



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name: JOEL THRIFT
(Please Print)

Council Member Signature: *Joel Thrift*

Meeting Date: 5/15/12

Item for Discussion/Vote: # 11 - 2012-08

Reason for Absention: I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other: I do not have an interest in
this property. however a
family member does therefore
I am recusing myself

Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]



OCONEE COUNTY COUNCIL
ABSTENTION FORM

Council Member Name:

Wayne McCall

[Please Print]

Council Member Signature:

[Handwritten Signature]

Meeting Date:

5/15/12

Item for Discussion/Vote:

5/1/12 minutes (2x)

Reason for Absention:



I was not present for original meeting/discussion

I have a personal/familial interest in the issue.

Other:

[Handwritten Signature]
Elizabeth G. Hulse
Clerk to Council

[This form to be filed as part of the permanent record of the meeting.]



PUBLIC COMMENT SIGN IN SHEET

Tuesday, May 15, 2012

6:00 PM

Limited to forty [40] minutes, four [4] minutes per person.

Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker. As stated above, each speaker is restricted to a maximum of four [4] minutes.

Citizens with comments related to a specific action agenda item will be called first.

If time permits additional citizens may be permitted to speak on a non agenda items [at the discretion of the Chair].

PRINT Information Below

	FULL NAME	AGENDA ITEM FOR DISCUSSION	NON-AGENDA ITEMS
1	John DALEN	ZONING	
2	Shepherd Chuites	"	
3	George Schiller	"	
4	Stalzy Powell	"	
5	RAYMOND LOUDERMILK	"	
6	Greg Hammill	Ordinance 2012-03	
7	RICHARD MARCENWICK	SEWER	
8	BEN TURETZKY	MOU	MOU
9	MARK A. PELTON	ZONING	NOWH
10	Delaine Simmons Geddings	"	
11	Susie Cornelius	Budget + Roads	2012-01 2012-21
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19			
20	B. J.		

Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.

NOTE: Non Agenda Item matters can be addressed except for those which, due to law or proper protocol, would be inappropriate for public meetings of Council, such as, but not limited to, partisan political activity and/or comments.

Council may make closing comments directly following the public & extended public comment sessions if time permits.

Councilmen:

I am not here to attack you or to question your faith. I believe you have been well-intentioned when you supported investments in the county such as the sewer system, but I wish to contend for another approach to reinvigorating our business climate. What I have to say should stimulate your thought process and add to what should be a vigorous debate about the direction we are heading with this council, this state and the nation.

In order to properly grow our local economy, and encourage new businesses to relocate in our community, we need to create an environment of limited government interference in the marketplace. Low taxes and limited regulation will spur job creation.

The Republican platform affirms our faith in the God of the Bible. Biblical stories of Jesus showing mercy or compassion to the least of the people are often referenced by socialist-leaning do-gooders to suggest that Jesus supported socialism or social justice. What they fail to recognize is that Jesus did not take anything by force from anyone in order to show compassion. Jesus actively promoted individual responsibility and liberty. Jesus did not promote the taking by force the property of one for distribution to others. The redistribution of wealth is neither Biblical nor Constitutional.

In many ways the upcoming election is a referendum on capitalism and free market systems vs. socialist and legal plunder systems, usually under the guise of progress and economic stimulus. The Republican Party platform supports liberty and free market systems and also declares property to be the foundation or cornerstone of individual liberty. Today, our leaders are not following the principles of their Party's platform -- principles that made this country a world leader and the most prosperous nation ever.

I'd like to address zoning as it relates to socialist systems versus the free market concept. Zoning is the taking of property from people who own it and giving it to others without compensation to the owners. Through zoning, although you are not taking the physical property, you are controlling its use. Therefore it is no less the taking of property. Zoning is theft and socialism, by definition, is the taking of property by force of law, also known as legal plunder. Zoning is contrary to a free market system.

Zoning favors centralized and bureaucratic forces that claim government can do things better than the free market. The failures we are seeing in Europe are a failure of socialism, not a failure of free market capitalism. Socialism has never worked. Our nation's founders would be appalled at how far this nation has strayed from its founding principles, most especially those of property rights that they considered fundamental and foundational to all other rights. For Christians and Republicans to be promoting such a violation of basic principles is a travesty and betrayal of all that we claim to stand for. Generations to come will suffer the consequences for our actions should we not reverse this trend.

