

K. G. "Rusty" Smith, Jr.
District #1

Ken Ard
District #2

Alphonso Bradley
District #3

Mitchell Kirby
District #4

Johnnie D. Rodgers, Jr.
District #5

Russell W. Culberson
District #6

Waymon Mumford
District #7

James T. Schofield
District #8

H. Morris Anderson
District #9

AGENDA
FLORENCE COUNTY COUNCIL
REGULAR MEETING
COUNTY COUNCIL CHAMBERS, ROOM 803
180 NORTH IRBY STREET
FLORENCE, SOUTH CAROLINA
THURSDAY, JANUARY 17, 2008
9:00 A. M.

I. CALL TO ORDER: K. G. RUSTY SMITH, JR., CHAIRMAN

II. INVOCATION: H. MORRIS ANDERSON, SECRETARY/CHAPLAIN

III. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:
WAYMON MUMFORD, VICE CHAIRMAN

IV. WELCOME: K. G. RUSTY SMITH, JR., CHAIRMAN

V. MINUTES:

MINUTES OF THE JANUARY 3, 2008 REGULAR MEETING [1]
Council is requested to approve the Minutes of the January 3, 2008 regular meeting of County Council.

VI. PUBLIC HEARINGS:

None scheduled.

VII. APPEARANCES:

PRESENTATION OF RESOLUTIONS OF RECOGNITION [7]
Council will present Resolutions of Recognition to the Wilson High School Football Team and Coaches in honor of their recent State Championship win.

VIII. COMMITTEE REPORTS:

(Items assigned to the Committees in italics. Revisions by Committee Chair requested.)

Administration & Finance

(Council members K. G. "Rusty" Smith, Jr./Chair, Russell W. Culberson, Waymon Mumford and James T. Schofield)

Public Services & County Planning

(Council members James T. Schofield/Chair, Mitchell Kirby, and Ken Ard)

January 18, 2007

Special Exceptions

County facilities

January 17, 2008

Presentation by Councilman Schofield on Signs

Justice & Public Safety

(Council members Waymon Mumford/Chair, Johnnie D. Rodgers, Jr. and Al Bradley)

June 7, 2007

Litter Enforcement

Education, Recreation, Health & Welfare

(Council members H. Morris Anderson/Chair, Johnnie D. Rodgers, Jr., and Al Bradley)

Agriculture, Forestry, Military Affairs & Intergovernmental Relations

(Council members Russell W. Culberson, Morris Anderson and Ken Ard)

Ad Hoc Water Study Committee

(Council members Mitchell Kirby, Russell W. Culberson, Johnnie D. Rodgers, Jr., and Ken Ard)

IX. RESOLUTIONS:

- A. **RESOLUTION NO. 16-2007/08** [8]
A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of A Portion Of Beckwood Road Located In The Pamplico Area.
- B. **RESOLUTION NO. 17-2007/08** [12]
A Resolution Amending The Florence County Personnel Policy Manual, Section 4.10D(5), Vehicle Accidents-Traffic Violations, To Provide For A Vehicle Collision Review Board and Procedures.

X. ORDINANCES IN POSITION:

SECOND READING

1. **ORDINANCE NO. 16-2007/08** [17]
An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located In The Westbrook Subdivision Located Off Hazel Drive, Florence To R-2, Single Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.
(Planning Commission approved 9 – 0.) (Council District 9)
2. **ORDINANCE NO. 17-2007/08** [33]
An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.
3. **ORDINANCE NO. 18-2007/08** [40]
An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6 And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.
(Planning Commission approved 9 – 0.)
4. **ORDINANCE NO. 19-2007/08** [55]
An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.
(Planning Commission approved 9 – 0.)

5. ORDINANCE NO. 20-2007/08 [59]
(Staff requests item be referred to Committee prior to second reading and public hearing.)
An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.

XI. APPOINTMENTS TO BOARDS & COMMISSIONS:

- BOARDS AND COMMISSIONS LIST [74]
A list of current and approaching vacancies for 2008 on Boards and Commissions was provided to Council in the January 3, 2008 agenda package.

XII. REPORTS TO COUNCIL:

A. ADMINISTRATION

- MONTHLY FINANCIAL REPORTS [75]
Monthly financial reports were provided to Council for fiscal year 2008 through December 31, 2007 as an item for the record.

B. FINANCE

- PRESENTATION OF AUDIT [80]
Accept the audit for fiscal year ended June 30, 2007.

XIII. OTHER BUSINESS:

XIV. EXECUTIVE SESSION:

Pursuant to Section 30-4-70 of the South Carolina Code of Laws 1976, as amended.

- Contractual matters concerning real property transactions;
- Contractual matters concerning consulting agencies.
- Matters relating to economic development.

XV. INACTIVE AGENDA:

ORDINANCE NO. 15-2007/08

[81]

At its regular meeting of January 3, 2008, Council unanimously voted to remand this Ordinance to the Planning Commission. An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial.

*(Planning Commission **approved** 9 – 0.) (Council District 7)*

XVI. ADJOURN:

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Minutes

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Council is requested to approve the minutes of the January 3, 2008 regular meeting of County Council.

OPTIONS:

1. Approve minutes as presented.
2. Provide additional directive, should revisions be necessary.

ATTACHMENTS:

Copy of proposed Minutes.

DRAFT

**REGULAR MEETING OF THE FLORENCE COUNTY COUNCIL,
THURSDAY, JANUARY 3, 2008, 9:00 A.M., COUNCIL CHAMBERS,
ROOM 803, CITY-COUNTY COMPLEX, 180 N. IRBY ST.,
FLORENCE, SOUTH CAROLINA**

PRESENT:

K. G. "Rusty" Smith, Jr., Chairman
Waymon Mumford, Vice-Chairman
H. Morris Anderson, Secretary-Chaplain
Russell W. Culberson, Council Member
Johnnie D. Rodgers, Jr., Council Member
J. Ken Ard, Council Member
Alphonso Bradley, Council Member
James T. Schofield, Council Member
Richard A. Starks, County Administrator
James C. Rushton, III, County Attorney
Connie Y. Haselden, Clerk to Council

ALSO PRESENT:

Kevin V. Yokim, Finance Director
Ray McBride, Library Director
Chuck Tomlinson, Morning News Staff Writer

ABSENT:

Mitchell Kirby, Council Member

A notice of the regular meeting of the Florence County Council appeared in the January 2, 2008 edition of the **MORNING NEWS**. Copies of the agenda were faxed to members of the media and posted in the lobby of the City-County Complex and on the County's website (www.florenceco.org).

Chairman Smith called the meeting to order. Secretary-Chaplain Anderson gave the invocation and Vice-Chairman Mumford led the Pledge of Alliance to the American Flag. Chairman Smith welcomed everyone attending the meeting.

ELECTION OF OFFICERS FOR 2008:

Chairman Smith stated he would relinquish the floor to the County Attorney to conduct the election of officers for 2008.

County Attorney Jim Rushton opened the floor for nominations for Officers for County Council for calendar year 2008. Councilman Culberson made a motion Council appoint the same slate of officers that were in place. Councilman Rodgers seconded the motion, which was approved unanimously. There being no further nominations, the current slate of officers were elected by acclamation.

APPROVAL OF MINUTES:

Councilman Mumford made a motion Council approve the minutes of the December 6, 2007 regular meeting of County Council. Councilman Rodgers seconded the motion, which was approved unanimously.

PUBLIC HEARINGS:

There were no public hearings.

APPEARANCES:

There were no scheduled appearances.

COMMITTEE REPORTS:

EDUCATION, RECREATION, HEALTH & WELFARE

Committee Chairman Anderson provided an update on the Environmental Services facility.

RESOLUTIONS:

RESOLUTION NO. 15-2007/08

The Clerk published the title of Resolution No. 15-2007/08: A Resolution Establishing A Grievance Procedure In Order To Enhance Compliance With The Americans With Disabilities Act (ADA) Requirement For The Prompt And Equitable Resolution Of Complaints Alleging Discrimination In Access To Florence County's Facilities, Programs Or Services And Other Matters Related Thereto. Councilman Mumford made a motion Council approve the Resolution. Councilman Rodgers seconded the motion, which was approved unanimously.

ORDINANCES IN POSITION:

ORDINANCE NO. 14-2007/08 – THIRD READING

The Clerk published the title of Ordinance No. 14-2007/08: An Ordinance To Rezone Property Owned By Sarah W. Johnson, etal. Located At 2518 Alligator Road, Florence From R-1, Single-Family Residential District To B-2, Convenience Business District Shown On Florence County Tax Map 126, Block 1, Parcel 54 Consisting of .94 Acres. Councilman Rodgers made a motion Council approve third reading of the Ordinance. Councilman Anderson seconded the motion, which was approved unanimously.

ORDINANCE NO. 15-2007/08 – THIRD READING DEFERRED

The Clerk published the title of Ordinance No. 15-2007/08: An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential; The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business/Industrial. Councilman Mumford made a motion Council defer third reading of the Ordinance and remand the item to the Planning

Commission for further review. Councilman Culberson seconded the motion, which was approved unanimously. Councilman Mumford recognized members of the Pocket Road community in attendance and thanked them for their input on the matter. Dr. Whitehead requested to speak on the matter. He asked that the Planning Commission specifically meet with the community regarding conservation issues, etc.

ORDINANCE NO. 16-2007/08 – INTRODUCED

The Clerk published the title of Ordinance No. 16-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located On Hazel Drive, Florence To R-2, Single-Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.

ORDINANCE NO. 17-2007/08 – INTRODUCED

The Clerk published the title of Ordinance No. 17-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members, And To Establish The Effective Date For Such Appointments.

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The Clerk published the title of Ordinance No. 19-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.

ORDINANCE NO. 20-2007/08 – INTRODUCED

The Clerk published the title of Ordinance No. 20-2007/08 and the Chairman declared the Ordinance introduced: An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

COMMISSION ON ALCOHOL & DRUG ABUSE

Councilman Rodgers made a motion Council approve the appointment of Mr. Randy McDonald as recommended by the Commission on Alcohol & Drug Abuse to fill At-Large Seat 3, replacing William McDaniel, who resigned. Councilman Mumford seconded the motion, which was approved unanimously.

REPORTS TO COUNCIL:

ADMINISTRATION

MONTHLY FINANCIAL REPORTS

Monthly financial reports were provided to Council for fiscal year 2008 through November 30, 2007 as an item for the record.

EMERGENCY MANAGEMENT DEPARTMENT

GRANT AWARD SC EMERGENCY MANAGEMENT DIVISION

Councilman Ard made a motion Council accept the SCEMD HMEP Planning grant #HMESC7042150 award from the SC Emergency Management Division in the amount of \$6,000 to be used to develop, print, and distribute the County Local Emergency Planning Committee (LEPC) brochure/pamphlet as specified under the HMEP Planning Grant program and authorize the designation of appropriate general ledger accounts within the Grant Fund. Councilman Anderson seconded the motion, which was approved unanimously.

FINANCE/HUMAN RESOURCES

MEMORANDUM OF AGREEMENT

Councilman Mumford made a motion Council approve the execution of a Memorandum of Agreement for the County's continued participation in the South Carolina Association of Counties Workers' Compensation Deductible Plan and authorize the County Administrator to execute all related documents. Councilman Culberson seconded the motion, which was approved unanimously.

LIBRARY

SOLE SOURCE AWARD

Councilman Ard made a motion Council accept the sole source request and award the purchase of an Eco-Master Disc Repair System from Research Technology International Company for the Library in the amount of \$17,545 to be funded with \$12,987 from Fund 42 Grants, Department 929 South Carolina Education Lottery Funds and \$4,558 from Fund 42, Grants, Department 700 Video Fine Fees; and authorize the County Administrator to execute all associated documents for this purchase. Councilman Anderson seconded the motion, which was approved unanimously.

PLANNING

BID AWARD

Councilman Anderson made a motion Council accept the lowest compliant bid from Boykin Contracting, Inc., of West Columbia, SC, for construction repairs and renovations on the interior of the new Planning Building in the amount of \$149,000; and authorize the County Administrator to execute all associated documents to proceed. Councilman Bradley seconded the motion, which was approved unanimously.

PURCHASING AND FACILITIES MANAGEMENT DEPARTMENT

DECLARATION OF SURPLUS PROPERTY

Councilman Ard made a motion Council declare vehicles (1 -1996 Ford Van; 1 – 2005 Ford Crown Vic; 4 – 2002 Ford Crown Vics; 5 – 2001 Ford Crown Vics) as surplus property and authorize the County Administrator to dispose of said property in the most advantageous manner; and, approve the request from the Town of Scranton to remove V#1222 from the list and donate the vehicle to the Town with \$1,000 infrastructure funding to be taken equally from Council Districts 1 and 5. Councilman Rodgers seconded the motion, which was approved unanimously.

ADMINISTRATOR

CIVIC CENTER – ATHLETIC HALL OF FAME

County Administrator Richard Starks stated a last minute request was received through the Civic Center for the Athletic Hall of Fame for \$5,000 from Council Districts 2 and 9 infrastructure funding allocations (\$2,500 from each district) to support the Athletic Hall of Fame. Councilman Anderson made a motion Council approve. Councilman Ard seconded the motion, which was approved unanimously.

OTHER BUSINESS:

INFRASTRUCTURE FUND

PROSSER FIELD JOHNSONVILLE

Councilman Ard made a motion Council approve the expenditure of funds from Council District 2 Infrastructure funding allocation in an amount up to \$9,000.00 to assist with renovations to public restrooms at Prosser Field in Johnsonville. Councilman Rodgers seconded the motion, which was approved unanimously.

EXECUTIVE SESSION:

Mr. Starks stated all information related to executive session items had not been received so there would not be a need for an executive session.

There being no further business to come before Council, Councilman Anderson made a motion Council adjourn. Councilman Mumford seconded the motion, which was approved unanimously.

COUNCIL MEETING ADJOURNED AT 9:23 A.M.

H. MORRIS ANDERSON
SECRETARY-CHAPLAIN

CONNIE Y. HASELDEN
CLERK TO COUNTY COUNCIL

FLORENCE COUNTY COUNCIL MEETING

January 8, 2008

AGENDA ITEM: Appearances
 Presentation of Resolutions of Recognition
 Wilson High School 2007 Football Team

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Resolutions of Recognition will be presented to the Wilson High School Football Team and Coaches in recognition of winning the 2007 AAA State Football Championship.

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Resolution No. 16-2007/08

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(A Resolution Authorizing The Cessation Of Maintenance On And Abandonment Of A Portion Of Beckwood Road Located In The Pamplico Area.)

OPTIONS:

1. *(Recommended)* Approve Resolution No. 16-2007/08.
2. Provide an alternate directive.

ATTACHMENTS:

1. Resolution No. 16-2007/08.
2. Correspondence from Thadis D. Calcutt, Jr. requesting road abandonment.
3. Tax map depicting subject road.

DRAFT

Sponsor(s)/Department : County Council
Adopted : January 17, 2008
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 16-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Authorizing The Cessation of Maintenance On and Abandonment of A Portion Of Beckwood Road Located In The Pamplico Area.)

WHEREAS:

1. Beckwood Road is located in the Pamplico area of the County; and
2. Beckwood Road is maintained by the Public Works Department of Florence County through a prescriptive right of way; and
3. Council is requested to abandon and cease maintenance of a portion of Beckwood Road.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

A portion of Beckwood Road, beginning at a point approximately \pm nine hundred (900) feet from the junction of East Lynhurst Road and Beckwood Road to the end of said road is hereby abandoned by Florence County, and its use as a prescriptive right of way and all maintenance thereof by Florence County is hereby discontinued.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

To: Richard Starks
County Administrator

From: Thad Calcutt
502 N. Pamplico Hwy.
Pamplico, SC 29583
(843)319-2422

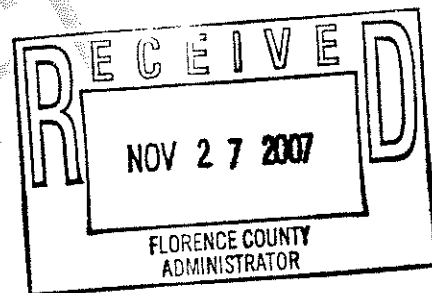
I am writing this letter to request that Beckwood Road be abandoned by the county at the gate entrance.

