



**NEWBERRY COUNTY COUNCIL
COUNTY COUNCIL AGENDA
May 1, 2024
6:00 P.M.**

Call to Order: Todd Johnson, Chairman
Invocation and Pledge of Allegiance: Johnny Mack Scurry, Council Member

1. Adoption of Consent Agenda:
 - a. Newberry County Council Work Session – April 17, 2024.
 - b. Newberry County Council Meeting – April 17, 2024.

2. Additions, Deletions & Adoption of the Agenda.

3. Public Appearance:
 - a. David Stumbo, Solicitor.
 - b. Gavin Brown, VP of Advancement for Midlands Housing Alliance.

4. Resolution 03-2024. A resolution acknowledging the service of Public Safety Telecommunications Officers as First Responders in Newberry County, South Carolina.

5. Ordinance No. 04-01-2024. An Ordinance acting on a request to amend the official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling seventy-six hundredths (.76) acre designated as TMS No. 741-45 from RS-Single Family Residential to R2-Rural.
 - a. Third Reading.

6. Ordinance No. 04-02-2024. An Ordinance acting on a request to amend the official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling two and forty-four hundredths (2.44) acres designated as TMS No. 457-9 from GC-General Commercial to R2-Rural.
 - a. Third Reading.

7. Ordinance No. 04-03-2024. An Ordinance regulating public nuisances and unfit dwellings within Newberry County and providing procedures for enforcement and penalties for violation and matters related thereto.
 - a. Public Hearing.
 - b. Second Reading.

8. Ordinance No. 05-01-2024. An Ordinance acting on a request to amend the official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling eleven and seventy hundredths (11.70) acres designated as TMS No. 336-3 from GC-General Commercial to Ind-Industrial.
 - a. First Reading.

9. Ordinance No. 05-03-2024. An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2024, and ending June 30, 2025, for the Newberry County budget for County Ordinary purposes and for other County purposes for which the County may levy a tax and receive revenues; to provide for the levy of taxes on all taxable personal and real property in Newberry County for all county purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Newberry County payable during said fiscal year; to provide for matters relating to Newberry County; and to provide for the expenditure of said taxes and other revenues received by the county during said fiscal year, and to provide for borrowing in anticipation of tax collections by the issuance of one or more tax anticipation notes, if necessary.
 - a. First Reading.

10. County Council may take action(s) following executive session on matters discussed during executive session.

11. Appointments.

12. Public Comments.

13. Comments/Requests from County Administrator.

14. Comments/Requests from Council.

15. Future meetings:

- a. Economic Development Committee – May 6 at 6 p.m.
- b. Newberry County Council Work Session – May 15 at 5 p.m.
- c. Newberry County Council – May 15 at 6 p.m.
- d. Public Safety and Courts – May 20 at 6 p.m.
- e. Memorial Day – May 27 – Offices Closed.
- f. Finance Committee – ~~May 27~~ at 6 p.m.

16. Adjournment.

**NEWBERRY COUNTY COUNCIL WORK SESSION
MINUTES
April 17, 2024**

Newberry County Council met on Wednesday, April 17, 2024, at 5:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a Work Session.

Notice of the meeting was duly advertised, as required by law.

PRESENT: Robert N. Shealy, Vice Chairman
Leon Fulmer, Council Member
Les Hipp, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Karl Sease, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Tommy Long, Emergency Services Director
Eric Nieto, I.T. Director
Katie Werts, Director of Planning and Development Services
Andrew Wigger, Clerk to Council/PIO

MEDIA: Orion Griffin, The Newberry Observer

ABSENT: Todd Johnson, Chairman

Mr. Shealy called the meeting to order at 5:00 p.m.

1. Discussion of a proposal to allow the keeping of hens (not roosters) as a conditional use within residential zoning districts, subject to minimum standards.
 - Mr. Shacker reviewed the draft ordinance and addressed three additions that were included following the Wednesday, April 3, 2024, Newberry County Council Work Session. The three additions to the ordinance were:
 - Chicken enclosures of any type shall not individually or collectively exceed two hundred (200) square feet in size.
 - Chicken enclosures of any type shall be located no closer than fifty (50) feet from the 360-contour of Lake Murray or the 440-contour of Lake Greenwood. Where property is developed on both sides, the minimum setback shall be the average of the setback of the principle structures, or 50 feet, whichever is greater.
 - Mr. Shacker said there is a potential for some properties where this will not permit chickens, under the ordinance.
 - Mr. Shacker said there is the opportunity to go before the Board of Zoning Appeals, in terms of a variance. Ms. Werts said they would have to have a hardship for the board to hear that.
 - Chicken enclosures must be designed so that waste, wastewater, and any and all by-products of the keeping of chickens remains within the footprint of the enclosures and does not impact adjoining properties, drainage systems and receiving waters.
 - Mr. Shacker said during the last meeting, it was addressed about a potential property tax issue related to the coops. He said if it is 200-feet or less, it is not assessed.
 - Mr. Hipp addressed the issue with the front/rear yard and how that could be subjective.
 - Ms. Werts said rear yard in the zoning definition is defined, as is front yard. She added at the lake, the rear

side is the lake, no matter how a property owner faces their house, the definition is the rear side is the lake side.

- Mr. Hipp asked about penalties for failure to comply and wanted to know what the penalties are if they find someone in violation.
 - Ms. Werts said they would handle it like any other zoning violation, they would go to the location, take their check list and if the coop doesn't meet all the requirements, they would then send a letter stating the owner was in violation of the ordinance, with seven days to get into compliance. If they do not comply, they either must get rid of the chickens or get a summons to court, and the judge would handle it from there. Ms. Werts added they can also come to the office where they can also work out a plan to get into compliance, as long as it is in that seven-day period.
- Mr. Sease asked about the setbacks on the lake for R2, and if there is property on the lake that is R2, and they have a chicken coop that is closer than 50 feet.
 - Ms. Werts said they are a permitted use under R2, and they'd still have to meet the current setbacks and at the lake it either has to be 50 feet, or further.
- Mr. Sease asked if anyone would be grandfathered.
 - Ms. Werts said they do have some and their system goes back to 2001 that states if properties have structures. She added that any structure built prior to 2001 is grandfathered in because that is when the county adopted the Zoning Ordinance.
 - Mr. Fulmer asked if they adopted this ordinance, would there be any grandfathering.
 - Ms. Werts said no because any chicken coops not in R2 are not permitted in the current ordinance.
- Mr. Fulmer thanked staff for putting this ordinance together and added they did a good job of trying to address a lot of issues within the draft ordinance. He knows they will not satisfy

everyone, but from a previous career he dealt with a lot of this stuff and from an environmental standpoint, you probably have more of a concern with all the free-range dogs running around rather than the hens that are required to be maintained in a structure.

- Ms. Werts added that it has been a struggle as they receive phone calls when a resident only wants three or four (hens) and it is hard to tell them no when they can meet all of these requirements.

2. Discussion of proposed FY 2024-2025 Budget.

- Mr. Shacker recapped changes that could be made to reduce the use of fund balance, including a two mill increase, that were previously presented during the Wednesday, April 3, 2024, Newberry County Council Work Session.
- Mr. Hipp said in past years sometimes the proposed budget was not posted on the website prior to public comment, and he wanted to make sure the budget is posted on the website prior to public comment on the budget.
- Mr. Shealy said he agreed, and the public has the right to see where their money is going.
- Mr. Shealy said no one likes an increase, but everywhere you go, including the store, everything has increased and the county has to operate and that is not a large increase.
- Mr. Reeder said it is better to do a little now, than a lot later.

3. Executive Session:

a. Contractual Matter(s):

- i. Discussion of matters related to real estate owned by Newberry County pursuant to SC Code of Laws Section 30-4-70(a)(2).

- Mr. Fulmer made a motion to go into Executive Session; Mr. Reeder provided the second and the motion was approved 6-0. Newberry County Council went into Executive Session at 5:33 p.m.
- Mr. Sease made a motion to come out of Executive Session; Mr. Fulmer provided the second and the motion was approved 6-0. Newberry County Council came out of Executive Session at 6:05 p.m.

4. Adjournment.

- Mr. Hipp made a motion to adjourn the meeting; Mr. Fulmer provided the second and the motion was approved 6-0.

NEWBERRY COUNTY COUNCIL

Nick Shealy, Vice Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

**NEWBERRY COUNTY COUNCIL
MINUTES
April 17, 2024**

Newberry County Council met on Wednesday, April 17, 2024, at 6:09 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a regular scheduled meeting.

Notice of the meeting was duly advertised, as required by law.

PRESENT: Robert N. Shealy, Vice-Chairman
Leon Fulmer Jr., Council Member
Les Hipp, Council Member
Travis Reeder, Council Member
Johnny Mack Scurry, Council Member
Karl Sease, Council Member
Jeff Shacker, County Administrator
Joanie Winters, County Attorney
Captain Ben Chapman, NCSO
Karen Brehmer, Deputy County Administrator
Debbie Cromer, Finance Director
Rick Farmer, Economic Development Director
Donna Lominack, Auditor
Tommy Long, Emergency Services Director
Eric Nieto, I.T. Director
Katie Werts, Director of Planning and Development Services
Andrew Wigger, Clerk to Council/PIO

MEDIA: Orion Griffin, The Newberry Observer

ABSENT: Todd Johnson, Chairman

Mr. Shealy called the meeting to order at 6:06 p.m.

Mr. Reeder led the invocation and Pledge of Allegiance.

1. Adoption of Consent Agenda:

- a. Newberry County Budget Work Session – April 1, 2024
- b. Newberry County Council Work Session – April 3, 2024.
- c. Newberry County Council Meeting – April 3, 2024.

- Mr. Hipp made a motion to accept the minutes as presented; Mr. Sease provided the second and the motion was approved 6-0.

2. Additions, Deletions & Adoption of the Agenda.

- Mr. Reeder made a motion to adopt the agenda as presented; Mr. Hipp provided the second and the motion was approved 6-0.

3. Recognitions:

a. Employee Service:

- | | | |
|-------------------|------------|---------------------|
| • Heather Chapman | 5 years | NCSO |
| • Clarence Turner | 10 years | Facilities |
| • Andrew Stout | 20 years | NCSO |
| • Bridget Fain | Retirement | Planning and Zoning |
| • Carolyn Tobe | Retirement | Auditor's Office |

- Mr. Shacker recognized the employees listed above for their service to Newberry County, highlighting their accomplishments and pivotal moments while working for Newberry County.

- Mr. Shealy said it is always a good when Newberry County Council can recognize employees and they hate to lose such valued employees, but they served the county well and they appreciate their hard work and hope they enjoy retirement.

4. Public Appearances:

a. Keith Avery, President and CEO of Newberry Electric Cooperative – Presentation of Economic Development Grant.

- Mr. Avery said one of their seven core principles (of NEC) is commitment/community and he wanted to talk about that principle.
- Mr. Avery said they started their economic development journey together, between Newberry Electric, Newberry County Council and the City of Newberry, in 2016 with the first large commercial industry to come into the county, MM Technics. He said they were able to win that job above the recommendation of the consultants they had, but MM Technics loved Newberry County.
- Mr. Avery said a big part of why Newberry County is so successful with economic development is because of Economic Development Director Rick Farmer. He said a lot of it started after Mr. Farmer came to the county. The other part is everyone understands what it takes to do economic development. He added that they are proud to be a part of that team effort.
- Mr. Avery presented numbers, from 2016-2024, regarding Core Funds which are Incentive Funds that the NEC gives to help the county incentives industries coming into the county. Since 2016, they have had \$6.2 million in incentive funds, of that, the NEC has committed \$2,375,000.

- Mr. Avery said in addition to that, they have Site Readiness Funds they were using to get Mid-Carolina Commerce Park up and going, together. Since then, they have committed \$2,125,000 into the park itself. Part of that was to put in a pad-ready site, encouraging representatives to come in and look at the park and that is where MM Technics came, next to where they put in that pad.
- NEC also has Site Advancement Funds that were utilized on studies for environmental controls and for the enhancement for the Newberry County Economic Development website; in total, \$72,350 since 2016.
- In addition to this, the NEC also provides scholarships for economic development, contributing \$3,000 for South Carolina Economic Developer's Association certification for Kara Cannon when she was with the county.
- Separate from that, and what was being recognized during the meeting, are RDA Funds, these are funds available to NEC through the Rural Development Act. In lieu of paying taxes to the state, electric cooperatives have the opportunity to contribute that money into the counties. Mr. Avery said they've contributed to Newberry County and Newberry County Water and Sewer to help projects (must be a defined project to receive these funds). This is a contract between the county and the NEC that they must enter into to be able to receive them.
- Since 2016, NEC have contributed RDA Funds to the total of \$1,559,309.
- All of these add to a total contribution to economic development since 2016 of \$9,984,659. This does not include property taxes. Since 2016, NEC has paid over \$13 million in property taxes. This totals over \$23 million NEC has invested since 2016.
- Mr. Avery said NEC is proud to serve four counties, they predominantly serve Newberry County, but they also

serve Laurens County, Fairfield County and Lexington County.

- Mr. Avery then said they were pleased to present funds to the county, RDA Funds, for economic development for a total of \$189,318. Mr. Avery then presented the check to Mr. Farmer.
- Mr. Farmer said they have no bigger ally in economic development than in Newberry Electric Cooperative and this community is better because of NEC.
- Mr. Shealy said it is a great partnership, and not only does he work for NEC, but it is a great partnership between the county and the NEC, and they've accomplished some amazing things between the two entities, and they hope to be able to continue to move forward in that same path.
- Mr. Fulmer said he thinks Newberry County is a testament, and we see that we are much better when we work together and that is certainly obvious with the relationship between Newberry County and Newberry Electric Cooperative and many entities they work with throughout the county. He added we are much better when we work together and thanked the NEC for attending the meeting.

