Commission grants (\$250K)
 - Historic Preservation
 - Community Conservation



FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund
- Historic Markers



FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund
- Conservation easement monitoring, evaluation and acquisition

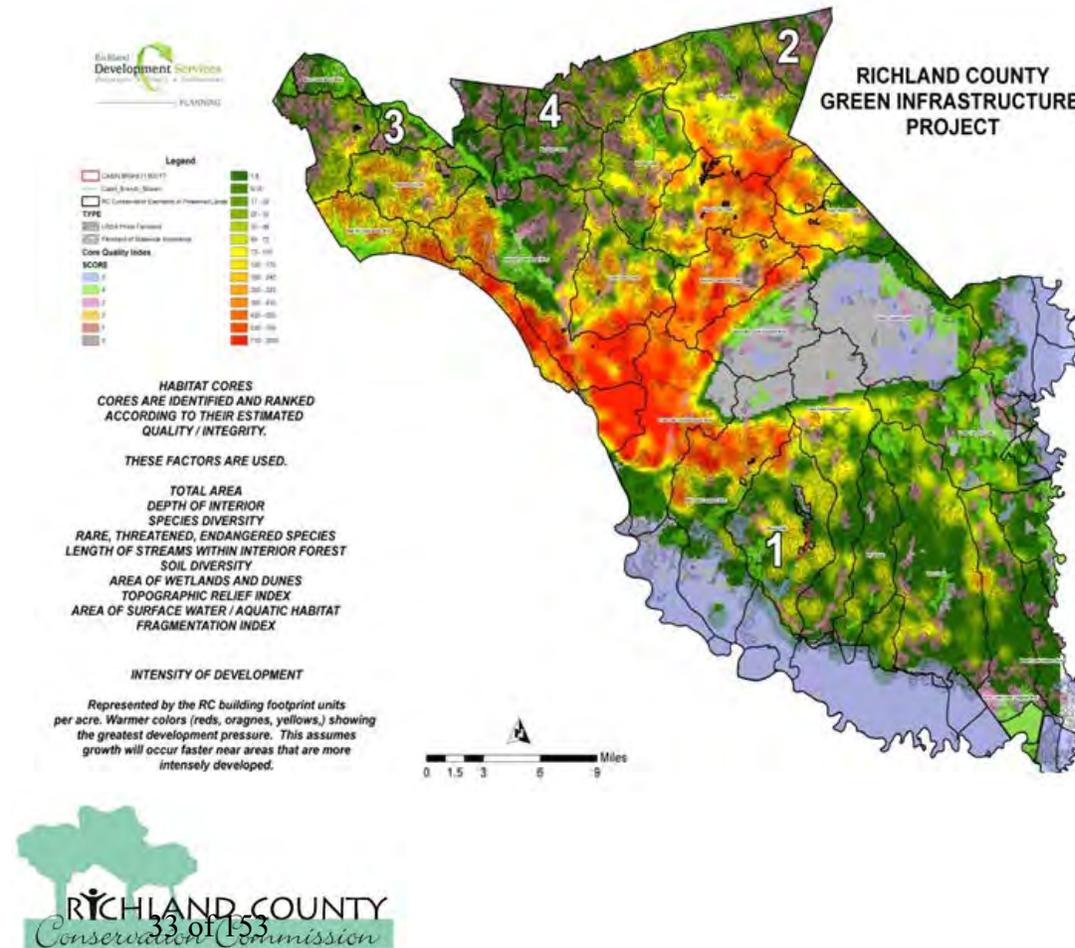


Recommendations for Acquisition

Richland County Green Infrastructure Analysis identifies properties to protect either through conservation easements or acquisition. Priority watersheds are:

- Myers Creek/Cabin Branch
- Sandy Run
- Mussel Creek
- Big Cedar Creek
- Wateree Creek
- COWASEE Basin

FY22 – Cabin Branch Tract



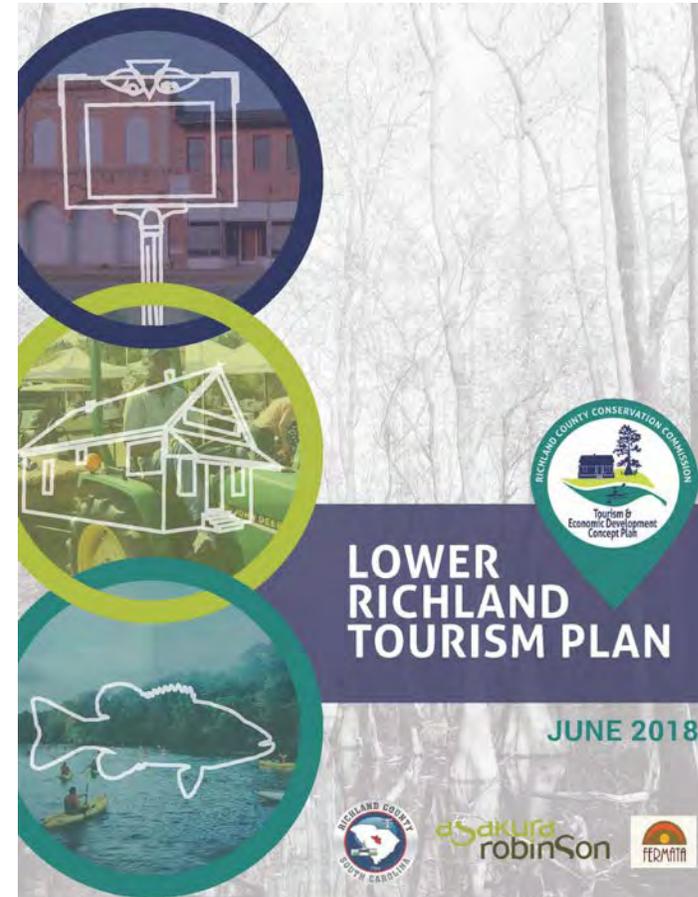
FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund
- Land management of approx. 3800 acres, including Mill Creek, Cabin Branch, Pinewood Lake Park, Broad River Road property



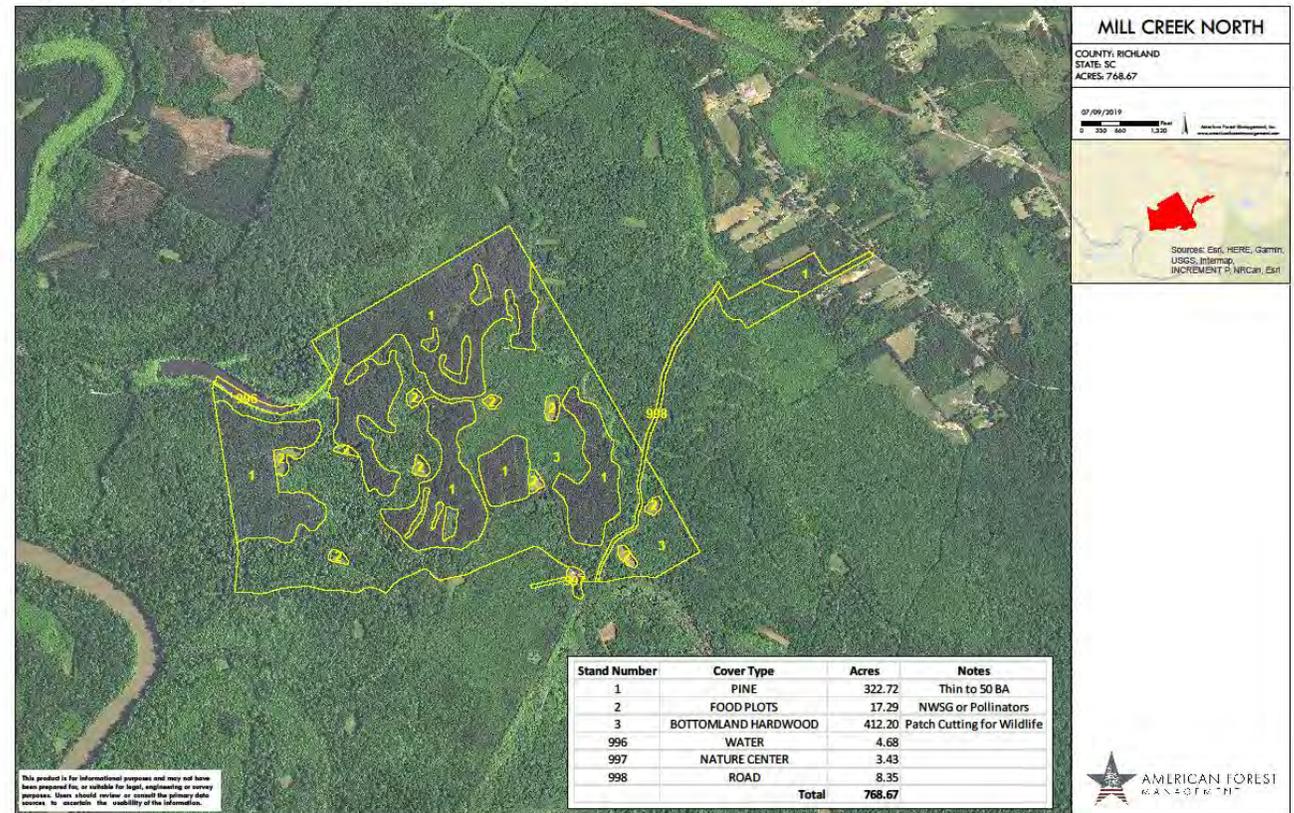
FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund, other county funding, grants, and donations
- LRTP added as an amendment to county Comprehensive plan (FY22)
- Begin LRTP projects (FY23), pending Council approval and funding availability
 - All land purchases and any projects over \$100K require Council approval

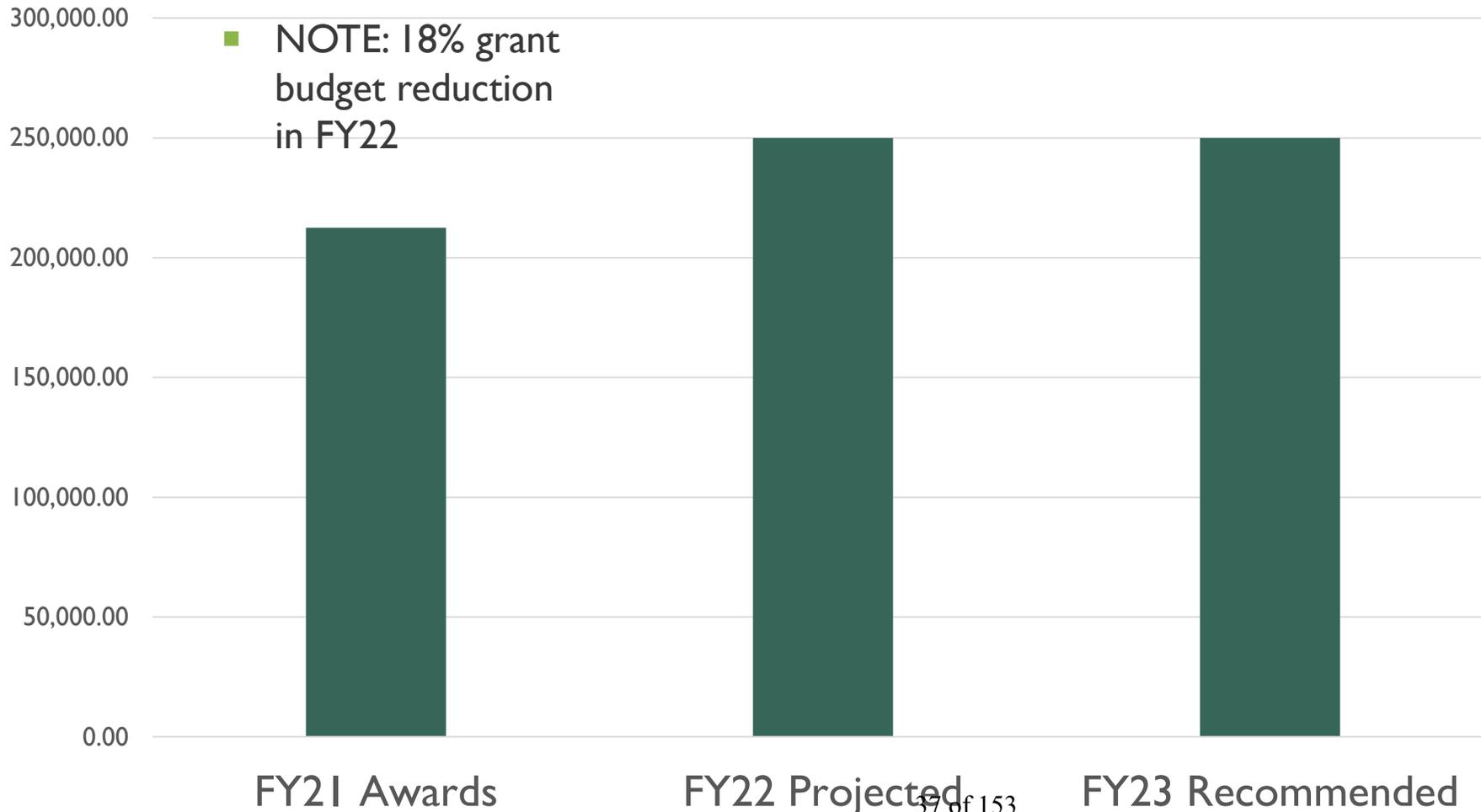


FY22 & FY23 Recommendations for Development

- Funding Source: ½ mil Special Revenue Fund, grants, and donations
- LRTP Implementation
- Forest Stewardship Plan (FY23)
- Heritage Tourism Marketing Plan (FY22 and FY23 H-Tax & ½ mil)



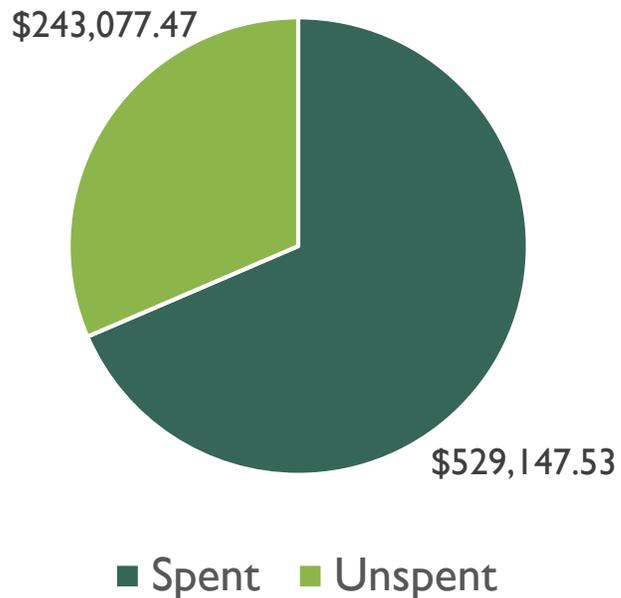
Financial Summaries – Conservation Grants



Historically \$250,000 is awarded annually to Conservation and Historic Preservation Grants. In FY21, an 18% reduction resulted in only \$212,439 being awarded.

FY21 & FY22 Financial Summaries

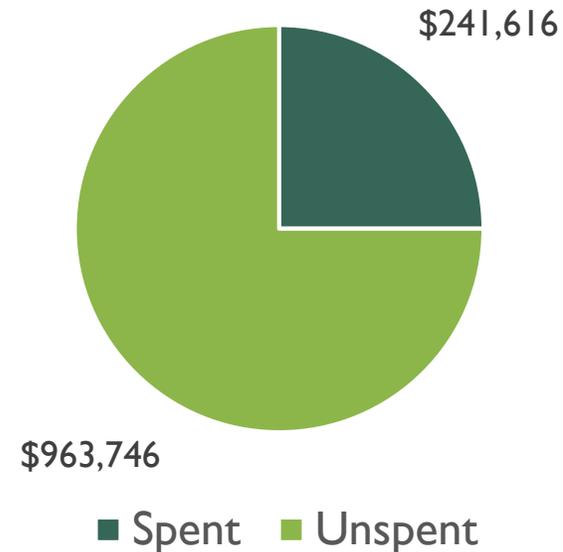
FY21 RCCC Budget



69% of FY21 total budget was spent for salaries and benefits, professional services, property management, and normal operating expenses.

- Underspending due to staff vacancies. Two positions hired in November, 2021.
- Unspent funds from 1/2 mil collected in Special Revenue Fund balance

FY22 RCCC Budget (March 2, 2022)



25% of FY22 total budget has been spent to date (March 2, 2022) for salaries and benefits, professional services, property management, and normal operating expenses.

Underspending due to staff vacancies. Two positions hired in November, 2021.

Large projects include:

- \$250K rolled over from FY21 for Mill Creek bridge project
- \$305K for Cabin Branch property purchase

Thank you for your time!

Questions?

John Grego, Chairman

Richland County Conservation Commission

803-331-3366

jmgrego2003@gmail.com





Report of the County Administrator
Regular Session Meeting – March 15, 2022

CORONAVIRUS UPDATE:

1. COVID 19 Statistical Data for Current Reporting Period

In Richland County, South Carolina, community level is Medium.

- If you are [at high risk for severe illness](#), talk to your healthcare provider about whether you need to wear a mask and take other precautions
- Stay [up to date](#) with COVID-19 vaccines
- [Get tested](#) if you have symptoms

How CDC Measures the COVID-19 Community Levels

New COVID-19 admissions and the percent of staffed inpatient beds occupied represent the current potential for strain on the health system. Data on new cases acts as an early warning indicator of potential increases in health system strain in the event of a COVID-19 surge.

To find out the COVID-19 community level:

- First determine whether a county, state, or territory has fewer than 200 new cases per 100,000 people in the past 7 days or 200 new cases or more per 100,000 people in the past 7 days.
- Then, determine the level (low, medium, or high) for the new admissions and inpatient beds and indicators using the scale for the area’s number for new cases.
- The COVID-19 Community Level is based on the higher of the new admissions and inpatient beds metrics.

COVID-19 Community Levels – Use the Highest Level that Applies to Your Community				
New COVID-19 Cases Per 100,000 people in the past 7 days	Indicators	Low	Medium	High
Fewer than 200	New COVID-19 admissions per 100,000 population (7-day total)	<10.0	10.0-19.9	≥20.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	<10.0%	10.0-14.9%	≥15.0%
200 or more	New COVID-19 admissions per 100,000 population (7-day total)	NA	<10.0	≥10.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	NA	<10.0%	≥10.0%

CDC COVID Data Tracker through Tue Mar 08 2022

Total Cases	298
Case Rate (last 7 days)	71.68
% Change (last 7 days)	-35.08
New admissions of confirmed COVID-19 among county residents (estimated)	26
New admissions of confirmed COVID-19 per 100,000 population (last 7 days)	6.2
% Change in new admissions of confirmed COVID-19 from previous 7 days	-37.70
% Staffed ICU beds in use by patients with confirmed COVID-19	5.4
Absolute change, % staffed ICU beds in use by patients with confirmed COVID-19 from previous 7 days	-1.9

SCDHEC COVID-19 Vaccine Dashboard

57.6% of Richland County residents eligible to be vaccinated have completed their vaccination

227,725/395,187

53.7% of South Carolina residents eligible to be vaccinated have completed their vaccination

2,643,407/4,926,744

PROJECT UPDATES:

1. Land Development Code Process (Additional Remapping Information Sessions)

The County is holding additional community drop-in meetings to advise residents on how their property will be zoned under the 2021 LDC and what that entails. Following is the schedule for the drop-ins:

- Garners Ferry Adult Activity Center - Banquet & Dining Hall
Thu, March 17, 2022 06:00 PM - 08:00 PM
- Adult Activity Center (Parklane) - Banquet & Dining Hall
Mon, March 21, 2022 06:00 PM - 08:00 PM
- Gadsden Park Community Center - Banquet Hall
Tue, March 22, 2022 06:00 PM - 08:00 PM
- North Springs Park Community Center - Banquet Hall
Thu, March 24, 2022 06:00 PM - 08:00 PM
- Pine Grove Community Center - Banquet Hall
Mon, March 28, 2022 06:00 PM - 08:00 PM
- Ballentine Community Center - Banquet Hall
Tue, March 29, 2022 06:30 PM - 08:30 PM

OTHER UPDATES:

Emergency Rental Assistance Program

Richland County Council Request for Action

Subject:

An Ordinance Authorizing an easement to East Richland County Public Service District for sewer utility facilities; specifically located at the Cooper Library Branch of the Richland Library, being at 5317 Trenholm Road and described as TMS # 14014-06-25

Notes:

February 22, 2022 – The D&S Committee recommended Council approve the enactment of an ordinance granting the easement.

First Reading: March 1, 2022

Second Reading: March 15, 2022 {Tentative}

Third Reading: April 5, 2022 {Tentative}

Public Hearing: April 5, 2022



Agenda Briefing

Prepared by:	Christopher Ziegler		Title:	Assistant County Attorney
Department:	Legal	Division:	Click or tap here to enter text.	
Date Prepared:	February 4, 2022	Meeting Date:	February 22, 2022	
Legal Review	n/a	Date:	Click or tap to enter a date.	
Budget Review	Abhijit Deshpande via email		Date:	February 7, 2022
Finance Review	Stacey Hamm via email		Date:	February 7, 2022
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM		
Committee	Development & Services			
Subject:	Easement And Access Agreements between the East Richland County Public Service District and Richland County affecting the Cooper Branch location of the Richland County Public Library.			

RECOMMENDED/REQUESTED ACTION:

Staff recommends enacting an ordinance granting the easement.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

1. Granting the easement has no fiscal impact on the county or library.
2. Authorizing a license agreement granting access rights to the East Richland County Public Service District has no fiscal impact on the county or library.

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

The matter originated in the County Attorney’s office.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

County Council is requested to pass an ordinance approving the grant of an easement agreement between the County and the East Richland County Public Service District to facilitate the maintenance of a thirty inch sewer line located at 5317 Trenholm Road. The easement would apply to a fifteen foot area comprising of seven and one half feet on either side of the sewer line. The sewer line was installed across the property some years ago but the easement documents were inadvertently not prepared. This grant would correct the error and ensure that the East Richland County Public Service District and its potential assignees will have the easement to the property and shall inspect, repair, operate, replace, and maintain the sewer line.

In addition to the easement, the Library also requested that County Council approve an access license agreement to authorize access to the sewer line. The Library prefers an unrecorded document to provide both parties flexibility for the parties in regards to individual access requirements. This benefits both parties and ensures that any access granted to the East Richland County Public Service District will not impose a burden on the Library. There are no adverse legal consequences to the granting of the license.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. Ordinance
2. Easement
3. License and Access Agreement

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-21HR

AN ORDINANCE AUTHORIZING AN EASEMENT TO EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT FOR SEWER UTILITY FACILITIES; SPECIFICALLY LOCATED AT THE COOPER LIBRARY BRANCH OF THE RICHLAND LIBRARY, BEING AT 5317 TRENHOLM ROAD AND DESCRIBED AS TMS# 14014-06-25.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant to EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT a permanent easement over a portion of county owned land, specifically 5317 Trenholm Road (also described as TMS# 14014-06-25), for sewer utility facilities to serve the Cooper Branch of the Richland Library; all as specifically described in the GRANT OF EASEMENT AND RIGHT OF WAY FOR SEWER UTILITY FACILITIES, which is attached hereto and incorporated herein; its employees and agents are additionally authorized to execute any reasonable Licenses pertaining to ingress and egress to the Easement granted herein.

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

SECTION III. Conflicting Ordinances. 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 _____.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of _____, 2022.

