

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

ORDINANCE NUMBER 2018-12-03-34

An Ordinance to Amend the Orangeburg County Code of Ordinances

WHEREAS, Municipal Code Corporation publishes the Orangeburg County Code of Ordinances (herein "Code") and the publisher has notified the County of its recommended amendments to the Code.

WHEREAS, County Administration and the County Attorney have reviewed the publisher's recommendations and have submitted to Council a list of recommended changes to the Code (herein "Recommended Amendments"). The Recommended Amendments are attached to this Ordinance as Exhibit A.

WHEREAS, the County Council has reviewed the Recommended Amendments, including in its review process (1) a referral to a Council standing committee for study and (2) receipt of a recommendation from the committee that Council authorize the Recommended Amendments.

NOW, THEREFORE, BE IT ENACTED by Council, the following ordinance:

SECTION I. Amendment of Code

Council hereby authorizes the Code to be amended to make the legible changes set forth on Exhibit A. Exhibit A is incorporated in this ordinance.

SECTION II. Conflicts Repealer; Severance; Effective Date

Any previously enacted ordinance or parts of an ordinance that conflict with the provisions of this ordinance are hereby repealed from and after the effective date of this ordinance. If, for any reason, any part of this ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in effect. This ordinance shall become effective immediately upon approval at third reading.

ADOPTED and APPROVED in meeting duly assembled this 3rd day of December, 2018.

ORANGEBURG COUNTY COUNCIL

By:

Johnnie Wright, Sr., Chairman



By: Connie N. Portee
Connie N. Portee, Clerk to Council



First Reading: October 15, 2018
Second Reading: November 5, 2018
Public Hearing: December 3, 2018
Third Reading: December 3, 2018

EXHIBIT A

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CHAPTER 2, ADMINISTRATION

[REDACTED]

[REDACTED]

ARTICLE III, Division 3. Assistant County Administrator.

[REDACTED]

Replace "assistant county administrator" with "deputy county administrator (or position title of similar rank in any amended County organizational chart)"

ARTICLE III, Division 9. Register of Mesne Conveyances.

Replace "Register of Mesne conveyances" with "Register of Deeds."

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CHAPTER 6. BUILDINGS AND BUILDING REGULATIONS

Add the following underlined words to the state law references at the beginning of the chapter:

derelict mobile homes, S.C. Code 1976, § 6-1-150 et seq.; local government may not enforce national building code provisions regulating farm structures, S.C. Code 1976, § 6-9-65(B); county may not enforce portion of adopted national fire code in conflict with state forestry commission regulation of outdoor burning for forestry, wildlife and agricultural purposes, S.C. Code 1976, § 6-9-50(B); local government responsibility to enforce barrier-free building design standards, S.C. Code Reg. 19-400.3(B).

ARTICLE IV. TECHNICAL CODES

Add a state law reference footnote for this article:

*State law reference-- Enforcement of building codes, S.C. Code 1976, § 6-9-10; mandatory recognition of certain technical codes, S.C. Code 1976, § 6-9-50; codes applicable to building inspections, S.C. Code 1976, § 6-9-130.

[REDACTED] Ord. No. 2016-08-15-15 will be used to restate § 6-14 and insert §§ 6-14.1 and 6-14.2.

CHAPTER 8. BUSINESSES

ARTICLE III. FIREWORKS

[REDACTED] repeal of all sections within this article, except Sec. 8-84 and revise the content of § 8-84 to read as follows:

Sec. 8-84. Permit required for fireworks displays.

Any person who desires to hold a fireworks public display shall first obtain a permit from the clerk of court, which shall be in triplicate, and must satisfy state regulatory code requirements of the state fire marshal. The wholesaler supplying the fireworks display shall retain one copy of the permit and the person putting on the display shall retain the other. One copy shall be forwarded to the state fire marshal's office.

[REDACTED]

[REDACTED]

Add a state law reference footnote:

State Law reference— Regulations of fireworks displays, and permits for them, are addressed in state fire marshal regulations found in S.C. Code Reg. 71-8305.

[REDACTED]

ARTICLE V. VIDEO POKER

Repeal this article.

[REDACTED]

CHAPTER 10. COURTS

Add a state law reference footnote at the beginning of this chapter:

State Law reference— County jury areas, Orangeburg County, S.C. Code 1976, § 22-2-190(38); terms of court in first circuit, S.C. Code 1976, § 14-5-620(3); compensation of jurors in circuit courts, S.C. Code 1976, § 14-7-1370(3).

CHAPTER 12. EMERGENCY SERVICES

Sec. 12-61, Creation of enhanced 911 service; installation.

