

UPDATED 04/26/21

**CITY COUNCIL BUDGET WORKSHOP/SPECIAL MEETING OF CITY COUNCIL
APRIL 27, 2021 - 4:00 PM
TELECONFERENCE
LIVESTREAM:**

<https://www.facebook.com/cityofgtown/>



Notice of this meeting has been made in accordance with the
South Carolina Code of Laws as amended.

1. **CALL TO ORDER**
2. **ANNOUNCEMENT CONCERNING ELECTRONIC DEVICES**
3. **ROLL CALL**
4. **ADMINISTRATION**
 - A. **Motion to approve second reading of an Ordinance requiring individuals to wear face coverings in certain establishments due to the COVID-19 pandemic.**

Attachments:

1	04.15.21 COVID-19 Face Covering Ordinance - DRAFT	(PDF)
2	07.02.20 ORD Emergency Face Mask	(PDF)
5. **FINANCE**
 - A. **Motion to approve first reading of an ordinance to further amend Fiscal Year 2020-21 Annual Budget (2nd Budget Amendment).**

Attachments:

1	FY 2021 2nd Budget Amendment	(PDF)
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6. **PLANNING AND COMMUNITY DEVELOPMENT**
 - A. **Discussion on Building and Planning Fees from the City Clerk's Records.**

Attachments:

1	FeesAprilCouncilWorkshop	(PDF)
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7. **REVIEW ANTICIPATED REVENUES AND PROPOSED EXPENDITURES FOR FY2021/2022 BUDGET**
8. **DISCUSSION OF SPECIAL EVENT PERMITS**
9. **ADJOURNMENT**
 - A. **Motion to adjourn the Budget Workshop/Special Meeting of City Council.**



120 North Fraser Street • Georgetown, SC 29440 • (843) 545-4000

ACTION ITEM

DOC ID: 3284

Council Meeting Date:	27 April 2021
Department:	Administration
Issue Under Consideration:	Motion to approve an Ordinance requiring individuals to wear face coverings in certain establishments due to the COVID-19 pandemic.
Amount Requested:	
Is Item in Current Budget?	
If no, please explain:	
Financial Impact:	
Points to Consider:	
Options:	
Staff Recommendation:	

Reviews:

City Attorney Completed 04/08/2021 4:23 PM
 Sandra E. Yudice Ph.D. Completed 04/08/2021 4:24 PM
 Sandra E. Yudice Ph.D. Completed 04/08/2021 4:24 PM
 Stephanie Buccione Completed 04/08/2021 4:38 PM
 Georgetown City Council Completed 04/15/2021 5:30 PM
 Georgetown City Council Pending 04/27/2021 4:00 PM

Attachments:

1. 1 04.15.21 COVID-19 Face Covering Ordinance - DRAFT(PDF)
2. 2 07.02.20 ORD Emergency Face Mask (PDF)

**CITY OF GEORGETOWN ORDINANCE
REQUIRING FACE COVERINGS IN CERTAIN ESTABLISHMENTS**

WHEREAS, On March 13, 2020, the Governor of the State of South Carolina issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State; and

WHEREAS, The Governor declared a continued State of Emergency in subsequent Executive Orders, most recently 2021-18 (April 7, 2021), extending the statewide emergency; and

WHEREAS, On March 16, 2020, pursuant to Art. III, § 16-41 of the Code of Ordinances of the City of Georgetown, Mayor Brendon M. Barber, Sr., proclaimed a Civil Emergency in the City of Georgetown due to COVID-19; and

WHEREAS, On July 2, 2020, the City Council passed an Emergency Ordinance requiring face coverings to be worn in certain establishments; and

WHEREAS, The City Council has extended the Emergency Ordinance without lapse; and

WHEREAS, The most recent extension of March 1, 2021, requiring face coverings is set to expire automatically as of the sixty-first day following enactment (the "Emergency Term"); and

WHEREAS, The Emergency Ordinance expressly authorized Council to extend it for one or more terms, and after six months by ordinance in the ordinary course; and