5. Resolution 02-2024. Recognizing the achievement of Harper Rowe and Ali Chapman, co-authors of *Phoenix and the Town Power Outage*.

- Mr. Hipp made a motion to approve the resolution; Mr. Reeder provided the second and the motion was approved 6-0.

6. Ordinance No. 04-01-2024. An Ordinance acting on a request to amend the official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances,

establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling seventy-six hundredths (.76) acre designated as TMS No. 741-45 from RS-Single Family Residential to R2-Rural.

a. Public Hearing.

- Mr. Shealy declared the public hearing open. With no one signing up or standing up to speak, Mr. Shealy declared the public hearing closed.

b. Second Reading.

- Mr. Sease made a motion to accept second reading; Mr. Fulmer provided the second and the motion was approved 6-0.

7. Ordinance No. 04-02-2024. An Ordinance acting on a request to amend the official Zoning Map established pursuant to Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 06-11-16 and codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classification and districts so as to rezone one (1) real estate parcel totaling two and forty-four hundredths (2.44) acres designated as TMS No. 457-9 from GC-General Commercial to R2-Rural.

a. Public Hearing.

- Mr. Shealy declared the public hearing open. With no one signing up or standing up to speak, Mr. Shealy declared the public hearing closed.

b. Second Reading.

- Mr. Reeder made a motion to accept second reading; Mr. Sease provided the second and the motion was approved 6-0.

8. Ordinance No. 04-03-2024. An Ordinance regulating public nuisances and unfit dwellings within Newberry County and providing procedures for enforcement and penalties for violation and matters related thereto.

a. First Reading.

- Mr. Hipp made a motion to approve first reading; Mr. Sease provided the second.
- Mr. Hipp said they have spent a lot of time on this ordinance, they posted the draft ordinance on the Newberry County website and received positive comments from the public. He added that this is not the end all to controlling nuisance situations in Newberry County, but it is the beginning and as a beginning, he would be in favor of what they have.
- Mr. Reeder said he thinks this is an ordinance that needs to be done, as long as everything is in place like they need it to be and there are no complaints about it. He thinks this is an ordinance they need to put in place.
- Mr. Shealy said they posted this ordinance on the website for about a month and received eight comments and most were in favor of and wanted to add to the ordinance. He added that this is a good place to start.
- The motion was approved 6-0.

9. A Proclamation recognizing National Therapy Animal Day.

- Mr. Shealy read the following Proclamation as follows:
“Whereas, there are thousands of Pet Partners therapy animal teams serving in communities across the United States; and Whereas, Pet Partners has designated April 30 as National Therapy Animal Day; and Whereas, Pet Partners therapy animal teams in Newberry County play an essential

role in improving human health and well-being through the human-animal bond; and Whereas, Pet Partners therapy animal teams make millions of visits per year in settings such as hospitals, nursing homes, schools and hospice; and Whereas, Pet Partners therapy animal teams interact with a variety of people in our community including veterans, seniors, patients, students facing literacy challenges, and those approaching end of life; and Whereas, these exceptional therapy animals who partner with their human companions bring comfort and healing to those in need. Now, Therefore, Newberry County Council does hereby proclaim April 30, 2024, as *National Therapy Animal Day* in Newberry County, and encourages our citizens to celebrate therapy animals and their human handlers. Further, Newberry County Council publicly salutes the service of therapy animal teams in our community and in communities across the nation.

- Mr. Hipp made a motion to approve the proclamation; Mr. Reeder provided the second and the motion was approved 6-0.

10. Consideration and award of a bid for the purchase and installation of four water points in the Consolidated 5 Fire Department service area (2024-01), a 2016 CPST Project.

- Mr. Long said they received four different bids on this project, and McClam and Associates (who did the last water points) was the low bidder at \$964,111. He said they bid out each site and that is the combined total.
- Mr. Shacker said in the adopted budget for the current year, the county has \$1,158,686 budgeted to complete two projects – the four water points and a project in Whitmire.

- Mr. Sease made a motion to accept the bid from McClam and Associates; Mr. Hipp provided the second and the motion was approved 6-0.

11. County Council may take action(s) following executive session on matters discussed during executive session.

- No action was taken.

12. Appointments.

- There were no appointments.

13. Public Comments.

- Mr. Michael Tumm spoke regarding the proposed chicken ordinance. He said he was given the current changes and regarding item 14, he said there was a big problem. He read where it states, "chicken enclosures shall be located no more than 50 feet from the 360 contour." He said the only problem with that is, he has a 75-foot buffer and that means Newberry County would allow for a chicken coop within a federally mandated FERC Buffer and that needs to change and needs to include, in his opinion, at least 100 feet from that environmental buffer. He said he also thinks the county should look at getting permission from FERC. Mr. Tumm said he represents Lake Murray Watch, and they are a watch group for Lake Murray. He said he agrees with the rest of the ordinance except for one other issue, he said Lexington County, in their ordinance, mandates screenings for chicken coops and he thinks the neighbors should have screening and somebody, like him, who

doesn't want to hear them, smell them, or see them, and that screenings should be mandated. He said those are the things he'd like to see addressed in the document going forward.

14. Comments/Requests from County Administrator.

- Mr. Shacker said Jessie Long, director of Newberry County Recreation, her department received an Urban and Community Forestry Grant through the S.C. Forestry Commission used to do a tree risk assessment. The estimated cost of the project is \$75,000 and that is in the proposed budget, the grant would be \$60,000.
- Mr. Shacker provided an update on the Capital Project Sales Tax, he said they have been going through the design phase for the projects and working with the project leads to see if there are any scope alterations that need to be made. What also has been occurring, the bond attorney is working on all the disclosures for the bonds. He said it appears they are in a position to issue the bonds and receive the money in July. He added while this has been occurring, they've continued to collect sales tax and they should be well positioned to fund the initial project with cash.

15. Comments/Requests from Council.

- Mr. Reeder thanked everyone who was celebrated during the meeting and said he appreciated all the jobs done over the years and those in retirement can enjoy retirement. He also wanted to congratulate Harper Rowe and Ali Chapman and said they made the Newberry County School District proud and Newberry County residents proud. He said they can

say they started their work life now and who knows what tomorrow brings. He also thanked administration for all the budget work and said hopefully they can move right on through it.

- Mr. Sease thanked everyone for coming out and participating in the meeting and helping the county go in the right direction. He also thanked all county employees for their service and retirement; Harper Rowe and Ali Chapman on writing their book; and staff for doing a great job keeping them straight and their work on the budget.
- Mr. Fulmer said it is a pleasure working with everybody on council and it is a pleasure to serve the residents of Newberry County.
- Mr. Hipp said it is always great to see a crowd of people come out and observe and be involved in decision making for Newberry County. He thanked Ms. Lorraine Bradley for bringing to his attention National Therapy Animal Day. He said we live in a wonderful county and sometimes we don't stop to think about that enough and we are fortunate.
- Mr. Shealy thanked everyone for coming out tonight and he enjoyed celebrating employees and retirees.

16.Future meetings:

- a. Newberry County Council Work Session – May 1 at 5 p.m.
- b. Newberry County Council – May 1 at 6 p.m.
- c. Newberry County Economic Development Committee – May 6 at 6 p.m.

17. Adjournment.

- Mr. Fulmer made a motion to adjourn the meeting; Mr. Sease provided the second and the motion was approved 6-0.

NEWBERRY COUNTY COUNCIL

Nick Shealy, Vice Chairman

Andrew Wigger, Clerk to Council

Minutes Approved: _____

STATE OF SOUTH CAROLINA)

COUNTY OF NEWBERRY)

RESOLUTION 03-24

A RESOLUTION ACKNOWLEDGING THE SERVICE OF PUBLIC SAFETY OFFICERS AS FIRST RESPONDERS IN NEWBERRY COUNTY, SOUTH CAROLINA AND OTHER MATTERS RELATING THERETO.

WHEREAS, Public Safety Telecommunications Officers are part of the critical infrastructure of the Public Safety system and are trained and certified as Telecommunication Officers pursuant to the South Carolina Criminal Justice Academy's standards and training; and

WHEREAS, Public Safety Telecommunications Officers play a critical role in emergency response as the first line of communication for persons needing law enforcement, fire, or medical response and are, very often, the first public safety employees handling an emergency; and

WHEREAS, Public Safety Telecommunications Officers deal with stressful situations, the need to make split-second decisions which affect the safety and well-being of both the public and field responders, and delivering emergency medical pre-arrival instructions daily; and

WHEREAS, Public Safety Telecommunications Officers handle emergency and non-emergency calls with compassion, empathy, and professionalism; and

WHEREAS, information gathered and relayed by Public Safety Telecommunications Officers can mean the difference between life and death for callers and field responders, provides an integral basis for an effective public safety response and often can prevent an incident from worsening prior to the arrival of field responders; and

WHEREAS, with the advent of Next Generation 911, Public Safety Telecommunications Officers are now subjected to graphic photographs, audio and live video streaming from scenes of emergency situations; and

WHEREAS, Public Safety Telecommunications Officers, while not physically on the scene, answer traumatic calls, handle radio incidents and communicate with people in states of distress, fear or injury; and

WHEREAS, First Responder means a public safety employee whose duties include responding rapidly to an emergency or accident to provide assistance.

NOW, THEREFORE, BE IT RESOLVED that Newberry County acknowledges Public Safety Telecommunications Officers are designated as First Responders in Newberry County, South Carolina and shall be recognized as such in county policy and procedural considerations regarding First Responders.

ADOPTED, by Newberry County Council in meeting duly assembled this 1st day of May 2024, at which a quorum was present and voting.

NEWBERRY COUNTY COUNCIL

(SEAL)

Todd Johnson, Chairman

ATTEST:

Andrew Wigger, Clerk to Council
Newberry, South Carolina

Newberry County Council, as required by law, for consideration of its actions by
Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing
uses of the properties located at 3 US Highway 76, Chapin.

NOW, THEREFORE, Newberry County Council makes the following findings
of fact and law as to the merits of the rezoning request concerning Tax Map No. 741-45
totaling seventy-six hundredths (.76) acre located at 3 US Highway 76, Chapin, as more
particularly shown on the plat accompanying the submitted “Official Zoning Map
Amendment Application” included in the submitted Planning Commission report
attached hereto, R2-Rural from RS-Single Family Residential.

A. That the proposed map amendment does promote the implementation of
the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be
accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by
the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that
the attached rezoning request for a map amendment for Tax Map No. 741-45, totaling
seventy-six hundredths (.76) acre real estate parcel as acted on by the Planning
Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2024 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Todd Johnson, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____

2nd reading: _____

Public Hearing: _____

3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA01-03-19-24 by property owner Glenn Bynum. This request is to rezone one (1) property totaling seventy-six hundredths (.76) acres located at 3 US Highway 76, Chapin, from RS-Single Family Residential to R2-Rural.

