

## **December 13, 1977**

{View Imaged Minutes}

Regular Meeting, Dec. 13, 1977

PROCEEDINGS OF COUNCIL

CITY COUNCIL

Regular Meeting.

December 13, 1977.

The fortieth meeting of the City Council of Charleston was held this day convening at 9:30 P.M., immediately following the meeting of the Committee on Ways and Means.

PRESENT

The Honorable Joseph P. Riley, Jr., Mayor: and Councilmembers Young, Kinloch, Richardson, Jefferson, Christopher, Scott, Iford, Johnson, Ader, Moore, Stephens, and Grimball  
\_\_\_\_\_ 13.

The meeting was opened with prayer by Councilmember Jefferson.

The first item to be considered was a public hearing called for by the following advertisement which appeared in the News and Courier and the Charleston Evening Post on November 11 and December 1, 1977:

PUBLIC HEARING

The public hereby is advised that the City Council of Charleston will hold a public hearing beginning at 7:00 P.M., Tuesday, December 13, 1977, in the City Hall, on a petition submitted by Herman W. Halter, Jr., that all that certain piece, parcel or lot of land, situate, lying, and being on the south side of Harborview Road, east of Theresa Drive and west of Harborview Circle, containing 4.8 acres, more or less, and having a 377.95 foot frontage on Harborview Road, as shown on a plat by W. L. Stephens, Jr., PE & LS, dated January 6, 1975, recorded in Plat Book AG, page 4, in the RMC office, be rezoned from SR-1 classification to DR-1F classification.

Interested persons are invited to attend the hearing and express their views. Extended presentations should be presented in writing.

MARY R. WRIXON

Clerk of Council

In a report submitted to City Council's October 25, 1977 meeting the City Planning and Zoning Commission recommended that the subject land be rezoned from SR-1 classification to DR-1F classification conditioned upon the property owner agreeing to construct no more than 28 units on the entire 4.8 acre-tract.

- D. William Wallace, City Planner, briefed Council as to the location of the property under consideration for rezoning and pointed out some of its unique problems. He called attention to the amount of water and marsh frontage which this property has and pointed out that because of its configuration which is that of a long finger of peninsular property severe restrictions are placed on the type of development that can go on this site. He pointed out reasons as to why it would

not be practical to develop the property for SR-1 use. He told City Council that while the developer has asked for DR-1F zoning he has also agreed to limit the density for this particular piece of property to 28 units. This would result in a little more than five units per acre to be placed on the property. The SR-1 classification would allow a little fewer than four units per acre. Therefore, the increase in density, he felt, would be very small in this particular situation.

Mr. Wallace stated that it was the recommendation of both the City Planning and Zoning Commission, and the Planning Department that this particular rezoning request be approved subject to restrictive covenants being placed on the property limiting the density to 28 units on the 4.8 acres as outlined.

Elliot Halio, attorney for the petitioner, spoke on his client's behalf and presented his client's plans for development of the property. He stated that while under a DR-1F zoning classification his client would be able to construct ninety units, he felt it would be in the best interest to construct only twenty-eight. Mr. Halio left the plans for Council's review. No questions were directed by the Councilmembers to either Mr. Wallace or to Mr. Halio. There were no further proponents and there were no opponents present. The Mayor declared the public hearing adjourned.

Council then discussed the subject rezoning request. Councilmember Stephens stated that even though he performed the engineering work for this project some three years ago he felt he could be objective in discussing this matter. He moved for acceptance of the City Planning and Zoning Commission's recommendation. Councilmember Grimball seconded the motion. The motion carried unanimously.

Handwritten Note to See P.647

The Mayor noted the presence of a number of citizens interested in the hotel/convention center issue and in the proposed horse "diapering" issue. He asked if there was any objection to bringing these matters up at this time.

Councilmember Scott asked if the citizen participation period could be held next as numerous citizens were present who wished to address Council. The Mayor and the Councilmembers concurred with her request.

First to speak to City Council during the citizen participation period was Mrs. Earsie Lee Murray who presented a petition opposing The Citadel's invasion into Hampton Park signed by 201 residents and home owners of the Hampton Park area.

Frank O'Neill spoke of the problems of some of the large convention cities and the means they have taken or are considering to remedy their problems. He questioned whether this city wanted to be "harnassed to the convention trail."

David Hamilton, speaking on the proposed hotel/convention center project, expressed concern over the size of the investment the City would be going into knowing what has happened in San Juan, Puerto Rico, which has been saddled with two convention centers that have failed and where the tax payers have had to pick up the tab. He pointed out that the people of this city are charming and hospitable and wondered how much they can take of selling their charm before they lose it.

John Roberson, President, Palmetto Carriage Works, spoke on the proposed horse "diaper" ordinance. He recalled that at City Council's October 11th meeting he made an offer to pay Palmetto Carriage Works' share of whatever it took to keep the city's streets clean. He felt the City had the men and the equipment to do the work and it would be more economically

feasible to let the City do the work. This was apparently rejected, he said, so he submitted a bid on behalf of his company to patrol the streets of the City for horse manure problems during the year 1978. He said he proposed to use a pick-up truck and

to operate it continuously during the time the carriages are operating from about 9:00 a.m. to sundown. He proposed to do this work for \$700 per year per animal.

Mr. Roberson went on to say that he submitted copies of his proposal not only to the members of Council but also to the other carriage operators to see how they felt about his proposal. He believed, he said, that the diaper ordinance and the traffic restriction ordinance which puts horse-drawn vehicles on heavily traveled streets where most of the noise and traffic are will eventually put the carriages out of business.

Councilmember Richardson asked Mr. Roberson what had the carriage owners done since October 11th to try to find an alternate solution to the horse droppings problem on City streets. Mr. Roberson pointed out that his company has tried to comply with the existing law. He acknowledged the fact that there is a problem with the horse droppings on City streets. He told of his company's efforts to alleviate the situation.

Councilmember Grimball asked for more information concerning Mr. Roberson's efforts to contact the other carriage owners and whether he had received from them any acceptances to his offer. Mr. Roberson answered Councilmember Grimball's question and stated that he had had an answer from only one of the carriage operators. That carriage operator expressed a willingness to go along with Mr. Roberson's proposal.

Mrs. Courtenay Tisdale addressed City Council and stated that during the two months since Council delayed action on an ordinance which would require devices being placed on horses to keep manure from falling on the City's streets a group of citizens have done much study and work and have come up with information which is diametrically opposed to that of the SPCA's. She said some of the citizens have contacted officials in New Orleans, which city has required diapers or like devices on their horses for three years or more. She said that city has experienced very few problems. She said she had a letter with her from the Head Executive Director of the Louisiana SPCA who has stated that these devices cause no problems to the horses at all. Some citizens have spoken with carriage owners and carriage drivers in New Orleans and none have stated that the diaper-like devices are harmful to the horses.

Mrs. Tisdale proceeded to call attention to a letter from the City's Ombudsman to City Council in which the Ombudsman reported on the information she obtained when she visited New Orleans to gain first hand knowledge on the question of whether the diaper-like devices on horses work and whether they in any way are harmful to the horses.

In her report the Ombudsman said sources in New Orleans had told her the diaper-like devices were not found to be harmful to the animals. They felt that attempting to clean the streets after the fact was next to impossible.

Mrs. Tisdale expressed the belief that cleaning the streets after the fact was not practical since this would cause the streets to be blocked while they are being cleaned. She felt the diaper-like devices were the simple solution and the only effective compromise to the sanitation and convenience problem which the horses present.

Mrs. Tisdale presented a petition containing 325 signatures from an area covering East Bay to Legare Streets and North Church to South Battery.

City Council next heard a presentation made by Max Griffith, architect and engineer, who informed Council that he had been asked by the Preservation Society to see if some

alterations to the hotel/convention center project were possible to prevent demolition of the old buildings on the site. He told of his meeting with the Mayor and of his trip to Washington to speak with the developer and the architect on the proposed project. His efforts stemmed from his interest as a private citizen and a member of the Preservation Society and not as a consultant. During its presentation Mr. Griffith said it seemed it was impossible to disagree with certain details of the plan without being unalterably opposed to the entire package. He said he knew very few persons who wanted to run the developer out of town. He said he wanted to see the property developed but did not want to see the buildings torn down if there was any possible alternative.

Mr. Griffith went on to say that he discussed alternatives for five hours with the developer and his architect. He expressed certain matters about the plan which were still of concern to him, principally concerning the financing aspects of the project. In particular, he said he did not understand where \$14 million of the City's money was going in this project. He asked the Mayor and the Councilmembers to give serious study to the project. He said he thought the project was a "great idea" but was designed wrong. He expressed concern over the effect that could be felt if the project were not to succeed. He repeated his assurance that there are very few people who are trying to kill the project.

No other citizens expressed a desire to address City Council.

Council then considered the bills which were up for second reading. First to be considered was a bill to require the holders of certificates of appropriateness for vehicles drawn by horses or mules, operated upon streets of the City of Charleston, and the drivers of such vehicles to equip such horses or mules with adequate devices to prevent manure from falling upon the streets of the City.

Councilmember Young noted that when the bill was given first reading, September 27, 1977, it was stipulated in the bill that the subject vehicles could not be operated on City streets on or after November 1, 1977, unless so equipped. He felt the bill should be amended to give the owners of the vehicles ample time to purchase the equipment. He suggested and later moved that the date mentioned in the ordinance be changed to February 1, 1978. Councilmember Ader seconded the motion. The motion carried.

The Mayor asked the Councilmembers if they felt the bill should stipulate that the type of device used should be approved by someone.

Councilmember Young moved that the bill be amended further by inserting in the bill that the devices are to be approved by the Arts and History Commission. Councilmember Ader felt the devices should also be approved by a veterinarian. Councilmember Johnson seconded Councilmember Young's motion. Councilmember Ader asked Councilmember Young to include in his motion the requirement that the devices

are to be approved by a veterinarian. Councilmember Young refused to add this requirement to his motion. Discussion followed during which time Councilmember Christopher asked Councilmember Young if it would not be preferable for a veterinarian to be responsible for the devices rather than the Arts and History Commission. Councilmember Richardson asked if the Public Service Department shouldn't have this responsibility instead of the said Commission.

Councilmember Young pointed out that the matter came to City Council as a problem through the Arts and History Commission. He felt a City board or commission should have the responsibility for seeing that the ordinance is enforced.

Councilmember Ader pointed out that from time to time the horses are checked by veterinarians. She felt the wording in the ordinance should be such that the devices be

inspected. Discussion proceeded on the fact that the City of Charleston does not have a horse inspection department or a health department such as New Orleans' which could be responsible for the enforcement of the ordinance and the welfare of the animals. The Mayor gave reasons why he believed the Arts and History Commission, which deals with the carriages with the certificates of appropriateness and would be familiar with the number of carriages and the problem, would be the best group to see that the ordinance is enforced. He pointed out that it would be easier if all of the functions of the carriages would be lodged in one commission.

Councilmember Young explained these were his reasons for not accepting the amendment. Discussion on this matter continued. Councilmember Grimbball suggested the motion be amended to include "with the advice of a veterinarian". He pointed out this would not be subject to a veterinarian's approval. He felt advice from the veterinarian should be sought. Councilmembers Young and Johnson accepted Councilmember Grimbball's amendment to also include "with the advice of a veterinarian" to the motion. The motion carried.

Councilmember Young recalled that horse drawn vehicles are included in the ordinance which prohibits tour busses that carry more than sixteen persons or weighs more than twenty-five thousand pounds from traveling on certain City streets. He felt that restriction should be removed for horse drawn vehicles if Council ratified the bill which requires such horses or mules to wear devices which prevent manure from falling on City streets. The Mayor expressed concurrence with Councilmember Young's feeling. The point made by Councilmember Young was not discussed.

On motion of Councilmember Young, the following bill passed second reading. It passed third reading on motion of Councilmember Young. On the further motion of Councilmember Johnson, the rules were suspended and the bill was ratified as follows:

Ratification Number 1977-76

## AN ORDINANCE

TO AMEND SECTION 6-15 OF THE CODE OF THE CITY OF CHARLESTON (1975) SO AS TO REQUIRE THE HOLDERS OF CERTIFICATES OF APPROPRIATENESS FOR VEHICLES DRAWN BY HORSES OR MULES, OPERATED UPON STREETS OF THE CITY OF CHARLESTON, AND THE DRIVERS OF SUCH VEHICLES TO EQUIP SUCH HORSES OR MULES WITH ADEQUATE DEVICES TO PREVENT MANURE FROM FALLING UPON THE STREETS OF THE CITY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: Section 6-15 of the Code of Laws of the City of Charleston (1975) is amended by adding at the end thereof the following words:

"Provided, however, no such certificate of appropriateness shall be issued for the operation of a vehicle drawn by horses or mules unless such horses or mules are equipped with adequate devices to prevent manure from falling upon the streets of the City and no holder of such a certificate of appropriateness or driver of such a vehicle shall cause to be operated, or operate, such a vehicle upon the streets of the City on or after February 1, 1978, unless so equipped. The failure to comply with the provisions of this Ordinance shall constitute a forfeiture of the certificate of appropriateness and be punishable at law."

Section 2: This Ordinance shall become effective upon ratification.

\_\_\_\_\_

The Mayor informed City Council that Councilmembers Iford, Johnson, Kinloch, and Moore had asked to be excused from the meeting and their request had been granted.

The following bill to authorize the Mayor to enter into a revocable lease agreement with Saul Wright, D/B/A, Wright's Liquor Store, for five (5) nonmetered parking spaces on Market and Archdale Streets, on behalf of the City was given second reading. It passed second reading on motion of Councilmember Christopher, and third reading on motion of Councilmember Scott. On the further motion of Councilmember Stephens, the rules were suspended and the bill immediately was ratified as:

Ratification

Number 1977-77

#### AN ORDINANCE

TO AUTHORIZE THE MAYOR OF THE CITY OF CHARLESTON TO ENTER INTO A REVOCABLE LEASE AGREEMENT WITH SAUL WRIGHT, D/B/A WRIGHT'S LIQUOR STORE, FOR FIVE (5) NON-METERED PARKING SPACES ON MARKET AND ARCHDALE STREETS, ON BEHALF OF THE CITY OF CHARLESTON.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: The Mayor of the City of Charleston is authorized hereby to enter into a revocable lease agreement with Saul Wright, d/b/a Wright's Liquor Store, for five (5) non-metered parking spaces on Market and Archdale Streets, on behalf of the City of Charleston, under the terms and conditions set forth in the revocable lease agreement attached hereto, which is adopted and incorporated herein as a part of this Ordinance.

Section 2: This Ordinance shall become effective upon ratification.

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 1977, between the CITY COUNCIL OF CHARLESTON, hereinafter styled the Landlord, and SAUL WRIGHT, D/B/A WRIGHT'S

LIQUOR STORE, hereinafter styled the Tenant.

WITNESSETH:

THAT said Landlord does hereby lease unto the said Tenant, and the said Tenant does hereby lease from the Landlord, five (5) non-metered parking spaces on Market and Archdale Streets, in the City of Charleston.

TO HAVE AND TO HOLD the premises above described as a month to month tenancy commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 1977, at a rental of Fifty and No/100 (\$50.00) Dollars per month payable on or before the first day of each month.

AND IT IS AGREED that the Tenant shall be responsible for installation and maintenance of signs respecting the use of the parking spaces and shall be responsible for

procuring removal of any vehicles improperly parked in the spaces at such times as the spaces are being used by the Landlord as hereinafter set forth.

AND IT IS AGREED that the Tenant declares, represents and agrees to indemnify and hold harmless the Landlord and its agents, servants, and successors from and against all claims, damage losses, and expenses in the event that any litigation results from the use of the parking spaces.

AND IT IS AGREED that this Lease shall be terminated upon sixty (60) days notice of cancellation given by either party to the other in writing.

NOTICES required by this Lease shall be sufficient if sent by registered or certified mail to the Mayor, City Hall, Charleston, South Carolina 29402, as agent of the Landlord, and to Saul Wright, 40 Archdale Street, Charleston, South Carolina, as to the Tenant, or to such other addresses as the parties may designate in writing from time to time.

IN WITNESS WHEREOF, and under the authority of the parties hereto, THE CITY COUNCIL OF CHARLESTON and SAUL WRIGHT, D/B/A WRIGHT'S LIQUOR STORE, have caused this Lease to be executed and their seals affixed and the same to be delivered, each to the other, as the respective act and deed of said parties, the day and year first above written. THE CITY COUNCIL OF CHARLESTON BY: \_\_\_\_\_ (L.S.) Mayor ATTEST: \_\_\_\_\_ (L.S.) Clerk of Council WRIGHT'S LIQUOR STORE BY: \_\_\_\_\_ (L.S.) Saul Wright

The following letter was received as information:

November 22, 1977

MEMORANDUM

TO: Commission on Arts & History

FROM: Daniel Hope, III - Director

SUBJECT: Hunley Monument Dolphins I would like to inform you of the current status of the Hunley Memorial Dolphins. The remaining original dolphin was delivered to Mr. Don Herold at the Charleston Museum on Tuesday, November 15, 1977. Mr. Herold is going to make arrangements for mounting the dolphin in the Hunley Museum.

Two attempts have been made to place the new dolphins on the sides of the Hunley Monument. When the new dolphins were received from the foundry they were slightly bowed. This left a gap of  $\frac{3}{8}$ ' to  $\frac{1}{4}$ ' between the edge of the dolphin and the side of the monument. Since this gap would provide a potential spot for a vandal to begin trying to remove the dolphins, it was decided to investigate ways of correcting the situation.

I hope that the dolphins will be mounted by the time that you receive this memorandum.

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The following letter was referred to the City Planning and Zoning Commission:

December 8, 1977

Mr. Joseph P. Riley, Jr.

Mayor

City of Charleston  
Charleston, S. C. 29401

Dear Mayor Riley:

When the neck zoning was being considered, many applications for rezoning were pending with the County. To eliminate the confusion that would result by dealing with these rezoning requests at that time, we reassured the people that we would deal with their applications on a case-by-case basis following the approval of the initial zoning for the neck area.

At this time, rather than to require these applicants to file a rezoning petition, it would be most helpful if you would suggest that City Council initiate the rezoning process and refer each of these applications to the Planning and Zoning Commission. The applications are as follows:

1. 2300 Mt. Pleasant Street, TMS No. 464-13-00-70, Request rezoning from SR-1 to DR-1F, Property is owned by Harris Manning.
2. Southwest Corner of Summerville Ave. and Discher Street, TMS No. 464-02-00-2, Request rezoning from SR-1 to GB, Property is owned by Kurco, Inc.
3. Heriot Street, TMS No. 464-13-00-6 through 15, Request rezoning from SR-1 to LI Property is owned by G. S. Carter & Son, Inc.
4. 1766 Meeting Street, TMS No. 464-02-00-41, Request rezoning from GB to HI, Property is owned by John White.
5. Rosemont area on the west side of 1-26, TMS No. 466-16-00-104, 110, 111 & 120, Request rezoning from SR-1 to GB, Property is owned by The Sherman Agency.
6. 1913 Summerville Ave., 1858 Summerville Ave., TMS No. 466-16-00-108 & 464-02-00-005 respectively, Request rezoning from SR-1 to GB, Property is owned by The Sherman Agency.