Sincerely

Thadis D. Calcutt, Jr

tcp

DRAFT



CALCUTT
THADIS D JR &
00347-02-067

MUNN OLLIE MAE H
ETAL
00347-02-016

MUNN OLLIE
MAE H ETAL
00347-02-016

STAMPER
RHONDA L
00347-02-042

BENNETT
BRENDA L ETAL
00347-02-016

PRESS AVE H
00347-02-022

FLOWERS
HERBERT E
00347-02-015

CALCUTT
THADIS D JR
00347-02-067

RYAN J D III
P & B BROTHERS
00347-02-016

DAVIS JOHN
ALDEN & JANINE
00347-02-061

CALCUTT
THADIS D
00347-02-019

MAF M FAMILY LIMITED
00348-02-017

CALCUTT
THADIS D
00348-02-038

1 inch equals 300 feet

STRICKLAND
JAMIE T
00348-02-016

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Resolution No. 17-2007/08

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

(Amending The Florence County Personnel Policy Manual, Section 4.10D(5), Vehicle Accidents-Traffic Violations, To Provide For A Vehicle Collision Review Board and Procedures.)

OPTIONS:

1. *(Recommended)* Approve Resolution No. 17-2007/08.
2. Provide an alternate directive.

ATTACHMENTS:

Resolution No. 17-2007/08.

DRAFT

Sponsor(s)/Department : County Council
Adopted: : January 17, 2008
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(Amending the Florence County Personnel Policy Manual, Section 4.10D(5), Vehicle Accidents – Traffic Violations, To Provide For A Vehicle Collision Review Board And Procedures.)

WHEREAS:

1. The County has determined a need to establish the Vehicle Collision Review Board to assist in the determination of the preventability of vehicle incidents involving County assets; and
2. The Vehicle Collision Review Board's goal is to determine procedures and methods that may reduce injury exposure for the County, the public and public assets to include findings of fault and recommendations of action to minimize the loss of County resources due to vehicle incidents.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

Florence County Personnel Policy Manual, Section 4.10D(5), Vehicle Accidents-Traffic Violations, is hereby replaced in its entirety with the language attached hereto and incorporated herein by reference.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

4.10D(5) **Vehicle Collision Review Board Procedure**

4.10D(5)(a) **Purpose**

The Vehicle Collision Review Board (VCRB) is created to assist in determinations of the preventability of vehicle incidents involving county assets. The Board's goal is to determine procedures and methods which may reduce injury exposure for County staff members, the public, and public assets, including findings of fault and recommendations of action to be taken, aimed at minimizing the loss of County resources due to vehicle incidents.

4.10D(5)(b) **Composition, Appointment and Terms**

4.10D(5)(b)(i) VCRB members serve for terms of two (2) years, except that the members appointed initially are appointed so that their terms will be staggered, and approximately one-half of the terms expire annually. No member shall serve for more than two (2) consecutive terms. All members to be selected shall be currently employed as a regular, full time employee, one (1) representative from each of the following departments:

Planning and Building Inspection Department

EMS

Emergency Management Department

Public Works

Recreation

Magistrate

*Sheriff Office

* applies only when participating officially with jurisdiction, at the Sheriff's direction

4.10D(5)(b)(ii) An announcement of vacancies will be forwarded to each of the official heads of the above-named offices, who shall solicit interest from their staff in the form of letters of interest. The directors/officials shall submit all letters of interest and their recommendation to the Risk Manager, who will review and compile the listing and recommendations and confer with the County Administrator. The County Administrator will appoint the Board members from the applicants after consultation with the recommending officials, repeating the entire process as necessary to maintain appropriate membership.

4.10D(5)(b)(iii) Department designees having any probable conflict of interest and/or employed in the same department as the primary staff member involved cannot participate in a VCRB hearing.

4.10D(5)(c) **Officers**

4.10D(5)(c)(i) The Board shall select its own chairman from among its members annually. The Board shall also select a co-chairman to serve in the absence of the chairman. The chairman serves as the presiding officer at all hearings which he attends. A quorum consists of four (4) members and no hearings may be held without a quorum present.

4.10D(5)(c)(ii) The Risk Manager shall act as a non-voting member of the VCRB and shall present the facts of the incident being reviewed, though he is authorized to cast a vote to break a tie vote on any issue. Members shall vote on the record as to any recommendation or decision of the Board.

4.10D(5)(d) Authority

The Vehicle Collision Review Board is empowered to:

4.10D(5)(d)(i) Review incidents involving county vehicles, heavy equipment, and any wheeled or powered conveyance (hereinafter collectively referred to as "vehicle") to make a determination of the preventability of the incident based on the available information and research. The National Safety Council's "Guide for Determining Preventability of Motor Vehicle Accidents" will be utilized as a basis for determining potential preventability. Factors to be considered include: probable preventability of the incident, nature of the incident, number of incidents by the driver, past performance of the driver, and any other relevant information before the Board.

4.10D(5)(d)(ii) Notify the driver in writing of the VCRB findings and recommend to the department head corrective action to reduce the probability of recurrence. The Board's recommendations may also include action regarding a staff member whose behavior adversely affects the safe operation of county owned vehicles/equipment.

4.10D(5)(e) Hearings

4.10D(5)(e)(i) The VCRB shall meet as soon as possible upon report of an incident in which a staff member is involved. However, pending litigation may delay final review of an incident by the VCRB until judicial decisions are final and available to the Board. Hearings shall be called by the Risk Manager, who will forward all pertinent information relating to the incident to the members of the VCRB as confidential material. Hearings may go into executive session in accordance with state law by vote of the Board. A quorum consists of four (4) members and no hearings may be held or decisions made without a quorum present. Additionally, all votes/decisions of the Board shall require the affirmative vote in open session of four (4) members present to pass.

4.10D(5)(e)(ii) A staff member who has been involved in an incident that has been scheduled to be reviewed by the VCRB is required to be present at the hearing. If the staff member is not present at the required date and time, the hearing will proceed in their absence.

4.10D(5)(f) Penalties for Driving Violations

4.10D(5)(f)(i) A staff member that the VCRB determines to be at fault as the operator in an incident involving a publicly owned vehicle may be responsible for payment of a portion of any insurance deductible up to \$250.

4.10D(5)(f)(ii) A staff member whose actions have been determined as willful may have all damages assessed at full cost.

4.10D(5)(f)(iii) A staff member who is found to have contributed to an incident in a County vehicle (a “no-fault” report included), also may be responsible for payment of a portion of the County’s deductible not to exceed \$100.00.

4.10D(5)(f)(iv) If there is no damage to a County vehicle, the staff member may be liable for the repair cost of the other vehicle or fixture in an amount up to \$250.00.

4.10D(5)(f)(v) Any staff member found to be at fault may be required to complete an eight (8) hour defensive driving class. The staff member also may be required to contribute to and/or pay the cost of the class up to \$250.

4.10D(5)(f)(vi) A staff member found to be at fault and assessed fines/costs may arrange payments by means of payroll deduction in as few pay periods as possible, preferably eight (8) pay periods or less. If employment is terminated before the amount of responsibility is satisfied, the remaining balance will be deducted from the final paycheck and/or subject to set-off debt collection.

4.10D(5)(f)(vii) The VCRB may recommend appropriate action based on the individual circumstances of an incident. More specific actions may be recommended relative to the amount of injury and/or damage – or the potential for such or if the staff member is involved in more than one (1) incident within a twelve (12) month period. Action may result for any County staff member not wearing a seatbelt while operating a County vehicle pursuant to Section 15.3A (52) of the Florence County Personnel Policy Manual.

4.10D(5)(g) Findings

The Risk Manager shall present the Board’s documented findings and recommendations to the director/official, Human Resources Director for inclusion in the staff member’s personnel file, and the County Administrator. The director/official will be responsible for reviewing the recommendations and taking appropriate corrective action, notifying in writing the VCRB via the Risk Manager, the Human Resources Director, and the County Administrator of their decision/action regarding the recommendations within five (5) working days of receipt of the recommendations.

4.10D(5)(h) Appeal to Administrator

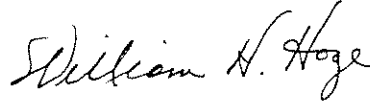
If dissatisfied with the decision of the Department Director/Official, the staff member may request in writing to the Risk Manager for an appeal to the County Administrator or, in the case of elected officials’ staff, said official. Elected officials can hear the appeal of any of their staff members in such manner as they determine to be appropriate. In the case of the County Administrator for other staff members, the Risk Manager shall inform the County Administrator who shall review the case and make a final decision within five (5) work days.

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 17, 2008

AGENDA ITEM: Ordinance No.16-2007/08
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located On Hazel Drive, Florence To R-2, Single Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.]

POINTS TO CONSIDER:

1. The property is located in Council District 9.
2. Occupied single-family residences presently exist on the property and currently unzoned.
3. The applicant on behalf of the property owners wishes to zone the properties to R-2, Single Family Residential District.
4. The properties are surrounded by residentially-developed, institutionally-developed, commercially –developed and wooded properties.
5. This property is designated as an Existing Residential area according to the Comprehensive Plan.
6. This request does comply with the Comprehensive Plan.
7. A zoning petition containing the signatures of all property owners requesting zoning of their respective properties is attached and shall be referenced as “Attachment A”.

OPTIONS:

1. *(Recommended)* Florence County Council’s approval of Ordinance No. 16-2007/08 as recommended by the nine members present at the Planning Commission meeting of November 27, 2007.
2. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.16-2007/08
2. Staff report for PC#2007-87
3. Zoning Petition
4. Vicinity map
5. Location map
6. Comprehensive Land Use Plan map
7. Zoning map
8. Aerial photograph
9. Comprehensive Plan information
10. Consolidated Zoning Ordinance information

Sponsor(s)	: Planning Commission	
Planning Commission Consideration	: November 27, 2007	I, _____,
Planning Commission Public Hearing	: November 27, 2007	Council Clerk, certify that this
Planning Commission Recommendation	: November 27, 2007[Approved 9-0]	Ordinance was advertised for
First Reading/Introduction	: January 3, 2008	Public Hearing on _____.
Committee Referral	: N/A	
Second Reading	: January 17, 2008	
Third Reading	: February 7, 2008	
Effective Date	: Immediately	

ORDINANCE NO. 16-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Zone Properties Owned By Twenty-Four Property Owners Located On Hazel Drive, Florence To R-2, Single-Family Residential District Shown On Florence County Tax Map No. 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29.]

WHEREAS:

1. Article 9, Section 9.1 entitled "Intent" of the Consolidated Zoning Ordinance establishes that Florence County Council must be satisfied that applications for amendments to the Zoning Atlas of Florence County is not injurious from a public health, safety, and general welfare outlook and the effect of the change will not negatively impact the immediate environs or the County generally; and
2. Article 9, Section 9.5 entitled "Administrative Procedures, Action" of the Consolidated Zoning Ordinance for Florence County adopted April 1, 1999, provides a procedure for amending the Official Zoning Map of the County of Florence; and
3. The procedure has been followed by the Florence County/Municipal Planning Commission at a public hearing on November 27, 2007.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Properties located on Hazel Drive bearing Tax Map Number 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29 are hereby zoned to R-2, Single-Family Residential District.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 27, 2007
PC#2007-87**

Subject: Zoning requests to R-2, Single-Family Residential District

Location: Properties located off Hazel Drive, Florence County

Tax Map Number: 101-1, Block 1, Parcels 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 25, 26, 27, and 29

Council District(s): 9; County Council

Owner of Record: See Reference Information Attached

Applicant: Allison Andrews on behalf of the Property Owners

Land Area: 24 Parcels

Existing Land Use and Zoning:

The subject properties are currently developed with single-family residences.

Proposed Land Use and Zoning:

There has been no indication of any proposed land use changes at this time. The property owners are proposing to zone the subject properties to R-2, Single-Family Residential District.

Surrounding Land Use and Zoning:

North: Commercial uses/Institutional use/Unzoned/Florence County

South: Wooded property/Unzoned/Florence County

East: Single-family residential uses/Unzoned/Florence County

West: Single-family residential uses/R-2/Florence County

Florence County Comprehensive Plan:

The subject property is currently designated as Existing Residential as established by the Land Use Element of the Comprehensive Plan. The request does comply with the Comprehensive Plan.

Staff Analysis:

Access and Circulation- Present access to the property is by way of Hazel Drive off of South Cashua Drive

Water and Sewer Availability- Water and sewer services are currently provided by the City of Florence.

Adjacent Waterways/Bodies of Water/Flood Zone- There does not appear to be a waterway/body of water adjacent to the property.

Background- The applicant on behalf of the property owners is requesting zoning of the subject properties to R-2, Single-Family Residential District.

Florence County/Municipal Planning Commission Action: November 27, 2007

The nine Planning Commission members present approved the request unanimously at the meeting held on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the zoning request by Florence County Council based on the request being in compliance with the Comprehensive Plan.

DRAFT

Westbrook at Hazel Drive
Zoning petition

Please print your name address and telephone #
and signature and date.

Emmie Euline Cottros BAGGOTT

Emmie Euline Cottros-Baggott-6626968-10-2-07

Robert Liger 1807 Hazel Dr. 662-0226

R. F. Leggs, Jr.

Bennie Parker 1816 HAZEL D 668-0306

Bennie Parker

Sally Sims 1819 HAZEL DR. 662-7773

Sally Sims 10/2/07

SALEEM-G- COTTROS 1718 HAZEL DR, 662 6059

Saleem G. Cottros 10-2-2007

Page 3. Westbrook at Hazel Drive
Zoning Petition

~~662-24499~~
D. C. HAYES 1711 HAZEL 24499

D. C. HAYES 10-2-07

Josephine JENKINS 1615 HAZEL DR

Josephine Jenkins 10-2-07

Joseph D Welch 1701 HAZEL DR.

Joseph D Welch 662-4228 10-2-07

EDNA STARLING 1804 HAZEL DR. 669-6226

Edna Starling 10/2/07

FRANCES J. CRAVEN 1811 HAZEL DR. 662-5299

Frances J. Craven 10.2.07

THOMAS POHL 1823 HAZEL DR 843-662-2569

Thomas Pohl 10/2/07

George Anderson 1808 HAZEL DR. 843-664-9323

George Anderson 10/2/07

Kelly Anderson 1808 HAZEL DR. 843-664-9323

Kelly Anderson 10/2/07

Page 4, Westbrook at Hazel Drive
Zoning Petition

Clifton Davis Lee 1702 Hazel Dr 669-4088

Clifton Davis Lee 10-2-07

JEFFREY A. WILES 1619 HAZEL DR. 843-317-9276

[Signature] 10-2-07

Lauren Spring 1791 Hazel Drive 669-2541

Lauren Spring 10/3/2007

Ch HR Chris Blum 1801 Hazel Dr. 629-8776

Ch HR 10/3/07

MR & MRS D. W. WELCH 1722 HAZEL DR. 843662461

Mrs D. W. Welch - 10-3-07

WILMA BENNETT 1812 669-7198

Wilma Bennett 10-3-07

Morris & Rita Andrews 1707 HAZEL Drive Florence, SC 295

Rita A. Andrews 662-2991 or 669-1216 10/4/07

Westbrook at Hazel Drive
Zoning petition

Please print your name address and telephone #
and signature and date.

DANIEL T. GOLDSTON

1824 HAZEL DR. 665-5957

FLORENCE, SC 29501

Daniel T. Goldston 10/4/07

David W. Tilley

1805 Hazel Dr 319-0091

Florence, SC 29501

David W. Tilley 10/7/07

Westbrook at Hazel Drive
Zoning petition

Please print your name address and telephone #
and signature and date.