Application Number: MA01-03-19-24

Applicant/Property Owner: Glenn Bynum

Location Address: 3 US Highway 76, Chapin

Tax Map Number(s): 741-45

Lot Size: .76 acres

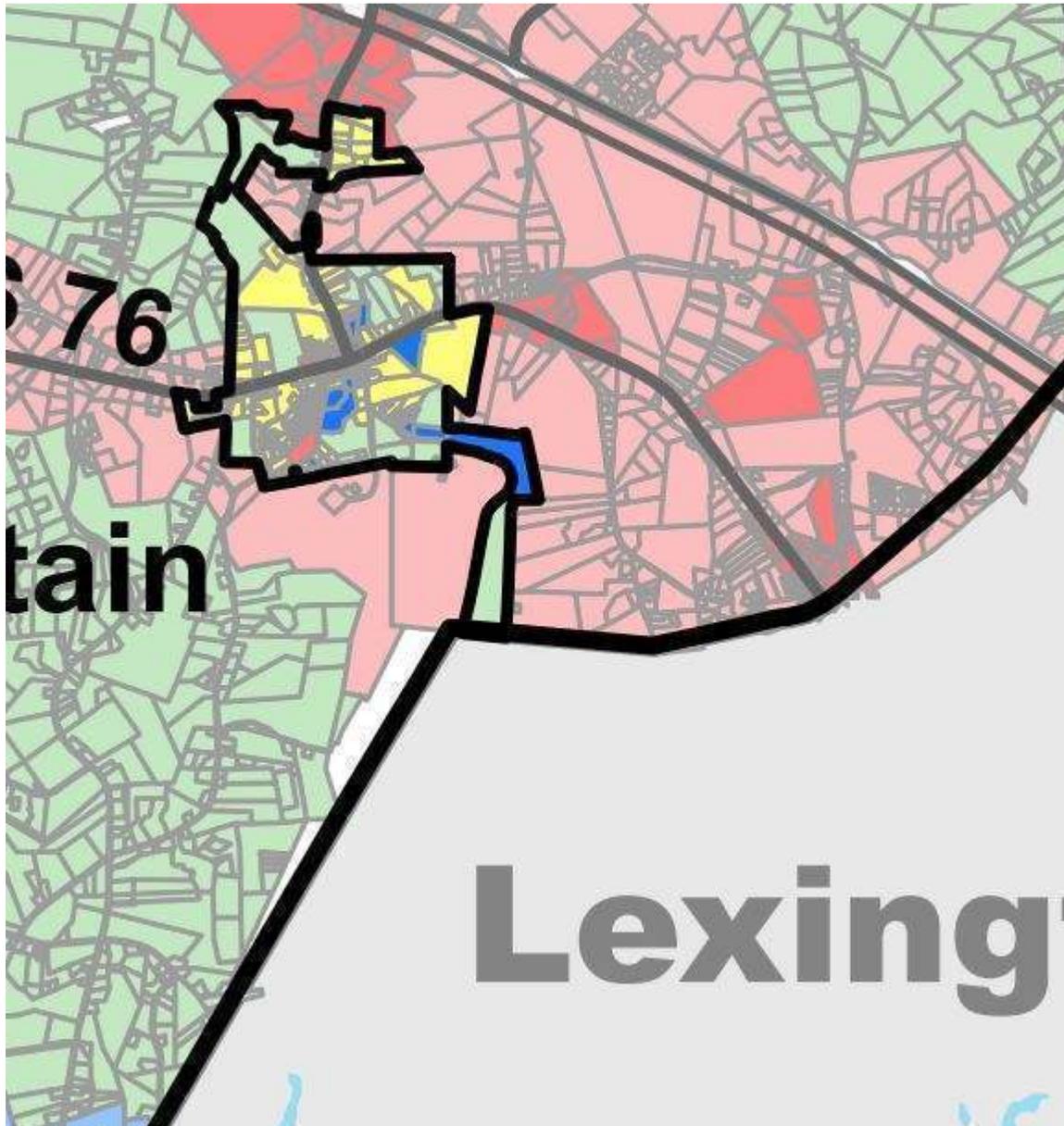
Current Land Use: Residential

Proposed Land Use: Residential

Current Zoning District: RS-Single Family Residential

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Transitional

Future Land Use Map:**Future Land Use Definition**

Transitional (TR) – Land undergoing, or with the potential to undergo, a transition from one major land use to another, primarily from rural or residential to commercial or office uses. Such land is in proximity to developed areas, municipalities, or Development (DEV) areas and/or to major transportation corridors and existing water and sewer. Existing residential developments and individual residences located within Transitional areas will provide options for residents to shorten the distance between work and home. Access to regional transportation routes and to existing water and sewer facilities could make these areas attractive for a range of uses, as appropriate and compatible with adjacent uses, including light commercial, office, public and institutional uses, and higher density residential development.

Analysis:

This is a request by property owner Glenn Bynum to rezone one (1) parcel of land totaling seventy-six hundredths (.76) acres located at 3 US Highway 76, Chapin from RS-Single Family Residential to R2-Rural. The proposed use of this property is residential. The property currently has an unhabitable dwelling on the property. The owner is looking to demo the existing dwelling and replace it with a new manufactured home.

The Comprehensive Plan identifies this property and the surrounding area as Transitional.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

Recommendations:

Staff: Staff recommends the rezoning to R2-Rural.

Planning Commission: Planning Commission recommends the rezoning to R2-Rural.

Newberry County Council, as required by law, for consideration of its actions by
Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing
uses of the properties located at 24 Saddle Hill Road, Newberry.

NOW, THEREFORE, Newberry County Council makes the following findings
of fact and law as to the merits of the rezoning request concerning Tax Map No. 457-9
totaling two and forty-four hundredths (2.44) acres located at 24 Saddle Hill Road,
Newberry as more particularly shown on the plat accompanying the submitted “Official
Zoning Map Amendment Application” included in the submitted Planning Commission
report attached hereto, R2-Rural from GC-General Commercial.

A. That the proposed map amendment does promote the implementation of
the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be
accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by
the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that
the attached rezoning request for a map amendment for Tax Map No. 457-9, totaling two
and forty-four hundredths (2.44) acres real estate parcel as acted on by the Planning
Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2024 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Todd Johnson, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____

2nd reading: _____

Public Hearing: _____

3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA04-03-19-24 by property owner Sadie's Hope. This request is to rezone one (1) property totaling 2.44 (2.44) acres located at 24 Saddle Hill Road from GC-General Commercial to R2-Rural.

Application Number: MA04-03-19-24

Applicant/Property Owner: Sadie's Hope Inc. (Renee Bolas)

Location Address: 24 Saddle Hill Road, Newberry

Tax Map Number(s): 457-9

Lot Size: 2.44 acres

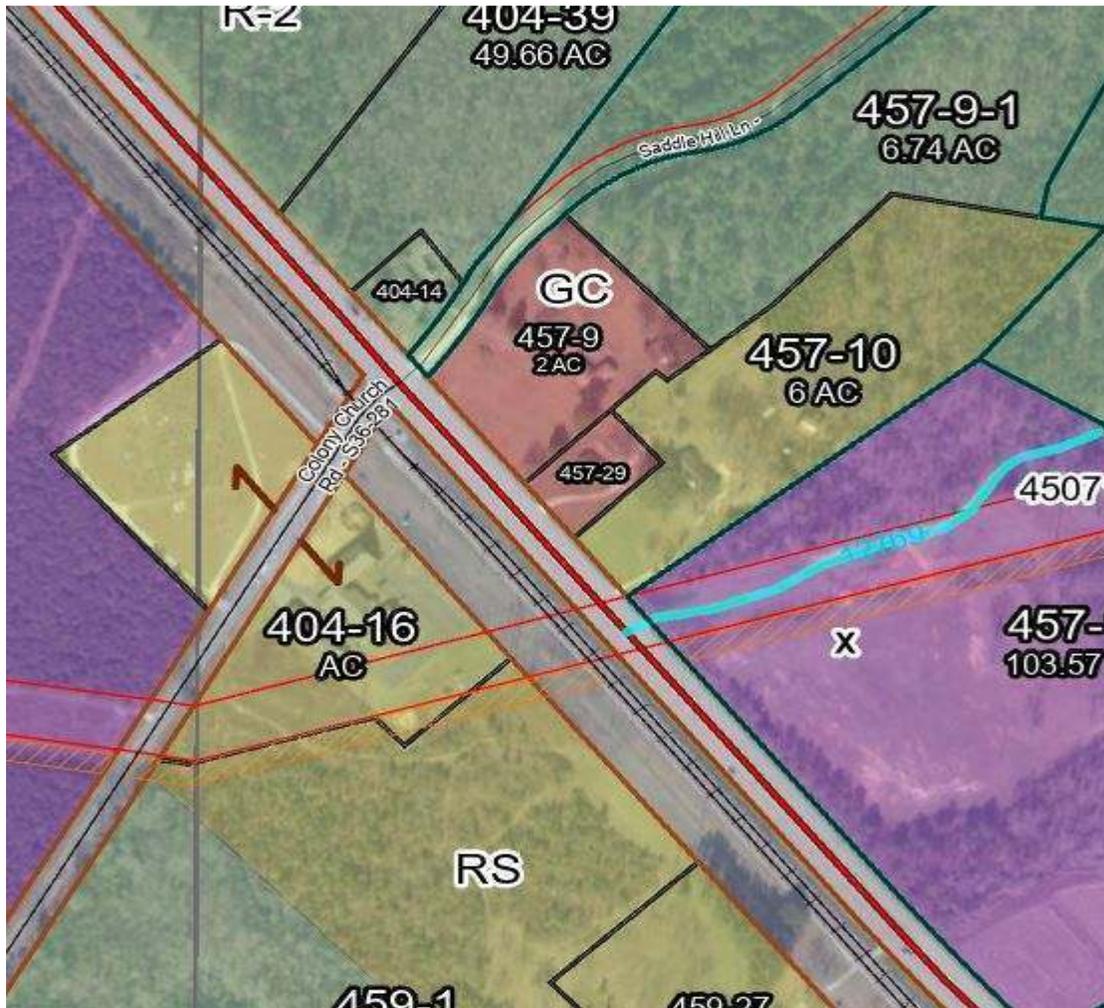
Current Land Use: Residential

Proposed Land Use: Residential

Current Zoning District: GC-General Commercial

Proposed Zoning District: R2-Rural

Comprehensive Plan Designation: Development

Zoning Map:**Current Zoning District**

GC – General Commercial: The GC district is intended to accommodate a variety of general commercial and non-residential uses characterized primarily by retail, including shopping centers; wholesale; offices; educational institutions; healthcare, including hospitals; arts and entertainment; and service establishments in commercially-oriented areas.

Proposed Zoning District

R2-Rural: The R2-Rural district is intended to be rural in nature, allowing low density residential uses including manufactured housing on individual properties, as well as home occupations, family day care, agriculture, forestry, hunting, and religious uses, but also accommodating complementary and associated uses such as recreation, government services, and appropriate service, commercial and industrial uses.

Future Land Use Map:**Future Land Use Definition**

Development (DEV) - Land areas that include more intensive uses such as commercial, industrial, public, and institutional, service, and higher density residential, as well as related infrastructure. Areas identified as Development generally link the more developed areas of the County to each other and beyond to neighboring counties and the greater Columbia metropolitan region. These areas either already are, or have the potential to become, economic development centers, primarily because of proximity to major transportation corridors and existing water and sewer. Existing residential developments and individual residences located within DEV areas provide options for residents to shorten the distance between work and home. Access to regional transportation routes and to existing water and sewer facilities will continue to make these Development areas attractive for a wide range of uses including commercial and industrial development, public and institutional uses, and higher density residential development.

Analysis:

This is a request by property owner Sadie's Hope to rezone one (1) parcel of land totaling two (2.44) acres located at 24 Saddle Hill Road, Newberry from GC-General Commercial to R2-Rural. The proposed use of this property is for a boarding home.

The Comprehensive Plan identifies this property and the surrounding area as Development.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

Recommendations:

Staff: Staff recommends the rezoning to R2-Rural.

Planning Commission: Planning Commission recommends the rezoning to R2-Rural.

health of the neighborhoods where they are located. Public nuisance properties are a financial and operational burden on the County by generating repeat calls for service to the properties. Public nuisance properties adversely affect the value of adjacent properties.

Pursuant to the County's home rule authority, public nuisance properties are hereby declared to constitute a public nuisance and are subject to enforcement and abatement as described herein. The nuisance abatement process hereinafter set forth may be used by the County in conjunction with any and all legal actions available to the governing body.

It is the County's intent:

- A. To identify public nuisance activities and public nuisance conditions.
- B. To hold accountable those persons responsible for such nuisance activities and/or conditions on the property.
- C. To assist victims of crime and penalize those who commit crimes or those who permit conditions to exist that give rise to crime or excessive calls for service.
- D. To establish rules, procedures, and penalties to address property owners and occupants that have public nuisance issues and fail to take corrective measures.
- E. To work in partnership with the owners and occupants to address the negative results caused by public nuisance activities and/or conditions and to improve the vitality of neighborhoods by addressing excessive calls for service.
- F. To encourage owners and operators to abate conditions considered a nuisance through an administrative process which is separate from the County's Magistrate Court system.
- G. To establish a means for the County to abate public nuisance properties in the event the owner or occupant is unwilling or unable to correct such conditions in a timely manner.

§ 157.002 DEFINITIONS.

Words used in this chapter shall have their customary meanings as determined by the standard dictionary definition except for the following specific words and terms which are herein defined. In any case, the Code Enforcement Officer, or other County designee shall have the right to define or interpret any words or terms contained within this chapter.

Abandoned Building means any building that is both: a) vacant and/or dangerous or in need of repair greater than fifty percent (50%) of its fair market value, and b) not occupied by the property owner, family member, renter, lessee, or other legal occupant for a period of six months or longer.

Abate means repair, replace, remove, destroy or other otherwise remedy the condition in question by means, in such time, in such a manner and to such an extent

as the enforcement officer shall determine to be in the best interest of the public, taking into account all facts and circumstances.

Building means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons or property.

Building Materials means any material such as lumber, brick, plaster, gutters or other substances accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures.

Close and Secure or **Closing and Securing** means compliance with the provisions of this chapter regarding minimum standards for uninhabited or vacant buildings.

Code Enforcement Officer means the person designated by Newberry County as the person responsible for enforcement of the provisions of this Ordinance.

County means Newberry County.

County Council means Newberry County Council.

Dwelling means a building or portion of a building arranged or designed exclusively for human habitation and includes any outhouses and appurtenances belonging thereto or usually employed therewith.

Garbage means any waste from the preparation, cooking and serving of food, market refuse, and waste from the handling, storage and sale of produce and meats as well as disposal of household items.

Habitation means the act of inhabiting by a human for any length of time, unrelated to the owners or parties in interest acting to preserve, maintain, repair, or inspect the property.

Junk means any materials consisting of waste, discarded or salvage matter consisting of a total of more than three (3) cubic yards of volume regardless of whether it is to be bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than seventy-two (72) hours, whether for repair or not. The term junk shall also mean, but not be limited to, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tires, carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Lien-holder means that person, persons, organization, or corporation that holds the property of a debtor as security or payment for a debt.

Litter means garbage, refuse, waste materials or any other discarded, used or unconsumed substance which is not handled as specified herein.

Local Governing Body means Newberry County Council.

Local Official means the designee(s) of the County Administrator.

Occupant means any person who resides or is present in a house or vehicle at any given time.

Outdoor Storage means the outdoor accumulation or outdoor storage of decaying animal matter, animal or human feces, trash, rubbish, garbage, rotting lumber, packing materials, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tires, carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

Owner means any person, persons, organization, or corporation that owns, in whole or part, the land, structure or other property as the holder of title in fee simple or is the purchaser of the property under contract for deed.

Premises means any building, lot, parcel, real estate, or land or portion of land whether improved or unimproved, occupied or unoccupied, including adjacent parking.

Public Nuisance means any activity or failure to act that adversely affects the public and shall include, but not be limited to, any condition which poses an immediate and direct hazard to human health if left unheeded due to the existence of the condition itself or due to the immediate threat of transmission of disease through insects, animals including rodents, or other means or transmission or infection.