Repeal Subsections (b) and (c) [REDACTED]
[REDACTED]

CHAPTER 14. FAIR HOUSING

Add a state law reference footnote at the beginning of this chapter:

State Law reference— South Carolina Fair Housing Law, S.C. Code 1976, § 31-21-10 et seq.; discriminatory conduct, S.C. Code Reg. 65-210 et seq.

CHAPTER 16. FIRE PREVENTION AND PROTECTION

Sec. 16-51, Establishment [of fire commission].

[REDACTED]
[REDACTED] repeal words marked through, below:

There is hereby created the fire commission which shall be composed of seven members whose legal residence shall be located within the Orangeburg County Fire District. The fire commission shall be appointed by the county council with one member appointed from each county council district. Each member of the fire commission shall serve for a term of four years; ~~provided, however, that the initial term of each member of the fire commission currently serving at the time of passage of Ordinance No. 2003-5-19-6, May 19, 2003, shall expire simultaneous with the current two or four-year term of the county council member from whose district the commissioner is appointed.~~ Should vacancies occur in the office, they shall be filled by the county council for the remainder of the unexpired term. All members of the fire commission shall serve until expiration of their terms or until their successors shall be appointed and qualified. The fire commission shall annually elect a chairman, vice-chairman, secretary and such other offices it deems necessary. It shall meet upon the call of its chairman but not less frequently than one time in each calendar month period.

[REDACTED]

[REDACTED]

Sec. 16-83, Establishment of [Santee Fire Service District] board of commissioners.

[REDACTED]
[REDACTED] repeal words marked through, below:

The Santee Fire Service District Commission shall be composed of seven residents or property owners of the Santee Fire Service District to be appointed by the county council. Each member of the Santee Fire Service District Commission shall serve for a term of four years; ~~provided, however, that the members initially appointed shall serve staggered terms.~~ Should vacancies occur in the office, they shall be filled by the county council for the remainder of the unexpired term. All members of the Santee Fire Service District Commission shall serve until expiration of their terms or until their successors shall be appointed and qualified.

CHAPTER 20. HEALTH AND SANITATION

ART. III, REGIONAL MEDICAL CENTER OF ORANGEBURG AND CALHOUN COUNTIES

Add a state law reference footnote for this article:

State Law reference— Government health care facility defined for purposes of Tort Claims Act, S.C. Code 1976, § 15-78-30(j).

CHAPTER 24. OFFENSES AND MISCELLANEOUS PROVISIONS

Sec. 24-2, Noise.

Revise this section by **deleting** the words "*or unnecessary*" from subsection (1).

[REDACTED]

CHAPTER 26. PLANNING AND DEVELOPMENT

ART. IV. PLANNING COMMISSION

This article [REDACTED]

[REDACTED]
is repealed

[REDACTED]

Sec. 26-92, Composition [of planning commission].

[REDACTED]
[REDACTED] Repeal words marked through, below:

- (a) The planning commission shall be composed of seven members appointed by the county council for staggered terms of four years. The commission shall be appointed by the county council with one member appointed from each county council district. Each member of the commission shall serve for a term of four years; ~~provided, however, that of the members initially appointed, four members shall be appointed for a two-year term from council districts 1, 3, 5 and 7; and three members shall be appointed for a four-year term from council districts 2, 4 and 6.~~ Planning commission members appointed under the repealed planning commission ordinance shall serve as interim members of the planning commission until their successors are appointed and qualified by county council. The county council shall fill any vacancy in the planning commission membership for the unexpired term in the same manner as the original appointment.

ART. V. ORANGEBURG COUNTY/CITY INDUSTRIAL PARK COMMISSION

Sections 26-116, Establishment & 26-122, Powers

[REDACTED]
[REDACTED] delete the words "dated _____" [REDACTED]

CHAPTER 28. PUBLIC WORKS

ART. II, PUBLIC WORKS

[REDACTED]

Change "public works" to public services" throughout ordinance.

Sec. 28-32, Departmental divisions.

[REDACTED]

Remove current wording in entirety and replace with the following words:

The department of public services shall be organized in accordance with the then-current county organizational chart.

ART. III, POLICY MANUAL

[REDACTED]

CHAPTER 30. SHERIFF AND LAW ENFORCEMENT

Sec. 30-1, Fees to be collected by the sheriff for civil processing.

[REDACTED]

Change fees to reflect "as set annually in the County's budget ordinance, but in no event more than allowed under S.C. Code 1976 §23-19-10."

CHAPTER 40. UTILITIES

ART. II. WATER SYSTEM

Revise the state law reference footnote for this article, as follows:

State Law reference— Joint ~~Municipal~~ Authority Water and Sewer Systems Act, S.C. Code 1976, § 6-25-10 et seq.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

APPENDIX B. CABLE TELEVISION FRANCHISES

This appendix is repealed.

[REDACTED]