WHEREAS, On March 5, 2021, the Governor issued Executive Order 2021-12 regarding face coverings, identifying certain exemptions and permitting narrowly tailored municipal regulations based on localized circumstances and key indicators, metrics, and data elements used to assess the measure of impact from COVID-19; and

WHEREAS, According to the April 9, 2021, GCMD COVID-19 report #69, cumulative case count is higher than the previous reported period, the county cumulative percent positive rate is 11.1%, and the coastal area historically sees an influx of tourism in spring and summer; and

WHEREAS, The City Council wishes to continue to protect its citizens in light of the current public health threat; and

WHEREAS, The wearing of face coverings has been consistently recommended by public health authorities to slow the spread of the COVID-19 virus;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Georgetown, South Carolina, in assembly and by the authority thereof, that the terms of the July 2, 2020 "CITY OF GEORGETOWN EMERGENCY ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN ESTABLISHMENTS," (Exhibit A, attached) are incorporated as a regular

ordinance, and **Section 3 Exemptions** is hereby amended to incorporate and include the following categories, to apply in the least restrictive means possible, per the Governor's Executive Order 2021-12:

1. A child who is two (2) years old or younger or a child whose parent, guardian, or responsible adult has been unable to place the Face Covering safely on the child's face.
2. A person who is seeking to communicate with someone who is hearing impaired in a manner that requires the mouth to be visible.
3. A person with a physical, mental, or behavioral health condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove a Face Covering without assistance) that prevents wearing a Face Covering, provided that a non-employee or visitor who represents that they cannot wear a Face Covering for one or more of these reasons should not be required to produce documentation or any other form of proof of such a condition.
4. A person who is actively engaged in eating or drinking or obtaining a service that requires access to or visibility of the face.
5. A person who is engaging in strenuous exercise or physical activity.
6. A person who is operating or occupying a vehicle alone or with other persons who are members of the same household.
7. A person who is voting or assisting with the administration of an election, although wearing a Face Covering is strongly encouraged.
8. A person who must remove a Face Covering for purposes of identification or security screening or surveillance.
9. A person for whom wearing a Face Covering would create a risk to the health or safety of the person due to their occupation, job function, or work assignment where wearing a Face Covering would be inconsistent with industry safety standards or protocols or federal, state, or local regulations or guidelines.

Effective Date and Time. This Ordinance shall take effect immediately upon second reading this _____ day of _____, 2021, and remain in effect for 90 (ninety) days or until the Governor's statewide declared State of Emergency lapses or is rescinded, whichever occurs earlier.

ATTEST:

Stephanie Buccione
City Clerk

Brendon M. Barber, Sr.
Mayor

APPROVED AS TO FORM:

Elise F. Crosby
City Attorney

**CITY OF GEORGETOWN EMERGENCY ORDINANCE
REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN ESTABLISHMENTS**

WHEREAS, the 2019 Novel Coronavirus ("COVID-19") is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which can spread from person to person;

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020;

WHEREAS, the Centers for Disease Control and Prevention (the "CDC") has warned of the high public health threat posed by COVID-19 globally and in the United States;

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19;

WHEREAS, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, also on March 13, 2020, the Governor of the State of South Carolina (the "State") issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State;

WHEREAS, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28), 2020-23 (April 12), 2020-29 (April 27), 2020-35 (May 12), 2020-38 (May 27), and 2020-40 (June 11);

WHEREAS, on March 16, 2020, pursuant to Art. III, § 16-41 of the Code of Ordinances of the City of Georgetown, Mayor Brendon M. Barber, Sr., proclaimed a Civil Emergency in the City of Georgetown due to COVID-19;

WHEREAS, on May 7, 2020, the Mayor and City Council of the City of Georgetown passed an Emergency Ordinance extending the Mayor's proclaimed State of Emergency;

WHEREAS, the State is experiencing a dramatic increase in the number of identified new confirmed COVID-19 cases and additional deaths;