Refuse means trash, garbage, rubbish, waste papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded materials.

Structural Defect means any physical damage to the designated load-bearing elements of the structure caused by failure of such load-bearing elements which affects the load-bearing function to the extent the structure becomes unsafe, unsanitary or unlivable.

Structure as defined by the latest version of the International Building Code as adopted by the State of South Carolina.

Temporary means anything lasting for only a limited period of time; not permanent.

Unsafe means if conditions exist in such dwelling or other structure which are dangerous or injurious to health or safety of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of Newberry County. Such conditions may include the following without limiting the generality of the foregoing: defects increasing the hazards of fire, accidents, or other calamities.

Unsafe Structure means any building or structure which has been determined to be unsafe by the Code Enforcement Officer or Building Official.

§ 157.003 PUBLIC NUISANCES IDENTIFIED.

The creation or maintenance of a public nuisance is prohibited. The following are hereby expressly declared to be public nuisances:

- A. **Garbage, trash or refuse**, except garbage, trash or refuse stored in authorized sealed receptacles specifically designated for trash collection, in an enclosed building or properly contained in a closed, insect and rodent proof container designed for such purpose, except for the immediate time preceding pick up by a refuse hauler.
- B. **Accumulation of carcasses of animals**, birds or fish by failing to bury or otherwise dispose of in a sanitary manner within twenty-four (24) hours after death. This provision shall not apply if the animals, birds, or fish are intended for human consumption.
- C. **Accumulation of rubbish** as to become dangerous or injurious to the health and safety of any individual or to the public.
- D. **Accumulation of junk** matter consisting of a total of more than three cubic yards in volume.
- E. **Noxious and excessive accumulation of decaying animal matter**, animal feces, trash, rubbish, litter, debris, rotting, packing materials, scrap metal, pallets fuel storage containers, tools, tires and wheels, furnaces, home appliances, furniture, plumbing fixtures, construction materials, metal, pipes, glass, machinery, wood, brick, cement block, or any other substances in which flies, mosquitoes, or other disease carrying insects, rodents or other vermin can harbor.
- F. **Improper outdoor use of indoor or non-weather proofed furniture and appliances**, dilapidated or unusable furniture, or upholstered furniture manufactured for indoor use including those which:
 1. Harbors, conceals or invites rodents, pests, or vermin refuse deposits;
 2. Gives off noxious odors; or
 3. Constitutes a fire or other safety hazard.
- G. **Manufactured items intended for indoor use** including but not limited to bedding, cardboard, glass, home goods, etc., which are stored or used outdoors.
- H. **Pools of stagnant water**, or vessels holding standing water, excluding required retention ponds, and excluding pools of stagnant water related to agricultural activities, in which mosquitoes and other insects are breeding and which impact adjoining properties.
- I. **Structures being used for human habitation which do not have working electrical, water and septic/sewer services**. If utilities are not present and/or in working order a structure will be classified as unsafe and uninhabitable.

- J. **All structures determined to be unsafe.** Unsafe structures shall be abated by alteration, repair, rehabilitation, demolition or removal in accordance with the procedures specified herein. **Unsafe dwellings are hereby identified as unsafe structures where:**
1. **It is determined by the Code Enforcement Officer that a structure is in a state of decay, damaged by fire, earthquake, wind or flood, inadequate maintenance, dilapidation, abandonment or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public or adjoining property;**
 2. **Defects in the structure increase the hazard risk of fire, accidents or calamities;**
 3. The structure contains **filth or contamination;**
 4. There is a **lack of ventilation, light, sanitary or heating facilities** or other essential equipment required by codes adopted by Newberry County;
 5. **The structure provides a harbor for rodents, pests, stray animals, or persons engaged in controlled substance or sale;**
 6. **A structure has been abandoned so as to make such structure an attractive nuisance** or hazard to the public; or
 7. Other conditions rendering such dwelling unsafe or unsanitary, dangerous or detrimental to the health, safety, or morals or otherwise detrimental to the welfare of the residents.

The enumeration of specific nuisances in this Ordinance shall not be deemed to make lawful any other act or condition declared to be a nuisance by any other County ordinance, state or federal law, or court decision.

§ 157.004 GENERAL REQUIREMENTS.

- A. Requirements for Occupied or Unoccupied Property. It is unlawful for any person, firm, or corporation to maintain or to permit to be maintained any premises including vacant lots or land upon which trash, garbage, insect-harboring stagnant water, or other matter detrimental to good health and public sanitation is permitted or caused to accumulate in any manner that is or may become a nuisance causing injury or sickness to the health or welfare of residents or the public in the vicinity of, or causing injury to, any neighboring property.
- B. **Requirements for Residential Dwellings.** The owner of the property shall maintain the dwelling's interior and exterior in compliance with the requirements of the Building Code that was adopted at the time of the completion of the dwelling. If any repairs or updates are needed and require a permit, the work must be completed to meet the current adopted building code. The owner shall be responsible for maintaining all inhabited and vacant

dwellings in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health and/or safety. This includes, but is not limited to, holes in roofs, openings in windows, walls or doors, unsecured structures, and foundational and structural concerns.

- C. Requirements for Owners. Regardless of who created the public nuisance, the property owner and/or the occupant is responsible for taking all corrective actions to remedy the situation.
- D. Requirements for Exterior Structures. For purposes of this section, these standards apply to any portion of the property that is not within the interior of a dwelling or other enclosed structure. Unless completely enclosed, porches, balconies, decks, carports, or other similar structures shall be included within this standard. Temporary materials cannot be used to enclose a structure.
- E. Requirements for Other Structures. Pools, walls, fences and other accessory structures shall be considered a structure.

§ 157.005 EXCEPTIONS.

- A. This chapter shall not apply to structures that are actively used for legal agricultural purposes or forestry operations, including but not limited to, barns, sheds, and storage buildings, which are not utilized as a dwelling for human habitation. No accumulation of waste, debris, or junk defined in this ordinance is allowed in the setback areas adjacent to a residence as defined in the Newberry County Zoning Ordinance. Structures designed for or related to agricultural and forestry operations, including but not limited to barns, sheds, and storage buildings, that are not utilized as a dwelling for human habitation are exempt from this Chapter.
- B. This chapter shall not apply to agricultural activities.
- C. This chapter shall not apply to a business that is permitted by the Zoning Ordinance of Newberry County, or is a legally nonconforming use allowed by the Zoning Ordinance of Newberry County, where such activities listed above are a normal and customary activity associated with that business. In the case of outside storage in conjunction with a business, the materials in question must be screened from the public rights-of-way and from any adjacent residential property.

§ 157.006 AUTHORITY.

Any local official designated by the County Administrator is authorized to determine that a structure is unfit for human habitation if found that conditions exist where the structure is dangerous or injurious to the health and safety of the occupants of such structure or the occupants of neighboring structures. Such conditions may include, but are not limited to, defects therein increasing the hazards of fire, accident or other calamities; dilapidation; disrepair; structural defects; uncleanliness; and other standards described herein.

An aggrieved property owner or occupant may enter into a correction agreement process as outlined in §157.015 or request review of the matter by the Newberry County Building, Fire and Nuisance Codes Board of Appeals in accordance with §157.011.

PROCEDURE

§ 157.007 NUISANCE IDENTIFICATION.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written or verbal complaint. Such complaint stating fully the causes and basis thereof, shall be filed with the **Code Enforcement Officer**. The Code Enforcement Officer shall record the complaint properly, investigate promptly, and take action thereon as provided by this Ordinance. To protect the privacy of individuals, such complaints can be anonymous.

§ 157.008 NOTIFICATION.

Upon investigating a complaint of possible violation, and determination of violation of this Ordinance, the Code Enforcement Officer shall serve a notice of violation. Notices of violations or orders hereunder shall be deemed to be properly served to the owner or occupant if a copy thereof is:

- A. Delivered personally;
- B. Sent by first class mail addressed to the last known address whose address is maintained by Newberry County Tax Assessor; or
- C. A copy thereof posted in a conspicuous place on the lot affected or on or about the structure affected by such notice.

For purposes of notice of violation to properties with more than one owner, notice shall be made to the owner of record whose name and address is maintained by the Newberry County Tax Assessor. Co-owners jointly and severally are liable for the upkeep and maintenance of the property. Such notices of violations shall:

- A. Be in writing;
- B. Include property location by street address and Tax Map Number for the parcel;
- C. Date of inspection where the violation was determined;
- D. Specific orders for abatement or remediation of the violation; and
- E. A date for completion of the abatement not to exceed seven (7) calendar days following notification.

The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this article.

The Building Official or Code Enforcement Officer shall post at each entrance of the designated unsafe structure a notice to read: "DANGER – THIS BUILDING IS DECLARED UNSAFE FOR HUMAN OCCUPANCY."

Such notice shall remain posted until the required repairs, demolition or removal is completed. Such notice shall not be removed without written permission of the Building Official or Code Enforcement Officer except for the purpose of making required repairs or demolition of the building.

Notwithstanding any other provision of this article, any building or structure that has been determined to be an immediate danger to life, health, safety or property shall be abated immediately in order to protect life, health, safety or property. The Building Official or Code Enforcement Officer may take any steps that are necessary to make the structure safe including, but not limited to, demolition of the structure.

§ 157.009 EXTENSION PROCESS.

An extension of time to complete abatement may be granted if justified. Such request must be in writing and be received by the Code Enforcement Officer not later than seven (7) calendar days following notification. The request must contain the reasons for which the extension is necessary and contain the specific length of time requested.

§ 157.010 TIMEFRAME FOR ABATEMENT.

All required work shall be completed within such period of time as the Code Enforcement Officer shall determine to be reasonable to accomplish the work, as stated in the notice. If a building or demolition permit is required, such permit shall be obtained by the owner or their designee within thirty (30) calendar days of written notice.

§ 157.011 APPEALS.

An appeal may be requested by the owner where demolition is required. Appeals may be made to the Newberry County Building, Fire and Nuisance Codes Board of Appeals by such person. The board will consider the appeal, evaluate the determination made by the Code Enforcement Officer, and then render a decision either sustaining, modifying or reversing the demolition order. The board shall not levy fines or penalties on the property or owner/occupant or amend the standards of this ordinance.

§ 157.012 PENALTIES.

Any person deemed to be in violation of this Ordinance after having received a nuisance notification with an established timeframe for abatement shall be issued a citation charging such person(s) with a misdemeanor. A guilty plea or judgement by the Newberry County Magistrate's Office shall be punishable by a fine of no more than five hundred dollars (\$500) unless otherwise noted in this ordinance. Each day such violation continues after due notice to discontinue such violations shall be considered a separate offense. In addition, the Code Enforcement Officer or other appropriate administrative official, may in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an ordinance summons, or institute

injunction, mandamus, or take any other appropriate actions or proceedings required to enforce this Ordinance.

§ 157.013 PUBLIC ABATEMENT PROCESS.

In the event that any owner or occupant of any lot or premises upon which there is a condition described in this ordinance fails to remedy the condition within the agreed upon timeframe, the County may, in its own discretion, do such work and make improvements, or contract with an authorized third-party, as is necessary to correct, remedy, or remove such condition or cause the same to be done, paid therefor and charge the expenses incurred thereby to any and all owners of such lot, in joint and severable liability for any and all expenses incurred. Such work shall not relieve such person from prosecution or failure to comply with such notice. Such expenses shall be assessed against the lot or real estate upon which the work was done, or the improvements made through a lien on property which shall be added to and collected in the same manner as property taxes.

§ 157.014 RECURRENT VIOLATIONS.

Any violation of any provision of this Ordinance or of any ordinance for which proper notice of violation has been provided pursuant to the applicable code section or ordinance which reoccurs, at the same location while under the same ownership, within the same calendar year of the previous notice, shall constitute a repeat violation. The occurrence of a repeat violation shall waive the county's requirement to provide a notice of violation and an abatement period, if applicable, prior to issuance of an Ordinance Summons.

§ 157.015 CORRECTION AGREEMENT.

Upon determination that an unsafe structure or other nuisance exists and notice of violation is provided to the property owner, such owner(s) may enter into a correction agreement with the County. Such correction agreement shall identify such person(s) responsible for the property and their agreement to promptly take all reasonable actions, which shall be set forth in the agreement, to mitigate the nuisance within a specified time and according to specified conditions. The County may give consideration to many factors when entering into a correction agreement with owners including, but not limited to, financial hardship. A correction agreement must be requested by the owner following the issuance of a notice of violation. The county must be in receipt of such request prior to the expiration of the abatement period specified in the notice of violation and prior to the issuance of a summons to appear in court. If the nuisance is not abated in accordance with the conditions of the correction agreement, a citation shall be issued as outlined in §157.012.

§ 157.016. CONFLICT/SEVERABILITY.

If any provision of any ordinance of the county is clearly in conflict with the provisions of this chapter, this chapter shall apply. Whenever the provisions of any other statute require more restrictive standards than are required by this ordinance, the provisions of such statute shall govern. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence,

clause or phrase of this ordinance. In any case where any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any structure or land is used in violation of this Ordinance, or regulations in furtherance hereof, the County Administrator, County Attorney, Zoning Administrator, Building Official, or any person aggrieved may, in addition to other remedies provided by law, institute injunction, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use. Such violations shall constitute a misdemeanor. The owner of any building, structure, premise, or part thereof, and any occupant, architect, surveyor, builder, engineer, contractor, agent, or other person, who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and be subject to the penalties herein provided. Nothing in this ordinance shall prevent the County from taking such other lawful action as is necessary to prevent or remedy any violation.