Michelle Onley
Deputy 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:

of an error in the physical location of the pipes as shown in Exhibit A and Grantors' reliance on the attached Exhibit A unless Grantee provides Grantors an updated Exhibit A and both parties amend this Grant of Easement and record said amendment in the Richland County ROD Office. Nothing herein shall prevent Grantee from replacing sections of the thirty-inch sewer collector line with piping of like size and kind within the Easement Area. Grantors and Grantee hereby agree that no maintenance or construction of any sort related to the sewer line will be permitted on other parts of the Library Property and no access easements across the Library Property to the Easement Area are being granted herein and the within grant for the Easement Area shall not be construed to dedicate the easement areas conveyed hereby to the use of the general public. No rights for construction staging or activity outside the Easement Area are granted by this easement, such access to the Easement Area and any other staging or construction rights must be negotiated on an as-needed basis between the Grantee and the Library and may be granted in the form of a license agreement acceptable to both Grantee and Library. Grantor hereby agrees that it will not authorize or permit construction of any sort in the Easement Area. Grantor hereby agrees that it will not authorize or permit other easements in the Easement Area which would materially interfere with the intended use of the easement granted herein. Access rights to the Easement Area will be provided by a separate license agreement between Grantor, Grantee, and Library.

TMS REF: R14014-06-25

GRANTEE'S ADDRESS: 704 Ross Road,
Columbia, South Carolina 29223

TO HAVE AND TO HOLD all and singular the aforesaid easement and right-of-way rights to Grantee, its successors and assigns.

And the said Grantors do hereby bind the Grantors and the Grantor's Successors and Assigns to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee's Successors and Assigns, against the Grantor and the Grantor's Successors and Assigns.

EXHIBIT A



NORTH REF: SC GRID
 ELEVATIONS BASE ON NATIONAL GEODETIC
 SURVEY MONUMENT PERCUAL BRIDGE
 UTILIZING TOPCON HYPER II GPS SYSTEM.

LINE	LENGTH	BEARING
L1	19.39'	S 79°49'42" E



LEGEND:

○	GPS	○	IRON PIN SET (5/8" REBAR)
○	IFP	○	IRON PIN FOUND
○	R/W	○	RIGHT-OF-WAY
○	SMH	○	SKINNY SEWER MANHOLE

W.R. WILLIAMS, JR.
 LICENSE NO. 3978
 STATE OF SOUTH CAROLINA

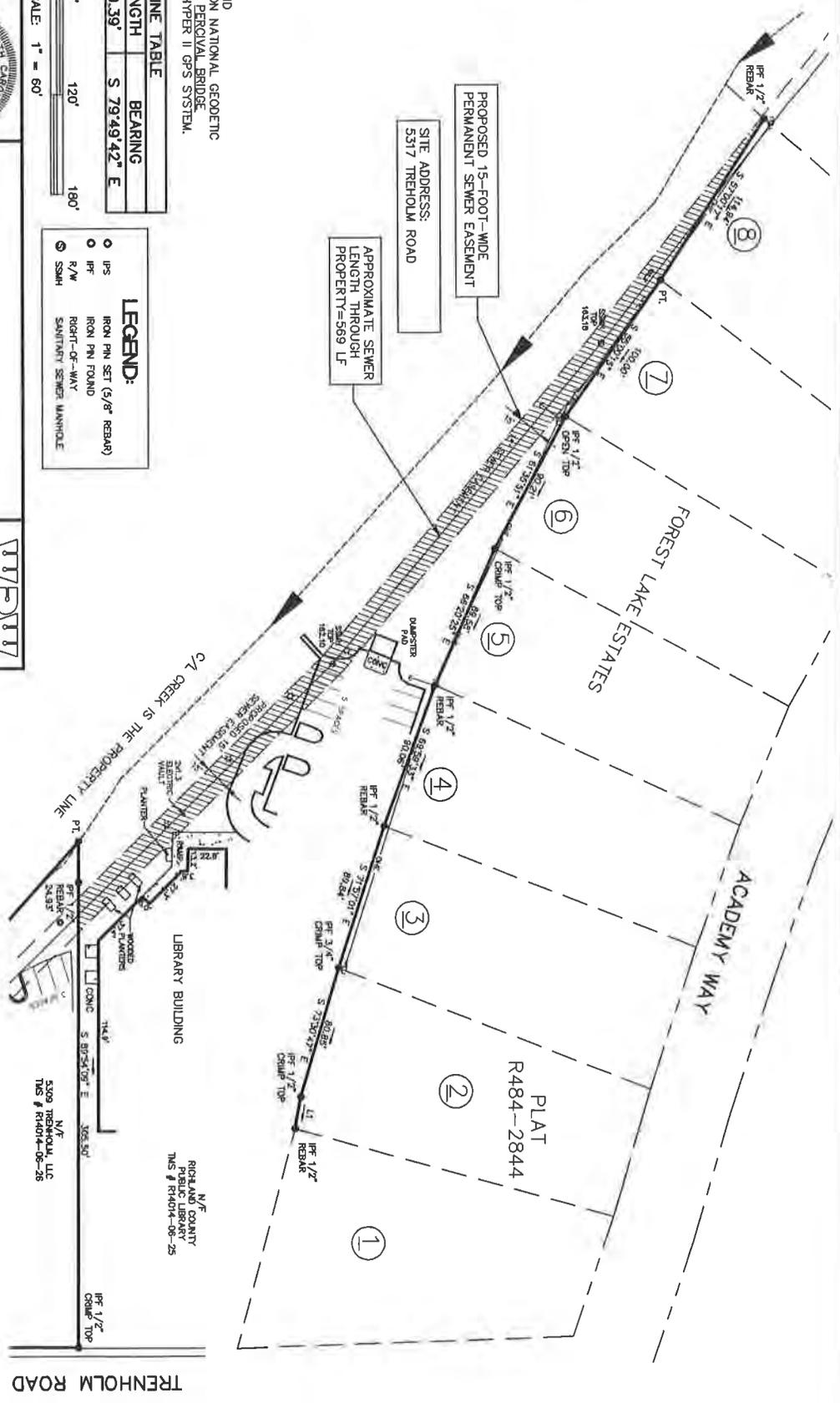
W.R. WILLIAMS, JR.
 LICENSE NO. 2010
 STATE OF SOUTH CAROLINA

**PERMANENT SEWER EASEMENT
 SURVEY FOR
 ERCPSD**

FOREST ACRES RICHLAND COUNTY
 SOUTH CAROLINA
 JULY 6, 2021

W.R. WILLIAMS, JR.
 ENGR./SURVEYOR, INC.
 15 S. MAIN STREET
 TRAVELERS REST, S.C.
 29680
 (864) 834-7955

DWG. NO.: 210032-A



STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

LICENSE AND ACCESS AGREEMENT

THIS LICENSE AGREEMENT (the "**Agreement**") is made effective as of _____, 2022 (the "**Effective Date**"), by and between **RICHLAND COUNTY, SOUTH CAROLINA**, a political subdivision of the State of South Carolina, for the Richland County Public Library, a component unit of Richland County (the "**County**"), **RICHLAND COUNTY PUBLIC LIBRARY**, a component unit of Richland County, South Carolina (the "**Library**") and **EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT**, a Special Purpose District (the "**Licensee**").

WITNESSETH:

WHEREAS, the County (by statute) and the Library (by deed) (the County and the Library are together referred to as the "**Licensors**") are the owners of that certain tract or parcel of land generally located at 5317 Trenholm Road, bearing Tax Map Reference Number R14014-06-25 and Tax Map Reference Number R14014-06-17(together, the "**Library Tract**"); and

WHEREAS, Licensee is the owner of an existing thirty-inch sewer collector line and related equipment (the "**Sewer Line**") that runs across the Library Tract, as shown on **Exhibit A** attached hereto and incorporated herein; and

WHEREAS, the parties have agreed to enter into a license and access agreement in order to provide Licensee access over the Library Tract for the purposes of installing, inspecting, repairing, operating, replacing and maintaining the Sewer Line for the benefit of both Licensors and Licensee and the sewer system in general; and

WHEREAS, Licensors have agreed to grant Licensee a license for access over the Library Tract to the Sewer Line in accordance with the terms and conditions provided herein.

AGREEMENT

NOW, THEREFORE, in consideration for good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals. The foregoing recitals are contractual and binding in nature, are accurate, true and complete, and are hereby incorporated into and made a part of this Agreement.

2. Access License. Licensors hereby grant to Licensee, and Licensee's designated employees, agents, assignees and contractors (the "**Operator**"), subject to the terms and conditions set forth herein below, a non-exclusive right and license to enter onto and cross the Library Tract for the purpose of installing, inspecting, repairing, operating, replacing and

maintaining, the Sewer Line and related sewer facilities, including temporary above-ground/buried piping, temporary above-ground pumps and temporary above-ground equipment, constructed or to be constructed at the Library Tract, with the right to excavate within and remove shrubbery, trees, undergrowth and other obstructions as may be necessary, provided that the property promptly be restored as nearly as practicable to its original condition, with damaged shrubbery to be replaced with the same variety of equivalent size nursery stock.

3. Terms and Conditions.

(a) The Licensee shall comply with all federal, state, and local requirements regarding relating to all work conducted on the Library Tract and shall be solely responsible for all required permitting.

(b) Licensee shall be responsible for complying with all safety regulations and fencing, pylons, or other temporary barricades needed to surround its work area.

(c) The Exhibit A attached to this Agreement shows the general location of the Access Path from the rear of the parking lot on the Library Tract to the Sewer Line (the "Access Path") to be generally utilized by Licensee. Licensors and Licensee agree that Library and Licensee may modify this Agreement from time to time only to amend the exact location of the Access Path or add other areas of the Library Tract as may be required for any specific work or area as reasonably requested by Licensee.

(d) Licensee shall be allowed reasonable access to the Library Tract over the Access Path without advance notice to the Library for routine inspections and other activities not requiring more than one vehicle, without any trailered equipment and which does not require dedicated use of more than one parking space in the Library Tract parking lot. Licensee shall also be allowed access to the Library Tract over the Access Path without advance notice to the Library in the event of an emergency reasonably requiring access to the Sewer Line to mitigate any condition that is causing a spill or threatening an imminent spill on the Library Tract or elsewhere on the sewer facility, provided that the Library is notified by email within twenty-four (24) hours of said access and provided any further access for construction, or repairs are established pursuant to (e) below.

(e) For any access that does not fall under subsection (d) above, Licensee shall contact Library prior to entry on the Library Tract (except in the event of an emergency access, in which case Licensee shall contact Library within twenty-four (24) hours after emergency access and promptly thereafter before commencing further related repairs) to negotiate the most reasonably convenient times and any restrictions regarding Licensee's access the Library Tract over the Access Path or such other areas as may be specifically requested by Licensee, which Licensee and Library will negotiate in good faith. Such individual terms and conditions may be orally or in writing, at the request of either party, depending on the duration and extent of such project, but all such access rights shall continue to be subject to the terms and conditions of this

Agreement.

4. **License Duration.** This Agreement shall terminate and become null and void upon Licensee's removal and disassembly of the Sewer Line or upon the transfer of fee ownership of the Library Tract to a third party. The terminating party shall notify the other parties hereto in writing at such time as the Agreement becomes terminated.

5. **Indemnity.** Licensee, and its successors and assigns, employees, contractors, agents, customers and invitees (the "Licensee Parties"), shall protect, and hold the Licensors harmless against all claims, demands, losses, damages, liabilities, and expenses and all suits, actions, and judgments (including, but not limited to, reasonable costs and reasonable attorneys' fees) arising from activities of any Licensee Parties during the term of this Agreement, except for any such claims, demands, losses, damages, liabilities, and expenses and all suits, actions, and judgments caused by the gross negligence or intentional misconduct of the Licensor or their respective successors, assigns, employees, tenants, invitees, or agents.

6. **Insurance.** The Licensee, and its successors and assigns, and the Library shall each carry and maintain their own liability insurance policies covering their respective properties. Upon the request of the County or Library, the Licensee, shall provide written evidence of such Licensee's, and its general contractor's general liability insurance coverage in an amount of not less than \$1,000,000.00 written by a company licensed to do business in the State of South Carolina, naming Licensors as additional insureds, and providing liability insurance coverage from matters arising out of, or connected with, Licensee's, general contractor's, and their respective employees, contractors, agents, customers, and invitees activities arising in connection with the activities on the Library Tract.

7. **Attorney's Fees and Costs.** In the event legal action is instituted by either party to enforce the terms of this Agreement or arising out of the execution of this Agreement, the prevailing party will be entitled to receive from the other party reasonable attorneys' fees and costs to be determined by the court in which the action is brought.

8. **Default.** If either party defaults under this Agreement for any reason other than the other party's default or the termination of this Agreement as expressly provided for herein, the non-defaulting party shall have the option of suing for actual damages, or specific performance, or rescinding this Agreement. If the non-defaulting party rescinds this Agreement, it shall be reimbursed by the defaulting party for actual out-of-pocket expenses which were incurred in connection with this Agreement, and the payment of said amount shall operate to terminate this Agreement and release the defaulting party for any and all liability hereunder, except for those items set forth herein which expressly survive termination of this Agreement.

9. **Severability.** In the event any portion of the terms and conditions of this Agreement is deemed illegal or becomes null and void, the remaining portions will remain in full force and effect.

10. **Authority.** Licensors and Licensee represent and warrant that the person or persons executing this Agreement are duly authorized and have authority to do so.

11. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original as against any other party whose signature appears thereon, and all of such counterparts shall together constitute one and the same instrument.

12. **Governing Law and Jurisdiction.** This Agreement has been executed and delivered in the State of South Carolina, and its validity, interpretation, performance and enforcement and all matters relating thereto, shall be governed by and construed and interpreted in accordance with the laws of the State of South Carolina. For purposes of any litigation arising from or related to this Agreement, the parties hereby submit to the jurisdiction of the appropriate state court located in Richland County, South Carolina.

13. **Notices.** Whenever notices need to be given to either the County, the Library, or Licensee, such notice shall be in writing and be either hand-delivered with an acknowledgement of receipt or sent by overnight courier delivery, at the address set forth in the tax records of the Richland County Assessor. Any such notice shall be deemed to have been given at the time of hand delivery or delivery by Federal Express, UPS or other national delivery service for overnight delivery. As long as the Licensor operates a public library on the Library Tract, such notices shall be sent or delivered to both the Licensor and the Executive Director of the Library at the main branch of the Library located on Assembly Street..

14. **Access Approval Contact.** Contact for access approval should be delivered to the Library by email during normal business hours to the Library, to Mike McHenry, Operations Manager, at mmchenry@richlandlibrary.com. In the event of a time sensitive matter, the Licensee should alert the Library by telephone to McHenry at 803-673-5406.

[SIGNATURE PAGES TO FOLLOW]

IN WITNESS WHEREOF, the Licensor has duly executed and delivered this Agreement under seal as of the ____ day of _____, 2022.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

COUNTY:

RICHLAND COUNTY, SOUTH CAROLINA,
a political subdivision of the State of South
Carolina, for the Richland County Public Library, a
component unit of Richland County

First Witness

By: _____ (SEAL)

Print Name: _____

Its: _____

Second Witness

IN WITNESS WHEREOF, Licensee has duly executed and delivered this Agreement under seal as of the ____ day of _____, 2022.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

LICENSEE:

**EAST RICHLAND PUBLIC SERVICE
DISTRICT a Special Purpose District**

First Witness

By: _____ (SEAL)

Print Name: _____

Its: _____

Second Witness

Acknowledged and agreed to this _____ day of _____, 2022.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

LIBRARY:

RICHLAND COUNTY PUBLIC LIBRARY, a component unit of Richland County, South Carolina, a political subdivision of the State of South Carolina

First Witness

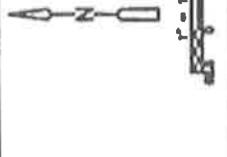
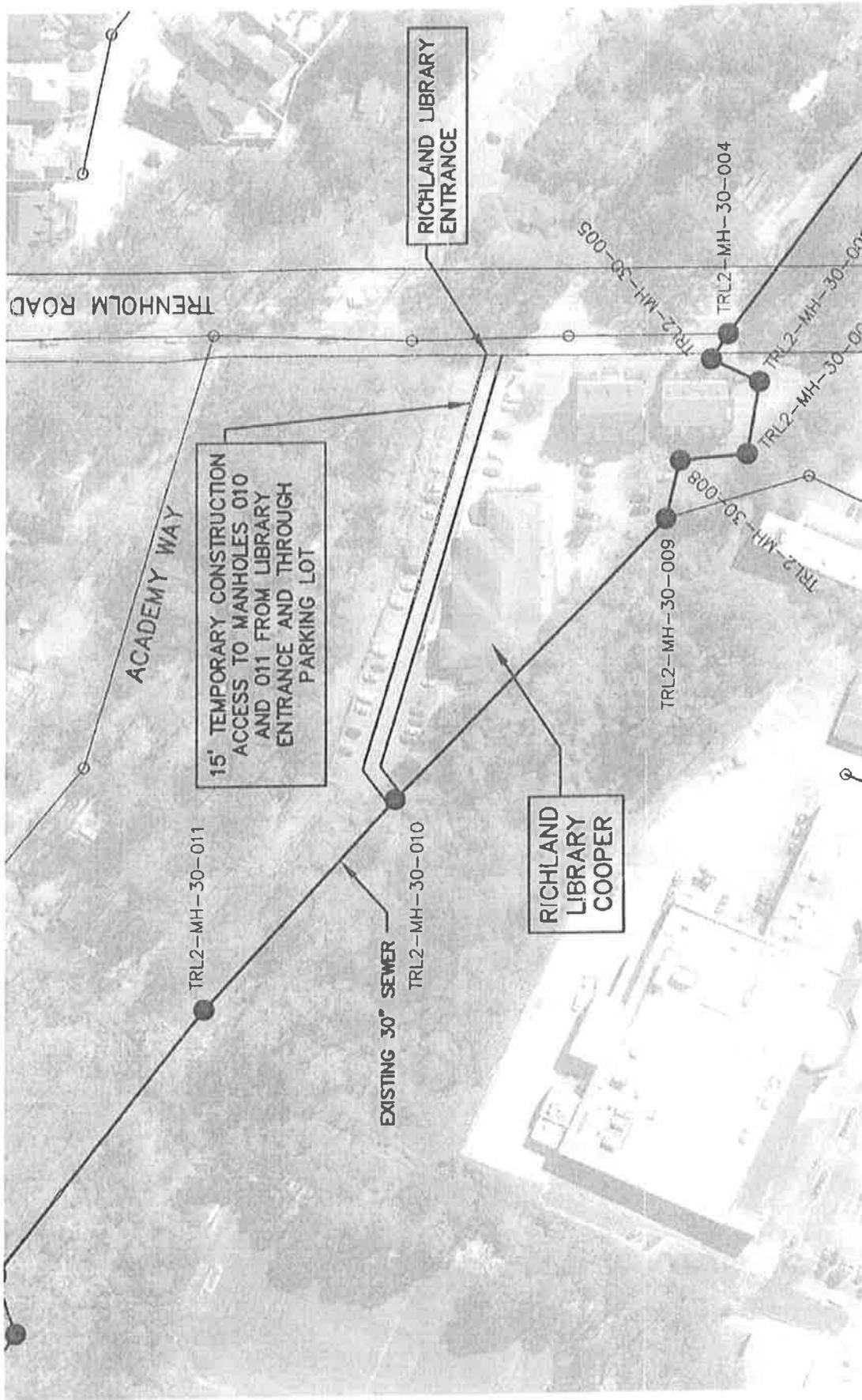
By: _____ (SEAL)

Print Name: _____

Its: _____

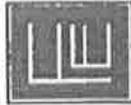
Second Witness

Exhibit A



LEGEND

- FENCE
- RETAINING WALL
- REMOVE TREES/BRUSH
- SLOPE
- CONSTRUCTION MATS



Frazier Engineering, P.A.
 6652 Bico White Trail
 Stanley, NC 28154
 Office 704.872.9444
 Fax 704.822.8565

EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT
 COLUMBIA, SC

**30" EAST RICHLAND
 SEWER UPGRADE**
 TEMPORARY CONSTRUCTION EASEMENT
 RICHLAND LIBRARY COOPER
 5317 TRENHOLM ROAD

Richland County Council Request for Action

Subject:

An Ordinance Amending Sections 16-5 and 16-7 of Article 1, Chapter 16 of the Code of Ordinances of Richland County relating to business licensing and regulation and to establish an effective date for certain amendments to the Code of Ordinances

Notes:

February 22, 2022 – The A&F Committee recommended Council approve the rebalanced Business License Tax Schedule to prevent a loss in revenue from businesses being placed into their new rate classes mandated by SC Act 176.

First Reading: March 1, 2022

Second Reading: March 15, 2022 {Tentative}

Third Reading: April 5, 2022 {Tentative}

Public Hearing: April 5, 2022



Agenda Briefing

Prepared by:	Zachary Cavanaugh	Title:	Director of Business Services
Department:	Community Planning & Development	Division:	Business Service Center
Date Prepared:	January 13, 2022	Meeting Date:	February 22, 2022
Legal Review	Patrick Wright via email	Date:	January 20, 2022
Budget Review	Abhijit Deshpande via email	Date:	February 7, 2022
Finance Review	Stacey Hamm via email	Date:	February 2, 2022
Approved for consideration:	Assistant County Administrator	Aric A Jensen, AICP	
Committee	Administration & Finance		
Subject:	Business License Tax Rate Schedule Rebalance		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the rebalanced Business License Tax Schedule to prevent a loss in revenue from businesses being placed into their new rate classes mandated by SC Act 176

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Counties, Cities and towns must rebalance their business license tax rates to ensure revenue neutrality during the 2022 business license cycle. In other words, achieving compliance with SC Act 176 during the first year of 2021 cannot have the effect of creating a revenue windfall relative to 2020 revenue.

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

None.

REGULATORY COMPLIANCE:

SC Act 176 (Business License Standardization Act) requires any licensing jurisdiction in South Carolina to place all the business types into their state mandated rate classes. Licensing jurisdictions are able to rebalance their rate classes to ensure revenue neutrality in license year 2022 compared to license year 2020.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Staff requests approval of the attached business license tax rate schedule. To comply with SC Act 176 businesses are being placed into their new rate classes mandated by state law and to ensure revenue neutrality the business license rates must be adjusted prevent a windfall in revenue during the 2022 business license year.

Once each business type is placed into its state mandated rate class which is determined by the businesses NAICS code the business license tax schedule will need to be balanced to ensure revenue neutrality in license year 2022 compared to the revenue collected in license year 2020.

This will affect what the Business Service Center charges each business type for their business license annually.

SC Act 176 standardizes business license practices throughout South Carolina which will make doing business in SC easier and more efficient.

If this request is denied Richland County would stand to lose over 1 million dollars in revenue collected from business license taxes.

One alternative would be to place each business into their new rate classes and not rebalance the license rate tax schedule which would result in a loss of over 1 million dollars in revenue.

Please see the attached ordinance amendment which includes the new business license tax schedule.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. Proposed Rate Schedule



2021 BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2.00
21	Mining	4.00
31	Manufacturing	2.00
32	Manufacturing	2.00
33	Manufacturing	2.00
42	Wholesale trade	1.00
44	Retail trade	1.00
45	Retail trade	1.00
48	Transportation and warehousing	2.00
49	Transportation and warehousing	2.00
51	Information	4.00
52	Finance and insurance	7.00
53	Real estate and rental and leasing	7.00
54	Professional, scientific, and technical services	5.00
55	Management of companies	7.00
56	Administrative and support and waste management and remediation services	4.00
61	Educational services	4.00
62	Health care and social assistance	4.00
71	Arts, entertainment, and recreation	3.00
721	Accommodation	3.00
722	Food services and drinking places	1.00
81	Other services	5.00
Class 8	Mandatory or Recommended Subclasses	
23	Construction	8.10
482	Rail Transportation	8.20
517311	Wired Telecommunications Carriers	8.30
517312	Wireless Telecommunications Carriers (except Satellite)	8.30
5241	Insurance Carriers	8.40
5242	Insurance Brokers for non-admitted Insurance Carriers	8.40

713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.60
Class 9	Optional Subclasses	
423930	Recyclable Material Merchant Wholesalers (Junk)	9.10
522298	Pawnshops	9.20
4411	Automobile Dealers	9.30
4412	Other Motor Vehicle Dealers	9.30
454390	Other Direct Selling Establishments (Regular Peddlers)	9.41
454390	Other Direct Selling Establishments (Seasonal Peddlers)	9.42
713290	Bingo Halls	9.50
711190	Other Performing Arts Companies (Carnivals and Circuses)	9.60
722410	Drinking Places (Alcoholic Beverages)	9.70
31	Manufacturing	9.80
32	Manufacturing	9.80
33	Manufacturing	9.80

Note: Class Schedule is based on 2017 IRS data.