WHEREAS, if COVID-19 cases continue to increase in the State and in Georgetown, the demand for medical, pharmaceutical, personal, and general cleaning supplies may overwhelm sources of supply; the private and public sector work force may be negatively impacted by absenteeism; and the demand for medical facilities may exceed locally available resources;

WHEREAS, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19; and

WHEREAS, S.C. Code § 5-7-250(d) provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances ... by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;”

WHEREAS, the Mayor and Council of the City of Georgetown determined, based on the recommendations of public health experts and responsive to a serious threat to the public health, safety, and welfare of its citizens, that it would serve the public interest and be within the City’s police powers under Home Rule and S.C. Code § 5-7-60 to require that individuals wear face coverings in certain situations and locations;

WHEREAS, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by State law;

WHEREAS, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Georgetown as follows:

Section 1. Definitions. As used herein, the terms below shall have the following meanings:

- 1) “Establishment” means a Foodservice Establishment or Retail Establishment.
- 2) “Face Covering” means a uniform piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person’s nose and mouth.
- 3) “Foodservice Establishment” means any establishment within the city limits of the City of Georgetown that sells prepared food on a delivery, carry-out, or drive-through basis.
- 4) “Responsible Person,” with respect to an Establishment, means any individual associated with the Establishment who has the authority and ability to enforce the requirements of the Ordinance within the Establishment, such as an owner, manager, or supervisor. “Responsible Person” may also include an employee or other designee that is present at the Establishment but does not have the title of manager or supervisor, but who has the temporary or designated authority and ability to ensure that the requirements of this Ordinance are met while the Establishment is open to the public.

- 5) "Retail Establishment" means any retail business, organization, establishment, or facility open to the public within the City of Georgetown, including without limitation:
- a) grocery stores, convenience stores, and any other establishment engaged in the retail sale of non-prepared food;
 - b) commercial stores engaged in the retail sale of goods or services to the public including without limitation sporting goods stores; furniture and home-furnishings stores; clothing, shoe, and clothing-accessory stores; jewelry, luggage, and leather goods stores; department stores; hardware and home-improvement stores; book, craft, and music stores; florists and flower stores; and all other stores that sell supplies for household consumption or use;
 - c) pharmacies and other stores that sell medications or medical supplies;
 - d) alcoholic beverage stores; and
 - e) laundromats.

Section 2. Use of Face Coverings. Effective as of 9 a.m. on July 3, 2020

- 1) all customers are required to wear Face Coverings while inside the enclosed area of any Retail Establishment or Foodservice Establishment;
- 2) all Retail Establishments shall require staff to wear, and those staff shall wear, Face Coverings while working in areas open to the general public and areas in which interactions with other staff are likely in which social distancing of at least six feet cannot be observed; and
- 3) all Foodservice Establishments shall require staff who interact with customers (including, without limitation, delivery personnel) to wear, and those staff shall wear, Face Coverings while working.

Section 3. Exemptions. Face Coverings shall not be required:

- a) in outdoor or unenclosed areas appurtenant to Retail Establishments or Foodservice Establishments in which social distancing of at least six feet is possible and observed;
- b) for people whose religious beliefs prevent them from wearing a Face Covering;
- c) for those who cannot wear a Face Covering due to a medical or behavioral condition;
- d) for children under ten (10) years old, provided that adults accompanying children age two through ten (10) shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Retail Establishment or Foodservice Establishment
- e) for patrons of Foodservice Establishments while they are dining;
- f) in private, individual offices;
- g) when complying with directions of law enforcement officers;
- h) in settings where it is not practical or feasible to wear a Face Covering, including when obtaining or rendering goods or services such as the receipt of dental services or while swimming;
- i) while exclusively with members of a family or the same household, and no person other than such family or household is within the same enclosed area.