NEWBERRY COUNTY COUNCIL

(SEAL)

BY: _____
Todd Johnson, Chairman

ATTEST:

Andrew Wigger, Clerk to Council

Approved as to form:

Joanie Winters, Interim County Attorney

Jeff Shacker, County Administrator

1st Reading: April 17, 2024
2nd Reading: May 1, 2024
Public Hearing: May 1, 2024
3rd Reading: May 15, 2024

Newberry County Council, as required by law, for consideration of its actions by
Newberry County Council.

WHEREAS, Newberry County Council is familiar with the site and the existing
uses of the properties located at 13044 SC Highway 121, Newberry.

NOW, THEREFORE, Newberry County Council makes the following findings
of fact and law as to the merits of the rezoning request concerning Tax Map No. 336-3
totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121,
Newberry as more particularly shown on the plat accompanying the submitted “Official
Zoning Map Amendment Application” included in the submitted Planning Commission
report attached hereto, IND-Industrial from GC-General Commercial.

A. That the proposed map amendment does promote the implementation of
the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be
accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by
the change in zoning.

NOW, THEREFORE, BE IT ORDAINED that:

Newberry County Council hereby determines, based on the findings set forth above, that
the attached rezoning request for a map amendment for Tax Map No. 336-3, totaling
eleven and seventy hundredths (11.70) acres real estate parcel as acted on by the Planning
Commission, be:

_____ disapproved;

_____ approved; or

_____ approved with the following modifications: _____

AND IT IS SO ORDAINED by Newberry County Council this _____ day of _____, 2024 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Todd Johnson, Chairman

Attest:

Andrew Wigger, Clerk to Council

1st reading: _____
2nd reading: _____
Public Hearing: _____
3rd reading: _____

Reviewed and approved as to form:

Attorney

County Administrator



**Newberry County
Administration**
1309 College Street
Newberry, SC 29108
803-321-2100

Agenda Briefing

Prepared By: Katie Werts	Title: Director of Planning & Development
Department: Planning & Zoning	Division: Zoning
Date Prepared: March 20, 2024	Meeting Date: March 19 th & April 16 th
Legal Review:	Date:
Budget Review: N/A	Date: N/A
Approved for Consideration: Joint Planning Commission	Date: March 19, 2024
Request Consideration by Committee / County Council: County Council	
Subject: MA02-03-19-24 Rezoning Ordinance: #05-01-2024	

STAFF'S RECOMMENDED ACTION:

This ordinance is for the request to rezone one (1) real estate property totaling eleven and seventy hundredths (11.7) acres at 13044 SC Highway 121, Newberry, from GC-General Commercial to IND-Industrial for the use of an asphalt plant. The future land use map of the comprehensive plan has identified this property to be within the development overlay. The rezoning to IND-Industrial does fit within the definition of the development overlay. The Planning staff does recommend this rezoning. The Joint Planning Commission voted to approve the rezoning also.

FIDUCIARY:

Are Funds allocated in the department's current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

N/A

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

SUMMARY DISCUSSION:

This ordinance is for the request to rezone one (1) property totaling eleven seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry, from GC-General Commercial to IND-Industrial.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

Planning Commission Staff Report

Ordinance No. 05-01-2024



Newberry County

Planning Commission Staff Report

Request: Rezoning request MA02-03-19-24 by property owner's agent Reeves Construction Company. This request is to rezone one (1) property totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry, from GC-General Commercial to IND-Industrial.

Application Number: MA02-03-19-24

Applicant/Property Owner: Reeves Construction Company

Location Address: 13044 SC Highway 121, Newberry

Tax Map Number(s): 336-3

Lot Size: 11.70 acres

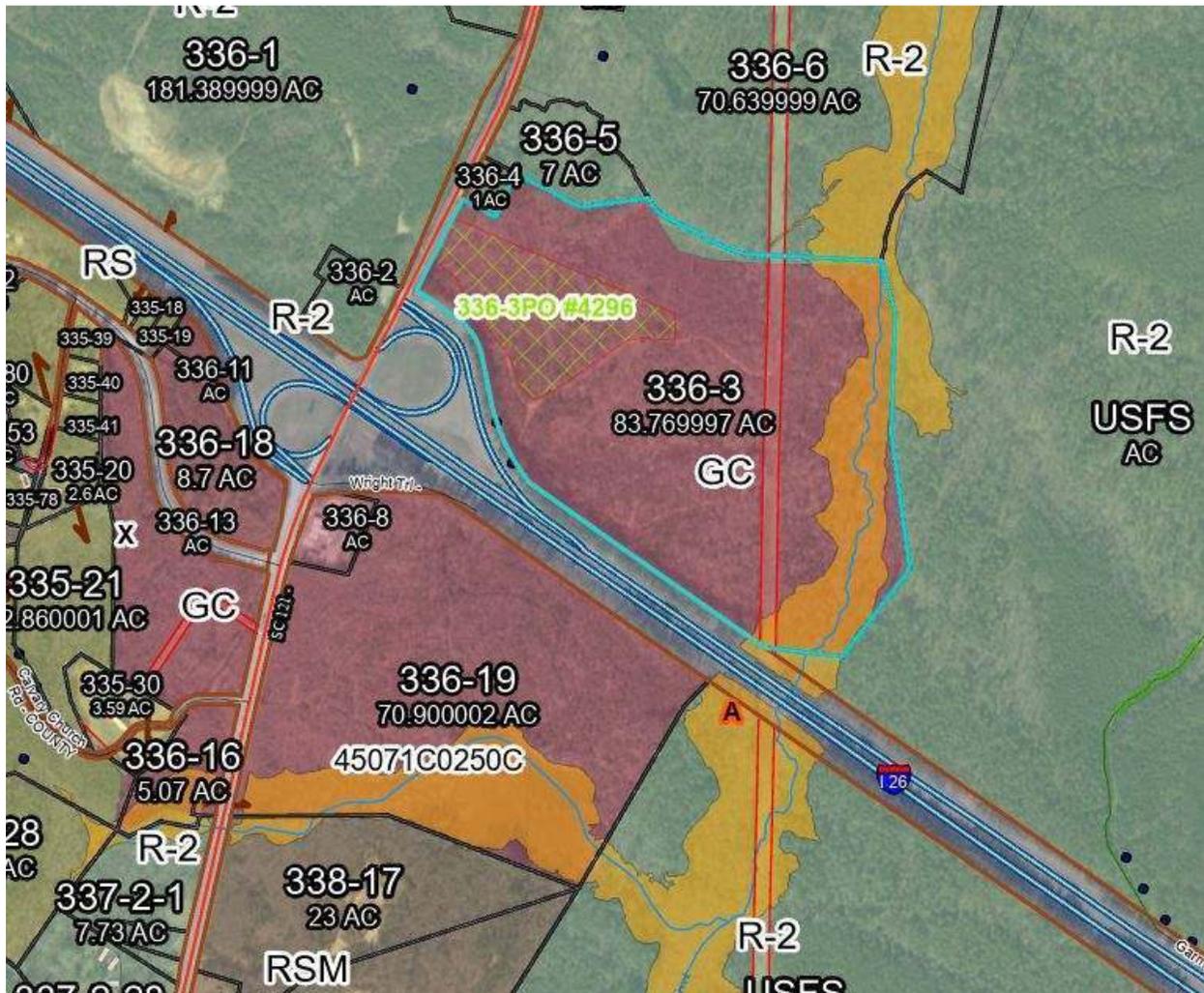
Current Land Use: Vacant

Proposed Land Use: Asphalt Plant

Current Zoning District: CG-General Commercial

Proposed Zoning District: IND-Industrial

Comprehensive Plan Designation: Development

Zoning Map:**Current Zoning District**

GC – General Commercial: The GC district is intended to accommodate a variety of general commercial and non-residential uses characterized primarily by retail, including shopping centers; wholesale; offices; educational institutions; healthcare, including hospitals; arts and entertainment; and service establishments in commercially-oriented areas.

Proposed Zoning District

IND – Industrial: IND district is established to accommodate a wide variety of industrial uses involving research, manufacturing, processing, assembly, warehouses, and mining.

Future Land Use Map:**Future Land Use Definition**

Development (DEV) - Land areas that include more intensive uses such as commercial, industrial, public, and institutional, service, and higher density residential, as well as related infrastructure. Areas identified as Development generally link the more developed areas of the County to each other and beyond to neighboring counties and the greater Columbia metropolitan region. These areas either already are, or have the potential to become, economic development centers, primarily because of proximity to major transportation corridors and existing water and sewer. Existing residential developments and individual residences located within DEV areas provide options for residents to shorten the distance between work and home. Access to regional transportation routes and to existing water and sewer facilities will continue to make these Development areas attractive for a wide range of uses including commercial and industrial development, public and institutional uses, and higher density residential development.

Analysis:

This is a request by property owner's agent Reeves Construction Company to rezone one (1) parcel of land totaling eleven and seventy hundredths (11.70) acres located at 13044 SC Highway 121, Newberry from GC-General Commercial to IND-Industrial. The proposed use of this property is for an asphalt plant.

The Comprehensive Plan identifies this property and the surrounding area as Development.

When considering a rezoning, per Title 6, Chapter 29 of the Code of Laws of South Carolina, the decision of the Planning Commission serves as a recommendation and is forwarded to County Council for review and approval.

Recommendations:

Staff: Staff recommends the rezoning to IND-Industrial

Planning Commission: Planning Commission recommends the rezoning to IND-Industrial.

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

ORDINANCE NO. 05-03-2024

AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, AND ENDING JUNE 30, 2025, FOR THE NEWBERRY COUNTY BUDGET FOR COUNTY ORDINARY PURPOSES AND FOR OTHER COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX AND RECEIVE REVENUES; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL PROPERTY IN NEWBERRY COUNTY FOR ALL COUNTY PURPOSES, INCLUDING SUFFICIENT TAX TO PAY THE PRINCIPAL AND INTEREST ON OUTSTANDING INDEBTEDNESS OF NEWBERRY COUNTY PAYABLE DURING SAID FISCAL YEAR; TO PROVIDE FOR MATTERS RELATING TO NEWBERRY COUNTY; AND TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES RECEIVED BY THE COUNTY DURING SAID FISCAL YEAR, AND TO PROVIDE FOR BORROWING IN ANTICIPATION OF TAX COLLECTIONS BY THE ISSUANCE OF ONE OR MORE TAX ANTICIPATION NOTES, IF NECESSARY.

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, BE IT ENACTED by the County Council for Newberry County:

SECTION I. LEVYING OF A SUFFICIENT TAX

The Newberry County Auditor is hereby authorized to levy a property tax of 137.0 mills to pay for appropriations provided in the Newberry County Budget, hereinafter made for the fiscal year beginning July 1, 2024, and ending June 30, 2025, after crediting against appropriations all other revenue anticipated to accrue to Newberry County during said fiscal year and not earmarked for specific purposes, upon all the taxable property of Newberry County for County purposes as follows:

- (1) A general operating tax rate of at least 128.6 mills shall be levied by the Newberry County Auditor to meet all County General Fund appropriations directed by this Ordinance, except as provided for by other revenue sources, for the operation of County Government for the Fiscal Year beginning July 1, 2024 through June 30, 2025;
- (2) A community services tax rate not exceeding 6.2-mills shall be levied by the Newberry County Auditor to meet all Community Services Fund appropriations provided by this Ordinance; and
- (3) A debt service tax rate not exceeding 2.2-mills shall be levied by the Newberry County Auditor to meet all Debt Service Fund appropriations provided by this Ordinance as determined by Newberry County Auditor.

SECTION II. GENERAL FUND REVENUES AND EXPENDITURES

There is hereby appropriated with provisos, as attached hereto and as stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
<u>PROPERTY TAXES</u>	
CURRENT REAL ESTATE TAXES	\$ 18,726,811
VEHICLE TAXES	\$ 2,737,383
WATERCRAFT TAXES	\$ 586,919
HOMESTEAD EXEMPTION	\$ 986,924
MANUFACTURERS REIMBURSEMENT	\$ 442,774
DELINQUENT REAL ESTATE TAXES	\$ 595,285
MERCHANTS INVENTORY	\$ 85,149
FEE IN LIEU OF TAXES (FILOT)	\$ 1,451,314
MOTOR CARRIER IN LIEU	<u>\$ 303,054</u>
	PROPERTY TAXES: \$ 25,915,613
 <u>LICENSES AND PERMITS</u>	
FRANCHISE FEES	\$ 19,134
BUILDING INSPECTION – FEES/PERMITS	\$ 600,000
ZONING – FEES/PERMITS	<u>\$ 60,000</u>
	LICENSES AND PERMITS: \$ 679,134
 <u>INTERGOVERNMENTAL</u>	
LOCAL GOVERNMENT FUND	\$ 1,734,389
RURAL STABILIZATION FUND	\$ 392,690
TRANSFER FROM STATE ACCOMMODATIONS TAX FUND	\$ 29,620
VETERANS AFFAIRS	\$ 4,448
SALARY SUPPLEMENT (ELECTED OFFICIALS)	\$ 60,000
NATIONAL FORESTRY FUNDS	\$ 130,000
VC SUMMER / SC EMERGENCY MANAGEMENT GRANT	\$ 338,924
TRIBAL FUNDS	\$ -
ARPA FUNDS	\$ 4,692,617
CHILD FATALITY FUNDS	<u>\$ 34,000</u>
	INTERGOVERNMENTAL: \$ 7,416,688
 <u>CHARGES FOR SERVICES</u>	
CLERK OF COURT – TITLE IV-D	\$ 95,000
DELINQUENT TAX COST	\$ 100,000
SCHOOL RESOURCE OFFICERS - NCSD	\$ 491,885