Richland County Business Service Center Business License Tax Schedule

Rates

<u>Rate Class</u>	<u>Income \$0-2,000</u>	<u>All Income over \$2,000 (Rate per \$1,000 or fraction thereof)</u>
1	\$16.85	\$0.84
2	\$18.85	\$0.94
3	\$20.85	\$1.04
4	\$22.85	\$1.14
5	\$24.85	\$1.24
6	\$26.85	\$1.34
7	\$28.85	\$1.44
8	See Class 8 Rates Below	See Class 8 Rates Below

Non-Resident Rates

Unless otherwise specially provided, all minimum taxes and rates shall be doubled for non-residents and itinerants having no fixed principal place of business within the county.

Declining Rates

Declining rates apply in all cases for gross income over \$1,000,000.00	
Gross Income (In Millions)	Percent of Class Rate for each additional \$1,000
0.00-1.00	100%
1.01-2.00	95%
2.01-3.00	90%
3.01-4.00	85%
4.01-5.00	80%
5.01-6.00	75%
6.01-7.00	70%
7.01-8.00	65%
8.01-9.00	60%
9.01-10.00	55%
Over 10.00	50%

Decals

Coin Operated Machines- All coin-operated amusement, skill, and music machines shall have a decal posted upon it. The cost per decal is \$12.50

Passenger Transportation Vehicles- All taxis, limos, shuttles, and any other type vehicle, motorized or non-motorized, whose primary purpose is to move people from one place to another shall post one decal on each vehicle. Vehicles shall be charged according to the table below.

<u>Place of Registration</u>	<u>Cost per decal</u>
In Richland County	\$115.84
Outside Richland County	\$173.76

Business Vehicles- Any personal or company vehicle which has anywhere upon it any visible markings, i.e., magnets, stickers, decals, etc. to identify the vehicle as associated with a business and is used by the business to go to or from locations in the county to conduct any business shall post one decal on the rear of each vehicle to identify the business as being properly licensed. Decals shall cost no more and no less than the cost to produce the decal, rounded up to the nearest quarter value.

Class 8 Rates

<u>Rate Class</u>	<u>NAICS#</u>	<u>Business Type</u>
8.20	482	Railroad Companies, Exempt from County, SC Code Section 4-9-30
8.30	517311	Wired Telecommunications Carriers, Exempt from County, SC Code Section 4-9-30

8.30	517312	Wireless Telecommunications Carriers (except Satellite), Exempt from County, SC Code Section 4-9-30
8.40	5241	Insurance Carriers, Exempt from County, SC Code Section 4-9-30
8.40	5242	Insurance Brokers for non-admitted Insurance Carriers, Exempt from County, SC Code Section 4-9-30

<u>Rate</u>	<u>NAICS#</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
8.10	23	Contractors, Construction (All Types)	\$40.00	\$1.00

1. All out-of-county income, for which a business license has been paid, must be reported as part of the gross income. (This income will then be deducted, as described in Section 16-7 of the Business License Ordinance.)
2. A trailer at the construction site is not a permanent place of business under this ordinance.
3. The total business license fee for the full amount of the contract shall be paid prior to the issuing of a building permit or the commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date. Before any County Certificate of Occupancy is issued, any change orders resulting in a higher contract value to the contractor must be reported and the business license tax increased as necessary (except as provided in Section 16-7(4)). An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base fee shall be paid in a calendar year.
4. Before any electrical or plumbing contractor shall be issued a business license, a master's license must be obtained in his or her respective field and post bond as provided by the plumbing and electrical ordinances of the county. Subcontractors furnishing labor for and/or supervision over construction or providing any type of contractual service shall be held liable for payment of the business license fees set forth in the section on the same basis as are prime contractors.
5. No contractor shall be issued a business license until all State and County qualification examinations and trade license requirements have been met. Each contractor shall post a sig in plain view on each job identifying the contractor with the job and shall furnished the License Inspector with a list of all sub-contractors for the same job. Each and every vehicle at the job site shall display a contractor decal, as provided in Section 16-5(4)(a).
6. Sub-Contractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a subcontractor. Genera or prime contractors will be responsible and will pay for the business license of any sub-contractor doing work on the project if the sub-contractor is found without a county business license.

7. All contractors located in the unincorporated areas of Richland County must report all income received in the prior year to the business license office during the renewal period. Each contractor shall itemize and deduct all update fees paid to Richland County, or any other jurisdiction, as part of the business license application.
8. No part of this rate shall be construed to conflict with the exemption provided for in Section 16-7(4)

<u>Rate</u>	<u>NAICS#</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
8.51	713120	Amusement Parks and Arcades	\$40.00	\$1.00
8.52	713290	Nonpayout Amusement Machines	\$40.00	\$1.00
8.60	713990	All Other Amusement and Recreational Industries (pool tables)	\$40.00	\$1.00

Class 9 Optional Sub-Classes

<u>Rate</u>	<u>NAICS#</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
9.10	423930	Recyclable Material Merchant Wholesalers (Junk)	\$40.00	\$1.35
9.20	522298	Pawnshops	\$40.00	\$1.35
9.30	4411	Automobile Dealers	\$40.00	\$1.30
9.30	4412	Other Motor Vehicle Dealers	\$40.00	\$1.30
9.41	454390	Other Direct Selling Establishments (Regular Peddlers)	\$50.00	\$2.00
9.42	454390	Other Direct Selling Establishments (Seasonal Peddlers)	\$15.00	\$1.25
9.50	713290	Bingo Halls	\$40.00	\$1.20
9.60	711190	Other Performing Arts Companies (Carnivals and Circuses)	\$40.00	\$1.25

9.70	722410	Drinking Places (Alcoholic Beverages)	\$40.00	\$1.25
9.91	454210	Vending Machine Operators	\$35.00	\$1.20
9.92	562212	Solid Waste Landfill	\$40.00	\$1.25
9.93	713990	All Other Amusement and Recreation Industries	\$40.00	\$1.25
9.94	722330	Mobile Food Services	\$40.00	\$3.00

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

AN ORDINANCE AMENDING SECTIONS 16-5 AND 16-7 OF ARTICLE 1, CHAPTER 16 OF THE CODE OF ORDINANCES OF RICHLAND COUNTY RELATING TO BUSINESS LICENSING AND REGULATION AND TO ESTABLISH AN EFFECTIVE DATE FOR CERTAIN AMENDMENTS TO THE CODE OF ORDINANCES.

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

SECTION I. Section 16-5 of the Richland County Code of Ordinances is amended by deleting the existing language and inserting:

“Sec. 16-5. Classification and Rates.

(1) The County Council shall, by ordinance, establish and approve a Business License Fee Schedule upon the adoption of the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina and adopted by the Director of the Revenue and Fiscal Affairs office by December 31 of every odd year.

(2) The sectors of businesses included in each Rate Class are listed with the United States North American Industry Classification System (NAICS) codes. The alphabetical index in the Business License Fee Schedule is a tool for classification, not a limitation on businesses subject to a license tax. The License Official shall determine the proper class for a business according to the applicable NAICS manual or website, whether or not the business is listed in the alphabetical index. The County may, upon a finding of a rational basis as explained in its ordinance and by a positive majority vote of the County Council, provide for additional reasonable subclassifications described by a NAICS sector, subsector, or industry, based upon particularized considerations as needed for economic stimulus or the enhanced or disproportionate demands by a specific business subclassification on the County’s services or infrastructure.

(3)(a) One decal shall be required for each vehicle used by contractor companies for going to and from job sites to identify their business as being properly licensed. Decals shall cost no more and no less than the cost to produce the decal, rounded up to the nearest quarter value.

(b) Taxis, limos, and shuttles shall post one taxi or shuttle decal on each vehicle. Vehicles registered in Richland County shall be charged \$115.84 per decal; vehicles not registered in Richland County shall be charged \$173.76 per decal.

(4)(a) All rates, including the cost of decals and stickers, shall be automatically adjusted every three years by July 1, to be effective the following January 1, to account for changes in the Consumer Price Index (CPI). The adjustment shall be made in the following manner: the CPI, using the CPI calculation used by the County in other contexts, for the previous three years shall be determined and averaged together. The rates described in the Business License Fee Schedule shall be increased by the sum of the three-year average CPI for each of the last three

years. (Rates shall be rounded up to the nearest nickel value; fees for decals and stickers shall be rounded up to the nearest quarter value.)

(b) If County Council increases the rates independent of the automatic CPI increases, the next CPI increase shall not be calculated until the third year, by July 1, following the County Council increase.

(5) Until the adoption of an updated Business License Class Schedule pursuant to subsection (1) of this section, the following applies:

2022 BUSINESS LICENSE CLASS SCHEDULE BY NAICS CODE

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	2.00
21	Mining	4.00
31	Manufacturing	2.00
32	Manufacturing	2.00
33	Manufacturing	2.00
42	Wholesale Trade	1.00
44	Retail Trade	1.00
45	Retail Trade	1.00
48	Transportation and Warehousing	2.00
49	Transportation and Warehousing	2.00
51	Information	4.00
52	Finance and Insurance	7.00
53	Real Estate and Rental and Leasing	7.00
54	Professional, Scientific, and Technical Services	5.00
55	Management of Companies	7.00
56	Administrative and Support and Waste Management and Remediation Services	4.00
61	Educational Services	4.00
62	Health Care and Social Assistance	4.00
71	Arts, Entertainment, and Recreation	3.00
721	Accommodation	3.00
722	Food Services and Drinking Places	1.00
81	Other Services	5.00
Class 8	Mandatory or Recommended Subclasses	
23	Construction	8.10
482	Rail Transportation	8.20
517311	Wired Telecommunications Carriers	8.30
517312	Wireless Telecommunications Carriers (except Satellite)	8.30
5241	Insurance Carriers	8.40
5242	Insurance Brokers for non-admitted Insurance Carriers	8.40
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52

713990	All Other Amusement and Recreational Industries (pool tables)	8.60
Class 9	Optional Subclasses	
423930	Recyclable Material Merchant Wholesalers (Junk)	9.10
522298	Pawnshops	9.20
4411	Automobile Dealers	9.30
4412	Other Motor Vehicle Dealers	9.30
454390	Other Direct Selling Establishments (Regular Peddlers)	9.41
454390	Other Direct Selling Establishments (Seasonal Peddlers)	9.42
713290	Bingo Halls	9.50
711190	Other Performing Arts Companies (Carnivals and Circuses)	9.60
722410	Drinking Places (Alcoholic Beverages)	9.70

Note: Class Schedule is based on 2017 IRS Data.

Richland County Business Service Center Business License Tax Schedule Rates

Rate Class	Income \$0-2,000	All Income Over \$2,000 (Rate per \$1,000 or fraction thereof)
1	\$16.85	\$0.84
2	\$18.85	\$0.94
3	\$20.85	\$1.04
4	\$22.85	\$1.14
5	\$24.85	\$1.24
6	\$26.85	\$1.34
7	\$28.85	\$1.44
8	See Class 8 Rates Below	See Class 8 Rates Below

Non-Resident Rates

Unless otherwise specially provided, all minimum taxes and rates shall be doubled for non-residents and itinerants having no fixed principal place of business within the county.

Declining Rates

Declining rates apply in all cases for gross income over \$1,000,000.00	
Gross Income (In Millions)	Percent of Class Rate for each additional \$1,000
0.00-1.00	100%
1.01-2.00	95%
2.01-3.00	90%
3.01-4.00	85%
4.01-5.00	80%
5.01-6.00	75%
6.01-7.00	70%

7.01-8.00	65%
8.01-9.00	60%
9.01-10.00	55%
Over 10.00	50%

Decals

Coin Operated Machines – All coin operated amusement, skill, and music machines must have a decal posted upon it. The cost per decal is \$12.50.

Passenger Transportation – All taxies, limos, shuttles, and any other type of vehicle, motorized or non-motorized, whose primary purpose is to move people from one place to another shall post one decal on each vehicles. Vehicles shall be charged according to the table below.

<u>Place of Registration</u>	<u>Cost per Decal</u>
In Richland County	\$115.84
Outside Richland County	\$173.76

Business Vehicles – A personal or company vehicle which has anywhere upon it visible markings including, but not limited to, magnets, stickers, or decals, to identify the vehicle as associated with a business and is used by the business to go to or from locations in the County to conduct business shall post one decal on the rear of each vehicle to identify the business as being properly licensed. Decals shall cost the total cost to product the decal rounded up to the nearest quarter value.

Class 8 Rates

<u>Rate Class</u>	<u>NAICS #</u>	<u>Business Type</u>
8.20	482	Railroad Companies, Exempt from County, SC Code Section 4-9-30
8.30	517311	Wired Telecommunications Carriers, Exempt from County, SC Code Section 4-9-30
8.30	517312	Wireless Telecommunications Carriers (except Satellite), Exempt from County, SC Code Section 4-9-30
8.40	5241	Insurance Carriers, Exempt from County, SC Code Section 4-9-30
8.40	5242	Insurance Brokers for non-admitted Insurance Carriers, Exempt from County, SC Code Section 4-9-30

<u>Rate</u>	<u>NAICS #</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
8.10	23	Contractors, Construction (All Types)	\$40.00	\$1.00

1. All out-of-county income, for which a business license has been paid, must be reported as part of the gross income. (This income will then be deducted, as described in Section 16-7 of the Business License Ordinance.)
2. A trailer at the construction site is not a permanent place of business under this ordinance.
3. The total business license fee for the full amount of the contract shall be paid prior to the issuing of a building permit or the commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date. Before any County Certificate of Occupancy is issued, any change orders resulting in a higher contract value to the contractor must be reported and the business license tax increased as necessary (except as provided in Section 16-7(4)). An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base fee shall be paid in a calendar year.
4. Before any electrical or plumbing contractor shall be issued a business license, a master's license must be obtained in his or her respective field and post bond as provided by the plumbing and electrical ordinances of the county. Subcontractors furnishing labor for and/or supervision over construction or providing any type of contractual service shall be held liable for payment of the business license fees set forth in the section on the same basis as are prime contractors.
5. No contractor shall be issued a business license until all State and County qualification examinations and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the License Inspector with a list of all sub-contractors for the same job. Each and every vehicle at the job site shall display a contractor decal, as provided in Section 16-5(4)(a).
6. Sub-Contractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a subcontractor. General or prime contractors will be responsible and will pay for the business license of any sub-contractor doing work on the project if the sub-contractor is found without a county business license.
7. All contractors located in the unincorporated areas of Richland County must report all income received in the prior year to the business license office during the renewal period. Each contractor shall itemize and deduct all update fees paid to Richland County, or any other jurisdiction, as part of the business license application.

<u>Rate</u>	<u>NAICS #</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
8.51	713120	Amusement Parks and Arcades	\$40.00	\$1.00
8.52	713290	Nonpayout Amusement Machines	\$40.00	\$1.00
8.60	713990	All Other Amusement and Recreational Industries (pool tables)	\$40.00	\$1.00

Class 9 Optional Sub-Classes

<u>Rate</u>	<u>NAICS #</u>	<u>Business Type</u>	<u>Base Rate</u>	<u>Incremental Rate</u>
-------------	----------------	----------------------	------------------	-------------------------

9.10	423930	Recyclable Material Merchant Wholesalers (Junk)	\$40.00	\$1.35
9.20	522298	Pawnshops	\$40.00	\$1.35
9.30	4411	Automobile Dealers	\$40.00	\$1.30
9.30	4412	Other Motor Vehicle Dealers	\$40.00	\$1.30
9.41	454390	Other Direct Selling Establishments (Regular Peddlers)	\$50.00	\$2.00
9.42	454390	Other Direct Selling Establishments (Seasonal Peddlers)	\$15.00	\$1.25
9.50	713290	Bingo Halls	\$40.00	\$1.20
9.60	711190	Other Performing Arts Companies (Carnivals and Circuses)	\$40.00	\$1.25
9.70	722410	Drinking Places (Alcoholic Beverages)	\$40.00	\$1.25
9.91	454210	Vending Machine Operators	\$35.00	\$1.20
9.92	562212	Solid Waste Landfill	\$40.00	\$1.25
9.93	713990	All Other Amusement and Recreation Industries	\$40.00	\$1.25
9.94	722330	Mobile Food Services	\$40.00	\$3.00

SECTION II. (A) Section 16-7 of the Richland County Code of Ordinances is amended by deleting the existing language and inserting:

“Sec. 16-7. Deductions, Exemptions, Charitable Organizations, and Determination of Classification.

(1) No deductions from gross income shall be made except as follows:

(a) Income from business done wholly outside of the county jurisdiction on which a license tax is paid to another county or to any municipality, taxes collected for a governmental entity, or income which cannot be taxed pursuant to state or federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof by including with the business license application, either new or renewing, a separate itemized list showing all deductions claimed, or no deductions will be allowed. Deductions will be approved as authorized by this section.

(b) Income from sales generated by interstate commerce, i.e. sales of goods or products across state lines. Provided, however, such deducted income shall be included in the business' reported gross income.

(2) Exemptions.

(a) No person shall be exempt from the requirements of this article by reason of the lack of an established place of business within the County, unless exempted by state or federal law.

(b) The following businesses, occupations or professions are exempt from the requirements of this article:

1. Teachers;
2. Ministers, pastors, preachers, rabbis and other leaders of commonly recognized religious faiths;

3. Telephone, telegraph, gas and electric and other utilities or providers regulated by the South Carolina Public Service Commission;

4. Insurance companies; and

5. An entity which is exempt from license tax under any state law other than South Carolina Code of Laws, § 4-9-30(12), or a subsidiary or affiliate of any such exempt entity.

(c) No person shall be exempt from this article by reason of the payment of any other tax or fee, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax or fee by reason of the application of this article.

(3) In lieu of the license required by Section 16-1, a participant in a single annual event of not more than ten consecutive calendar days in length may be issued a permit at the rate of \$10.53 on gross income on the first \$2,000.00 and \$1.26 on each additional \$1,000.00 of gross income or fraction thereof. This permit will be valid only for the time period specified thereon and can be obtained for no more than one event annually. Organizers of such events may pay for and obtain a business license on behalf on all its vendors at a rate of \$10 per vendor or on the previous year's income generated by the event based upon the rate above, whichever is greater.

Inspections prior to the issuance of a permit may be waived. Inspections may be conducted during the event. For purposes of this subsection, an event is defined as participation by a group of exhibitors or others where displays are established in individual booths or stalls for the purpose of presenting to the audience goods, wares, merchandise or services offered for sale, rent or promotional purposes or for the general good will of the exhibitors. An event may be a trade show, an antique show, a craft show, or any other type of show fitting this definition.

(4) Notwithstanding any provision to the contrary, businesses and individuals defined as contractor herein shall be exempt from the provisions of this article in the following manner:

The business license tax shall be reduced by excluding that portion of the business' gross income generated from work done for which a Richland County building permit was obtained and a building permit fee paid (by either the general contractor or subcontractor responsible for that work), pursuant to the provisions of Section 6-51 of the Richland County Code of Ordinances.

Income generated from work done for which a Richland County building permit is not required, such as general repairs, shall be subject to a business license tax on that income.

(5) Charitable organizations which have exemptions from state and federal income taxes and/or are 501(c)(3) organizations according to the IRS Tax Code and where all proceeds are devoted to charitable purposes are exempt from a business license tax. Documentation of the claim to this exemption must be provided.

(6) The provisions of this article shall not extend to persons who grow their own agricultural produce or products, and use the Columbia State Farmers' Market, or other farmers' markets officially recognized by the County, to sell their produce directly to consumers.

(7) The License Official shall determine the appropriate classification for each business.”

(B) The amendments made in SECTION II take effect May 1, 2023. Prior to this date, the language as it appears

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

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

SECTION V. Effective Date. Except as otherwise provided, this ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2021.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Richland County Council Request for Action

Subject:

An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County

Notes:

First Reading: February 8, 2022
Second Reading: February 15, 2022
Third Reading: April 5, 2022 {Tentative}
Public Hearing: April 5, 2022



Agenda Briefing Addendum

Prepared by:	Christopher S. Eversmann, PE	Title:	Deputy Director
Department:	Public Works	Division:	Administration
Contributor:	John Ansell	Title:	Solid Waste & Recycling General Manager
Contributor:	Syndi Castelluccio	Title:	Collections Manager
Legal Review:	Christopher Ziegler via email	Date:	March 8, 2022
Date Prepared:	March 8, 2022	Meeting Date:	March 15, 2022
Approved for Consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee:	Development & Services		
Agenda Item:	An Ordinance Amending the Richland County Code of Ordinances; Chapter 12, Garbage, Trash and Refuse; to rename the Chapter and replace the language therein to more clearly reflect the operations and administration of solid waste, recycling, and public sanitation within the County		

Please see below for a list of changes made to the Chapter 12 ordinance that received Second Reading approval. In general:

- Consolidated Enforcement provisions as suggested by members of County Council;
- Removed two Attachment exhibits that seemed to be a source of confusion;
- Made minor edits / word changes;
- Added content on storm debris.

COUNCIL INQUIRY # 1:

Recommend consolidation of Enforcement provisions which appear in two locations and may be redundant.

Reply:

Section 12-3. Enforcement – Moved all paragraphs to Article VIII. ENFORCEMENT.

Section 12-4. Penalties – Removed; also addressed in Article VIII. ENFORCEMENT.

Section 12-5. Applicability – Re-numbered as Section 12-3.

Section 12-67. Miscellaneous Enforcement Provisions. Paragraphs from Section 12-3 added to this Section and Paragraphs were re-lettered.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Section 12-2. Definitions – Added definitions for “Storm Debris” and “(Tree) Storm Debris.”

Section 12-11. Fees. Reference to fee exhibit (and the exhibit) removed.

Section 12-15. Added Small Business service and 2.0 multiplier. This multiplier is established in the current ordinance, but was inadvertently omitted from the re-written ordinance.

Section 12-20. Garbage, Paragraph (c), (d), and (e), Minor word edits.

Section 12-21. Yard Waste, Paragraph (b) (3), Removal of, "...or cutting shrubbery back to the stump or trunk..."

Section 12-25. Enhanced ("Backyard") Service. Paragraph (c), Minor word edits to better clarify requirements.

Section 12-26. Uniform Fee Structure. Reference to Uniform Fee Structure exhibit (and the exhibit) removed.

Section 12-30. Exemption from roll cart service... Removed; already addressed in Section 12-25, Paragraph (c).

Section 12-41. Storm Events. Added to address staff lessons learned from the recent Ice Storm Event and resulting (Tree) Storm Debris.

ATTACHMENTS:

1. Chapter 12 (with Track Changes)
2. Chapter 12 (clean)

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 12, GARBAGE, TRASH AND REFUSE; TO RENAME THE CHAPTER AND REPLACE THE LANGUAGE THEREIN TO MORE CLEARLY REFLECT THE OPERATIONS AND ADMINISTRATION OF SOLID WASTE, RECYCLING, AND PUBLIC SANITATION 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 COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; is renamed Solid Waste, Recycling, and Public Sanitation; and the language therein amended by its deletion and the insertion new language to read as follows:

ARTICLE I. ADMINISTRATION

Sec. 12-1. In General.

