

RICHLAND COUNTY

DEVELOPMENT AND SERVICES COMMITTEE

AGENDA



TUESDAY APRIL 23, 2024

5:00 PM

COUNCIL CHAMBERS

Richland County Council 2024-2025



Deirrek Pugh
District 2
Vice Chair



Jason Branham
District 1



Gretchen Barron
District 7



Yvonne McBride
District 3



Paul Livingston
District 4



Allison Terracio
District 5



Don Weaver
District 6



Overture Walker
District 8



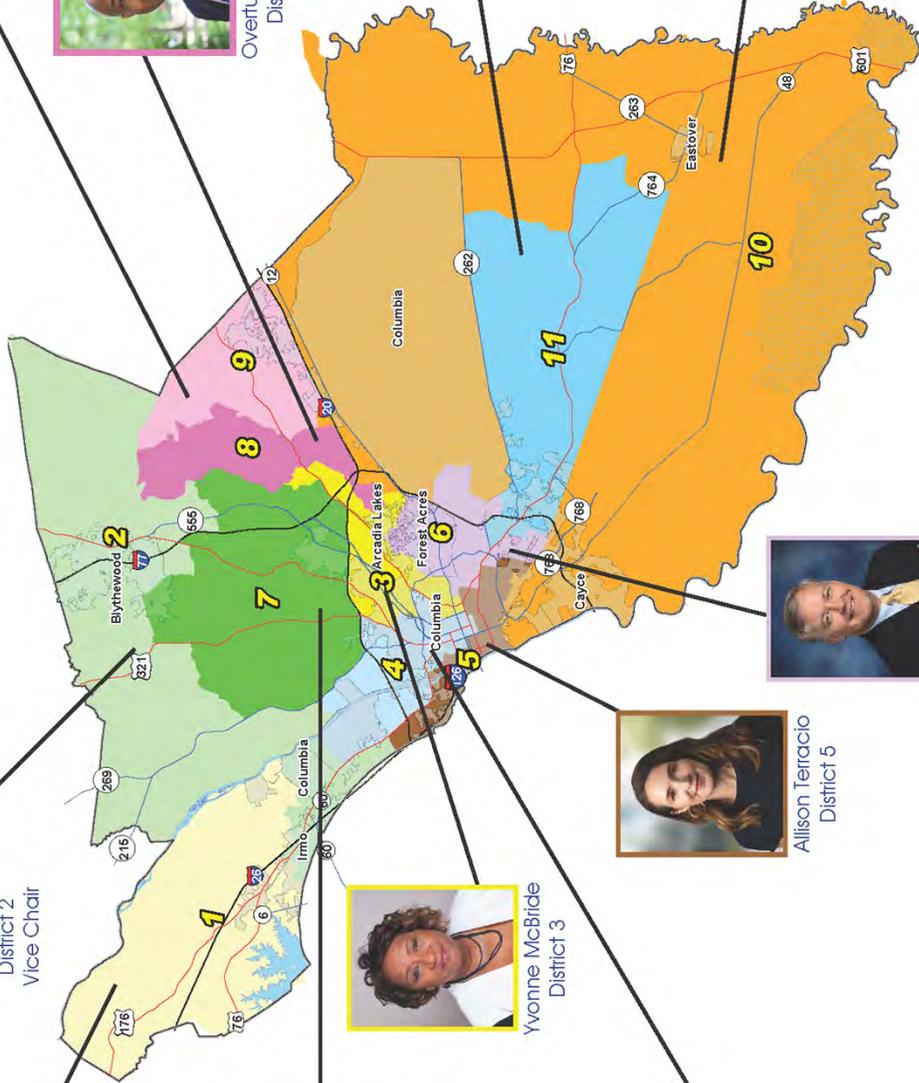
Chakisse Newton
District 11



Cheryl English
District 10



Jessica Mackey
District 9
Chair





**Richland County
Development and Services Committee**

AGENDA

April 23, 2024 - 5:00 PM
2020 Hampton Street, Columbia, SC 29204

The Honorable Jason Branham	The Honorable Allison Terracio	The Honorable Gretchen Barron	The Honorable Cheryl English	The Honorable Chakisse Newton, Chair
County Council District 1	County Council District 5	County Council District 7	County Council District 10	County Council District 11

