

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Tara S. Almond
Phil Carter
Eva Corley

City Manager
Rebecca Vance

Asst. to City Manager
Rachelle Moody



**City of Cayce
Regular Council Meeting
Tuesday, January 2, 2018
6:00 p.m. – Cayce City Hall – 1800 12th Street
www.cityofcaycesc.gov**

I. Call to Order

- A. Invocation and Pledge of Allegiance
- B. Approval of Minutes
December 5, 2017 Regular Meeting

II. Public Comment Regarding Items on the Agenda

III. Presentation

- A. Presentation of Ambassador Award

IV. Resolutions and Ordinances

- A. Discussion and Approval of Resolution Recognizing the Woman's Club of Cayce's 80th Anniversary
- B. Discussion and Approval of Resolution Congratulating Mr. Leo Redmond on His Retirement
- C. Discussion and Approval of Resolution to Adopt the Municipal Association 2018 Advocacy Initiatives
- D. Discussion and Approval of Ordinance 2017-16 Amending Article IV ("Rental, Non-Owner Occupied and Unoccupied Property Regulations") of Chapter 10 ("Buildings and Building Regulations") of the Cayce City Code – Second Reading
- E. Discussion and Approval of Ordinance 2018-01 Adding a New Section 6.10-4 of the City of Cayce Zoning Ordinance Relating to Design Overlay Districts

V. City Manager's Report

VI. Committee Matters

- A. Approval to enter the following Committee approved Minutes into the City's Record
Planning Commission – October 16, 2017

B. Annual Appointment of Council Members to City Foundations

VII. Council Comments

VIII. Executive Session

A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege

B. Personnel Matter – Discussion of the Cayce Historical Museum

IX. Reconvene

X. Possible Actions by Council in follow up to Executive Session

XI. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.



Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Tara S. Almond Phil Carter Eva Corley	City Manager Rebecca Vance	Asst. to City Manager Rachelle Moody
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CITY OF CAYCE
Regular Council Meeting
December 5, 2017

The December Regular Council Meeting was held this evening at 6:00 p.m. in Council Chambers. Those present included Mayor Elise Partin, Council Members Tara Almond, Phil Carter and Eva Corley. Mayor Pro Tem James Jenkins was out of town and unable to attend. City Manager Rebecca Vance, Municipal Clerk Mendy Corder, Municipal Treasurer Garry Huddle, City Attorney Danny Crowe, Special Projects/Grants Manager Rachelle Moody, Director of Planning and Development Carroll Williamson and Director of Public Safety Byron Snellgrove were also in attendance.

Mayor Partin asked if members of the press and the public were duly notified of the Council Meeting in accordance with the FOIA. Ms. Corder confirmed they were notified.

Call to Order

Mayor Partin called the meeting to order. Council Member Carter gave the invocation. Mayor Partin led the assembly in the Pledge of Allegiance.

Approval of Minutes

Council Member Almond made a motion to approve the November 7, 2017 Regular Council Meeting minutes and the November 21, 2017 Special Council Meeting minutes as written. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Public Comment Regarding Items on the Agenda

No one signed up for Public Comment.

Presentations and Other

A. Presentation by Ms. Joni Coleman re Lexington Two Innovation Center

Ms. Joni Coleman and Mr. Bernie Atkins, Directors of Career and Technology Education at Lexington Two School District, presented Council with an overview of the new Innovation Center currently being built. Ms. Coleman stated that the Innovation Center will be a Career and Technology Education (CATE) Center that is scheduled to open August 2018. Mr. Atkins stated that the Center will offer courses on health science, sports medicine, digital art and design, digital multimedia, computer

programming, business and marketing, engineering, welding, carpentry, auto collision repair, auto tech and cosmetology. He stated that the cosmetology course has a 100% certification rate. The students are state certified cosmetologists when they graduate from the course which saves the student approximately \$25,000 in tuition fees.

Ms. Coleman stated that the carpentry students are partnered with Habitat for Humanity and will help to build homes in Cayce. She stated that barbering, culinary arts, EMS/fire safety and electricity courses will be added in 2018-2019.

Mr. Atkins stated that the goal for Lexington Two CATE students is that they complete CATE, be WorkKeys certified, have an industry credential and/or certification and get an apprenticeship. There are CATE students at Airport and Brookland-Cayce High Schools, Busbee Creative Arts Academy, and Pine Ridge, Fulmer and Northside middle schools. He stated that currently students can get certified in welding, auto mechanics, cosmetology, health science and auto collision repair.

Ms. Coleman stated that the Innovation Center has partnerships with the University of South Carolina Sumter and Midlands Technical College. She stated that the Center will have two science labs and is partnered with the University of South Carolina Sumter to provide advanced college science classes.

Ms. Coleman stated that the Innovation Center has local and district advisory councils which consist of local businesses. The advisory councils meet with the Innovation Center instructors often to discuss what classes they are teaching and if their equipment is relevant so when the students come out of the program they will be employable.

Assistant Director of Public Safety Jim Crosland asked if the students who finish the fire safety classes will be certified fire fighters. Mr. Atkins confirmed that they would be a certified Fire Fighter II. Mr. Atkins presented Council with the design of the buildings of the Innovation Center. Council Member Carter stated that the Innovation Center is one of the most significant buildings ever constructed in the Lexington Two School District.

Council Member Corley asked if there was an application process for students to take the classes offered at the Innovation Center. Ms. Coleman stated that any student could attend the classes. Mayor Partin asked what Council and City staff could do to support the new Innovation Center. Ms. Coleman stated that there is always space on advisory committees that local businesses can serve on.

Mayor Partin asked if the Innovation Center has plans to offer police courses in the future. Mr. Atkins stated that someone is required to be 21 years old to be a police

officer so there is a three year gap between graduation and being the required age to be an officer. He stated that they may consider adding it in the future. Mayor Partin stated that the City would like to help promote the services that the center offers to the public at a reduced cost. For example, cosmetology and auto mechanics. She stated that City staff could also help connect the Innovation Center with any local businesses. She thanked Ms. Coleman and Mr. Atkins for the informative presentation.

B. Presentation by City Manager re the City Receiving the South Carolina Municipal Insurance and Risk Fund Award

Ms. Vance stated that the City received the South Carolina Municipal Insurance and Risk Financing Funds Risk Management Award for 2017. She stated that the criteria for the award is met by calculating the City's experience modifier and the City's gross loss ratio. The City was lowest overall in its class. She stated that the City continues to reduce the frequency and severity of wrecks and losses due to the hard work of staff and the City's Safety Committee. She stated that the City's Human Resources Department works diligently to train staff on safety issues. Monthly safety meetings are held and staff attends monthly Accident Review Board meetings.

Ms. Vance stated that part of the Risk Management Services Award was a luncheon for the staff members who serve on the Safety Committee and the Accident Review Board. The City was also awarded \$2,500 which will be put back into the City's Safety Program. One suggestion was to use the money to purchase two additional AED Defibrillators for the new Parks/Sanitation building and for the City's Garage. Ms. Vance stated that the funds that Council has approved for additional Human Resources staff to focus on safety has proven to be a good investment.