Section 4. Individual Violations: Civil Infraction. Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not more than \$50. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

Section 5. Responsible Person Violations: Civil Infraction. Any Responsible Person violating the provisions of this Ordinance by failing to require employees of the Establishment to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not more than \$50. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

Section 6. Responsible Person Violations: Revocation of Permits and Licenses. In addition to the penalties established by Section 5 hereof, repeated violations of this Ordinance by a Responsible Person by failing to require employees of the Establishment to wear a Face Covering may, subject to all procedural protections set forth in the Code of Ordinances for the City of Georgetown, result in the suspension or revocation of any occupancy permit or business license issued to business where the repeated violations occurred.

Section 7. Responsible Person Violations: Public Nuisance. In addition to the penalties established by Section 5 hereof, repeated violations of this Ordinance by a Responsible Person by failing to require employees of the Establishment to wear a Face Covering are additionally hereby declared to be a public nuisance, which may be abated by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring Establishments into voluntary compliance with the terms of this Ordinance prior to the commencement of any enforcement action.

Section 8. Duties of Establishments and Responsible Persons. Establishments and Responsible Persons shall have a duty to enforce the provisions of this Ordinance only against employees of the Establishment. Without limiting the generality of the foregoing, no Establishment or Responsible Person shall have any duty to require that customers, visitors, or other members of the general public wear Face Coverings.

Section 9. Suspension of Contrary Local Provisions. During the Emergency Term (as defined in Section 12 below), any ordinance, resolution, policy, or bylaw that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

Section 10. Expiration of Ordinance; Extension of Emergency Term. As provided by S.C. Code § 5-7-250(d), this Ordinance shall expire automatically as of the sixty-first day following the date of enactment (the "Emergency Term"). Notwithstanding the foregoing, however, Council may extend the Emergency Term by emergency ordinance for one or more additional terms, each of no more than sixty days, provided that the total duration of the Emergency Term shall not exceed six months without enacting an ordinance in the ordinary course.

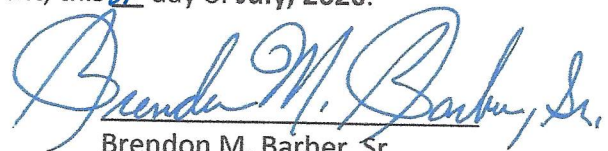
Section 11. Severability. Should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this Ordinance as hereby adopted shall remain in full force and effect.

Section 12. Effective Date and Time. This emergency Ordinance shall take effect at 9 a.m. July 3, 2020.

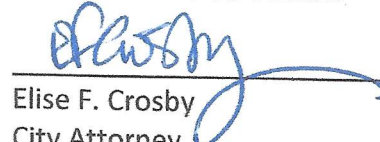
BE IT ORDAINED by the Mayor and Council of the City of Georgetown, South Carolina, in assembly and by the authority thereof, as an Emergency Ordinance on one reading, by affirmative vote of two-thirds of the members present, this 2nd day of July, 2020.

ATTEST:


Stephanie Buccione
City Clerk


Brendon M. Barber, Sr.
Mayor

APPROVED AS TO FORM:


Elise F. Crosby
City Attorney



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ACTION ITEM

DOC ID: 3290

Council Meeting Date:	27 April 2021
Department:	Finance
Issue Under Consideration:	Motion to approve an ordinance to further amend Fiscal Year 2020-21 Annual Budget (2nd Budget Amendment).
Amount Requested:	\$167,500 Water and Wastewater, \$50,000 Add Approp EDA Grant funds
Is Item in Current Budget?	No
If no, please explain:	Additional funds need for water and wastewater operations due to increased costs of chemicals and processing. Additional appropriation needed from EDA Grant funds to cover expenditures through the end of FY 2021 associated with the Stormwater Project.
Financial Impact:	Additional funding needed to provide services to the City customers.
Points to Consider:	Water, wastewater, and stormwater services will be in jeopardy without approval.
Options:	Approve
Staff Recommendation:	Approve

Reviews:

John Barfield Completed 04/22/2021 3:29 PM
 Sandra E. Yudice Ph.D. Completed 04/22/2021 3:56 PM
 Stephanie Buccione Completed 04/23/2021 11:48 AM
 Georgetown City Council Pending 04/27/2021 4:00 PM