SCHOOL RESOURCE OFFICERS - STATE	\$ 383,042
SHERIFF - FEES	\$ 2,300
SALE OF PIPE	\$ -
ANIMAL CONTROL - OTHER	\$ 4,500
ANIMAL CONTROL - ADOPTIONS	\$ 14,000
ANIMAL CONTROL - SPAY-NEUTER PROJECT	\$ 14,000
SOLID WASTE - TIPPING FEES	<u>\$ 2,270,481</u>

CHARGES FOR SERVICES: \$ 3,375,208

FINES

CENTRAL COURT - FEES AND FINES	\$ 400,000
PROBATE JUDGE - FEES	\$ 105,000
CLERK OF COURT - CONVEYANCE FEES	\$ 150,000
CLERK OF COURT - FEES AND FINES	<u>\$ 140,000</u>

FINES: \$ 795,000

INTEREST

INTEREST	<u>\$ 700,000</u>
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INTEREST: \$ 700,000

MISCELLANEOUS

RETURNED CHECK CHARGES	\$ 300
WESTVIEW - PHONE REIMBURSEMENT	\$ 1,500
SOLICITOR'S BAD CHECK PROGRAM	\$ -
DEPT OF JUVENILE JUSTICE - PHONE REIMBURSEMENT	\$ 1,000
DELINQUENT TAX SALE PROCEEDS	\$ 900
OTHER	\$ 75,000
TREASURER'S DECALS	\$ 33,300
UTILITIES / RENT ONE STOP	\$ 12,000
REGISTRATION AND ELECTIONS	\$ 42,000
COUNTY SURPLUS SALE	\$ 25,000
RECYCLING REVENUE	\$ 30,000
SOLID WASTE - TIRES	\$ 42,000
SHERIFF - OTHER	\$ 4,500
SHERIFF - FORESTRY	\$ 6,600
LAW ENFORCEMENT SERVICES - REIMBURSEMENT	\$ 80,000
ASSESSORS - COPIES	\$ 50
ASSESSORS - GIS	\$ 200
CORONER - OTHER	\$ 7,500
MOBILE HOME LICENSES	\$ 1,162
CLERK OF COURT - COPIES	\$ 30,000
PROBATE - COPIES	\$ 3,400

SPECIAL LICENSE PLATES	\$	10,000
SOIL AND WATER CONSERVATION	\$	58,613
FORFEITED LAND COMMISSION	\$	-
COMMERCIAL YARD CLEARING DEBRIS	\$	2,380
FOX BRIAR - SPECIAL TAX DISTRICT	\$	5,100
GLADE SPRINGS ROAD - SPECIAL TAX DISTRICT	\$	4,000
JB FULMER COURT - SPECIAL TAX DISTRICT	\$	2,000
DHEC PHONE	\$	800
ENERGY EFFICIENCY CONSERVATION BLOCK GRANT	\$	<u>75,000</u>

MISCELLANEOUS: \$ 554,305

USE OF FUND BALANCE: \$ 1,089,434

TOTAL GENERAL FUND REVENUE: \$ 40,525,382

EXPENDITURES

AMOUNT

LEGISLATIVE

COUNTY COUNCIL	\$	465,214
LEGALS	\$	<u>120,000</u>

LEGISLATIVE: \$ 585,214

ADMINISTRATIVE

COUNTY ADMINISTRATOR	\$	1,185,023
NON DEPARTMENTAL	\$	4,737,788
INFORMATION TECHNOLOGY	\$	454,236
DEBT SERVICE	\$	<u>883,003</u>

ADMINISTRATIVE: \$ 7,260,050

TAX ASSESSMENT AND COLLECTION

TREASURER	\$	594,051
AUDITOR	\$	483,478
ASSESSOR	\$	892,095
TAX REVIEW & APPEALS BOARD	\$	7,200
DELINQUENT TAX	\$	182,732
GIS	\$	<u>192,995</u>

TAX ASSESSMENT AND COLLECTION: \$ 2,352,551

ELECTION AND REGISTRATION

REGISTRATION-ELECTION \$ 318,224

ELECTION AND REGISTRATION:\$ 318,224

ADMINISTRATION OF JUSTICE

CIVIL AND CRIMINAL COURT \$ 77,810
SOLICITOR \$ 134,055
CLERK OF COURT \$ 652,325
FAMILY COURT \$ 230,176
PROBATE COURT \$ 363,685
PROBATION PARDON AND PAROLE \$ 1,050
PUBLIC DEFENDER \$ 112,200
CORONER \$ 282,191
CENTRAL COURT \$ 690,059

ADMINISTRATION OF JUSTICE: \$ 2,543,551

LAW ENFORCEMENT AND DETENTION

SHERIFF \$ 5,255,594
SCHOOL RESOURCE OFFICERS - NCSD \$ 491,885
SCHOOL RESOURCE OFFICERS - STATE \$ 383,042
CORRECTIONS \$ 2,814,281
ANIMAL CONTROL \$ 486,039

LAW ENFORCEMENT AND DETENTION: \$ 9,430,841

PUBLIC SAFETY

EMERGENCY SERVICES \$ 492,249
COMMUNICATIONS \$ 1,572,800
BOARD OF RESCUE SQUADS \$ 410,578
HAZ MAT \$ 19,508
BOARD OF RURAL FIRE CONTROL \$ 2,156,890
EMS \$ 1,916,235

PUBLIC SAFETY: \$ 6,568,260

PUBLIC WORKS AND MAINTENANCE

PUBLIC WORKS \$ 2,041,358
FOX BRIAR - SPECIAL TAX DISTRICT \$ 4,500
GLADE SPRINGS ROAD - SPECIAL TAX DISTRICT \$ 1,500
J.B. FULMER COURT - SPECIAL TAX DISTRICT \$ 2,000
COLLECTIONS \$ 1,078,219
TRANSFER STATION \$ 2,820,707
FLEET SERVICES \$ 606,374
FACILITIES MANAGEMENT \$ 2,181,178

COMMUNITY HALL	\$ 16,000
EMERGENCY SERVICES TRAINING GROUND	\$ 205,816
HELENA COMMUNITY CENTER	\$ <u>6,200</u>

PUBLIC WORKS AND MAINTENANCE: \$ 8,963,852

PLANNING AND DEVELOPMENT

CENTRAL MIDLANDS REGION COG	\$ 23,681
ECONOMIC DEVELOPMENT	\$ 405,197
SMALL BUSINESS DEVELOPMENT CENTER	\$ 5,500
BUILDING AND ZONING	\$ <u>818,322</u>

PLANNING AND DEVELOPMENT: \$ 1,252,700

AGRICULTURE & HOME ECONOMICS

CLEMSON EXTENSION	\$ 31,350
SOIL AND WATER CONSERVATION DISTRICT	\$ <u>121,476</u>

AGRICULTURE & HOME ECONOMICS: \$ 152,826

PUBLIC HEALTH

HEALTH DEPARTMENT	\$ 2,805
BECKMAN MENTAL HEALTH	\$ 14,025
WESTVIEW BEHAVIORAL	\$ 1,500
NEWBERRY FREE MEDICAL CLINIC	\$ <u>5,500</u>

PUBLIC HEALTH: \$ 23,830

SOCIAL SERVICES

DEPARTMENT OF SOCIAL SERVICES	\$ 79,550
VETERANS AFFAIRS	\$ 222,674
COUNCIL ON AGING	\$ 60,000
PATHWAY TO HEALING	\$ 4,250
SISTERCARE, INC.	\$ 2,295
NEWBERRY COUNTY LITERACY	\$ 7,000
THE NEWBERRY MUSEUM	\$ 50,000
NEWBERRY OPERA HOUSE	\$ <u>25,000</u>

SOCIAL SERVICES: \$ 450,769

MISCELLANEOUS

AIRPORT	\$ 21,769
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GOVERNMENTAL ASSOCIATION	\$	400
SC ASSOCIATION OF COUNTIES	\$	9,200
NATIONAL ASSOCIATION OF COUNTIES	\$	800
NEWBERRY COUNTY CHAMBER OF COMMERCE	\$	200
MEDICALLY INDIGENT	\$	55,000
RECREATION	\$	280,595
MAYBINTON BALLPARK	\$	<u>1,250</u>

MISCELLANEOUS: \$ 369,214

CONTINGENCY

CONTINGENCY	\$	<u>253,500</u>
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CONTINGENCY: \$ 253,500

TOTAL GENERAL FUND EXPENDITURES: \$ 40,525,382

SECTION III. SPECIAL REVENUE FUND REVENUES AND EXPENDITURES

There is hereby appropriated with provisos, as attached hereto and as stated in the County Operating and Capital Budgets for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

VICTIMS ASSISTANCE FUND

<u>REVENUES</u>		<u>AMOUNT</u>
VICTIMS ADVOCATE	\$	70,762
USE OF VICTIMS ASST FUND BALANCE	\$	<u>65,579</u>

REVENUE: \$ 136,341

<u>EXPENDITURES</u>		<u>AMOUNT</u>
PERSONNEL	\$	36,938
SOCIAL SECURITY	\$	2,826
RETIREMENT	\$	7,846
INSURANCE	\$	14,410
WORKERS COMPENSATION	\$	971
MEMBERSHIPS & DUES	\$	550
OFFICE EXPENSE	\$	2,000
TELEPHONE	\$	500
TRAINING	\$	1,000
TRAVEL	\$	2,800
SUBSISTENCE	\$	4,000
UNIFORMS	\$	2,500
CAPITAL OUTLAY	\$	<u>60,000</u>

EXPENDITURES: \$ 136,341

SEX OFFENDERS FUND

<u>REVENUES</u>	<u>AMOUNT</u>
SEX OFFENDER REGISTRY PROGRAM	\$ 6,224
USE OF SEX OFFENDERS FUND BALANCE	<u>\$ 7,776</u>
	REVENUE: \$ 14,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
SEX OFFENDERS REGISTRY	\$ 7,000
OFFICE EXPENSE	\$ 2,000
CAPITAL REPLACEMENT	<u>\$ 5,000</u>
	EXPENDITURES: \$ 14,000

JAIL FEES FUND

<u>REVENUES</u>	<u>AMOUNT</u>
INMATE USER FEES COLLECTED	\$ 63,572
USE OF JAIL FEES FUND BALANCE	<u>\$ 71,028</u>
	REVENUE: \$ 134,600

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTRACTED MAINTENANCE	\$ 10,000
MEMBERSHIPS & DUES	\$ 1,200
OFFICE EXPENSE	\$ 10,000
PRINTING	\$ 2,500
TRAINING	\$ 600
TRAVEL	\$ 4,900
SUBSISTENCE	\$ 400
CAPITAL OUTLAY	\$ 65,000
CLEANING SUPPLIES	\$ 10,000
UNIFORMS	\$ 15,000
OTHER EQUIPMENT	<u>\$ 15,000</u>
	EXPENDITURES: \$ 134,600

BOARD OF RESCUE SQUADS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
EMS GRANT	\$ <u>24,000</u>
	REVENUE: \$ 24,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CAPITAL OUTLAY - GRANTS	\$ <u>24,000</u>
	EXPENDITURES: \$ 24,000

PUBLIC WORKS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
C-FUNDS – NEWBERRY CTC	\$ <u>600,000</u>
	REVENUE: \$ 600,000

<u>EXPENDITURES</u>	<u>AMOUNT</u>
ROAD PAVING, LAND IMPROVEMENT	\$ <u>600,000</u>
	EXPENDITURES: \$ 600,000

COLLECTIONS GRANT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
DHEC RECYCLING GRANT	\$ <u>38,814</u>
	REVENUE: \$ 38,814

<u>EXPENDITURES</u>	<u>AMOUNT</u>
OTHER EQUIPMENT	\$ <u>38,814</u>
	EXPENDITURES: \$ 38,814

E911 EMERGENCY TELEPHONE REPORTING FUND

<u>REVENUES</u>	<u>AMOUNT</u>
ANTICIPATED SERVICE CHARGES	\$ 327,671
USE OF E911 TELEPHONE FUND BALANCE	\$ <u>6,547</u>
	REVENUE: \$ 334,218

<u>EXPENDITURES</u>	<u>AMOUNT</u>
PERSONNEL	\$ 77,681
SOCIAL SECURITY	\$ 5,943
RETIREMENT	\$ 14,418
INSURANCE	\$ 27,093
WORKERS COMPENSATION	\$ 183
CONTRACTED MAINTENANCE	\$ 35,000
MEMBERSHIPS & DUES	\$ 600
OFFICE EXPENSE	\$ 3,000
POSTAGE	\$ 150
PRINTING	\$ 500
TELEPHONE	\$ 1,350
911 SUBSCRIBER DATABASE	\$ 150,000
TRAINING	\$ 4,000
TRAVEL	\$ 3,600
SUBSISTENCE	\$ 700
OTHER EQUIPMENT	\$ <u>10,000</u>
	EXPENDITURES: \$ 334,218

NEWBERRY COUNTY AIRPORT FUND

<u>REVENUES</u>	<u>AMOUNT</u>
AIRPORT HANGAR RENTAL	\$ 25,990
SALES OF AVIATION FUEL	\$ 87,000
FAA ENTITLEMENT GRANT	\$ 235,375
SC AERONAUTICS COMMISSION	\$ 11,769
TRF FROM GENERAL FUND	\$ <u>21,769</u>
	REVENUE: \$ 381,903