Richland County shall manage the solid waste stream on behalf of its citizens in order to preserve and protect public health and welfare and to promote a suitable quality of life for residents and visitors. It shall perform these missions with appropriate staff, equipment, programs, and facilities and in accordance with applicable Federal and State Laws and Regulations. The task of solid waste management shall be discharged by the Director of Public Works.

Sec. 12-2. Definitions.

Any definitions contained herein shall apply unless specifically stated otherwise. In addition to the definitions contained in this chapter, the articles of this chapter shall adopt by reference the definition of terms (to the extent they are not inconsistent with definitions specifically contained herein) defined in the South Carolina Solid Waste Policy and Management Act of 1991, South Carolina Code Section 44-96-10, *et seq.* and in any regulations promulgated pursuant thereto. Any term not specifically defined will be construed pursuant to its plain and ordinary meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural include the singular, and words used in the singular include the plural. The word "shall" is always mandatory and not merely discretionary.

Agricultural operation: Raising, harvesting, or storing crops or feed, breeding or managing livestock, including the preparation of the products raised thereon for human use and disposed of by marketing or other means. It includes, but is not limited to, agriculture, grazing, horticulture, forestry, and dairy farming.

Apartment: Any building containing more than four (4) contiguous dwelling units or any group of buildings or mobile homes located on a single parcel that contains a total of six (6) or more dwelling units regardless of ownership of the dwelling units.

Bulk Waste ("Bulk Items"): Large appliances, air conditioners, furniture, mattresses, box springs, yard furniture, large toys, grills, push mowers, bicycles, and playground equipment. The following items are not considered bulk waste: Gym / exercise equipment, pianos, organs, pool tables, electronics, riding mowers, automotive equipment, fencing, decks, swimming pools (any size except small form plastic pools), animal shelters, demolition debris, building debris and any other item of such weight that two adults cannot easily lift.

Bulk Waste Container (a.k.a. - "Roll Off container"): A manufactured container suitable for emptying by mechanical equipment.

Class Three Waste: Non-hazardous commercial and industrial wastes that are permitted by SCDHEC to be disposed of in a Class Three landfill. See also: Municipal Solid Waste (MSW) and Garbage.

Class Two Waste: The waste streams listed in Appendix I, Acceptable Waste for Class Two Landfills, of SC Regulation 61-107.19, and Solid Waste Management: Solid Waste Landfills and Structural Fill. The list will be posted at each County disposal facility. See also: Construction and Demolition (C&D) Waste.

Code: The Richland County, South Carolina Code of Ordinances.

Collection Area: A quasi-official subdivided area of the County for the purpose of solid waste management program administration.

Commercial Establishment: Any hotel, apartment, rooming house, business, industrial, public or semi-public establishment of any nature. See also: Apartment.

Commercial Waste: Trash and garbage generated by apartments, operation of stores, offices, restaurants and other places of business and industrial establishments (excluding industrial waste as defined herein).

Construction and Demolition (C&D) debris: Any discarded solid wastes resulting from construction, remodeling, repair, and demolition of structures, and road construction. The wastes include, but are not limited to, bricks, concrete, other masonry materials, lumber, road spoils, and paving materials, but do not include solid waste from agricultural operations or Garbage.

Contaminant I Contamination: Generally applied in the context of recycling. Items, to include plastic bags, garbage, or items not approved for the County's Recycling Program, intermingled with items intended for pickup. The presence of this contamination may preclude pickup, causing an interruption of efficient collection operations. See also: "Non-compliant Pile/ Roll Cart", "Mixed Pile", and "Mixed Waste."

County: Richland County, South Carolina.

County Administrator: The Richland County Administrator.

County Council: The governing body of Richland County, South Carolina.

Curbside: The area within the right-of-way or easement immediately adjacent to a public road, highway, street, etc. For purposes of this ordinance chapter, curbside will be considered as the area within six (6) feet of the edge of the public road, highway, and street, etc., unless deemed otherwise by the Director. Curbside shall not extend past the road right-of-way or easement except in those cases where the road right-of-way or easement ends at the edge of the traveled way of the road.

Curbside Collector: (a.k.a. - Collections Contractor) the person that has entered into a contract with the County to provide specified solid waste curbside collection services. The solid wastes eligible for curbside service from dwelling units and small businesses are: garbage, household waste, yard waste, recyclables, bulk items, and white goods as defined herein.

Debris: Includes, but is not limited to, miscellaneous equipment, yard toys, furniture, packaging items, shipping containers, waste tires, construction and demolition (C&D) waste, bricks, blocks, concrete, asphalt, metals, lumber, trees, tree limbs, tree stumps, brush or parts thereof, or stumps, and/or building materials or solid waste of any description that are deemed by the Director or designee to be a nuisance, potentially deleterious to public health, public sanitation and/or public safety.

Department: The Richland County Department of Public Works.

DHEC: The South Carolina Department of Health and Environmental Control.

Director: The Richland County Director of Public Works.

Disposal: The discharge, deposition, injection, dumping, spilling, or placing of any solid waste into or on any land or water, whether intentional or unintentional, so that the substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Disposal Facility: All contiguous land, structures, other appurtenances and improvements on the land used for treating, storing, or disposing of solid waste pursuant to a solid waste disposal permit issued by DHEC. A facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

Domicile: A residential dwelling to include single and multi-family configurations.

Dumpster: A type of movable waste container designed to be brought and taken away by a special collection vehicle, or to a bin that a specially designed garbage truck lifts, empties into its hopper, and lowers, on the spot. The word is a generic trademark of Dumpster, an American brand name for a specific design.

Dwelling unit: One or more habitable rooms which are intended to be occupied by one (1) family with facilities for living, sleeping, cooking, and eating and from which the County would collect solid waste; excludes commercial, industrial and manufacturing establishments.

Garbage: All accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature whatsoever which is subject to decay, putrefaction and the generation of noxious and offensive smells or odors, or which during and after decay may serve as breeding or feeding material for flies and/or germ-carrying insects or vermin; bottles, cans or food containers which due to their ability to retain water can serve as a breeding place for mosquitoes and other water-breeding insects.

Hazardous waste: Those wastes that are defined as hazardous in Section 44-56-20 of the South Carolina Hazardous Waste Management Act.

Household: One or more people who occupy a dwelling unit as their usual place of residence.

Household Hazardous Waste: Any commonly used household hazardous material that is not regulated as hazardous waste when disposed of. This includes, but is not limited to, insecticides, pesticides, petroleum-based paints, lubricants, fertilizers, cleaning agents and polishing compounds. For purposes of this definition, household hazardous waste does not include gasoline or motor oil.

Household Quantities: Quantities of solid waste reasonably generated in the course of typical daily domestic activities from a dwelling unit. Household quantities typically would fit into the assigned roll cart.

Illegal Dump: A solid waste or debris pile of any size that was placed in an unauthorized location for an unauthorized purpose.

Illegal Pile: A non-compliant pile of solid waste that has not been made compliant for collection over a 15-day period of time and is, therefore, in violation of this ordinance and subject to enforcement action.

Industrial waste: Solid waste generated from industrial or manufacturing processes including, but not limited to, factories and treatment plants.

Intergovernmental Agreement (IGA): An agreement for services between the County and another governmental entity (often contained herein) whether Federal, State, or local and any department, division, unit or subdivision thereof.

Legal residence: A residential dwelling unit that is occupied by the owner of the dwelling unit, thus designated their legal residence by the county Tax Assessor. Owners may designate only one legal residence in the state.

Litter: Waste products that have been discarded, intentionally or unintentionally, without consent, at an unsuitable location. Includes items blown or thrown from a vehicle or property.

Materials Recovery Facility (MRF): A specialized facility that receives, separates and prepares recyclable materials for marketing to end-user manufacturers.

Mixed Pile: A solid waste pile, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which intermingles incompatible waste types and, therefore, cannot be efficiently collected for transportation and disposal. See also "Non-compliant Pile."

Mixed Waste: The intermingling of incompatible waste types (such as yard waste and garbage).

Municipal Solid Waste (MSW): Everyday items that are used and then throw away, such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, paint, and batteries. See also "Garbage."

Municipal Solid Waste Management (MSWM): A broad term that describes various policies, procedures, programs, and services that are directly or indirectly related to the safe and efficient management of the Solid Waste Stream on behalf of a Community.

Non-compliant Pile I Roll Cart: A solid waste pile or Roll Cart, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which does not comply with applicable standards contained herein.

Recovered Material: Those solid wastes which have known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream.

Recyclable Material (Recyclables): Those wastes which are capable of being recycled and which would otherwise be processed or disposed of as solid waste. For purposes of this ordinance chapter, only those recyclables specifically listed by the county will be collected for recycling.

Residential I Small Business Curbside Collection Program: An MSWM Program, administered by the County, by which various types of solid waste (garbage, yard waste, recycling, bulk items, and white goods) are picked up by Curbside Collection contractors from single family residences and some small businesses for transportation to an

appropriate disposal facility.

Residential Property: Property which contains residential dwelling units other than those defined in this section as apartments.

Roll Cart: A container, mounted on wheels, which is issued to citizens by the County for the storage of garbage or recyclables between pick up by Collection Contractors.

Roll Cart Fee: An individual fee charged for the delivery of a roll cart (garbage or recycling) for a new, or newly re-activated, service in the Residential / Small Business Curbside Collection Program. The fee is for the delivery, handling, and management of the Roll Cart; not for its purchase.

Sanitary landfill: The method of disposing of solid waste in an SCDHEC Permitted Disposal Facility by the placement of an earth cover thereon which meets the regulations promulgated by that Agency.

Scavenging: Rummaging through, taking or gathering items from County owned or privately owned solid waste management facilities or solid waste containers, including, but not limited to, bags, roll carts, bins, or roll-offs, or dumpsters of solid waste (which also includes recyclables).

Small Business: Any business entity registered with the South Carolina Secretary of State that produces no more garbage and household type waste during any county-defined solid waste collection cycle than will fill two (2) 90-gallon roll carts and has only one location inside the County. A small business becomes an "eligible small business" when a request for curbside collection service has been made and the initial Solid Waste Service Initiation Fee and Roll Cart Fee have both been paid.

Solid Waste: Garbage, household waste, debris, commercial waste, industrial waste, yard waste, white goods, ashes, rubbish, paper, junk, building materials, glass or plastic bottles, other glass, cans and any other discarded or abandoned material, including solid, liquid, semisolid or contained gaseous matter.

Solid Waste Service Fee (a.k.a. - Residential / Small Business Curbside Collection Program Fee): The annual charge established by County Council for all single family households and eligible small businesses to fund the Residential / Small Business Curbside Collection Program in the Unincorporated Area of the County.

Solid Waste Service Initiation Fee: The initial curbside collection service fee established by County Council for new households or small businesses or to re-establish service for existing single family households and small businesses where service was discontinued and Roll Carts have been removed in the Unincorporated Area of the County. Computed on a *per diem, pro rata* basis and payable before service is commenced.

Solid Waste Stream: The entire life cycle flow of the garbage produced - from putting out the garbage and recycling for pickup to landfilling, energy production, and the reuse of

recycled materials.

Special Waste: Items of solid waste permitted in the solid waste stream for disposal, but not collected as part of the Residential/ Small Business Curbside Collection Program such as carpet or C&D Debris.

Storm Debris – A variety of debris types that may include, but not limited to: trees and large limbs, Construction and Demolition (C&D) Debris, appliances, furniture, and other solid waste types caused by a significant storm or disaster with a resulting area emergency declaration by local, State, or Federal officials.

(Tree) Storm Debris – Any organic debris fallen from trees as a result of high winds, heavy rains, or accumulation of ice. This may include limbs and large parts of trees damaged by these conditions.

Vehicle: Any device capable of being moved upon a public highway or road and in, upon or by which any person or property is or may be transported or drawn upon a public highway or road.

White Goods: Large appliances, usually electrical or natural gas powered, that are used domestically such as refrigerators and washing machines (often white in color).

Yard waste: Any and all accumulations of grass, leaves, pine straw, small trees, branches, limbs, brush, shrubs, vines and other similar items generated by the typical maintenance of lawns, shrubs, gardens, and trees from residential properties or eligible small business properties. Includes branches, sticks, and limbs less than four (4) inches in diameter and less than four (4) feet in length.

Sec. 12-3. Enforcement.

~~(A) Appointed Solid Waste & Recycling Code Enforcement Officers (hereinafter "Refuse Control Officers") shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.~~

~~(B)(A) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be prima facie evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.~~

~~(C)(A) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization.~~

~~of Richland County.~~

~~(D)(A) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming, removal, and transporting of any solid waste in Richland County.~~

~~(E)(A) Refuse Control Officers shall use Form S 438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.~~

Sec. 12-4. Penalties.

~~Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand, ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation constitutes a separate and distinct offense, unless otherwise specified.~~

Sec. 12-35. Applicability.

Provisions of this Ordinance shall apply to all unincorporated areas within the County as well as Municipalities that subscribe to County Solid Waste Management Programs through Intergovernmental Agreement (IGA).

Sec. 12-46. Reserved for Future Use

Sec. 12-57. Reserved for Future Use.

Sec. 12-6. Reserved for Future Use.

Sec. 12-7. Reserved for Future Use.

ARTICLE II. FINANCE

Sec. 12-8. In General.

Richland County shall assess such taxes and fees necessary to manage, administer, and enforce in an equitable and effective manner, a Municipal Solid Waste Management (MSWM) Program as described herein.

Sec. 12-9. Solid Waste Fund.

Richland County shall maintain a Solid Waste Fund for the purpose of paying for a Municipal

Solid Waste Management (MSWM) Program, and associated support activities. The Fund shall be maintained through the collection of various fees, taxes, and other revenues such as grants. A fund balance equal to half of the average annual operating costs of the Solid Waste & Recycling Division over the past three-year period shall be the financial goal. Bond revenue for solid waste related

Capital projects shall be otherwise accounted for and not considered as part of the Solid Waste Fund. Current and future Host County Fee payments for the siting of solid waste facilities within the County shall be directed to the Solid Waste Fund.

Sec. 12-10. Millage.

(A) Richland County shall levy a countywide millage, to include all municipalities therein, for the purpose of raising revenue to generally cover the cost of:

- (1) Countywide-generated residential Municipal Solid Waste (MSW) disposal in Class Three Landfill;
- (2) Administration of a Countywide Solid Waste Management Program;
- (3) Countywide-generated residential disposal of C&D Debris and yard waste in an appropriate, SCDHEC permitted Landfill (this does NOT include Contractor-generated waste from residential construction, or tree removal /pruning/ trimming)
- (4) Operation of County Drop-Off and Recycling Centers; and
- (5) Processing of recyclable materials generated by the County Residential / Small Business Curbside Collection Program and Special Recycling Events

(B) This charge shall appear on County Real and Personal Property Tax Notices.

Sec. 12-11. Fees.

(A) A schedule of solid waste related fees charged by Richland County shall be maintained by the Solid Waste Division. These fees must be reviewed and established on an annual basis in order to cover the cost of associated solid waste services. These fees shall generally cover the cost of the:

- (1) Residential/Small Business Curbside Collection Program;
- (2) Disposal of C&D debris and yard waste in a county operated landfill generated by non-residential customers and businesses and governmental entities; and
- (3) Processing of other specialized recycling material such as electronic waste, tires, or mattresses.

(B) The fee for the Residential / Small Business Curbside Collection Program shall appear on County Real Property Tax Notices. All other fees will be collected or invoiced at the point of sale.

Sec. 12-12. Grants.

The Director of Public Works shall participate in applicable grant programs, either recurring or individual, administered by SCDHEC, or other entities, for the purpose of mitigating local costs and projects associated with MSW Management and solid waste reduction and recycling on behalf of Richland County.

Sec. 12-13. Partial Year Assessments for the Residential/ Small Business Curbside Collection Program.

- (A) All new service Residential/ Small Business Curbside Collection Program customers (new residence or newly activated service) shall be charged a Partial Year Fee for the initial, partial year of curbside collection service received at the designated service level.
- (B) Partial year service fees for new residences shall be computed on a *pro rata* basis and paid along with the Roll Cart Fee following the issuance of the Certificate of Occupancy (CO).
- (C) Thereafter, annual fees will be charged on the Real Property Tax Notice. It shall be the duty of the Auditor to include the assessment with the annual property tax notices.

Sec. 12-14. Annual schedule of fees and assessments.

The Director of Public Works shall, on an annual basis and concurrent with the Budget Process, review and update a Master Schedule of all solid waste fees for the purpose of ensuring adequate revenue for associated, fee-based solid waste management programs established herein. This schedule shall be reviewed and approved by County Council annually.

Sec. 12-15. Determination of assessments; inclusion in tax notice.

- (A) The Director of Public Works shall maintain and reconcile, on at least an annual basis, a complete list of all Residential / Small Business Curbside Collection Program customers and their designated program level of service. This list shall serve as the basis for monthly contractor payment and annual tax notice issuance by the Auditor. The levels of service and their associated multipliers follow:
 - (1) Standard (S) - ~~C~~urbside placement / collection of MSW and Recycling (1.0 multiplier);
 - (2) ~~Enhanced~~ (E) - Backyard (B) placement / collection of MSW and Recycling (1.8 multiplier);
 - (3) Disability (D) - Backyard (~~DB~~) placement / collection of MSW and Recycling (1.0 multiplier);
 - ~~(3)~~(4) Small Business (SB) – Curbside placement / collection of MSW and Recycling (2.0 multiplier).
- (B) These levels of service and their associated multipliers of the uniform fee shall be applied by the Auditor to Annual Real Property Tax Notices.

Formatted: Character scale: 100%

Sec. 12-16. Reserved for Future Use.

Sec. 12-17. Reserved for Future Use.

ARTICLE III. RESIDENTIAL/ SMALL BUSINESS CURBSIDE COLLECTION PROGRAM

Sec. 12-18. In General.

The County shall provide a program of regular collection of Municipal Solid Waste

(MSW) from single family residences as well as from eligible small businesses and local entities such as churches and neighborhood facilities within the unincorporated County. This service may be extended to like customers within small municipalities based on Intergovernmental Agreement (IGA) and assessment of program fees. No solid waste of any kind, or roll cart, shall be placed in or near a storm water drainage course so as to impede the flow thereof. All Roll Carts, piles, and bulk items placed at curbside with the intention of pickup as part of the Residential / Small Business Curbside Collection Program are subject to inspection by County Solid Waste Staff or their agents for compliance with standards contained herein.

Sec. 12-19. Conditions for Residential/ Small Business Curbside Collection Program.

Solid Waste collection service shall be provided under the following conditions:

- (1) Unincorporated areas of the County;
- (2) Small Municipalities covered by an IGA for solid waste services, and Residential, Single family homes;
- (3) Residential, Duplexes, Triplexes, or Quadraplexes;
- (4) Small / home-based businesses located within residential areas;
- (5) Ancillary facilities located within residential areas such as recreation centers or
- (6) Churches that generate small volumes of solid waste; or
- (7) Other facilities located within residential areas that generate small volumes of solid waste and, in the judgment of the Director of Public Works, would practically benefit from participation in this program.

Sec. 12-20. Garbage.

- (A) Garbage shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (B) Garbage shall be collected in the unincorporated portion of the County by roll cart service under the following conditions:
 - (1) One (1) Roll Cart shall be issued to each single family residential household/ small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (C) Eligible Small Business entities participating in this program may request up to two (2) roll carts and fees will apply.
- (D) Roll Carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents once collection is complete or no later than 7:30 p.m. on the designated day of collection.
- (E) For residential collection, occasional small quantities of garbage in excess of the capacity of the roll cart will be collected if neatly placed in tied plastic bags and placed

at curbside along with the roll cart.

Sec.12-21. Yard waste.

- (A) Yard waste shall only be collected from residential and small businesses in residential areas by collection contractors employed by the County.
- (B) Yard Waste shall be collected in the unincorporated portion of the County under the following conditions:
 - (1) Yard waste (Sticks, hedge clippings, and small brush) shall be neatly stacked and placed in order to facilitate efficient pick up. A volume roughly equivalent to two (2) roll carts (192 gallons or a pile measuring approximately six feet (6') in length, three feet (3') in width, and two feet (2') in height, or six 30-gallon yard waste bags) shall be placed within six (6) feet of curbside of the nearest public road and shall be collected on a designated day. Yard waste shall not be placed within the traveled way of the road. Bagging, boxing, or bundling of yard waste is encouraged.
 - (2) Larger tree branches and heavy brush which do not exceed four (4) inches in diameter shall be cut in lengths not exceeding four (4) feet and stacked in a neat, compact pile in front of the residence adjacent to the curb, but such piles shall not extend into the streets.
 - (3) Exclusions: Tree trunks, branches and limbs having a length greater than four (4) feet and diameter greater than four (4) inches are not deemed yard waste, thus are not eligible for curbside collection. Waste generated from either a tree removal (including-the stump) or de-limbing of a tree greater than four (4) inches in diameter at the tree base at ground level is not considered yard waste, thus is not eligible for curbside collection. Re-sizing waste from a tree removal, from a stump removal or from de-limbing an ineligible tree to make it meet the above dimensions does not make it eligible for curbside collection. Waste generated from clearing a lot ~~or cutting shrubbery back to the stump or trunk~~ is not considered yard waste, thus is not eligible for curbside collection.
- (C) Dirt, sand, and mulch, other than those small residual quantities incidental to yard waste collection, shall not be accepted for curbside collection.

Sec. 12-22. Recycling.

- (A) Recycling shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (B) Recycling shall be collected in the entire unincorporated portion of the County by roll cart service under the following conditions:
 - (1) One (1) Roll Cart shall be issued to each single family residential household / small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (C) Roll carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents once collection is complete or no later than 7:30 p.m. on the designated day of collection.
- (D) Authorized recyclable materials previously containing food or beverages shall be properly prepared by the resident prior to placement in the recycling roll cart. Aerosol cans ~~and glass~~ shall be

excluded from single stream recycling. Cardboard shall be broken down/flattened for efficient handling and collection. Recycling shall not be mixed with garbage or other contaminants. Recyclable materials shall not be placed in bags.

- (E) Collection Contractors may refuse to collect curbside recycling if the material is found to be contaminated by non-recyclables. Collectors may attach information to the Roll Cart explaining why the material was not collected. The resident shall remove the non-recyclable material identified as contamination before the next scheduled recycling collection day in order to be serviced.
- (F) The Director of Public Works shall, on an annual basis, review the official list of commodities eligible for recycling based on market conditions and recommend additions or deletions to the County Administrator. The Director of Public Information shall lead and manage the public information campaign necessary to this program.

Sec. 12-23. Bulk Items (a.k.a. "Brown Goods").

Residential / Small Business curbside collection customers may request, at no extra charge, the pickup and disposal of Bulk Items such as indoor and outdoor furniture, large yard toys, mattresses, *etc.* by requesting an appointment for pickup. Bulk Items shall only be placed at curbside following a confirmed, scheduled appointment for pickup and shall not remain at curbside indefinitely. Limit of four items per appointment request.

Sec. 12-24. White Goods.

White Goods shall be collected and managed in the same manner as Bulk Items. All large appliances, such as refrigerators, shall have doors removed prior to placement at curbside.

Sec. 12-25. Enhanced ("Backyard") Service.