Laura King 1813 Hazel Dr. Florence, SC 29501

676-0393 Laura King 10/7/07

MIKE HULON 1715 HAZEL DR.  10-10-07

MAILING ADDRESS: 3740 PALMER DR. FLO. SC 29506

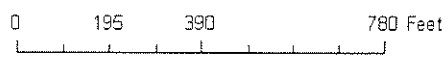
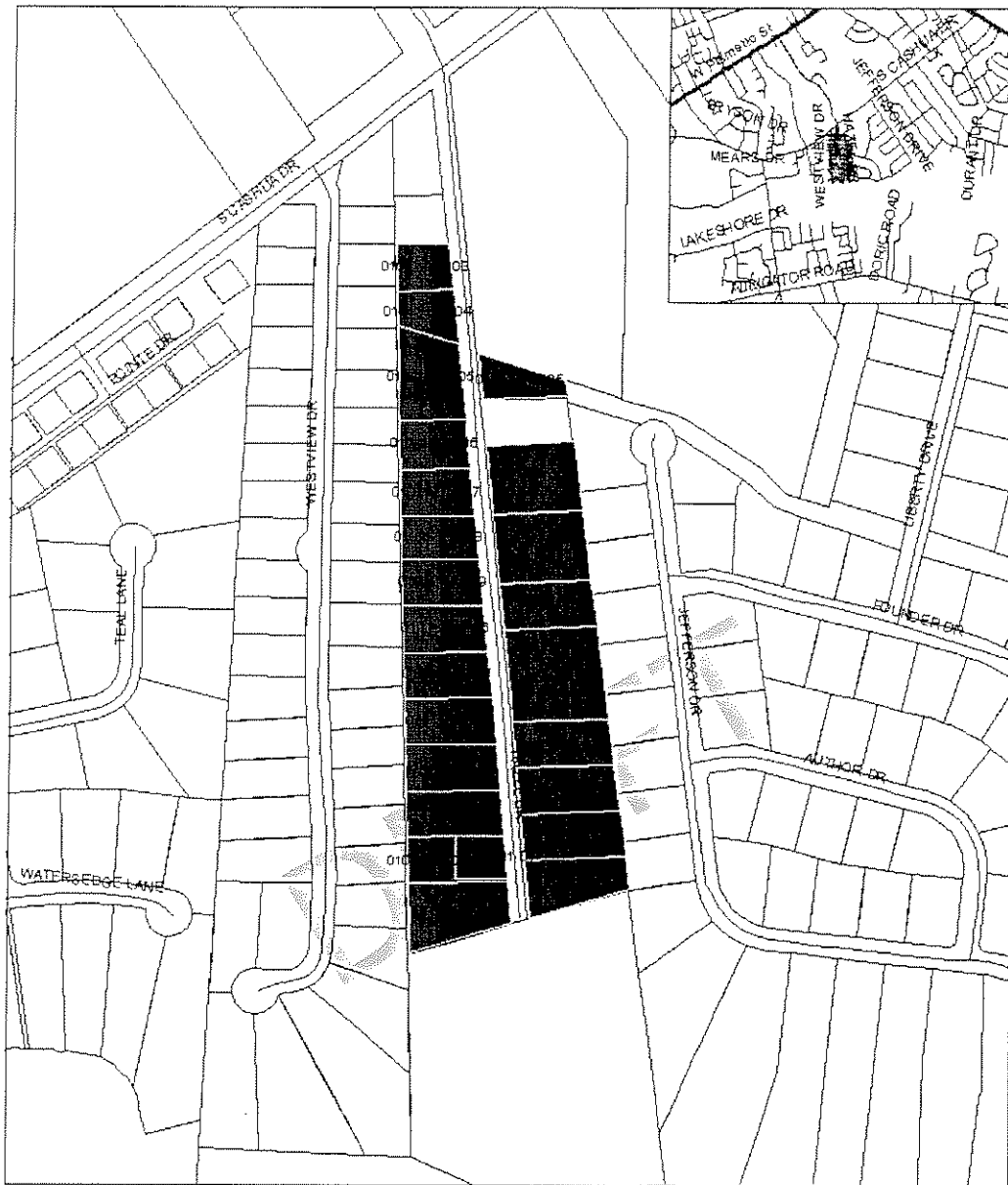


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 & Building Inspection Department
 Geographic Information Systems
 2007



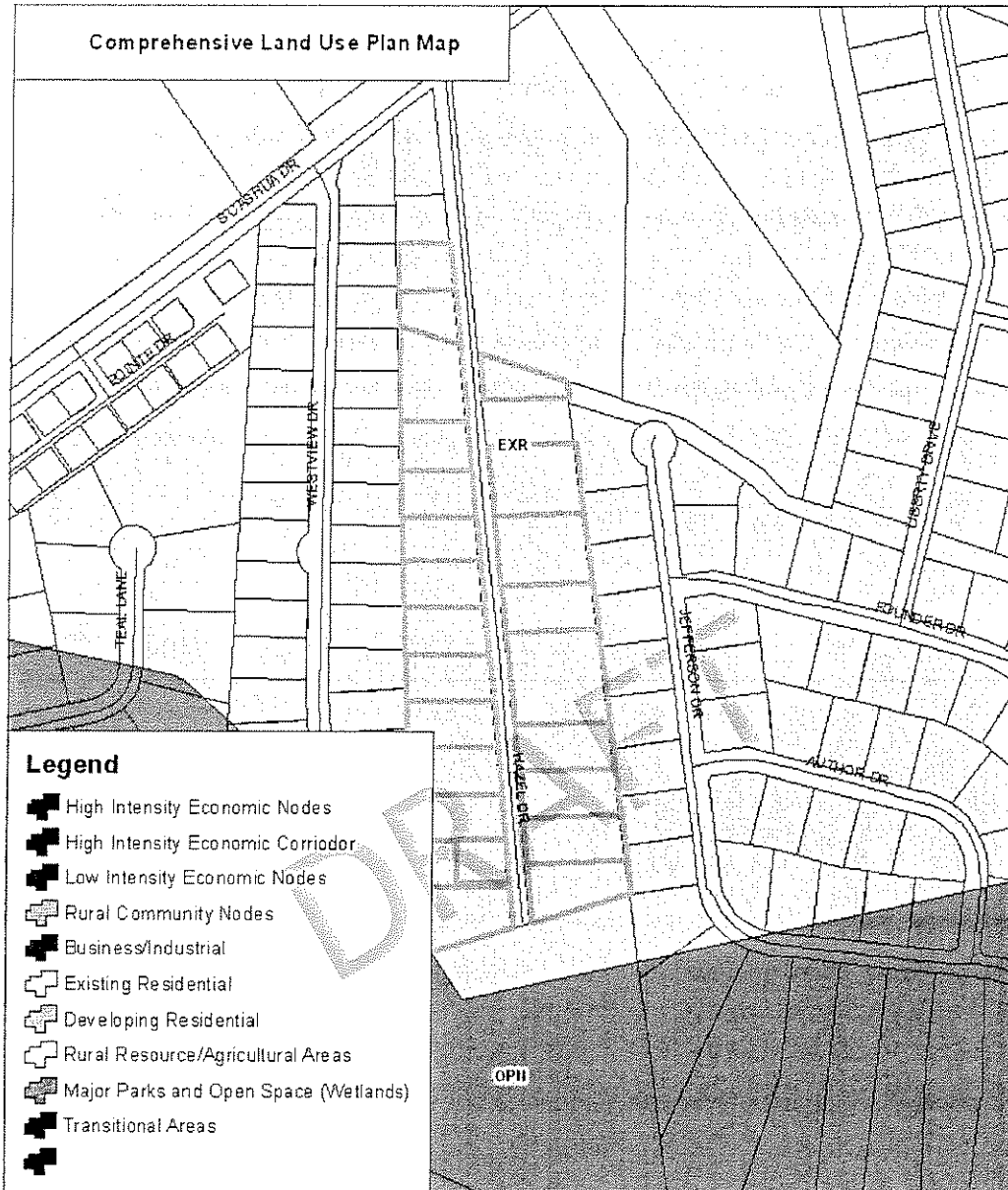
COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87



Map Prepared by: RWE
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 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87

Comprehensive Land Use Plan Map



Legend

- High Intensity Economic Nodes
- High Intensity Economic Corridor
- Low Intensity Economic Nodes
- Rural Community Nodes
- Business/Industrial
- Existing Residential
- Developing Residential
- Rural Resource/Agricultural Areas
- Major Parks and Open Space (Wetlands)
- Transitional Areas

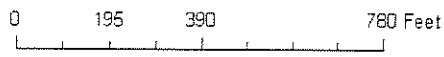
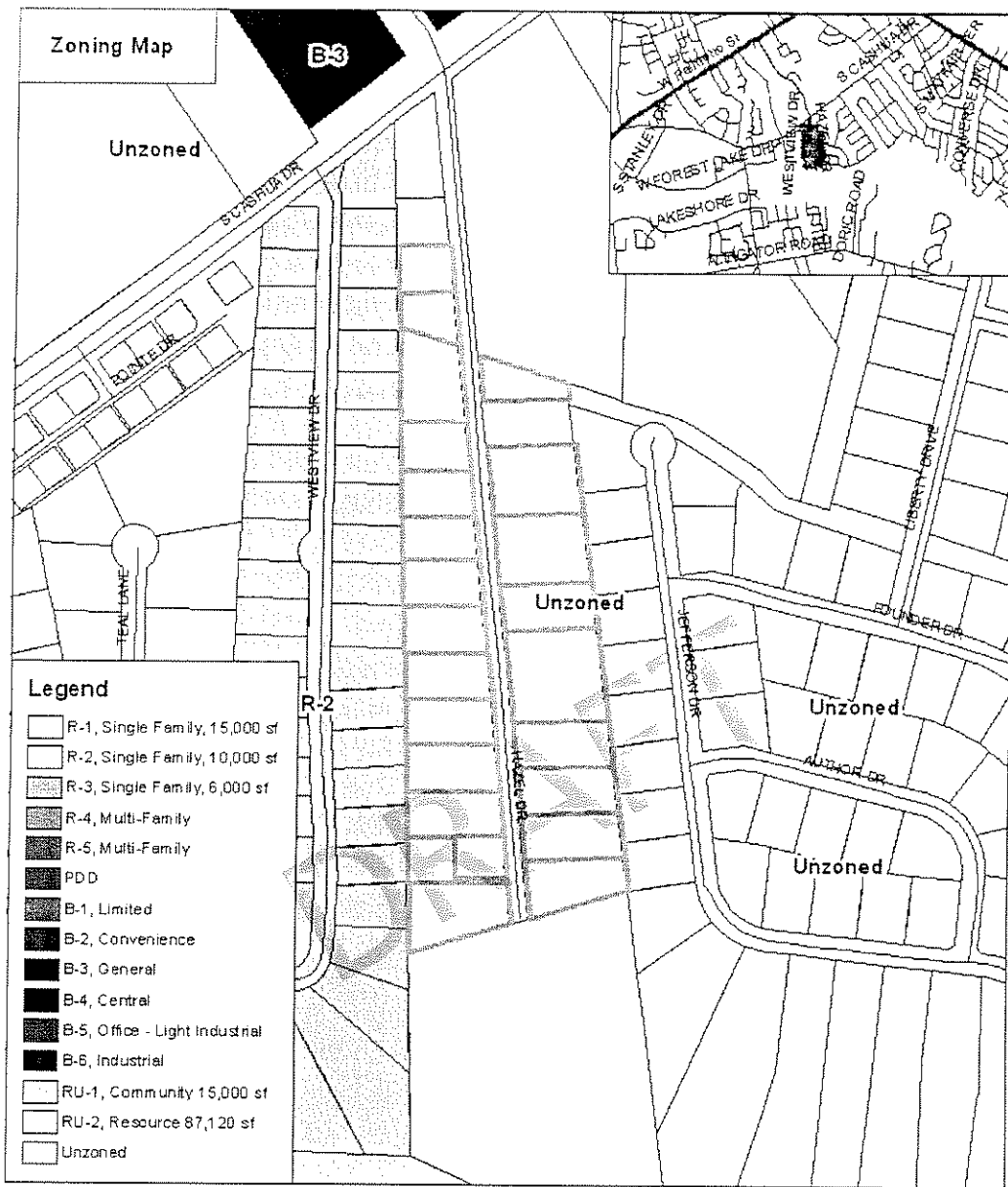
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 Geographic Information Systems
 2007

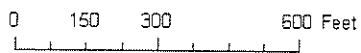
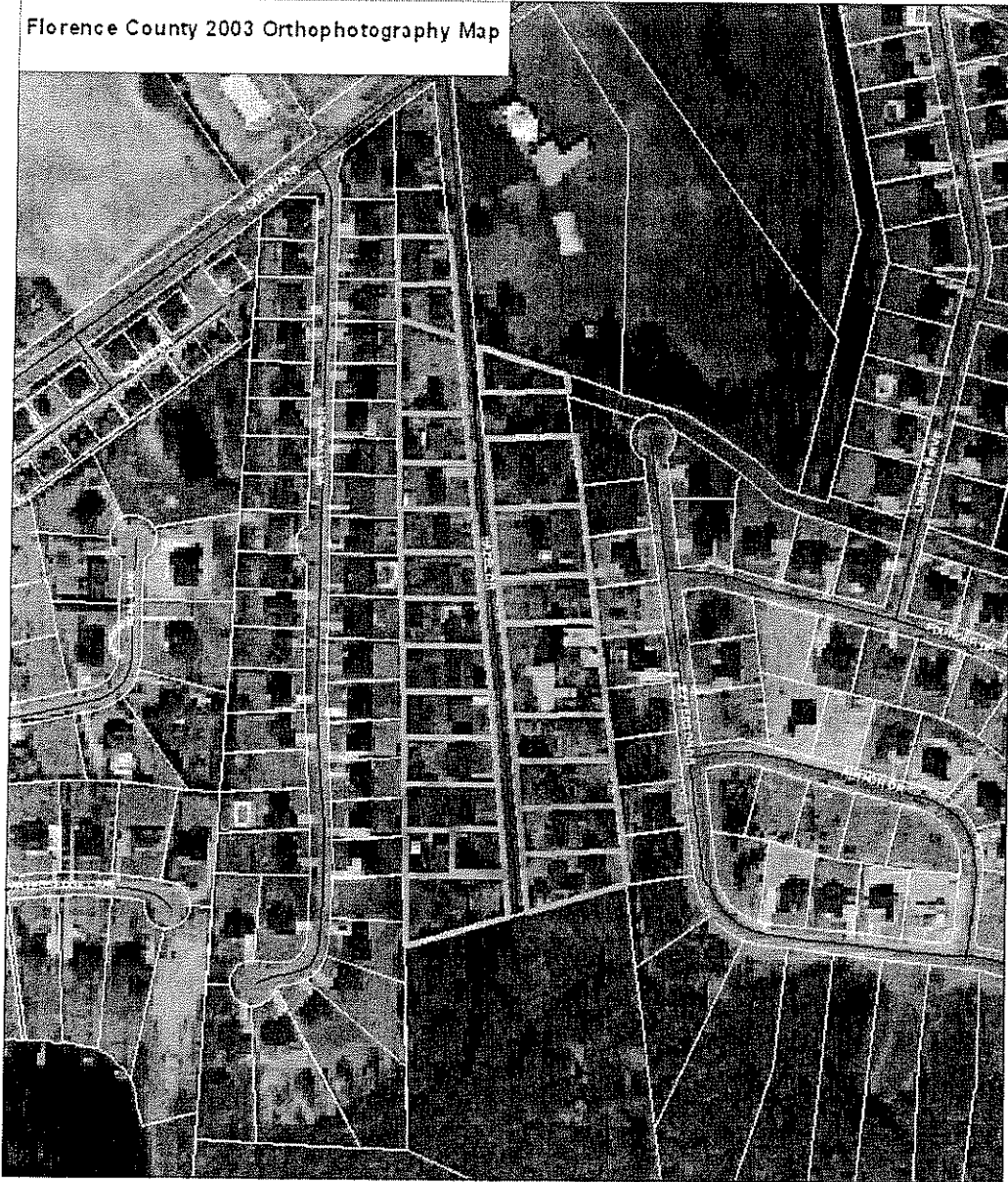
COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87



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 & Building Inspections Department
 Geographic Information Systems
 2007

COUNTY COUNCIL DISTRICT(S): 9
 PC#2007-87

Florence County 2003 Orthophotography Map



Map Prepared by: RWE
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& Building Inspections Department
Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 9
PC#2007-87

Comprehensive Plan Attachment:

Residential Areas Existing Residential

Existing residential areas represent one of the most important resources in the county. As such, the retention and protection of such areas are paramount.

Objective

The objective of this designation is to identify and protect the character and present use of residential resources (existing neighborhoods and subdivisions) and to prohibit development which would compromise or infringe on the prevailing character or continued use of such resources for residential purposes. Also, this designation is designed to promote in-filling of such areas with like uses as an efficient means of meeting future housing demands, and limiting sprawl.

Strategy

The following strategies are designed to implement the objective of this classification.