Sincerely,  
D. William Wallace  
Department Director

After hearing briefly from the City's Archivist, Mrs. Margaretta Childs, and being assured by her that the records requested to be disposed of had only a nominal value, Council approved the requests contained in the following two letters:

December 8, 1977

TO: The Mayor and Members of City Council

FROM: Margaretta Childs

City of Charleston Archives  
100 Broad Street, Suite 300

In moving records from the house at the corner of East Bay, Blake Street and Cooper Street, it has come to our attention that some of the records are non-municipal in nature. Our space at 100 Broad Street is limited and non-municipal records could be donated to local libraries or sold.

Among the non-municipal records are engineering manuals of road and bridge construction of the late 1800's and early 1900's. The Citadel Civil Engineering

Library has expressed an interest in these records. Also, approximately sixty-nine bound volumes of the Evening Post, 1906-1921, could be donated to the State Archives or sold to local dealers. There are numerous copies of the City Yearbooks, 1890's - 1951. Local libraries have expressed an interest in acquiring extra copies to replace the worn editions.

In donating these records perhaps institutions with city records would return these collections to the City of Charleston Archives. Recently, the South Carolina Historic Society transferred eighty-two city volumes concerning the Board of Firemasters, the Commissioners of Free Schools, the Orphan House, the Alms House, the Enston Home, the House of Correction, and the Commissioners of Streets and Lamps.

The City of Charleston Archives seeks permission to administer these nonmunicipal records through donation or any other means in the city's best interest. The approval of the State Archives has been obtained in this matter.

Respectfully submitted,  
MARGARETTA CHILDS

December 8, 1977

TO: The Mayor and Members of City Council

FROM: Margaretta Childs

City of Charleston Archives  
100 Broad Street, Suite 300

Records of our municipal government are becoming more numerous and voluminous. At present, there is no uniform plan of record retention and disposition within the various departments of our municipal government. The City of Charleston Archives is working on such a plan. Only by a schedule can the city insure that records of administrative, legal or historical value will be preserved and that records of a temporary nature are disposed of.

The Archives requests approval to dispose of duplicate records prior to the adoption of a retention schedule. These records include general and budget ledgers, disbursement vouchers, purchase orders, and payrolls which have been microfilmed, but were not disposed of. Also, City of Charleston Tax Duplicates were kept by the City Treasurer's office. These are records of the Highway Department and the County Assessor's office and could be disposed of. Department approval will be obtained in each instance.

The incinerator, the attic and the basement of City Hall have been used for storage. The disposal of duplicate records would provide more space at 100 Broad Street for storing valuable records. This would remedy the unsatisfactory conditions in the incinerator, the attic and the basement of City Hall.

Respectfully submitted,  
MARGARETTA CHILDS

A note of appreciation submitted by the family of the late C. O. "Neely" Thompson for resolutions adopted by City Council at its October 25, 1977 meeting was received.

At Councilmember Young's request City Council next considered a bill to provide for homes for the elderly in certain diverse residential areas, which bill was given first and second readings at Council's November 22, 1977 meeting and which was now up for third reading. The bill received third reading and passed on motion of Councilmember Richardson. The rules were suspended on motion of Councilmember Christopher and the bill immediately was ratified as:

Ratification

No. 1977-78

#### AN ORDINANCE

AMENDING SECTION 54-15 OF THE CITY CODE IN ORDER TO PROVIDE FOR HOMES FOR THE ELDERLY IN CERTAIN DIVERSE RESIDENTIAL DISTRICTS.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-15 of the City Code is amended by adding thereto a revised sub-paragraph six (6) and renumbering the present sub-paragraph six (6) as sub-paragraph seven (7) so that Section 54-15 shall read as follows:

"Within any DR-1, DR-2, DR-1F or DR-2F zone district land may be used and buildings erected, altered, or used only for the following permitted uses:

- (1) All uses permitted in any STR-district subject to any review by the Board of Adjustment required for such use in that district.
- (2) Multiple dwellings
- (3) One-family attached dwellings
- (4) Fraternity house, sorority house or dormitory independent of a campus.
- (5) Tourist homes.
- (6) Homes for the elderly which care for no more than fifteen (15) persons, provided however, that before such a home for the elderly can be established the Board of Adjustment must approve its establishment after a hearing and after a review of the application and, further provided, the Board of Adjustment may, after review and hearing, permit smaller or larger facilities when it finds that the public interest will be served thereby. The Board of Adjustment shall consider the character of the neighborhood, its population density, traffic patterns and parking facilities and the impact of said proposed home on the immediate neighborhood. No such home shall be allowed by the Board of Adjustment unless the applicant satisfies the Board that said home will be operated in compliance with applicable state law; provided, however, no such homes shall be allowed in the Old and Historic District.
- (7) All accessory uses incidental to the above permitted uses including businesses primarily serving residents of a structure or patrons of a permitted use in a

structure in excess of three stories, when such businesses are enclosed within said building.

Section 2. This ordinance shall become effective upon ratification.

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Corporation Counsel Regan advised that the necessary restrictive covenants relating to the proposed rezoning of 944 Orange Grove Road from SR-1 classification to DR-1F classification and the proposed rezoning of 2.04 acres on Folly Road (across from the westernmost end of Cuthbert Street) from DR-2F classification to Limited Business classification had not been put into final form. He recommended that action on these two rezoning matters be deferred until City Council's next meeting. Council acted accordingly.

The following report of the Committee on Ways and Means was received:

TO THE MAYOR AND COUNCILMEMBERS,  
THE CITY COUNCIL OF CHARLESTON:

The Committee on Ways and Means wishes to report that it has studied the below-mentioned items and it recom-

mends that the following action be taken on each item:

1. PROPOSED 1978 BUSINESS LICENSE ORDINANCE: The committee recommends that the following changes be made to the proposed 1978 business license ordinance which received first reading at City Council's November 22, 1977 meeting:
  - a.) Last sentence in Section 5. Registration Required: Delete the words "employed by more than one company" from the last sentence in this section. The sentence as amended should read: "Insurance agents shall be licensed as brokers."
  - b.) Section 6. Deductions and Exemptions: Add the following sentence: "It is the intent of this ordinance that it shall follow the rule laid down by the Supreme Court of South Carolina in the case of Triplett vs The City of Chester, 40 S.E. 2d (1946)." after the words " . . . pursuant to State law." in the first sentence of this section and before the words: " . . . The applicant shall have the burden . . . " in the second sentence of this section.
  - c.) Section 13. Notices: Change the number of times a notice must appear in a newspaper of general circulation from three (3) times to two (2) times.
  - d.) Add a Section 18. Bonds Required for Detective Agencies and Security Services: This new section should read:

"Each applicant for a license shall post with the License Inspector a bond in favor of the City of Charleston with surety in the amount of \$10,000. No bond shall be accepted for filing unless it is with a surety company authorized to do business in this state and conditioned that the principal named therein shall not do any act meriting suspension or revocation of his license under the provisions of the ordinance. In lieu of a bond, a cash deposit or a deposit of other securities acceptable to the License Inspector of a value of \$10,000 shall be accepted. Any person aggrieved by any act of the principal named in such bond in violation of the provisions of ordinances of the City of Charleston or of the laws of the State of South Carolina may proceed on such bond against the principal or surety therein, or both, to recover damages. The surety on

the bond shall have the right to cancel such bond upon giving thirty (30) days notice to the License Inspector and thereafter shall be relieved of liability for any breach of condition after the effective date of the cancellation. Cancellation of a bond shall be grounds for revocation of licenses issued to detective agencies or security services."

Adoption of this section will require the remaining sections of the proposed ordinance to be renumbered.

- e.) Section 19 - Rates: Change rate class 5 from \$2.40 per thousand to \$2.45 per thousand. The committee understands it was intended that there be \$0.35 increments in the column entitled "All over \$2,000 - Rate per thousand or fraction thereof".
- f.) Section 19 - Rates: Wherever the declining rate appears in this section, it should be on gross income or gross premiums in excess of \$2,000,000. Governmental Consultants, Inc.'s recommendation was that the declining rate commence at \$1,000,000.
- g.) Section 19 - Rates: Under Night Clubs, Cabarets, Taverns, or other similar establishments:
  - 1.) Add "7-58A" before "On gross receipts not exceeding \$25,000.00 \_\_\_\_\_ \$475.00"; and,
  - 2.) Add "7-58B" before "On gross receipts not exceeding \$25,000.00 \_\_\_\_\_ \$790.00".
- h.) Section 19 - Rates - Rate Classification Index --

Rate Class 2: Add the words "under rate class 2" so that the business group under SIC No. 58 shall read: "58 -- Eating and drinking places (except nightclubs & similar establishments under rate class 7)".

- i.) Section 20 -- Numerical Business Classification Index: Make the following changes:
  - 1.) Add the words "(bond required)" to "Pawn Brokers, all types".
  - 2.) Add the business classification "Photographers, studios \_\_\_\_\_ 7221 \_\_\_\_\_ 6".
  - 3.) Add the words "(bond required)" to the "Plumbing Contractor" classification.
  - 3.) Delete the word "Franchise" and in lieu thereof add "SIC No. 4811 - 5" to the "Telephone Company" classification. Said business classification, as amended, should read: "Telephone Company \_\_\_\_\_ 4811 \_\_\_\_\_ 5".

The Committee on Ways and Means and the Committee on Licenses strongly recommend that the above-mentioned changes be incorporated into the 1978 business license bill and that the bill with the recommended changes be given second and third readings and be ratified this night.

- 2. PROPOSED 1978 APPROPRIATIONS ORDINANCE: The Committee on Ways and Means has given many hours of study to this matter. The following is a letter which the Mayor submitted to the Councilmembers when he forwarded his recommended 1978 budget to them and which the committee seriously considered during its deliberations on the proposed budget.

(SEE ATTACHED LETTER)

After studying the Mayor's recommendations, the Committee voted in favor of approving a number of changes to his proposal which resulted in an increase of \$70,853 over the Mayor's proposed budget. A recapitulation of the changes recommended by the Committee on Ways and Means is attached to this report.

(SEE ATTACHED PROPOSED CHANGES TO 1978 BUDGET)

The Committee on Ways and Means submits herewith a bill which reflects the budgetary figures recommended by the Mayor. It recommends that City Council study the changes recommended by Ways and Means and that these changes be incorporated into the bill when it is given second reading.

3. PROPOSED 1978 LEVY ORDINANCE: The Committee on Ways and Means submits herewith the proposed 1978 Levy Ordinance and it recommends that this proposed ordinance be given the necessary readings and that it be ratified as soon as possible.
4. RELEASE AND INDEMNITY AGREEMENT BETWEEN THE CITY AND CAROLINA YACHT CLUB: The Committee submits herewith a release and indemnity agreement between the City and Carolina Yacht Club, which is self-explanatory and it recommends that the Mayor be authorized to execute this instrument on City Council's behalf.
- 5.) PROPOSED PAY GRADES AND SALARY RANGES PLAN: The Committee on Ways and Means has received and has studied a proposed "Pay Grades and Salary Ranges" plan from a committee appointed by the Mayor to

examine the materials and make recommendations to City Council on the pay plan prepared by James Wright & Associates. The document received by the Committee on Ways and Means is a modification of the original plan presented by James Wright & Associates. The Committee on Ways and Means concurs with the Mayor's belief that the purpose of the plan is to provide a balanced and sensible pay plan for City employees and it concurs with his recommendation, and so recommends, that the plan be adopted as the official pay plan of the City of Charleston. It is the committee's understanding that the City's department heads used this pay plan in the preparation of the 1978 budget. A copy of the pay plan was submitted to the members of City Council with a memorandum from the Mayor dated December 5, 1977. A copy of the pay plan is attached to the minutes of the Committee on Ways and Means' meeting held this date.

- 6.) FULL TIME PROJECT REPRESENTATIVE -- CHARLESTON MUSEUM: The committee has learned that a project representative or a "Clerk of the Works" will be needed to represent the City and the County during the anticipated 24-month construction phase of the museum. The project representative's salary would be paid with proceeds from the museum bonds. The City has been asked to execute an instrument which expands the Owner-Architect Agreement between the City of Charleston and the County of Charleston (owners) and Crissman & Solomon Architects (the architect) to include the duties of the Project Representative as well as Architect's Field Representative. The committee has asked the City's legal staff to review the agreement which has been sent for the Mayor's execution and it recommends that the Mayor be authorized to execute the instrument if the legal staff determines that the agreement does not relieve the architect from his responsibility.

- 7.) THE MARKET -- RENEWAL OF OPTION: The Market (formerly Market Restoration, Inc.) has expressed a desire to exercise its option to renew its lease for an additional five-year period on Units One, Two and Three of the City Market. The Real Estate Committee has recommended that this request be approved. The Committee on Ways and Means, in turn, recommends to City Council that the Mayor be authorized to execute the necessary instrument so that the subject lease may be renewed for an additional five-year period.
- 8.) EDA PROJECTS -- AWARDING OF CONTRACTS: The Committee has learned that in order for the City to meet the 90-day on-site labor deadline all of the projects funded with EDA funds must have commenced within the next few weeks. Bids have been opened on two of the projects and the City is negotiating with the low bidders. The low bid for the garage maintenance project on King Street Extension was over the allocated amount. Included in this project was the construction of a new Electrical Department building. If this facility is deleted from the project, the cost of the project will be in line with the amount allocated for the project. The Electrical Department facility is adequate. Relocation of this facility was deemed to be desirable because it would be located on the same site as other divisions of the Department of Public Service and would free much needed space at the Municipal Marina. If the Electrical Department building is not constructed at this time, the committee believes that at a later date separate bids can be called for the construction of this facility and that perhaps funds from such a source as Revenue Sharing Funds may be used to pay for its construction. The committee has also learned that it is anticipated that within the next few days bids will be opened for four other EDA funded projects. The Committee on Ways and Means recommends: (1) that the Mayor be authorized to accept the low bids when the bids for the EDA projects are received; (2) that the construction of the electrical building be deleted from the list of EDA projects; and, (3) that the Mayor be authorized to execute the necessary instruments in connection with the EDA projects.
- 9.) HOTEL/CONVENTION/RETAIL CENTER CONSULTANT FEES: The committee has received a copy of a memorandum dated December 12, 1977 from Kenneth Gifford, Revitalization Director, to the Mayor in which Mr. Gifford stated that in order for the City to continue in its share of the development of plans and documents for the hotel/convention/retail center proposed to be constructed on the block bounded by Market, Meeting, Hasell, and King Streets, it was necessary to appropriate funds (\$54,000) immediately for the City's consultants and others required to supply the City with the necessary data pertinent to upcoming agreements. Mr. Gifford outlined in his letter the three segments of timing that the development has been broken down into; he listed the matters that would have to be completed prior to January 29, 1978; and, he gave a breakdown and description of the fees, activities and responsibilities of the consultant team. Further, he pointed out that all of the fees were eligible expenses under the general bond proceeds, if that is the route the City takes; all but \$10,000 of these fees are eligible from an Urban Development Action Grant, if the City is successful in obtaining a grant; and, if the City decides not to pursue this project, the City's Community Development funds appropriated for the Market Street improvements are eligible (\$337,500 remaining in this budget). The Committee on Ways and Means recommends to City Council that the City authorize \$54,000 for necessary consultant fees so that the project may proceed as outlined in Mr. Gifford's above-mentioned memorandum to the Mayor and that

it be made clear that the expenditure of this money does not express or imply endorsement of the project or a continued support. For the record, Councilmembers Young, Grimball, and Moore abstained from discussing or voting on this matter.

- 10.) ST. FRANCIS XAVIER HOSPITAL LEASE -- FISHBURNE STREET SITE: The Committee on Ways and Means submits herewith a lease between the City and St. Francis Xavier Hospital covering a piece of land on Fishburne Street. The committee recommends that the accompanying bill which authorizes the Mayor to execute the lease on the City's behalf be ratified at the earliest possible meeting since the hospital desires to occupy the property immediately. The hospital desires to use this site as a parking lot during the time that its parking facility on Rutledge Avenue is under construction.

- 11.) ADOPTION OF THE 1978 EDITION OF THE NATIONAL ELECTRI-

CAL CODE: The Committee on Electric Wires and Lighting the City has recommended to the Committee on Ways and Means that the City adopt the 1978 edition of the National Electrical Code in lieu of the 1975 edition. The Committee on Ways and Means concurs with this recommendation and submits herewith a bill to adopt the 1978 National Electrical Code for City Council's consideration. The committee recommends that City Council ratify the bill prior to the first of the year as the bill provides for the bill to become effective January 1, 1978. J. RUTLEDGE YOUNG, JR., Chairman JEROME KINLOCH DANIEL L. RICHARDSON HILDA HUTCHINSON JEFFERSON ARTHUR W. CHRISTOPHER BRENDA C. SCOTT ROBERT IFORD GEORGE A. Z. JOHNSON, JR. MARY R. ADER JAMES B. MOORE, JR. W. L. STEPHENS, JR. HENRY E. GRIMBALL JOSEPH P. RILEY, JR., Mayor

December 8, 1977

Dear Councilmembers:

I am pleased to be able to present to you the proposed 1978 budget for the City of Charleston. The total recommended budget is \$16,332,329, an increase of eight percent (8%) over 1977. I am proposing no increase in the millage rate as I am confident that we will be able to find the budget increase from existing revenue sources.

This document represents a firm commitment to avoid raising taxes, an intensive effort to reduce costs through greater productivity and an attempt to redistribute financial resources pursuant to the City's priorities. The budget is one that is fiscally responsible and if anything, conservative in the revenue estimate. The information is presented in a new format which gives considerably more information than previous budgets. Hopefully, you will find this data helpful in your deliberations on the various recommendations contained herein.

The Annual Objective Statements, which each department head submitted with his line item budget, will be presented, hopefully, by the first meeting in March. I think, it is important that we embrace and use this Management By Objectives approach and, after refining the initial statements, we will begin using them to monitor the progress of our departments during 1978.