C. Presentation by Mr. Carroll Williamson re an Update to the City's Property Registration Program

Ms. Vance stated that the City was in its second year of the Property Registration Program. She stated that Mr. Williamson would update Council on the progress of the program and review a few changes that he recommends for the program. Mr. Williamson stated that in 2016 the percentage compliance was 69%. The percentage compliance for 2017 was 88%. He stated that the program states that a business license is required for anyone who rents at least one residential property. He stated that in 2015, before the program was put in place, 57 business licenses were issued. The program started in 2016 and 451 business licenses were issued. In 2017 515 business licenses were issued.

Mr. Williamson stated that there are 198 rental properties in the City owned by Cayce residents which generates approximately \$12,000 in business license revenue

for the City. He stated that there are 557 rental properties in the City that are owned by non-residents which generate approximately \$67,000 in revenue. Ms. Vance stated that when the City implemented the Property Registration Program staff placed flyers on the resident's roll carts, there were articles in the newsletters and the local papers and the information was placed on the City's website and social media. She stated that staff also attended neighborhood meetings and spoke to the neighborhood leaders at length about the program.

Mr. Williamson stated that an initial letter was sent to the property owners in early March with a deadline of April 17. He stated that a certified letter was sent in June to everyone that had not complied. Then staff placed door hangers on the homes of owners who live in Cayce and the surrounding area. Letters were hand delivered to the tenants of owners who still had not complied at that point. He stated that staff made multiple phone calls and sent emails to out-of-City property owners to increase the compliance. He stated that once the property owner does come to City Hall a lot of staff's time is spent on one on one meetings with the property owner explaining the program and assisting them with filling out the application.

Ms. Vance stated that the first two years of the program has been very staff intensive. She stated that she was very pleased with the 88% compliance rate and did not think that the City would be able to get more than a 95% compliance rate. She stated that the Planning & Development Department consists of only six staff members. She stated that during the next budget process Mr. Williamson will likely request an additional staff member and adding a fee to the Property Registration Program. She stated that the information that the City has acquired through the program has helped with a number of public safety and code issues.

Mr. Williamson stated that staff acquires the list of rental properties from the Lexington County Tax Assessor's office. He stated staff will compare the 2018 addresses that they received from the County with the City's updated 2017 database and make any revisions that are needed. He stated that one recommended change to the Property Registration Program Ordinance is to remove the requirement that the names of the tenants must be provided on the application. However, the responsible party must provide the City with tenant information within 24 hours of a request from the City.

Mr. Williamson stated that another recommended change is that the program letter be mailed out in January along with an application and a business license renewal notice. He stated that a brochure will not be included with the application but will be available at City Hall and on the website.

D. Approval of 2018 Council Meeting Dates

South Carolina state law requires a municipality to make public the dates of Council Meetings at the beginning of each calendar year and provide Council with a suggested schedule. Mayor Partin stated that the Regular Council Meetings are the first Tuesday of the month at 6pm. She explained that Council tentatively schedules a second Council Meeting each month for the third Wednesday of the month at 5pm. Due to schedule conflicts it was decided that the Council Meeting in February will be rescheduled to February 7, 2018, the April Council Meeting to April 10, 2018 and the November Council Meeting to November 13, 2018. Mayor Partin stated that the August Special Council Meeting will be held the fourth Wednesday of the month due to schedule conflicts.

Council Member Almond made a motion to approve the Council Meeting dates as discussed. Council Member Carter seconded the motion which was unanimously approved by roll call vote.

Ordinances and Resolutions

- A. Discussion and Approval of Ordinance 2017-15 Amending City Code Section 12-153 ("Provision for Reimbursement") of the Incentive Reimbursement Grant Program for Insurance Companies with Corporate Headquarters in the City – Second Reading

Council Member Corley made a motion to approve Ordinance 2017-15 on second reading. Council Member Almond seconded the motion which was unanimously approved by roll call vote.

- B. Discussion and Approval of Ordinance 2017-16 Amending Article IV ("Rental, Non-Owner Occupied and Unoccupied Property Regulations") of Chapter 10 ("Buildings and Building Regulations") of the Cayce City Code – First Reading

Ms. Vance stated that on December 16, 2015, the City adopted Article IV of Section 10 to establish the Property Registration Program. The Ordinance originally stated that each owner of these properties would be obtaining a permit from the City annually. However, the owners are actually registering the property annually, but not obtaining a permit. She stated that during the two years that the program has been operating, Planning & Development staff have received numerous complaints about the requirement that tenants' names and contact information be provided on the application because it appeared to be an invasion of privacy. Ms. Vance stated that to address that concern, staff is recommending that this requirement be removed from Section 10-99 of the Ordinance. However, additional language is recommended to be added to Section 10-82 that requires that the owner or responsible party provide the City with tenant names and contact information upon request within 24 hours. Additionally, language

was added to specifically require that the current number of occupants be provided on the annual registration application.

Council Member Almond made a motion to approve Ordinance 2017-16 on first reading. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

C. Consideration and Approval of Resolution Approving the City's Strategic Plan

Ms. Vance stated that in July 2017, Council undertook a strategic planning process to develop a five year strategic plan. This plan sets forth the overall strategic priorities for the City, and outlines the objectives and action items necessary to achieve the overall vision for the City. She stated that by adopting the Resolution the strategic plan is formally adopted and will be made accessible to the City's residents. Ms. Vance thanked Ms. Moody for creating a document that outlines each strategic priority and the objectives, measurable and action items for each priority.

City Manager's Report

Ms. Vance stated that staff has a signed copy of the County's TIF documents. She stated that the City was awarded \$5,000 for Disaster Warning software. She stated that it is basically a reverse 911 system that the City can use to notify residents of an emergency or an issue that affects a large number of people. Ms. Vance stated that the City also received a CDBG grant for relining sewer lines on Holland Avenue, Railroad Avenue and State Street. She stated that staff would be bidding the project out in the next few weeks. She stated that the Riverwalk repairs should be complete by the end of 2017. She stated that Hurricane Irma caused damage to areas in the Riverwalk that had already been repaired so the project has taken longer than initially projected.

Mayor Partin stated that she went to her dentist that morning and the staff was thrilled with the improvements that the City made to the alleyway behind the building. Ms. Vance stated that the slope of the road was upgraded so it will drain, the water and sewer lines were replaced, landscape was added, an irrigation system for the landscaping was added and a privacy fence was installed.

Committee Matters

- A. Approval to enter the following approved Committee Minutes into the City's Record
 - Museum Commission – October 4, 2017
 - Events Committee – October 12, 2017

Council Member Almond made a motion to enter the approved Committee minutes into the City's record. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Council Comments

Council Member Carter stated that he attended the Museum's Christmas Traditions and thought the museum and the grounds looked better than it ever has. Ms. Vance stated that the Museum staff has utilized Hospitality Tax funds to paint the entire Museum, install a new roof to the building and make much needed repairs.

Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Personal Matter – Discussion of City Manager's annual evaluation, salary review and employment contract renewal

Mayor Partin stated that there was not anything to be discussed under Item A. Council Member Almond made a motion to move into Executive Session to discuss Item B. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Reconvene

After the Executive Session was concluded, Council Member Almond made a motion to reconvene the Regular meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. Mayor Partin announced that no vote was taken in Executive Session other than to adjourn and resume the Regular meeting.

Possible Actions by Council in follow up to Executive Session

VIII. B.

Council Member Almond made a motion to authorize the Mayor to finalize and sign the City Manager's contract and compensation as discussed in Executive Session. Council Member Corley seconded the motion which was unanimously approved by roll call vote.

Adjourn

There being no further business, Council Member Almond made a motion to adjourn the meeting. Council Member Carter seconded the motion which was unanimously approved by roll call vote. The meeting adjourned at 7:37 p.m.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, CMC, Municipal Clerk



Cayce Ambassador Award

The City of Cayce hereby recognizes

Danny Creamer

as an ambassador of goodwill
for dedicated service in a way
that reflects positively on our city.

Mayor

Councilmember

Councilmember

Councilmember

Councilmember

January 2, 2018

Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Tara S. Almond Phil Carter Eva Corley	City Manager Rebecca Vance	Asst. to City Manager Rachelle Moody
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Resolution Recognizing the 80th Anniversary of The Woman's Club of Cayce

Whereas, the Woman's Club of Cayce is celebrating 80 years of service to the community. They were founded and federated in 1937; and

Whereas, in 1939 the Guignard Family donated the land on which the Woman's Club clubhouse now stands and the Woman's Club bought an additional 25 feet; and

Whereas, in 1940 34 members of the Woman's Club of Cayce authorized a bank note of \$1,000 to build the Clubhouse; and

Whereas, since 1940 the Clubhouse has been in continuous use, serving as one of the focal points in the community; and

Whereas, the Woman's Club of Cayce also participated in creating the William J. Cayce Memorial Park by donating benches and erecting the brick entrance, using bricks donated by the Guignard sisters; and

Whereas, in 1949 the Club established what is currently the Cayce-West Columbia Library. The library was staffed by Club Member Mrs. J.M. Plumer three days a week. Over 700 books were checked out in the first month; and

NOW, THEREFORE, BE IT RESOLVED, that the Cayce City Council, in Council Session duly assembled, joins in congratulating the Woman's Club of Cayce on their 80th Anniversary and expresses its heartfelt appreciation and gratitude to its members for being an integral part of the City's history and actively seeking to meet the community's needs.

ADOPTED this 2nd day of January, 2018.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk

Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Tara S. Almond Phil Carter Eva Corley	City Manager Rebecca Vance	Asst. to City Manager Rachelle Moody
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Resolution Congratulating Leo Redmond on His Retirement

Whereas, Leo Redmond was born in Cayce and is a lifelong resident of the City that he loves so much; and

Whereas, he is one of the original founders who built the Cayce Historical Museum and donated it to the City of Cayce on April 12, 1991; and

Whereas, having been involved with the Museum since its inception, he began working at the Museum on July 1, 1994; and

Whereas, it was his mission to preserve and celebrate Cayce's rich history to ensure its future growth and prosperity; and

Whereas, his diverse historical knowledge of Cayce has earned him great respect among his peers; and

Whereas, one of the largest collections of Native American artifacts in the Southeast, with nearly 7,000 pieces on display, was donated to the Museum based on the families respect for Mr. Redmond's expertise in building a display for the collection; and

Whereas, throughout his career Mr. Redmond worked diligently to continue to strengthen the Cayce Historical Museum and ensure its future as a valuable educational and cultural asset for the City of Cayce and of which the citizens of Cayce can be proud; and

NOW, THEREFORE, BE IT RESOLVED, that the Cayce City Council, in Council Session duly assembled, joins in recognizing Leo Redmond on his retirement as Director of Cayce Historical Museum for his 23 years of service and commitment to the Museum.

ADOPTED this 2nd day of January, 2018.

Elise Partin, Mayor

ATTEST:

Mendy Corder, CMC, Municipal Clerk



Mayor Elise Partin	Mayor Pro-Tem James E. Jenkins	Council Members Tara S. Almond Phil Carter Eva Corley	City Manager Rebecca Vance	Asst. to City Manager Rachelle Moody
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RESOLUTION
Municipal Association 2018 Advocacy Initiatives

WHEREAS, cities and towns in South Carolina are the government closest to the people providing the core services residents and businesses demand for an exceptional quality of life;

WHEREAS, hundreds of municipal officials from across the state collaborated to identify challenges at the municipal level;

WHEREAS, solutions to these challenges can be addressed through changes in state law;

WHEREAS, the Municipal Association identified five advocacy initiatives based on the feedback from local officials including encouraging business growth and development, providing quality services, increasing funding for law enforcement, expanding funding sources for infrastructure and reducing blight;

WHEREAS, implementing standardized business licensing practices saves businesses time and supports local economic growth;

WHEREAS, cities and towns need dependable and consistent revenue sources to support the efficient and effective delivery of municipal services that residents and businesses demand for a positive quality of life and economic prosperity;

WHEREAS, increased and reliable funding for quality training of law enforcement officers is essential for agencies to recruit, hire and retain officers;

WHEREAS, cities and towns need resources and flexibility to prioritize and address local infrastructure challenges;

WHEREAS, dilapidated structures pose a public safety threat in municipalities of all sizes;

WHEREAS, the City of Cayce fully supports the agenda set forth by the Municipal Association of SC board of directors for city and town councils to govern effectively and efficiently;

BE IT THEREFORE RESOLVED that the Council of the City of Cayce affirms on this day, January 2, 2018, its support for the Municipal Association’s 2018 advocacy initiatives for the state’s 271 cities and towns.

Signed, sealed and adopted by City Council this 2nd day of January, 2018.

Elise Partin, Mayor

Tara S. Almond, Council Member

James “Skip” Jenkins,
Mayor – Pro Tem

Phil Carter, Council Member

Eva Corley, Council Member

ATTEST:

Mendy C. Corder, CMC, Municipal Clerk

Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Carroll Williamson, Planning and Development Director

Date: December 29, 2017

Subject: Second Reading of an Ordinance Amending Article IV of Section 10 of the Cayce City Code

ISSUE

Council approval is needed for the Second Reading of an Ordinance amending Article IV of Section 10 (“Rental, Non-Owner Occupied and Unoccupied Property Regulations”) to include substituting the word “registration” for the word “permit” throughout the article since no physical permit is issued and to remove the requirement for a listing of tenant names and contact information as a part of registration but to require certain tenant information upon specific request of the City.