1. **CALL TO ORDER** The Honorable Chakisse Newton

2. **APPROVAL OF MINUTES** The Honorable Chakisse Newton
 - a. March 26, 2024 **[PAGES 5-6]**

3. **ADOPTION OF AGENDA** The Honorable Chakisse Newton

4. **ITEMS FOR ACTION** The Honorable Chakisse Newton
 - a. Amendment to Chapter 17, Section 9- Through Truck Traffic Prohibited **[PAGES 7-11]**

 - b. I move that the administrator look at the illegal dumping ordinance and state law and investigate the incorporation of a community service element in the penalty for illegal dumping, as well as look into the possibility of levying a higher penalty for businesses that engage in illegal dumping, including the potential revocation or suspension of their business license, also incorporating an escalation schedule based on the weight of the material illegally dumped and whether the individual or business is a repeat offender within a twelve-month period **[PAGES 12-19]**

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Chakisse Newton
 - a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [Malinowski (Pugh, Newton) , January 3, 2023] **[PAGE 20]**

6. ADJOURNMENT

The Honorable Chakisse Newton



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
DEVELOPMENT AND SERVICES COMMITTEE
MINUTES
March 26, 2024 – 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Chakisse Newton, Chair; Jason Branham, Allison Terracio, Gretchen Barron, and Cheryl English

OTHERS PRESENT: Michelle Onley, Ashiya Myers, Angela Weathersby, Patrick Wright, Stacey Hamm, Anette Kyrlo, Michael Maloney, Shirani Fuller, Ashley Fullerton, Kyle Holsclaw, Dale Welch, Leonardo Brown, John Thompson, Jackie Hancock, Aric Jensen, Thomas Gilbert, Dante Roberts, Geo Price, Michael Byrd, Andrew Haworth, and Bill Davis

1. **CALL TO ORDER** – Councilwoman Chakisse Newton called the meeting to order at approximately 5:09 PM.
2. **APPROVAL OF MINUTES**
 - a. February 27, 2024 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. English.
In Favor: Branham, Terracio, Barron, English, and Newton
The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Ms. Barron moved to adopt the agenda as published, seconded by Ms. Terracio.
In Favor: Branham, Terracio, Barron, English, and Newton
The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
 - a. County Attorney’s Office – Road Closure Request – Cottontown Way – County Attorney, Patrick Wright, noted several departments were asked about this request. The Emergency Management Department expressed their concern about the closure of this particular road due to the potential delay of fire response, and the closure may also impact the roll-up door on the side. Ultimately, the court will decide but request a recommendation from the local governing body.

Ms. Newton inquired if there was a level of concern expressed by EMS.

Mr. Michael Byrd, Emergency Services Department Director, stated he visited the site, and it appeared the owner of the building had not been contacted or had given any input on the road’s closure. He noted they would be the ones most impacted by the closure. He indicated this is a furniture business, which would have a high fire load.

Ms. Terracio inquired about what function the road serves now.

County Administrator, Leonardo Brown, indicated this action comes before you because someone has petitioned the court system. Once that happens, the County has to provide input for the court to consider.

Mr. Byrd stated if you go out North Main Street, away from Elmwood Road, Franklin Street turns off to the right. The furniture store is at the corner, and the road itself goes down about 200 yards. The road ends into the backside of the old Jim Moore Cadillac property.

Ms. Barron inquired if there is a recommendation from staff on this item. She asserted if it is not impeding on someone's safety or causing any challenges, she asked why we would engage at this level.

Mr. Wright maintained that the concern is that if the road is closed, it could delay a fire response to the property, which is a furniture store and is a potential fire risk. In addition, apparently, the property owner was not aware there was a request to close the road. He noted there is time before this item gets to Council to obtain additional information.

Mr. Branham inquired if the request was for the first 350 feet off of Franklin Street and the justification for the closure. He additionally asked if we could report we looked at the request, and our EMS Department reported this and not take a position on supporting the closure.

Mr. Wright replied that we could report our concerns and that we could not recommend the closure.

Ms. Terracio moved to forward to Council with a recommendation to submit a response that we are not making a recommendation to close the road based on the information provided to us, seconded by Ms. Barron.

Ms. Newton requested that someone with legal experience draft the statement.