Attachments:

1. 1 FY 2021 2nd Budget Amendment (PDF)

**AN ORDINANCE TO FURTHER AMEND THE 2020/2021 ANNUAL BUDGET FOR
THE CITY OF GEORGETOWN, SOUTH CAROLINA**

WHEREAS, the COVID-19 pandemic forced the City of Georgetown, South Carolina (the “City”) to be extremely conservative in its projected revenues and expenditures for Fiscal Year 2020-2021; and

WHEREAS, City Council of the City of Georgetown, as the governing body of the City (the “Council”), enacted the Fiscal Year 2020-2021 Budget on June 18, 2020 (the “Original 2021 Budget”); and

WHEREAS, Council approved an amendment to the Original 2021 Budget through the enactment of an amendment dated December 17, 2020 (the “First Amendment, and together with the Original 2021 Budget, the “2021 Budget”), the provisions of which funded a supplemental appropriation totaling \$1,856,232; and

WHEREAS, the First Amendment included additional appropriations to (i) the City’s water (\$52,300) and wastewater (\$109,300) subaccounts of the Enterprise Revenue Fund (as defined in the City’s Master Bond Ordinance dated July 28, 2011) and (ii) the City’s stormwater utility fund (the “Stormwater Fund”) in the amount of \$130,132, of which \$100,000 was transferred upon adoption of the Resolution Authorizing the Delivery of a Non-recourse Promissory Note by City Council from the General Fund to cover the costs to repair certain hydraulic pumps utilized for stormwater services ; and

WHEREAS, the City currently maintains its Enterprise Revenue Fund for the purpose of funding the operations of the City’s combined water, wastewater and electric utility system (the “System”); and

WHEREAS, due to unforeseen circumstances arising from poor raw water quality due to rain events in January – March 2021, equipment failure, increases in chemical use and costs, and need to replace equipment, the water and wastewater subaccounts of the Enterprise Revenue Fund require a supplemental appropriation from the electric subaccount of the Enterprise Revenue Fund to continue providing services through the end of Fiscal Year 2020/2021 (the “Second Amendment”); and

WHEREAS, recent discussions and analysis on the water and wastewater components of the System have highlighted an extremely important funding need to assure continuing and uninterrupted water and wastewater utility services to our City; and

WHEREAS, on December 7, 2020, the S.C. Department of Commerce awarded the City a grant (the “CDBG Grant”) in the amount of \$375,000 for the West End Neighborhood Demolition project; Georgetown County Council, the governing body of Georgetown County, committed to fund the required match in the amount of \$37,500; and

WHEREAS, on February 17, 2021, the U.S. Department of Commerce, Economic Development Administration (EDA), awarded the City a grant (the “EDA Grant”) in the amount of \$3,365,409; Georgetown County Council, the governing body of Georgetown County, appropriated the required 25% cash match to the EDA Grant in the amount of \$841,353 from the surplus funds of the Capital Projects Sales Tax for a total grant amount of \$4,206,762; and

WHEREAS, the EDA Grant monies have been allocated for stormwater improvements in the City’s Historic District, which will benefit City businesses located on Front Street between Queen Street and Orange Streets as well as residents and businesses located on Church Street between Orange Street and Queen Street (the “Stormwater Project”).

NOW, THEREFORE, BE IT ORDAINED by Mayor and City Council duly assembled as follows:

1. The 2021 Budget shall be further amended by this Second Amendment to incorporate the following additional supplemental appropriation from the unassigned fund balance (i.e., unrestricted net position) of the electric subaccount of the Enterprise Revenue Fund to the water subaccount of the Enterprise Revenue Fund in the amount of \$92,500 and to the wastewater subaccount of the Enterprise Revenue Fund in the amount of \$75,000. On the basis of such additional appropriation, the Fiscal Year 2020-2021 budget for the City’s water and wastewater subaccounts shall conform to the table below:

Fund	Original 2021 Budget Appropriation	First Amendment Appropriation	Second Amendment	Total Amended Budget
Water Subaccount	\$2,880,835	\$52,300	\$92,500	\$3,025,635
Wastewater Subaccount	\$3,665,692	\$109,300	\$75,000	\$3,849,992
			\$167,500	

2. The 2021 Budget shall be further amended by this Second Amendment to incorporate the following additional supplemental appropriation from the EDA Grant funds in the amount of \$50,000 to cover expenditures through the end of FY 2021 associated with the Stormwater Project. On the basis of such additional appropriation, the 2021 Budget for the Stormwater Fund shall conform to the table below:

Fund	Original 2021 Budget Appropriation	First Amendment Appropriation	Second Amendment	Total Amended Budget
Stormwater Fund	\$1,343,322	\$130,132	\$50,000	\$1,523,454

3. The 2021 Budget shall be further amended by this Second Amendment to incorporate the following additional supplemental appropriation from the CDBG Grant funds in the amount of \$30,000 to cover expenditures through the end of FY 2021 associated with the West End Neighborhood Demolition project included in the Planning and Community Development Department’s budget. On the basis of such additional appropriation, the 2021 Budget for the

General Fund shall conform to the table below:

Fund	Original 2021 Budget Appropriation	First Amendment Appropriation	Second Amendment	Total Amended Budget
General Fund	\$9,346,665	\$322,391	30,000	9,699,056

4. Prior to the date of enactment of this Ordinance and pursuant to the requirements of S.C. Code Section 6-1-80, the City did hold public hearing on _____, 2021 (the "Public Hearing"). The notice of Public Hearing, in the form and format required by Section 6-1-80, was published in *The Georgetown Times*, which is a newspaper of general circulation in the County. Publication of such notice did occur not less than fifteen (15) days prior to the date of the Public Hearing and all interested parties were given an opportunity to speak in favor of or against this Ordinance. All actions of City staff as necessary to properly notice the Public Hearing are ratified, confirmed and approved.

5. The City Council ratifies and approves the findings of fact recited above. Further, all actions of the City Administrator and other City staff regarding the Public Hearing and drafting, execution and delivery of the notice of the Public Hearing are ratified, approved and confirmed. Further, the City Administrator and City staff shall be authorized to do all things necessary to implement the provisions of the Second Amendment.

6. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held or determined to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

7. That nothing in this Ordinance or the City's Code of Ordinances hereby enacted shall be construed to affect any suit or proceeding impending in any Court, or any rights acquired, or liability incurred, or any cause of causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

8. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict or inconsistency. This Ordinance shall take effect immediately upon its enactment by the Council.

DONE AND ENACTED by City Council duly assembled this _____ day of _____, 2021

ATTEST:

Stephanie Buccione

Brendon M. Barber, Sr.

City Clerk

Mayor

APPROVED AS TO FORM:

Elise F. Crosby
City Attorney

First Reading:
Second Reading:
Public Hearing:



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INFORMATION ITEM

DOC ID: 3288

Council Meeting Date: 27 April 2021
Department: Housing and Community Development
Issue Under Consideration: Discussion on Building and Planning Fees from the City Clerk's Records.

A DISCUSSION OF BUILDING PERMIT AND ZONING FEES

APRIL 22, 2021



Objectives

- § Why we are proposing fee increases
- § Current status
- § Proposed changes
- § Comments from development community
- § Discussion

Why we are proposing fee increases?

- § B&P fees have not increased since 2007.
- § Fees are well under those of other local jurisdictions.
- § Revenue from fees only covers 39% of the Building and Permits Division's budget.
- § The General Fund is subsidizing the other 61%.
 - Hence, unable to fund other pressing needs such as public safety (fire and police) and public works (street maintenance).
- § The City does not have construction Impact Fees.