This same argument applies to economic development schemes that amount to government picking winners and losers in the marketplace under the guise of job creation. A final note: you can't have a little socialism. Socialism and liberty are like oil and water; they do not mix. Socialism is a cancer. You wouldn't want a little cancer in your body. All of it needs to be removed or it will continue to grow and eventually destroy the body.

I pray this council will revisit the entire issue of zoning as well as economic investment in the community. I implore you to study the foundational principles that allowed this nation to prosper and restore government to its proper role.

Vote!

South Carolina House District 1
A True Conservative

John Dalen
 Republican

Defending Liberty
 Free Market Principles
 Transparent & Responsible Government

Ph. 864 647-4705
www.johndalenforSCHouse.com
 Email: johndalen@gmail.com

The United States is a young nation, and we are now facing a new generation of challenges. We must protect our liberty and our free market principles. We must ensure that our government is transparent and responsible. We must defend the rights of all Americans, and we must ensure that our country remains a true conservative.

The Republican platform affirms our faith in the Bible, the Bill of Rights, and the principles of our founding. We believe in the sanctity of life, and we believe in the right of every American to life, liberty, and the pursuit of happiness. We believe in the right of every American to own property, and we believe in the right of every American to work for a living. We believe in the right of every American to worship God in their own way, and we believe in the right of every American to speak their mind.

Every citizen has the right to a fair trial, and every citizen has the right to a fair hearing. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing.

It is our duty to protect our country, and it is our duty to protect our liberty. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing. We believe in the right of every citizen to a fair trial, and we believe in the right of every citizen to a fair hearing.

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DUKE ENERGY-OCONEE COUNTY

MOU

II. PURPOSE

To promote coordination of activities to the mutual benefit of the Parties of this MOU, the public being served by the Parties and the Project's resource values

...Duke and the Governmental Entity desire to provide an effective means to coordinate their land and/or water management responsibilities including: 1) availability and sharing of data associated with the Project, 2) reservoir buffer monitoring and enforcement activities, 3) lake use permitting review, and 4) land use and zoning considerations in the protection and enhancement of the Project and adjoining lands within each Party's jurisdiction. The Parties agree to support the management of the shoreline and upland buffer by coordinating buffer monitoring and enforcement activities.

Duke will provide additional buffer monitoring capabilities to enhance the existing monitoring conducted by the Governmental Entity. The Governmental Entity will provide Duke the most current buffer regulations for the Governmental Entity's jurisdiction. Duke will provide this information to its appropriate Lake

Services Representatives ("Reps") for the particular region. **The Reps will become familiar with the basic requirements of the regulations. During routine lake use permitting surveillance activities, the Reps will note any potential buffer violations and report the location and nature of the activity to the appropriate Governmental Entity within three (3) business days of noting the activity...** In addition Duke will withhold review of any pending or future permitting activities for the property in question until all buffer, sedimentation/erosion control and SMG violation issues are resolved or a remedial action plan,

A PRACTICAL EXAMPLE OF HOW THE MOU MAY BE HELPFUL IN RESOLVING A BUFFER ISSUE. DUKE HAVE VIDEO OF THE ENTIRE SHORELINE, THAT MIGHT SHOW WHAT TREES EXISTED ON THIS PROPERTY AT ONE POINT.





TEMPLATE FOR A MEMORANDUM OF UNDERSTANDING BETWEEN THE LICENSEE AND STATES, COUNTIES, AND MUNICIPALITIES

Memorandum of Understanding
Between Duke Power Company LLC, doing business as Duke Energy Carolinas,
LLC
and the
States, Counties, and Municipalities
Adjoining the Catawba-Wateree Hydro Project (FERC No. 2232)

I. PARTIES

This Memorandum of Understanding (MOU) is made and entered into by and between _____ (State / County / Municipality), bordered by the Catawba-Wateree Hydro Project No. 2232 (the "Project"); hereafter referred to as the "Governmental Entity"; and Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC ("Duke"). Collectively, the Governmental Entity and Duke are hereinafter referred to as the "Parties".

II. PURPOSE

To promote coordination of activities to the mutual benefit of the Parties of this MOU, the public being served by the Parties and the Project's resource values.

