

AN ORDINANCE AMENDING CHAPTER 18, MOTOR VEHICLES AND TRAFFIC, OF
THE CODE OF THE CITY OF ROCK HILL
CONCERNING TRAFFIC COMMISSION PILOT PROGRAM

BE IT ORDAINED by the Governing Body of the City of Rock Hill in Council assembled:

SECTION 1. That this ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, Section 5-7-30 and Section 5-7-260 and Section 2-48 and Section 2-96 of the Code of the City of Rock Hill.

SECTION 2. That this Ordinance was adopted by the Rock Hill City Council by a majority vote and applicable public hearing requirements.


SECTION 3. That the Proposed Amendment to Chapter 18, MOTOR VEHICLES AND TRAFFIC, Article II, Administration and Enforcement, Section 18-32. Powers and duties of traffic commission and Section 18-35. Budget for traffic commission be and the same are hereby amended by deleting the current language and inserting in lieu thereof the following:

See Exhibit "A" attached


SECTION 4. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. That this Ordinance shall be and become finally binding after receiving first and second readings given in the manner required by law.

DONE AND RATIFIED in Council assembled on this the 26TH day of JUNE, 2023.




John Pressly Gettys, Jr., Mayor

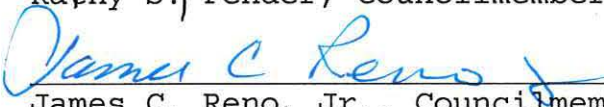


Derrick L. Lindsay, Mayor Pro Tempore

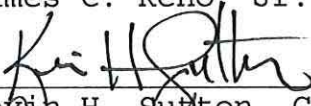
John A. Black, III, Councilmember



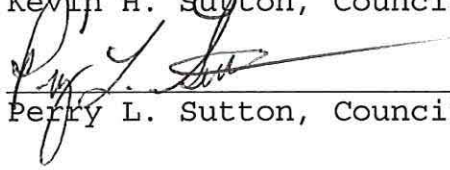
Kathy S. Pender, Councilmember



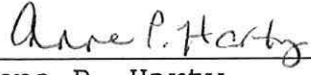
James C. Reno, Jr., Councilmember



Kevin H. Sutton, Councilmember



Perry L. Sutton, Councilmember

ATTEST:


Anne P. Harty
Municipal Clerk

EXHIBIT "A"

Sec. 18-32. Powers and duties of traffic commission.

From July 1, 2023, through June 30, 2024, the traffic commission shall:

- (a) *Make recommendations to the city council regarding the funding of public applications for traffic calming measures.*
 - i. The traffic commission shall evaluate and make recommendations to the city council regarding public requests for traffic calming measures (such as but not limited to speed humps and chokepoints) twice a year.
 - ii. Eligible applicants include residents (both tenants and property owners), homeowners' associations, property owners' associations, and all other stakeholders affected by traffic concerns, such as business owners.
 - iii. There is no fee to submit an application for consideration.
 - iv. Before submitting an application, the applicant must meet with the Traffic Commission liaison about the application process, assessment measures that will be used to evaluate the application, and the required cost share if the request is approved.
 - v. The Traffic Commission liaison shall determine the "zone of influence" for the application, which will include all properties impacted by the traffic calming. The Traffic Commission liaison will provide the applicant with a list of physical and mailing addresses for the properties within the zone of influence.
 - vi. The applicant must notify every property owner within this established zone of influence about the application at least 30 days before submitting it. The content of the communication materials must be approved in advance by the Traffic Commission liaison. They must include a description of the proposed improvements as well as detailed information about the required cost share that must be submitted by the zone of influence if the request is approved. The initial contact may be done in person, by regular mail, by email, or by certified mail, return receipt requested, at the applicant's expense; however, the applicant must send a certified letter, return receipt requested, at its expense to all property owners who do not sign a petition in favor of the request. The applicant must provide the Traffic Commission liaison with copies of the return receipts from that mailing as well as copies of any returned envelopes as part of the application packet.
 - vii. Applications must include a petition in favor of the request that is signed by at least 75 percent of the requesting area. Only one signature per household will count towards the required number.
 - viii. Homeowners' associations and property owners' associations are not required to complete the steps set forth in subsections v.-vii, provided that (a) all properties within the zone of influence are under the jurisdiction of the association, and (b) that the association will pay any cost share on behalf of the property owners within the zone of influence if the request is approved.
 - ix. The traffic commission shall evaluate the relative merits of the applications using an assessment form and matrix that it shall approve prior to the opening of the application cycle. The traffic commission shall recommend to the city council which requests to fund based on the ranking of the projects through this assessment and the available budget as set forth in subsection 18-35(a).
 - x. Requests that receive approval by the city council shall require a match from the requesting group. The amount of the match shall be calculated according to the following chart:

Requests from single-family detached or attached residential property owners		
Average assessed property value of residential properties within the zone of influence	Zone of influence share	City share
Greater than \$500,000.00	100%	0%
\$400,000.00—\$499,999.00	80%	20%
\$300,000.00—\$399,999.00	60%	40%
\$200,000.00—\$299,999.00	40%	60%
\$100,000.00—\$199,999.00	20%	80%
Less than \$100,000.00	0%	100%
Requests from non-residential property owners and multi-family property owners		
	Zone of influence share	City share
	100%	0%

- xi. The traffic commissions liaison shall coordinate the implementation of the funded solutions by the relevant city department(s). If a request is not funded, the applicant may apply again the next application cycle.
- (b) *Make recommendations to city council regarding the funding of a high-impact safety improvement(s) proposed by the traffic commission liaison.* The traffic commission shall evaluate and make recommendations to the city council regarding a high-impact safety improvement (s) proposed by the traffic commission liaison once a year. The proposed improvement shall be based on an evaluation of collision rates, severity and frequency. The proposed improvement shall not be associated with any public application for a traffic calming measure as described in subsection (a) above.
- (c) *Make other recommendations to the city council.* The traffic commission shall also make recommendations to the city council on other transportation-related topics including but not limited to: (i) requests to change the speed limit on city streets; (ii) requests to create, modify or remove parking restrictions on city streets; (iii) requests to adopt or amend transportation-related policies, ordinances and plans; and (iv) improvements requested through the processes set forth in this section where the intersection or street is not owned and maintained by the city. These may be requested by the public or the traffic commission liaison. If requested by the public, the traffic commission liaison shall make a recommendation to the traffic commission regarding the request.
- (d) *Hear appeals.* The traffic commission shall hear appeals on up to a monthly basis regarding decisions of the traffic commission liaison. Once the traffic commission has decided the appeal, the decision would be final for one year unless the traffic commission determines that the applicant has shown substantial evidence of one of the following: (i) there is a substantial change in circumstances relevant to the issues and/or facts that were considered during the review of the appeal that might reasonably affect the traffic commission's decision; (ii) new or additional information is available that was not available at the time of the review of the appeal that might reasonably affect the traffic commission's decision; (iii) a new request is materially different from the prior one; or (iv) the final decision on the appeal was based on a material mistake of fact.

Sec. 18-35. Budget for traffic commission.

The traffic commission shall have the following funding available from **July 1, 2023**, through **June 30, 2024**: (i) \$25,000.00 for public requests for traffic calming as described in subsection 18-32(a); (ii) \$12,500.00 for a high impact safety improvement(s) proposed by the traffic commission liaison as described in subsection 18-32(b); (iii) \$2,500.00 for the traffic commission liaison to implement traffic safety improvements that cost a maximum of \$500.00 each as described in section 18-33; and (iv) **\$5,000.00** for the traffic commission liaison to contract with transportation consultants in relation to the operations of the traffic commission as described in section 18-33.