BACKGROUND/DISCUSSION

On December 16, 2015, the City of Cayce adopted Article IV of Section 10 to establish the property registration program. The Ordinance originally stated that each owner of these properties would be obtaining a permit from the City annually. However, the owners are actually *registering* the property annually, but not obtaining a permit.

During the two years that this program has been operating, P&D staff have received numerous complaints about the requirement that tenants’ names and contact information be provided on the application because it appeared to be an invasion of privacy. To address that concern, staff is recommending that this requirement be removed from Section 10-99 of the Ordinance. However, additional language is recommended to be added to Section 10-82 that requires that the owner or responsible party provide the City with tenant names and contact information upon request within 24 hours. Additionally, language was added to specifically require that the current number of occupants be provided on the annual registration application.

RECOMMENDATION

Staff recommends Council approve Second Reading of an Ordinance amending Article IV of Section 10 (“Rental, Non-Owner Occupied and Unoccupied Property Regulations”) of the Cayce City Code.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF LEXINGTON)
)
 CITY OF CAYCE)
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)

ORDINANCE 2017-16
 Amending Article IV (“Rental, Non-Owner Occupied and Unoccupied Property Regulations”) of Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code

WHEREAS, the City Council previously adopted Article IV of Chapter 10 of the City Code to establish certain regulations relating to rental, non-owner occupied and unoccupied residential properties; and

WHEREAS, the Council, after public input and the recommendations of City staff, now desires to amend and clarify the Regulations to, among other things, change the language to substitute the word “registration” for the word “permit” throughout the Article since no physical permit is intended, and to remove the requirement for a listing of tenant names and contact information as a part of registration but to require certain tenant information upon specific request of the City,

NOW, THEREFORE, BE IT ORDERED AND ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that Article IV (“Rental, Non-Owner Occupied and Unoccupied Property Regulations”) of Chapter 10 (“Buildings and Building Regulations”) of the Cayce City Code is hereby amended to read as provided in the revised and substituted Article IV attached to this Ordinance.

This Ordinance shall be effective from the date of second and final reading.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, _____.

 Elise Partin, Mayor

ATTEST:

 Mendy C. Corder, Municipal Clerk

First Reading: _____

Second reading and adoption: _____

Approved as to form: _____
 Danny C. Crowe, City Attorney

Chapter 10

Article IV. Rental, Non-Owner Occupied and Unoccupied Property Regulations

Sec. 10-80. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Article, have the meanings shown in this Section. When terms are not defined, through the methods authorized by this Section, such terms shall have their ordinarily accepted meaning such as the context implies.

Non-Owner Occupied – A property that is occupied by someone other than the purchaser or owner of a property.

Occupant – A family as defined by the City of Cayce Zoning Ordinance or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

Offense – any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into Pre-Trial Intervention, Alcohol Education Program or a determination of guilt by a court or a jury. For purposes of this ordinance, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance into a Pre-Trial Intervention Program, Alcohol Education Program, conviction, or a plea of guilty or no contest, collectively shall be deemed one offense.

Owner – any person, firm or corporation having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

Residential Rental Unit – means that portion of a dwelling for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, or manager for the use and occupancy of that portion as a living facility. For purposes of this ordinance, the term rental unit is limited to single household dwellings, two household dwellings (duplex), three household dwellings (triplex), four household dwellings (quadraplex), townhouses, and boarding houses. . Exceptions shall be the following:

- a) Single, two, three, or four household dwelling within a horizontal property regime or;
- b) Dwellings occupied by individuals who are under a written contract to purchase the residence after the contract has been reviewed for validity of purchase by the City Attorney and the Director of Planning and Development.

Whenever the words “rental unit” are stated in this Article, they shall be construed as though they were followed by the words “or any part thereof.”

Townhouses – Dwelling units constructed in a series or group of attached units with property lines separating such units.

Unoccupied – Any property that lacks continued presence of human beings who have a legal right to be on the property, or where any substantial lawful residential occupancy or business operations has ceased for at least six months.

Violation – Breach of law.

Sec. 10-81. Rental, Non-Owner Occupied and Unoccupied Registration Required.

- a. No owner, whether a person, firm or corporation, shall operate any residential rental, non-owner occupied or unoccupied unit as defined in Sec. 10-80 unless that owner holds a current registration issued by the City of Cayce for the property named therein.
- b. Registrations are not transferable from any owner to another.
- c. The registration year shall begin on January 1st and end on December 31st.
- d. Renewals of registrations after April 15th will be considered late and will be assigned any late fees designated in this ordinance.
- e. The required registration fee as defined by Section 10-97 may be paid beginning January 1st but no later than the 15th of April each year.
- f. If the registration fee is not paid by April 15th then on April 16th the City of Cayce shall issue a Uniform Ordinance Summons to the property owner for appearance in Municipal Court.
- g. The Property Owner may be subject to other code enforcement action depending upon the circumstances.

Sec. 10-82. Application.

Applications to operate residential rental, non-owner occupied or unoccupied units and for renewal thereof shall be on a form provided by the City of Cayce. Such form shall set forth the owner's name, address, and telephone number, the unit address, the name of the person, firm, or corporation located within a seventy-five (75) mile radius of the City of Cayce responsible for the care and maintenance of the building, number of current occupants and additional information as outlined on the application for rental housing. Upon request from the City of Cayce, the owner or responsible party shall provide within 24 hours the names and contact information for each of the occupants, for City of Cayce use only.

Sec. 10-83. Issuance or Refusal of Rental, Non-Owner Occupied and Unoccupied Property Registration.

The City of Cayce shall issue a Rental Registration for rental, non-owner occupied or unoccupied properties to the applicant upon proof of the following:

- a) The property is in compliance with all applicable City Ordinances; and
- b) All fees have been paid as required by Section 10-97 of this Article.

Sec. 10-84. Property Owner, Person in Charge, and Occupant.

- a) A registration will not be issued or renewed to a person, firm, or corporation who does not either reside in or have an office within a seventy-five (75) mile radius of the City of Cayce, unless a Person in Charge is designated. The Person in Charge must reside in or have an office within a seventy-five (75) mile radius of the City and be able to act as the agent for the owner. The Director of Planning and Development shall be notified in writing if there is a change of owner or Person in Charge within fourteen (14) days of the change.

- b) The Property Owner, the Person in Charge, and Occupants shall maintain all residential rental, non-owner occupied or unoccupied units under their control, or in which they are located, in compliance with the City Codes.
- c) The Property Owner, the Person in Charge, and Occupants shall be liable for occupancy violations within rental, non-owner occupied or unoccupied residences of their control or in which they are located.
- d) For every residential rental, non-owner occupied or unoccupied unit, the Owner or Person in Charge shall be responsible for the repair and maintenance of the common areas of the dwelling and responding to service requests and emergency needs, including entry into units where an emergency appears to exist. Such person or persons shall be situated close enough to the dwelling as to be able to service tenant and emergency calls with reasonable dispatch. The Owner shall advise the tenants individually of the names, addresses, and telephone numbers of such Owner and/or Person in Charge.