III. SCOPE OF WORK

Duke operates the Project under a license from the Federal Energy Regulatory Commission (FERC) and the license includes, among other things, the responsibility for Duke to manage uses of Project lands and waters. The Governmental Entity also has certain responsibilities to manage land and/or water uses either within or adjoining the FERC Project Boundaries.

Duke and the Governmental Entity desire to provide an effective means to coordinate their land and/or water management responsibilities including: 1) availability and sharing of data associated with the Project, 2) reservoir buffer monitoring and enforcement activities, 3) lake use permitting review, and 4) land use and zoning considerations in the protection and enhancement of the Project and adjoining lands within each Party's jurisdiction.

A. Data Availability

The Parties agree to allow the mutual sharing of data to the greatest extent possible and subject to any mutually agreed-upon reservations. The various types and formats for data may be modified from time to time, but typically involve non-proprietary public data such as, but not limited to: 1) Shoreline Management Plan Maps (GIS); 2) County tax parcels (GIS coverages); 3) Duke aerial photography; 4) Light Detection and Ranging (LiDAR) contours; 5) Project wetlands mapping data layers; 6) Hydro Licensing Land Committee publicly-available data layers and 7) other similar data.



B. Lake Monitoring/Enforcement Activities

The Parties agree to support the management of the shoreline and upland buffer by coordinating buffer monitoring and enforcement activities. Duke will provide additional buffer monitoring capabilities to enhance the existing monitoring conducted by the Governmental Entity. The Governmental Entity will provide Duke the most current buffer regulations for the Governmental Entity's jurisdiction. Duke will provide this information to its appropriate Lake Services Representatives ("Reps") for the particular region. The Reps will become familiar with the basic requirements of the regulations. During routine lake use permitting surveillance activities, the Reps will note any potential buffer violations and report the location and nature of the activity to the appropriate Governmental Entity within three (3) business days of noting the activity.

Likewise, Duke will provide the Governmental Entity its most current Shoreline Management Guidelines (SMG) with the expectation that any Governmental Entity will notify Duke within a similar timeframe (i.e., 3 business days) of any potential SMG violation within the Project Boundaries (full pond contour MSL) of a particular reservoir. Duke will document this interaction by tabulating the number of reported incidents, to whom reports were provided and when, and the nature of the potential violation.

The Parties further agree to coordinate and support each other's enforcement activities (as allowed by state regulation or county / municipal ordinance). In addition Duke will withhold review of any pending or future permitting activities for the property in question until all buffer, sedimentation/erosion control and SMG violation issues are resolved or a remedial action plan, satisfactory to the affected Parties, is accepted. Coordination of these enforcement activities will be in the form of e-mail or fax notification. See Attachment A {to be developed when the MOU is finalized} for a listing of the specific contacts within Duke and the Governmental Entity.

C. Lake Use Permitting Review

The Parties also agree to coordinate and support each other's permit review processes for activities within the Project Boundaries. Duke will continue to require, as part of its SMG criteria that all facility construction, stabilization, and/or excavation activities comply with all applicable local, state and federal regulations. Duke will coordinate with the Governmental Entity to develop a mutually satisfactory protocol to notify one another that authorization has been granted or denied. Typically, this will involve all lake use permit applicants being directed by Duke to contact the appropriate Governmental Entity for review and any required authorizations prior to Duke accepting a lake use permit application as complete. Also, for the benefit of the lake use permit applicant and those Governmental Entities involved in permit review, Duke will require lake use permit applicants to include copies of any required building permits or other authorization documentations in its applications. This verification can be provided by either the applicant or the Governmental Entity.

D. Land Use and Zoning Considerations

While the Shoreline Management Plan (SMP) classification maps and associated lake use restrictions provide a function similar to zoning in considering future uses of shoreline areas within the FERC Project Boundaries, they are not intended to be a substitute for or directly tied to local land use and zoning plans. Local land use and zoning plans are typically more restrictive and tailored to the conditions that exist in a very specific location. Additionally, local land use and zoning plans often include a mechanism that provides some degree of flexibility for



modification to meet specific circumstances. Because of this fact, and the fact that the SMP classifications and lake use restrictions are determined and implemented based on Project specific conditions, and have little or no flexibility to modify the future uses without FERC review and approval, the SMP classifications may not be consistent with local land use plans and zoning. It is critical to understand that although there may be instances of inconsistency between the two, the SMP classifications do not supersede or alter the authority and effectiveness of the local plans.