Current Status—Permit fees

Comparison to other Jurisdictions

		<u>Current Fees</u>	<u>City of Myrtle Beach</u>	<u>Conway</u>
Residential	Up to 1,000	\$30	No Permit Required	\$30
	1,000 to 50,000	\$30 + \$6	\$50 + \$5	\$30 + \$6
	50,000 to 100,000	\$315 + \$5	\$175 + \$4.75	\$324 + \$5
	100,000 to 500,000	\$550 + \$4	\$769 + \$4.50	\$574 + \$4
	500,000 and up	\$1950 + \$3	\$1,244 + \$4.25	\$2,174 + \$3
	Plan Checking Fee	50% of building fee	60% of building fee	50% of building fee
Commercial	Up to 1,000	\$45	\$.30 per sq. ft.	\$.30 per sq. ft.
	1,000 to 50,000	\$45 + \$7	•	•
	50,000 to 100,000	\$375 + \$6	•	•
	100,000 to 500,000	\$650 + \$5	•	•
	500,000 and up	\$2250 + \$4	•	•
	Plan Checking Fee	50% of building fee	60% of building fee	50% of building fee
Mobile Home Fees		\$75	\$35	\$150
Demolition Fee		\$150	\$150	\$150
Moving Permit		\$100	\$150	\$150
Re-inspection		\$75	\$100	\$35

Current Status—Planning and Zoning Comparison to other Jurisdictions

Planning and Zoning Fees:		Current Fees	City of Myrtle Beach	Conway
Residential Plan Review	10 lots or less	\$20 + \$5	•	\$100
	more than 10 lots	\$150 + \$5	•	\$100
Commercial Plan Review	Preliminary review	\$150 + \$5	•	•
	Final review	\$100 + \$5	•	•
Rezoning Requests		\$150	\$500	\$250
Planned Development:				
Minor Subdivision:				
	Res/Comm/Ind PD	\$500 + \$10	\$1,250	\$2,500
	Mixed Use PD	\$500 + \$15	\$1,250	\$2,500
	Changes to PD	\$100 + \$3/\$5	•	\$500
Major Subdivisions:				
	Res/Comm/Ind PD	\$500 + \$3	\$1,250	\$2,500
	Mixed Use PD	\$500 + \$5	\$1,250	\$2,500
	Changes to PD	\$200 + \$5/\$10	•	\$500
Text Amendments		\$150	\$200	•
Commercial Review (Zoning)		\$100	\$200	•
Board of Zoning Appeals (BZA):	Appeal the Administrator	\$300	•	•
Board of Zoning Appeals (BZA):	Variance	\$150	\$100	\$100
All other Appeals		\$150	•	•
Architectural Review Board (ARB):				
	New Business	\$30	•	•
	Old Business	\$15	•	•

What we are proposing: Permit Fees

	Valuation	Current Fees	Proposed Fees	Amount of Increase
Residential	Up to 1,000	\$30	\$35	\$5
	1,000 to 50,000	\$30 + \$6	\$35 + \$7	\$5 + \$1
	50,000 to 100,000	\$315 + \$5	\$400 + \$6	\$85 + \$1
	100,000 to 500,000	\$550 + \$4	\$700 + \$5	\$150 + \$1
	500,000 and up	\$1950 + \$3	\$2400 + \$4	\$450 + \$1
	Plan Checking Fee	50% of building fee	50% of building fee	\$0
Commercial	Up to 1,000	\$45	\$60	\$15
	1,000 to 50,000	\$45 + \$7	\$60 + \$8	\$15 + \$1
	50,000 to 100,000	\$375 + \$6	\$500 + \$7	\$125 + \$1
	100,000 to 500,000	\$650 + \$5	\$850 + \$6	\$200 + \$1
	500,000 and up	\$2250 + \$4	\$2850 + \$5	\$600 + \$1
	Plan Checking Fee	50% of building fee	50% of building fee	\$0
Mobile Home Fees		\$75	\$150	\$75
Demolition Fee		\$150	\$150 + \$30 per unit	\$30 per unit
Moving Permit		\$100	\$150	\$50
Re-inspection		\$75	\$75	\$0