Sec. 10-85. Reserved.

Sec. 10-86. Offenses and Assignment of Offenses.

- a) For purposes of this ordinance, offenses shall include any Federal or state, law or regulation or any City ordinance or regulation.
- b) Offenses shall apply towards revocation of the registration for residential rental, non-owner occupied or unoccupied units as follows:
 - (1) Single household dwellings, townhouses, and boarding houses. Offenses that occur anywhere on the property shall apply to the registered dwelling unit.
 - (2) Duplex, Triplex and Quadraplex:
 - (a) Offenses that occur within an individual unit shall apply to that unit.
 - (b) Offenses occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
 - (c) Offenses committed by the Property Owner and/or Person in Charge shall be assigned to both units.
 - (d) When a duplex is issued one registration at the request of the owner, any offense within any dwelling unit will be apply to the duplex.

Sec. 10-87. Requirement for Revocation Hearings

City Council shall hold Revocation Hearings as follows:

- (1) Occupancy. Violation of occupancy regulations shall be grounds for declaring the rental, non-owner occupied or unoccupied unit a nuisance property. A revocation hearing date will be established by City Council within 60 days of the offense. The Director of Planning and Development shall issue a notice by certified mail or any other means available to ensure delivery to the Property Owner and Person in Charge

noting the property is considered a nuisance property and pending a revocation hearing. A copy of this notice shall be maintained by the Director of Planning and Development.

(2) Other Offenses

(a) Warning Notice. A City of Cayce Codes Enforcement Officer shall send written notification to the Property Owner and Person in Charge of any violations of Federal or state law or regulation or any City ordinances or regulations that occur at properties governed by this Article. The Director of Planning and Development shall provide an advisory notice by first class, certified mail or any other means available to ensure delivery to the Property Owner and Person in Charge of any rental, non-owner occupied or unoccupied property whenever three offenses of the City of Cayce Code of Ordinances or regulations or any state or Federal law or regulations have occurred individually or in combination at the property within a twenty-four (24) month period. The twenty-four month period shall commence on the day of the first offense. This notice shall advise the Property Owner and Person in Charge that the property has been identified as a potential problem property and advise them of the consequences of continued offenses on this property. This notice shall be maintained by the Director of Planning and Development and made available as necessary.

(b) Notice of Revocation Hearing. When another offense occurs within twelve (12) months after the issuance of the warning notice, this shall be grounds to declare the rental unit a nuisance property. A revocation hearing will be established by City Council within 60 days of the last offense. The Director of Planning and Development shall issue a notice by certified mail or any other means available to ensure delivery to the Owner and the Person in Charge noting the property is considered a nuisance property and pending a revocation hearing. A copy of this notice shall be maintained by the Director of Planning and Development.

Sec. 10-88. City Council Hearing.

- (a) The written notice by the Director of Planning and Development for a revocation hearing shall be delivered by personal service, certified mail or any other means available and shall include the time and place at which the hearing is to be held which shall be at a regular or special Council meeting. The notice shall also contain a brief statement of the reasons for revocation hearing and a copy of the applicable provisions of the Code of Ordinances.
- (b) The Director of Planning and Development shall provide City Council with a written report outlining the circumstances for declaring the rental property as a nuisance property. All documents relating to the property shall be available prior to the hearing for review by all parties.

Sec. 10-89. Notice of Revocation

Upon City Council's decision, the Director of Planning and Development shall notify the Property Owner and/or the Person in Charge of the revocation by written notice sent by certified mail or delivered in person. The notice shall advise the Property Owner and/or the Person in Charge of the property address, the effective dates of the revocation, the

reason for the revocation, the effect of the revocation on the property, and penalties that can be imposed for violation of the revocation and appeal rights and procedures.

The Director of Planning and Development shall set forth the effective date of the revocation as and if modified by City Council in such manner so that revocation commences on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a one (1) year period. The Owner shall provide the Director of Planning and Development with a copy of the current lease to determine the appropriate dates. If no lease is provided then the Director of Planning and Development shall set the effective date as the first day following the annual registration renewal date. When there is no lease in force or when the lease or leases are for periods greater than one year, revocation shall commence upon the first day following the annual registration renewal date. Any additional offenses which occur between the revocation date and the commencement of revocation date shall automatically increase the revocation by three (3) months per offense.

Sec. 10-90. Effect of Revocation.

Upon the commencement of revocation, the property shall be secured and no person, firm or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the registration for such unit is revoked.

Sec. 10-91. Notification Exemption.

Residential rental, non-owner occupied or unoccupied properties are exempt from the notification requirements, as given in the Codes, when they have not obtained a valid registration as required by this ordinance. Properties operating without a valid registration shall receive one (1) written warning and twenty (20) working days to comply. If an owner is convicted of a violation of Section 10-81 of the City of Cayce Code of Ordinances, the property shall not be eligible for a registration for a period of six (6) months after the conviction.

Sec. 10-92. Defense.

When tenants are guilty of offenses resulting in a revocation notice, the Property Owner may request a suspension of revocation proceedings by providing written evidence of the initiation of eviction proceedings against the culpable tenants. If the tenants are evicted, the Property Owner may request termination of the revocation proceedings. If revocation has been suspended but the tenants are not evicted, revocation proceedings will be reinstated by the City.

Sec. 10-93. Appeals/Revocation Hearing before City Council.

- (a) Any person aggrieved by a decision or a denial of a registration by the City of Cayce may appeal the decision to City Council by filing a written request stating the reasons for the grievance with the Director of Planning and Development within ten (10) days after the payment of the assessment under protest or notice of denial is received.
- (b) An appeal or a hearing on revocation shall be held by City Council within forty-five (45) days after receipt of a request for appeal or service of notice of revocation at a

regular or special meeting of which the Property Owner and/or the Person in Charge has been given written notice. At such hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council shall govern the hearing. City Council shall by majority vote of members present render a written decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives and shall be final.

Sec. 10-94. Change of Ownership.

Any person, firm, or corporation who has purchased or has a legally binding contract to purchase a property whose registration has been revoked pursuant to this Article under another owner, may apply for a new registration.

Sec. 10-95. Confidentiality.

Nothing in this Section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any inquiries regarding offenses resulting from enrollment into the Pre-Trial Intervention Program will be administered by the Chief of Police.

Sec. 10-96. Offenses.

Any person violating any provision of this Article shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in Section 1-6. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for this Article.

Sec. 10-97. Registration Fee.

- a. The annual registration fee shall be \$0.
- b. Upon determination that a property owner has failed to obtain a registration, a late registration fee shall be assessed at \$100 for each year the residential rental, non-owner occupied, or unoccupied property has not been registered.
- c. All required fees shall be paid before a registration is issued.