- ✓ Identify and map such areas.
- ✓ Structure and apply zoning and development regulations aimed at protecting the use and integrity of such areas.
- ✓ Monitor existing subdivisions for sign of change of use and/or deteriorating conditions, and take appropriate action to stabilize and/or revitalize such areas for continued residential use.

Plan Compliance Matrix

PLAN MAP OBJECTIVES (Summary)	USE IN ACCORD WITH PLAN MAP OBJECTIVES	USES AT VARIANCE WITH PLAN MAP OBJECTIVES
Protect and sustain existing residential areas, including property values and amenities	<ul style="list-style-type: none"> ❖ Single-family detached, site built dwellings ❖ Manufactured housing compatible with design characteristics, safety, and habitability standards required of site built housing ❖ Institutional uses in support of and compatible with residential uses, e.g. schools, churches, parks, and recreation facilities 	<ul style="list-style-type: none"> ❖ Most non-residential uses, including commercial, industrial, and business uses ❖ Multi-family residential uses ❖ Mobile and Manufactured homes not meeting standards for inclusion with single-family site built dwellings

CONSOLIDATED ZONING ORDINANCE ATTACHMENT

R-1, R-2, and R-3 Single-Family Residential Districts

Aside from differences in lot sizes and densities, these districts are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

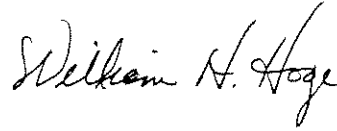
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FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 17, 2008

AGENDA ITEM: Ordinance No. 17-2007/08
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.]

POINTS TO CONSIDER:

1. The Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.
 - Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.
 - Additionally, two (2) members shall be nominated from the five (5) municipalities with the majority voted nominee to serve a four (4) year term and the other nominee to serve a two (2) year term.
2. The Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration.
3. Serving terms for each category are:
 - Three (3) appointees for a four (4) year term expiring on June 30, 2012.
 - Three (3) appointees for a three (3) year term expiring on June 30, 2011.
 - Three (3) appointees for a two (2) year term expiring on June 30, 2010.
4. Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later.

OPTIONS:

1. ***(Recommended)*** Florence County Council's approval of the portion of Ordinance No. 17-2007/08 to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members; and to Establish Date for Such Appointments as recommended by the eight members present at the Planning Commission meeting on December 18, 2007.
2. ***(Recommended)*** Florence County Council To Provide an Alternative Directive to the portion of Ordinance No. 17-2007/08 to amend the Florence County Code to Provide for the Appointment of Planning Commission Members and to Establish Date for Such Appointments as recommended by the eight members present at the Planning Commission meeting on December 18, 2007.
3. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.17-2007/08
2. Staff Report for PC#2007-86
3. Resolution for PC#2007-86

Sponsor(s) : Planning Commission
 Planning Commission Consideration : November 27, 2007
 Planning Commission Public Hearing : November 27, 2007
 Planning Commission Recommendation : December 18, 2007
 First Reading/Introduction : January 3, 2008
 Committee Referral : N/A
 Second Reading : January 17, 2008
 Third Reading : February 7, 2008
 Effective Date : July 1, 2008

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 17-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish The Effective Date For Such Appointments.]

WHEREAS:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Zoning Ordinance of Florence County requires revision to provide for the appointment of Planning Commission and Board of Zoning Appeals members and to set criteria for their membership.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Chapter 25 Article II of the County Code of Florence is hereby deleted in its entirety and replaced with the following language:

Article II. Planning Commission

Section 25-21. Established.

Pursuant to S.C. Code 6-29-320, and an ordinance of Florence County, there is established a Planning Commission, which shall perform all planning functions in the area of jurisdiction of the County and any municipality contracting with the County for planning services, including the revision of the comprehensive plan, which shall conform to the requirements of the Comprehensive Planning Enabling Act of 1994 (the act).

Section 25-22. Membership and Terms of Membership.

As established in the Zoning Ordinance of Florence County, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration serving the following terms:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.

Two (2) additional members shall be appointed if contractual arrangements for planning services exist between the County and a municipality therein according to the following:

- A. Two (2) additional members shall be appointed as follows if a contractual arrangement for planning services exists with at least two (2) municipalities, with the members being selected from separate municipalities:
 1. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement with the second municipality is signed expiring four (4) years from that date. In the event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired. All municipalities that have signed contractual arrangements for planning services at the time of the initial appointment shall participate in the initial appointment process.
 2. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for Planning services shall be effective 30 days after the agreement with the second municipality is signed expiring two (2) years from that date.

- B. Two additional (2) members shall be appointed as follows if a contractual arrangement for planning services exists with only one (1) municipality:
 1. The initial term of one (1) appointee chosen by the municipality participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement is signed expiring four (4) years from that date. In the event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired.
 2. The initial term of one (1) appointee chosen by majority vote of the County Council shall be effective 30 days after the agreement with the municipality is signed expiring two (2) years from that date.
 3. If additional municipalities sign contractual agreements with the County before the initial appointment of this member, the appointment process shall follow the procedures set forth in Section 25-22 A of this article.

All subsequent appointments shall be for four-year terms. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term. Members of the commission shall serve until their successors are appointed and qualified. Any member appointed may be removed for cause by majority vote of the appointing body, either County Council or the contracting municipalities.

Secs. 25-23--25-24. Reserved.

2. Chapter 2 Article V Division 9 of the County Code of Florence is hereby deleted in its entirety and replaced with the following language:

Division 9. Board of Zoning Appeals.

Section 2-171. Established.

Pursuant to S.C. Code 6-29-780(A) and an ordinance of Florence County, there is established a Board of Zoning Appeals, which shall perform all functions prescribed by the act in the area of jurisdiction of the County and any municipality contracting with the County for planning services under the existing and all future zoning ordinances adopted by the County.

Section 2-172. Membership and Terms of Membership.

As established in the Zoning Ordinance of Florence County, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration shall serve the following terms:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2013.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2011.

All subsequent appointments shall be for four-year terms. All vacancies shall be filled by appointment in the same manner as the original appointment for the remainder of the unexpired term. Members of the board shall serve until their successors are appointed and qualified. Any member appointed may be removed for cause by majority vote of the County Council.

Secs. 2-173—2-180. Reserved.

3. The terms for the current appointees to the Planning Commission and Board of Zoning Appeals shall terminate effective June 30, 2008.
4. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 15, 2007
PC#2007-86 (Florence County)**

Subject: Amend The Florence County Code to Provide for the Appointment of Planning Commission and Board of Zoning Appeals members; and to establish date for such appointments.

Staff Analysis:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Florence County Code requires revision to provide for the appointment of Planning Commission and Board of Zoning Appeals members and to set criteria for their membership.

All current members of the Planning Commission and Board of Zoning Appeals will have their terms expire on June 30, 2008.

As established in the Florence County Code, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration.

Two (2) additional members shall be appointed if contractual arrangements for planning services exist between the County and a municipality therein according to the following:

- A. Two (2) additional members shall be appointed as follows with the members being selected from separate municipalities:
 1. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for planning services shall be effective 30 days after the agreement with the second municipality is signed expiring four (4) years from that date. In the event that additional municipalities contract with the County for planning services after the initial appointment of this member, they shall be provided the opportunity to participate in the appointment process after the initial four (4) year term has expired. All municipalities that have signed contractual arrangements for planning services at the time of the initial appointment shall participate in the initial appointment process.
 2. The initial term of one (1) appointee chosen by majority vote of the municipalities participating in a contractual arrangement with the County for Planning services shall be effective 30 days after the agreement with the second municipality is signed expiring two (2) years from that date.

Also As established in the Florence County Code, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration.

Serving terms for each category are as follows:

- The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
- The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
- The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.

Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later. There is no limit on the number of terms a member may serve.

Staff Recommendation:

Staff recommends approval of this request because the Florence County Code requires a revision as a consequence of the withdrawal of the City of Florence from the planning functions of the Florence County/Municipal Planning and Building Department.

Florence County/Municipal Planning Commission Action: December 18, 2007:

Planning Commission approved portion to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members and rejected portion to amend the Florence County Code to Provide for the Appointment of the Planning Commission Members. (Unanimously 8-0)

Florence County Council Meeting Schedule:

Introduction: Thursday, January 3, 2007 @ 9:00 a.m. in room 803 of the City-County Complex

Second Reading/Public Hearing: Thursday, January 17, 2008 @ 9:00 a.m. in room 803 of the City-County Complex

Third Reading: Thursday, February 7, 2008 @ 9:00 a.m. in room 803 of the City-County Complex

Attachments:

Copies of the following are attached:

1. Resolution

RESOLUTION FOR PC#2007-86

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending To Amend The Florence County Code To Provide For The Appointment Of Planning Commission And Board Of Zoning Appeals Members; And To Establish Date For Such Appointments.]

WHEREAS:

1. All current members of the Planning Commission and Board of Zoning Appeals will have their terms expire on June 30, 2008.
2. As established in the Zoning Ordinance of Florence County, the Florence County Planning Commission shall consist of up to eleven (11) members. Nine (9) members shall be appointed by County Council with one (1) appointee nominated by each County Council Member for consideration. Two (2) additional members will be appointed by the five (5) participating municipalities.
3. Also as established in the Zoning Ordinance of Florence County, the Florence County Board of Zoning Appeals shall consist of nine (9) members. As such, one appointee nominated by each County Council Member for consideration.
4. Serving terms for each category are as follows:
 - The initial term of three (3) appointees from Districts 1, 4, and 7 shall be effective July 1, 2008, expiring on June 30, 2012.
 - The initial term of three (3) appointees from Districts 2, 5, and 8 shall be effective July 1, 2008, expiring on June 30, 2011.
 - The initial term of three (3) appointees from Districts 3, 6, and 9 shall be effective July 1, 2008, expiring on June 30, 2010.
5. Therefore, all terms thereafter will be four years. Members shall serve until their term expires or they are replaced, whichever is later. There is no limit on the number of terms a member may serve.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Code to Provide for the Appointment of Board of Zoning Appeals Members; and to Establish Date for Such Appointments. In addition, recommend that the Florence County Council Provide an Alternative Directive to amend the Florence County Code to Provide for the Appointment of Planning Commission Members and to Establish Date for Such Appointments.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED

Glynn Willis
Glynn Willis, Chairman

COMMISSION VOTE: 8-0

OPPOSED: NONE

ABSENT: D. Chaplin

D. Floyd

L. Fred

D. Hines

FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: Thursday, January 17, 2008

AGENDA ITEM: Ordinance No.18-2007/08
Second Reading

DEPARTMENT: Planning and Building Inspections

ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.]

POINTS TO CONSIDER:

1. Council District(s): All Florence County Council Districts
2. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses.
3. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
4. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
5. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
6. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
7. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
8. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

OPTIONS:

1. (*Recommended*) Approve Ordinance No. 18-2007/08 as unanimously recommended by the Planning Commission at the meeting of November 27, 2007.
2. Provide an Alternate Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 18-2007/08
2. Staff Report for PC#2007-63

Sponsor(s)	: Planning and Building Inspections	I, _____,
Planning Commission Consideration	: November 27, 2007 [Approved 9-0]	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2007 [Approved 9-0]	Ordinance was advertised for
Planning Commission Recommendation	: November 27, 2007	Public Hearing on _____.
First Reading/Introduction	: January 3, 2008	
Committee Referral	: N/A	
Second Reading	: January 17, 2008	
Third Reading	: February 7, 2008	
Effective Date	: Immediately	

ORDINANCE NO. 18-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend The Zoning Ordinance Of Florence County Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, And Section 7.7 For Setbacks, Text Errors, Accessory Structure Rules And Commercial And Industrial Property Access.]

WHEREAS:

1. During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.
2. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses.
3. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
4. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
5. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
6. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
7. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
8. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

AMENDMENT (1):

The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. ft (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f – 20 feet

g – 20 feet

h – 30 feet

i – 100 feet

j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

N/A = Not Applicable

AMENDMENT (2):

The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department’s ongoing amendment process:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)										

See Section 5.5

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT (3)

The amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed ~~50 percent of the principal use~~ **1000 square feet**.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT (4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

- If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.
- Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

Approved as to Form and Content
James C. Rushton, III, County Attorney

COUNCIL VOTE:
OPPOSED:
ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
August 28, 2007
PC#2007-63
Ordinance No. 18-2007/08**

SUBJECT: Request for amendments to Section 2.5-Table III, Section 3.21, Section 5.2-Table VIII, Section 7.6, and Section 7.7 of the Consolidated Zoning Ordinance for setbacks, text errors, accessory structure rules and commercial and industrial property access.

APPLICANT: Florence County/Municipal Planning Department Staff

STAFF ANALYSIS:

During recent reviews of continuing issues in the community for setbacks and buffers between conflicting land uses, the Planning Commission and staff have determined that several changes should be made.

1. The amendments to Section 2.5 Table III (a) shall re-establish the minimum rear and side yard setback requirements between development of non-residential uses in the commercial zoning districts and adjacent residential zoning districts to lessen the potential negative impact between these uses. Non-residential use development adjacent to like uses shall observe the current setbacks and (b) shall correct typographical errors to the lot width requirements for the B-5, B-6, RU-1 and RU-2 Zoning Districts.
2. The amendment to Section 5.2-Table VIII shall delete reference to information that has been removed from the Ordinance as a part of the amendment process.
3. The amendment to Section 3.21 shall establish minimum required setbacks for all other uses other than commercial and industrial uses in unzoned areas.
4. The amendment to Section 7.6 shall specifically establish a maximum square footage of accessory structures in residential districts.
5. The amendment to Section 7.7 shall establish criteria for prohibiting access to commercial and industrial properties by way of residential zones.
6. If adopted, the amendment for Section 2.5 Table III shall become effective June 1, 2008. All other amendments shall be effective upon adoption.

NOTE:

Text amendments to the Sections for revisions to current text shall be designated by strikethrough and with amended text in bold. Amendment to the text of the Sections for additions shall be designated by bold lettering only.

AMENDMENT REQUEST (1):

A. The current text of Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts reads as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non-Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35	5	5	20	20	38	70	0.30
B-2	5,000	5,000	50	35	5	5	20	20	38	80	0.50
B-3	5,000	5,000	50	35	5	5	20	20	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
B-6	NA	10,000	10,000	35	NA	10	NA	25	(e)	90	None
RU-1	15,000	15,000	15,000	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

N/A = Not Applicable

B. The amended text to Section 2.5 Table III: Schedule of Lot Area, Yard, Setback, Height, Density, Floor area, and Impervious Surface Requirements for Residential, Business and Rural Districts for setbacks requirements and corrections for typographical errors shall read as follows:

District	Minimum Lot Area (a)		Lot Width (ft)	Front Yard Setback (b)	Side Yard Setback		Rear Yard Setback		Max Hgt (ft) (c)	Max Impervious Surface Ratio (%)	Max. Floor Area Ratio: Non-Res. Uses (d)
	Residential	Non Residential			Res	Non Res	Res	Non Res			
R-1	15,000	30,000	100	25	10	50	30	60	38	40	0.25
R-2	10,000	20,000	80	25	8	25	25	50	38	45	0.30
R-3	6,000	12,000	50	25	5	25	25	50	38	45	0.30
R-4	6,000	12,000	50	25	5	25	20	40	38	45	0.30
R-5	6,000	12,000	50	25	5	25	20	40	4 stories	70	0.30
B-1	5,000	5,000	50	35(j)	5	5(f)	20	20(f)	38	70	0.30
B-2	5,000	5,000	50	35(j)	5	5(g)	20	20(g)	38	80	0.50
B-3	5,000	5,000	50	35(j)	5	5(h)	20	20(h)	(e)	90	None
B-4	NA	None	None	None	NA	None	NA	None	(e)	100	None
B-5	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
B-6	NA	10,000	10,000 100	35	NA	10(i)	NA	25(i)	(e)	90	None
RU-1	15,000	15,000	15,000 100	35	10	10	30	30	38	40	0.25
RU-2	87,120	43,560	43,560 200	35	15	50	30	60	38	20	0.15

Notes to Table III

a – Lot area is expressed in square feet.

b – Measurement from front property line.

c – Measurement from average elevation of finished grade of the front of the structure.

d – Total floor measured as a percent of total lot area

e – There is no maximum: provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings outside of the B-4 District; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the Fire Department with jurisdiction.