There were a number of constraints that were placed upon the department heads, the controller, and me in preparing this proposal. To begin with, we could have increased taxes almost eight mills to pay for increases in line items over which we had no control. They include the museum bond interest, general insurance increases, pensions and social security increases, employees' insurance, Blue Cross/Blue Shield, workman's compensation, and unemployment insurance. The increased cost in 1978 for these items will amount to \$338,265 or about seven

mills. These uncontrollable additional expenses had to be reconciled with the fact that there is no large increase in revenue that we can predict for 1978. We have increased our projected revenue from ad valorem taxes by only two percent and projected business license revenue to reflect only the increases expected due to inflationary costs. Unfortunately, we could not project any additional revenue and, therefore, had to work with more conservative revenue estimates.

The budget is balanced using \$645,059 out of surplus. I think this is not only realistic but quite conservative. Our projections indicate that our income will exceed our expenditures by approximately \$400,000 and, therefore, surplus will be increased by this amount. By appropriating \$645,059 out of surplus, this will still leave an unencumbered surplus in the amount of \$823,741. This compares with \$692,000 as of December 30, 1976, so we have actually improved our position by \$131,224. Also, the revenue part of the budget does not take into consideration an indirect cost allocation for our federal grant programs which should be allowed by the federal government this year pursuant to the approval of our plan. The consultant has advised us to anticipate from \$100-140,000 in income from this source. I was reluctant to put this figure in the budget since it has not yet been approved.

Fair and affordable employee compensation was an additional complication for this budget. The Personnel Study Committee worked long and hard this year, holding regular weekly meetings since May. The committee hammered out a recommended classification and compensation system of twelve pay grades and a salary step schedule which was used in the preparation of this budget. This was extremely tedious and complicated and required a tremendous amount of work. I think the final product is very good and will give the City a modern and workable system of pay grades, salary ranges and job positions. Although no existing employee will lose pay because of this plan, many positions were eliminated and/or downgraded which will result in savings for some new hires in 1978.

Rather than grant an across the board percentage increase this year, it is my recommendation to place all employees on the system. This means, for most employees, an increase of some amount varying from one to five percent. Certain employees that were considered to have performed extremely meritoriously were recommended for merit increases which increased their salary by one step, or an additional five per cent. Additionally, there were employees who were determined by the study to have been grossly underpaid and their salaries were set at a comparable and realistic rate. I am very pleased to be able to recommend to you the adoption of this system and to have been able to incorporate it in the proposed budget.

Balancing the budget without a tax increase required a great deal of cooperation and work on the part of our City departments. After my initial review of the budget, I determined that another \$250,000 would have to be removed in order to prevent a tax increase. I called the department heads back in, showed them what I had done to their budget requests, and gave them the opportunity to recommend to me how they would remove approximately two percent from their budgets. I was very pleased with the way the department heads responded to this and for the most part, I accepted their recommendations, removing about \$250,000 from the budget.

I stated in my letter to the department heads in the beginning of the budgetary process that law enforcement continued to be our top priority. This year's budget reflects that. I have added four addi-

tional corporals which will allow one each to be assigned to the four teams. The Team Concept has increased the need for an additional non-commissioned officer in each team. Additionally, Chief Conroy requested three additional identification officers and three additional clerk-typists. The identification officers are requested because of a demonstrated weakness in

the I.D. Section. At the present time, one identification officer is available to respond to all calls after normal working hours. The number of calls for service requiring identification personnel is beyond the capability of one man. In addition, annual leave, sickness, or other absence, can leave the I.D. Section without qualified technicians to respond to calls of a serious nature when a crime scene must be carefully examined and maintained. The additional clerks are needed for the records section because of the increase in the volume of records generated by additional court sessions and increased demand for computer input. I have approved two additional I.D. officers and two additional clerk typists as well as one fingerprint clerk and an additional auto salesman. I think this is the bare minimum and is less than Chief Conroy requested.

One item that is not included for the Police Department is the mounted horse patrol. I recommend that Council add \$35,000 for the related costs of a mounted patrol to this budget. We considered this a year and a half ago, and actually brought the U.S. Parks Service to Charleston first. The patrol is excellent for crowd control and would increase our law enforcement capability during times of large gatherings at various places throughout the City. Chief Conroy will be available at the budget meetings to discuss this in detail.

The Fire Department asked for an additional \$1.5 million for new fire stations. In addition to the station that we will build in the Neck, which is already funded, the department requested funds for the relocation of Station 9 in the Neck, a new station West of the Ashley, and an additional station on James Island. My recommendation is that we determine, independently, whether or not these stations are absolutely necessary and if we are making optimum use of our resources in the department. In this regard, I wanted to fund a study of our fire system but, in order to bring the budget into balance, I deleted the \$35,000 originally recommended for that purpose. I recommend consideration of this as a top priority for next year's revenue sharing budget.

In the Department of Public Service, the landscape architect and the landscape technician from the Leisure Services Department have been transferred to the Engineering Division. These positions will enable us to more capably monitor construction projects involving landscaping.

Both our Streets and Sidewalks Division and our Sanitation Division are larger than they need to be, were we operating them in an optimum manner. In each instance, additional supervision will allow us to reduce manpower while operating more efficiently. We have already found this. I, therefore, recommend an assistant for the Streets and Sidewalks Superintendent to improve supervision and management and am recommending the elimination of eight positions in the Streets and Sidewalks Division and seven positions in the Sanitation Division. In both divisions, especially in Sanitation, we will encourage merit increases to be given during the year according to the efficiency demonstrated by the crews. I think that these are two areas where we should be able to expect greater efficiency and productivity. In the Sanitation Division, I am recommending a Street Sweeping Superintendent. This will give us, for the first time, someone to directly monitor the Citywide street sweeping operation and the blockmen operating in the old and historic district.

In the Inspection Division, I am recommending two additional building inspectors but that they be funded out of the Community Development Block Grant Program budget which we will take up next year. This will be necessary for the Urban Reinvestment Task Force Program on the West Side as well as the City's need to work harder at code enforcement generally. In addition, I am recommending a mechanical inspector as we have no one in that capacity now.

In the Department of Leisure Services, I considerably reduced the department head's request. The Department of Leisure Services submitted a good budget but this is an area where

we can affect a savings this year. The department made a good effort to reduce costs by reducing the number of employees in the Maintenance Division while, at the same time, giving better supervision but there were some costs that could not be controlled. For instance, the budget for our swimming pool operations goes from \$35,000 to \$66,000 and this includes funding the Forest Park Pool for only one half year's operation.

A great deal of progress has been made this year in the Cultural Affairs Division of the Department of Leisure Services. The budget may appear to be a great increase for this year but we are actually merely putting in this division employees who have been working in other aspects of cultural affairs in the department, some of whom are CETA employees. The only additional position is the Superintendent. A \$13,400 salary was requested and I recommend a salary of \$10,890. This may be lower than it should be but it is an attempt to keep expenditures to a minimum. The South Carolina Arts Commission will pay half of this salary.

I have elected not to cover the other departments in detail in this letter as they do not involve as substantial changes as the ones listed above.

Adoption of this budget will leave the City, in 1978, in a position of being able to improve services and at the same time, to maintain a strong financial position to face 1979. Had we more General Revenue Sharing funds available, there would be a greater capital expenditure recommendation in this budget. However, due to the decrease in our population estimates for our last entitlement, we do not have additional funds. I am anticipating, based on our own estimates, an increased amount next year which will enable us to address the capital needs of the City in a more decisive manner.

I hope that you will find this proposal satisfactory and that you will appreciate the additional information that is contained therein. Hopefully, it will enable us together to do an even better job of leading and managing the City of Charleston. Most sincerely yours.

Joseph P. Riley, Jr. Mayor

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#### PROPOSED CHANGES TO 1978 BUDGET

Add Proposed Changes Ways and Means

12/12/77 & 12/13/77

Increase

(Decrease)

Total Budget as Presented 12/12/77 \_\_\_\_\_ \$16,332,329

110-101 Clerk of Council, \$2,537 -- 2,537

Personnel Division

140-196 Intern Program, \$4,000 -- 4,000

Police Department

210-241 Uniforms, \$645

210-264 Training, \$3,480

210-274 Feed & Upkeep of Animals, \$4,018

210-380 Land, \$7,500  
210-381 Barn, \$7,500  
210-385 Machines and Equipment (Horses), \$7,300 -- 30,443  
Fire Department  
230-101 Chief, \$1,040  
230-102 Assistant Chiefs, \$2,298  
230-171 Battalion Chiefs, \$3,475  
230-174 Supervising Engineer, \$766  
230-176 Fire Prevention Inspector II, \$766  
230-173 Mechanic I, (1,412) -- 6,933  
Public Service (Electrical Division) 365-154 Construction Foreman-Electrical I, \$829  
365-385 Machines and Equipment, \$4,500 -- 5,329  
Leisure Services (Administration)  
(Cultural Affairs)  
510-101 Director, \$1,367 -- 1,367  
Leisure Services (Cultural Affairs) 540-105 Assistant Drama Coordinator, \$720  
540-272 Gibbes Art Gallery, \$10,000 -- 10,720  
Special Facilities (Gaillard Municipal Auditorium)  
450-101 Director, \$1,000  
560-102 Assistant Director, \$572  
560-164 Janitor, \$2,601 -- 4,173  
PROPOSED CHANGES TO 1978 BUDGET  
Add Proposed Changes Ways & Means  
12/12/77 & 12/13/77  
Increase  
(Decrease)  
Planning & Urban Development 610-106 Clerk Typist II, \$351 -- \$351  
Assistance Program (Jenkins Orphanage)  
715-279 Jenkins Orphanage, \$5,000 -- \$5,000  
Total Budget and Changes, \$16,403,182  
Miscellaneous Programs  
755-271 Emergency Fund and Planning, \$(40,410) -- (40,410)  
Total Revised Budget

Appropriations 12/13/77 -- \$16,362,772

RECAP OF APPROPRIATION BY CATEGORY

1978 1978 Increase

Ways & Means Action (Decrease)

Mayor's Recommendation Action

Salaries \_\_\_\_\_ \$10,100,938 \_\_\_\_\_ \$10,117,848 \_\_\_\_\_ \$16,910

Operating Expenses \_\_\_\_\_ 5,522,067 \_\_\_\_\_ 5,508,800 \_\_\_\_\_ (13,267)

Capital Outlay \_\_\_\_\_ 709,324 \_\_\_\_\_ 736,124 \_\_\_\_\_ 26,800

Total Recommendation -- \$16,332,329;

Total Ways & Means Action \_\_\_\_\_ \$16,362,772; Increase (Decrease) \$30,443

RECAP OF APPROPRIATION MADE BY WAYS & MEANS

12/12/77 AND 12/12/77

Total Budget Presented 12/12/77 -- \$16,332,329

Changes Made by Ways & Means Total -- \$70,853

Total -- \$16,403,182

Less: Reduction by Ways & Means in Emergency Fund -- \$40,410 -- \$16,362,772

Total Appropriation of Surplus as of 12/13/77, \$675,502

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The report was adopted on motion of Councilmember Young.

On motion of Councilmember Young second reading was given to the proposed 1978 Business License Ordinance.

Councilmember Young expressed the belief that the subject license ordinance was a good one. He was concerned, however, over the declining rate commencing at \$2,000,000. He felt in order to promote and encourage big businesses, the declining rate should commence at \$1,000,000 rather than \$2,000,000. He moved that the proposed 1978 Business License Ordinance be amended by reducing the declining rate to commence at \$1,000,000. His motion was properly seconded. The effect of his motion was discussed.

The Mayor explained that the proposed bill now commenced the declining rate after \$2,000,000. Councilmember Young, he said, would have the declining rate commence at \$1,000,000 and when a business reached \$10,000,000 it would be paying only 50% of the going rate. Under the proposed bill, the business would need to have over \$20,000,000 of business. Councilmember Young's proposal was to double the acceleration rate; the full rate would be paid for the first \$1,000,000. Discussion on the motion continued.

Councilmember Stephens asked how this would affect the newspaper. Mr. Bellavita estimated, based on last year's figures, the newspaper publisher's rate would reach approximately \$6,000. He and the City Controller pointed out that Councilmember Young's

motion would reduce the business license fee in increments of \$50 on each million dollars worth of business.

At the conclusion of the discussion on the declining rate in the proposed 1978 Business License Ordinance, Council voted in favor of Councilmember Young's motion and the Mayor declared the motion carried. No vote of opposition to the motion was expressed.

Councilmember Ader asked why the telephone company pays the City of Charleston a business license tax instead of a franchise tax. The Mayor stated that State law does not allow a telephone company franchise tax.

Councilmember Stephens asked if the telephone company was specifically exempt from paying a public utility franchise tax. The Mayor replied it was exempt.

Councilmember Young stated that his law firm represents the telephone company from time to time and he could explain about the telephone company and the Public Service Commission regulation governing the amount of busi-

ness license taxes which a city or a municipality can charge a telephone company for a business tax.

Councilmember Ader then moved that the City tax the telephone company's business license tax on the rate prescribed by the State Public Service Commission. The motion was properly seconded.

Councilmember Young repeated that his law firm occasionally represents the telephone company, but he felt he had no conflict of interest; however, if the Mayor or the committee felt he did, he would abstain from voting. Councilmember Stephens asked if the law firm represented the power company would he feel the same way. Councilmember Young stated he had no problem deciding upon whether he had a conflict. However, because there might be others thinking he had a conflict, he wanted Council to know whom he represented. No objection was expressed to Councilmember Young's voting on this matter. Discussion then continued on the question of how much revenue would be derived from the telephone company paying a business license tax or from a franchise tax. During this portion of the discussion, the City Controller pointed out there are grocery stores that pay as much as the telephone company would pay under the proposed business license ordinance. Discussion continued on the Public Service Commission's regulation.

Councilmember Ader explained that her main concern in raising this question was that the telephone company is monopolistic and for that reason she desired to hear both sides of the argument.

Councilmember Stephens, during the discussion, said he failed to see why the telephone company was different from other utility companies. He felt the telephone company's payment of the proposed business license tax would mean a minute cost to the citizens but a substantial sum of money to the city. Councilmember Stephens moved to table the motion to reduce the telephone company's business tax. Councilmember Christopher seconded the motion. The motion failed.

Council next referred to a letter dated December 12, 1977 from Attorney D. A. Brockington, Jr. in which he set forth the position of the local newspaper company with respect to the money they would be required to pay under the proposed 1978 business license ordinance.

Councilmember Stephens felt a good point was made in the said letter in that consideration was not given to the fact of "equity" when it involved ad valorem taxes, business license taxes, etc. as it pertained to the newspaper company. He agreed the whole sum amounts to a sizeable "penalty".

Councilmember Young pointed out reasons why he felt something should be done to the proposed business license ordinance in favor of the newspaper company. He felt this business should be given some relief and its taxes should be brought more in line with what other newspaper companies in the State pay.

Mr. Bellavita pointed out that the business had been classified in the ordinance as it is classified in the Standard Industrial Classification manual. He felt the only way the newspaper company could be given any relief would be to change the fee in Rate 4. He pointed out this would result in the fee structure not being consistent.

Councilmember Stephens asked if a ceiling could be set as to the amount any business would have to pay. The Mayor replied in the negative and pointed out this would be unconstitutional.

Councilmember Young stated that his reasons for hesitating to change the proposed business license and for his reluctance to changing the pay scale were the same. Since in this case an individualized-type business was involved, however, he asked if there was any way to create a rate classification which would apply only to newspapers. Discussion followed during which Councilmember Grimball pointed out that the newspaper company received many benefits from being the only business in its field.

Councilmember Stephens asked Mr. Bellavita if he had a solution to the problem. Mr. Bellavita replied he felt the City would be discriminatory if it classified the newspaper company separately.

In response to Council's unanimous request, Attorney Brockington pointed out that the State Tax Commission has classified newspaper companies as manufacturers and as a result this business must pay a higher tax ratio than other commercial ratios. Newspaper companies start with a 4.5% tax burden, and have been placed under Rate 4 with businesses that are not manufacturers and reap the benefit of the 6% commercial ratio. He conceded there are manufacturers in Rates 4, 1, and 2. He did not feel it would be fair to select a special category for the newspaper company per se. He said, in going through the classification index, he found that Rate 3 contains a classification entitled "manufacturing otherwise not specified". He called attention to a proposed amendment which was attached to his letter and noted he had selected Rate 3 so that the newspaper company could logically fit into that class, get a lower break, and not interfere with any other manufacturer's classification. Under Rate 3, the newspaper company, he estimated, would pay approximately the same tax that it paid in 1977.

Councilmember Stephens recalled that at the November 22nd meeting of City Council when a public hearing was held on the proposed business license ordinance, the dry cleaners explained their situation to be similar to the newspaper company's. He wondered whether those two categories could be placed in Rate 3. Mr. Brockington expressed the belief it would be more equitable to do so. Discussion continued on this issue.

Mr. Brockington asked Council to consider adopting the following resolution:

#### A RESOLUTION

RESOLVED that the "Alphabetical Business Classification Index" of the proposed Business License Ordinance and the "Rate Classification Index" be amended to change the

classification and rate of "Dry Cleaners" from Class 6 and "Publishers, Newspapers" from Class 4 so as to include their respective classification in "Manufacturing, not otherwise listed" under Class 3, so that such businesses classified as "manufacturers" by the South Carolina Tax Commission, or the SIC Manual will be subject to the license fee computed in accordance with Class 3 rates.

After brief discussion, Councilmember Young moved that the alphabetical business classification in the proposed 1978 business license ordinance be

amended by moving "dry cleaners" from Rate 6 to Rate 3 and by moving "publishers, newspapers" from Class 4 to Class 3. Councilmember Stephens seconded the motion. The Mayor expressed the concern that if the motion carried, Council would be diminishing the City's revenue source. He said he commiserated with the dry cleaners and newspapers; he thought Mr. Brockington made a very good case, but he did not know then where the necessary revenues were to come from.

A vote was taken on Councilmember Young's motion. The motion failed.

The following bill was given second reading. It passed second reading on motion of Councilmember Moore and third reading on motion of Councilmember Grimball. On the further motion of Councilmember Richardson, the rules were suspended and the bill was immediately ratified as:

Ratification

Number 1977-79

## AN ORDINANCE

TO REGULATE LICENSES FOR THE CITY OF CHARLESTON AND TO REGULATE THE ISSUANCE AND REVOCATION OF LICENSES FOR NIGHT CLUBS, CABARETS, TAVERNS OR OTHER SIMILAR ESTABLISHMENTS.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

### Sec. 1. License Required.

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Charleston, South Carolina, is required to pay an annual license fee and obtain a business license as herein provided.