Sec. 10-98. Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared that the intent of the Council is that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Sec. 10-99. Occupancy Label Required.

- (a) Effective January 1, 2016, an Occupancy Label signed and issued by the Director of Planning and Development shall be affixed to one of the following locations as determined by the owner of the property: the interior side of the main door of the residence, or on the exterior surface of the refrigerator door, or on the wall or door immediately adjacent to the fire extinguisher. The Occupancy Label shall indicate the maximum numbers of occupants allowed in accordance with City Ordinances, address of the residence, date of issuance and signature of the property owner or responsible party. Removal of the label shall be cause for denial of a registration for the property.
- (b) Initial issuance of the Occupancy Label will be through first class mail to the owner of the property within 10 days of approval of the application.
- (c) Subsequent issuance of new Occupancy Labels will be done in conjunction with issuance of registrations for new properties after successful completion of the registration application.

Chapter 10

Article IV. Rental, Non-Owner Occupied and Unoccupied Property Regulations

Sec. 10-80. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Article, have the meanings shown in this Section. When terms are not defined, through the methods authorized by this Section, such terms shall have their ordinarily accepted meaning such as the context implies.

Non-Owner Occupied – A property that is occupied by someone other than the purchaser or owner of a property.

Occupant – A family as defined by the City of Cayce Zoning Ordinance or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

Offense – any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into Pre-Trial Intervention, Alcohol Education Program or a determination of guilt by a court or a jury. For purposes of this ordinance, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance into a Pre-Trial Intervention Program, Alcohol Education Program, conviction, or a plea of guilty or no contest, collectively shall be deemed one offense.

Owner – any person, firm or corporation having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

Residential Rental Unit – means that portion of a dwelling for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, or manager for the use and occupancy of that portion as a living facility. For purposes of this ordinance, the term rental unit is limited to single household dwellings, two household dwellings (duplex), three household dwellings (triplex), four household dwellings (quadraplex), townhouses, and boarding houses. . Exceptions shall be the following:

- a) Single, two, three, or four household dwelling within a horizontal property regime or;
- b) Dwellings occupied by individuals who are under a written contract to purchase the residence after the contract has been reviewed for validity of purchase by the City Attorney and the Director of Planning and Development.

Whenever the words “rental unit” are stated in this Article, they shall be construed as though they were followed by the words “or any part thereof.”

Townhouses – Dwelling units constructed in a series or group of attached units with property lines separating such units.

Unoccupied – Any property that lacks continued presence of human beings who have a legal right to be on the property, or where any substantial lawful residential occupancy or business operations has ceased for at least six months.

Violation – Breach of law.

Sec. 10-81. Rental, Non-Owner Occupied and Unoccupied PermitRegistration Required.

- a. No owner, whether a person, firm or corporation, shall operate any residential rental, non-owner occupied or unoccupied unit as defined in Sec. 10-80 unless that owner holds a current permitregistration issued by the City of Cayce for the property named therein.
- b. PermitRegistrations are not transferable from any owner to another.
- c. The permitregistration year shall begin on January 1st and end on December 31st.
- d. Renewals of permitregistrations after April 15th will be considered late and will be assigned any late fees designated in this ordinance.
- e. The required permitregistration fee as defined by Section 10-97 may be paid beginning January 1st but no later than the 15th of April each year.
- f. If the permitregistration fee is not paid by April 15th then on April 16th the City of Cayce shall issue a Uniform Ordinance Summons to the property owner for appearance in Municipal Court.
- g. The Property Owner may be subject to other code enforcement action depending upon the circumstances.

Sec. 10-82. Application.

Applications to operate residential rental, non-owner occupied or unoccupied units and for renewal thereof shall be on a form provided by the City of Cayce. Such form shall set forth the owner's name, address, and telephone number, the unit address, the name of the person, firm, or corporation located within a seventy-five (75) mile radius of the City of Cayce responsible for the care and maintenance of the building, number of current occupants and additional information as outlined on the application for rental housing. Upon request from the City of Cayce, the owner or responsible party shall provide within 24 hours the names and contact information for each of the occupants, for City of Cayce use only.

Sec. 10-83. Issuance or Refusal of Rental, Non-Owner Occupied and Unoccupied Property PermitRegistration.

The City of Cayce shall issue a Rental PermitRegistration for rental, non-owner occupied or unoccupied properties to the applicant upon proof of the following:

- a) The property is in compliance with all applicable City Ordinances; and
- b) All fees have been paid as required by Section 10-97 of this Article.

Sec. 10-84. Property Owner, Person in Charge, and Occupant.

- a) A permitregistration will not be issued or renewed to a person, firm, or corporation who does not either reside in or have an office within a seventy-five (75) mile radius of the City of Cayce, unless a Person in Charge is designated. The Person in Charge must reside in or have an office within a seventy-five (75) mile radius of the City and be able to act as the agent for the owner. The Director of Planning and Development

shall be notified in writing if there is a change of owner or Person in Charge within fourteen (14) days of the change.

- b) The Property Owner, the Person in Charge, and Occupants shall maintain all residential rental, non-owner occupied or unoccupied units under their control, or in which they are located, in compliance with the City Codes.
- c) The Property Owner, the Person in Charge, and Occupants shall be liable for occupancy violations within rental, non-owner occupied or unoccupied residences of their control or in which they are located.
- d) For every residential rental, non-owner occupied or unoccupied unit, the Owner or Person in Charge shall be responsible for the repair and maintenance of the common areas of the dwelling and responding to service requests and emergency needs, including entry into units where an emergency appears to exist. Such person or persons shall be situated close enough to the dwelling as to be able to service tenant and emergency calls with reasonable dispatch. The Owner shall advise the tenants individually of the names, addresses, and telephone numbers of such Owner and/or Person in Charge.

Sec. 10-85. Reserved.

Sec. 10-86. Offenses and Assignment of Offenses.

- a) For purposes of this ordinance, offenses shall include any Federal or state, law or regulation or any City ordinance or regulation.
- b) Offenses shall apply towards revocation of the permitregistration for residential rental, non-owner occupied or unoccupied units as follows:
 - (1) Single household dwellings, townhouses, and boarding houses. Offenses that occur anywhere on the property shall apply to the permitregistered dwelling unit.
 - (2) Duplex, Triplex and Quadraplex:
 - (a) Offenses that occur within an individual unit shall apply to that unit.
 - (b) Offenses occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
 - (c) Offenses committed by the Property Owner and/or Person in Charge shall be assigned to both units.
 - (d) When a duplex is issued one permitregistration at the request of the owner, any offense within any dwelling unit will be apply to the duplex.