The following side and rear yard setbacks shall be observed in the commercial zoning districts when non-residential development is proposed adjacent to a residential zoning district:

f – 20 feet

g – 20 feet

h – 30 feet

i – 100 feet

j – The minimum front yard setback requirement shall be 20' if parking is established either in the side or rear of the property.

N/A = Not Applicable

AMENDMENT REQUEST (2):

A. The current text reads as follows:

**Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A** – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B** – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C** – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
- D** – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E** – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F** – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G** – Not to exceed 160 square feet.
- H** – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I** – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

B. The amended text shall read as follows after the deletion of reference to information that has been removed from the Ordinance as a part of the Planning Department's ongoing amendment process:

Table VIII
Number, Dimension, and Location of Permitted Signs,
By Zoning District

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)	UZ (1)
Freestanding										
Number Permitted (E)										
Per Lot										
Billboards	N	N	N	NA	N	NA	NA	N	N	NA
Other	1 (A)	1	1	1	1	1	1	1 (A)	1	NA
Per Feet of St. Frontage										
Billboards (C)	N	N	N	1:1,200 (J)	N	1:1,200 (J)	1:1,200 (J)	N	N	1:1,200
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA	NA
Maximum Sign Area (s.f.)										
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20	NA
Minimum Setback from Property Line										
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA	10'
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'	NA
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'	(H)
Building Signs										
Number Permitted	1	1	2	2	2	2	2	1	1	NA
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12	NA
Maximum Wall Area (%)	NA	NA	25%	25%	25%	15%	25%	NA	NA	NA
Temporary Signs (2)										
	See Section 5.5									

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation.
- B – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc.
- C – Minimum distances required by this section shall be measured between billboards located on either side of the street along the centerline of the street from which the billboard is viewed.
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- F – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. from W. Evans to I-95.
- G – Not to exceed 160 square feet.
- H – Maximum height of billboards shall not exceed 100 feet. Where located within 600 feet of Interstate ROW, shall not exceed 40 feet.
- I – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.

AMENDMENT REQUEST(3)

A. The current text of Section 7.6 reads as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed 50 percent of the principal use.
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

B. The proposed text amendment shall read as follows:

Section 7.6 Accessory Buildings and Uses

Section 7.6-1 Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

Section 7.6-2 General Requirements

Residential Districts

1. The number of accessory uses shall not exceed two on any lot or parcel.
2. The combined gross floor area (GFA) of all accessory uses shall not exceed ~~50 percent of the principal use~~ **1000 square feet.**
3. The height of accessory buildings shall not exceed 20 feet.
4. No mobile home or standard design manufactured home shall be used as an accessory building.
5. **Setbacks of three feet from side and rear property lines shall be observed.**

All Other Districts

1. There is no limit to the number of accessory buildings however such buildings shall occupy no more than 30 percent of the total lot area.
2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, said buildings shall not exceed 20 feet in height.
3. Accessory uses may be allowed within 3 feet of a side or rear property line, except where contiguous to a residential zone, in which case the accessory use shall observe the setback requirement of the principal use.

AMENDMENT REQUEST(4):

An addition shall be made to Section 7.7 Access to Property and shall read as follows:

Access to Commercial and Industrial Zoned Property Prohibited From Residential Zones

Where a commercial or industrial zoning district is bounded by a residential zoning district, access to such industrial or commercial properties, including off-street parking and loading areas, shall be restricted to streets and alleys within the respective commercial or industrial districts in which such uses are located; and no commercial or industrial vehicles or parking in connection with an industrial or commercial use shall occupy a public street or right-of-way separating commercial or industrial districts from residential districts.

AMENDMENT REQUEST (5):

An addition shall be made to Section 3.21 Development Standards for Unzoned Areas §7 Setbacks and shall read as follows:

7) Setbacks

Proposed Use	Front	Rear	Side
Commercial	25'	20'	10'
Industrial/Warehousing/ Storage	25'	50'	50'
Office/Institutional	25'	20'	20'
Accessory Use All Other Uses	25'	5'	5'

Florence County/Municipal Planning Commission Action: August 28, 2007

The nine Planning Commission members voted unanimously to defer the request for a work session to be scheduled at a time in September prior to the September 25, 2007 Planning Commission meeting.

Planning Commission Work Session: September 12, 2007

The Planning Commission held a work session for discussion of the amendment as presented.

Florence County/Municipal Planning Commission Action: September 25, 2007

No action was taken on the text amendments at the meeting held on September 25, 2007 due to the lack of a quorum of Planning Commission members.

In addition, prior to the Planning Commission meeting scheduled for October 23, 2007 and based on subsequent discussions after the work session of September 12, 2007, staff has been directed to research for amendments to the Zoning Ordinance Section 3.21 for establishing setbacks for all other uses in an unzoned area and to Section 7.7 to establish criteria for accessing commercial and industrial properties through residential zones.

Florence County/Municipal Planning Commission Action: October 23, 2007

The nine Planning Commission members present at the meeting voted to defer the request for amendments for further study until the next month's meeting by a vote of 5-4 in favor to defer.

Florence County/Municipal Planning Commission Action: November 27, 2007

Prior to the Chairman's request to the Planning Commission members for a vote on the motion to approve the text amendments, he asked if persons from the public who wished, to stand indicating their support of the text amendments with revisions and likewise those who were in opposition to the request. There were twenty persons who stood in support of the amendment and none to stand in opposition.

The nine Planning Commission members present voted unanimously to approve the text amendments as revised at the meeting on November 27, 2007.

Florence County/Municipal Planning Commission Recommendation:

The Planning Commission recommends approval of the text amendments with revisions by Florence County Council.

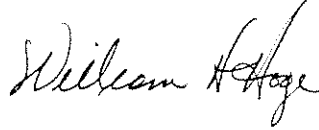
DRAFT

FLORENCE COUNTY COUNCIL MEETING

Item For Meeting On: Thursday, January 17, 2008

AGENDA ITEM: Ordinance No. 19-2007/08
Second Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

POINTS TO CONSIDER:

1. The Florence County Planning Commission shall consist of eleven (11) members.
 - Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.
2. The Florence Board of Zoning Appeals shall consist of nine (9) members.
 - The terms shall be four (4) years or after that time until their successors are appointed except for initial appointees.

OPTIONS:

1. *(Recommended)* Florence County Council's approval of Ordinance No. 19-2007/08 as recommended by the nine members present at the Planning Commission meeting of November 27, 2007.
2. Provide An Alternative Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No.19-2007/08
2. Staff Report for PC#2007-85
3. Resolution for PC#2007-85

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: November 27, 2007	Council Clerk, certify that this
Planning Commission Public Hearing	: November 27, 2007	Ordinance was advertised for
Planning Commission Recommendation	: November 27, 2007[Approved 9-0]	Public Hearing on _____.
First Reading/Introduction	: January 3, 2008	
Committee Referral	: N/A	
Second Reading	: January 17, 2008	
Third Reading	: February 7, 2008	
Effective Date	: Immediately	

ORDINANCE NO.19-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance To Amend Article 9 Of The Zoning Ordinance Of Florence County To Provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

WHEREAS:

1. The Florence County Planning Commission shall consist of eleven (11) members.
 - No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
 - A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
 - Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified; and
2. The Florence Board of Zoning Appeals shall consist of nine (9) members.
 - The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. The vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served; and
3. The references made in Section 9.5 to the "City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and "County Board of Zoning Appeals (BZA)."

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
2. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

Connie Y. Haselden, Council Clerk

Approved as to Form and Content
James C. Rushton, III, County Attorney

SIGNED:

K. G. Rusty Smith, Jr., Chairman
COUNCIL VOTE:

OPPOSED:
ABSENT:

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
November 15, 2007
Ordinance No. -19-2007/08**

Subject: Amend Article 9 of The Zoning Ordinance of Florence County to provide for the Composition of the Planning Commission and Board of Zoning Appeals for Florence County.

Staff Analysis:

As a consequence of the deconsolidation of planning and building inspections services within Florence County and as a result of the new contractual arrangement available to municipalities within Florence County, the Zoning Ordinance of Florence County requires revision to provide for a new Planning Commission and Board of Zoning Appeals.

The Florence County Planning Commission shall consist of eleven (11) members.

- No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
- A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
- Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.

The Florence Board of Zoning Appeals shall consist of nine (9) members.

- The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. A vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served.

The references made in Section 9.5 to the "City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and "County board of Zoning Appeals (BZA)".

Staff Recommendation:

Staff recommends approval of this request because the Zoning Ordinance of Florence County requires a revision as a consequence of the withdrawal of the City of Florence from the planning functions of the Florence County/Municipal Planning and Building Department.

Florence County/Municipal Planning Commission Action: November 27, 2007:

Planning Commission unanimously approved. (9-0)

Florence County Council Meeting Schedule:

Introduction: January 3, 2008

Second Reading/Public Hearing: January 17, 2008

Third Reading: February 7, 2008

Attachments:

Copies of the following are attached:

1. Resolution

RESOLUTION FOR PC#2007-85

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending To Amend Article 9 Of The Zoning Ordinance Of Florence County To provide For The Composition Of The Planning Commission And Board Of Zoning Appeals For Florence County.]

WHEREAS:

The Florence County Planning Commission shall consist of eleven (11) members.

- No member of a Planning Commission may hold an elected public office in the municipality or county from which appointed.
- A local planning commission serving three or more political jurisdictions shall have a membership not greater than four times the number of jurisdictions it serves.
- Members of the commission first to serve must be appointed for staggered terms as described in the agreement of organization and shall serve until their successors are appointed and qualified.

The Florence Board of Zoning Appeals shall consist of nine (9) members.

- The terms for the Board of Zoning Appeals members shall be four years or after that time until their successors are appointed except for initial appointees. The vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment. There is no limit to the number of terms that may be served.

WHEREAS: The references made in Section 9.5 to the City-County Planning Commission" and the "City-County Board of Zoning Appeals (ZBA)" shall be changed to read "County Planning Commission" and County Board of Zoning Appeals (BZA)."

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Zoning Ordinance of Florence County to provide for the Composition of the Planning Commission and Board of Zoning Appeals for Florence County.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED:

Glynn Willis
Glynn Willis, Chairman

COMMISSION VOTE: 9-0

OPPOSED: None

ABSENT: L. Bergman
C. Cunha
L. Fred

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Ordinance No. 20-2007/08 – Second Reading

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

(An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.)

OPTIONS:

1. *(Recommended)* Approve Second Reading of Ordinance No. 20-2007/08
2. Provide an Alternative Directive

ATTACHMENTS:

A copy of Ordinance No. 20-2007/08

DRAFT

Sponsor(s) : County Council
 First Reading/Introduction : January 3, 2008
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Public Hearing :
 Second Reading :
 Third Reading :
 Effective Date :

I, _____,
 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on _____.

ORDINANCE NO. 20-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Amending Florence County Code Chapter 6 – Animals And Fowl, In Its Entirety To Clarify Animal Care And Control Regulations.)

WHEREAS:

1. Section 47-3-20 of the Code of Laws of South Carolina, 1976, as amended, grants authority to Florence County to enact an ordinance for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and
2. Florence County Council has determined it is in the best interest of the citizens of Florence County to amend the animal control regulations by replacing Florence County Code Chapter 6, Animals and Fowl, in its entirety it with language contained herein, which shall hereafter be known as the Florence County Animal Care and Control Ordinance.

NOW, THEREFORE BE IT ORDAINED BY FLORENCE COUNTY COUNCIL DULY ASSEMBLED, THAT:

1. In order to clarify animal care and control regulations, Florence County Code, Chapter 6, Animals and Fowl, is hereby replaced in its entirety with the language attached hereto and incorporated herein by reference.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application and to this end, the provisions of this Ordinance is severable.

ATTEST:

SIGNED:

 Connie Y. Haselden, Council Clerk

 K. G. Rusty Smith, Jr., Chairman

 Approved as to Form and Content
 James C. Rushton, III, County Attorney

COUNCIL VOTE:
 OPPOSED:
 ABSENT:

Chapter 6

ANIMAL CARE AND CONTROL

SEC. 6-1 Animal Care

- A. No owners shall fail to provide domesticated or constrained animals or pets with **proper shelter, sustenance or veterinary care** when needed to prevent suffering.
- B. When a pet or animal is found in a condition which evidences a **first-time violation** of any paragraph of Section 6-1 of this Chapter, the **Environmental Services Officer (ESO)** shall issue a **"Notice of Violation"** to its owner, if known. **The owner shall then have twenty-four hours to correct the violation.**
- C. If this violation occurs a second or subsequent time, or if the owner **does not correct or remedy the first-time violation within twenty-four hours**, or if the person violates any other section of this Chapter, the ESO shall issue a "Summons" to such person and the matter shall be heard before a court of competent jurisdiction. However, nothing in this Chapter shall limit an ESO from taking immediate action, when it is deemed to be in the best interest of the pet or animal.
- D. No person shall sell, trade, or give away as a pet any carnivorous animal that is normally not domesticated. Such animal shall include, but not be limited to those listed in Section 6-16 Definitions, Wild Animals.
- E. Any person violating any provision of this Section shall be subject to a civil fine as follows:
1. For **a first offense** the person, upon conviction, shall be **fined \$100** plus all related court costs and assessments.
 2. For **second or subsequent offenses**, the person, upon conviction, shall be **fined \$250** plus all related court costs and assessments.
 3. Each day's violation of any provision of this chapter shall constitute a separate offense.

SEC. 6-2 Animal Cruelty

- A. **No person shall beat, cruelly treat, torment, overload, overwork, abuse, or intentionally commit an act of cruelty or torture that causes an animal to suffer serious injury or death or that inflicts or subjects an animal to unreasonable physical pain, suffering, or agony, or fails to provide a constant supply of fresh water or appropriate sustenance. No person shall cause, instigate, or permit any dog fight or other combat between animals or between animals and humans.**
- B. No owner of an animal shall **abandon it.**

- C. No person, except a licensed veterinarian who is qualified to perform such operations, shall crop a dog's or a cat's ears, or crop a dog's or cat's tail, or neuter or spay any pet.
- D. No person shall expose any known poisonous substance, whether mixed with food or not, such that it may be eaten by any animal. It shall not be unlawful for a person to expose on their own property common rat poison mixed according to the manufacturer's recommendations.
- E. No owner or person shall confine any animal in a motor vehicle or other enclosed containment in such a manner that places it in a potentially life threatening situation. In order to protect the health and safety of an animal, the ESO or other law enforcement officer, who has probable cause to believe that this Section is being violated and the animal may be in danger, shall have the authority to enter such motor vehicle or containment by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible.
- F. Persons reporting violations of this Chapter shall provide identification, which shall remain confidential to the agency receiving the report unless such report provides for the release the name or subsequent release of the name is formally required by rules of evidentiary hearings or a judge in a court having jurisdiction in the matter. Identification may be released pursuant to the South Carolina Freedom of Information Act as applicable.
- G. Nothing in this Chapter shall be construed to limit any person from bringing a private cause of action against the owner of a pet or animal for violation under the Chapter.
- H. The court may order a person charged with any violation of this Chapter to provide necessary food, water, shelter, and care for any animal(s) that are the basis of the charge without the removal of the animal(s) from their existing location and until the charges against the person are adjudicated. Until a final disposition is rendered, any ESO or any law enforcement officer, may be authorized by the court to make regular visits to the place where the animal(s) are being kept to ascertain if the animal(s) are receiving necessary food, water, shelter, and care. Nothing in this Section prevents any ESO or law enforcement officer from applying for a warrant under this Section to seize any animal(s) being held by the person charged pending adjudication of the charges if it is determined that the animal(s) are not receiving the necessary food, water, shelter, or care.
- I. Nothing in this Chapter shall be construed to prevent the voluntary, permanent relinquishment of any animal by its owner to Environmental Services or to an approved animal humane organization in lieu of proceeding to a forfeiture hearing. Voluntary relinquishment shall have no effect on other charges that may be pursued by appropriate authorities.
- J. Any person violating this Section shall be charged with a misdemeanor and upon conviction shall be subject to a fine of \$500 plus any related court assessments and costs and/or imprisoned for thirty days for each violation. However, nothing in this Chapter shall limit an ESO from also taking immediate action, which includes immediate seizure of the pet or animal, when it is deemed to be in the best interest of the pet or animal.