### Sec. 2. Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed herein:

- A. "Business" means a calling, occupation, profession or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly. A charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to charitable purposes.
- B. "City" means the City of Charleston.
- C. "Classification" means that division of business by major groups subject to the same license rate as determined by a calculated index of ability to pay based on

national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

- D. "Gross Income" means the total revenue of a business, received or accrued, for one calendar year collected or to be collected by a business within the City, excepting therefrom income from interstate commerce and from business done wholly outside of the City on which a license tax is paid to some other municipality or a county and fully reported to the City. The gross income for business license purposes shall conform to the gross income reported to the South Carolina Tax Commission or the South Carolina Insurance Commission. In the case of brokers or agents, gross income shall mean gross commissions retained.
- E. "Person" means any individual, firm, partnership, cooperative nonprofit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

### Sec. 3. Purpose and Duration.

The business license levied by this ordinance is for purpose of providing such regulation as may be required by the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one calendar year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by City Council.

### Sec. 4. License Fee.

The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before the 31st day of January in each year, except that the due date for insurance companies shall be March 31. A separate license shall be required for each place of business and for each classification of business conducted at one place. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for preceding calendar or fiscal year, and on a twelve month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the calendar year.

### Sec. 5. Registration Required.

The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year, except that a new business shall be required to have a business license prior to operation within the City. Application shall be on a form provided by the License Inspector which shall contain the Social Security Number and/or the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, and all information about the applicant and the business deemed necessary to carry out the purposes of this ordinance by the license inspector. The applicant shall certify under oath that the information is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes due and payable to the City have been paid. Insurance agents and

brokers shall report the name of each insurance company for which a policy was issued and the total premium collected for each company for each type of insurance coverage on a form approved by the License Inspector. Insurance agents shall be licensed as brokers.

#### Sec. 6. Deductions and Exemptions.

No deductions from gross income shall be made except income from in-

terstate commerce only, income from business done wholly outside of the City on which a license tax is paid to some other municipality or a county, or income which cannot be taxed pursuant to State law. It is the intent of this ordinance that it shall follow the rule laid down by the Supreme Court of South Carolina in the case of Triplett vs. The City of Chester, 209 S.C. 455, 40 S.E. 2d 684 (1946). The applicant shall have the burden to establish the right to a deduction by satisfactory records and proof. No person shall be exempt from the requirements of this ordinance by reason of the lack of an established place of business within the City, unless exempted by State or Federal law. The License Inspector shall determine the appropriate classification for each business in accordance with the latest issue of the U.S. Bureau of Budget Standard Industrial Classification Manual. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax by reason of the application of this Ordinance.

#### Sec. 7. False Application Unlawful.

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing, of any false information with respect to the license or fee required by this ordinance.

#### Section 8. Display and Transfer.

All persons shall display the license issued to them on the original form provided by the License Inspector in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the City. A change of address must be reported to the License Inspector within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification of the License inspector and compliance with zoning and building codes. Failure to obtain the approval of the License inspector for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of ownership shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

#### Sec. 9. Administration of Ordinance.

The License Inspector shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the police department and assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be assigned by the City Council.

#### Sec. 10. Inspection and Audits.

For the purpose of enforcing the provisions of this ordinance the License Inspector or other authorized agent of the City is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records, and it shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that false information has been filed by the licensee, the costs of the audit shall be added to the correct license fee and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of license fee shall constitute a separate offense. The License Inspector shall make systematic inspections of all businesses within the City to insure compliance with the ordinance. Records of inspections and audits shall not be deemed public records, and the License Inspector shall not release the reported gross income of any person by name without permission of the licensee, provided that statistics compiled by classifications may be made public.

#### Sec. 11. Assessments.

When any person shall have failed to obtain a business license or to furnish the information required by this ordinance or the License Inspector, the License Inspector shall proceed to examine such records of the business or any other available records as may be appropriate and to conduct such investigations and statistical surveys as he may deem appropriate to assess a license tax and penalties as provided herein. A notice of assessment shall be served by certified mail and an application for adjustment of the assessment may be made to the License Inspector within five (5) days after the notice is mailed or the assessment will become final. The License Inspector shall establish by regulation the procedure for hearing an application for adjustment of assessment and issuing a notice of final assessment. A final assessment may be appealed to City Council only by payment in full of the assessment under protest within five (5) days and the filing of written notice of appeal within ten (10) days after payment pursuant to the provisions of this ordinance relating to appeals to City Council.

#### Sec. 12. Delinquent License Fees.

For non-payment of all or any part of the correct license fee, the License Inspector shall levy and collect a late penalty of five (5%) per cent of the unpaid fee for each month or portion thereof after the due date until paid. If any license fee shall remain unpaid for sixty (60) days after its due date, the License Inspector shall issue an execution which shall constitute a lien upon the property of the licensee for the tax, penalties and costs of collection, and he shall proceed to collect in the same manner as prescribed by law for the collection of other taxes.

#### Sec. 13. Notices.

The License Inspector may but shall not be required to serve or mail written notices that license fees are due, but he shall publish a notice of the due date in a newspaper of general circulation within the City two (2) times prior to the due date in each year.

#### Sec. 14. Denial of License.

The License Inspector shall deny a license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of material fact, or when the activity for which a license is sought is unlawful or constitutes a public nuisance. A decision of the License Inspector shall be subject to appeal to the Committee on Licenses of City Council as herein provided. Denial shall be written with reasons stated.

#### Sec. 15. Suspension or Revocation of License.

When the License Inspector determines that:

- a. A License has been mistakenly or improperly issued or issued contrary to law; or
- b. A licensee has breached any condition upon which his license was issued or has failed to comply with the provisions of this ordinance; or
- c. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
- d. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
- e. A licensee has engaged in an unlawful activity or nuisance related to the business;

the License Inspector shall give written notice to the licensee or the person in control of the business within the City by personal service or certified mail that the license is suspended pending a hearing before the Committee on Licenses of City Council for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be within thirty (30) days from the date of service of the notice. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

#### Sec. 16. Appeals to City Council.

- (a) Any person aggrieved by a final assessment or a denial of a business license by the License Inspector may appeal the decision to the Committee on Licenses of City Council by written request stating the reasons therefor filed with the License Inspector or City Clerk within ten (10) days after the payment of the assessment under protest or notice of denial is received.
- (b) An appeal or hearing on revocation shall be held by the Committee on Licenses of City Council within thirty (30) days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice. At such hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The Committee on Licenses of City Council shall by majority vote of members present render a written decision based on findings of fact and the application of the standards herein which shall be served upon all parties or their representatives and shall be final unless appealed to a court of competent jurisdiction within ten (10) days after service.
- (c) No person shall be subject to prosecution for doing business without a license until the expiration of ten (10) days after notice of denial or revocation which is not appealed or until after final judgment of court upholding denial or revocation.

#### Sec. 17. Violations.

Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and shall be subject to punishment by a fine of not more than \$200.00 or

imprisonment not to exceed thirty (30) days upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent penalties and costs provided for herein.

#### Sec. 18. Bonds Required for Detective Agencies and Security Services.

Each applicant for a license shall post with the License Inspector a bond in favor of the City of Charleston with surety in the amount of \$10,000. No bond shall be accepted for filing unless it is with a surety company authorized to do business in this state and conditioned that the principal named therein shall not do any act meriting suspension or revocation of his license under the provisions of the ordinance. In lieu of a bond, a cash deposit or a deposit of other securities acceptable to the License Inspector of a value of \$10,000 shall be accepted. Any person aggrieved by any act of the principal named in such bond in violation of the provisions of ordinances of the City of Charleston or of the laws of the State of South Carolina may proceed on such bond against the principal or surety therein, or both, to recover damages. The surety on the bond shall have the right to cancel such bond upon giving thirty (30) days notice to the License Inspector and thereafter shall be relieved of liability for any breach of condition after the effective date of the cancellation. Cancellation of a bond shall be grounds for revocation of licenses issued to detective agencies or security services.

#### Sec. 19. Night Clubs, Cabarets, Taverns, or other similar establishments.

- (a) No license to operate a night club, cabaret, tavern or other similar establishment under Rate Class 7-5813 shall be issued to a corporation or association for a trade name as such. Any application for a corporation, association or in a trade name shall be made by an officer or officers for its use, and such officer or officers in making such application shall be held to assume all responsibility thereunder as individuals and shall be subject to all the provisions and penalties set forth herein or in any other ordinance of the City of Charleston.
- (b) No person shall be eligible for such license if he or the person who will have actual control and management of the business proposed to be operated:
  - (1) is a minor;
  - (2) is not a citizen of South Carolina;
  - (3) has not been a bona fide resident of and maintained his principal place of abode in the City of Charleston for at least one year prior to date of application;
  - (4) is not of good repute; or
  - (5) has had a license under the provisions of this ordinance revoked within a five-year period next preceding the filing of the application.
- (c) Applicants for licenses under Rate Class 7-5813, in addition to the license applications required under Section 5 of this ordinance, shall complete a sworn statement on a form prepared by the Committee on Licenses for the purpose of establishing his qualifications to operate a night club, cabaret, tavern or other establishment under this section. The owner of the premises whereon such business is proposed to be located, and all mortgagees of record, shall signify their consent to the application

by signing the form in an appropriate place provided therein.

#### Sec. 20. Separability.

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

Sec. 21. Classification Rate Schedules.

The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the Standard Industrial Classification Manual (SIC). The License Inspector shall determine the proper class for a business according to the SIC.

RATES

Income: 0-\$2,000 All over \$2,000

CLASS 1 -- Rate per thousand or fraction thereof, \$12.50; Rate per thousand or fraction thereof, \$1.05.

CLASS 2 -- Rate per thousand or fraction thereof, \$15.00; Rate per thousand or fraction thereof, \$1.40.

CLASS 3 -- Rate per thousand or fraction thereof, \$17.50; Rate per thousand or fraction thereof, \$1.75.

CLASS 4 -- Rate per thousand or fraction thereof, \$20.00; Rate per thousand or fraction thereof, \$2.10.

CLASS 5 -- Rate per thousand or fraction thereof, \$22.50; Rate per thousand or fraction thereof, \$2.45.

CLASS 6 -- Rate per thousand or fraction thereof, \$25.00; Rate per thousand or fraction thereof, \$2.80.

CLASS 7 -- See individual business in Class.\*

Declining Rate applies in all Classes for gross income in excess of \$1,000,000.

TABLE INSET:

Amount (in Millions) Gross Income	Percent of Rate for each additional \$1,000
0-1	100%
1-2	95
2-3	90
3-4	85
4-5	80
5-6	75
6-7	70
7-8	65
8-9	60
9-10	55
Over 10	50

\*Class 7

Rates

TABLE INSET:

SIC	per \$1,000 or fraction thereof
7993	-- Amusement Machines, coin operated -- Not included in gross income of business where located or not owned by business where located, \$5.00 each. (Not to be prorated.)
7932	-- Billiard or Pool Tables, all types -- \$5.00. (Not to be prorated.)
4121	-- Taxi License:
On gross income, -- Rate Class 5	
License Plate, -- \$5.00	
Operator's License -- \$7.50	
1500	-- Contractors, Construction, all types--
1600	-- (Bond Required.)
1700	

A. Having place of business within the City: Income Range -- 0 - \$2,000; Per \$1,000 or fraction thereof, \$12.50 per M.

From work in City: Income Range -- Over \$2,000; Per \$1,000 or fraction thereof, 1.05 per M.

From work outside of City: Income Range -- Over \$2,000; Per \$1,000 or fraction thereof, 1.05 per M.

All over \$1,000,000 -- Declining rate

B. Itinerant (no place of business within City or Non-resident) . . . Double above rate.

The total fee for the full amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal license expiration date.

No contractor shall be issued a business license until all state and City qualification examination and trace license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the License Inspector with a list of all sub-contractors.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the City Building Code have been filed and approved. Zoning permits must be obtained when required by the City Zoning Ordinance.

6300 -- Insurance Companies

On gross premiums collected through offices or agents located in the City, wherever the risk is located, or collected on policies written on property or risks located in the City, wherever the premiums are collected:

Fire, Casualty, Surety, Title & all others except Life, Health and Accident . . . 1%

Life, Health and Accident: Premiums -- \$0 - 2,000; Per \$1,000 or fraction thereof, \$50.00.

Life, Health and Accident: Premiums over \$2,000; Per \$1,000 or fraction thereof \$2.50.

(Declining rates apply to all gross premiums in excess of \$1,000,000.)

Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute doing business within the City whether or not an office is maintained therein. A premium collected on property or a risk located within the City shall be deemed to have been collected within the City.

5813 -- Night Clubs, Cabarets, Taverns, or other similar establishments

Which sell or serve beer or wine or permit the consumption of alcoholic beverages on the premises between midnight and 2:00 a.m.

7-58A -- On gross receipts not exceeding \$25,000.00 -- \$475.00.

On each additional \$1,000.00 or fraction thereof -- 5.75.

Which sell or serve food or beverages, at which or in connection with which any vaudeville, theatrical or other entertainment, comprising four or more persons, is given between 7:00 a.m. and 2:00 a.m.

7-58B -- On gross receipts not exceeding \$25,000 -- \$790.00

On each additional \$1,000.00 or fraction thereof -- \$5.75

(Special form required in addition to business license)

4000 -- Railroad Companies

For the first 1000 inhabitants -- \$25.00

For each additional 1000 inhabitants, according to the last Federal census of the City -- \$35.00 per M or major fraction thereof

Up to a maximum total of -- \$2,000.00

RATE CLASSIFICATION

INDEX

RATE CLASS I

TABLE INSET:

SIC	Business Group
20	-- Food and kindred Products
26	-- Paper and allied products
28	-- Chemicals and allied products
30	-- Rubber and miscellaneous plastic products

SIC	Business Group
31	-- Leather and leather products
33	-- Primary metal industries
37	-- Transportation equipment
40	-- Railroad transportation (except railroad companies)
51	-- Wholesale trade -- nondurable goods
54	-- Food stores
55	-- Automotive dealers and gasoline service stations
70	-- Hotels, rooming houses, camps and other lodging
79	-- Amusement and recreation services (except motion pictures)

#### RATE CLASS 2

##### TABLE INSET:

SIC	Business Group
01	-- Agricultural production - crops
22	-- Textile mill products
23	-- Apparel & other finished products from fabrics and similar materials
25	-- Furniture and fixtures
29	-- Petroleum refining and related industries
47	-- Travel Agencies
50	-- Wholesale trade -- durable goods
52	-- Building materials, hardware, garden supply and mobile home dealers.
53	-- General merchandise stores
56	-- Apparel and accessory stores
57	-- Furniture, home furnishing, & equipment stores
58	-- Eating and drinking places (except nightclubs & similar establishments -- under Rate Class 7)
59	-- Miscellaneous retail
78	-- Motion pictures

#### RATE CLASS 3

##### TABLE INSET:

SIC	Business Group
24	-- Lumber and wood products (except furniture)

SIC	Business Group
32	-- Stone, clay, glass and concrete products
34	-- Fabricated and metal products (except machinery and transportation equipment)
36	-- Electrical and electronic machinery, equipment, and supplies
39	-- Miscellaneous manufacturing industries
42	-- Motor freight transportation and warehousing
44	-- Water transportation
49	-- Electric, gas and sanitary services

#### RATE CLASS 4

##### TABLE INSET:

SIC	Business Group
08	-- Forestry
21	-- Tobacco manufacture
27	-- Printing, publishing & allied industries
35	-- Machinery, except electrical
38	-- Measuring, analyzing and controlling instruments; photographics, medical and optical goods; watches and clocks
46	-- Pipe lines, except natural gas
75	-- Automotive repair, services and garages

#### RATE CLASS 5

##### TABLE INSET:

SIC	Business Group
41	-- Local & suburban transit, & interurban highway passenger transportation
48	-- Communication
62	-- Security & commodity brokers, dealers, exchanges and services
73	-- Business services

#### RATE CLASS 6

##### TABLE INSET:

SIC	Business Group
07	-- Agricultural services
09	-- Fishing, hunting and trapping
61	-- Credit agencies other than banks
64	-- Insurance agents, brokers and service

SIC	Business Group
65	-- Real estate (owners of fewer than 5 dwelling units exempt)
66	-- Combinations of real estate, insurance, loans, law offices
67	-- Holding and other investment offices
72	-- Personal services
76	-- Miscellaneous repair services
80	-- Health services
81	-- Legal services
82	-- Educational services
83	-- Social services
89	-- Miscellaneous services

RATE CLASS 7

TABLE INSET:

7993	-- Amusement machines, coin operated
7932	-- Billiard or pool tables, all types
4121	-- Taxi license tag
1500	-- Contractors, Construction, all types
1600	--
1700	--
6300	-- Insurance Companies
4000	-- Railroad Companies
5813	-- Night Clubs, Cabarets, Taverns, or other similar establishments

Sec. 22

NUMERICAL BUSINESS

CLASSIFICATION INDEX

TABLE INSET:

SIC	Name	Class
01	Agricultural production - crops	2
07	Agricultural services	6
08	Forestry	4
09	Fishing, Hunting and trapping	6
15	Contractors, construction, all types	7
16		
17		

SIC	Name	Class
20	Food and kindred products	1
21	Tobacco manufacture	4
22	Textile mill products	2
23	Apparel & other finished products from fabrics and similar materials	2
24	Lumber and wood products (except furniture)	3
25	Furniture and fixtures	2
26	Paper and allied products	1
27	Printing, publishing & allied industries	4
28	Chemicals and allied products	1
29	Petroleum refining and related industries	2
30	Rubber and miscellaneous plastic products	1
31	Leather and leather products	1
32	Stone, clay, glass and concrete products	3
33	Primary metal industries	1
34	Fabricated and metal products (except machinery and transportation equipment)	3
35	Machinery, except electrical	4
36	Electrical and electronic machinery, equipment, and supplies	3
37	Transportation equipment	1
38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks	4
39	Miscellaneous manufacturing industries	3
40	Railroad transportation (except railroad companies)	1
4000	Railroad companies	7
41	Local & suburban transit, & interurban highway passenger transportation	5

SIC	Name	Class
4121	Taxi license tag	7
42	Motor freight transportation and warehousing	3
44	Water transportation	3
46	Pipe lines, except natural gas	4
47	Travel agencies	2
48	Communication	5
49	Electric, gas and sanitary services	3
50	Wholesale trade - durable goods	2
51	Wholesale trade - nondurable goods	1
52	Building materials, hardware, garden supply and mobile home dealers	2
53	General merchandise stores	2
54	Food stores	1
55	Automotive dealers and gasoline service stations	1
56	Apparel and accessory stores	2
57	Furniture, home furnishing, & equipment stores	2
58	Eating and drinking places (except nightclubs, etc.)	2
5813	Nightclubs and similar establishments	7
59	Miscellaneous retail	2
61	Credit agencies other than banks	6
62	Security & Commodity brokers, dealers, exchanges and services	5
6300	Insurance companies	7
64	Insurance agents, brokers and service	6
65	Real Estate (owners of fewer than 5 dwelling units exempt)	6
66	Combinations of real estate, insurance, loans, law offices	6
67	Holding and other	6

SIC	Name	Class
	investment offices	
70	Hotels, rooming houses, camps and other lodging	1
72	Personal services	6
73	Business services	5
75	Automotive repair, services and garages	4
76	Miscellaneous repair services	6
78	Motion pictures	2
79	Amusement and recreation services (except motion pictures)	1
7932	Billiard or pool tables, all types	7
7993	Amusement machines, coin operated	7
80	Health services	6
81	Legal services	6
82	Educational services	6
83	Social services	6
89	Miscellaneous services	6

### ALPHABETICAL BUSINESS CLASSIFICATION INDEX

This index is not intended to be a complete listing of all types of businesses. It is an aid in finding classifications by common name and reference to the Standard Industrial Classification Manual group number. All businesses not exempt by law which are in the major groups listed under each rate class are subject to a license tax whether found in the alphabetical index or not. The License Inspector shall determine the proper classification of a business not listed.