Sec. 10-87. Requirement for Revocation Hearings

City Council shall hold Revocation Hearings as follows:

- (1) **Occupancy.** Violation of occupancy regulations shall be grounds for declaring the rental, non-owner occupied or unoccupied unit a nuisance property. A revocation hearing date will be established by City Council within 60 days of the offense. The Director of Planning and Development shall issue a notice by certified mail or any other means available to ensure delivery to the Property Owner and Person in Charge noting the property is considered a nuisance property and pending a revocation hearing. A copy of this notice shall be maintained by the Director of Planning and Development.
- (2) **Other Offenses**
 - (a) **Warning Notice.** A City of Cayce Codes Enforcement Officer shall send written notification to the Property Owner and Person in Charge of any violations of Federal or state law or regulation or any City ordinances or regulations that occur at properties governed by this Article. The Director of Planning and Development shall provide an advisory notice by first class, certified mail or any other means available to ensure delivery to the Property Owner and Person in Charge of any rental, non-owner occupied or unoccupied property whenever three offenses of the City of Cayce Code of Ordinances or regulations or any state or Federal law or regulations have occurred individually or in combination at the property within a twenty-four (24) month period. The twenty-four month period shall commence on the day of the first offense. This notice shall advise the Property Owner and Person in Charge that the property has been identified as a potential problem property and advise them of the consequences of continued offenses on this property. This notice shall be maintained by the Director of Planning and Development and made available as necessary.
 - (b) **Notice of Revocation Hearing.** When another offense occurs within twelve (12) months after the issuance of the warning notice, this shall be grounds to declare the rental unit a nuisance property. A revocation hearing will be established by City Council within 60 days of the last offense. The Director of Planning and Development shall issue a notice by certified mail or any other means available to ensure delivery to the Owner and the Person in Charge noting the property is considered a nuisance property and pending a revocation hearing. A copy of this notice shall be maintained by the Director of Planning and Development.

Sec. 10-88. City Council Hearing.

- (a) The written notice by the Director of Planning and Development for a revocation hearing shall be delivered by personal service, certified mail or any other means available and shall include the time and place at which the hearing is to be held which shall be at a regular or special Council meeting. The notice shall also contain a brief statement of the reasons for revocation hearing and a copy of the applicable provisions of the Code of Ordinances.
- (b) The Director of Planning and Development shall provide City Council with a written report outlining the circumstances for declaring the rental property as a nuisance property. All documents relating to the property shall be available prior to the hearing for review by all parties.

Sec. 10-89. Notice of Revocation

Upon City Council's decision, the Director of Planning and Development shall notify the Property Owner and/or the Person in Charge of the revocation by written notice sent by certified mail or delivered in person. The notice shall advise the Property Owner and/or the Person in Charge of the property address, the effective dates of the revocation, the reason for the revocation, the effect of the revocation on the property, and penalties that can be imposed for violation of the revocation and appeal rights and procedures.

The Director of Planning and Development shall set forth the effective date of the revocation as and if modified by City Council in such manner so that revocation commences on the first day following expiration of the lease or leases in force provided such lease or leases are not for more than a one (1) year period. The Owner shall provide the Director of Planning and Development with a copy of the current lease to determine the appropriate dates. If no lease is provided then the Director of Planning and Development shall set the effective date as the first day following the annual permitregistration renewal date. When there is no lease in force or when the lease or leases are for periods greater than one year, revocation shall commence upon the first day following the annual permitregistration renewal date. Any additional offenses which occur between the revocation date and the commencement of revocation date shall automatically increase the revocation by three (3) months per offense.

Sec. 10-90. Effect of Revocation.

Upon the commencement of revocation, the property shall be secured and no person, firm or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the permitregistration for such unit is revoked.

Sec. 10-91. Notification Exemption.

Residential rental, non-owner occupied or unoccupied properties are exempt from the notification requirements, as given in the Codes, when they have not obtained a valid permitregistration as required by this ordinance. Properties operating without a valid permitregistration shall receive one (1) written warning and twenty (20) working days to comply. If an owner is convicted of a violation of Section 10-81 of the City of Cayce Code of Ordinances, the property shall not be eligible for a permitregistration for a period of six (6) months after the conviction.

Sec. 10-92. Defense.

When tenants are guilty of offenses resulting in a revocation notice, the Property Owner may request a suspension of revocation proceedings by providing written evidence of the initiation of eviction proceedings against the culpable tenants. If the tenants are evicted, the Property Owner may request termination of the revocation proceedings. If revocation has been suspended but the tenants are not evicted, revocation proceedings will be reinstated by the City.

Sec. 10-93. Appeals/Revocation Hearing before City Council.

- (a) Any person aggrieved by a decision or a denial of a permitregistration by the City of Cayce may appeal the decision to City Council by filing a written request stating the reasons for the grievance with the Director of Planning and Development within ten

(10) days after the payment of the assessment under protest or notice of denial is received.

- (b) An appeal or a hearing on revocation shall be held by City Council within forty-five (45) days after receipt of a request for appeal or service of notice of revocation at a regular or special meeting of which the Property Owner and/or the Person in Charge has been given written notice. At such hearing all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council shall govern the hearing. City Council shall by majority vote of members present render a written decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives and shall be final.

Sec. 10-94. Change of Ownership.

Any person, firm, or corporation who has purchased or has a legally binding contract to purchase a property whose permitregistration has been revoked pursuant to this Article under another owner, may apply for a new permitregistration.

Sec. 10-95. Confidentiality.

Nothing in this Section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any inquiries regarding offenses resulting from enrollment into the Pre-Trial Intervention Program will be administered by the Chief of Police.

Sec. 10-96. Offenses.

Any person violating any provision of this Article shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in Section 1-6. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for this Article.

Sec. 10-97. PermitRegistration Fee.

- a. The annual permitregistration fee shall be \$0.
- b. Upon determination that a property owner has failed to obtain a permitregistration, a late permitregistration fee shall be assessed at \$100 for each year the residential rental, non-owner occupied, or unoccupied property has not been registered. the unpermitted unregistered d occupancy or vacancy has occurred.
- c. All required fees shall be paid before a permitregistration is issued.

Sec. 10-98. Severability.

The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared

that the intent of the Council is that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Sec. 10-99. Occupancy Label Required.

- (a) Effective January 1, 2016, an Occupancy Label signed and issued by the Director of Planning and Development shall be affixed to one of the following locations as determined by the owner of the property: the interior side of the main door of the residence, or on the exterior surface of the refrigerator door, or on the wall or door immediately adjacent to the fire extinguisher. The Occupancy Label shall indicate the maximum numbers of occupants allowed in accordance with City Ordinances by Section 19-404, the name of each resident, address of the residence, date of issuance and signature of the property owner or responsible party. Removal of the label shall be cause for denial of a permit registration for the property.
- (b) Initial issuance of the Occupancy Label will be through first class mail to the owner of the property within 10 days of approval of the application.
- (c) Subsequent issuance of new Occupancy Labels will be done in conjunction with issuance of permit registrations for new properties after successful completion of the permit registration application.