- K. In the case of continuous violations such as failure to feed, water or house animals, each day's violation of any provision of this Chapter shall constitute a separate offense.
- L. For the purposes of this section, cruelty nor animal torture shall not include any alteration or destruction of any animal done by any person or unit of government pursuant to statute, ordinance, court order, or the direction of a licensed veterinarian. Such alteration or destruction shall include, but not be limited to: castration, culling, declawing, defanging, ear cropping, euthanasia, gelding, neutering, shearing, shoeing, slaughtering, spaying, and tail docking.
- M. Any licensed veterinarian who is presented with an animal for treatment of injuries or wounds resulting from fighting where there is reasonable possibility that the animal was engaged in or utilized for a fighting event for the purpose of sport, wagering, or entertainment shall file a report with Environmental Services and shall cooperate by furnishing the owners' names, dates, and descriptions of the animal(s) involved.

SEC. 6-3. Running at Large - Animals

- A. It shall be unlawful for any owner or custodian of any pet or animal to permit same to run at large at any time upon any street or highway or other property within Florence County, except upon property owned or rented by the owner or custodian.
- B. Any animal running at large or any animal determined to be abandoned may be picked up or trapped by an ESO and transported to the Environmental Services Facility and there confined until redeemed or disposed of as hereinafter provided. In the case of livestock, Environmental Services may place such animals with individuals, agencies, veterinary hospitals, or others for the impoundment period.
- C. Within twenty-four hours after impounding any animal, the ESO shall exercise due diligence to ascertain the owner of such animal and to inform the owner of the conditions whereby he or she can regain custody of the animal.
- D. No pet or animal shall be permitted to be on school grounds or in a shopping area or similar public place unless on a leash and muzzled at all times.
- E. Upon receipt of a written complaint signed by a resident of the county, the ESO shall investigate the complaint and may impound the animal and issue a notice of ordinance violation.
- F. Each day's violation of any provision of this Chapter shall constitute a separate offense.
 - A. First Offense - Warning Ticket
 - B. Second Offense - \$75.00 fine plus court costs.
 - C. Third Offense - \$100 fine plus court costs.
 - D. Fourth and subsequent Offenses - \$250.00 fine plus court costs
 - E. All citations written under this section will remain active for a period of twenty-four (24) months.

- G. Refer to Section 6-6 for animal redemption fees and policies.

SEC. 6-4. Public Nuisance

- A. No person shall own, keep, possess, or maintain an animal in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any animal are hereby declared to be a public nuisance and are, therefore, unlawful:
- 1) Allowing or permitting an animal to damage the property of anyone other than its owner
 - 2) Maintaining an animal that is diseased and dangerous to the public health.
 - 3) Maintaining an animal that habitually or repeatedly chases, snaps at, or attacks, pedestrians, bicycles, or vehicles.
- B. Any animal, which has been determined to be an habitual nuisance by an ESO, may be impounded and shall not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated and until such owner has paid all impoundment, redemption, and boarding fees accrued as defined in Section 6-7.
- C. Any person violating any provision of this Section shall be subject to a civil fine as follows:
- 1) For a first offense the person, upon conviction, shall be fined \$100.00 plus any related court costs
 - 2) For second or subsequent offenses, the person, upon conviction, shall be fined \$250.00 plus any related court costs.
 - 3) Each day's violation of any provision of this section shall constitute a separate offense.

SEC. 6-5 Impoundment or Seizure

- A. Any pet or animal impounded with a severe, contagious, or life-threatening medical condition may be isolated, treated by a veterinarian, or immediately euthanized at the discretion of Environmental Services, and such medical condition shall be documented in the records of the Environmental Services.
- B. Pets or animals impounded pursuant to this Section shall remain impounded at the Environmental Services Facility for a period of not less than five days subject to other provisions of this Chapter.
- C. Following seizure of an animal, the ESO shall issue to the owner, if known, a notice of ordinance violation. The hearing shall be set not more than five days from the date of the seizure to determine whether the owner, if known, is able to provide adequately for the animal. The ESO shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal was found, written notice at least twenty four (24) hours prior

to the hearing of the time and place of the hearing. If the owner is not known or cannot be found, the ESO shall post a copy of the notice at the property where the animal was seized. The Magistrate shall make the final determination as to whether the animal is returned to the owner or transferred to the Environmental Services facility where the animal may be put up for adoption or euthanized. The pet or animal shall remain in the custody and care of the Environmental Services until such matter is heard before the Magistrate. If the Magistrate orders the return of the animal to its owner, the ESO shall release the animal upon receipt from the owner of all redemption fees as described in Section 6-6, of this Chapter, if ordered by the magistrate. ~~If the owner does not pay the redemption fees and redeem the animal within five days of the Magistrate's order, the animal shall become the property of Environmental Services and may be placed for adoption or euthanized.~~ However, nothing in this Chapter shall be construed to prohibit the euthanasia for humane purposes of a critically injured or ill animal.

- D. If the Magistrate orders that the animal be released to Environmental Services, in addition to any penalties and fines, the owner will be made to pay any fees related to Section 6-6.
- E. ~~If an animal is impounded as the result of an action taken by state, federal or other local law enforcement against the animal's owner, Environmental Services will hold that animal for fifteen (15) days.~~ If the owner or his designee does not make arrangements for the care and custody of the animal before the expiration of that fifteen-day period, the animal shall become the property of Environmental Services and may be placed for adoption or euthanized at the discretion of Environmental Services. However, any animal impounded in this manner with a severe, contagious, or life-threatening medical condition may be isolated, treated by a veterinarian, or immediately euthanized at the discretion of Environmental Services. Such medical condition shall be documented in the records of Environmental Services.

SEC. 6-6. **Redemption**

- A. The owner shall be entitled to resume possession of an impounded pet or animal within five days from the date of impoundment upon compliance with all requirements as set forth below. If all such requirements are not met within the five day time period, the pet or animal shall be deemed abandoned and shall immediately and irrevocably become the property of Environmental Services to adopt or humanely euthanized at their discretion.
- B. ~~Identifiable animals or pets,~~ not appearing to be abandoned or feral as determined by Environmental Services, ~~shall be held for five days.~~ Thereafter such animal or pet shall become the property of Florence County and may be placed for adoption or humanely euthanized at the discretion of Environmental Services.
- C. For the purposes of this Section, it shall be deemed that, the owner is notified when the ESO makes telephone contact with the owner, or notification is left on the door of the best known address of the owner. Such notification shall at a minimum identify the animal, advise the owner of how and where to redeem the animal, and indicate that if, within the five-day time period from the date of impoundment, the owner does not pay all redemption fees and redeem the animal, then the animal shall become the property of Florence County for disposition.

- 1) The owner must identify the animal by giving detailed verbal, written, photographic, or other acceptable description of the animal to the ESO.
- 2) Payment of all fees due, which include but are not limited to the following:
 - (a) Minimum redemption fees set by County Council are as follows, which may be adjusted by Chapter or resolution of the Council in subsequent years:
 - (1) First impoundment - \$25.00 per animal
 - (2) Second impoundment - \$50.00 per animal
 - (3) Third and subsequent impoundments - \$100.00 per animal
 - (b) A boarding fee of \$10.00 per day per animal or such fee as may be set by County Council.
 - (c) A pickup fee of \$10.00 per animal or such fee as may be set by County Council.
 - (d) Veterinary costs and/or medically necessary costs if Environmental Services incurred any expenses for the medical care of the animal while it was impounded in the custody of the Department.

D. Fees collected for impoundment shall be turned over, in accordance with established County policies, to the Florence County Treasurer, who shall make monthly accounting of such funds.

E. Pursuant to Section 47-3-780 of the SC Code of Laws, 1976 as amended, any animal adopted from Environmental Services must be spayed or neutered by a licensed veterinarian within 30 days of adoption of a sexually mature pet or within 12 weeks of a non-sexually mature animal. Written verification from a licensed veterinarian is required for proof of spaying or neutering and this proof must be provided to Environmental Services. Failure to provide proof of spaying or neutering will result in a \$50.00 fine plus court costs, and the immediate forfeiture of same animal.

SEC. 6-7. Public Animal Adoption Policies

- A. There will be a \$40.00 adoption fee for any animal adopted from Environmental Services.
- B. Any sexually mature animal adopted is required to be spayed or neutered within 30 days. Any non-sexually mature animal is required to be spayed or neutered with twelve (12) weeks.
- C. If proof of spaying or neutering of the adopted animal is presented to Environmental Services within 30 days of adoption, the \$40.00 adoption fee will be refunded.
- D. Animals adopted from Environmental Services are adopted on an as-is basis with no guarantee, neither written nor implied, as to the temperament, mental or physical condition of the adopted animal.
- E. Any animal that has demonstrated any aggressiveness toward any person or other animal shall be considered by Environmental Services to be unadoptable.

SEC. 6-8. **Animal Rescue Agency Adoption Policies**

A. Animal Rescue Agencies can participate in a no fee adoption of animals provided that the following requirements are met by the rescue agency:

- 1) Documentation that identifies the rescue agency as a non-profit organization.
 - (a) Certificate of incorporation for a 501 C 3 non-profit organization.
 - (b) A tax-exempt certificate from the IRS
- 2) The name, address and telephone number of the non-profit rescue agency.
- 3) The address of where the animal(s) will be housed while the rescue agency attempts to find a third-party adopter.
- 4) A list of names of members of the non-profit rescue agency who are authorized to sign for and pick up animal(s).
- 5) Any approved non-profit rescue organization agrees to allow a representative of Florence County to inspect their facility at the County's request.
- 6) Each animal rescue agency must agree to provide written proof to Environmental Services of spay or neuter and rabies vaccination (by a state licensed veterinarian) of sexually mature animals prior to a third party adoption. (Exceptions – non-sexually mature pets must be spayed or neutered and vaccinated no later than three (3) months post adoption from Environmental Services.)
- 7) Each animal rescue agency must agree to have all animals, adopted from Environmental Services, micro chipped prior to a third party adoption.
- 8) The rescue agency may have ten (10) or less sexually mature animals adopted from Environmental Services that are non-spayed or non-neutered, unvaccinated animals in their inventory. Once this limit has been reached, adoptions to that agency will be suspended until such time that the agency has ten (10) or less non-spayed or non-neutered, unvaccinated sexually mature animals in their inventory.
- 9) The rescue agency may have fifteen (15) or less non-sexually mature animals adopted from Environmental Services in their inventory. Once this limit has been reached, adoptions of non-sexually mature animals to that agency will be suspended until such time that the agency has fifteen (15) or less non-sexually mature animals in their inventory.
- 10) All animals adopted from Environmental Services are on "as is" condition and Environmental Services makes no guarantee, either written nor implied, as to the health, condition or temperament of any animal.
- 11) The non-profit organization is solely responsible for any and all medical and/or veterinary care of any animal adopted from Environmental Services.

12) The non-profit organization agrees to provide documentation of the final adoption for all animal(s) adopted from Environmental Services upon request. The documentation must include the name of the person adopting the animal, the person's address, phone number and a copy of the adoption agreement between the person adopting the animal and the non-profit organization.

13) There will be no charge for animals adopted from Environmental Services if all the above requirements are satisfied. If all requirements are not satisfied, at any time, then the non-profit rescue organization will be removed from the list of agencies authorized to adopt from Environmental Services at no costs.

14) Any animal that has demonstrated any aggressiveness toward any person or animal shall be considered by Environmental Services to be unadoptable.

SEC. 6-9. Owner Relinquishment

- A. In the case of an owner relinquishing a pet or animal to Environmental Services, the owner shall be required to:
- 1) Complete a Relinquishment Form, which shall include at least the following information:
 - (a) Name, address and phone number of relinquishing owner
 - (b) Name, age, breed, sex, and spay/neuter status of pet or animal
 - (c) Veterinary data
 - (d) Any behavioral or medical problems of pet or animal
- B. Immediately upon completion of relinquishment procedures, the pet or animal shall become the property of the Environmental Services and may be placed for adoption or euthanized at the discretion of Environmental Services.

SEC. 6-10. Injured or Dead Animals.

Any person who strikes a pet or domestic animal with a motor vehicle or bicycle and injures or kills the animal must immediately notify Environmental Services. Environmental Services shall then take the necessary steps to notify the owner, if known of the injuries to the pet.

SEC. 6-11. Rabies Control

- A. It shall be unlawful for any person to own, keep, or harbor any dog, cat or ferret within the County where such dog, cat or ferret is older than four months of age unless such animal has been inoculated against rabies as provided herein. A person shall have thirty days from the time they acquire a dog or cat or ferret, four months of age or older, to obtain the necessary rabies inoculation.

- B. The penalty for violating this section shall be \$50.00 per violation, payable to Environmental Services; provided however, that proof of vaccination shall be accepted in lieu of the fine, for first offense, within three (3) days (seventy-two (72) hours) from the date of issuance of notice of violation. Each day the animal remains unvaccinated will constitute a separate violation.
- C. The owner of a dog, cat or ferret must have it inoculated against rabies at a frequency to provide continuous protection of the animal from rabies using a vaccine approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and licensed by the United States Department of Agriculture, Veterinary Biology Division.
- D. Evidence of rabies inoculation is a certificate signed by a licensed veterinarian. This certificate shall be in a form approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and will be issued by a licensed veterinarian for each animal stating the name and address of the owner; the name, breed, color and markings, age, and sex of animal; the veterinary or pharmaceutical control number of the vaccine; and the name and address of the licensed veterinarian administering the vaccination.
- E. Coincident with the issuance of the certificate, the licensed veterinarian shall also furnish a serially numbered metal license tag bearing the same number and year as the certificate and including the name and telephone number of the veterinarian, veterinary practice or hospital.
- F. It is unlawful in Florence County for any person or organization, other than a licensed veterinarian or someone under his/her direct control, to sell or administer rabies vaccine; provided, however, the sale of the rabies vaccine to a registered veterinarian is not precluded by this Section.
- G. It shall be the duty of every physician or other health practitioner to report to SCDHEC or Environmental Services the name and address of persons treated for bites inflicted by animals. Such other information that will be helpful in rabies control shall also be reported.
- H. The Florence County Sheriff is requested to forward immediately to both Environmental Services and SCDHEC a copy of each report involving an animal bite.
- I. When, in the opinion of SCDHEC's regional medical director, an animal with or without identification tags and suspected of having rabies, is involved in a human bite incident, such director shall have the prerogative of ordering the animal to be euthanized and its head submitted for examination to determine if the rabies virus has been transmitted to the bite victim.
- J. Any animal under ten-day quarantine at Environmental Services or any approved alternate location shall not be released unless such release is authorized by South Carolina DHEC.

SEC. 6-12. Dangerous/Vicious Animal Enforcement

A. No person owning or harboring or having the care or custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is "unconfined" as used in this section if the animal is not confined securely indoors or confined in a securely enclosed fence or securely enclosed and locked pen or run area upon the person's premises. The pen or run area must be clearly marked as containing a dangerous animal and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the animal. However, this section does not apply to an animal owned by a licensed security company and on patrol in a confined area.

B. No person owning or harboring or having the care or custody of a dangerous animal may permit the animal to go beyond his premises unless the animal is safely restrained with a properly sized leash or lead, a halter, and properly muzzled suitable to maintain complete control of the animal.

C. The owner shall confine within a building or secure enclosure, any and all pets or animals that meet the definition of "dangerous/ vicious animal" (see Section 6-16: Definitions). The owner shall not take such pet or animal out of such building or enclosure unless the pet or animal is securely muzzled and under restraint.

D. A person owning a dangerous animal shall register the animal with Environmental Services. Such registration information must include:

- 1) Name, address, and phone number of the owner.
- 2) Breed, color, sex, weight, and age of the animal
- 3) Address of premises on which the animal is confined
- 4) Description of pen or run area in which animal is confined outdoors.

Environmental Services shall provide the owner registering the dangerous animal with a microchip.

E. The owner of a dangerous/vicious animal must pay a dangerous/vicious animal registration fee of \$200.00. In addition, the animal must be spay/neutered and must be vaccinated for rabies.

F. The registration must be accompanied by proof of liability insurance or surety bond of at least \$150,000 per incident insuring or securing the owner for personal injuries inflicted by the dangerous animal.