The Parties agree that considerable effort has been invested in the development and implementation of local land use and zoning plans. Further, these plans should not be superseded by other entities that may require less restriction associated with a particular use. To continue to reinforce the effectiveness and implementation of these local plans, Duke agrees to not issue a permit for activities in conflict with local plans, provided Duke is made aware of the conflict by the Governmental Entity. Additionally, Duke will not interfere with implementation of the local plans, by either supporting a position by a lake use permit applicant that is contrary to the allowed use under the local plans or by circumventing an established permit review protocol as identified in the Lake Use Permitting Review section of this MOU or the requirements of the SMG that require all lake use permit applicants to comply with all applicable local, state, and federal regulations.

IV. MUTUAL AGREEMENTS

(Specific detailed protocols will be developed on an individual basis with the Parties at the time of negotiating a final Memorandum of Understanding. This will allow flexibility in assuring each individual Memorandum of Understanding will more adequately meet the needs of all Parties.)

It is mutually agreed by all Parties to this MOU that:

- A. The Parties will review the effectiveness of the MOU after the first year and every ten years beginning in 2008 and evaluate potential modifications that more adequately address the purpose of this MOU.
- B. The Parties will work in partnership to promote the MOU, and its benefits to the Project and community, in discussions with other resource management agencies, adjoining property owners, land developers, governments, elected officials, non-governmental organizations, and the general public.
- C. Duke, within the limits of its permitting authority, will support implementation and enforcement by the Governmental Entity of regulations within and adjacent to the FERC Project Boundaries, including but not limited to sedimentation and erosion control, buffer creation/maintenance/restoration, and land use planning and zoning, but Duke will not as part of this MOU directly implement and enforce any regulation except as specifically identified in this MOU or as required by law.
- D. Should the Governmental Entity desire to create and develop a visioning or long-range planning process related to the overall character of the reservoir area and future development within and adjacent to the FERC Project Boundaries, then Duke will participate in, but not lead, that effort.
- E. In the event that a Party no longer approves implementation of any of the provisions referenced in this MOU, the individual Party and Duke agree to promptly confer to



determine what, if any, modifications to this MOU should be made to address the issue(s) of concern.

- F. In the event that a Party no longer desires to be a part of this MOU or any modification(s), then the individual Party and Duke in their sole discretion may terminate their relationship within this MOU. Written notice must be provided by the Party desiring to withdraw from the MOU at least thirty days prior to termination.
- G. Each Party agrees that it will be responsible for its own acts and the results thereof and shall not be responsible for the acts of the other Party and the results thereof. Each Party, therefore, agrees that it will assume all risk and liability to itself, its agents or employees, for any injury to persons or property resulting in any manner from the conduct of its own operations, and the operation of its agents or employees under this MOU, for any loss, cost, damage, or expense resulting at any time from any and all causes due to any act or acts, negligence, or the failure to exercise proper precautions, of or by itself or its agents or its own employees, while occupying or visiting the premises under and pursuant to the MOU.
- H. The terms of the MOU will apply to the following reservoirs of the Catawba-Wateree Project No. 2232 even if any of the associated hydro developments are included in different FERC licenses:
{List applicable reservoir names.}
- I. This MOU will terminate with the expiration of the New License unless the Parties agree to renew this MOU, but no Party is obligated to renew.

V. FUNCTIONS

{Specific detailed protocols will be developed on an individual basis with the Parties at the time of negotiating a final Memorandum of Understanding. This will allow flexibility in assuring each individual Memorandum of Understanding will more adequately meet the needs of all Parties. This could include such items as coordinated permit review based on buffer regulations, sedimentation/erosion control and other regulations.}

A. Duke Power Company LLC

Duke agrees to:

B. The Governmental Entity

The Governmental Entity agrees to:

VI. SIGNATURES

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as of the last written date below.



Governmental Entity

_____ *(Printed Name of Signer)*

_____ *(Signature)*

_____ *(Title)*

_____ *(Date)*

Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC

_____ *(Printed Name of Signer)*

_____ *(Signature)*

_____ *(Title)*

_____ *(Date)*

Executive Summary

Our 2019 performance was strong, driven by operational excellence and strategic investments. We achieved record earnings and maintained a strong balance sheet. Our focus on safety and customer service remains a top priority.