Mr. Wright indicated his office would draft the appropriate language.

In Favor: Branham, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

- b. Department of Public Works – Engineering Division – 1364 Northpoint Blvd. Easement Request – Mr. Brown stated that Dominion Energy requests access to the county's property to provide power for commercial development. Staff recommends approval of this item.

Ms. Barron moved to forward to Council with a recommendation to approve Dominion Energy's request to access easement through the property owned by Richland County at 1364 Northpoint Blvd. to provide power to a new commercial business, seconded by Ms. Terracio.

In Favor: Branham, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [PUGH, BARRON, and NEWTON - January 3, 2023] – An update was provided in the agenda packet. No action was taken.
- b. I move that the administrator look at the illegal dumping ordinance and state law and investigate the incorporation of a community service element in the penalty for illegal dumping, as well as look into the possibility of levying a higher penalty for businesses that engage in illegal dumping, including the potential revocation or suspension of their business license also incorporating an escalation schedule based on the weight of the material illegally dumped and whether the individual or business is a repeat offender within a twelve-month period [BRANHAM – February 26, 2024] – Mr. Brown stated a timeline for this item will be included in the next agenda packet.

6. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. English.

In Favor: Branham, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 5:30 PM.

**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Shirani Fuller	Title:	County Engineer
Department:	Public Works	Division:	Engineering
Date Prepared:	April 2, 2024	Meeting Date:	April 23, 2024
Legal Review	Patrick Wright via email	Date:	April 15, 2024
Budget Review	Maddison Wilkerson via email	Date:	April 4, 2024
Finance Review	Stacey Hamm via email	Date:	April 4, 2024
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Administration & Finance		
Subject	Amendment to Chapter 17, Section 9- Through Truck Traffic Prohibited		

RECOMMENDED/REQUESTED ACTION:

Staff recommends an amendment to Chapter 17, Section 9, to add the following roads to “Through truck traffic prohibited”:

Clearwater Rd	Crestbrook Rd	Edgewater Dr
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Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There is no cost associated with this request.

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

REGULATORY COMPLIANCE:

Chapter 17: Motor Vehicles and Traffic

MOTION OF ORIGIN:

There is no associated Council motion of origin.

STRATEGIC & GENERATIVE DISCUSSION:

Clearwater Rd, Crestbrook Rd, and Edgewater Dr are residential roads inside a neighborhood with front facing homes are being used as a cut-through between Parklane Rd and Legrand Rd. This is an older neighborhood without sidewalks where pedestrians are walking in or along the edge of the road. Truck traffic cutting through this neighborhood has increased in recent years posing a danger to residents walking through the community.

Public Works supports the addition of these roads to Chapter 17, Section 9 prohibiting trucks to use them as a shortcut. These are South Carolina Department of Transportation (SCDOT) maintained roads, and, if approved, SCDOT would take action to manufacture and install appropriate signage.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INITIATIVE:

- Goal 1: Foster Good governance
 - Objective - 1.5 Collaborate with other governments
- Goal 4: Plan for growth through Inclusive and equitable infrastructure
 - Objective - 4.3 Create excellent facilities
- Goal 5: Achieve positive public engagement
 - Objective - 5.2 Foster positive public engagement with constituents

ATTACHMENTS:

1. Ordinance 17.9 redlines
2. Map

Sec. 17-9. Through truck traffic prohibited.

(a) All through truck traffic is prohibited on the following roads in Richland County, South Carolina:

- (1) Sparkleberry Lane;
- (2) Congress Road between Leesburg Road and Gamers Ferry Road;
- (3) Bynum Road;
- (4) Summit Parkway;
- (5) Valhalla Drive;
- (6) Olympia Avenue between Heyward Street and Bluff Road;
- (7) Bakersfield Road between Dutch Square Boulevard and Mominghill Drive;
- (8) N. Donar Drive;
- (9) Prima Drive;
- (10) Longreen Parkway; and
- (11) Hobart Road;

~~(12) Clearwater Rd;~~

~~(13) Crestbrook Rd;~~

~~(14) Edgewater Dr.~~

Deleted: .

(b) For the purpose of this section, the following definitions shall apply:

(1) Truck means: a) every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and the load so drawn; b) every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and/or c) every vehicle having more than two (2) axles, with or without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle, and so constructed that no part of its weight rests upon the towing vehicle.