#### TABLE INSET:

NAME	SIC	Class
A		
Abattoirs . . .	2011 . . .	1
Abstract land title or warranty companies . . .	6541 . . .	6
Accounting and Bookkeeping Services . . .	8931 . . .	6
Administrative Office . . .	7399 . . .	5
Advertising Agencies or Agents . . .	7311 . . .	5
Advertising Novelties, signs, placards, etc. . . .	7319 . . .	5

NAME	SIC	Class
Air Conditioning Contractor . . .	1711 . . .	7
Air Conditioning Service and Repair . . .	7623 . . .	6
Aircraft Supplies - wholesale . . .	5088 . . .	2
Aircraft Supplies - retail . . .	4582 . . .	2
Alterations, Clothing . . .	7219 . . .	6
Ambulance Services . . .	4119 . . .	5
Amusement and Recreation Services . . .	7999 . . .	1
Amusement Machines, coin operated . . .	7993 . . .	7
Amusement Parks . . .	7996 . . .	1
Animal Hospital . . .	0742 . . .	6
Answering Service . . .	7399 . . .	5
Antiques, dealers in . . .	5931 . . .	2
Apartment Building or complexes, rental . . .	6513 . . .	6
Appliances, Household, dealers in . . .	5722 . . .	2
Appliances, Household, repair . . .	7629 . . .	6
Appraisers, Real Estate . . .	6531 . . .	6
Architects . . .	8911 . . .	6
Armature Rewinding Shops . . .	7694 . . .	6
Armored Car Services . . .	7393 . . .	5
Art Glass, dealers in . . .	5999 . . .	2
Artificial Flowers, dealers in . . .	5999 . . .	2
Artists, portrait . . .	8999 . . .	6
Artists, commercial . . .	7333 . . .	5
Artists, studios . . .	8999 . . .	6
Artist Supplies, retail . . .	5999 . . .	2
Assignment, purchasers of accounts, factors . . .	6153 . . .	6
Astrologers - Prohibited . . .	. . .	
Athletic Clubs, admission charged . . .	7941 . . .	1
Athletic Arena . . .	7941 . . .	1
Attorneys . . .	8111 . . .	6
Auction Houses . . .	5999 . . .	2
Auctioneers - Regulated by . . .	. . .	

NAME	SIC	Class
state law . . .		
Automatic Sprinklers - installation . . .	1711 . . .	7
Automobile Accessories, dealers in . . .	5531 . . .	1
Automobile Automatic Car Wash . . .	7542 . . .	4
Automobile Body and Paint Shop . . .	7535 . . .	4
Automobile Dealers, new or used - retail . . .	5541 . . .	1
Automobile - manufacturing . . .	3711 . . .	1
Automobile Parts - wholesale . . .	5013 . . .	2
Automobile Parts - retail . . .	5531 . . .	1
Automobile Rental or Leasing . . .	7512 . . .	4
Automobile Repairs and Service . . .	7538 . . .	4
Automobile Tires, Recapping . . .	7534 . . .	4
Automobile Tires - Wholesale . . .	5014 . . .	2
Automobile Tires - retail . . .	5531 . . .	1
Automobile Towing Service . . .	7549 . . .	4
Automobile Salvage & Sale of Parts . . .	5931 . . .	2
Awning and Tent Makers . . .	2394 . . .	2
Awning and Tent Rentals . . .	5999 . . .	2
Awning and Tent Repair . . .	7699 . . .	6
<b>B</b>		
Bags, Bagging & Ties, dealers in . . .	5113 . . .	1
Bakery - wholesale or retail . . .	5462 . . .	1
Bakery Stores, Sales - Wholesale or retail . . .	5463 . . .	1
Ballroom, leased or rented . . .	7911 . . .	1
Barber Schools . . .	7241 . . .	6
Barber Shops . . .	7241 . . .	6

NAME	SIC	Class
Barber Supplies - wholesale . . .	5087 . . .	2
Barrel & Drum makers & dealers . . .	5085 . . .	2
Baskets, boxes, crates, bags, etc. dealers . . .	5113 . . .	1
Bath Houses . . .	7999 . . .	1
Bath, Turkish, sauna or vapor . . .	7299 . . .	6
Batteries, manufacture . . .	3692 . . .	3
Batteries, vehicle - retail or wholesale . . .	5531 . . .	1
Bearings, dealers in . . .	5085 . . .	2
Beauty Schools . . .	7231 . . .	6
Beauty Shops . . .	7231 . . .	6
Beauty Supplies . . .	5087 . . .	2
Belting - Wholesale . . .	5085 . . .	2
Beverage Coolers - wholesale . . .	5087 . . .	2
Bicycles - retail . . .	5941 . . .	2
Bicycle Rental . . .	7999 . . .	1
Bicycle Repair . . .	7699 . . .	6
Bicycle Supplies - wholesale . . .	5041 . . .	2
Bill Distributors, handbills . . .	7319 . . .	5
Billboards, erection & lease . . .	7312 . . .	5
Billiard or Pool Hall . . .	7932 . . .	7
Blacksmith . . .	7699 . . .	6
Blood Bank . . .	8091 . . .	6
Blueprinting . . .	7332 . . .	5
Boarding House . . .	7021 . . .	1
Boats, sightseeing operation . . .	4459 . . .	3
Boats, supplies & accessories - wholesale . . .	5041 . . .	2
Boats, supplies & accessories - retail . . .	5551 . . .	1
Boat Yards, storage, repair & rental . . .	4469 . . .	3
Boilermaker Shop, repair of boilers . . .	7699 . . .	6
Boilers, sale of . . .	5074 . . .	2

NAME	SIC	Class
Boiler, installation . . .	1711 . . .	7
Bolts & Screws - wholesale . . .	5072 . . .	2
Bondsman . . .	7399 . . .	5
Book Publishers . . .	2731 . . .	4
Book Store - retail . . .	5942 . . .	2
Bookbinders . . .	3555 . . .	4
Booking Agent . . .	7829 . . .	2
Bootblack, bootblack stand . . .	7251 . . .	6
Bottlers of flavored milk . . .	2087 . . .	1
Bottlers of soft drinks . . .	2086 . . .	1
Bottlers supplies - wholesale . . .	5085 . . .	2
Bowling apparel & accessories . . .	5699 . . .	2
Bowling lane equipment & supplies . . .	5941 . . .	2
Bowling Lanes & Centers . . .	7933 . . .	1
Box manufacturing . . .	2653 . . .	1
Boxing or Wrestling Matches . . .	7941 . . .	1
Brick, agents for . . .	5211 . . .	2
Brokers. See heading under type of broker . . .	. . .	
Building Construction - General Contractors . . .	1541 . . .	7
Building Materials & Supplies - wholesale . . .	5039 . . .	2
Building Materials & Supplies - retail . . .	5211 . . .	2
Burglar Alarms, installation only . . .	1731 . . .	7
Burglar Alarms, sale & installation . . .	7393 . . .	5
Bus, Charter . . .	4141 . . .	5
Bus & Motor Coach Company . . .	Franchise	
Bus Terminal . . .	4171 . . .	5
Business Broker, selling businesses . . .	7399 . . .	5
Business Colleges . . .	8244 . . .	6
Business Consultant . . .	7392 . . .	5

NAME	SIC	Class
Business Forms, manufacturing . . .	2751 . . .	4
Business Forms - retail . . .	5943 . . .	2
Business Services, not elsewhere classified . . .	7392 . . .	5
C		
Cabarets . . .	5813 . . .	7
Cabinet Shop, manufacturing . . .	2434 . . .	3
Cabinet Shop, custom order . . .	5712 . . .	2
Cafeteria . . .	5812 . . .	2
Camera & Photo Supplies - wholesale . . .	5043 . . .	2
Camera & Photo Supplies - retail . . .	5946 . . .	2
Camera Repair Shop . . .	7699 . . .	6
Candy - wholesale . . .	5145 . . .	1
Candy - retail . . .	5441 . . .	1
Canvassers . . .	5963 . . .	2
Car Wash . . .	7542 . . .	4
Carnivals . . .	7999 . . .	1
Carpet & Rug Cleaning . . .	7217 . . .	6
Carpet & Rugs, dealers in . . .	5713 . . .	2
Carpet Layer . . .	1752 . . .	7
Carpets - wholesale . . .	5023 . . .	2
Carriages, horse drawn for hire . . .	4789 . . .	2
Cash Register Dealers - see Office Machines . . .		
Caterers . . .	5812 . . .	2
Cement Manufacture . . .	2891 . . .	1
Cement Products - wholesale . . .	5039 . . .	2
Cemetery Lots, agents or sales . . .	6553 . . .	6
Cemetery Lots, caretakers . . .	0782 . . .	6
Charcoal, producers . . .	2861 . . .	1
Chauffeur & Limousine Tour Services . . .	7999 . . .	1
Cheese, manufacturers or processors . . .	2022 . . .	1

NAME	SIC	Class
Chemical & allied products, manufacture . . .	2819 . . .	1
Chimney Cleaners . . .	7349 . . .	5
Chiropractors . . .	8041 . . .	6
Cigarettes or Tobacco - wholesale . . .	5194 . . .	1
Cigars, manufacture . . .	2121 . . .	4
Cigar store or stand - retail . . .	5993 . . .	2
Circuses . . .	7999 . . .	1
Claim Adjustment Agent or Agency . . .	6411 . . .	6
Clay, Stone & Glass products, manufacture . . .	3200 . . .	3
Clipping Service, Press . . .	8999 . . .	6
Closing Out Sale - See City Code . . .		
Clothing, second hand dealer . . .	5931 . . .	2
Clothing - wholesale . . .	5130 . . .	1
Clothing - retail . . .	5651 . . .	2
Coal, Wood or Coke - wholesale . . .	5052 . . .	2
Coal, Wood or Coke - retail . . .	5982 . . .	2
Coffee or Tea Stores - retail . . .	5499 . . .	1
Coffee Roasters & wholesale coffee dealers . . .	5149 . . .	1
Coin Shops - retail . . .	5999 . . .	2
Cold Storage Warehouse . . .	4222 . . .	3
Collection & Claim Agency . . .	7321 . . .	5
Concrete Products - wholesale . . .	5039 . . .	2
Concrete Manufacture . . .	2951 . . .	2
Concrete Manufacture, ready mixed . . .	3273 . . .	3
Concrete, Dry Ready mix - wholesale . . .	3272 . . .	3
Consultant, Business . . .	7392 . . .	5
Contractors, construction-all types 1500-1600-1700 . . .	. . .	7

NAME	SIC	Class
Convalescent Home . . .	8059 . . .	6
Convention Decorators . . .	7399 . . .	5
Convention Promoters . . .	7392 . . .	5
Cooperage, manufacture . . .	2499 . . .	3
Cosmetics - manufacture . . .	2844 . . .	1
Cosmetics - wholesale . . .	5122 . . .	1
Cosmetics - retail . . .	5999 . . .	2
Cotton Brokers . . .	6221 . . .	5
Cotton Presses & Warehouses . . .	4221 . . .	3
Cotton Mill . . .	2211 . . .	2
Cracker Manufacture . . .	2051 . . .	1
Credit Reporting Agency . . .	7321 . . .	5
D		
Dairy Products, retail . . .	5451 . . .	1
Dairy Products, wholesale . . .	5143 . . .	1
Dairy Supplies - wholesale . . .	5084 . . .	2
Dancing School . . .	7911 . . .	1
Dance Hall . . .	7911 . . .	1
Data Processing Service . . .	7374 . . .	5
Data Processing Systems, Supplies & Equip . . .	7372 . . .	5
Decorator, Interior . . .	7399 . . .	5
Delicatessen . . .	5411 . . .	1
Delivery Service, messenger/courier . . .	4212 . . .	3
Dental Equipment & Supplies - wholesale . . .	5086 . . .	2
Dental Laboratories . . .	8072 . . .	6
Department Store . . .	5311 . . .	2
Design, machinery . . .	8911 . . .	6
Detective/Agency (Permit & Bond required) . . .	7393 . . .	5
Diaper Service . . .	7214 . . .	6
Directories . . .	7399 . . .	5
Dog Kennels and/or grooming . . .	0752 . . .	6
Drayage . . .	4212 . . .	3
Dressmakers for retail trade . . .	5699 . . .	2
Driver Training School . . .	8299 . . .	6
Drug Store - retail . . .	5912 . . .	2

NAME	SIC	Class
Drugs - wholesale . . .	5122 . . .	1
Dry Cleaning - retail or agents . . .	7212 . . .	6
Dry Cleaning - coin operated . . .	7215 . . .	6
Dry Cleaning - wholesale . . .	7219 . . .	6
Dry Goods - retail . . .	5399 . . .	2
Dry Goods - wholesale . . .	5134 . . .	1
Dye House . . .	7216 . . .	6
E		
Electric Power Company . . .	Franchise	
Electric Appliances & Supplies - retail . . .	5722 . . .	2
Electric Appliances & Supplies - wholesale . . .	5064 . . .	2
Electric Appliances, Repair . . .	7629 . . .	6
Electrical Contractors . . .	1731 . . .	7
Electrical Machinery, etc., manufacture . . .	3600 . . .	3
Electric Razor - retail . . .	5999 . . .	2
Electric Razor, Repair . . .	7629 . . .	6
Elevator Dealer - wholesale . . .	5084 . . .	2
Elevator Maintenance . . .	7699 . . .	6
Employment Agency . . .	7361 . . .	5
Engineering Services . . .	8911 . . .	6
Engraving, metal . . .	3479 . . .	3
Entertainment . . .	7929 . . .	1
Equipment Rental . . .	7394 . . .	5
Escort Service . . .	7299 . . .	6
Explosives wholesale . . .	5161 . . .	1
Exterminators . . .	7342 . . .	5
F		
Fabrics - retail . . .	5949 . . .	2
Factors . . .	6153 . . .	6
Farm & Industrial Machinery & Equipment . . .	5080 . . .	2
Fertilizer Factory . . .	2874 . . .	1
Fertilizer - wholesale . . .	5191 . . .	1
Field Warehousing . . .	7399 . . .	5
Film Developers for general public . . .	7395 . . .	5
Film Developers for movies	7819 . . .	2

NAME	SIC	Class
& TV . . .		
Film Distributor . . .	7823 . . .	2
Finance Company . . .	6145 . . .	6
Fish & Seafood - retail . . .	5423 . . .	1
Fish & Seafood - wholesale . . .	5146 . . .	1
Fisheries . . .	0912 . . .	6
Fishermen's Equipment - retail . . .	5941 . . .	2
Fixtures & Furniture, manufacture . . .	2500 . . .	2
Floor Covering - retail . . .	5713 . . .	2
Floor Covering - Wholesale . . .	5023 . . .	2
Flooring Contractor . . .	1752 . . .	7
Florist - retail . . .	5992 . . .	2
Florist - wholesale . . .	5199 . . .	1
Flour - wholesale . . .	5149 . . .	1
Flowers, real or artificial - retail . . .	5992 . . .	2
Flowers, real or artificial - wholesale . . .	5199 . . .	1
Food - retail, not consumed on premises . . .	5411 . . .	1
Food Broker . . .	5141 . . .	1
Food - wholesale . . .	5141 . . .	1
Fortune Telling - Prohibited . . .		
Foundary . . .	3300 . . .	1
Freight Forwarders . . .	4712 . . .	2
Fruit Baskets, mail order . . .	5961 . . .	2
Fruit & Produce - retail . . .	5431 . . .	1
Fruit & Produce - wholesale . . .	5148 . . .	1
Funeral Establishments . . .	7261 . . .	6
Fur, clothing - retail . . .	5681 . . .	2
Furnace dealer - retail . . .	5075 . . .	2
Furnace or heating contractor . . .	1711 . . .	7
Furniture - retail . . .	5712 . . .	2
Furniture - wholesale . . .	5021 . . .	2
Furniture - second hand . . .	5931 . . .	2
Furniture & Fixtures, manufacture . . .	2500 . . .	2

NAME	SIC	Class
Furniture Repair, refinishing, upholstery . . .	7641 . . .	6
G		
Garment Pressing, Alteration . . .	7212 . . .	6
Gas, liquified petroleum & equipment . . .	5984 . . .	2
Gas, natural gas company . . .	Franchise	
Gasoline Service Station . . .	5541 . . .	1
Gasoline - Wholesale . . .	5172 . . .	1
Gift Shop . . .	5947 . . .	2
Glass, motor vehicle, sale & installation . . .	7539 . . .	4
Glass - retail . . .	5231 . . .	2
Glass, stone & clay products, manufacture . . .	3200 . . .	3
Golf Courses (including miniature) . . .	7992 . . .	1
Grain Broker (Commodity) . . .	6221 . . .	5
Grain Dealer - Wholesale or retail . . .	5153 . . .	1
Grain Elevator . . .	4221 . . .	3
Granite - wholesale . . .	5039 . . .	2
Greeting Cards - retail . . .	5947 . . .	2
Grocers - retail . . .	5411 . . .	1
Grocers - wholesale . . .	5141 . . .	1
Guns - retail or dealer . . .	5941 . . .	2
Guns - wholesale . . .	5041 . . .	2
Gunsmith . . .	7699 . . .	6
H		
Hardware - retail . . .	5251 . . .	2
Hardware - wholesale . . .	5072 . . .	2
Hat Cleaning & Blocking . . .	7251 . . .	6
Hats - Retail . . .	5611 . . .	2
Hats - wholesale . . .	5136 . . .	1
Health Club . . .	7299 . . .	6
Hearing Aids - retail . . .	5999 . . .	2
Heating Contractor . . .	1711 . . .	7
Hemstitching and Pleating . . .	7219 . . .	6
Holding Companies . . .	6700 . . .	6
Horticulturist . . .	0781 . . .	6