G. A person who violates this section or who is the owner of a dangerous animal which attacks and injures a domestic animal is guilty of a misdemeanor and, upon conviction, for a first offense must be fined a minimum of \$200 and a maximum of \$500 or imprisoned not more than thirty days, and upon conviction of a subsequent offense, must be fined \$1,000 none of which may be suspended.

- H. A person who is the owner of a dangerous animal which attacks and injures a human being:
- 1) For a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not less than \$1,000 and not more than \$2,500 or imprisoned not more than one year;
 - 2) For a second or subsequent offense, is guilty of a felony in accordance with the South Carolina Code of Laws and, upon conviction, must be fined not less than \$5,000 and not more than \$10,000 or imprisoned not less than one year and not more than five years.
- I. A dangerous animal which attacks a human being or domestic animal must be ordered destroyed when, in the Court's judgment, the dangerous animal represents a continued threat of serious harm to human beings or domestic animals.
- J. A person found guilty of violating this section shall pay all expenses, including, but not limited to, shelter, food, veterinary expenses for boarding and veterinary expenses necessitated by the seizure of an animal for the protection of the public; direct medical treatment and medical follow-up expenses incurred by a victim of an attack from a dangerous animal and those of any County employee incurred as a result of the seizure and handling of the animal; and other expenses required for the destruction of the animal.
- K. Nothing in this Section shall to abrogate any civil remedies available under statutory, common, or other superior law.

SEC. 6-13. Disposition of Seized Animals

- A. If a person is found to be in violation of this Chapter, all animal(s) seized from him, if not previously ordered forfeited or previously forfeited by operation of law, are forfeited to Environmental Services and must be put up for adoption or humanely euthanized. Any outstanding costs incurred by Environmental Services for boarding and treating the animal(s) pending disposition of the case and any costs incurred in disposing of the animal(s) must be paid by the person found in violation.
- B. Any person authorized by this Section to care for animal(s), to treat animal(s), or to attempt to restore animal(s) to good health and who is acting in good faith is immune from any liability that may result from his other actions pursuant to this Chapter.

SEC. 6-14: Enforcement

- A. Environmental Services operates in the unincorporated areas by Agreement. The ESOs shall have the authority to enforce all applicable laws concerning animal control as set forth by this article or other laws and such additional duties, procedures, and responsibilities as the County Administrator or County Council shall establish. At its discretion, the County may contract any portion or all of the enforcement and administration of this article, as it deems appropriate. However, nothing herein shall abridge or limit the right and duty of local law enforcement authorities to enforce the provisions of this or any other law.

B. No person shall interfere with, hinder, or molest the duly authorized ESO or his equipment or any such agent of the County in the performance of his duty, or seek to release animals in the custody of the duly authorized ESO or any agent of the County. As public employees, Environmental Services Officers are protected pursuant to Section 16-3-1040 of the SC Code of Laws, 1976, as amended, and any other applicable statute.

SEC. 6-15. Definitions

Abandonment: Deserting, forsaking, or intending to give up absolutely an animal without securing another owner for it or without providing adequate food, water, shelter, and care.

Animal: Any live, vertebrate creature, domestic or wild.

Environmental Services Officer (ESO): Any person or persons designated by the County Administrator and all person or persons commissioned by County Council to perform animal control functions under the laws of the State of South Carolina and charged with the enforcement of this chapter.

Environmental Services: Any department or division of Florence County Government, designated by the County Administrator or commissioned by County Council to perform animal control functions under the laws of the State of South Carolina and charged with the enforcement of this chapter.

Environmental Services Facility: Any facility owned and operated by the Florence County Government for the purpose of impounding, harboring, care, adoption, or euthanasia of seized, stray, homeless, abandoned, or unwanted dogs, cats, or other animals.

Dangerous/Vicious Animal: Any animal of the canine, feline, or wild animal family:

1. Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of human beings or domestic animals or livestock; or
2. Which makes an unprovoked attack that causes bodily injury to a human being or another domestic animal or livestock and the attack occurs in a place other than the place where the animal is confined; or
3. Which commits unprovoked acts in a place other than the place where the animal is confined and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being or another domestic animal or livestock; or
4. Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

Domestic Animal: Any animal whose usual and customary habitat is within the control of human beings; animals which are not wild.

Feral Animal: Any animal that is untamed or wild by nature or any animal that has reverted to a wild state.

Owner: Any person, partnership, or corporation that (a) has a right of property in a pet; (b) keeps or harbors a pet or who has it in his care or acts as its custodian, or (c) permits a pet to remain on or about any premises occupied or owned by him. All owners are subject to any applicable requirements under other County Chapters, i.e. setbacks, buffer zones, etc.

Pet: Any animal kept for pleasure rather than utility.

Restraint: Animals secured by a properly sized leash or a lead and halter or collar suitable to maintain complete control; or within the real property limits of its owner.

Running At Large: Any animal that is off of the property of the owner and not under restraint.

Shelter: A structure that reasonably may be expected to protect an animal from physical suffering or impairment of health due to exposure to the elements or adverse weather or temperatures.

Sustenance: Adequate food provided at suitable intervals of quantities of wholesome foodstuffs suitable for the species and age, sufficient to maintain a reasonable level of nutrition to allow for proper growth and weight; and adequate water provided with constant access to a supply of clean fresh water provided in a suitable manner for the species.

Veterinary Hospital: Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

Wild Animals: All animals commonly accepted as being “wild” including, but not limited to, the following, no matter how domesticated they may be:

1. Alligators and crocodiles
2. Bears
3. Bobcats, tigers, leopards, lions, and panthers,
4. Coyotes, foxes, wolves, including the offspring of one (1) of the foregoing with a domestic dog wherein the proportion of wild animal exceeds one eighth.
5. Porcupine
6. Non-human primates
7. Raccoon
8. Skunks
9. Venomous snakes, constrictor snakes
10. Venomous lizards
11. Weasels, except ferrets.
12. Members of the cervidae (deer) family.

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Boards & Commissions

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

Filling vacancies on Boards and Commissions.

POINTS TO CONSIDER:

1. Citizen involvement on boards, commissions and committees of Florence County is extremely important.
2. Many boards/commissions/committees currently have vacancies or have approaching vacancies.

OPTIONS:

1. Make appropriate appointments.
2. Take no action.

(A copy of the list of current and approaching vacancies for 2008 is available upon request.)

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Reports to Council
Monthly Financial Reports

DEPARTMENT: Administration

ISSUE UNDER CONSIDERATION:

Monthly financial reports are provided to Council for fiscal year 2008 through December 31, 2007 as an item for the record.

ATTACHMENTS:

Copies of the monthly financial reports.

DRAFT

**Florence County Council
Allocation Balances by District
December 31, 2007**

Council District #	Type of Allocation	Beginning Budget FY08	Commitments & Current Year Expenditures	Current Available Balances
1	Infrastructure	228,947.00	407.00	228,540.00
	Paving	72,551.00	64,532.01	8,018.99
	Utility	228,335.00	-	228,335.00
	In-Kind	19,800.00	3,960.37	15,839.63
2	Infrastructure	104,099.00	42,940.36	61,158.64
	Paving	98,805.00	8,605.22	90,199.78
	Utility	5,335.00	-	5,335.00
	In-Kind	19,800.00	-	19,800.00
3	Infrastructure	58,678.00	10,802.78	47,875.22
	Paving	395,179.00	-	395,179.00
	Utility	143,187.00	-	143,187.00
	In-Kind	19,800.00	1,352.41	18,447.59
4	Infrastructure	249,200.00	2,700.00	246,500.00
	Paving	266,044.00	134,555.54	131,488.46
	Utility	128,736.00	98,813.83	29,922.17
	In-Kind	19,800.00	-	19,800.00
5	Infrastructure	79,678.00	9,656.20	70,021.80
	Paving	46,667.00	-	46,667.00
	Utility	112,281.00	13,000.00	99,281.00
	In-Kind	19,800.00	-	19,800.00
6	Infrastructure	216,739.00	5,000.00	211,739.00
	Paving	134,782.00	-	134,782.00
	Utility	155,556.00	-	155,556.00
	In-Kind	19,800.00	5,597.87	14,202.13
7	Infrastructure	97,318.00	10,555.31	86,762.69
	Paving	293,903.00	-	293,903.00
	Utility	273,335.00	36,691.03	236,643.97
	In-Kind	19,800.00	168.58	19,631.42
8	Infrastructure	50,301.00	-	50,301.00
	Paving	47,336.00	-	47,336.00
	Utility	43,510.00	-	43,510.00
	In-Kind	19,800.00	-	19,800.00
9	Infrastructure	140,899.00	5,500.00	135,399.00
	Paving	100,419.00	-	100,419.00
	Utility	273,335.00	2,119.00	271,216.00
	In-Kind	19,800.00	1,805.80	17,994.20

Infrastructure funds to be used for capital projects or equipment purchases. See guidelines adopted by Council.
Paving funds to be used for paving or rocking roads. See guidelines in County code.
Utility funds to be used for water and sewer projects.
In-Kind funds to be used for projects completed by the Public Works Department.

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY07
7/1/07 TO 12/31/07**

	YEAR-TO-DATE			
	BUDGETED REVENUE	ACTUAL REVENUE	REMAINING BALANCE	PCT
REVENUES				
Taxes	29,325,427	26,586,593	2,738,834	9.34%
Licenses & Permits	1,582,628	559,744	1,022,884	64.63%
Fines & Fees	4,183,773	1,606,573	2,577,200	61.60%
Intergovernmental	8,516,663	2,334,902	6,181,761	72.58%
Sales and Other Functional	3,971,691	1,908,145	2,063,546	51.96%
Miscellaneous	579,000	194,998	384,002	66.32%
Operating Transfers	(2,742,904)	-	(2,742,904)	100.00%
Addition to Fund Balance	(500,000)	-	(500,000)	100.00%
TOTAL	44,916,278	33,190,955	11,725,323	26.10%

		YEAR-TO-DATE			
		BUDGETED EXPENDITURE	ACTUAL EXPENDITURE	REMAINING BALANCE	PCT
EXPENDITURES					
401	County Library	3,457,189	1,683,564	1,773,625	51.30%
402	County Council	319,921	111,659	208,262	65.10%
403	Legal Services	85,000	37,336	47,664	56.08%
404	Administrator	608,366	260,232	348,134	57.22%
405	Finance	694,915	306,011	388,904	55.96%
406	Treasurer	799,392	380,775	418,617	52.37%
407	Information Technology	1,254,302	661,289	593,013	47.28%
408	Auditor	465,975	206,826	259,149	55.61%
409	Tax Assessor	1,161,366	520,255	641,111	55.20%
410	County Associations	23,200	23,154	46	0.20%
412	Procurement & Facilities	213,194	100,289	112,905	52.96%
414	Clerk of Court	929,104	454,054	475,050	51.13%
415	General Sessions Court	171,042	61,369	109,673	64.12%
416	Solicitor	904,990	458,510	446,480	49.34%
418	Human Resources	228,924	98,679	130,245	56.89%
420	Family Court	649,049	297,121	351,928	54.22%
421	Judge of Probate	496,938	219,380	277,558	55.85%
422	Public Defender	613,884	287,990	325,894	53.09%
423	Master in Equity	48,608	23,856	24,752	50.92%
425	Magistrates	2,066,856	985,225	1,081,631	52.33%
432	County Radio System	291,142	192,333	98,809	33.94%
433	Central Dispatch	1,738,809	774,551	964,258	55.46%
434	Coroner	273,219	129,329	143,890	52.66%
435	Sheriff's Department	7,154,253	3,803,058	3,351,195	46.84%
436	Building Department	1,781,460	787,507	993,953	55.79%
437	GIS	200,863	98,865	101,998	50.78%
438	Central Maintenance	1,014,935	465,521	549,414	54.13%
441	Health Department	86,000	43,065	42,935	49.92%
442	Environmental Services	584,288	221,665	362,623	62.06%
443	Voter Registration	375,495	195,283	180,212	47.99%

**FLORENCE COUNTY GOVERNMENT
GENERAL FUND
REVENUE & EXPENDITURE REPORT FY07
7/1/07 TO 12/31/07**

444	Elections	105,000	-	105,000	100.00%
445	EMS	4,064,289	1,674,604	2,389,685	58.80%
446	Rescue Squads	383,052	194,425	188,627	49.24%
447	Emergency Preparedness	244,684	109,898	134,786	55.09%
448	MIAP Administration	445,139	204,570	240,569	54.04%
450	Veteran's Affairs	139,967	62,665	77,302	55.23%
451	Recreation	988,018	462,890	525,128	53.15%
452	Florence Senior Center	175,493	80,629	94,864	54.06%
453	DSS	51,780	25,434	26,346	50.88%
454	Stadium Commission	3,500	2,625	875	25.00%
456	Pee Dee CAA	10,000	2,500	7,500	75.00%
457	Pee Dee COG	75,457	37,728	37,729	50.00%
459	Soil & Water Conservation	3,817	954	2,863	75.00%
462	Airport Commission	75,457	37,729	37,729	50.00%
464	Lynches River Park	314,580	147,490	167,090	53.12%
465	Non-Department Fringe	1,044,225	413,728	630,497	60.38%
467	Contingency Fund	260,000	21,850	238,150	91.60%
468	PDRTA	5,000	-	5,000	100.00%
469	Employee Tort Insurance	283,928	236,882	47,046	16.57%
470	Humane Society	5,000	-	5,000	100.00%
471	County Agent	5,000	1,250	3,750	75.00%
472	Buildings and Grounds	938,142	390,744	547,398	58.35%
473	Complex	1,180,855	546,872	633,983	53.69%
474	General Phone System	13,000	3,741	9,259	71.22%
475	County Audit	75,000	41,208	33,792	45.06%
478	Mental Health Association	3,000	-	3,000	100.00%
479	PD Coalition	10,000	-	10,000	100.00%
480	Pauper's Funerals	7,000	2,800	4,200	60.00%
481	Legislative Delegation Office	5,000	5,000	-	0.00%
482	Rural Fire Departments	15,000	3,492	11,508	76.72%
483	PD Speech and Hearing	3,000	-	3,000	100.00%
484	DSN Board	4,950	1,238	3,713	75.00%
485	Literacy Council	4,950	1,238	3,713	75.00%
486	Lake City Senior Center	160,000	18,514	141,486	88.43%
487	Senior Citizens' Association	10,000	5,000	5,000	50.00%
489	PD Mental Health Center	4,950	1,238	3,713	75.00%
490	Museum Commission	10,000	-	10,000	100.00%
491	Employee Blanket Bond	850	824	26	3.10%
711	County Jail	5,918,300	2,851,897	3,066,403	51.81%
714	Sheriff's Special Projects	32,000	34,678	(2,678)	-8.37%
715	Special Enforcement Unit	381,972	175,560	206,412	54.04%
716	DEA	57,374	-	57,374	100.00%
717	Delinquent Tax	370,370	150,092	220,278	59.48%

TOTAL 46,581,778 21,840,737 24,741,041 53.11%

Ideal Remaining % = 58.33%

FLORENCE COUNTY
 BUDGET REPORT - OTHER FUNDS
 CURRENT PERIOD: 7/1/2007 TO 12/31/2007

	BUDGETED EXPENDITURE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT	BUDGETED REVENUE	YEAR TO DATE CURRENT	REMAINING BALANCE	PCT
8 Law Library Fund	90,000	17,915	72,085	80.09%	90,000	20,460	69,540	77.27%
19 Landfill Fund	3,813,100	1,481,722	2,331,378	61.14%	3,813,100	747,031	3,066,069	80.41%
21 Utility System Fund	3,105,610	305,662	2,799,948	90.16%	3,105,610	-	3,105,610	100.00%
27 Economic Development Partnership Fund	460,000	242,216	217,784	47.34%	460,000	47,030	412,970	89.78%
39 Road System Maintenance Fee Fund	3,625,869	1,170,134	2,455,735	67.73%	3,625,869	2,729,684	896,185	24.72%
41 Capital Improvement Fund	1,450,000	238,707	1,211,293	83.54%	1,450,000	-	1,450,000	100.00%
42 E911 System Fund	650,003	218,891	431,112	66.32%	650,003	139,534	510,469	78.53%
43 Victim/Witness Assistance Fund	497,384	215,459	281,925	56.68%	497,384	129,796	367,588	73.90%
44 Local Accommodations Tax Fund	2,686,661	1,150,723	1,535,938	57.17%	2,686,661	530,665	2,155,996	80.25%
45 County Debt Service Fund	3,902,000	823,320	3,078,680	78.90%	3,902,000	3,495,450	406,550	10.42%
TOTALS	20,280,627	5,864,748	14,415,879	71.08%	20,280,627	7,839,651	12,440,976	61.34%

IDEAL REMAINING PERCENT: 50.00%

DRAFT

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Report to Council

DEPARTMENT: Finance

ISSUE UNDER CONSIDERATION: Presentation of audit for fiscal year ended June 30, 2007

POINTS TO CONSIDER:

1. The audit for the year ended June 30, 2007 has been completed by the firm of Baird & Company, CPA's, LLC.
2. Council needs to accept the audit or refer it to the administration and finance committee for their review.