(2) Through truck traffic means truck traffic moving from the beginning point of the road to the ending point of the road without stopping.

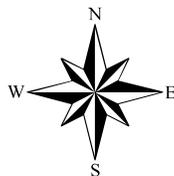
(Ord. No. 016-96HR, §I, 1-2-96; Ord. No. 061-01HR, § I, 9-4-01; Ord. No. 002-02HR, § I, 1-8-02; Ord. No. 001-06HR, § I, 1-3-06; Ord. No. 031-07HR, §I, 4-3-07; Ord. No. 058-10HR, §I, 9-21-10; Ord. No. 058-14HR, § I, 11-18-14; Ord. No. 040-18HR, §I, 9-11-18)

Roads Proposed for "Through Truck Traffic Prohibited" Clearwater Rd / Crestbrook Rd / Edgewater Dr



Roads Maintenance

- Interstate
- SCDOT
- County Paved
- Private or Other



1 inch = 750 feet



**RICHLAND COUNTY
ADMINISTRATION**

2020 Hampton Street, Suite 4069
Columbia, SC 29204
803-576-2050



Agenda Briefing

Prepared by:	Michael Maloney, PE	Title:	Director
Department:	Public Works	Division:	Special Services
Date Prepared:	March 12, 2024	Meeting Date:	April 23, 2024
Legal Review	Patrick Wright via email	Date:	April 15, 2024
Budget Review	Maddison Wilkerson via email	Date:	April 10, 2024
Finance Review	Stacey Hamm via email	Date:	April 15, 2024
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
Meeting/Committee	Development & Services		
Subject	Illegal Dumping Ordinance Update		

RECOMMENDED/REQUESTED ACTION:

Staff recommends approval of the proposed draft updated ordinance, which includes penalties for business involvement, hours of community service, fines, and the potential for jail time.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There is no anticipated fiscal impact associated with the adoption of the proposed draft.

OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:

Not applicable.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter as presented.

REGULATORY COMPLIANCE:

Richland County of Ordinances Chapter 12.

MOTION OF ORIGIN:

I move that the administrator look at the illegal dumping ordinance and state law and investigate the incorporation of a community service element in the penalty for illegal dumping, as well as look into the possibility of levying a higher penalty for businesses that engage in illegal dumping, including the potential revocation or suspension of their business license, also incorporating an escalation schedule based on the weight of the material illegally dumped and whether the individual or business is a repeat offender within a twelve-month period.

Council Member	The Honorable Jason Branham
Meeting	Development & Services
Date	February 27, 2024

STRATEGIC & GENERATIVE DISCUSSION:

The Department of Public Works staff reviewed the proposed language with that of other South Carolina counties as well as the language of County’s current ordinance. The State of South Carolina is also reviewing its statute regarding illegal dumping.

Sec. 12-5 (c) of the County’s Code of Ordinances reads:

Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.

Current Practices

The Special Services Division clears 15 to 25 sites per week, and it is very infrequent the materials are traceable to an individual. If materials can be traced to an individual, s/he may be subject to Magistrate Court proceeding and findings. In all cases, the Court may order the violating party to:

1. Remove the dumped litter;
2. Repair or restore the property;
3. Perform community service relating to the removal of illegally dumped litter or restoration of an area polluted by illegally dumped litter.

Richland County presently administers community service to those found guilty of illegal dumping by Court proceedings. This is an option in lieu of jail time or a fine. Currently, the fine for any offense is \$1,092.50.

The State statute fine is based on weight.

- a. Less than 15 lbs. – not more than \$100, not more than 30 days imprisonment, plus 8 hrs. of community service.
- b. 15 lbs. to 500 lbs. – not more than \$500, not more than 30 days imprisonment, plus 16 hrs. of community service increasing to a maximum of 32 hours of community service on the third violation.
- c. More than 500 lbs. – not more than \$1,000, not more than one-year of imprisonment.

The Richland County ordinance presently exceeds the fines of the State statute; however, the State statute has considerably more imprisonment time when littering over 500 lbs.

The State Statute addresses the motion's proposed community service component; therefore, staff also recommends adding the same to the County Ordinance.