<u>EXPENDITURES</u>	<u>AMOUNT</u>
CONTINGENCY	\$ 10,000

CONTRACTED SERVICES	\$	4,500
CONTRACTED MAINTENANCE	\$	11,060
CONSULTING AND TECHNICAL FEES	\$	3,000
UTILITIES	\$	8,000
INSURANCE COUNTY BUILDINGS	\$	6,311
MEMBERSHIPS & DUES	\$	650
OFFICE EXPENSE	\$	500
SUPPLIES	\$	3,000
REPAIRS EQUIPMENT	\$	5,000
TELEPHONE	\$	2,500
TRAVEL	\$	1,850
CHEMICALS	\$	250
FUEL	\$	66,369
DESIGN/ENGINEERING	\$	<u>258,913</u>

EXPENDITURES: \$ 381,903

LYNCH'S WOODS PARK FUND

<u>REVENUES</u>		<u>AMOUNT</u>
RENTAL FEES	\$	18,000
RTP GRANT	\$	44,400
PARD GRANT	\$	38,400
UCF GRANT	\$	60,000
INTEREST EARNINGS	\$	1,000
USE OF LYNCH'S WOODS PARK FUND BALANCE	\$	<u>30,832</u>

REVENUE: \$ 192,632

<u>EXPENDITURES</u>		<u>AMOUNT</u>
PERSONNEL	\$	9,291
SOCIAL SECURITY	\$	711
WORKERS COMPENSATION	\$	289
CONTRACTED MAINTENANCE	\$	800
UTILITIES	\$	200
SUPPLIES	\$	1,000
TRAINING	\$	750
TRAVEL	\$	91
SUBSISTENCE	\$	500
FUEL	\$	500
RTP GRANT EXPENDITURES	\$	55,500
PARD GRANT EXPENDITURES	\$	48,000
UCF GRANT EXPENDITURES	\$	<u>75,000</u>

EXPENDITURES: \$ 192,632

STATE ACCOMMODATIONS TAX FUND

<u>REVENUES</u>	<u>AMOUNT</u>
STATE ACCOMMODATIONS TAX	\$ 110,000
USE OF STATE A-TAX FUND BALANCE	\$ <u>7,400</u>
	REVENUE: \$ 117,400
<u>EXPENDITURES</u>	<u>AMOUNT</u>
TRANSFER TO GENERAL FUND (\$25,000)	\$ 25,000
TRANSFER TO GENERAL FUND (5% OF OVERAGE)	\$ 4,620
ADVERTISING PROMOTIONS (30% OF OVERAGE)	\$ 27,720
TOURISM RELATED (65% OF OVERAGE)	\$ <u>60,060</u>
	EXPENDITURES: \$ 117,400

NOTE: EXPENDITURES AS PER BUDGET PROVISOS AND SECTION 6-4-20 OF THE CODE OF LAWS OF SC. AS AMENDED, 1976

COMMUNITY SERVICES FUND

<u>REVENUES</u>	<u>AMOUNT</u>
TRANSFER FROM GENERAL FUND	\$ <u>1,191,965</u>
	REVENUE: \$ 1,191,965
<u>EXPENDITURES</u>	<u>AMOUNT</u>
NEWBERRY COUNTY LIBRARY	\$ 596,282
NEWBERRY COUNTY DISABILITIES AND SPECIAL NEEDS	\$ 44,303
PIEDMONT TECHNICAL COLLEGE	\$ <u>551,380</u>
	EXPENDITURES: \$ 1,191,965

SECTION IV: DEBT SERVICE FUND

There is hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
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CURRENT REAL ESTATE TAXES	\$ 305,631
VEHICLE TAXES	\$ 44,675
WATERCRAFT TAXES	\$ 9,579
HOMESTEAD EXEMPTION	\$ 16,107
MANUFACTURERS REIMBURSEMENT	\$ 7,226
DELINQUENT REAL ESTATE TAXES	\$ 23,686
MERCHANTS INVENTORY	\$ 1,390
FEE IN LIEU OF TAXES (FILOT)	\$ 23,686
MOTOR CARRIER IN LIEU	\$ 4,946
USE OF FUND BALANCE	\$ <u>(61,868)</u>

DEBT SERVICE FUND REVENUE: \$ 375,058

<u>EXPENDITURES</u>	<u>AMOUNT</u>
2018 C – GENERAL OBLIGATION BOND	\$ 92,394
2020 A – GENERAL OBLIGATION BOND	\$ 198,870
2020 B – GENERAL OBLIGATION BOND	\$ <u>83,794</u>

DEBT SERVICE FUND EXPENDITURES: \$ 375,058

SECTION V: CAPITAL PROJECTS FUND

There is hereby appropriated for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following sums of money in the amounts and for the purposes set forth as follows:

<u>REVENUES</u>	<u>AMOUNT</u>
<u>CAPITAL PROJECTS</u>	
SC COORDINATING COUNCIL FOR ECON DEV	\$ 2,000,000
SC DEPT OF COMMERCE SITE ENHANCE GRANT	\$ 600,000
UTILITY TAX CREDITS - GRANT	\$ 510,645
CDBG – COMMUNITY DEV BLOCK GRANT	\$ 475,000
C-FUNDS – NEWBERRY CTC	\$ 1,115,019
C-FUNDS – NEWBERRY CTC	\$ <u>11,000</u>

CAPITAL PROJECTS: \$ 4,711,664

CPST PROJECTS (2016)

USE OF FUND BALANCE (2016 CPST)	\$ <u>820,900</u>
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CPST PROJECTS (2016): \$ 820,900

CPST PROJECTS (2022)

CAPITAL PROJECTS SALES TAX	\$ 35,997,130
INTEREST EARNINGS	<u>\$ 275,000</u>

CPST PROJECTS (2022): \$ 36,272,130

TOTAL CAPITAL PROJECTS FUND REVENUE: \$ 36,272,130

EXPENDITURES

AMOUNT

CAPITAL PROJECTS

MAWSON'S WAY ROADWAY	\$ 4,005,664
NEWBERRY IND PARK SOUTH	\$ 11,000
MCCP II - 773 PROJECT	\$ 170,000
WHITMIRE SIDEWALK PROJECT (CDBG)	<u>\$ 525,000</u>

CAPITAL PROJECTS: \$ 4,711,664

CPST PROJECTS (2016)

WHITMIRE TOWN HALL REMODEL	<u>\$ 820,900</u>
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CPST PROJECTS (2016): \$ 820,900

CPST PROJECTS (2022)

COUNTY DETENTION CENTER	\$ 7,870,000
PUBLIC SAFETY COMPLEX	\$ 7,625,000
COURTHOUSE IT IMPROVEMENTS	\$ 295,000
MUSEUM ROOF / HVAC	\$ 815,000
NEWBERRY RECREATION COMPLEX	\$ 3,295,000
PROSPERITY PARK IMPROVEMENTS	\$ 3,045,000
WHITMIRE TOWN GYM	\$ 800,000
POMARIA SCHOOL COMMUNITY CENTER	\$ 646,745
LITTLE MOUNTAIN REUNION PARK	\$ 1,940,825
NCWSA CANNONS CREEK WWTP	\$ 5,154,560
NEWBERRY DOWNTOWN AMPHITHEATER	\$ 3,390,000
GALLMAN PLACE	<u>\$ 1,395,000</u>

CPST PROJECTS (2022): \$ 36,272,130

TOTAL CAPITAL PROJECTS FUND EXPENDITURES: \$ 36,272,130

SECTION VI. TRANSFERRING OF FUNDS

The County Administrator may, if he deems it in the best interest of the County, and within the appropriations provided by this ordinance, transfer funds or any portion thereof from any fund, department, activity, or purpose to another fund, department, activity, or purpose. Neither the Administrator, nor any Department Head, may establish or fund any additional position(s) without the knowledge and consent of the County Council.

SECTION VII. BUDGET PROVISOS

The Budget Provisos attached hereto are incorporated herein by reference and shall be published in the County Operating and Capital Budgets for the Fiscal Year 2024-2025. Unless otherwise directed by this Ordinance, these Provisos shall govern the expenditures made by the County and the conduct of those recipients of such funds with regard to the matters mentioned therein.

SECTION VIII. TAX ANTICIPATION BORROWING

In the event that County Council determines that it is necessary to borrow money in order to meet the operational cash flow needs of the County for this fiscal year until sufficient tax revenues have been collected, the County, as authorized by subsequent Resolution or Resolutions of Newberry County Council, may borrow sufficient funds to meet such operational cash flow needs, by executing one or more tax anticipation notes, in a total amount outstanding not to exceed Four Million (\$4,000,000) dollars, said sums to be repaid on such terms as County Council may negotiate from tax collections for the Fiscal Year 2024-2025, with all amounts borrowed to be repaid prior to the end of such fiscal year.

SECTION IX. SEVERABILITY

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid, it shall not affect the validity of the remainder of this Ordinance or of the remaining phrases, clauses, sentences, paragraphs, appropriations, or sections not affected by such invalidity.

SECTION X. EFFECTIVE DATE

This Ordinance shall become effective when adopted and shall govern the revenues and expenditures for the Fiscal Year 2024-25, which commences on July 1, 2024, including the disposition of funds carried forward from the prior fiscal year, unless otherwise encumbered.

AND IT IS SO ORDAINED by Newberry County Council this 5th day June of 2024, in meeting duly assembled at Newberry, South Carolina.

(SEAL)

NEWBERRY COUNTY COUNCIL

**By: _____
Todd Johnson, Chairman**

Attest:

**_____
Andrew Wigger, Clerk to Council**

Reviewed and approved as to form:

**_____
Joanie Winters, Interim County Attorney**

**FIRST READING: May 1, 2024
SECOND READING: May 15, 2024
PUBLIC HEARING: June 5, 2024
THIRD READING: June 5, 2024**

BUDGET ORDINANCE PROVISOS

FOR FISCAL YEAR 2024-2025

RESCUE SERVICES

PROVIDED that seven (7) rescue squads shall be operated throughout the County and shall provide rescue services to all citizens in the County, under the supervision of the Board of Rescue Squads. These rescue squads may operate ambulances.

PROVIDED FURTHER that each rescue squad shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a complete list of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is provided.

PROVIDED FURTHER that each rescue squad shall report to the Emergency Services Coordinator call data, as to their numbers of call responses, response times, transports made, dates and times of each service provided, and any other criteria necessary for Newberry County to evaluate the provision of rescue services.

PROVIDED FURTHER that each rescue squad shall submit to the Emergency Services Coordinator a roster of all members and the level of training attained by such members. This shall be provided on July 1 of each fiscal year and again on January 1 of each fiscal year, and any changes or updates throughout the year shall be reported in a timely manner.

PROVIDED FURTHER that the Emergency Services Coordinator shall submit annually to the County Administrator a budget request containing proposed rescue squad-related needs for vehicles, equipment, supplies, grant match funding, and construction.

PROVIDED FURTHER that the division of current-year appropriations for capital purchases among rescue squads will be recommended to County Council by the Board of Rescue Squads; Council will consider the Board's recommendations in making the final determination.

FIRE PROTECTION SERVICES

PROVIDED that eleven (11) rural fire departments shall be operated throughout the County under the supervision of the Board of Rural Fire Control and shall provide fire protection services to all citizens of Newberry County utilizing eleven (11) primary locations and any respective sub-stations that may have been established.

PROVIDED FURTHER that each volunteer fire department shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a list of all of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is received.

PROVIDED FURTHER that the County of Newberry will share tax funds collected on a countywide basis with municipal fire departments, pursuant to Section 4-9-30 (5), SC Code of Laws 1976, as amended. The amounts distributed to the municipalities are based on the percentage of taxable basis in the County for the most current tax year, with appropriated proportions and amounts being calculated as follows for (FY23-24) City of Newberry, 17.1% (\$101,889.19) ; Town of Prosperity, 1.87% (\$10,900.04); Town of Whitmire, 1.24% \$6,819.81 This funding will be allocated to the municipalities quarterly, based upon the receipt of tax revenues.

PROVIDED FURTHER that each volunteer fire department shall submit to the Emergency Services Coordinator on July 1 and January 1 of each fiscal year a complete list of its equipment, together with a statement of the values and condition of such equipment. All vehicles, regardless of value, must be listed, and the licensing and insurance status of each must be reported. If this list is not furnished on those dates, funds shall be withheld until this information is provided.

PROVIDED FURTHER that each volunteer fire department shall submit to the Emergency Services Coordinator a roster of all members and the level of training attained by such members. This shall be provided on July 1 of each fiscal year and again on January 1 of each fiscal year, and any changes through the year shall be reported in a timely manner.

PROVIDED FURTHER, that each volunteer fire department shall report to the Emergency Services Coordinator call data as to their numbers of call responses, response times, dates and times of each service provided, and any other criteria necessary for Newberry County to evaluate the services provided to its citizens by the various departments.

EMERGENCY SERVICES – GENERAL

PROVIDED that the Emergency Services Coordinator shall be responsible for coordinating purchases of rescue squad and fire department related vehicles and equipment through the County's central purchasing system, whenever such purchases involve the use of County funding. By a recorded vote, duly assembled, County Council may waive this requirement.

PROVIDED FURTHER that all fire and rescue departments must provide the Newberry County Finance Director with required financial reporting information by January 15 and July 15 of each year. Such information will include statements for all bank and other financial accounts, including those for checking, savings, cash, investment, and certificates of deposit. Each department must also provide reports detailing cash and checks on hand, expenditure receipts, deposit receipts, receipts issued for donations, and all records related to the receipt and expenditure of grant funding/governmental appropriations.

PROVIDED FURTHER that the Emergency Services Coordinator will coordinate maintenance for all fire and rescue equipment and help verify that all vehicles have proper insurance.