Markovich Homes **309 Rochester Highway** **Seneca S.C. 29672**

Oconee County Council
415 S. Pine Street
Walhalla SC 29691

May 13, 2012

Comment regarding the Public Hearing on Oconee County Code of Ordinances, Chapter 38 Zoning, identified as Ordinance 2012-14.

Chairman Joel Thrift, County Council Members, Mr. Molder, Ms. Hulse, and Mr. Martin

Unfortunately I am unable to attend the Public Hearing that is scheduled regarding Ordinance 2012-14. While the Council is well aware of my thoughts about certain portions of Chapter 38 of the Oconee County Code of Ordinances I am compelled to continue to object to what I believe is a violation of the South Carolina Home Rule Act. Additionally, there are a number of constitutional problems with the Ordinance, both as currently written and the proposed version.

I will not belabor my point regarding Re-Zoning by the Small Area Method as I have spoken many times on the issue. However, I do believe that this method does violate a person's right to have a hearing in a Court of Law because of the issues involving legal standing. Additionally, I believe that allowing a petition for re-zoning to be heard on a majority is nothing less than a referendum vote to initiate a rezoning and violates the Home Rule Act. It matters very little to someone affected by this process if a petition initiates a referendum or vice versa at the conclusion a person has been affected by a majority decision and that in any other jurisdiction is considered a vote. The results of the small area method can only be view as a process also known as a hostile takeover and nothing less.

Other issues regarding Chapter 38 involve a local ordinance having the effect of changing a General Law. One example is Section 38 – 2.7 Complaints; this section restricts the ability to make a complaint to only persons residing in the same planning area in which the violation occurs, yet State Law clearly allows that any adjoining property owner may file a complaint. Oconee's process would make it impossible for many property owners to file a complaint. No business would be allowed to file a complaint because businesses do not reside. Furthermore, if a person determined to petition the courts for redress it is questionable where the person could go forward based on Ripness Doctrine.

There are a number of other issues regarding this matter but it would seem that a Prudent Council would find that if a person were harmed in the very slightest manner it would be deemed reprehensible. As I have stated many times before I am a strong supporter of Zoning but the methods employed by Oconee County fall short of what is required by State Law.

I speak against passage of this ordinance in its current wording.

Sincerely,
Tom Markovich



MUSEUM OF THE
CHEROKEE
IN SOUTH CAROLINA

70 Short Street, Walhalla, SC 29691

May 8, 2012

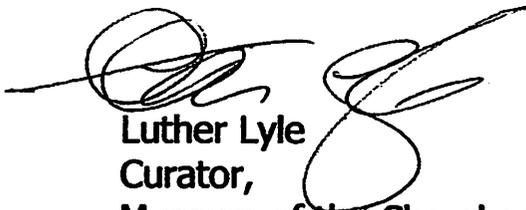
McCall Welding and Mechanical
260 Mountain Springs Road
West Union, SC 29696

Dear Wayne,

I want to thank you for your donated labor and your excellent work on the customized door lock plate you fabricated for the Museum of the Cherokee in South Carolina, located at 70 Short Street in Walhalla.

Your willingness to help with projects such as this in our community is much appreciated and does not go unnoticed.

Thanks again for all you do for Oconee County.



Luther Lyle
Curator,
Museum of the Cherokee in South Carolina

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
PROCLAMATION P2012-05**

**A PROCLAMATION DECLARING MAY 22, 2012, AS FREE
CLINIC AWARENESS DAY IN OCONEE COUNTY.**

WHEREAS, it is estimated that forty-nine million Americans lack health insurance; and

WHEREAS, the National Association of Free Clinics and the South Carolina Association of Free clinics are dedicated to educating the public, press, Congress, federal and state agencies, pharmaceutical companies, and other corporations about Free Clinics and the important service they provide to America's uninsured and underinsured; and

WHEREAS, Free Clinics are volunteer-based, safety-net health care organizations that provide a range of medical, dental, pharmacy, and/or behavioral health services to the economically disadvantaged citizens who are predominately uninsured; and

WHEREAS, Free Clinics provide essential services regardless of the patient's ability to pay; and

WHEREAS, the South Carolina Free Clinic Association and its forty-nine members join a network of self-advocates, agencies, and volunteers across the State to honor May 22, 2012, as "SC Free Clinic Awareness Day". The day will commemorate the progress toward improving the lives of people with no access to health care coverage and also highlight the challenges that remain in achieving full access to health care for all of our citizens.