Staff Recommendations

- a) "Other ordinance requirements"
- b) "Other ordinance requirements"
- c) Any person who violates the provisions of this chapter with less than 15 pounds of material shall be deemed guilty of a misdemeanor and, upon conviction, shall be required to complete 15 hours of community service and fined not more than five hundred (\$500.00) dollars.
- d) Any person who violates the provisions of this chapter with 15 pounds or more of material shall be deemed guilty of a misdemeanor and, upon conviction, shall be required to complete 30 hours of community service and fined not more than one thousand ninety two dollars and fifty cents (\$1,092.50) dollars.
- e) Any person who violates the provisions of this chapter for a second or more distinct offense and within 365 days of the prior offense, the community service shall be 50 hours, the fine shall be two thousand one hundred eighty five dollars \$2,185.00, and shall be imprisoned for not more than thirty (30) days.
- f) Any business identified to have participated or provided materials for improper disposal is subject to triple the amount of penalties of Section 12-66 (C), (D) or (E), and for 12-66 (C) is subject to flagging of the business license for renewal consideration, for 12-66 (D) or (E) is subject to revocation of the business license.

ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

- Goal 1 – Foster Good governance
 - Establish programmatic plan for review of countywide policies and procedures to ensure alignment with best practices.

ATTACHMENTS:

1. Draft Ordinance

ARTICLE VIII. ENFORCEMENT

Sec. 12-58. In General.

The Director of Public Works shall maintain a Refuse Control Section composed of duly appointed Codes Enforcement Officers who shall enforce the provisions of this Chapter.

Sec. 12-59. Littering.

It shall be unlawful for any person to discharge litter, in any quantity, from their person, vehicle, property, or any other conveyance.

Sec. 12-60. Illegal Dumping.

- (A) It shall be unlawful for any person to dump, allow another person to dump, or cause to be dumped any garbage, debris, household trash, litter, junk, appliances, equipment, cans, bottles, paper, trees, tree limbs, tree stumps, brush or parts thereof, or any other solid waste, anywhere in the unincorporated area of the county, except at an SCDHEC approved landfill. Failure of the owner to sufficiently limit access to the property where dumping is occurring shall be considered to be allowing another person to dump, thus would be unlawful.
- (B) The above provisions shall not apply to the dumping on private property, with the owner's written permission of sand, dirt, and stone for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment to ensure compliance with best management practices for storm water management.

Sec. 12-61. Covering vehicle loads.

It shall be unlawful for vehicles of any kind, transporting solid waste in any quantity, to fail in ensuring that said waste is contained therein by maintaining an adequate cover and containment throughout transit.

Sec. 12-62. Debris on Lots.

- (A) Declaration of nuisance. Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the County Director of Public Works. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.
- (B) Duty of owner, etc., to remove. It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris
- (C) Notice to owner, etc., to remove. Whenever the Director of Public Works shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.
- (D) Failure to comply with notice. If the person to whom the notice is directed, under the provisions of the preceding subsection fails, or neglects to cause such debris to be removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of this chapter.
- (E) Removal by County. In the event any property is determined to be a nuisance, and twenty(20) days has elapsed after such notice has been served, deposited in the United States mail, or posted upon the premises, then the Department of Public Works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a charge to the property owner, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

Sec. 12-63. Scavenging.

It shall be unlawful for any person to rummage through, take or gather items from County-owned or privately owned solid waste management facilities or any County-owned or privately owned solid waste management containers, including, but not limited to, bags, roll carts for garbage or recycling, bins, roll-off containers, or dumpsters.

Sec. 12-64. Evictions.

The placement of household goods and contents from a lawful eviction process, may, if necessary, be addressed in the same manner of the provision of Debris on a Lot (Sec. 12-62. above). Debris resulting from the lawful eviction process is assumed to be a mixed pile and therefore ineligible for collection under the Residential/Small Business Curbside Collection Program.

Sec. 12-65. Collected Solid Waste is County Property.

Once picked up for collection from the Residential/ Business Curbside Collection Program, or disposed of in any County Solid Waste Management Facility, all Solid Waste is County Property whose disposition is the responsibility of the County.

Sec. 12-66. Penalties.