NAME	SIC	Class
Hose, industrial - wholesale . . .	5085 . . .	2
Hosiery - retail . . .	5631 . . .	2
Hosiery - wholesale . . .	5137 . . .	1
Hosiery Mill . . .	2200 . . .	2
Hospital, Sanitorium & like institutions . . .	8062 . . .	6
Hospital, animal . . .	0742 . . .	6
Hotel . . .	7011 . . .	1
Hotel supplies - wholesale . . .	5081 . . .	2
House Mover/wrecker . . .	1799 . . .	7
I		
Ice dealer . . .	5982 . . .	2
Ice manufacture . . .	5199 . . .	1
Ice Cream - retail . . .	5451 . . .	1
Ice Cream - wholesale . . .	5143 . . .	1
Ice Cream - manufacture . . .	2024 . . .	1
Industrial Chemicals - wholesale . . .	5161 . . .	1
Industrial & Farm Machinery & Equipment . . .	5080 . . .	2
Insulation Contractor . . .	1742 . . .	7
Insurance Adjuster . . .	6411 . . .	6
Insurance Companies . . .	6300 . . .	7
Insurance Consultants or Engineers . . .	6411 . . .	6
Insurance Solicitors . . .	6411 . . .	6
Interior Decorator . . .	7399 . . .	5
Investment Counselor . . .	6281 . . .	5
Investment Firm, general brokerage . . .	6211 . . .	5
Iron & Steel, semi-finished items-wholesale . . .	5051 . . .	2
J		
Janitor or Housekeeping Service . . .	7349 . . .	5
Janitor Supplies - Wholesale . . .	5087 . . .	2
Jewelry & Watch Repair . . .	7631 . . .	6
Jewelry - retail . . .	5944 . . .	2
Jewelry - wholesale . . .	5094 . . .	2
Junk Dealers - wholesale . . .	5093 . . .	2

NAME	SIC	Class
K		
Kennels . . .	0759 . . .	6
Kitchen Designers & Contractors . . .	1521 . . .	7
Knitting Mills . . .	2253 . . .	2
L		
Laboratory, testing, commercial . . .	7397 . . .	5
Lamp Dealers - retail . . .	5719 . . .	2
Lamp Dealers - wholesale . . .	5023 . . .	2
Land Title or Abstract Company . . .	6361 . . .	2
Landfills . . .	4953 . . .	5
Landscape Service . . .	0781 . . .	6
Lapidary Shop - retail . . .	5999 . . .	2
Lapidary Supplies & Equipment - wholesale . . .	5085 . . .	2
Laundries . . .	7215 . . .	6
Laundry agent or pickup station . . .	7211 . . .	6
Lawnmowers - wholesale . . .	5199 . . .	1
Lawnmowers - retail . . .	5261 . . .	2
Lawnmower Repair . . .	7699 . . .	6
Leased Equipment, not otherwise listed . . .	7394 . . .	5
Leasing Company, vehicles, & non-expendable equipment . . .	7512 . . .	4
Leather Goods - retail . . .	5999 . . .	2
Leather Goods - wholesale . . .	5199 . . .	1
Leather & Products, manufacture . . .	3111 . . .	1
Legal Services, attorneys . . .	8111 . . .	6
Libraries, lending & depositories in stores . . .	8231 . . .	6
Linen Service . . .	7213 . . .	6
Livestock dealers . . .	0751 . . .	6
Locksmiths . . .	7699 . . .	6
Lodging & Rooming Houses . . .	7021 . . .	1

NAME	SIC	Class
Locker Rental, Food . . .	4222 . . .	3
Luggage (see Leather) . . .		
Lumber manufacturer . . .	2400 . . .	3
Lumber merchant . . .	5211 . . .	2
<b>M</b>		
Machine Shops . . .	3599 . . .	4
Mail Order Business . . .	5961 . . .	2
Management Consultant . . .	7392 . . .	5
Manicurist . . .	7299 . . .	6
Mantels, dealer or manufacturer . . .	2431 . . .	3
<b>MANUFACTURING</b>		
Chemicals & allied products . . .	2800 . . .	1
Clay, stone & glass products . . .	3200 . . .	3
Electrical Machinery, equipment, supplies . . .	3600 . . .	3
Furniture and fixtures . . .	2500 . . .	2
Leather and Leather products . . .	3100 . . .	1
Medicine . . .	2833 . . .	1
Metal Products . . .	3400 . . .	3
Paper and allied products . . .	2600 . . .	1
Petroleum refining and related industries . . .	2900 . . .	2
Rubber and miscellaneous products . . .	3000 . . .	1
Soap . . .	2841 . . .	1
Textile Mill products . . .	2200 . . .	2
Tobacco products . . .	2100 . . .	4
Transportation equipment . . .	3700 . . .	1
Manufacturing not otherwise listed . . .	3900 . . .	3
Marble, building, cut & shape . . .	3281 . . .	3
Marble, granite & other stone yards . . .	5039 . . .	2
Marinas . . .	4469 . . .	3
Massage . . .	7299 . . .	6
Mattress Makers . . .	2515 . . .	2
Mattress - retail . . .	5712 . . .	2

NAME	SIC	Class
Meat Processing . . .	2013 . . .	1
Meat Market - retail . . .	5423 . . .	1
Meats, wholesale . . .	5147 . . .	1
Medical & Health Services, physicians . . .	8000 . . .	6
Medicine, manufacture . . .	2833 . . .	1
Men's Wearing apparel - retail . . .	5611 . . .	2
Messenger Service . . .	7399 . . .	5
Metal Jobber - wholesale . . .	5051 . . .	2
Metal Products, manufacture . . .	3400 . . .	3
Milk - retail . . .	5451 . . .	1
Milk Depots, with or without delivery . . .	5143 . . .	1
Milk Supplies . . .	5084 . . .	2
Millinery Shop - retail . . .	5631 . . .	2
Millinery - wholesale . . .	5137 . . .	1
Miscellaneous Business Services, not listed . . .	8999 . . .	6
Mobile Homes - retail . . .	5271 . . .	2
Money Lenders, industrial loans . . .	6144 . . .	6
Money Lenders, finance Co. (not banks) . . .	6145 . . .	6
Monuments - retail . . .	5999 . . .	2
Mortgage Brokers . . .	6163 . . .	6
Motels . . .	7011 . . .	1
Motion Picture Films, agents . . .	7829 . . .	2
Motion Picture Operator . . .	7832 . . .	2
Motion Picture Theater & Drive in . . .	7833 . . .	2
Motion Picture Supply House . . .	5043 . . .	2
Motor Freight Lines . . .	4231 . . .	3
Motor Vehicle driver training school . . .	8299 . . .	6
Motorcycle Rental . . .	7099 . . .	1
Motorcycles, dealer or agent . . .	5571 . . .	1
Motors, outboard, dealer . . .	5551 . . .	1
Movers, trucking & storage . . . .	4214 . . .	3

NAME	SIC	Class
Multigraphing or letter writing . . .	7339 . . .	5
Music or musical instruments - retail . . .	5733 . . .	2
Music, wire transmitted, systems . . .	7399 . . .	5
N		
Natatorium or Swimming Pool . . .	7999 . . .	1
Neckware - retail . . .	5611 . . .	2
News Depot . . .	7351 . . .	5
Newspapers, Publishing . . .	2711 . . .	4
Newspapers - wholesale . . .	5199 . . .	1
Newsstand . . .	5994 . . .	2
Nightclubs . . .	5813 . . .	7
Notions, novelties - retail . . .	5947 . . .	2
Nurseries, Day . . .	8351 . . .	6
Nursery or horticulturist . . .	5261 . . .	2
Nursing Home . . .	8051 . . .	6
O		
Office Building, rental . . .	6531 . . .	6
Office Furniture . . .	5021 . . .	2
Office Machines, service & repair . . .	7629 . . .	6
Office Machines, rental . . .	7394 . . .	5
Office Machines, sale . . .	5081 . . .	2
Office Supplies - retail . . .	5943 . . .	2
Office Supplies - wholesale . . .	5112 . . .	1
Oil, fuel only - wholesale . . .	5172 . . .	1
Ophthalmic Goods - wholesale . . .	5086 . . .	2
Optical Goods or Supplies - retail . . .	5999 . . .	2
Optical Goods or Supplies - wholesale . . .	5086 . . .	2
P		
Packing House, cold storage . . .	4222 . . .	3
Paint Manufacture . . .	2851 . . .	1
Paint - retail . . .	5231 . . .	2
Paint - wholesale . . .	5198 . . .	1
Paper Jobbers - Wholesale . . .	5113 . . .	1

NAME	SIC	Class
Paper & allied products, manufacture . . .	2621 . . .	1
Parcel Delivery Company . . .	7399 . . .	5
Parking Lots & Garages . . .	7523 . . .	4
Parking spaces, trailer park . . .	6515 . . .	6
Pawn Brokers, all types (bond required) . . .	5931 . . .	2
Peanut & Popcorn stands . . .	5441 . . .	1
Peddlers, all types . . .	5963 . . .	2
Personal Holding Company . . .	6711 . . .	6
Personal Services . . .	7369 . . .	5
Pet Shop . . .	5999 . . .	2
Petroleum, refining & related . . .	2911 . . .	2
Pharmacies . . .	5912 . . .	2
Phonograph Records - wholesale . . .	5099 . . .	2
Phonograph Record Store - retail . . .	5733 . . .	2
Photograph Developing & Retouching . . .	7395 . . .	5
Photographers, commercial . . .	7333 . . .	5
Photographers, Studios . . .	7221 . . .	6
Photo Supply Store - retail . . .	5946 . . .	2
Piano Tuners . . .	7699 . . .	6
Pianos - retail . . .	5733 . . .	2
Pictures or Picture Frames - retail . . .	5799 . . .	2
Plating, silver, etc. . . .	3471 . . .	3
Plumbers supplies & equipment - wholesale . . .	5074 . . .	2
Plumbers supplies & equipment - retail . . .	5211 . . .	2
Plumbing contractor (bond required) . . .	1711 . . .	7
Polygraph Service . . .	7393 . . .	5
Printing or duplicating, all types . . .	2751 . . .	4

NAME	SIC	Class
Produce - retail & wholesale . . .	5141 . . .	1
Promoters, entertainment & sports . . .	7941 . . .	1
Public Relations . . .	7392 . . .	5
Publishers . . .	2731 . . .	4
Pumps - wholesale . . .	5084 . . .	2
Pumps - retail . . .	5999 . . .	2
R		
Radiator Repairs . . .	7539 . . .	4
Radio & TV - retail . . .	5732 . . .	2
Radio & TV, etc, supplies & parts . . .	5065 . . .	2
Radio & TV, rental or lease . . .	7394 . . .	5
Radio & TV Repairs . . .	7622 . . .	6
Radio & TV Stations . . .	4832 . . .	5
Railroad Companies . . .	4000 . . .	7
Real Estate, agents, brokers, realtors . . .	6531 . . .	6
Recreation Center . . .	7999 . . .	1
Reducing Salon . . .	7299 . . .	6
Refrigerators - retail . . .	5722 . . .	2
Refrigerators - wholesale . . .	5064 . . .	2
Rehabilitation House, after care . . .	8081 . . .	6
Rental Service, miscellaneous, not listed . . .	7394 . . .	5
Repair Services, miscellaneous . . .	7699 . . .	6
Reporter, stenographer, fee or commission . . .	7362 . . .	5
Representatives, business . . .	7399 . . .	5
Restaurants . . .	5812 . . .	2
Retail Trade - Apparel & Accessories . . .	5699 . . .	2
Retail Trade - Building Materials, Hardware		
Farm Equipment, etc. . . .	5211 . . .	2
Retail Trade - Food . . .	5411 . . .	1
Retail Trade - Furniture, home equipment . . .	5712 . . .	2
Retail Trade - General	5399 . . .	2

NAME	SIC	Class
Merchandise . . .		
Retail Trade - Miscellaneous, not listed . . .	5399 . . .	2
Riding Schools & Academies . . .	7399 . . .	5
Roofing manufacture . . .	2952 . . .	2
Roofing - wholesale . . .	5039 . . .	2
Roofing - retail . . .	5211 . . .	2
Rooming House . . .	7021 . . .	1
Rubber, related products, manufacture . . .	3069 . . .	1
Rubber Stamps, Manufacture . . .	3069 . . .	1
Rubber Stamps - retail . . .	5999 . . .	2
Rug Cleaning . . .	7217 . . .	6
Rugs & Carpets - retail . . .	5713 . . .	2
S		
Safes, dealer or agent . . .	5081 . . .	2
Sales Engineer . . .	7392 . . .	5
Sales Office. See heading under product.		
Sales Promotion . . .	7392 . . .	5
Sand - wholesale . . .	5039 . . .	2
Sand - retail . . .	5211 . . .	2
Sandwiches - retail . . .	5812 . . .	2
Sandwiches - manufacture & wholesale . . .	5149 . . .	1
Sanitoriums . . .	8051 . . .	6
Sausage Factory . . .	2013 . . .	1
Saw Mills, manufacture of . . .	3553 . . .	4
Saws, dealers . . .	5072 . . .	2
Scales, dealers . . .	7299 . . .	6
Scales - wholesale . . .	5081 . . .	2
Schools, acting . . .	8299 . . .	6
Schools, dance . . .	7911 . . .	1
Schools, educational or vocational . . .	8200 . . .	6
School Supplies & Books - retail . . .	5943 . . .	2
School Supplies & Books - Wholesale . . .	5086 . . .	2
Scrap - wholesale . . .	5093 . . .	2
Scrap, dealers or gatherers,	5093 . . .	2

NAME	SIC	Class
yards . . .		
Screens, doors, windows - manufacture . . .	2431 . . .	3
Screens, wholesale . . .	5211 . . .	2
Second-Hand goods, all types . . .	5931 . . .	2
Secretarial Service . . .	7362 . . .	5
Security & Guard Services (bond required) . . .	7393 . . .	5
Seeds, dealers . . .	5261 . . .	2
Sewer Pipe, dealers . . .	5039 . . .	2
Sewing Machines, Manufacture . . .	3634 . . .	3
Sewing Machines - retail . . .	5722 . . .	2
Sewing Machines - wholesale . . .	5064 . . .	2
Shipyards . . .	3731 . . .	1
Shirts, manufacture . . .	2328 . . .	2
Shoe Repair Shop . . .	7251 . . .	6
Shoes - retail . . .	5661 . . .	2
Shoes - wholesale . . .	5139 . . .	1
Shooting Gallery . . .	7999 . . .	1
Shopping Centers, Leasing . . . .	6512 . . .	6
Shuffleboards . . .	7999 . . .	1
Sign Painters . . .	7399 . . .	5
Skating & other rinks . . .	7999 . . .	1
Soap - wholesale or dealer . . . .	5122 . . .	1
Soap, manufacture . . .	2841 . . .	1
Soda Fountain . . .	5812 . . .	2
Soda Fountain Supplies - wholesale . . .	5145 . . .	1
Soda Water - Wholesale . . .	5145 . . .	1
Soft Drinks - Wholesale . . .	5149 . . .	1
Soft Drink Stands . . .	5812 . . .	2
Sporting Goods - retail . . .	5941 . . .	2
Sporting Goods - wholesale . . .	5041 . . .	2
Springs, bed, manufacture . . . .	2515 . . .	2
Stables, feed boarding or sales . . .	7999 . . .	1
Stamp Shop - retail	5999 . . .	2

NAME	SIC	Class
(Philatelist) . . .		
Stationery, including books . . .	5943 . . .	2
Statuary, dealer . . .	5999 . . .	2
Steam, heating & cooling contractor . . .	1711 . . .	7
Stenographer, on fee or commission . . .	7362 . . .	5
Stevedoring . . .	4463 . . .	3
Stock Broker or dealer . . .	6211 . . .	5
Stone, clay, glass products, manufacture . . .	3299 . . .	3
Stoves - retail . . .	5722 . . .	2
Stoves - wholesale . . .	5064 . . .	2
Stoves, manufacture . . .	3631 . . .	3
Stove Repairs . . .	7699 . . .	6
Sugar - wholesale or jobber . . .	5149 . . .	1
Surgical Instruments - wholesale . . .	5086 . . .	2
Swimming Pool Contractor . . .	1799 . . .	7
T		
Tailor, custom - retail . . .	5699 . . .	2
Tailor Shop, repair . . .	7219 . . .	6
Tallow, manufacturer . . .	2076 . . .	1
Talent Agent . . .	7399 . . .	5
Tape Recorders - retail . . .	5732 . . .	2
Tax Service . . .	7299 . . .	6
Taxi-Cabs (Permit required) . . .	4121 . . .	5
Tea Coffee - retail . . .	5963 . . .	2
Telegraph or signal company, agent . . .	4821 . . .	5
Telephone Company . . .	4811 . . .	5
Telephone Answering Service . . .	7399 . . .	5
Television, broadcast station . . .	4833 . . .	5
Television, closed circuit system . . .	4899 . . .	5
Television, CATV . . .	Franchise	
Television, Pay TV . . .	Franchise	
Television, rent or lease . . .	7394 . . .	5

NAME	SIC	Class
Television, tubes in cabinets, in stores . . .	5065 . . .	2
Temporary Employment Agency . . .	7362 . . .	5
Tent & Awning Maker . . .	2394 . . .	2
Tents - retail . . .	5999 . . .	2
Tent Repairs . . .	7699 . . .	6
Terra Cotta - retail . . .	5039 . . .	2
Textile Mill . . .	2200 . . .	2
Theaters, motion picture . . .	7833 . . .	2
Theaters, stage . . .	7922 . . .	1
Theatrical or Night Club Acts, agent . . .	7922 . . .	1
Ticket Bureau . . .	7922 . . .	1
Tile - retail . . .	5611 . . .	2
Tile - wholesale . . .	5039 . . .	2
Tile, manufacture . . .	3253 . . .	3
Tin & Metal Shop, repair only . . .	7699 . . .	6
Tires, recapping . . .	7534 . . .	4
Tobacco Products, Manufacture . . .	2131 . . .	4
Tour Busses . . .	4141 . . .	5
Tourist Guides-Examination Required . . .	7999 . . .	1
Towel Service & Rental, Uniforms, Rags, etc. . . .	7213 . . .	6
Toys - retail . . .	5945 . . .	2
Toys - wholesale . . .	5043 . . .	2
Tractors. See Industrial & Farm Machinery.		
Trading Stamps, dealers or companies . . .	7396 . . .	5
Trailer Parking Lots, rental . . .	7033 . . .	1
Trailer Parks . . .	6515 . . .	6
Trailers & trucks, rental . . .	7519 . . .	4
Transportation Equipment, manufacture . . .	3799 . . .	1
Travel Bureau, domestic & foreign . . .	4722 . . .	2
Tree Surgery . . .	0783 . . .	6
Truck & Auto Rental or Leasing . . .	7513 . . .	4

NAME	SIC	Class
Trucking, except rental or leasing . . .	4212 . . .	3
Trucks - retail . . .	5948 . . .	2
Trusses, dealers . . .	5999 . . .	2
Typesetting . . .	2791 . . .	4
Typewriters & Office Machines - retail . . .	5999 . . .	2
Typewriters - wholesale . . .	5081 . . .	2
U		
Uniform Rental . . .	7299 . . .	6
V		
Vacuum Cleaners - retail . . .	5722 . . .	2
Vacuum Cleaners - wholesale . . .	5064 . . .	2
Variety Store . . .	5331 . . .	2
Vulcanizing Shop, repair . . .	7534 . . .	4
Vehicles. See heading under type.		
Vending Machines, sale of products . . .	5962 . . .	2
Vending Machines - wholesale . . .	5081 . . .	2
Venetian Blinds, manufacture . . .	2591 . . .	2
Veterinarian . . .	0742 . . .	6
W		
Wall Paper - retail . . .	5231 . . .	2
Wall Paper - wholesale . . .	5198 . . .	1
Warehouse & Storage . . .	4225 . . .	3
Washing Cars . . .	7542 . . .	4
Washing Machines - retail . . .	5722 . . .	2
Waste Paper & Rags . . .	5093 . . .	2
Watchmaker, repairs . . .	7631 . . .	6
Water or Steam Hose - wholesale . . .	5085 . . .	2
Water Transportation Services . . .	4400 . . .	3
Weather Stripping, dealers . . .	5211 . . .	2
Welding Supplies . . .	5085 . . .	2
Wholesalers, not otherwise listed:		
Durable Goods . . .	5099 . . .	2

NAME	SIC	Class
Nondurable Goods . . .	5199 . . .	1
Wigs - retail . . .	5699 . . .	2
Wigs - Wholesale . . .	5199 . . .	1
Wood Sawyers, sawing wood by machinery . . .	2421 . . .	3
Woodenware, dealers - retail . . .	5999 . . .	2
Woolen Mills . . .	2283 . . .	2
Wrecker, towing service . . .	7549 . . .	4
Wrecking, buildings . . .	1795 . . .	7
Y		
Yeast wholesale . . .	5149 . . .	1

Sec. 23. This ordinance shall become effective January 1, 1978.