NOW, THEREFORE, it is hereby resolved by Oconee County Council, in meeting duly assembled, declares that May 22, 2012 is Free Clinic Awareness Day in Oconee County.

RESOLVED this 15th day of May, 2012, in meeting duly assembled.

OCONEE COUNTY, SOUTH CAROLINA

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to Council
Oconee County, South Carolina

By: _____
Joel Thrift, Chairman of County Council
Oconee County, South Carolina

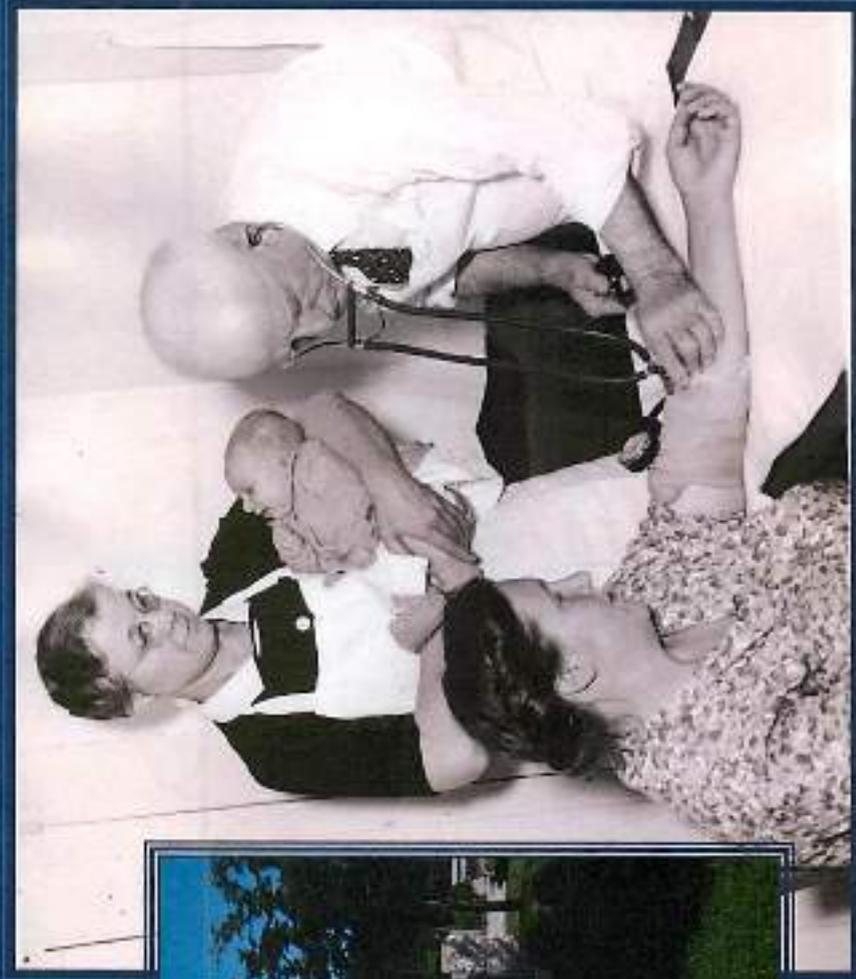


County Council Agenda

May 15, 2012

Consideration of the Following Proclamations

**Proclamation P2012-05 "A PROCLAMATION DECLARING
MAY 22, 2012, AS FREE CLINIC AWARENESS DAY IN
OCONEE COUNTY"**





PUBLIC HEARING SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

DATE: May 15, 2012

6:30 p.m.

Third & Final Reading of Ordinance 2012-07 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO" [*Saxony Forest Rezoning Request*]

Third & Final Reading of Ordinance 2012-08 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO" [*Dr. Johns & Lonesome Valley Rezoning Request*]

Third & Final Reading of Ordinance 2012-09 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO" [*Camp Creek Farm Rezoning Request*]

Third & Final Reading of Ordinance 2012-10 "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO" [*Erwin Rogers Drive Rezoning Request*]

Third & Final Reading of Ordinance 2012-14 "AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO"

Third & Final Reading of Ordinance 2012-15 "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC"

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Everyone speaking before Council will be required to do so in a civil manner.

Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted.

Council's number one priority is to conduct business for the citizens of this county.