- (A) If any of the matter or material dumped in violation of this Chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such owner dumped or caused to be dumped such matter or material in violation of this Chapter.
- (B) Appointed Refuse Control Officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the Magistrate's Court of the County to answer to the charge of violation of the appropriate section of this chapter.
- (C) Any person who violates the provisions of this chapter with less than 15 pounds of material shall be deemed guilty of a misdemeanor and, upon conviction, shall be required to complete 15 hours of community service and fined not more than five hundred (\$500.00) dollars.
- (D) Any person who violates the provisions of this chapter with 15 pounds or more of material shall be deemed guilty of a misdemeanor and, upon conviction, shall be required to complete 30 hours of community service and fined not more than one thousand ninety two dollars and fifty cents (\$1,092.50) dollars.
- (E) Any person who violates the provisions of this chapter for a second or more distinct offense and within 365 days of the prior offense, the community service shall be 50 hours, the fine shall be two thousand one hundred eighty five dollars \$2,185.00, and shall be imprisoned for not more than thirty (30) days.
- (F) Any business identified to have participated or provided materials for improper disposal is subject to triple the amount of penalties of Section 12-66 (C), (D) or (E), and for 12-66 (C) is subject to flagging of the business license for renewal consideration, for 12-66 (D) or (E) is subject to revocation of the business license.

Sec. 12-67. Miscellaneous Enforcement Provisions.

- (A) Appointed Code Enforcement Officers (hereinafter "Refuse Control Officers") shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.
- (B) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.
- (C) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization of Richland County.
- (D) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming/ removal, and transporting of any solid waste in Richland County.
- (E) Refuse Control Officers shall use Form S-438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.
- (F) If a non-compliant solid waste pile or roll cart, placed at curbside as part of the Residential / Small Business Curbside Collection Program, is not, in whole, brought into compliance for collection within a 15-day period following notification of non-compliance by the County, it shall be deemed to be an Illegal Pile and considered Illegal Dumping.
- (G) Preparation and storage of residential and/or small business solid waste for collection. It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all garbage properly, pending collection and disposal. Residential excess garbage beyond that which can be placed in the roll cart shall be neatly placed in sealed plastic bags alongside carts on designated collection days.
- (H) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide,

if necessary, to prevent nuisance.

- (I)** Each property owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) or on a public thoroughfare adjoining his or her property.
- (J)** It shall be a violation of this article to place or cause to be placed in any dumpster, solid waste receptacle, or bulk container for collection any acid, explosive material, flammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.
- (K)** No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of solid waste shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.
- (L)** Property owners shall be prohibited from receiving for deposit in their refuse containers any type refuse that originates outside their designated collection area
- (M)** Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.
- (N)** It shall be unlawful for a Resident / Small Business Owner to repeatedly leave Roll Carts at curbside in residential areas beyond the prescribed daily period for collection.



Item Pending Analysis

Prepared by:	ARIC JENSEN	Title:	Assistant County Administrator
Department:	Administration	Division:	
Date Prepared:	April 16, 2024	Meeting Date:	April 25, 2024
Approved for Consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Committee:	Development & Services		
Agenda Item/Council Motion:	Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [Malinowski (Pugh; Newton), 03 January 2023]		

EXECUTIVE SUMMARY (NARRATIVE STATUS):

Tischler-Bise (www.tischlerbise.com) has been contracted to perform the impact fee analysis. Staff met with principle Carson Bise on April 3, 2024 to establish a project schedule and prepare a list of data/information necessary to accomplish the study. At this time, County staff is gathering the requested information.

As a reminder, the initial analysis suggests that there are limited opportunities for impact fee collections in Richland County because impact fees in South Carolina typically must fund new facilities for school districts, recreation districts, and utilities, and cannot be used for ongoing operations. The purpose of this study is to determine what opportunities exist and to give the Council enough information to determine if it wants to move to the next step, which is to create an impact fee ordinance and program.

KEY ACCOMPLISHMENTS/MILESTONES:

February 2024	Consultant selected	completed
April 2024	Initial staff/consultant meeting	completed
April 2024	Data/Information request provided by consultant	completed

PENDING ACTIONS/DELIVERABLES AND ANTICIPATED COMPLETION DATES:

April-June 2024	Data collection and analysis	ongoing
July 2024	Report from consultant to Committee	estimated
July-September 2024	Council work session	to be determined