- (A) An enhanced level of service (a.k.a. - "Backyard Service") shall be made available to neighborhoods that request it and have established Homeowners' Association (HOA) covenants supporting same as well as to individual homes in which the occupants cannot physically place their garbage or recycling roll carts at curbside for standard pickup.
- (B) Neighborhoods desiring a higher level of service may request backyard pick-up pursuant to the following conditions:
 - (1) The subdivision must have a duly organized, active Homeowners Association (HOA) and such request shall be made by said association. At the time that the HOA requests the higher level of service, said association shall provide either a certified true copy of the results of a certified ballot mailed to each homeowner and tallied by a certified public accountant (CPA), or a certified true copy of the minutes of the meeting where the decision was made by majority vote to request said higher level of service. Said minutes shall be signed and attested by the President and Secretary of the HOA; the association must also certify that all homeowners were notified of the meeting at least ten (10) days in advance and must furnish a copy of the notice.
 - (2) At the time that the HOA makes the request, said association shall clearly define the geographic boundaries of the area encompassed in the request, including tax

map sheet references.

- (3) AH requests for an enhanced level of service (backyard pick-up) shall be made to the Director of Public Works and approved by the County Administrator.
- (4) Under no circumstances shall the county provide the higher level of roll cart service (backyard pick-up) to any subdivision which does not have deed restrictions which prohibit curbside pick-up.

(C) Disabled citizens may receive enhanced ("backyard") service for roll cart (garbage and recycling) service collection at no extra charge. This special exception may be granted when the General Manager of Solid Waste & Recycling determines that there is no able-bodied individual over the age of 18 who resides at the address to place and remove roll carts on the curb. Application for this consideration must be completed by an attending physician and needs to be updated annually.

Sec.12-26. Uniform Fee Structure.

The Fee Structure used to generate revenue for the Residential / Small Business Curbside Collection Program shall be normalized and uniform throughout all areas served (Unincorporated County and Small Municipalities through IGAs) such that variations in collection area locations, collection contractor bids, or development density or do not cause undue financial burden to individual customers. The Director of Public Works shall, on an annual basis, update the calculation of the fee in advance of annual distribution of real property tax notices. A multiplier to the uniform fee for basic service shall be applied for neighborhood Enhanced ("Backyard") Service.

Sec. 12-27. Small Business (Quasi-Residential) Service.

- (A) Though the intent of the Residential/ Small Business Curbside Collection Program is to primarily serve single family residential customers, there are others for whom providing this service is appropriate, convenient, and efficient. Such quasi-residential customers are generally referred to as "eligible small businesses" (even though they might not technically be a "small business", *per se*) and may include:
- (1) Duplex through Quadraplex residential customers;
 - (2) Other residential customers besides Apartments;
 - (3) Neighborhood pavilions or recreation centers;
 - (4) Small, home-based businesses;
 - (5) Small local government facilities such as fire/ EMS stations; and
 - (6) Churches.
- (B) Additionally, in order to participate in this program, such facilities must:
- (1) Be physically located along an established residential collection route;
 - (2) Generate quantities and types of solid waste consistent with typical single family residences;
 - (3) Pay all associated solid waste fees and taxes;
 - (4) Be approved by the Director of Public Works for participation in the program.

Sec. 12-28. Roll Carts.

Roll Carts of approximately 96-gallon capacity shall be used in the collection of solid waste whendeemed efficient and effective. Roll Carts shall be purchased, owned, delivered, and collected by the County or its designated agent. Fees may be charged for initial Roll Cart delivery or replacement. A fee for repair, replacement and delivery may be charged to the home owner in the event of damage or destruction due to negligence or theft. Roll Carts shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide by the user thereof, if necessary, to prevent nuisance.

Sec. 12-29. Items ineligible for Residential/ Small Business Curbside Collection Service.

- (A) Dead animals. Dead animals shall not be collected. Dead household pets shall be collected by the County Department of Animal Care if placed in plastic bags at curbside and if that Department is notified. Proper disposal of all other dead animals shall be the responsibility of property owners.
- (B) Building materials. The County shall not be responsible for collecting or hauling discarded building material, dirt, rock, or industrial and hazardous waste.

[Sec. 12-30. Reserved for Future Use.](#)

[Sec. 12-31. Reserved for Future Use.](#)

[Sec. 12-32. Reserved for Future Use.](#)

**ARTICLE IV. DROP-OFF CENTERS, ~~AND~~ SPECIAL COLLECTION
EVENTS, AND STORM DEBRIS**

Sec. 12-33. In General.

The Director of Public Works may maintain additional solid waste facilities and conduct such special events for the purpose of augmenting the efficient collection of various types of Solid Waste and recyclable materials from County residential customers. These facilities may collect materials that are permitted in the waste stream for disposal or recycling, but not included for collection at curbside. These facilities shall not receive garbage. These facilities shall not receive any waste generated outside of the County. Only County residents are authorized to use County Operated Drop-Off Centers.

Sec. 12-34. Construction & Demolition (C&D) Debris.

Drop-Off Centers may accept for disposal or recycling Construction & Demolition (C&D) Debris generated by County Residents, performing home improvement projects on their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-35. Yard waste and landscaping debris.

Drop-Off Centers may accept for disposal, Yard Waste and Landscaping Debris generated by County Residents, performing yard maintenance at their Residential Property. The Director of

Formatted: Font: 12 pt, Font color: Custom Color(RGB(45,45,45))

Formatted: Left, Indent: Left: 0.5"

Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-36. Recycling.

Drop-Off Centers may accept for recycling, various items, generated by County Residents at their domiciles. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

Sec. 12-37. Bulk Items.

Drop-Off Centers may accept for disposal, Bulk Items generated by County Residents at their domiciles. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-38. White Goods.

Drop-Off Centers may accept for disposal, White Goods generated by County Residents at their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-39. Special Collection Events.

The Director of Public Works may conduct on occasion, either on an individual basis or in partnership with municipalities or neighboring counties, Special Collection Events to promote the proper collection and disposal or recycling of items such as paint, household hazardous waste, sensitive documents for shredding, tires, electronic waste (eWaste), and scrap metal / white goods. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

Sec.12-40. Community "Clean Sweep" Events.

The Director of Public Works may conduct a program to support citizen volunteer efforts at the neighborhood level to clean up and beautify their communities.

Sec. 12-41. ~~Reserved for Future Use~~ Storm Events.

Storm events vary in size, scope, intensity, and affected area and, thereby, resulting debris types. Similarly, County response to such events will vary to appropriately address the magnitude of the event and the impact of Storm Debris or (Tree) Storm Debris on the health, safety, and efficiency of the County. In general terms, Storm Debris and / or (Tree) Storm Debris must be placed at curbside and segregated by waste type. The Director of Public Works shall coordinate the Storm Event Debris Management mission and assign a Storm Event Debris Manager.

Formatted: Justified

Formatted: Font: Not Bold

ARTICLE V. RECYCLING

Sec. 12-42. In General.

(A) The County shall, consistent with State Law, conduct a program of residential recycling in order to:

- (1) Conserve Natural Resources and Landfill Space;
- (2) Promote economic development and security;
- (3) Protect the environment; and
- (4) Conserve energy

(B) The County shall also promote and encourage commercial and business recycling. Participation in recycling programs is encouraged and voluntary.

Sec. 12-43. Residential Recycling.

Residential recycling will primarily be promoted through the Residential / Small Business Curbside Collection Program and may be supplemented through collections at Special Collection Events and Drop off Centers.

Sec. 12-44. Commercial and Business Recycling.

Commercial and Business Recycling will primarily be promoted through education and voluntary reporting.

Sec. 12-45. Commodities.

The Director of Public Works shall, on an annual basis, and in consultation with the General Manager of Solid Waste & Recycling, recommend to the County Administrator, a list of commodities to be included in the Residential / Small Business Curbside Collection Program. This recommendation shall be based on forecasts of recycling commodities' market conditions. The County Director of Public Information shall promote and publicize current information regarding commodities for recycling.

Sec. 12-46. Recovered Materials.

Materials collected through all County Recycling Programs are County property. The County shall ensure the services of a Materials Recovery Facility (MRF) in order to process recovered materials for recycling. Any revenue generated from the sale of recovered materials shall be deposited into the Solid Waste Fund.

Sec. 12-47. Reporting.

The County shall account for and report recycling activity in a form and manner consistent with State and Federal law.

Sec. 12-48. Reserved for Future Use.

Sec. 12-49. Reserved for Future Use.

ARTICLE VI. TRANSPORTATION AND DISPOSAL OF SOLID WASTE

Sec. 12-50. In General.

The transportation and disposal of solid waste shall be conducted by authorized personnel and in accordance with all applicable State and Federal Laws.

Formatted: Right: 0.03"

Sec. 12-51. Transportation of Solid Waste.

(A) It shall be unlawful for any person to haul, convey or cause to be conveyed any refuse upon or along the public streets and roadways except when the material transported is adequately secured in such a manner as to prevent it from falling, leaking, or being blown from transporting vehicles. The owner or driver of the offending vehicle shall be personally responsible for any violation of this section.

Formatted: Justified

(B) It shall be a violation of this article for any person not authorized by the County to collect and haul any refuse other than that arising from his or her own accumulation within any area of the County in which solid waste collection service is provided by the County.

Sec. 12-52. Use of County operated solid waste management facilities.

Only County residents or specifically authorized agents of the County (*i.e.* - Curbside Collection Contractors) are authorized to use County operated solid waste management facilities, including landfills, as determined by the Director of Public Works. Such solid waste management facilities shall, under non-emergent conditions, only accept solid waste that is generated within the County. Fees may be charged in a consistent, uniform, and equitable manner.

Sec. 12-53. Garbage.

Garbage shall only be disposed of in an appropriate Class Three Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

Sec. 12-54. Construction & Demolition (C&D) Debris.

C&D Debris shall only be disposed of in an appropriate Class Two Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

Sec. 12-55. Other Common Waste Types.

Other commonly generated waste types, such as Electronic Waste (e-waste), Tires, Mattresses, or "Household Quantities" of Hazardous Waste shall be accepted and disposed of (or recycled) by the County in appropriate manners at permitted facilities.

Sec. 12-56. Reserved for Future Use.

Sec. 12-57. Reserved for Future Use.

ARTICLE VIII. ENFORCEMENT

Sec. 12-58. In General.

The Director of Public Works shall maintain a Refuse Control Section composed of duly appointed Codes Enforcement Officers who shall enforce the provisions

of this Chapter.

Sec. 12-59. Littering.

It shall be unlawful for any person to discharge litter, in any quantity, from their person, vehicle, property, or any other conveyance.

Formatted: Right: 0.03"

Sec. 12-60. Illegal Dumping.

- (A) It shall be unlawful for any person to dump, allow another person to dump, or cause to be dumped any garbage, debris, household trash, litter, junk, appliances, equipment, cans, bottles, paper, trees, tree limbs, tree stumps, brush or parts thereof, or any other solid waste, anywhere in the unincorporated area of the county, except at an SCDHEC approved landfill. Failure of the owner to sufficiently limit access to the property where dumping is occurring shall be considered to be allowing another person to dump, thus would be unlawful.
- (B) The above provisions shall not apply to the dumping on private property, with the owner's written permission of sand, dirt, and stone for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment to ensure compliance with best management practices for storm water management.

Sec. 12-61. Covering vehicle loads.

It shall be unlawful for vehicles of any kind, transporting solid waste in any quantity, to fail in ensuring that said waste is contained therein by maintaining an adequate cover and containment throughout transit.

Formatted: Justified

Sec. 12-62. Debris on Lots.

- (A) Declaration of nuisance. Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the County Director of Public Works. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.
- (B) Duty of owner, etc., to remove. It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris
- (C) Notice to owner, etc., to remove. Whenever the Director of Public Works shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United

Formatted: Right: 0.03"

States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.

(D) Failure to comply with notice. If the person to whom the notice is directed, under the provisions of the preceding subsection fails, or neglects to cause such debris to be removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of this chapter.

(E) Removal by County. In the event any property is determined to be a nuisance, and twenty(20) days has elapsed after such notice has been served, deposited in the United States mail, or posted upon the premises, then the Department of Public Works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a charge to the property owner, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

Sec. 12-63. Scavenging.

It shall be unlawful for any person to rummage through, take or gather items from County- owned or privately owned solid waste management facilities or any County-owned or privately owned solid waste management containers, including, but not limited to, bags, roll carts for garbage or recycling, bins, roll-off containers, or dumpsters.

Sec. 12-64. Evictions.

The placement of household goods and contents from a lawful eviction process, may, if necessary, be addressed in the same manner of the provision of Debris on a Lot (Sec. 12-62. above). Debris resulting from the lawful eviction process is assumed to be a mixed pile and therefore ineligible for collection under the Residential/Small Business Curbside Collection Program.

Sec. 12-65. Collected Solid Waste is County Property.

Once picked up for collection from the Residential/ Business Curbside Collection Program, or disposed of in any County Solid Waste Management Facility, all Solid Waste is County Property whose disposition is the responsibility of the County.

Sec. 12-66. Penalties.

(A) If any of the matter or material dumped in violation of this Chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such owner dumped or caused to be dumped such matter or material in violation of this Chapter.

(B) Appointed Refuse Control Officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the Magistrate's Court of the County to answer to the charge of violation of the appropriate section of this chapter.

(C) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand, ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation

Formatted: Right: 0.03"

shall constitute a separate and distinct offense, unless otherwise specified.

Formatted: Font: 12 pt

Sec. 12-67. Miscellaneous Enforcement Provisions.

(A) Appointed Solid Waste & Recycling Code Enforcement Officers (hereinafter "Refuse Control Officers") shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.

(B) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be prima facie evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.

(C) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization of Richland County.

(D) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming/ removal, and transporting of any solid waste in Richland County.

(E) Refuse Control Officers shall use Form S-438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.

~~(A)~~ (F) If a non-compliant solid waste pile or roll cart, placed at curbside as part of the Residential / Small Business Curbside Collection Program, is not, in whole, brought into compliance for collection within a 15-day period following notification of non-compliance by the County, it shall be deemed to be an Illegal Pile and considered Illegal Dumping.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(B)~~ (G) Preparation and storage of residential and/or small business solid waste for collection. It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all garbage properly, pending collection and disposal. Residential excess garbage beyond that which can be placed in the roll cart shall be neatly placed in sealed plastic bags alongside carts on designated collection days.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(C)~~ (H) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide, if necessary, to prevent nuisance.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(D)~~ (I) Proof of means used for disposal of solid wastes by businesses and commercial enterprises shall be presented to the Refuse Control Officers when requested by said Officer.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(E)~~(J) Each property owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) or on a public thoroughfare adjoining his or her property.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(F)~~(K) It shall be a violation of this article to place or cause to be placed in any dumpster, solid waste receptacle, or bulk container for collection any acid, explosive material, flammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(G)~~(L) No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of solid waste shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(H)~~(M) Property owners shall be prohibited from receiving for deposit in their refuse containers any type of refuse that originates outside their designated collection area

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(I)~~(N) Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

~~(J)~~(O) It shall be unlawful for a Resident / Small Business Owner to repeatedly leave Roll Carts at curbside in residential areas beyond the prescribed daily period for collection.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

ARTICLE IX. CONSTRUCTION, MODIFICATION, EXPANSION, AND/OR OPERATION OF SOLID WASTE MANAGEMENT FACILITIES, BENEFICIAL LANDFILLS, AND COMPOSTING FACILITIES

Sec. 12-68. In General.

All solid waste management facilities, beneficial landfills, and composting facilities shall adhere to all Federal and State rules and regulations, and all local zoning land use and other applicable local ordinances.

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: _____
Overture Walker, Chair

Attest this _____ day of

_____, 2021.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

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

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 12, GARBAGE, TRASH AND REFUSE; TO RENAME THE CHAPTER AND REPLACE THE LANGUAGE THEREIN TO MORE CLEARLY REFLECT THE OPERATIONS AND ADMINISTRATION OF SOLID WASTE, RECYCLING, AND PUBLIC SANITATION 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 COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 12, Garbage, Trash and Refuse; is renamed Solid Waste, Recycling, and Public Sanitation; and the language therein amended by its deletion and the insertion new language to read as follows:

ARTICLE I. ADMINISTRATION

Sec. 12-1. In General.

Richland County shall manage the solid waste stream on behalf of its citizens in order to preserve and protect public health and welfare and to promote a suitable quality of life for residents and visitors. It shall perform these missions with appropriate staff, equipment, programs, and facilities and in accordance with applicable Federal and State Laws and Regulations. The task of solid waste management shall be discharged by the Director of Public Works.

Sec. 12-2. Definitions.

Any definitions contained herein shall apply unless specifically stated otherwise. In addition to the definitions contained in this chapter, the articles of this chapter shall adopt by reference the definition of terms (to the extent they are not inconsistent with definitions specifically contained herein) defined in the South Carolina Solid Waste Policy and Management Act of 1991, South Carolina Code Section 44-96-10, *et seq.* and in any regulations promulgated pursuant thereto. Any term not specifically defined will be construed pursuant to its plain and ordinary meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural include the singular, and words used in the singular include the plural. The word "shall" is always mandatory and not merely discretionary.

Agricultural operation: Raising, harvesting, or storing crops or feed, breeding or managing livestock, including the preparation of the products raised thereon for human use and disposed of by marketing or other means. It includes, but is not limited to, agriculture, grazing, horticulture, forestry, and dairy farming.

Apartment: Any building containing more than four (4) contiguous dwelling units or any group of buildings or mobile homes located on a single parcel that contains a total of six (6) or more dwelling units regardless of ownership of the dwelling units.

Bulk Waste ("Bulk Items"): Large appliances, air conditioners, furniture, mattresses, box springs, yard furniture, large toys, grills, push mowers, bicycles, and playground equipment. The following items are not considered bulk waste: Gym / exercise equipment, pianos, organs, pool tables, electronics, riding mowers, automotive equipment, fencing, decks, swimming pools (any size except small form plastic pools), animal shelters, demolition debris, building debris and any other item of such weight that two adults cannot easily lift.

Bulk Waste Container (a.k.a. - "Roll Off container"): A manufactured container suitable for emptying by mechanical equipment.

Class Three Waste: Non-hazardous commercial and industrial wastes that are permitted by SCDHEC to be disposed of in a Class Three landfill. See also: Municipal Solid Waste (MSW) and Garbage.

Class Two Waste: The waste streams listed in Appendix I, Acceptable Waste for Class Two Landfills, of SC Regulation 61-107.19, and Solid Waste Management: Solid Waste Landfills and Structural Fill. The list will be posted at each County disposal facility. See also: Construction and Demolition (C&D) Waste.

Code: The Richland County, South Carolina Code of Ordinances.

Collection Area: A quasi-official subdivided area of the County for the purpose of solid waste management program administration.

Commercial Establishment: Any hotel, apartment, rooming house, business, industrial, public or semi-public establishment of any nature. See also: Apartment.

Commercial Waste: Trash and garbage generated by apartments, operation of stores, offices, restaurants and other places of business and industrial establishments (excluding industrial waste as defined herein).

Construction and Demolition (C&D) debris: Any discarded solid wastes resulting from construction, remodeling, repair, and demolition of structures, and road construction. The wastes include, but are not limited to, bricks, concrete, other masonry materials, lumber, road spoils, and paving materials, but do not include solid waste from agricultural operations or Garbage.

Contaminant I Contamination: Generally applied in the context of recycling. Items, to include plastic bags, garbage, or items not approved for the County's Recycling Program, intermingled with items intended for pickup. The presence of this contamination may preclude pickup, causing an interruption of efficient collection operations. See also: "Non-compliant Pile/ Roll Cart", "Mixed Pile", and "Mixed Waste."

County: Richland County, South Carolina.

County Administrator: The Richland County Administrator.

County Council: The governing body of Richland County, South Carolina.

Curbside: The area within the right-of-way or easement immediately adjacent to a public road, highway, street, etc. For purposes of this ordinance chapter, curbside will be considered as the area within six (6) feet of the edge of the public road, highway, and street, etc., unless deemed otherwise by the Director. Curbside shall not extend past the road right-of-way or easement except in those cases where the road right-of-way or easement ends at the edge of the traveled way of the road.

Curbside Collector: (a.k.a. - Collections Contractor) the person that has entered into a contract with the County to provide specified solid waste curbside collection services. The solid wastes eligible for curbside service from dwelling units and small businesses are: garbage, household waste, yard waste, recyclables, bulk items, and white goods as defined herein.

Debris: Includes, but is not limited to, miscellaneous equipment, yard toys, furniture, packaging items, shipping containers, waste tires, construction and demolition (C&D) waste, bricks, blocks, concrete, asphalt, metals, lumber, trees, tree limbs, tree stumps, brush or parts thereof, or stumps, and/or building materials or solid waste of any description that are deemed by the Director or designee to be a nuisance, potentially deleterious to public health, public sanitation and/or public safety.

Department: The Richland County Department of Public Works.

DHEC: The South Carolina Department of Health and Environmental Control.

Director: The Richland County Director of Public Works.

Disposal: The discharge, deposition, injection, dumping, spilling, or placing of any solid waste into or on any land or water, whether intentional or unintentional, so that the substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Disposal Facility: All contiguous land, structures, other appurtenances and improvements on the land used for treating, storing, or disposing of solid waste pursuant to a solid waste disposal permit issued by DHEC. A facility may consist of several treatment, storage, or disposal operational units, including, but not limited to, one or more landfills, surface impoundments, or combination thereof.

Domicile: A residential dwelling to include single and multi-family configurations.

Dumpster: A type of movable waste container designed to be brought and taken away by a special collection vehicle, or to a bin that a specially designed garbage truck lifts, empties into its hopper, and lowers, on the spot. The word is a generic trademark of Dumpster, an American brand name for a specific design.

Dwelling unit: One or more habitable rooms which are intended to be occupied by one (1) family with facilities for living, sleeping, cooking, and eating and from which the County would collect solid waste; excludes commercial, industrial and manufacturing establishments.

Garbage: All accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruit, vegetables and any other matter of any nature whatsoever which is subject to decay, putrefaction and the generation of noxious and offensive smells or odors, or which during and after decay may serve as breeding or feeding material for flies and/or germ-carrying insects or vermin; bottles, cans or food containers which due to their ability to retain water can serve as a breeding place for mosquitoes and other water-breeding insects.

Hazardous waste: Those wastes that are defined as hazardous in Section 44-56-20 of the South Carolina Hazardous Waste Management Act.

Household: One or more people who occupy a dwelling unit as their usual place of residence.

Household Hazardous Waste: Any commonly used household hazardous material that is not regulated as hazardous waste when disposed of. This includes, but is not limited to, insecticides, pesticides, petroleum-based paints, lubricants, fertilizers, cleaning agents and polishing compounds. For purposes of this definition, household hazardous waste does not include gasoline or motor oil.

Household Quantities: Quantities of solid waste reasonably generated in the course of typical daily domestic activities from a dwelling unit. Household quantities typically would fit into the assigned roll cart.

Illegal Dump: A solid waste or debris pile of any size that was placed in an unauthorized location for an unauthorized purpose.

Illegal Pile: A non-compliant pile of solid waste that has not been made compliant for collection over a 15-day period of time and is, therefore, in violation of this ordinance and subject to enforcement action.

Industrial waste: Solid waste generated from industrial or manufacturing processes including, but not limited to, factories and treatment plants.

Intergovernmental Agreement (IGA): An agreement for services between the County

and another governmental entity (often contained herein) whether Federal, State, or local and any department, division, unit or subdivision thereof.

Legal residence: A residential dwelling unit that is occupied by the owner of the dwelling unit, thus designated their legal residence by the county Tax Assessor. Owners may designate only one legal residence in the state.

Litter: Waste products that have been discarded, intentionally or unintentionally, without consent, at an unsuitable location. Includes items blown or thrown from a vehicle or property.

Materials Recovery Facility (MRF): A specialized facility that receives, separates and prepares recyclable materials for marketing to end-user manufacturers.

Mixed Pile: A solid waste pile, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which intermingles incompatible waste types and, therefore, cannot be efficiently collected for transportation and disposal. See also "Non-compliant Pile."

Mixed Waste: The intermingling of incompatible waste types (such as yard waste and garbage).