All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



PUBLIC HEARING SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: May 15, 2012 **6:30 p.m.**

PRINT Your Name & Check Ordinance[s] You Wish to Address

	Ordinance #	2012-07	2012-08	2012-09	2012-10	2012-14	2012-15
1.	Doyle Barnes		✓				
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AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Third Reading of Ordinance 2012-07: "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"

BACKGROUND OR HISTORY:

The proposed ordinance 2012-07 consists of 53 parcels included in Saxony Forest and Saxony Point Subdivisions in Oconee County. Council took first reading on February 21, 2012. The Planning Commission reviewed the proposal and all public input received and made a recommendation on March 5, 2012. Council took 2nd reading on April 3, 2012 as recommended and scheduled a public hearing for May 15th, 2012. Since that time, one parcel split has occurred and the additional parcel (163-00-03-159) has been included in the current ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take 3rd and final reading of ordinance 2012-07.

FINANCIAL IMPACT:

None Anticipated

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: N/A

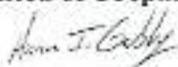
ATTACHMENTS

Ordinance 2012-07

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

Ref: Saxony Forest

PROPERTY OF THE COUNTY OF
SAXONY FOREST

AGENDA ITEMS SUMMARY

The following items are proposed for consideration at the next meeting of the Council. It is the responsibility of the Department Head / Elected Officials to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

1. [Illegible text]

2. [Illegible text]

3. [Illegible text]

4. [Illegible text]

5. [Illegible text]

6. [Illegible text]

7. [Illegible text]

8. [Illegible text]

9. [Illegible text]

10. [Illegible text]

11. [Illegible text]

12. [Illegible text]

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-07**

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the "County Council"), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the "Act"), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the "Code") to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the "Zoning Enabling Ordinance", or "ZEO"), codified at Chapter 38 of the Oconee Code of Ordinances (the "Oconee County Code"), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of the Zoning Enabling Ordinance, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance was duly presented to County Council; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment's compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the rezoning request, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Control-Free District (CFD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Lake Residential District (LRD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code.

Parcel (Tax Identification Number)

163-00-03-007	163-00-03-025	163-00-03-043	163-00-03-061
163-00-03-009	163-00-03-027	163-00-03-045	163-00-03-065
163-00-03-010	163-00-03-028	163-00-03-046	163-00-03-066
163-00-03-011	163-00-03-029	163-00-03-047	163-00-03-067
163-00-03-012	163-00-03-030	163-00-03-048	163-00-03-068
163-00-03-013	163-00-03-031	163-00-03-049	163-00-03-156
163-00-03-014	163-00-03-032	163-00-03-050	163-00-03-157
163-00-03-015	163-00-03-033	163-00-03-051	163-00-03-159
163-00-03-016	163-00-03-034	163-00-03-052	
163-00-03-018	163-00-03-035	163-00-03-053	
163-00-03-019	163-00-03-036	163-00-03-054	
163-00-03-020	163-00-03-037	163-00-03-055	
163-00-03-021	163-00-03-039	163-00-03-056	
163-00-03-022	163-00-03-041	163-00-03-057	
163-00-03-024	163-00-03-042	163-00-03-059	