The following bill was given first reading:

A BILL

TO MAKE APPROPRIATIONS TO MEET THE LIABILITIES OF THE CITY OF CHARLESTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 1978.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: That the following sums of money be, and are hereby appropriated for the purposes hereinafter mentioned, to-wit:

TABLE INSET:

POLICY AND ADMINISTRATION PROGRAM	
Mayor	
Personal Services	\$115,892
Operating Expenses	30,875
Capital Outlay	350
Total	\$147,117
Revitalization	
Personal Services	\$36,357
Operating Expenses	16,546
Capital Outlay	1,792
Total	\$54,695
City Council	
Personal Services	\$118,548
Operating Expenses	48,900
Capital Outlay	10,825
Total	\$178,273

POLICY AND ADMINISTRATION PROGRAM	
Corporation Counsel	
Personal Services	\$56,870
Operating Expenses	21,200
Capital Outlay	-
Total	\$78,070
Finance Division	
Personal Services	\$225,288
Operating Expenses	55,185
Capital Outlay	8,025
Total	\$288,498
Personnel	
Personal Services	\$36,603
Operating Expenses	18,560
Capital Outlay	550
Total	\$55,713
Purchasing	
Personal Services	\$47,002
Operating Expenses	9,358
Capital Outlay	1,200
Total	\$57,560
Community Promotion	
Operating Expenses	\$68,132
PROTECTION AND PUBLIC SAFETY	
Police Department	
Personal Services	\$2,971,137
Operating Expenses	517,430
Capital Outlay	225,110
Total	\$3,713,677
Safety Council	
Operating Expenses	\$2,500
Total	\$2,500
Fire Department	
Personal Services	\$2,216,565
Operating Expenses	112,130
Capital Outlay	29,480
Total	\$2,358,175
PUBLIC SERVICES PROGRAMS	
Engineering Division	
Personal Services	\$176,271
Operating Expenses	20,450
Capital Outlay	8,100
Total	\$204,821
Inspections Division	
Personal Services	\$102,213

POLICY AND ADMINISTRATION PROGRAM	
Operating Expenses	9,700
Capital Outlay	1,450
Total	\$113,363
Streets and Sidewalks Division	
Personal Services	\$430,513
Operating Expenses	91,625
Capital Outlay	20,300
Total	\$542,438
Sanitation Division	
Personal Services	\$933,379
Operating Expenses	153,490
Capital Outlay	123,500
Total	\$1,210,369
Rodent Control	
Personal Services	\$21,266
Operating Expenses	3,060
Capital Outlay	
Total	\$24,326
Maintenance Division	
Personal Services	\$61,612
Operating Expenses	3,950
Capital Outlay	
Total	\$65,562
Electrical Division	
Personal Services	\$172,218
Operating Expenses	396,160
Capital Outlay	16,908
Total	\$585,286
Shops and Equipment Division	
Personal Services	\$121,618
Operating Expenses	\$29,080
Capital Outlay	2,645
Total	\$153,343
City Hall	
Personal Services	\$40,528
Operating Expenses	15,875
Capital Outlay	
Total	\$56,403
TRAFFIC AND TRANSPORTATION PROGRAM	
Traffic and Transportation	
Personal Services	\$149,725
Operating Expenses	85,750
Capital Outlay	18,250
Total	\$253,725

POLICY AND ADMINISTRATION PROGRAM	
Municipal Airport	
Personal Services	\$64,242
Operating Expenses	108,623
Capital Outlay	
Total	\$172,865
Parking Lot	
Operating Expenses	\$3,450
Parking Garage	
Personal Services	\$24,003
Operating Expenses	24,700
Capital Outlay	2,390
Total	\$51,093
Parking Meters	
Personal Services	\$52,185
Operating Expenses	11,125
Capital Outlay	4,000
Total	\$67,310
LEISURE SERVICES PROGRAMS	
Department of Leisure Services	
Personal Services	\$40,377
Operating Expenses	22,110
Capital Outlay	2,060
Total	\$64,547
Maintenance Division	
Personal Services	\$661,341
Operating Expenses	140,075
Capital Outlay	90,949
Total	\$892,365
Program Services	
Personal Services	\$369,744
Operating Expenses	39,750
Capital Outlay	6,997
Total	\$416,491
Cultural Affairs	
Personal Services	\$39,757
Operating Expenses	88,000
	Capital Outlay
Total	\$126,807
Cypress Gardens	
Personal Services	\$46,606
Operating Expenses	15,525
Capital Outlay	1,040
Total	\$63,171
Dock Street Theatre	

POLICY AND ADMINISTRATION PROGRAM	
Operating Expenses	\$15,074
SPECIAL FACILITIES PROGRAMS	
Gaillard Municipal	
Auditorium and Garden Theatre	
Personal Services	\$146,110
Operating Expenses	138,937
Capital Outlay	1,200
Total	\$286,247
Golf Course	
Personal Services	\$82,951
Operating Expenses	48,330
Capital Outlay	19,603
Total	\$150,884
Municipal Marina	
Personal Services	\$74,106
Operating Expenses	119,015
Capital Outlay	110,800
Total	\$303,921
COMMUNITY DEVELOPMENT PROGRAM	
Department of Planning and Urban Development	
Personal Services	\$221,435
Operating Expenses	21,250
Capital Outlay	600
Total	\$243,285
ASSISTANCE PROGRAM	
Oak Grove	
Personal Services	\$193,769
Operating Expenses	74,748
Capital Outlay	200
Total	\$268,717
Jenkins Orphanage	
Operating Expenses	\$10,000
Charleston Home for Children	
Operating Expenses	\$15,000
Drug Abuse Assistance	
Operating Expenses	\$1,200
MISCELLANEOUS PROGRAMS	
Pensions	
Operating Expenses	\$1,274,000
Employee Insurance	
Operating Expenses	\$620,000
Reserve for Extra Payroll Days	
Operating Expenses	\$45,000

POLICY AND ADMINISTRATION PROGRAM	
Market	
Personal Services	\$11,294
Operating Expenses	590
Capital Outlay	
Total	\$11,884
General Insurance	
Operating Expenses	\$107,000
Miscellaneous	
Operating Expenses	\$40,755
Emergency Fund and Planning	
Operating Expenses	\$100,000
Interest	
Operating Expenses	\$298,785
	Bonds
Operating Expenses	\$415,000
Total Appropriations	\$16,332,329

Section 2: The above appropriations shall be expended according to schedules approved by the Committee on Ways and Means. When it becomes necessary to make a transfer within any department or miscellaneous appropriation above, such transfer shall be made only upon the approval of the City Controller provided, however, that the City Controller shall refer transfers in excess of \$2,000.00 to the Ways and Means Committee for authorization.

Section 3. The above appropriations are on a basis of twelve (12) months, and are effective as of January 1, 1978, but said appropriations for salaries and operations are subject to cancellation or amendment by City Council as any emergency may make necessary. Scheduled appropriations for salaries paid on a bi-weekly basis shall cover the period from December 23, 1977 through December 21, 1978, and for salaries paid on a weekly basis the period from December 29, 1977 through December 27, 1978. It is the purpose and intent of these schedules that in the case of salaries paid on a bi-weekly basis, the bi-weekly compensation shall be one twenty-sixth ( $\frac{1}{26}$ ) of the sum herein appropriated and in the case of salaries paid on a weekly basis, the weekly compensation shall be one fifty-second ( $\frac{1}{52}$ ) of the sum herein appropriated.

Section 4. The Mayor is hereby empowered in any emergency and for increased efficiency in administration of government or in the event of any vacancies in any department or division, to transfer any individual or individuals on the payroll from one department or division to another.

Section 5. The Controller is hereby authorized to refer for final approval any proposed expenditures for salaries or supplies submitted by any department, board, or commission to the Mayor or the Committee on Ways and Means if, in his judgment, such referral is advisable.

Section 6. That the Emergency Fund shall be allocated by the Committee on Ways and Means for improvements, adjustments and emergencies.

Section 7. The expenditures provided for the Municipal Marina, and that portion of the expenditures for Bonds and Interest applicable thereto, shall be received and disbursed in accordance with Article X of "An Ordinance Providing for the Issuance and Sale of One Million

Dollars Municipal Yacht Basin Revenue Bonds (additionally secured) of the City of Charleston, S.C., dated March 1, 1961, and Other Matters Relating Thereto", ratified January 10, 1961, and amendments thereto.

Section 8. That if any section, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portions hereof, which shall remain in full force and effect.

Section 9. All Ordinances and parts of Ordinances in conflict with this Ordinance, shall be and the same hereby are repealed only so far as they are in conflict herewith.

Section 10. This Ordinance shall take effect as of January 1, 1978.

The following bill was given first reading:

A BILL

TO RAISE FUNDS FOR THE FISCAL YEAR ENDING DECEMBER 31, 1978, AND TO MEET APPROPRIATIONS OF \$16,332,329 AUTHORIZED BY ORDINANCE RATIFIED

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1: The revenues of the City Government applicable to the financing of the appropriations have been estimated and fixed as shown in the following items:

TABLE INSET:

ITEM 1.	
Levy	\$7,215,779
ITEM 2.	
Licenses	\$1,562,975
ITEM 3.	
Permits	66,500
ITEM 4.	
Rents & Concessions	35,845
ITEM 5.	
Police Department	408,400
ITEM 6.	
Parking Receipts	225,000
ITEM 7.	
Penalties & Costs	49,000
ITEM 8.	
State of South Carolina	753,850
ITEM 9.	
Discount on Purchases	3,600
ITEM 10.	
Street and Sewer Alterations	31,000
ITEM 11.	
Income from Oak Grove	272,541
ITEM 12.	

ITEM 1.	
Self-Sustaining Operations	1,299,700
ITEM 13.	
Housing Authority of Chasn.	42,000
ITEM 14.	
Franchise Tax on Gas and Electricity	360,000
ITEM 15.	
Commissioners of Public Works	425,000
ITEM 16.	
Airport Landing Fees	120,000
ITEM 17.	
Miscellaneous	35,000
ITEM 18.	
Federal Programs	2,781,080
<b>TOTAL ESTIMATED REVENUES</b>	<b>15,687,270</b>
<b>APPROPRIATION OF SURPLUS</b>	<b>645,059</b>
<b>TOTAL APPROPRIATED</b>	<b>16,332,329</b>

Section 2: That for the purpose of providing the sum of \$7,215,779 set forth in Item 1 above a tax of one hundred and fifty (150) mills hereby is levied upon every dollar of value of all real and personal property in the City of Charleston, to be appropriated for the several purposes indicated in the Annual Appropriations Ordinance.

Section 3: That for the purpose of deriving the revenue estimated in Item 14 of Section 1, there is levied a tax on all amounts received by any person, firm or corporation from the sale of electric energy used within the corporate limits of the City of Charleston, except electric energy paid for by the City Council of Charleston, and also a tax on all amounts received by any person, firm or corporation from the sale of natural or manufactured gas used within the corporate limits of the City of Charleston, except gas paid for by the City Council of Charleston, to be paid as other taxes herein of the City of Charleston are paid, and to be calculated on the amounts received from the 1st of January of the previous year through the 31st of December of the previous year, which taxes shall be in addition to all other taxes and assessments. The total tax shall be \$236,247.00 for the first \$10,299,764.00 of gross retail electric and gas revenues, plus: three per cent (3%) for the first additional \$100,000.00 of retail electric and gas revenues; two percent (2%) for the next \$400,000 of retail electric and gas revenues; and, one percent (1%) for all over \$500,000 of retail electric and gas revenues.

Section 4: That the revenues estimated in Item 6 of Section 1 are monies which the City of Charleston is authorized to disburse pursuant to Sections 4, 5, and 6 of Article VIII, and paragraphs numbered 5, 6, 7, and 8 of Article IX of "An Ordinance authorizing the issuance by the City of Charleston, South Carolina, of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00) Parking Facilities Revenue Bonds, and providing for other matters relating thereto", ratified November 13, 1956. The City Controller, from time to time, as may be necessary, shall issue appropriate orders or certificates directing the Fiscal Agent, or Custodian or Custodians designated pursuant to said Ordinance, to transfer funds to the City Treasurer.

Section 5: All taxes hereby levied shall be paid on or before January 31, 1979.

Section 6: That for the non-payment of taxes hereby levied in the manner and form as hereinabove set out, penalties and costs shall be added and imposed as follows:

February 1, 1979 through April 15, 1979, five percent (5%) plus cost. After April 15, 1979 in addition to five per cent (5%) herein specified, an additional five percent (5%) until paid, plus all costs of levy, collection, seizure and sale.

Provided, however, that this shall in no way be construed to extend the time for payment of taxes as hereinabove set forth, and the Officers of the City of Charleston or the County of Charleston are authorized to proceed with the collection and enforcement by levy, sale or otherwise at any time subsequent to the said first day of February, 1979.

Section 7. The City Sheriff or the Sheriff of Charleston County is hereby directed to sell on October 1, 1979 or at such later date as may be set by ordinance of City Council after a public hearing, all real property upon which taxes levied under this ordinance are unpaid; provided, however, nothing herein contained shall prevent the sale upon a subsequent date of real property not sold on the above mentioned date because of error, mistake, oversight or other cause.

Section 8. That the taxes herein levied shall constitute a specific lien on the property taxed paramount to all other liens, except those for State and County Taxes, from the time the liability for said taxes shall have accrued for the full term of ten (10) years after the said taxes shall have been due and payable.

Section 9. Revenue Sharing Funds are

to be used for the operation and maintenance costs of the high priority departments, i.e., Police Department and Fire Department.

Section 10. That all funds collected under the authority of this ordinance, except as herein directed, are to be held, used and expended for expenses incurred and to be incurred for the calendar Year 1978 and all such expenses, including those represented by the issuance of tax anticipation notes shall be first paid and shall constitute a first lien upon all such funds, and also upon all of the above levy so far as may be necessary to meet the payment of the said tax anticipation notes for expenses incurred in the Year 1978.

Section 11. That all the above items are to be paid as herein set forth so far as may be necessary and subject to the provisions of Section 10 of this ordinance, but any balances in any of the above items not used or specifically set aside for use, shall revert to the General Fund.

Section 12. That if any section, item or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining sections, items and portion thereof, which shall remain in full force and effect.

Section 13. This ordinance shall take effect January 1, 1978.

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The following resolution was read:

A RESOLUTION

RESOLVED, that the Mayor be and he hereby is authorized and directed for and in behalf of The City Council of Charleston to execute and deliver, under the corporate seal, attested by the Clerk of Council an agreement which shall be substantially as follows:

STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON  
RELEASE AND INDEMNITY AGREEMENT

THIS AGREEMENT MADE THIS -- day of November, 1977, at Charleston, South Carolina, by and between THE CITY COUNCIL OF CHARLESTON, hereinafter referred to as the Party of the First Part, and CAROLINA YACHT CLUB, hereinafter referred to as the Party of the Second Part, WITNESSETH:

WHEREAS, the Party of the Second Part has made application to erect a chain-link fence approximately fourteen (14') feet high, along the southern most portion of East Bay Street Playground, between the Carolina Yacht Club and the East Bay Street Playground, to facilitate ingress and egress to and from the Carolina Yacht Club. Said fence to be approximately 3 to 6 feet North of the boundary lines of the the property of the Carolina Yacht Club.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That in consideration of the granting of the said permit the Party of the Second Part hereby covenants and agrees that the said Party of the Second Part will indemnify and save the City of Charleston harmless from all claims, damages or liabilities arising from the existence of the said projection.

AND IT IS FURTHER AGREED that the Party of the Second Part will remove said fence at its own expense upon thirty (30) days written notice given by the Party of the First Part.

IN WITNESS WHEREOF, the said CITY COUNCIL OF CHARLESTON has caused these presents to be signed and its Official Seal affixed, and the said CAROLINA YACHT CLUB has signed, and sealed these presents, this \_\_\_\_\_ day of December, 1977. THE CITY COUNCIL OF CHARLESTON BY: Mayor AND Clerk of Council CAROLINA YACHT CLUB BY: John C. Townsend, Jr. Commodore

The resolution was adopted on motion of Councilmember Ader.

The Mayor then pointed out that by adopting the Committee on Ways and Means' report, the pay plan was adopted, approval was given to the hiring of a full-time project representative for the Museum. The Market was authorized to exercise its option to renew its lease of the City Market, the Mayor was authorized to proceed with the EDA contracts, and authorization was given for the sum of \$50,000 to be spent for consultant fees in connection with the hotel/convention center.