PROVIDED FURTHER that when a new fire, rescue or EMS vehicle is purchased, the squad or department receiving the new vehicle must remove from service a vehicle of similar kind, unless otherwise authorized by the County Administrator, upon recommendation by Council's Public Safety and Courts Committee.

PROVIDED FURTHER that the Emergency Services Coordinator will ensure adherence by all fire and rescue departments to training requirements, as well as those requirements pertaining to occupational health and safety.

**APPROPRIATIONS TO COUNTY AND NON-COUNTY
COMMISSIONS, BOARDS AND AGENCIES**

PROVIDED that all agencies, commissions, and boards, whether directly appointed by County Council or not, which receive funds from Newberry County and/or in-kind benefits from the use/operation of County-owned property, shall submit a brief quarterly report demonstrating the entity's benefit to Newberry County. The County may require the use of designated forms for these reports, and for agency funding requests. Such entities must submit an audit report or certified financial statement to the County Administrator's office within six months following the end of the fiscal year. Where entities cannot provide an audit report or certified financial statement, their appropriations may be withheld, or paid directly to vendors selected through the County's central purchasing system.

PROVIDED that the Soil and Water Conservation District must give an update to the Finance Committee.

ACCOMMODATIONS TAX

PROVIDED that accommodations tax revenue shall be allocated as follows: the first \$25,000 shall be deposited into the General Fund and appropriated to the Newberry Opera House; five (5) percent of the balance shall also be deposited into the General Fund; thirty (30) percent of the remaining balance shall be allocated for Tourism Promotion; sixty-five (65) percent of the remaining balance shall be allocated for Tourism Related expenditures.

PROVIDED FURTHER that all these funds shall be kept in a separate fund account.

E911

PROVIDED that funds in this account shall be accounted for separately from any other fund and, as required by State statute, shall not be a part of the General Fund of the County. Unexpended funds are carried forward in a Reserve Fund to be used for E911 purposes as required by law.

DEBT SERVICE

PROVIDED that these funds shall be allocated to pay for the general debt service of the County's bonded indebtedness and other legal debts by the County Treasurer as certified by the County Auditor.

JAIL USER FEE

PROVIDED that this fee is generated from use of the inmate commissary and from a fee assessed to any person being booked into the Newberry County Detention Center.

PROVIDED FURTHER that these funds may be disbursed for special inmate needs, pursuant to state law and the County Ordinance imposing the Detention Center user Jail User Fee.

NON-DEPARTMENTAL

PROVIDED that the County Administrator may approve the use of funding appropriated for non-departmental purposes to meet capital, maintenance, or personnel needs.

GENERAL

PROVIDED that the County shall develop a mission-driven budget and implementation of same that would seek to provide services that are customer-driven, constantly looking for ways to cut cost and increase the quality of services.

PROVIDED FURTHER that monies are appropriated to departments by codes. A department head is hereby authorized to request a transfer of funds between objects of expenditures within their department, on a per-occurrence basis.

PROVIDED FURTHER that transfers pertaining to specific wages and salaries are permitted in accordance with the County's Classification and Compensation Plan.

PROVIDED FURTHER that incentive pay for performance/merit and/or job descriptions amended to include additional duties and responsibilities will be distributed as directed by County Council and within the guidelines of the County's Classification and Compensation Plan.

PROVIDED FURTHER that all line-item transfers within the FY 24-25 Operating and other budgets must be approved by the County Administrator or his designee.

PROVIDED FURTHER that, as information for Council's second monthly meeting each month, the Finance Director will provide a complete listing of all line-item transfers that have occurred in the preceding thirty (30) days.

PROVIDED FURTHER that actual miles traveled and submitted by County employees on the appropriate travel voucher shall be reimbursed at the same rate established by the Internal Revenue Service for federal employees.

PROVIDED FURTHER that, unless otherwise approved by Council, the per diem allowance for meals for County personnel traveling on official County business shall be fixed at the following rates, which are based on the Meals & Incidentals (M&IE) rates of the U.S. General Services Administration in effect on July 1, 2024, averaged for destinations of travel within South Carolina and rounded up to the nearest dollar:

Breakfast	Lunch	Dinner	Incidental Expenses	M&EI Total	First & Last Day of Travel
\$16	\$17	\$31	\$5	\$69	\$52

Personnel staying for a period of 24 hours or more shall be paid on the per diem rate less any meals that may be provided as a part of the conference/meeting. Meeting/Conference agenda must be attached to reimbursement request. Receipts for meals must be provided. Reference Newberry County Employee Handbook, "Travel and Subsistence Allowance."

PROVIDED FURTHER that allowable lodging costs for required overnight travel shall be determined by Council or by the County Administrator from time to time.

PROVIDED FURTHER that without the approval of the Administrator, no employee may draw advanced funds before travel, and any funds advanced must be strictly accounted for at the conclusion of the trip.

PROVIDED FURTHER that employees assigned cell phones and/or smart phones by Newberry County must reimburse the County for any charges above those included in monthly voice and data plans regarding personal usage.

PROVIDED FURTHER that all service charges, fees, fines, and other monies received by the County departments shall be deposited with the County Treasurer's Office on a daily basis.

PROVIDED FURTHER that the County Administrator is authorized to establish fees for the various departments and agencies for miscellaneous services and items such as copies, maps, books, etc. produced in response to requests under the Freedom of Information Act.

PROVIDED FURTHER that if the County is a partner in any contract requiring copies to be made for the completion of the contract there shall be no charge(s) levied from the department or elected official's office (in which the copies are made).

PROVIDED FURTHER that all boards and commissions shall submit to the County Administrator's Office annually reports indicating attendance by their respective memberships.

PROVIDED FURTHER that any agency funded in whole or in part by the County must submit a copy of that agency's annual audit to the Finance Director. All agencies funded by the County in amounts over \$10,000 must provide the County with an audit report performed by an independent external auditor. In the event, that an agency so funded does not have an external audit report, this requirement may be waived upon a letter of request to the County Council explaining the situation and detailing the cost of said audit in the relationship to the amount of County funds received.

PROVIDED FURTHER that Funds appropriated in any fiscal year but not requested or encumbered prior to the end of that fiscal year shall become part of the County's fund balances. Revenues received but not appropriated and expended will likewise become part of the County's fund balances.

PROVIDED FURTHER any unexpended special source revenue funds which are required by state or federal statute to be carried forward from fiscal year to fiscal year shall be considered as being carried forward, and the Finance Director and the County Treasurer are directed to make the necessary budget adjustments to reflect these matters.

Explanation:

PROVIDE FURTHER During the budget consideration process, capital projects are typically moving toward completion. However, this progress might not reflect progress estimates made early in the budget cycle. Prior to publication of the final budget, staff would assign more accurate revenue and expenditure numbers among the two budget years (FY 2022-2023 and FY 2023-2024) based on the most up-to-date invoice payments and outstanding contract amounts. This process would not change project budgets or FY 24-25 property tax revenue needs.

DRAFT

NEWBERRY COUNTY FY 2024-20225
UNIFORM FEE SCHEDULE
(Fees and Charges by County Department)

***Basic cost for copies Countywide \$.35 per page.**

ANIMAL CONTROL

Adoptions:	Cats & Kittens	\$	75.00	
	Dogs & Puppies	\$	100.00	
Redemptions:		\$	25.00	for first day per animal
		\$	10.00	each additional day per animal
Microchip Fee:		\$	20.00	
DHEC Quarantine Fee:		\$	100.00	for 10 days
Low-Cost Pet Sterilization:		\$	30.00	

BUILDING AND ZONING DEPARTMENT

Building Fees:

\$1,000 or less	\$	50.00	
\$1,001 to \$5,000	\$	50.00	for the first \$1,000, plus
	\$	10.00	for each additional \$1,000 or fraction thereof
\$5,001 to \$50,000	\$	50.00	for the first \$5,000, plus
	\$	10.00	for each additional \$1,000 or fraction thereof
\$50,001 to \$100,000	\$	270.00	for the first \$50,000, plus
	\$	5.00	for each additional \$1,000 or fraction thereof
\$100,001 to \$500,000	\$	470.00	for the first \$100,000, plus
	\$	5.00	for each additional \$1,000 or fraction thereof
\$500,001 and up	\$	1,670.00	for the first \$500,000, plus
	\$	5.00	for each additional \$1,000 or fraction thereof

Building permit fees are based on building valuation data as published by the ICC (International Code Council) and will be calculated by staff at the time of permit issuance

Re-inspection Fee	\$	75.00	for first re-inspection; doubles each inspection thereafter
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Plan Review Fee		$\frac{1}{4}$	the cost of permit fee for Residential / $\frac{1}{2}$ for Commercial
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Manufactured Home Fees:

Single-Wide Manufactured Home:	\$	100.00
Double-Wide Manufactured Home:	\$	200.00
Manufactured Home Moving Fee:	\$	100.00
Manufactured Home Decal:	\$	5.00

Flood Management Fees:

Flood Permit Fee	\$	75.00
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Planning And Zoning Fees:

New Sign	\$	200.00
Re-facing Fee	\$	75.00
Tower Permit Fee	\$	500.00
Co-Location Tower Permit Fee	\$	200.00
Zoning Permit Fee	\$	75.00
Demo Fee	\$	50.00
Re-inspection Fee	\$	75.00
Zoning Map Amendment / Rezoning Request	\$	200.00 for 1 st acre \$ 200.00 for 2 nd acre \$ 25.00 per acre thereafter
Manufactured Home Park/ Application Fee	\$	200.00 plus \$20 per lot
Variance Request	\$	150.00
Notice of Appeal	\$	200.00
Special Exception Request	\$	200.00

Land Development (Subdivision) Fees:

Application Fee	\$	100.00	plus \$20.00 per lot or dwelling unit up to 4
Traditional Subdivision	\$	5.00	per lot above 4 lots
Residential Group Developments:	\$	300.00	plus \$20.00 per lot for more than 4 units or lots

Traditional Subdivision and Residential Group Developments:

1-5 Lots/Units	\$	50.00	application fee plus \$20 per lot/unit
More than 5 Lots/Units	\$	300.00	application fee plus \$20 per lot/unit
Plat Revisions	\$	25.00	
Commercial or Industrial Group Developments:	\$	500.00	application fees plus \$0.01 per sq. ft of building space
Gross Square footage:			
1-5 buildings	\$	25.00	per building
Above 5 buildings	\$	125.00	plus \$10.00 per building above 5

(Fees set by ordinances. Subject to change with amendments to ordinances.)

Stormwater Management:

Level I Permit	\$	120.00	per acre of disturbed land
Level II Permit	\$	150.00	per acre of disturbed land
Level III Permit	\$	200.00	per acre of disturbed land
Plan Review Fee			half cost of Level I -III Permit
Concentrated Animal Feeding Operation (CAFO) Permit Fee	\$	200.00	per acre of disturbed land to maximum of \$3,000.00 per permit

CLERK OF COURT

Circuit Court filing fees are set by statute.

Family Court filing fees are set by statute.

Real Estate document filing fees are set by statute.

Circuit and Family Court fines imposed by Judges.

Family Court cost for child support are set by statute.

Copies:	\$.35	per page *
License Online Search:	\$	5.00	a day
	\$	30.00	a month

DELINQUENT TAX COLLECTOR

Fees set by statute.

DETENTION CENTER

Medical Co-Pay for inmates, except for indigents	\$	5.00
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SHERIFF

Incident Report Except for victims, who are entitled to a free report	\$	5.00
Sex Offender Registration (\$75.00 to SLED and \$75.00 to County) with no charge for indigents	\$	150.00
Criminal Record Check	\$	15.00
Fingerprints (except for arrestees and teachers, who are free)	\$	5.00
Service of Summons and Complaints	\$	15.00
Service of Subpoenas	\$	10.00
Service of Judgment	\$	25.00
Service of Executions	\$	25.00

PROBATE JUDGE

Copies	\$.35	per page *
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Other fees charged according to state statute.

PUBLIC WORKS

Driveways	Newberry County will install one driveway per lot on County maintained roads free of charge with the following limitations: 24-foot width. Apron installed to match roadway (crusher run or asphalt), only to limit of the Right of Way. Any additional width of driveway or any additional driveways will be billed to the land owner at a rate of \$200.00 per 8 foot section of pipe.
MSW and C&D Trash Mega users one-year period	\$ 70.00 per ton at Transfer Station \$ 72.00 per ton after the first 1000 tons in any \$ 11.00 Fuel Surcharge will be added per ton
Tires	\$ 150.00 per ton (county residents may dispose of 4 tires per month at no charge)
Yard Debris	No charge for residential dumping of the individual's personal yard debris at the Transfer Station \$ 40.00 per ton for commercial dumping of yard debris

TAX ASSESSOR

Copies	\$.35
B/W 8 1/2 X11 Property Cards	\$.35
Color Property cards/Information sheet 8 1/2 X 11	\$ 5.00
Color Maps 8 1/2 X 11	\$ 10.00
Tax Map Index Maps 24X24 Color	\$ 12.00
Tax Map without Aerial 24X34 Color	\$ 15.00
Tax Map with Aerial 24X34 Color	\$ 25.00
Custom Maps	\$ 50.00

Digital Data

Digital Orthos whole county	\$	1,500.00
Digital Layers parcel w #s only	\$	500.00
Digital parcel layer w owner attributes	\$	750.00
Zoning	\$	200.00
Digital other layers each	\$	110.00
Tiles sold at various prices each	\$	25.00-110.00
Tapes/disc must be supplied by customer		

TREASURER

Fees set by statute.

Decals – Vehicles	\$	1.00
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CORONER

Cremation Permits	\$	25.00
Reports – Insurance Companies	\$	60.00