Municipal Solid Waste (MSW): Everyday items that are used and then throw away, such as product packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, appliances, paint, and batteries. See also "Garbage."

Municipal Solid Waste Management (MSWM): A broad term that describes various policies, procedures, programs, and services that are directly or indirectly related to the safe and efficient management of the Solid Waste Stream on behalf of a Community.

Non-compliant Pile I Roll Cart: A solid waste pile or Roll Cart, placed at curbside by the homeowner for the purpose of collection as part of the Residential / Small Business Curbside Collection Program, but which does not comply with applicable standards contained herein.

Recovered Material: Those solid wastes which have known use, reuse, or recycling potential; can be feasibly used, reused, or recycled; and have been diverted or removed from the solid waste stream.

Recyclable Material (Recyclables): Those wastes which are capable of being recycled and which would otherwise be processed or disposed of as solid waste. For purposes of this ordinance chapter, only those recyclables specifically listed by the county will be collected for recycling.

Residential I Small Business Curbside Collection Program: An MSWM Program, administered by the County, by which various types of solid waste (garbage, yard waste, recycling, bulk items, and white goods) are picked up by Curbside Collection contractors from single family residences and some small businesses for transportation to an appropriate disposal facility.

Residential Property: Property which contains residential dwelling units other than those defined in this section as apartments.

Roll Cart: A container, mounted on wheels, which is issued to citizens by the County for the storage of garbage or recyclables between pick up by Collection Contractors.

Roll Cart Fee: An individual fee charged for the delivery of a roll cart (garbage or recycling) for a new, or newly re-activated, service in the Residential / Small Business Curbside Collection Program. The fee is for the delivery, handling, and management of the Roll Cart; not for its purchase.

Sanitary landfill: The method of disposing of solid waste in an SCDHEC Permitted Disposal Facility by the placement of an earth cover thereon which meets the regulations promulgated by that Agency.

Scavenging: Rummaging through, taking or gathering items from County owned or privately owned solid waste management facilities or solid waste containers, including, but not limited to, bags, roll carts, bins, or roll-offs, or dumpsters of solid waste (which also includes recyclables).

Small Business: Any business entity registered with the South Carolina Secretary of State that produces no more garbage and household type waste during any county-defined solid waste collection cycle than will fill two (2) 90-gallon roll carts and has only one location inside the County. A small business becomes an "eligible small business" when a request for curbside collection service has been made and the initial Solid Waste Service Initiation Fee and Roll Cart Fee have both been paid.

Solid Waste: Garbage, household waste, debris, commercial waste, industrial waste, yard waste, white goods, ashes, rubbish, paper, junk, building materials, glass or plastic bottles, other glass, cans and any other discarded or abandoned material, including solid, liquid, semisolid or contained gaseous matter.

Solid Waste Service Fee (a.k.a. - Residential I Small Business Curbside Collection Program Fee): The annual charge established by County Council for all single family households and eligible small businesses to fund the Residential / Small Business Curbside Collection Program in the Unincorporated Area of the County.

Solid Waste Service Initiation Fee: The initial curbside collection service fee established by County Council for new households or small businesses or to re-establish service for existing single family households and small businesses where service was discontinued and Roll Carts have been removed in the Unincorporated Area of the County. Computed on a *per diem, pro rata* basis and payable before service is commenced.

Solid Waste Stream: The entire life cycle flow of the garbage produced - from putting out the garbage and recycling for pickup to landfilling, energy production, and the reuse of recycled materials.

Special Waste: Items of solid waste permitted in the solid waste stream for disposal, but not collected as part of the Residential/ Small Business Curbside Collection Program such as carpet or C&D Debris.

Storm Debris – A variety of debris types that may include, but not limited to: trees and large limbs, Construction and Demolition (C&D) Debris, appliances, furniture, and other solid waste types caused by a significant storm or disaster with a resulting area emergency declaration by local, State, or Federal officials.

(Tree) Storm Debris – Any organic debris fallen from trees as a result of high winds, heavy rains, or accumulation of ice. This may include limbs and large parts of trees damaged by these conditions.

Vehicle: Any device capable of being moved upon a public highway or road and in, upon or by which any person or property is or may be transported or drawn upon a public highway or road.

White Goods: Large appliances, usually electrical or natural gas powered, that are used domestically such as refrigerators and washing machines (often white in color).

Yard waste: Any and all accumulations of grass, leaves, pine straw, small trees, branches, limbs, brush, shrubs, vines and other similar items generated by the typical maintenance of lawns, shrubs, gardens, and trees from residential properties or eligible small business properties. Includes branches, sticks, and limbs less than four (4) inches in diameter and less than four (4) feet in length.

Sec. 12-3. Applicability.

Provisions of this Ordinance shall apply to all unincorporated areas within the County as well as Municipalities that subscribe to County Solid Waste Management Programs through Intergovernmental Agreement (IGA).

Sec. 12-4. Reserved for Future Use

Sec. 12-5. Reserved for Future Use.

Sec. 12-6. Reserved for Future Use.

Sec. 12-7. Reserved for Future Use.

ARTICLE II. FINANCE

Sec. 12-8. In General.

Richland County shall assess such taxes and fees necessary to manage, administer, and enforce in an equitable and effective manner, a Municipal Solid Waste Management (MSWM) Program as described herein.

Sec. 12-9. Solid Waste Fund.

Richland County shall maintain a Solid Waste Fund for the purpose of paying for a Municipal Solid Waste Management (MSWM) Program, and associated support activities. The Fund shall be maintained through the collection of various fees, taxes, and other revenues such as grants. A fund balance equal to half of the average annual operating costs of the Solid Waste & Recycling Division over the past three-year period shall be the financial goal. Bond revenue for solid waste related Capital projects shall be otherwise accounted for and not considered as part of the Solid Waste Fund. Current and future Host County Fee payments for the siting of solid waste facilities within the County shall be directed to the Solid Waste Fund.

Sec. 12-10. Millage.

(A) Richland County shall levy a countywide millage, to include all municipalities therein, for the purpose of raising revenue to generally cover the cost of:

- (1) Countywide-generated residential Municipal Solid Waste (MSW) disposal in Class Three Landfill;
- (2) Administration of a Countywide Solid Waste Management Program;
- (3) Countywide-generated residential disposal of C&D Debris and yard waste in an appropriate, SCDHEC permitted Landfill (this does NOT include Contractor-generated waste from residential construction, or tree removal /pruning/ trimming)
- (4) Operation of County Drop-Off and Recycling Centers; and
- (5) Processing of recyclable materials generated by the County Residential / Small Business Curbside Collection Program and Special Recycling Events

(B) This charge shall appear on County Real and Personal Property Tax Notices.

Sec. 12-11. Fees.

(A) A schedule of solid waste related fees charged by Richland County shall be maintained by the Solid Waste Division. These fees must be reviewed and established on an annual basis in order to cover the cost of associated solid waste services. These fees shall generally cover the cost of the:

- (1) Residential/Small Business Curbside Collection Program;
- (2) Disposal of C&D debris and yard waste in a county operated landfill generated by non-residential customers and businesses and governmental entities; and
- (3) Processing of other specialized recycling material such as electronic waste, tires, or mattresses.

(B) The fee for the Residential / Small Business Curbside Collection Program shall appear on County Real Property Tax Notices. All other fees will be collected or invoiced at the point of sale.

Sec. 12-12. Grants.

The Director of Public Works shall participate in applicable grant programs, either recurring or individual, administered by SCDHEC, or other entities, for the purpose of mitigating local costs and projects associated with MSW Management and solid waste reduction and recycling on behalf of Richland County.

Sec. 12-13. Partial Year Assessments for the Residential/ Small Business Curbside Collection Program.

- (A) All new service Residential/ Small Business Curbside Collection Program customers (new residence or newly activated service) shall be charged a Partial Year Fee for the initial, partial year of curbside collection service received at the designated service level.
- (B) Partial year service fees for new residences shall be computed on a *pro rata* basis and paid along with the Roll Cart Fee following the issuance of the Certificate of Occupancy (CO).
- (C) Thereafter, annual fees will be charged on the Real Property Tax Notice. It shall be the duty of the Auditor to include the assessment with the annual property tax notices.

Sec. 12-14. Annual schedule of fees and assessments.

The Director of Public Works shall, on an annual basis and concurrent with the Budget Process, review and update a Master Schedule of all solid waste fees for the purpose of ensuring adequate revenue for associated, fee-based solid waste management programs established herein. This schedule shall be reviewed and approved by County Council annually.

Sec. 12-15. Determination of assessments; inclusion in tax notice.

- (A) The Director of Public Works shall maintain and reconcile, on at least an annual basis, a complete list of all Residential / Small Business Curbside Collection Program customers and their designated program level of service. This list shall serve as the basis for monthly contractor payment and annual tax notice issuance by the Auditor. The levels of service and their associated multipliers follow:
 - (1) Standard (S) - Curbside placement / collection of MSW and Recycling (1.0 multiplier);
 - (2) Enhanced (E) - Backyard (B) placement / collection of MSW and Recycling (1.8 multiplier);
 - (3) Disability (D) - Backyard placement / collection of MSW and Recycling (1.0 multiplier);
 - (4) Small Business (SB) – Curbside placement / collection of MSW and Recycling (2.0 multiplier).
- (B) These levels of service and their associated multipliers of the uniform fee shall be applied by the Auditor to Annual Real Property Tax Notices.

Sec. 12-16. Reserved for Future Use.

Sec. 12-17. Reserved for Future Use.

ARTICLE III. RESIDENTIAL/ SMALL BUSINESS CURBSIDE COLLECTION PROGRAM

Sec. 12-18. In General.

The County shall provide a program of regular collection of Municipal Solid Waste

(MSW) from single family residences as well as from eligible small businesses and local entities such as churches and neighborhood facilities within the unincorporated County. This service may be extended to like customers within small municipalities based on Intergovernmental Agreement (IGA) and assessment of program fees. No solid waste of any kind, or roll cart, shall be placed in or near a storm water drainage course so as to impede the flow thereof. All Roll Carts, piles, and bulk items placed at curbside with the intention of pickup as part of the Residential / Small Business Curbside Collection Program are subject to inspection by County Solid Waste Staff or their agents for compliance with standards contained herein.

Sec. 12-19. Conditions for Residential/ Small Business Curbside Collection Program.

Solid Waste collection service shall be provided under the following conditions:

- (1) Unincorporated areas of the County;
- (2) Small Municipalities covered by an IGA for solid waste services, and Residential, Single family homes;
- (3) Residential, Duplexes, Triplexes, or Quadraplexes;
- (4) Small / home-based businesses located within residential areas;
- (5) Ancillary facilities located within residential areas such as recreation centers or
- (6) Churches that generate small volumes of solid waste; or
- (7) Other facilities located within residential areas that generate small volumes of solid waste and, in the judgment of the Director of Public Works, would practically benefit from participation in this program.

Sec. 12-20. Garbage.

- (A) Garbage shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (B) Garbage shall be collected in the unincorporated portion of the County by roll cart service under the following conditions:
 - (1) One (1) Roll Cart shall be issued to each single family residential household/ small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (C) Eligible Small Business entities participating in this program may request up to two (2) roll carts and fees will apply.
- (D) Roll Carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents once collection is complete or no later than 7:30 p.m. on the designated day of collection.
- (E) For residential collection, occasional small quantities of garbage in excess of the capacity of the roll cart will be collected if neatly placed in tied plastic bags and placed

at curbside along with the roll cart.

Sec.12-21. Yard waste.

- (A) Yard waste shall only be collected from residential and small businesses in residential areas by collection contractors employed by the County.
- (B) Yard Waste shall be collected in the unincorporated portion of the County under the following conditions:
 - (1) Yard waste (Sticks, hedge clippings, and small brush) shall be neatly stacked and placed in order to facilitate efficient pick up. A volume roughly equivalent to two (2) roll carts (192 gallons or a pile measuring approximately six feet (6') in length, three feet (3') in width, and two feet (2') in height, or six 30-gallon yard waste bags) shall be placed within six (6) feet of curbside of the nearest public road and shall be collected on a designated day. Yard waste shall not be placed within the traveled way of the road. Bagging, boxing, or bundling of yard waste is encouraged.
 - (2) Larger tree branches and heavy brush which do not exceed four (4) inches in diameter shall be cut in lengths not exceeding four (4) feet and stacked in a neat, compact pile in front of the residence adjacent to the curb, but such piles shall not extend into the streets.
 - (3) Exclusions: Tree trunks, branches and limbs having a length greater than four (4) feet and diameter greater than four (4) inches are not deemed yard waste, thus are not eligible for curbside collection. Waste generated from either a tree removal (including-the stump) or de-limbing of a tree greater than four (4) inches in diameter at the tree base at ground level is not considered yard waste, thus is not eligible for curbside collection. Re-sizing waste from a tree removal, from a stump removal or from de-limbing an ineligible tree to make it meet the above dimensions does not make it eligible for curbside collection. Waste generated from clearing a lot is not considered yard waste, thus is not eligible for curbside collection.
- (C) Dirt, sand, and mulch, other than those small residual quantities incidental to yard waste collection, shall not be accepted for curbside collection.

Sec. 12-22. Recycling.

- (A) Recycling shall only be collected from residential and small businesses in residential areas by Collection Contractors who are employed by the County.
- (B) Recycling shall be collected in the entire unincorporated portion of the County by roll cart service under the following conditions:
 - (1) One (1) Roll Cart shall be issued to each single family residential household / small business in the unincorporated area of the County. These roll carts shall remain the property of the County for use by the household to which they are issued. Residents who damage roll carts issued to them shall pay for repairing or replacement of the carts. Carts that are damaged as a result of mishandling by collection contractors will be repaired at County's expense.
- (C) Roll carts shall be placed at curbside of the nearest public road, no later than 7:00 a.m. on the day of collection. Roll Carts shall be removed from the curbside by the residents once collection is complete or no later than 7:30 p.m. on the designated day of collection.
- (D) Authorized recyclable materials previously containing food or beverages shall be properly prepared by the resident prior to placement in the recycling roll cart. Aerosol cans shall be excluded from single stream recycling. Cardboard shall be broken down/flattened for efficient handling

and collection. Recycling shall not be mixed with garbage or other contaminants. Recyclable materials shall not be placed in bags.

- (E) Collection Contractors may refuse to collect curbside recycling if the material is found to be contaminated by non-recyclables. Collectors may attach information to the Roll Cart explaining why the material was not collected. The resident shall remove the non-recyclable material identified as contamination before the next scheduled recycling collection day in order to be serviced.
- (F) The Director of Public Works shall, on an annual basis, review the official list of commodities eligible for recycling based on market conditions and recommend additions or deletions to the County Administrator. The Director of Public Information shall lead and manage the public information campaign necessary to this program.

Sec. 12-23. Bulk Items (a.k.a. "Brown Goods").

Residential / Small Business curbside collection customers may request, at no extra charge, the pickup and disposal of Bulk Items such as indoor and outdoor furniture, large yard toys, mattresses, *etc.* by requesting an appointment for pickup. Bulk Items shall only be placed at curbside following a confirmed, scheduled appointment for pickup and shall not remain at curbside indefinitely. Limit of four items per appointment request.

Sec. 12-24. White Goods.

White Goods shall be collected and managed in the same manner as Bulk Items. All large appliances, such as refrigerators, shall have doors removed prior to placement at curbside.

Sec. 12-25. Enhanced ("Backyard") Service.

- (A) An enhanced level of service (a.k.a. - "Backyard Service") shall be made available to neighborhoods that request it and have established Homeowners' Association (HOA) covenants supporting same as well as to individual homes in which the occupants cannot physically place their garbage or recycling roll carts at curbside for standard pickup.
- (B) Neighborhoods desiring a higher level of service may request backyard pick-up pursuant to the following conditions:
 - (1) The subdivision must have a duly organized, active Homeowners Association (HOA) and such request shall be made by said association. At the time that the HOA requests the higher level of service, said association shall provide either a certified true copy of the results of a certified ballot mailed to each homeowner and tallied by a certified public accountant (CPA), or a certified true copy of the minutes of the meeting where the decision was made by majority vote to request said higher level of service. Said minutes shall be signed and attested by the President and Secretary of the HOA; the association must also certify that all homeowners were notified of the meeting at least ten (10) days in advance and must furnish a copy of the notice.
 - (2) At the time that the HOA makes the request, said association shall clearly define the geographic boundaries of the area encompassed in the request, including tax map sheet references.

- (3) AH requests for an enhanced level of service (backyard pick-up) shall be made to the Director of Public Works and approved by the County Administrator.
 - (4) Under no circumstances shall the county provide the higher level of roll cart service (backyard pick-up) to any subdivision which does not have deed restrictions which prohibit curbside pick-up.
- (C) Disabled citizens may receive enhanced ("backyard") service for roll cart (garbage and recycling) service collection at no extra charge. This special exception may be granted when the General Manager of Solid Waste & Recycling determines that there is no able-bodied individual over the age of 18 who resides at the address to place and remove roll carts on the curb. Application for this consideration must be completed by an attending physician and needs to be updated annually.

Sec.12-26. Uniform Fee Structure.

The Fee Structure used to generate revenue for the Residential / Small Business Curbside Collection Program shall be normalized and uniform throughout all areas served (Unincorporated County and Small Municipalities through IGAs) such that variations in collection area locations, collection contractor bids, or development density or do not cause undue financial burden to individual customers. The Director of Public Works shall, on an annual basis, update the calculation of the fee in advance of annual distribution of real property tax notices. A multiplier to the uniform fee for basic service shall be applied for neighborhood Enhanced ("Backyard") Service.

Sec. 12-27. Small Business (Quasi-Residential) Service.

- (A) Though the intent of the Residential/ Small Business Curbside Collection Program is to primarily serve single family residential customers, there are others for whom providing this service is appropriate, convenient, and efficient. Such quasi-residential customers are generally referred to as "eligible small businesses" (even though they might not technically be a "small business", *per se*) and may include:
- (1) Duplex through Quadraplex residential customers;
 - (2) Other residential customers besides Apartments;
 - (3) Neighborhood pavilions or recreation centers;
 - (4) Small, home-based businesses;
 - (5) Small local government facilities such as fire/ EMS stations; and
 - (6) Churches.
- (B) Additionally, in order to participate in this program, such facilities must:
- (1) Be physically located along an established residential collection route;
 - (2) Generate quantities and types of solid waste consistent with typical single family residences;
 - (3) Pay all associated solid waste fees and taxes;
 - (4) Be approved by the Director of Public Works for participation in the program.

Sec. 12-28. Roll Carts.

Roll Carts of approximately 96-gallon capacity shall be used in the collection of solid waste

whendeemed efficient and effective. Roll Carts shall be purchased, owned, delivered, and collected by the County or its designated agent. Fees may be charged for initial Roll Cart delivery or replacement. A fee for repair, replacement and delivery may be charged to the home owner in the event of damage or destruction due to negligence or theft. Roll Carts shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide by the user thereof, if necessary, to prevent nuisance.

Sec. 12-29. Items ineligible for Residential/ Small Business Curbside Collection Service.

(A) Dead animals. Dead animals shall not be collected. Dead household pets shall be collected by the County Department of Animal Care if placed in plastic bags at curbside and if that Department is notified. Proper disposal of all other dead animals shall be the responsibility of property owners.

(B) Building materials. The County shall not be responsible for collecting or hauling discarded building material, dirt, rock, or industrial and hazardous waste.

Sec. 12-30. Reserved for Future Use.

Sec. 12-31. Reserved for Future Use.

Sec. 12-32. Reserved for Future Use.

**ARTICLE IV. DROP-OFF CENTERS, SPECIAL COLLECTION
EVENTS, AND STORM DEBRIS**

Sec. 12-33. In General.

The Director of Public Works may maintain additional solid waste facilities and conduct such special events for the purpose of augmenting the efficient collection of various types of Solid Waste and recyclable materials from County residential customers. These facilities may collect materials that are permitted in the waste stream for disposal or recycling, but not included for collection at curbside. These facilities shall not receive garbage. These facilities shall not receive any waste generated outside of the County. Only County residents are authorized to use County Operated Drop-Off Centers.

Sec. 12-34. Construction & Demolition (C&D) Debris.

Drop-Off Centers may accept for disposal or recycling Construction & Demolition (C&D) Debris generated by County Residents, performing home improvement projects on their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-35. Yard waste and landscaping debris.

Drop-Off Centers may accept for disposal, Yard Waste and Landscaping Debris generated by County Residents, performing yard maintenance at their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-36. Recycling.

Drop-Off Centers may accept for recycling, various items, generated by County Residents at their domiciles. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

Sec. 12-37. Bulk Items.

Drop-Off Centers may accept for disposal, Bulk Items generated by County Residents at their domiciles. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-38. White Goods.

Drop-Off Centers may accept for disposal, White Goods generated by County Residents at their Residential Property. The Director of Public Works may prescribe quantity limitations based on efficiency and facility limitations.

Sec. 12-39. Special Collection Events.

The Director of Public Works may conduct on occasion, either on an individual basis or in partnership with municipalities or neighboring counties, Special Collection Events to promote the proper collection and disposal or recycling of items such as paint, household hazardous waste, sensitive documents for shredding, tires, electronic waste (eWaste), and scrap metal / white goods. The Director of Public Works may prescribe commodity and quantity limitations based on efficiency and facility limitations.

Sec.12-40. Community "Clean Sweep" Events.

The Director of Public Works may conduct a program to support citizen volunteer efforts at the neighborhood level to clean up and beautify their communities.

Sec. 12-41. Storm Events.

Storm events vary in size, scope, intensity, and affected area and, thereby, resulting debris types. Similarly, County response to such events will vary to appropriately address the magnitude of the event and the impact of Storm Debris or (Tree) Storm Debris on the health, safety, and efficiency of the County. In general terms, Storm Debris and / or (Tree) Storm Debris must be placed at curbside and segregated by waste type. The Director of Public Works shall coordinate the Storm Event Debris Management mission and assign a Storm Event Debris Manager.

ARTICLE V. RECYCLING

Sec. 12-42. In General.

(A)The County shall, consistent with State Law, conduct a program of residential recycling in order to:

- (1) Conserve Natural Resources and Landfill Space;
- (2) Promote economic development and security;
- (3) Protect the environment; and
- (4) Conserve energy

(B) The County shall also promote and encourage commercial and business recycling. Participation in recycling programs is encouraged and voluntary.

Sec. 12-43. Residential Recycling.

Residential recycling will primarily be promoted through the Residential / Small Business Curbside Collection Program and may be supplemented through collections at Special Collection Events and Drop off Centers.

Sec. 12-44. Commercial and Business Recycling.

Commercial and Business Recycling will primarily be promoted through education and voluntary reporting.

Sec. 12-45. Commodities.

The Director of Public Works shall, on an annual basis, and in consultation with the General Manager of Solid Waste & Recycling, recommend to the County Administrator, a list of commodities to be included in the Residential / Small Business Curbside Collection Program. This recommendation shall be based on forecasts of recycling commodities' market conditions. The County Director of Public Information shall promote and publicize current information regarding commodities for recycling.

Sec. 12-46. Recovered Materials.

Materials collected through all County Recycling Programs are County property. The County shall ensure the services of a Materials Recovery Facility (MRF) in order to process recovered materials for recycling. Any revenue generated from the sale of recovered materials shall be deposited into the Solid Waste Fund.

Sec. 12-47. Reporting.

The County shall account for and report recycling activity in a form and manner consistent with State and Federal law.

Sec. 12-48. Reserved for Future Use.

Sec. 12-49. Reserved for Future Use.

ARTICLE VI. TRANSPORTATION AND DISPOSAL OF SOLID WASTE

Sec. 12-50. In General.

The transportation and disposal of solid waste shall be conducted by authorized personnel and in accordance with all applicable State and Federal Laws.

Sec. 12-51. Transportation of Solid Waste.