FUNDING FACTORS: None

OPTIONS:

1. *(Recommended)* Accept the audit as presented.
2. Provide an alternate directive

ATTACHMENT:

A copy of the audit will be distributed to each council member at the meeting.

DRAFT

FLORENCE COUNTY COUNCIL MEETING

January 17, 2008

AGENDA ITEM: Inactive Agenda
Ordinance No. 15-2007/08

DEPARTMENT: County Council

ISSUE UNDER CONSIDERATION:

At its regular meeting of January 3, 2008 Council unanimously voted to remand Ordinance No. 15-2007/08 to the Planning Commission.

Ordinance No. 15-2007/08: [An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property Located On Pocket Road In Florence County From Business/Industrial To Existing Residential Community Node.]

ATTACHMENTS:

A copy of the information included in the January 3, 2008 agenda package.

DRAFT

FLORENCE COUNTY COUNCIL MEETING

Item for Meeting on: Thursday, January 3, 2008

AGENDA ITEM: Ordinance No. 15-2007/08
Third Reading

DEPARTMENT: Planning and Building Inspections



ISSUE UNDER CONSIDERATION:

[An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property Located On Pocket Road In Florence County From Business/Industrial To Existing Residential Community Node.]

POINTS TO CONSIDER:

1. Council District(s): 7
2. The subject property is currently designated as a Business/Industrial area according to the Comprehensive Plan Land Use map. (see attached map)
3. This change meets the practical use of an Existing Residential designation due to the fact that the portion of the parcel consisting of approximately 72.58 acres is adjacent to Existing Residential according to the current Comprehensive Plan Land Use Map and reducing intensity of the use. (see attached map)
4. The portion of the parcel consisting of approximately 20.5 acres that is to remain Business/Industrial is adjacent to existing Business/Industrial according to the current Comprehensive Plan Land Use Map. (see attached map)
5. Changing the Comprehensive Land Use designation for this property as requested will better suit the intended uses and will create a designation that is appropriate for this area.

OPTIONS:

1. (*Recommended*) Approve Ordinance No. 15-2007/08 as unanimously recommended (9 – 0) by the Planning Commission at the October 23, 2007 meeting.
2. Provide an Alternate Directive

ATTACHMENTS:

Copies of the following are attached:

1. Ordinance No. 15-2007/08
2. Resolution from Planning Commission
3. Staff Report for PC#2007-79
4. Vicinity Map
5. Location Map
6. Comprehensive Plan Map

Sponsor(s)	: Planning Commission	I, _____,
Planning Commission Consideration	: October 23, 2007 [Approved 9- 0]	Council Clerk, certify that this
Planning Commission Public Hearing	: October 23, 2007	Ordinance was advertised for
Planning Commission Recommendation	: October 23, 2007	Public Hearing on _____.
First Reading/Introduction	: November 15, 2007	
Committee Referral	:	
Second Reading	: December 6, 2007	
Third Reading	: January 3, 2008	
Effective Date	: Immediately	

ORDINANCE NO.15-2007/08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

[An Ordinance For A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property Located On Pocket Road In Florence County From Business/Industrial To Existing Residential.]

WHEREAS:

1. The subject property is currently designated as a Business Industrial area according to the Comprehensive Plan Land Use map; and
2. This change meets the practical use of an Existing Residential designation due to the fact that the portion of the parcel consisting of approximately 72.58 acres is adjacent to Existing Residential according to the current Comprehensive Plan Land Use Map and reducing intensity of the use.
3. The portion of the parcel consisting of approximately 20.5 acres to remain Business/Industrial is adjacent to existing Business/Industrial according to the current Comprehensive Plan land Use Map.
4. Changing the Comprehensive Land Use designation for this property as requested will better suit the intended uses and will create a designation that is appropriate for this area.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

1. An ordinance is hereby adopted to amend the Land Use Map of the Comprehensive Plan by changing the Land Use Map designation for property located on Pocket Road shown more specifically on Tax Map No. 202, Block 1, a portion of Parcel 72 from Business/Industrial to Existing Residential.
2. Provisions in other Florence County ordinances in conflict with this Ordinance are hereby repealed.
3. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:

SIGNED:

Connie Y. Haselden, Council Clerk

K. G. Rusty Smith, Jr., Chairman

COUNCIL VOTE:

OPPOSED:

ABSENT:

Approved as to Form and Content
James C. Rushton, III, County Attorney

RESOLUTION FOR PC#2007-79

FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION

[A Resolution Recommending A Comprehensive Plan Map Amendment To Change The Land Use Map Designation For Property In Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential. The Remaining Portion Of The Parcel Consisting Of Approximately 20.5 Acres That Is Currently Business/Industrial To Remain Business / Industrial]

WHEREAS:

1. The subject property has one designation as established by the Land Use Element of the Comprehensive Plan.
2. A request has been made to change the designation of the front portion of this property to Existing Residential and the rear portion to remain Business/Industrial.
3. This request for the change of the front portion of the property is in line with the current conditions in the area.
4. Therefore, a change to the Comprehensive Plan Map Land Use Designation for this property is hereby recommended.

NOW THEREFORE BE IT RESOLVED BY THE FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION DULY ASSEMBLED THAT:

1. A Resolution is hereby adopted to recommend that the Florence County Council vote to amend the Florence County Comprehensive Plan Map Land Use Designation for Property in Florence County Located On Pocket Road Shown On Florence County Tax Map No. 202, Block 1, The Portion Of Parcel 72 Consisting Of Approximately 72.58 Acres That Is Currently Business/Industrial To Existing Residential. The Remaining Portion Of Parcel 72 Consisting Of Approximately 20.5 Acres That Is Currently Business / Industrial To Remain Business/Industrial.

ATTEST:

Angie Thomas
Angie Thomas, Secretary II

SIGNED:

Glynn Willis
Glynn Willis, Chairman

COMMISSION VOTE: 9-0

OPPOSED: None

ABSENT: D. Floyd
L. Fred
B. Lockhart
K. Lowery

**STAFF REPORT
TO THE
FLORENCE COUNTY/MUNICIPAL PLANNING COMMISSION
October 23, 2007
PC#2007-79**

Subject: Comprehensive Plan Map Amendment to change the Land Use Map designation for property in Florence County located on Pocket Road, shown on Florence County Tax Map No. 202, Block 1, a portion of Parcel 72 consisting of approximately 72.58 acres from Business / Industrial to Existing Residential. The remaining portion of the parcel consisting of approximately 20.5 acres that is currently Business/Industrial to remain Business/Industrial.

Location: Pocket Road

Tax Map Number: Tax Map No. 202, Block 1, A Portion Of Parcel 72

Applicant: Tripp Nealy

Owners of Record: Independent Builders Development, Inc.

Staff Analysis:

The subject property is currently designated as Business/Industrial according to the Comprehensive Plan Land Use map.

The applicant is proposing to change the designation of the front portion of the parcel consisting of approximately 72.58 acres on Pocket Road to Existing Residential. The applicant is requesting the designation of the remaining portion of the parcel consisting of approximately 20.5 acres remain Business/Industrial in accordance with the attached map.

Florence County/Municipal Planning Commission Action:

On October 23, 2007, The Florence County Municipal Planning Commission approved unanimously 9-0.

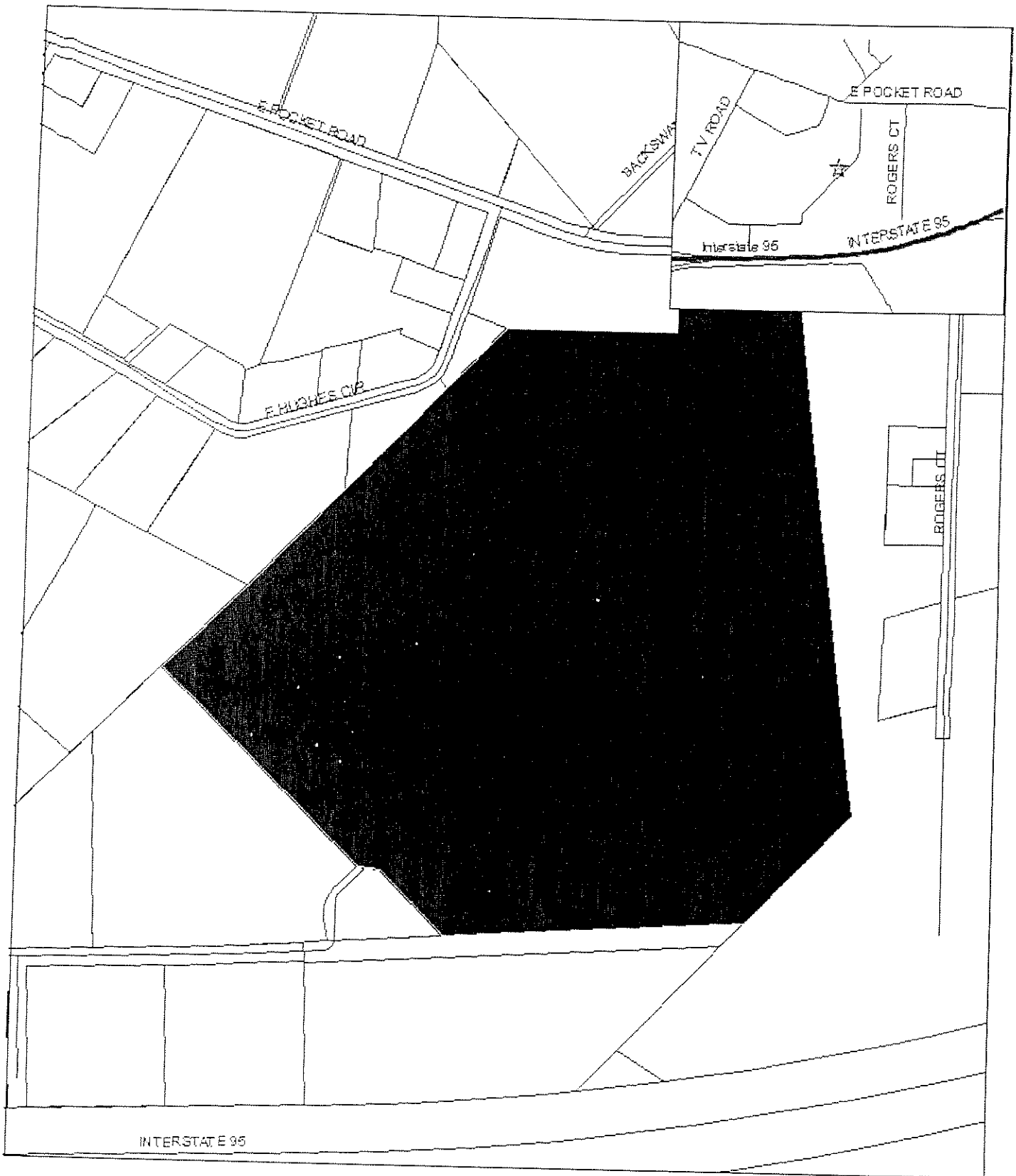


33040 Feet

Map Prepared by: RWE
 Copyright 2007: Florence County/Municipal Planning
 & Building Inspections Department
 Geographic Information Systems
 2007



COUNTY COUNCIL DISTRICT(S): 7
 PC#2007-79



0 305 610 1,220 Feet

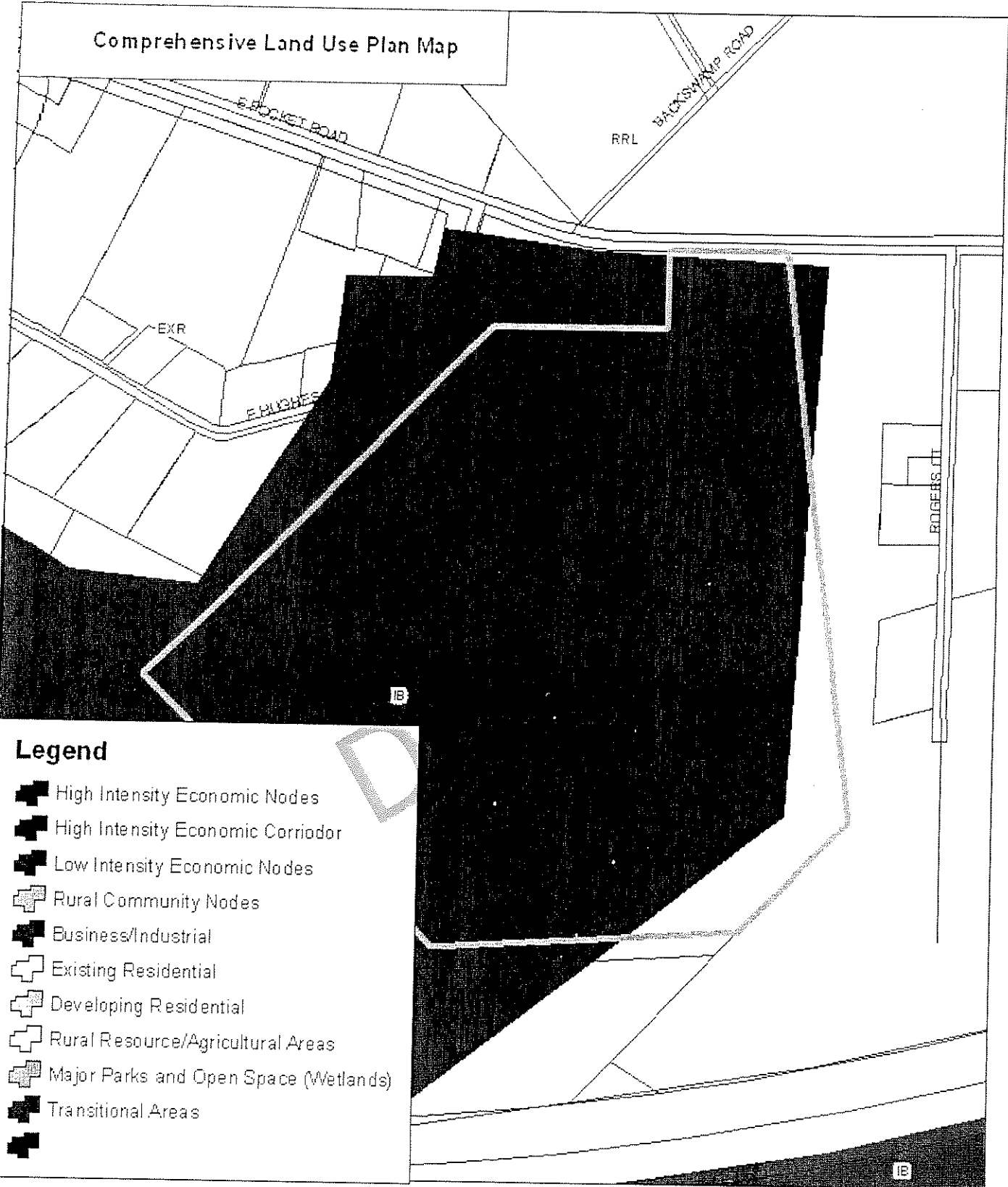
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Map Prepared by: RWE
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Geographic Information Systems
2007

COUNTY COUNCIL DISTRICT(S): 7
PC#2007-79

Comprehensive Land Use Plan Map



Legend

- High Intensity Economic Nodes
- High Intensity Economic Corridor
- Low Intensity Economic Nodes
- Rural Community Nodes
- Business/Industrial
- Existing Residential
- Developing Residential
- Rural Resource/Agricultural Areas
- Major Parks and Open Space (Wetlands)
- Transitional Areas

0 325 650 1,300 Feet



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COUNTY COUNCIL DISTRICT(S): 7
 PC#2007-79