

ORDINANCE 24-0202

AN ORDINANCE TO AMEND CHAPTER 20, ARTICLE VI BY: AMENDING SECTIONS 20-201, 20-202, 20-203 AND 20-210; RE-NUMBERING SECTIONS 20-210 AND 20-211; DELETING SECTIONS 20-204, 20-205, 20-206, 20-207, 20-208 AND 20-209.

WHEREAS, Council is of the mind that it is in the best interest of the Town that incentives for economic development within the municipal limits are best handled on a case-by-case method, and

WHEREAS, the program known as Summerville Open for Business Program should be abandoned, and

WHEREAS, the Commercial Revitalization Incentives program should be preserved.

NOW THEREFORE, Be it ordained by the Mayor and Members of Town Council duly assembled;

1. The above Recitals are hereby incorporated into this Ordinance to the same extent as if set out verbatim.
2. Sections 20-204, 20-205, 20-206, 20-207, 20-208 and 20-209 of Chapter 20, Article VI are hereby deleted in their entirety.
3. Chapter 20, Article VI Town of Summerville Code of Ordinances is hereby amended so that it will hereafter read:

Sec. 20-201. Title.

This article shall be referred to as the "Commercial Revitalization Incentives"

Sec. 20-202. Authority.

This program is enacted pursuant to the powers conferred upon the Town of Summerville, South Carolina (the "town") under the Constitution of the State of South Carolina, 1895, as amended, specifically including the home rule amendments thereto, S.C. Code Ann. § 5-7-30 and S.C. Code Ann. § 6-29-340. The enactment of this article has been expressly found and determined to create significant value and benefits to the town, and its citizens; and any public funds expended under the terms hereof are anticipated and expected to value to the town that is equivalent to or greater than the funding expended by the town.

Sec. 20-203. Purpose.

The purpose of the Commercial Revitalization Incentives program is to provide a set of tools that can be used by town's staff to encourage revitalization in the Commercial Historic District as shown on the map attached hereto as Exhibit A and incorporated herein by reference. The provisions herein allow and permit the town to offer certain incentives or inducements to a person, firm, businesses or corporation that undertake(s) a revitalization project consistent with the provisions herein.

Nothing in this article shall be construed to establish any form of ownership, partnership, or liability to or with any third party for the revitalization of any project.

Sec. 20-204. Commercial revitalization incentives.

Commercial revitalization incentives are offered and available to the owner of any property (i) zoned for commercial use and (ii) located within the incentive area. Respecting the "Interior Upfit and Maintenance Program" and the "Historic Building Maintenance Program" such programs are only available to the owners of properties located in the historic commercial district and otherwise meeting all other qualifications for commercial revitalization incentives.

The following commercial revitalization incentives are established. In all cases, any financial assistance awarded will be provided on a reimbursement basis only.

(1) *Façade program.* This program will provide financial assistance for improvement projects on building facades. The maximum reimbursement amount is \$2,500.00. The program requires a 50 percent match by the eligible recipient.

(2) *Sign program.* This program provides financial assistance for business signage on the exterior of buildings. The maximum reimbursement amount is \$500.00. No match is required.

(3) *Design assistance program.* This program provides financial assistance for architectural design services and/or preparation of scope of work for exterior façade work. The maximum reimbursement amount is \$500.00. No match is required.

(4) *Interior upfit and maintenance program.* This program provides for reimbursement of the costs of repairs or upfits to the interior of a building in the historic district that will either repair or restore architectural or structural elements of the building, or upfits that cause the building to be retail-ready. The maximum reimbursement amount shall be the lesser of (i) 50 percent of the total repair/restoration/upfit cost, or (ii) \$2,500.00. Generally, all upfits must be permanent improvements to the building and include, but are not limited to, display windows; new construction, such as bathrooms or changing areas; certain electrical, mechanical, and plumbing work; and/or interior repairs to walls, windows, and flooring. Maintenance may include the installation of sprinklers and other fire safety/suppression projects. In determining priority among applicants for this program, emphasis shall be given to the degree to which the project preserves or establishes historic architectural features in the interior of the building.

(5) *Historic building maintenance program.* This program provides for reimbursement of the costs of repairs that will stop the intrusion of water into a building in the historic district. The maximum reimbursement amount shall be the lesser of (i) 50 percent of the total cost of such repairs, or (ii) \$2,500.00. Eligible repairs are roof repair and replacement or repair of non-architectural exterior elements that are allowing water to enter the building and damage the interior structure.

Sec. 20-205. Administrative criteria and terms of delivery for commercial revitalization incentives.

(a) Funding for the commercial revitalization incentives shall be subject to appropriation and funding by Town Council up to the amounts provided in the town's annual budget. No commercial revitalization incentives shall be permitted for projects that are initiated prior to approval by the town.

(b) Administration of commercial revitalization incentive program shall be the responsibility of the economic development coordinator, who shall promulgate rules, regulations, applications and the formation of an incentive agreement to provide for and distribute the commercial revitalization incentives. In order to be considered for the commercial revitalization incentives, an eligible applicant must complete and submit the program application to the Town's economic development staff. Applications will be processed on a first-come, first-serve basis and will be accepted until all funding appropriations for the applicable fiscal year have been exhausted.

(c) The provision of any commercial revitalization incentives shall be made only after an incentive agreement has been entered into between the person, firm, business or corporation setting forth the particular requirements of the revitalization, as applicable, and the commercial revitalization incentives associated therewith.

(d) Administration of commercial revitalization incentive program shall be the responsibility of the economic development manager, who shall provide a report to council on the status of each incentive agreement on a monthly basis.

AND, It Is So Ordained!

Dated this 14 day of March, 2024 A.D.



Russ Touchberry, Mayor
Town of Summerville

ATTEST:



Beth Messervy, Town Clerk

Introduction and First Reading: Feb 8, 2024

Second and Final Reading: March 14, 2024