(A) It shall be unlawful for any person to haul, convey or cause to be conveyed any refuse upon or along the public streets and roadways except when the material transported is adequately secured in such a manner as to prevent it from falling, leaking, or being blown from transporting vehicles. The owner or driver of the offending vehicle shall be personally responsible for any violation of this section.

(B) It shall be a violation of this article for any person not authorized by the County to collect and haul any refuse other than that arising from his or her own accumulation within any area of the County in which solid waste collection service is provided by the County.

Sec. 12-52. Use of County operated solid waste management facilities.

Only County residents or specifically authorized agents of the County (*i.e.* - Curbside Collection Contractors) are authorized to use County operated solid waste management facilities, including landfills, as determined by the Director of Public Works. Such solid waste management facilities shall, under non-emergent conditions, only accept solid waste that is generated within the County. Fees may be charged in a consistent, uniform, and equitable manner.

Sec. 12-53. Garbage.

Garbage shall only be disposed of in an appropriate Class Three Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

Sec. 12-54. Construction & Demolition (C&D) Debris.

C&D Debris shall only be disposed of in an appropriate Class Two Landfill permitted by the South Carolina Department of Health and Environmental Control (SCDHEC).

Sec. 12-55. Other Common Waste Types.

Other commonly generated waste types, such as Electronic Waste (e-waste), Tires, Mattresses, or "Household Quantities" of Hazardous Waste shall be accepted and disposed of (or recycled) by the County in appropriate manners at permitted facilities.

Sec. 12-56. Reserved for Future Use.

Sec. 12-57. Reserved for Future Use.

ARTICLE VIII. ENFORCEMENT

Sec. 12-58. In General.

The Director of Public Works shall maintain a Refuse Control Section composed of duly appointed Codes Enforcement Officers who shall enforce the provisions of this Chapter.

Sec. 12-59. Littering.

It shall be unlawful for any person to discharge litter, in any quantity, from their person, vehicle, property, or any other conveyance.

Sec. 12-60. Illegal Dumping.

- (A) It shall be unlawful for any person to dump, allow another person to dump, or cause to be dumped any garbage, debris, household trash, litter, junk, appliances, equipment, cans, bottles, paper, trees, tree limbs, tree stumps, brush or parts thereof, or any other solid waste, anywhere in the unincorporated area of the county, except at an SCDHEC approved landfill. Failure of the owner to sufficiently limit access to the property where dumping is occurring shall be considered to be allowing another person to dump, thus would be unlawful.
- (B) The above provisions shall not apply to the dumping on private property, with the owner's written permission of sand, dirt, and stone for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment to ensure compliance with best management practices for storm water management.

Sec. 12-61. Covering vehicle loads.

It shall be unlawful for vehicles of any kind, transporting solid waste in any quantity, to fail in ensuring that said waste is contained therein by maintaining an adequate cover and containment throughout transit.

Sec. 12-62. Debris on Lots.

- (A) Declaration of nuisance. Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the County Director of Public Works. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.
- (B) Duty of owner, etc., to remove. It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris
- (C) Notice to owner, etc., to remove. Whenever the Director of Public Works shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.

- (D) Failure to comply with notice. If the person to whom the notice is directed, under the provisions of the preceding subsection fails, or neglects to cause such debris to be removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of this chapter.
- (E) Removal by County. In the event any property is determined to be a nuisance, and twenty(20) days has elapsed after such notice has been served, deposited in the United States mail, or posted upon the premises, then the Department of Public Works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a charge to the property owner, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

Sec. 12-63. Scavenging.

It shall be unlawful for any person to rummage through, take or gather items from County- owned or privately owned solid waste management facilities or any County-owned or privately owned solid waste management containers, including, but not limited to, bags, roll carts for garbage or recycling, bins, roll-off containers, or dumpsters.

Sec. 12-64. Evictions.

The placement of household goods and contents from a lawful eviction process, may, if necessary, be addressed in the same manner of the provision of Debris on a Lot (Sec. 12-62. above). Debris resulting from the lawful eviction process is assumed to be a mixed pile and therefore ineligible for collection under the Residential/Small Business Curbside Collection Program.

Sec. 12-65. Collected Solid Waste is County Property.

Once picked up for collection from the Residential/ Business Curbside Collection Program, or disposed of in any County Solid Waste Management Facility, all Solid Waste is County Property whose disposition is the responsibility of the County.

Sec. 12-66. Penalties.

- (A) If any of the matter or material dumped in violation of this Chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such owner dumped or caused to be dumped such matter or material in violation of this Chapter.
- (B) Appointed Refuse Control Officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the Magistrate's Court of the County to answer to the charge of violation of the appropriate section of this chapter.
- (C) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand, ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.

Sec. 12-67. Miscellaneous Enforcement Provisions.

- (A) Appointed Solid Waste & Recycling Code Enforcement Officers (hereinafter "Refuse Control Officers") shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.
- (B) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.
- (C) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization of Richland County.
- (D) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming/ removal, and transporting of any solid waste in Richland County.
- (E) Refuse Control Officers shall use Form S-438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.
- (F) If a non-compliant solid waste pile or roll cart, placed at curbside as part of the Residential / Small Business Curbside Collection Program, is not, in whole, brought into compliance for collection within a 15-day period following notification of non-compliance by the County, it shall be deemed to be an Illegal Pile and considered Illegal Dumping.
- (G) Preparation and storage of residential and/or small business solid waste for collection. It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all garbage properly, pending collection and disposal. Residential excess garbage beyond that which can be placed in the roll cart shall be neatly placed in sealed plastic bags alongside carts on designated collection days.
- (H) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide, if necessary, to prevent nuisance.
- (I) Proof of means used for disposal of solid wastes by businesses and commercial enterprises shall be presented to the Refuse Control Officers when requested by said Officer.
- (J) Each property owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) ~~12-67-53~~ ¹²⁻⁶⁷⁻⁵³ public thoroughfare adjoining his or her property.

- (K) It shall be a violation of this article to place or cause to be placed in any dumpster, solid waste receptacle, or bulk container for collection any acid, explosive material, flammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.
- (L) No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of solid waste shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.
- (M) Property owners shall be prohibited from receiving for deposit in their refuse containers any type refuse that originates outside their designated collection area
- (N) Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.
- (O) It shall be unlawful for a Resident / Small Business Owner to repeatedly leave Roll Carts at curbside in residential areas beyond the prescribed daily period for collection.

ARTICLE IX. CONSTRUCTION, MODIFICATION, EXPANSION, AND/OR OPERATION OF SOLID WASTE MANAGEMENT FACILITIES, BENEFICIAL LANDFILLS, AND COMPOSTING FACILITIES

Sec. 12-68. In General.

All solid waste management facilities, beneficial landfills, and composting facilities shall adhere to all Federal and State rules and regulations, and all local zoning land use and other applicable local ordinances.

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: _____
Overture Walker, Chair

Attest this _____ day of _____, 2021.

Anette Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

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

Applicant Information

First Name*

CHRISTOPHER

Last Name*

ZIEGLER

Home Address* Apt

10 Wotan Court

City*

Columbia

State*

SC

Zip*

29229

** Please enter a physical address. No PO Boxes. **

Work Address* Suite

10 Wotan
Court

City*

Columbia

State*

SC

Zip*

29229

Number*

(803)543-
6877

Type*

Mobil
e

Secondary Phone Type

Email Address*

ChrisZiegler1186@gmail.com

Sex*

Male Female

Age Group

18 - 25 26 - 50 Over 50

Background

Education Level*

Doctoral

Professional Background

I have worked as an attorney for the past seven years with over six years spent in researching and drafting statutes for the General Assembly and one month of service with the Richland County Attorney's Office.

Service Information

Presently serve on any County Committee, Board or Commission? *

Yes No

Name of Committee, Board or

Commission in which interested: *

Hospitality Tax Advisory Committee
(5)

Reason for interest: *

I wish to get involved in the County in more than just my professional role and I feel that I could share my legal expertise to this committee and ensure that the funds are spent in a legal and effective manner.

**Your characteristics/qualifications,
which would be an asset to**

Committee, Board or Commission: *

I have already conducted research in this area and could work to ensure that any expenditures are in legal compliance as we navigate the waters of the County during a pandemic.

Any additional information you wish to share:

**Recommended by a Council
Member? ***

Yes No

Council Member name(s):

**Hours willing to commit each
month:**

Conflict of Interest Policy

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete. Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

*

Yes No

Statement of Financial or Personal Interest

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

*

Yes No

If so, describe:

Resume

Resume

Signature

I understand that checking this box and entering my name constitutes a legal signature *

First Name * **Last Name ***

Christopher Ziegler

Submit

Applicant Information

First Name *

WILLIAM

Last Name *

GARLAND

Home Address *

1034 Landon Place
Drive

Apt

City *

Columbia

State *

SC

Zip *

29229

** Please enter a physical address. No PO Boxes. **

Work Address *

14 Office Park
Ct

Suite

City *

Columbia

State *

SC

Zip *

29223

Number *

(803)381-
6170

Type *

Mobil
e

Secondary Phone

8038327575

Type

Wor
k

Email Address *

wg@p advisorygrp.com

Sex *

Male Female

Age Group

18 - 25 26 - 50 Over 50

Background

Education Level *

Bachelor's

Professional Background

Registered Financial Consultant

Service Information

Presently serve on any County Committee, Board or Commission? *

Yes No

Name of Committee, Board or

Commission in which interested: *

Richland Memorial Hospital Board of
Trustees (14)

Reason for interest: *

The most important interest I have is to "serve" on an organizations board that has a major impact on the communities it serve. I am certain that this Board also reflect the full range of backgrounds, views and experiences from its existing members that serve, and I would like to be associated with that while assisting in meeting the Boards mission.

Your characteristics/qualifications, which would be an asset to

Committee, Board or Commission: *

I currently work in a profession where governance is important and is key to my success as a business owner for the past 13 years. Some of the same characteristics and duties I have and utilize to operate my firm will reflect the duties needed to serve on the Board. Relying on significant characteristics of being caring, loyal and obedient. Specifically, clarifying obedient as following the law, ensuring compliance based on the reviewed Bylaws.

Any additional information you wish to share:

In addition, my business acumen and financial background I believe will assist the Board when impactful decisions are needed in managing financial stability.

Recommended by a Council

Member? *

Yes No

Council Member name(s):

Hours willing to commit each month:

whatever committed hours required to get the job done is the answer.

Conflict of Interest Policy

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete. Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

*

Yes No

Statement of Financial or Personal Interest

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

*

Yes No

If so, describe:

Resume (2)

Resume

[CCC - Resume - 10/26/2021 - Richland Memorial Hospital Board of Trustees \(14\) -](#)

[CCC - Resume - 10/26/2021 - Richland Memorial Hospital Board of Trustees \(14\) -](#)

Signature

I understand that checking this box and entering my name constitutes a legal signature *

First Name * **Last Name ***

William

Garland

Submit



William A. Garland, Jr.
Registered Financial Consultant



William is a native of Columbia, South Carolina. He has an extensive 30 year history in the financial industry working specifically in client development and servicing. William has 18 years in the banking industry with several financial institutions, working in all aspects of the financial industry from: Operations, Management, Servicing Professional Clients and Sales. Vice President, Business Banker with two banks in Columbia, SC. In 2007 he was highlighted in **Black Enterprise Magazine** as one of the **“People On The Move”**. In 2008 he was selected as one of the **20 Under 40** business leader candidates by the The State Newspaper. In the same year he invented the Target Mat which is a golf training aid for golfers, which was highlighted as a new product at the **2009 PGA Tradeshow** in Orlando, FL. In 2012 he authored **“Two Piles of Money For Retirement And The Difference”**, (located on Amazon) *a book that covers concepts of retirement planning and the difference between retirement investment accounts and retirement savings accounts*. **2016 Columbia Business Monthly Magazine- CEO Profile**, highlighted William and his Firm in a two page written article. In 2019 **Forbes** published his written article titled, **“Eyes On The Prize: Stay On Track For Retirement”**. Since 2009 William has been assisting his Clients with introducing wealth building strategies into their retirement planning, specifically focusing on asset preservation, guaranteed income and retirement tax diversification. His wealth of knowledge and expertise has helped many business owners and individuals succeed personally and financially by providing them with trustworthy financial consulting information and advice to meet their primary objectives. William has a Bachelor of Science Degree, Southern Wesleyan University and the RFC (Registered Financial Consultant) professional designation recognized by FINRA.

Richland County Council Request for Action

Subject:

Modifications to ERCPSD Special Purpose District Boundary

Notes:

March 1, 2022 – The Sewer Ad Hoc Committee recommended Council approve the proposed modifications to the East Richland County Public Service District’s Special Purpose District (ERCPSD) Boundary



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	Utilities
Date Prepared:	November 22, 2021	Meeting Date:	March 1, 2022
Legal Review	Patrick Wright via email	Date:	January 25, 2022
Budget Review	Abhijit Deshpande via email	Date:	February 15, 2022
Finance Review	Stacey Hamm via email	Date:	January 18, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
Committee	Sewer Ad Hoc		
Subject:	Modifications to ERCPSD Special Purpose District Boundary		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of proposed modifications to East Richland County Public Service District’s (ERCPSD) Special Purpose District Boundary.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The Tax District will be modified from 2ER to 2DP for the properties in Exhibit A.

The Tax District will be modified from 2DP to 2ER for the properties in Exhibit B.

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

State Statute requires modifications to a special purpose district must be made by the County Council.

REGULATORY COMPLIANCE:

The changes for the properties in Exhibit A will be submitted to the Central Midlands Council of Governments for requesting a 208 Minor Plan Amendment to change the 208 Management Area from ERCPSD to Richland County Utilities and the sewer service provider to Southwest Water.

The changes for the properties in Exhibit B will reconcile the current 208 Management Area with the Tax District for sewer service provided by ERCPSD. These properties are already within ERCPSD’s 208 Management Area.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

Because the properties shown on Exhibit A along N Brickyard Road are on the fringe of the Special Purpose District Boundary, ERCPSD agreed to allow Southwest Water to serve them. Southwest Water was able to obtain funding and provide sewer service for the project within the required timeline. The Tax District will be changed from 2ER to 2DP, and the millage currently being applied for 2ER would be removed from the property taxes.

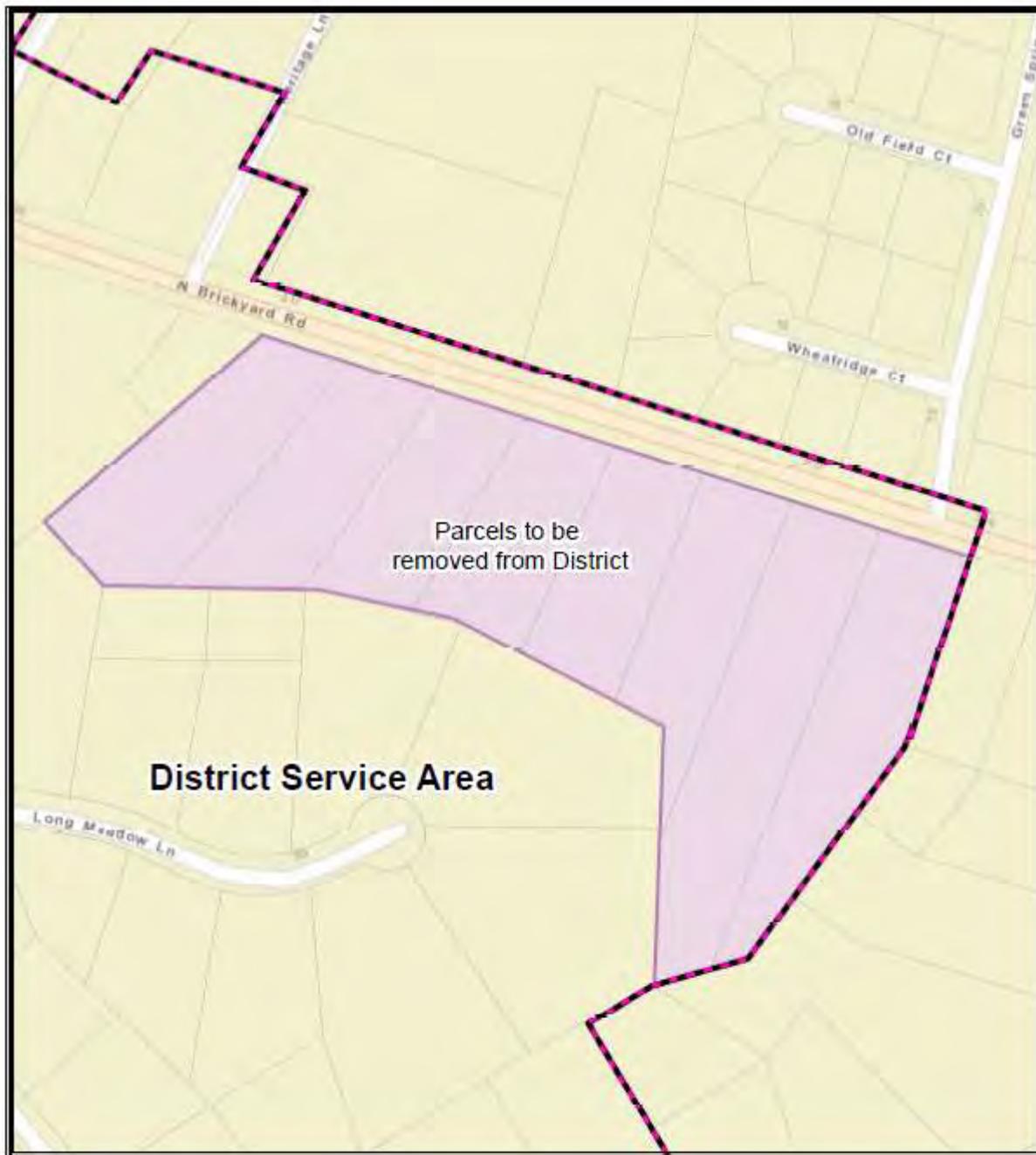
The properties shown on Exhibit B are currently within ERCPSD’s Management Area, and they are considered the sewer service provider for the area according to the Central Midlands Council of Governments. By changing the Tax District from 2DP to 2ER, we would be adding the required millage for the ERCPSD Special Purpose District, see Richland County 2021 Millage Schedule attached.

ADDITIONAL COMMENTS FOR CONSIDERATION:

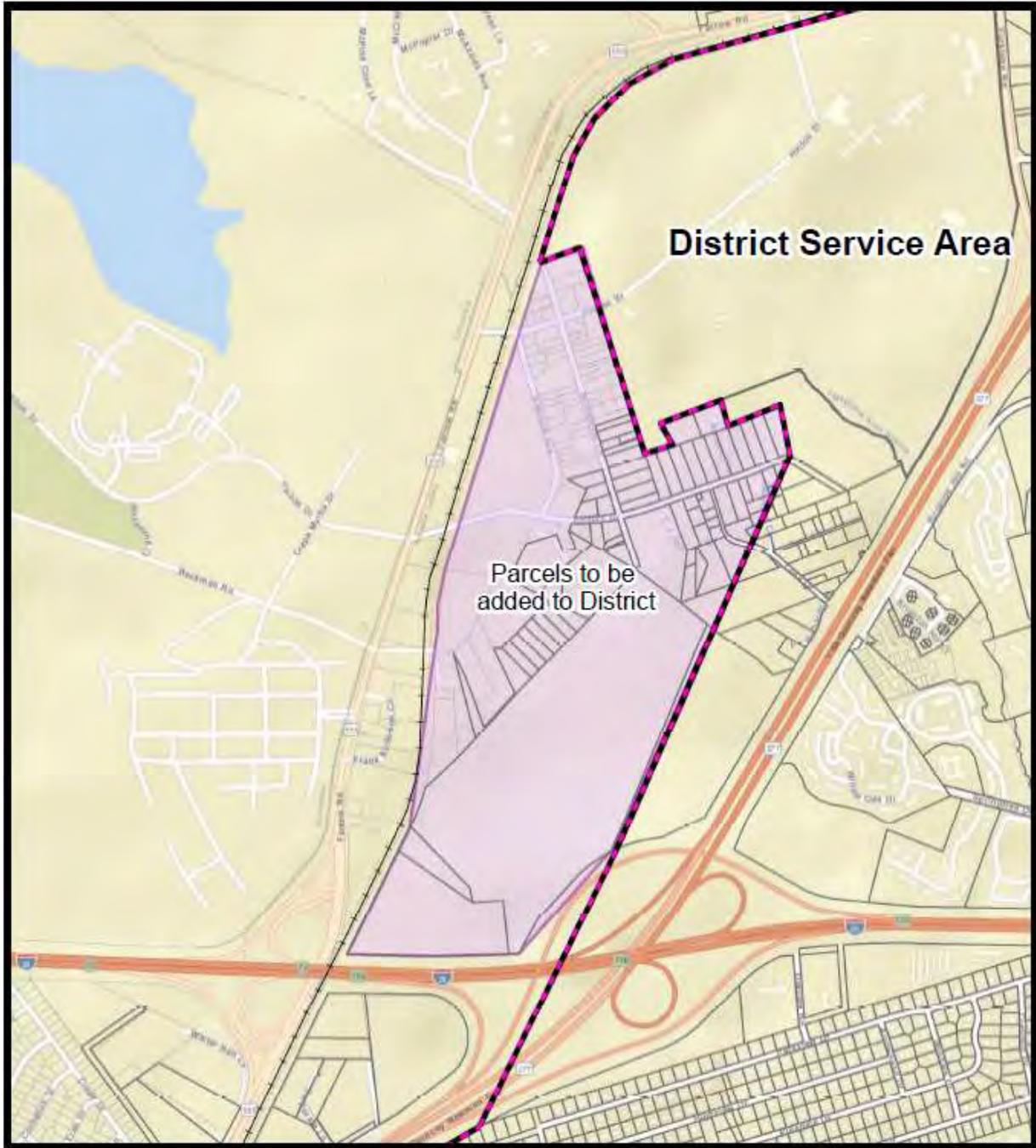
Click or tap here to enter text.