The following bill was given first reading:

A BILL

TO AUTHORIZE THE MAYOR OF THE CITY OF CHARLESTON TO ENTER INTO A LEASE AGREEMENT ON BEHALF OF THE CITY OF CHARLESTON WITH THE ST. FRANCIS XAVIER HOSPITAL FOR PROPERTY ON FISHBURNE STREET IN THE CITY OF CHARLESTON.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The Mayor of the City of Charleston is authorized hereby to enter into a lease agreement on behalf of the City of Charleston with the St. Francis Xavier Hospital for certain property on Fishburne Street under the terms and conditions set forth in a lease agreement attached hereto, which is adopted and incorporated herein as a part of this Ordinance.

Section 2. This Ordinance shall become effective upon ratification.

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

LEASE

THIS LEASE made and entered into at Charleston, South Carolina, this \_\_\_\_\_ day of \_\_\_\_\_, 1977, by and between THE CITY COUNCIL OF CHARLESTON, a municipal corporation under the laws of the State of South Carolina, hereinafter referred to as the "Lessor", and ST. FRANCIS XAVIER HOSPITAL, hereinafter referred to as the "Lessee".

WITNESSETH

The City Council of Charleston hereby leases unto St. Francis Xavier Hospital, and St. Francis Xavier Hospital hereby leases from The City Council of Charleston, an area bounded on the North by Fishburne Street; on the East by lands of The City of Charleston, now leased to the Medical University of South Carolina, on the South by other property of the City Council of Charleston and on the West by Horizon Street. The said premises measure approximately five hundred (500') feet on the North line, three hundred feet on the East line, three hundred fifty (350') feet on the South line, and three hundred twenty-five (325') feet on the West line all as shown on attached sketch, be all measurements a little more or less.

The Lease is made under the following terms, conditions and understanding:

USE

1. The premises are to be used solely as a parking lot.

RENT

2. The rental shall be Ten and 00/100ths (\$10.00) Dollars per year payable for the first year upon the execution of this Lease and thereafter on September 1st of each year.

TERM

3. The term of this Lease shall be for a period of one (1) year or until the proposed offstreet parking facility planned by the Lessee near the intersection of Vanderhorst Street and Rutledge Avenue is completed, which ever is the later.

IMPROVEMENTS

4. The Lessee shall be privileged to use the leased property for parking and to place upon the premises such fencing and other facilities as are incident to the use of the premises as a parking lot and all improvements will be at the expense of the Lessee.

INSURANCE

5. The Lessee agrees to carry Public Liability Insurance with minimum limits of One Hundred Thousand and 00/100ths (\$100,000.00) Dollars for injury to any one person and Three Hundred Thousand and 00/100ths (\$300,000.00) Dollars for total personal injury claims arising out of one event or happening, and Twenty-five Thousand and 00/100ths (\$25,000.00) Dollars for damage to property. The City of Charleston will be named insured in said policy of insurance.

EXTENSION

6. AND IT IS AGREED, that unless thirty (30) days notice in writing shall be given previous to the expiration of the period herein specified, by the Lessor to the Lessee, of the Lessor's desire to have possession of the premises, or like notice to be given by the Lessee to the Lessor of the Lessee's intention to vacate the premises after such expiration, then it is hereby agreed that this Lease will be considered as extended and binding from the termination of the period herein specified in all its provisions as a tenancy from month to month which may be thereafter terminated on the last day of any calendar month by notice of not less than thirty (30) days given by either party.

#### DEFAULT

7. AND IT IS AGREED, if default be made in the payment of rent at the time above specified, or if default shall be made in the performance of any of the provisions or agreements herein set forth, or if the Lessee shall become insolvent or vacate the said premises; that the entire amount of rent that would accrue for the unexpired terms shall at once become due and payable to the Lessor; and it shall be lawful for the Lessor to terminate this Lease, and reenter and forthwith repossess all and singular the said premises without hindrance or prejudice to his right to distrain for all rent that may be due; but the collection by the Lessor of rent for the unexpired term shall entitle the Lessee to all the Lessee's rights under this agreement during the period for which the rent may have been collected.

#### MODIFICATION

8. AND IT IS LASTLY AGREED, that the terms of the foregoing Lease shall not be varied or modified without the consent of the parties hereto being first endorsed thereon.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals the day and year first above written. THE CITY COUNCIL OF CHARLESTON, CHARLESTON, SOUTH CAROLINA BY: Joseph P. Riley, Jr., Mayor LESSOR. ATTEST: Clerk of Council ST. FRANCIS XAVIER HOSPITAL BY: LESSEE.

The following bill was given first reading:

#### A BILL

TO AMEND SECTION 17-53 OF THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, 1964, AS AMENDED, TO ADOPT THE 1978 EDITION OF THE NATIONAL ELECTRICAL CODE, IN LIEU OF THE 1975 EDITION.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 2: Section 17-53 of the Code of the City of Charleston, South Carolina, 1964, as amended, be and the same hereby is amended by striking out the whole thereof and inserting in lieu thereof the following:

"Section 17-53. Adoption; resolution of conflicts. All electrical construction and all material and appliances used in the connection with electrical work and the operation of all electrical apparatus within the city shall conform to the standard, rules and regulations of the National Fire Protection Association for electric wiring and apparatus recommended in the National Electrical Code, NFPA No. 70-1978; ANSI C1-1978 (Rev. of C1-1975), for the

installation of wiring and electrical apparatus for electrical purposes as they are now established, three copies of which such standards, rules and regulations have been filed in the office of the Clerk of Council, and are hereby adopted and approved and made a part of this Code as fully as if every word, clause, phrase, sentence, section and part thereof were printed herein; provided that such rules, regulations, and standards are not in conflict with the laws of the state or the ordinances of the City."

Where conflict occurs, the laws of the state shall prevail over the ordinances of the city or the National Electrical Code; and the ordinances of the City shall prevail over the National Electrical Code."

Section 2: All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section 3: This ordinance shall become effective January 1, 1978.

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Council received as information a letter dated December 2, 1977 from J. W. Fowler, District Engineer, Southern Bell Telephone Company, in which he explained the physical construction work involved in removing existing overhead lines in underground utility districts eight and nine. Further, he stated that it is not possible to complete the job during the 180-day time frame set by City Council and that it was projected all of the telephone company's facilities in the subject area would be underground by February 1, 1978.

Council received a letter dated November 22, 1977 from Ted A. Beach, Interim Superintendent, Charleston County Public Schools, in response to a communication from City Council on the subject, in which he stated that the Division of Transportation had investi-

gated the School District's providing bus transportation for students who reside in the Bayside Manor area and it was found that the distance from Bayside Manor to the nearest school, Sanders-Clyde Elementary School, is less than the minimum distance required by the State. Therefore, it was not possible for the School District to make free transportation available to these children.

Councilmember Jefferson noted that some children in Bayside Manor attend elementary and high schools which are further away than a mile and a quarter. She asked whether or not some consideration could be given to providing free transportation to those children. The Mayor agreed this point should be looked into and asked that the Clerk communicate with Mr. Beach on this question.

Council accepted the continuation of pawnbroker's license bond for Herbert M. Rovick.

Further, it received a copy of the Indirect Cost Allocation Plan for the year ending December 31, 1977 from Touche Ross & Co. and ordered the instrument filed in the office of the Clerk of Council.

A request from Limehouse Properties was received that 267 Rutledge Avenue be rezoned from DR-2F classification to Limited Business classification. On motion of Councilmember Richardson, the request was referred to the City Planning and Zoning Commission for study and a recommendation.

A note of appreciation was received from the family of the late C. O. "Neely" Thompson for the resolutions adopted by City Council at its October 25, 1977 meeting.

The following bill was given first reading:

A BILL

TO AMEND THE CODE OF THE CITY OF CHARLESTON BY DELETING IN ITS ENTIRETY ARTICLE 3 OF CHAPTER 2 ENTITLED CITY OFFICERS GENERALLY.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Article 3 of Chapter 2 of the Code of the City of Charleston is hereby amended.

Chapter 2 of the Code of the City of Charleston is hereby amended by deleting therefrom Article 3, City Officers Generally, in its entirety.

Section 2. This Ordinance shall become effective upon ratification.

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The following bill was given first reading:

A BILL

ADDING A NEW SECTION 33-70.1 TO CHAPTER 33 OF THE CITY CODE SO AS TO BAN CAMPING IN MOTOR VEHICLES ON THE PUBLIC STREETS, PARKS, AND PUBLIC PLACES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. FINDINGS OF FACT. As an incident to the adoption of this Ordinance, the City Council of Charleston finds that campers and other vehicles when used for camping and sleeping create a health hazard and constitute a public nuisance to the City of Charleston when parked on the streets or public places. The City Council specifically finds that campers and other such vehicles create traffic hazards when parked for long periods of time, add to the litter problem, and constitute a detriment to the tourist industry.

Section 2. That Chapter 33, Motor Vehicles and Traffic, is hereby amended to add a new Section 33-70.1 which shall read as follows:

"No person shall camp, camp out, sleep, lodge, or take up residence in any camper, van, bus, or other motor vehicle on the public streets or in any park or public place."

Section 3. This Ordinance shall be come effective upon ratification.

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The following bill was given first reading:

A BILL

PROHIBITING THE TRANSPORTATION OR POSSESSION OF ALCOHOLIC BEVERAGES IN OPEN CONTAINERS AND PROHIBITING THE CONSUMPTION THEREOF UPON THE STREETS AND PUBLIC WAYS AND PARKS AND PLAYGROUNDS OF THE CITY OF CHARLESTON EXCEPT WHERE A SPECIAL PERMIT HAS BEEN ISSUED.

BE IT ORDAINED BY THE COUNCIL MEMBERS OF THE CITY OF CHARLESTON IN CITY COUNCIL ASSEMBLED:

Section 1. No person shall transport or possess on his person or in a motor vehicle any beer, wine, or alcoholic beverage in an open container, nor consume any beer, wine or alcoholic beverage in or upon the streets, sidewalks, alleys, or public ways of the City of Charleston, nor in or upon the parking areas of private shopping centers under the jurisdiction of the Police Department of the City of Charleston, except as hereinafter provided.

Section 2. No person shall possess, carry, or transport any beer, wine, or alcoholic beverage in an open container, nor consume any beer, wine, or alcoholic beverage in or upon a park or playground of the City of Charleston, except at a group function, a permit for which has been obtained from the Chief of Police as hereinafter provided.

Section 3. A person seeking issuance of a permit to consume or possess alcoholic beverages shall file an application with the Chief of Police on forms provided by him. An application for a permit shall be filed with the Chief of Police not less than three (3) days nor more than thirty (30) days before the date on which the proposed activity is to take place.

Section 4. The application for a permit shall set forth the following information:

- a. The name, address, and telephone number of the person seeking the permit
- b. The name, address, and telephone number of the headquarters of the organization or association requesting the permit and of the authorizing and responsible head of such organization association
- c. The name, address, and telephone number of the person who will be the chairman and who will be responsible for the conduct of the activity
- d. The date when the activity is to be conducted
- e. The specific location of the activity proposed
- f. The approximate number of persons who will participate in the activity
- g. The hours when such activity will start and terminate
- h. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued

Section 5. The Chief of Police, where good cause is shown therefor, shall have the authority to consider any application hereunder which is filed less than three (3) days before the date such activity is proposed to be conducted.

Section 6. The Chief of Police shall act upon the application for a permit within two (2) days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant within two (2) days after the date upon which the application was filed a notice of his action, stating the reasons for his denial of the permit.

Section 7. The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- a. The conduct of the activity proposed will not substantially interrupt the safe and orderly activity of the park and playground in question or the safe and orderly movement of traffic, pedestrian and vehicular

- b. The conduct of the activity will not require the diversion of so great a number of police officers of the City to properly police the activity so as to prevent normal police protection to the City
- c. The concentration of persons at the activity will not unduly interfere with proper utilization of the parks and playgrounds or with proper fire and police protection of the parks and playgrounds and areas contiguous to said areas
- d. The conduct of the activity is not reasonably likely to cause injury of persons or property, to provoke disorderly conduct or create a disturbance
- e. The conduct of the activity is not reasonably likely to cause littering or a health hazard to the citizens of the City of Charleston

Section 8. No permit shall be granted under this Ordinance for an activity to convene before 9 A.M. or terminate after 8 P.M.

Section 9. Any person aggrieved shall have the right to appeal the denial of a permit to City Council. The appeal shall be taken within forty-eight (48) hours after notice. The City Council shall act upon the appeal at its next regularly scheduled meeting, but no later than twenty (20) days from the time of receipt of the appeal.

Section 10. The Chief of Police, in denying an application for a permit, shall be empowered to authorize the activity on a day, at a time, or at a different location from that named by the applicant. An applicant desiring to accept an alternate permit shall, within two (2) days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate permit shall conform to the requirements of and shall have the effect of a permit under this Ordinance.

Section 11. Immediately upon the issuance of a permit the Chief of Police shall send a copy thereof to the Mayor, the Fire Chief, the Director of the Department of Leisure Services, and any other City officials affected thereby.

Section 12. The Chief of Police shall have the authority to revoke a permit issued hereunder upon violation of the standards for issuance as set forth in Section 7 above.

Section 13. The activity chairman or other person heading or leading such activity shall carry the permit upon his person during the conduct of the activity.

Section 14. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

Section 15. This Ordinance shall become effective upon ratification.

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Because of the lateness of the hour, it was agreed to defer discussion on the "proposed annexation procedure" submitted by the City Planning and Zoning Commission.

The following resolution was read:

**MUNICIPAL-STATE HIGHWAY PROJECT AGREEMENT**

STATE OF SOUTH CAROLINA, COUNTY OF CHARLESTON, FILE NO. 10.840, F. A. PROJECT NO. M-5102(10), ROUTE OR NO. 52 Spur

RESOLUTION

WHEREAS, In accordance with Chapter 3, Title 33, Code of Laws of South Carolina, 1962, and amendments thereto, the South Carolina State Highway Department in cooperation with the Municipality of Charleston, proposes to construct, reconstruct, alter, or improve a certain street, or streets, on duly constituted routes in the State Highway System, within the corporate limits of said Municipality, according to plans prepared by the State Highway Department, identified as follows:

TABLE INSET:

Project No.	Route or No.
M-5102(10)	52 Spur

Route 52 Spur: Along Morrison Drive and E. Bay Street from north of Huger Street (Station 180+48), southeasterly to Amherst Street (Station 225+73).

NOW THEREFORE, Be it resolved that the Municipality of Charleston does hereby consent to the construction or improvements of the aforesaid Municipal street, or streets, in accordance with the aforesaid plans, thereby evidencing compliance by the State Highway Department with the provisions of Section 33-172, Code of Laws of South Carolina, 1962; and further, the Municipality, having reviewed the plans for said construction, does hereby approve said plans, as heretofore identified, as provided for in Section 33-173, of the 1962 Code, it being understood that the State Highway Department shall not be liable for damages to property or injuries to persons, as otherwise provided for in Section 33-229, of the 1962 Code, as a consequence of the placing, maintenance, or removal of any utilities by the Municipality, or by others pursuant to permission of the Municipality.

BE IT FURTHER RESOLVED, That the Municipality will legally protect the right of way as shown by the plans prepared by the State Highway Department and as established for this street, or streets, from future encroachment along any or all parts of the improvement covered by this agreement, and that all water, sewer and gas pipes, manholes, or fire hydrants and all power, light, telegraph, or telephone poles will be moved, relocated or rearranged, or caused to be moved, relocated or rearranged by the Municipality, in accordance with plans prepared by the State Highway Department and/or by respective utility companies showing their present and proposed location, and made a part hereof, with provision that pole lines and hydrants be located back

of the sidewalk, and all necessary rights of way for drainage ditches or pipes will be secured to conform to the plans for the proposed improvement and that all of the above will be done without any expense or cost to the State Highway Department except for those items which are shown on the construction plans for this project to be adjusted as items in the construction contract or contracts to be awarded by the State Highway Department.

BE IT FURTHER RESOLVED, That the Municipality will furnish the State Highway Department with evidence satisfactory to the Department that the utilities are operating within the Municipality by franchise or other written permission with provision that all necessary relocations of such utilities to accommodate street improvements will be made at no cost to the State Highway Department; that the presence of the utilities over, along or under the street will in no way interfere with construction, maintenance, and safe operations of the street; and that no additional utility installations within the limits of the street improvement from the date of the execution of this agreement will be permitted without approval of the State Highway

Department, and that the relocation activities will be coordinated so as to minimize interference with contractor operations.

BE IT FURTHER RESOLVED, That the Municipality hereby signifies its intention to faithfully observe the provisions of Chapter 7, Title 46, Code of Laws of South Carolina, 1962, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the State Highway Department as required in Section 46-302 of the 1962 Code, nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, This Resolution is hereby adopted and made a part of the Municipal records this \_\_\_\_\_ day of \_\_\_\_\_, 1977 and the original of this Resolution will be filed with the South Carolina State Highway Department at Columbia.CHARLESTON, S.C.MunicipalityByMayorATTEST:Clerk

The resolution was adopted on motion of Councilmember Stephens.

The Mayor informed Council that an urgent call was received from the Historic Charleston Foundation this date saying that it was necessary for City Council to pass a resolution to place the area that has been added to the Old and Historic District on the National Register of Historic Places. The Historic Charleston Foundation asked City Council to consider the following resolution which the Mayor read:

#### A RESOLUTION

RESOLVED that the City Council of Charleston approves the inclusion of the areas of the City added to the Old and Historic District during the year 1975 into the National Register of Historic Places.

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The Mayor explained this would give the property owners in the subject area the opportunity to get the tax break that was put into law last year. Corporation Counsel Regan explained more fully the benefits that the property owners in the said area would derive from the adoption of the above resolution.

Councilmember Young moved for this item to be placed on the agenda and for the adoption of the resolution. Councilmember Jefferson seconded the motion. The motion carried.

Councilmember Stephens asked that Council endorse a motion that the Mayor write Charles Towne Landing a letter of appreciation for their hospitality in the use of their facilities in connection with City Council's November 22, 1977 meeting, which was held there. Council concurred with the request, and the Mayor agreed to write the letter.

Councilmember Scott called Council's attention to the fact that the ground breaking for Harmon Field would be held the following day at 10:00 a.m. and she extended an invitation to all of the Councilmembers to attend the ceremony.

There being no further business, the meeting was adjourned on motion of Councilmember Stephens.

MARY R. WRIXON  
Clerk of Council

see pg 615 First reading was given to a bill to amend the zoning ordinance of the City of Charleston by changing the zone map so that certain property lying on the north side of Harborview Rd containing 4.8 acres shall be rezoned from SR-1 classification to DR-1F Classification