What we are proposing- Plan Review

		Current Fees	Proposed Fees	Amount of Increase
Residential Plan Review	10 lots or less	\$20 + \$5	\$30 + \$6	\$10 + \$1 per lot
	more than 10 lots	\$150 + \$5	\$200 + \$7	\$50 + \$2 per lot
Commercial Plan Review	Preliminary review	\$150 + \$5	\$200 + \$10	\$25 + \$5 per acre
	Final review	\$100 + \$5	\$150 + \$10	\$25 + \$5 per acre

What we are Proposing- Zoning

		Current Fees	Proposed Fees	Amount of Increase
Rezoning Requests		\$150	\$300	\$150
Planned Development:				
<u>Minor Subdivision:</u>				
Res/Comm/Ind PD		\$500 + \$10	\$1,000 + \$10	\$500 + \$0 per acre
Mixed Use PD		\$500 + \$15	\$1,000 + \$15	\$500 + \$0 per acre
Changes to PD		\$100 + \$3/\$5	\$200 + \$3/\$5	\$100 + \$0 per acre
<u>Major Subdivisions:</u>				
Res/Comm/Ind PD		\$500 + \$3	\$1,000 + \$10	\$500 + \$7 per acre
Mixed Use PD		\$500 + \$5	\$1,000 + \$10	\$500 + \$5 per acre
Changes to PD		\$200 + \$5/\$10	\$300 + \$5/\$10	\$100
Text Amendments		\$150	\$250	\$100
Commercial Review (Zoning)		\$100	\$150	\$50
Board of Zoning Appeals (BZA):	Appeal the Administrator	\$300	\$300	\$0
Board of Zoning Appeals (BZA):	Variance	\$150	\$200	\$50
All other Appeals		\$150	\$200	\$50
Architectural Review Board (ARB):				
New Business		\$30	\$50	\$20
Old Business		\$15	\$25	\$10

Sample fees—Top 5 permit types

Type of Permit	Number of 2020 Permits Issued	Average valuation	Current Fee	Proposed Fee	Permit Increase
Residential Alterations	71	\$ 18,731.20	\$ 307.00*	\$ 341.50*	\$ 34.50
Residential New Build	67	\$ 189,782.56	\$ 1,465.00*	\$ 1,825.00*	\$ 360.00
Residential Electrical	42	\$ 3,162.21	\$ 48.00	\$ 56.00	\$ 8.00
Residential Mechanical	40	\$ 10,114.15	\$ 90.00	\$ 105.00	\$ 15.00
Residential Roofing	37	\$ 6,099.24	\$ 66.00	\$ 77.00	\$ 11.00

*Permit Fee + Plan Review Fee + Zoning Fee

Options for Fees of Average SF Home

House value: \$189,782.50
 Current fee: \$550 + \$4
 Proposed fee: \$700 + \$5

PROPOSED FEE OPTIONS	NEW PROPOSED FEE	DIFFERENCE
\$700 + \$5	\$1,825.00	\$360.00
\$700 + \$4.75	\$1,791.25	\$326.25
\$700 + \$4.50	\$1,757.50	\$292.50
\$700 + \$4.25	\$1,723.75	\$258.75

Feedback from Development Community

- § We held a virtual meeting on Tuesday, March 2.
- § 5 members of the public, 1 council member were in attendance
- § Comments:
 - Agree that the increases are inline with surrounding jurisdictions.
 - Concerned about the timing because the cost of supplies and materials has increased significantly.
 - Concerned that A \$1,000 fee increase may price retiree and first time home buyers out of the market. A \$300 (the actual building fee portion) increase would be more palatable.

Summary

- § The smaller valuation permits have the least increase.
- § Larger increases for more complex tasks.
- § Revenue with new fees (\$30,800) estimated to be \$242,500, a 12.7% increase.
- § Recoup more of the costs of operating the Building and Permits Division of the Planning Department so that General Fund revenue can be spent on projects that benefit the City as a whole.

Discussion & Questions