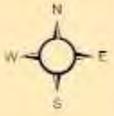
ATTACHMENTS:

1. Exhibit A
2. Exhibit B
3. Richland County 2021 Millage Schedule
4. Letter to Council from ERCPSD Requesting Tax District Changes
5. Minor 208 Plan Amendment Letter 1
6. Minor 208 Plan Amendment Letter 2
7. Letter South Carolina Water Utilities-PU1



 **EXHIBIT A** 



 **EXHIBIT B** 

**RICHLAND COUNTY
2021 MILLAGE SCHEDULE**

**PAUL BRAWLEY
RICHLAND COUNTY AUDITOR**

	1A1	1CC	1CY	1ER	1FA	1TE	1LR	1UR	2A1	2CC	2DP	2ER	2FA	2TB	2WL	6CC	6TI	6UD
School Operating	266.5	266.5	266.5	266.5	266.5	266.5	266.5	266.5	331.7	331.7	331.7	331.7	331.7	331.7	331.7	246.1	246.1	246.1
School Bonds	64.0	64.0	64.0	64.0	64.0	64.0	64.0	64.0	104.0	104.0	104.0	104.0	104.0	104.0	104.0	69.5	69.5	69.5
Recreation Commission	12.5	-	12.5	12.5	12.5	12.5	12.5	12.5	12.5	-	12.5	12.5	12.5	12.5	12.5	-	12.5	12.5
Recreation Bonds	2.5	-	2.5	2.5	2.5	2.5	2.5	2.5	2.5	-	2.5	2.5	2.5	2.5	2.5	-	2.5	2.5
Midlands Technical College	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7	5.7
Riverbanks Zoo Bonds	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8	0.8
East Richland PSD Bonds	4.0	-	-	4.0	4.0	-	4.0	-	4.0	-	4.0	4.0	4.0	-	4.0	-	-	-
Stormwater Management	3.4	-	-	3.4	3.4	-	3.4	-	3.4	-	3.4	3.4	3.4	-	3.4	-	-	3.4
Fire Service Operating	22.7	22.7	-	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7	22.7
Fire Service Bonds	-	-	-	0.5	0.5	0.5	0.5	0.5	-	-	0.5	0.5	0.5	0.5	0.5	-	-	0.5
Windsor Lake Debt Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	18.5	-	-	-
INDUSTRIAL LEVY	382.1	359.7	352.0	382.6	382.6	375.2	378.6	487.3	464.9	483.8	487.8	487.8	487.8	480.4	506.3	344.8	359.8	363.7
County Operating	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9	59.9
County Bonds	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0	10.0
Library	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0	16.0
Mental Health	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3	1.3
Riverbanks Zoo Operating	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4
Landfill	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4	3.4
Conservation Commission	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Neighborhood Redevelopment	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Capital Replacement	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5	3.5
COUNTY LEVY	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5	96.5
SUBTOTAL MUNICIPAL LEVY	478.6	458.2	448.5	479.1	479.1	471.7	475.1	583.8	561.4	580.3	584.3	584.3	584.3	576.9	602.8	441.3	456.3	460.2
TOTAL LEVY	478.6	550.0	502.2	479.1	526.9	596.7	475.1	583.8	655.2	580.3	584.3	584.3	632.1	576.9	602.8	535.1	456.3	460.2
LOST CREDIT FACTOR	0.001570	0.003850	0.001570	0.001570	0.002890	0.007120	0.001570	0.001570	0.003950	0.001570	0.001570	0.001570	0.002890	0.001570	0.001570	0.003850	0.001570	0.001570
MUNICIPALITY	DIST.	LEVY	LOST	SCHOOL DISTRICT ONE														
City of Columbia	1CC	93.8	0.002280	SCHOOL DISTRICT TWO														
	2CC	93.8	0.002280	2A1 Arcadia Lakes														
	6CC	93.8	0.002280	2CC City of Columbia														
	1FA	47.8	0.001120	2DP Dentonville/Pontiac Area (not ERPSD)														
	2FA	47.8	0.001120	2ER East Richland Public Serv. Dis.														
	1TE	125.0	0.005550	2FA City of Forest Acres														
	1CY	53.7	-	2TB Town of Blythewood														
	2TB	-	-	2WL Windsor Lake														
	6TI	-	-	2SH Sandhills Area														
	-	-	-	SCHOOL DISTRICT SIX (LEX. #5)														
	-	-	0.001570	6CC City of Columbia														
	-	-	-	6TI Town of Irmo														
	-	-	-	6UD Upper Dutch Fork														



East Richland County Public Service District

704 ROSS ROAD
POST OFFICE BOX 23069
COLUMBIA, S.C. 29224-3069
TELEPHONE 803-788-1570

FAX 803-736-5399

November 29, 2021

Richland County Council
2020 Hampton Street
Columbia, SC 29201

RE: Tax District Change Requests
Properties on N Brickyard Road, and
Properties along Farrow Road at I-20

Dear County Council:

The East Richland County Public Service District (District) hereby requests approval to change the Special Purpose Tax District Boundaries for the properties identified in Exhibit A and Exhibit B. These properties are currently within the District's designated Management Area in accordance with the "208 Water Quality Management Plan for the Central Midlands Region".

The properties on N Brickyard Road identified in Exhibit A are currently within the District's Special Purpose Tax District (2ER). The District formally requests that these properties be removed from the 2ER and be moved to the Dentsville/Pontiac Area Special Purpose Tax District (2DP). Upon approval by County Council, a Minor 208 Plan Amendment will be submitted to the Central Midlands Council of Governments to change the properties to the Richland County Utilities designated Management Area. This Amendment will allow Southwest Water (SWW) to replace the District as the sewer service provider for these properties.

The properties along Farrow Road at I-20 identified in Exhibit B are currently within the Dentsville/Pontiac Special Purpose Tax District (2DP). The District intends to provide sewer service for these properties (and as indicated above, the properties are already within the District's designated Management Area), and, as such, formally requests that County Council approve changing the Special Purpose Tax District from 2DP to the District's Special Purpose Tax District (2ER).

Tax District Change Requests
November 29, 2021
Page Two

Thank you for your consideration of these requests.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Brazell".

Larry Brazell, Executive Director
East Richland County Public Service District

Attachments

cc: Bill Davis, PE, Richland County Utilities
Adam Delk, PE, Southwest Water

**RICHLAND COUNTY GOVERNMENT
UTILITIES DEPARTMENT**

7525 Broad River Road, Columbia, SC 29063
T 803-401-0050 | F 803-401-0030 | TDD 803-576-2045
rcu_service@richlandcountysc.gov | richlandcountysc.gov



November 22, 2021

Mr. Gregory Sprouse, AICP
Director of Research, Planning, and Development
Central Midlands Council of Governments
236 Stoneridge Drive
Columbia, SC 29210

Re: 208 Minor Plan Amendment Request
Properties along N Brickyard Road

Dear Mr. Sprouse,

We would like to request a Minor Plan Amendment to the "208 Water Quality Management Plan for the Central Midlands Region". This amendment is requested to allow Southwest Water (SWW) to become the sewer service provider for the properties shown on Exhibit A. These properties are currently within East Richland County Public Service District's (ERCPSD) designated Management Area. Richland County Utilities (RCU) hereby requests that the designated Management Area be changed to RCU and the sewer service provider be changed to SWW.

In accordance with the 208 Water Quality Management Plan administrative procedures for plan amendment submission requirements (page 40), see our comments below;

1. **Detailed description and scope of the project;**
The project flow is 2,400 gpd and the flow is collected by 972 linear feet of 8" gravity sewer lines constructed to serve 8 properties along N Brickyard Road. The gravity sewer lines are owned, operated, and maintained by SWW and the flow is treated at their Spears Creek WWTP.
2. **Preliminary engineering data regarding facility design and cost;**
The gravity sewer line has already been designed and constructed.
3. **Financing strategy and/or feasibility analysis;**
Financing was provided by SWW.
4. **Potential fiscal or engineering impact on existing facilities, if any;**
SWW has capacity to serve these properties in their collection system and to treat the flow at their Spears Creek WWTP.
5. **Associated environmental risks or impacts;**
Constructing gravity sewer lines for these properties complies with the 208 Plan by providing infrastructure to help preserve and maintain water quality in developing areas through a regional approach to collecting and treating wastewater.
6. **Project justification or need;**



Efficiency Effectiveness Equity Integrity

ERCPSD agreed to allow SWW to serve these properties to meet the timing for the project. SWW had adjacent infrastructure to provide sewer service for the properties and funding was available.

7. **Summary examination of alternative options, where appropriate;**
There were no other alternatives to serve the project.
8. **Timing and phasing of the project or proposal;**
The project is complete.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,



William (Bill) H. Davis, PE
Director
Richland County Government
Utilities Department

Attachment

Cc: Adam Delk, PE, Southwest Water
Larry Brazell, East Richland County PSD



Efficiency *Effectiveness* *Equity* *Integrity*



East Richland County Public Service District

704 ROSS ROAD
POST OFFICE BOX 23069
COLUMBIA, S.C. 29224-3069
TELEPHONE 803-788-1570

FAX 803-736-5399

November 23, 2021

Mr. Gregory Sprouse, AICP
Director of Research, Planning and Development
Central Midlands Council of Government
236 Stoneridge Drive
Columbia, SC 29210

RE: 208 Minor Plan Amendment Request
Properties along N Brickyard Road

Dear Mr. Sprouse:

The East Richland County Public Service District (District) hereby agrees with a Minor Plan Amendment to the "208 Water Quality Management Plan for the Central Midlands Region" as requested by the Richland County Utilities (RCU) by separate letter. The Amendment is requested to allow the Wastewater Management Area for certain properties on N. Brickyard Road as shown on the attached Exhibit A to be changed from the District to RCU. This change would allow Southwest Water (SWW) to serve the properties.

The properties on N Brickyard Road are currently in the District's Wastewater Management Area, and the District is only able to provide very limited service. As such, the District fully supports changing the properties to the RCU Wastewater Management Area and the resulting change in sewer service provider to SWW.

Please do not hesitate to contact me if you should have any questions or need additional information.

Sincerely,

Larry Brazell, Executive Director
East Richland County Public Service District

cc: Bill Davis, PE, Richland County Utilities
Adam Delk, PE, Southwest Water



South Carolina Water Utilities- PUI

Mr. Gregory Sprouse, AICP
Director of Research, Planning, and Development
Central Midlands Council of Governments
236 Stoneridge Drive
Columbia, SC 29210

Re: 208 Minor Plan Amendment Request
Properties along N Brickyard Road

Dear Mr. Sprouse,

We would like to request approval of the Minor Plan Amendment to the "208 Water Quality Management Plan for the Central Midlands Region" requested by Richland County Utilities (RCU).

This amendment will allow South Carolina Water Utilities- PUI Inc, a SouthWest Water Company (SWW), to become the sewer service provider for the properties shown on Exhibit A.

Please do not hesitate to contact me should you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Delk".

Adam Delk, PE, Southwest Water

Attachment

Cc: William H. Davis, PE, Richland County Utilities
Larry Brazell, East Richland County PSD

Richland County Council Request for Action

Subject:

Richland County Properties Identified for Water Master Plan - TMS# R02315-01-14 and TMS# R01700-02-02

Notes:

March 1, 2022 – The Sewer Ad Hoc Committee recommended Council approve placing a hold on any sale or use of these properties until Richland County Utilities’ Master Plan is completed.

**RICHLAND COUNTY
ADMINISTRATION**

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



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director
Department:	Utilities	Division:	
Date Prepared:	November 22, 2021	Meeting Date:	March 1, 2022
Legal Review	Patrick Wright via email	Date:	December 1, 2021
Budget/Finance Review	Stacey Hamm via email	Date:	December 2, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Committee	Sewer Ad Hoc		
Subject:	Richland County Properties Identified for Water Master Plan - TMS# R02315-01-14 and TMS# R01700-02-02		

STAFF’S RECOMMENDED ACTION:

The Water Master Plan for Richland County Utilities (RCU) requires staff to search for and acquire properties for water infrastructure such as water treatment plants and elevated tank locations. The two properties identified herein are currently owned by Richland County and need to be reserved for these purposes.

- Option 1: Council agrees with the staff’s recommendation to place a hold on any sale or use of these properties until the RCU’s Water Master Plan is completed.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The proposed properties will help eliminate or reduce the land acquisition costs for future projects.

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

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The RCU’s Water Master Plan will identify the County’s infrastructure needs for the next twenty years.

As one of the fastest-growing areas in the state, the County needs to be prepared to provide adequate water systems to support county residents and businesses in addition to those currently being served. (Table 1 & Figure 1). The resources required to effectively operate these systems will need to be developed as part of an overall Water Master Plan. (Figure 2)

The two properties (R02315-01-14 and R01700-02-02) are potential sites to accommodate growth for our water systems. Should these properties be selected as part of our future water infrastructure plans, we will decide how to acquire the properties in question. Once the funding source is identified, it will take approximately 12 months to complete the water masterplan.

Table 1: RCU Drinking Water System Production

Water System	Avg Production (gpd)	Max Production (gpd)
Murray Point	2,069	2,937
Pond Drive	3,034	5,670
Gadsden Elementary	1,620	4,187
Hopkins	79,718	153,297

FIGURE 1: RCU WATER SYSTEM

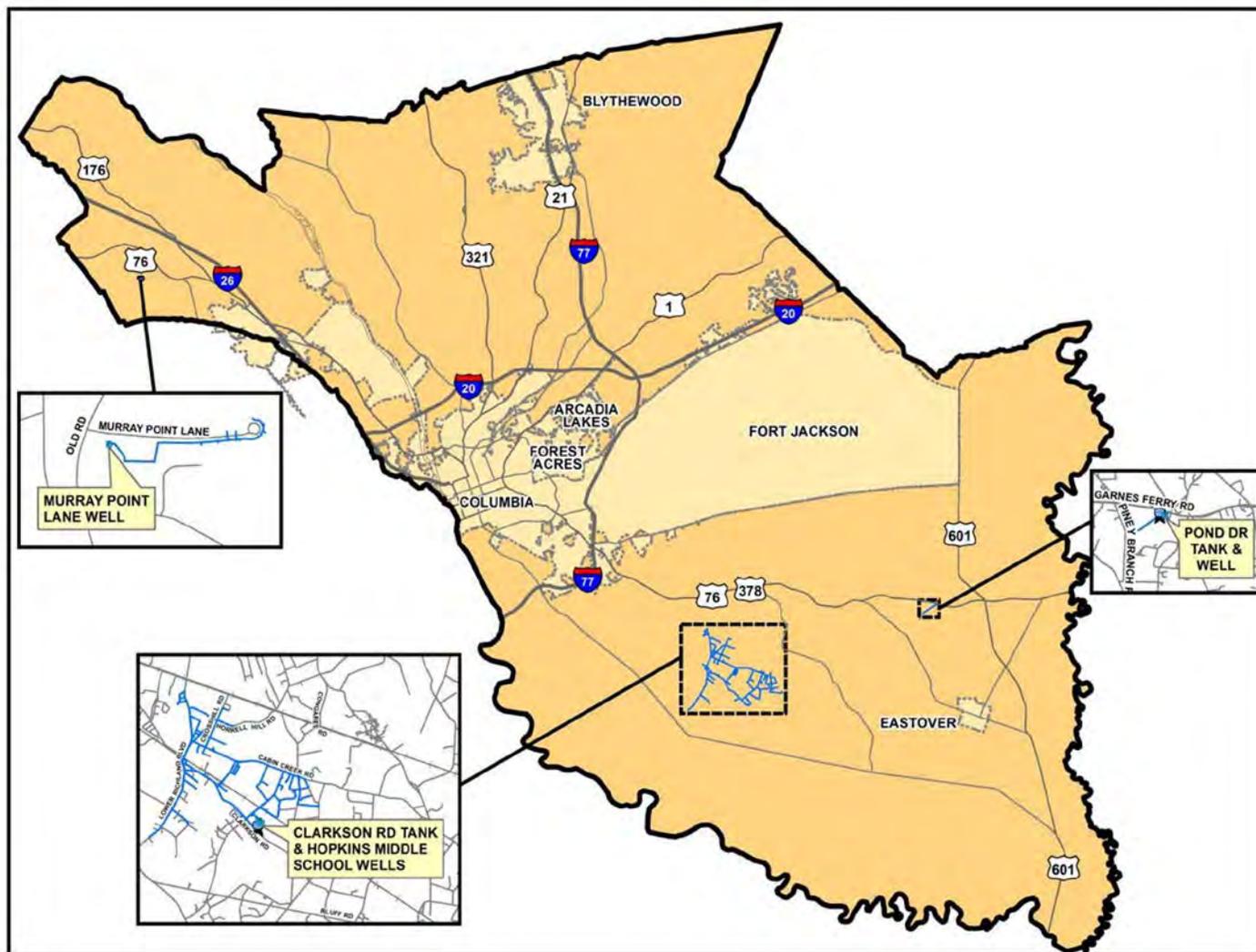
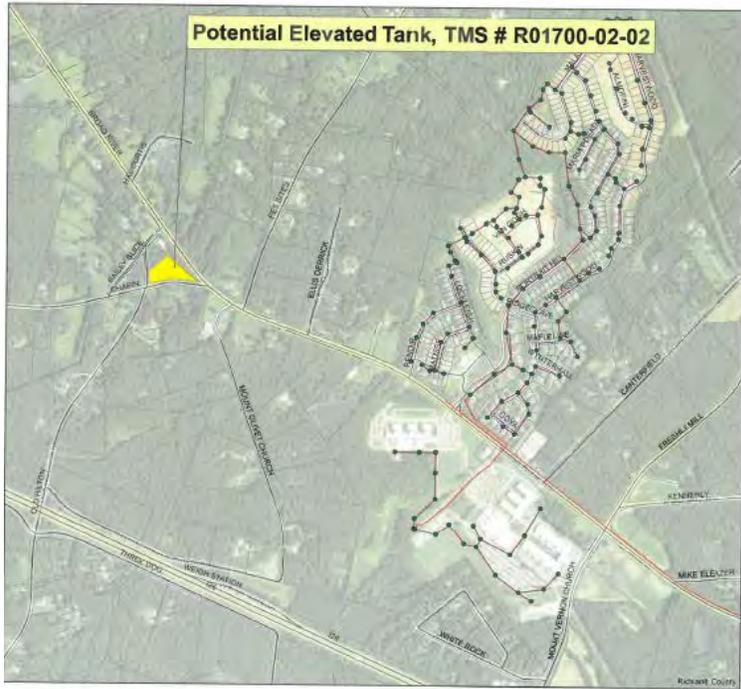
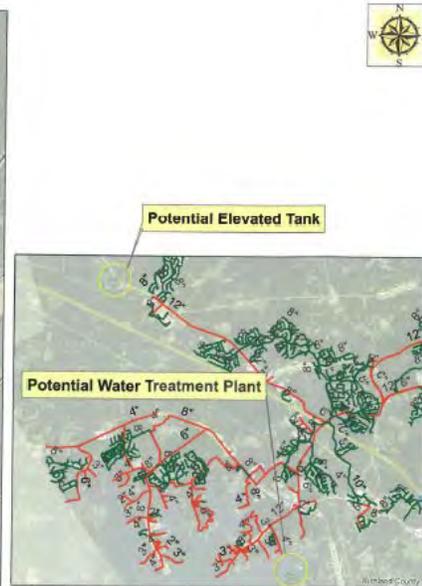


FIGURE 2: RICHLAND COUNTY OWNED PROPERTIES



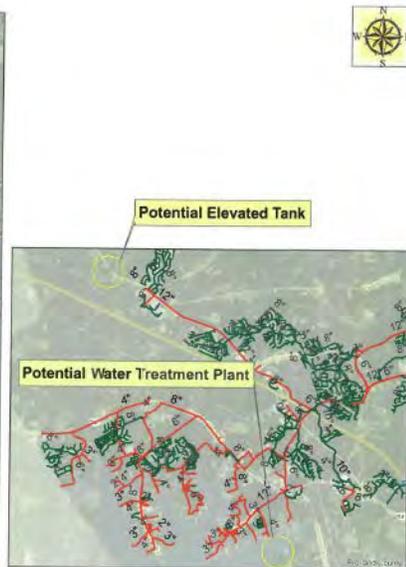
Detail Map



Overview Map



Detail Map



Overview Map



Richland County Council Request for Action

Subject:

Projects Funded by Grants

Notes:

March 1, 2022 – The Sewer Ad Hoc Committee recommended Council approve staff's pursuant of various projects where a grant may cover all, or a portion, of the project cost over the next few years. The projects include, but are not limited to, the following:

- 1) Shady Grove Pump Station (PS) Rehabilitation
- 2) 24" Forcemain (FM) Gadsden Elementary to Eastover Wastewater Treatment Plant (WWTP);
- 3) Eastover WWTP Upgrade;
- 4) 10" FM from Rabbit Run to Garners Ferry Road;
- 5) Stoney Point/Cedar Cove Sewer Rehabilitation Project



Agenda Briefing

Prepared by:	Bill Davis	Title:	Director of Utilities
Department:	Utilities	Division:	Utilities
Date Prepared:	January 20, 2022	Meeting Date:	March 1, 2022
Legal Review	Patrick Wright via email	Date:	January 24, 2022
Budget Review	Abhijit Deshpande via email	Date:	February 7, 2022
Finance Review	Stacey Hamm via email	Date:	January 21, 2022
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Committee	Sewer Ad Hoc		
Subject:	Projects funded by grants		

RECOMMENDED/REQUESTED ACTION:

Staff recommends that County Council approve staff to pursue the various projects where a grant may cover all or a portion of the project cost over the next few years. Currently, there are several projects including, but not limited to, the following:

- 1) Shady Grove Pump Station (PS) Rehabilitation
- 2) 24" Forcemain (FM) Gadsden Elementary to Eastover Wastewater Treatment Plant (WWTP);
- 3) Eastover WWTP Upgrade;
- 4) 10" FM from Rabbit Run to Garners Ferry Road;
- 5) Stoney Point/Cedar Cove Sewer Rehabilitation Project

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Utilities Department is seeking funding for some projects through grants such as but not limited to: the South Carolina Rural Infrastructure Authority (SCRIA), State Revolving Fund (SRF), American Rescue Plan (ARP), Community Development Block Grant (CDBG), and any other approved funding sources. The approved projects offering the greatest grant contribution will be selected by staff and presented to Council for approval in compliance with the funding source’s qualifications. The total estimated project cost for the projects mentioned above is \$70,877,739.50.

Project Title	Description	Engineering Fee	Construction Estimate	Project Cost
Shady Grove PS	Construction		\$650,000.00	\$650,000.00
24" FM Gadsden to Eastover WWTP	Design & Construction	\$2,500,000.00	\$15,000,000.00	\$17,500,000.00
Eastover WWTP Upgrade	Design & Construction	\$4,000,000.00	\$41,000,000.00	\$45,000,000.00
10" FM from Rabbit Run to Garners Ferry	Design & Construction	\$18,650.00	\$467,500.00	\$486,150.00
Stoney Point/Cedar Cove	Construction	\$198,680.00	\$7,042,909.50	\$7,241,589.50

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

None.

REGULATORY COMPLIANCE:

In the past, Utilities had Sanitary Sewer Overflows (SSOs) at the Stoney Point/Cedar Cove Sewer System and Shady Grove pump stations. These two projects will ensure that Richland County is compliant with regulatory agencies such as the South Carolina Department of Health and Environmental Control (SCDHEC).

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	Click or tap here to enter text.
Meeting	Click or tap here to enter text.
Date	Click or tap here to enter text.

STRATEGIC & GENERATIVE DISCUSSION:

The projects improve current wastewater collection systems and the Eastover Wastewater Treatment Plant. The projects will help with capacity issues as the system ages and grows reducing risk of Sanitary SSOs, which would cause environmental impacts on downstream water bodies. Many of these projects will increase the system's capacity to serve the Low-to-Moderate Income (LMI) and under-served areas. The Northwest area of Richland County is in need of system improvements due to the aging system asset, which are allowing the Inflow and Infiltration (I&I) of rain and ground water leading to SSOs. The upgrades will improve level of service and provide smart growth opportunities. These projects would fit many of the criteria for Environmental Justice promoted by the Environmental Protection Agency (EPA) and SC DHEC leading to zero or minimal financial participation from the County. Due to some of the funding source application deadlines, staff is requesting approval to submit project grant applications.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Click or tap here to enter text.

ATTACHMENTS:

1. Click or tap here to enter text.



REQUEST OF ACTION

Subject: FY22 - District 10 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$42,500** for District 10.

B. Background / Discussion

For the 2021 - 2022 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY22, Special Called Meeting – June 10, 2021: Establish Hospitality Tax discretionary accounts for each district in FY22 at the amount of \$82,425. Move that all unallocated district specific H-Tax funding for FY20-21 be carried over and added to any additional funding for FY21-22.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY22 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 10 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Hospitality Account Funding	\$ 82,425
FY2021 Remaining	\$ 16,775
<hr/>	
Township Auditorium	\$7,500.00
Town of Eastover	\$7,500.00
Lower Richland Alumni Foundation	\$7,500.00
Auntie Karen Foundation	\$5,000.00
LR Sweet Potato Festival	\$5,000.00
Columbia City Ballet	\$5,000.00
<u>EdVenture</u>	\$5,000.00
Total Allocation	\$ 42,500
Remaining Balance	\$ 1,700.00

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of Budget FY19 June 21 ,2018
- 3rd Reading of the Budget FY20 June 10, 2019
- 3rd Reading of the Budget FY21 June 11, 2020

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.