Memorandum

To: Mayor and Council

From: Rebecca Vance, City Manager
Carroll Williamson, Planning and Development Director

Date: December 27, 2017

Subject: First Reading of an Ordinance amending Section 6.10 Design Overlay District of the Zoning Ordinance to permit exemptions for properties zoned Planned Development District (PDD) and Development Agreement District (DAD)

ISSUE

Council approval is needed for the First Reading of an Ordinance amending the Section 6.10 Design Overlay District to permit exemptions for properties that are zoned Planned Development District and Development Agreement District. These two zoning districts have specific uses and development standards for each property that are approved by City Council. Exempting them from the Design Overlay Districts on Knox Abbott Drive and 12th Street Extension will provide flexibility when dealing with larger, planned developments.

BACKGROUND/DISCUSSION

The intent of the Design Overlay Districts located on Knox Abbott Drive and 12th Street Extension is to provide continuity of design and use by adding additional restrictions that each property must follow when developed. These restrictions apply regardless of the underlying zoning district.

Cayce has two zoning districts that are site-specific, the Planned Development District and the Development Agreement District. Each of these zoning districts have uses and development standards that are specifically approved by City Council prior to development.

The Design Overlay District prohibits drinking places. However, the Brickworks Planned Development District was recently revised and approved by City Council. Two newly-added permitted uses are a brewpub and wine and beer shops that allow for alcohol consumption on-site. Because of this contradiction and for future planning, it is recommended that Planned Development Districts be exempt from Section 6.10-2 Permitted Uses and 6.10-3 Development

Standards. This will allow Council the ability to approve all of the standards and uses in each new PDD or DAD on Knox Abbott Drive or 12th Street.

As the properties within the 12th Street Extension Overlay District develop, there will likely be opportunities for rezoning to PDD and DAD. To allow for flexibility in uses and standards during the rezoning process, it is recommended that these two zoning districts be exempt from Section 6.10-2 and 6.10-3.

RECOMMENDATION

The Planning Commission recommends Council approve First Reading of an Ordinance amending Section 6.10 Design Overlay District of the Zoning Ordinance to permit exemptions for properties zoned Planned Development District (PDD) and Development Agreement District (DAD)

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)
)

ORDINANCE 2018-01
Adding a New Section 6.10-4 of the
City of Cayce Zoning Ordinance
Relating to Design Overlay Districts

WHEREAS, the City Council has determined that it is in the best interest of the public and the City to enact a new Section 6.10-4 (“Exemptions”) of the City Zoning Ordinance relating to Design Overlay Districts, so as to add language pertaining to exemptions for Planned Development Districts and Development Agreement Districts in the event of a conflict with a development standard or permitted use in a designated Design Overlay District;

WHEREAS, the Planning Commission held a regularly scheduled public hearing on this request to receive comments from the public; and

WHEREAS, the Planning Commission met on December 18, 2017, to review public comments and vote on recommending the text amendment to add a new Section 6.10-4 of the City of Cayce Zoning Ordinance as provided herein, and unanimously decided that it does recommend this amendment,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that a new Section 6.10-4 (“Exemptions”) is hereby added to the City of Cayce Zoning Ordinance which shall read as follows:

If Section 6.10-2 or 6.10-3 conflicts with a use or development standard that is specifically permitted in a PDD or DAD, then the PDD or DAD use or development standard shall prevail.

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2018.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

**APPROVED MINUTES
PLANNING COMMISSION
CAYCE CITY HALL
1800 12TH STREET, CAYCE SC
Monday, October 16, 2017
6:00 PM**

I. CALL TO ORDER

The meeting was called to order by Mr. Ed Fuson. Members present were Maudra Brown, Robert Power, John Raley, Chris Kueny, and Butch Broehm. Chris Jordan was absent excused. Staff present was Carroll Williamson and Monique Ocean.

II. APPROVAL OF MINUTES

Mr. Raley made a motion to approve the minutes of the September 18, 2017, meeting. Mr. Kueny seconded the motion. All were in favor.

III. NEW BUSINESS

A. Brickworks PDD Site Plan

Mr. Fuson opened the discussion on the review and approval of the site plan. Mr. Fuson stated the Planning Commission had been issued copies of the plan for review. Mr. Williamson came before the Planning Commission to discuss the site plan for the residential component of the Brickworks Planned Development District. Mr. Williamson stated the PDD had received approval in the first reading from City Council but a second reading is required before the approval is complete. Mr. Williamson explained that the developer submitted the site plan while waiting for Council's second reading. Mr. Williamson stated that the Planning Commission's approval of the site plan is required before the developers can move on with the next steps and the Planning Commission could issue a conditional approval based on second reading approval from City Council. Mr. Williamson stated that with some minor revisions that could be made later, Staff recommends that the Planning Commission approve the submitted site plan. Mr. Williamson stated that the minor revisions include indicating the sizes of parking spaces and adding notes on how the required parking will be dedicated to other areas around the development. Hunter Gibson came before the Planning Commission, as the developer of the project, to answer questions for the Planning Commission. After inquiry from the Planning Commission, Mr. Gibson explained that the proposed apartments will be similar to the Tremont Apartments and are not being built with intentions to attract college student tenants. Mr. Gibson stated he had not seen any plans for retail shops on the ground level of the apartments.

With no further discussion, Mr. Raley made a motion to approve the site plan conditional on second reading approval of the PDD from Council. Mr. Kueny seconded the motion. All were in favor.

IV. OTHER BUSINESS

There was no other business.

V. ADJOURNMENT

Mr. Kueny made a motion to adjourn. All were in favor.

All open positions will be advertised on the City's website and Facebook page.

COUNCIL ACTION REQUIRED

BEAUTIFICATION FOUNDATION

Council Member Tara Almond is currently serving on the Beautification Foundation.

PUBLIC SAFETY FOUNDATION

Council Member Eva Corley is currently serving on the Public Safety Foundation.

NO COUNCIL ACTION REQUIRED

The following positions have been postponed by Council until receipt of potential member applications.

ACCOMMODATIONS TAX COMMITTEE – ONE (1) POSITION

This position must be filled by someone from the hotel industry in Cayce.

BEAUTIFICATION FOUNDATION – ONE (1) POSITION

The Foundation has no recommendations at this time.

CAYCE HOUSING AUTHORITY – ONE (1) POSITION

There is currently one open position on the Cayce Housing Authority.

CAYCE MUNICIPAL ELECTION COMMISSION – TWO (2) POSITIONS

There are currently two open positions on the Municipal Election Commission.

CONSOLIDATED BOARD OF APPEALS – TWO (2) POSITIONS

Members who serve on this Board must be either an Engineer, Contractor, Architect or Design Professional. There are no recommendations at this time.

EVENTS COMMITTEE – ONE (1) POSITION

There is currently one open position on the Events Committee.

MUSEUM COMMISSION – ONE (1) POSITION

Ms. Ann Diamond resigned at the October 4, 2017 Museum Commission meeting. There are no recommendations at this time.

PUBLIC SAFETY FOUNDATION – THREE (3) POSITIONS

The Foundation has no recommendations at this time.