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

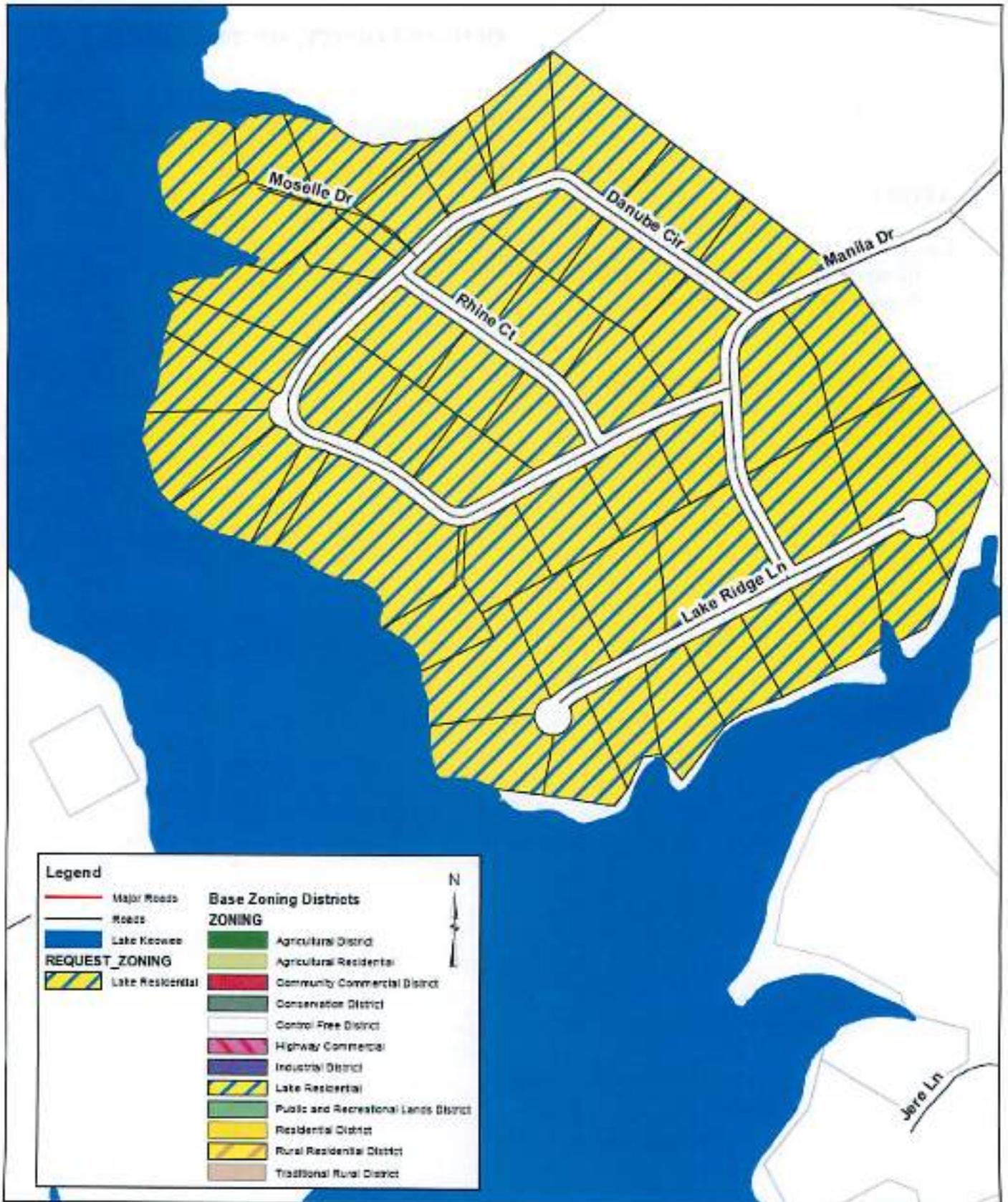
By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: February 21, 2012
Second Reading: April 3, 2012
Public Hearing: May 15, 2012
Third Reading: May 15, 2012

APPENDIX A
Parcels Rezoned by Ordinance 2012-07



Ref: Dr. Johns and Lonesome Valley Rezoning Request
AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Third Reading of Ordinance 2012-08: "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"

BACKGROUND OR HISTORY:

The proposed ordinance 2012-08 consists of 21 parcels, consisting of approximately acres in the vicinity of Dr. Johns and Lonesome Valley Road in Oconee County. Council took first reading by on February 21, 2012. The Planning Commission reviewed the proposal and all public input received and made a recommendation on March 5, 2012 to rezone all parcels into the Traditional Rural District. Council took 2nd reading on April 3, 2012 and scheduled he public hearing on May 15, 2012.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take 3rd and final reading of ordinance 2012-08

FINANCIAL IMPACT:

None Anticipated

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: N/A

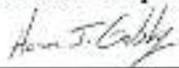
ATTACHMENTS

Ordinance 2012-08

Reviewed By/ Initials:

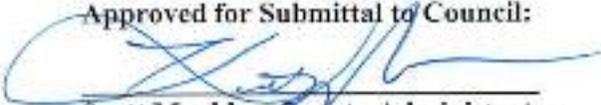
_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-08**

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “County Council”), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the “Act”), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the “Code”) to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the “Zoning Enabling Ordinance”, or “ZEO”), codified at Chapter 38 of the Oconee Code of Ordinances (the “Oconee County Code”), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of the Zoning Enabling Ordinance, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance was duly presented to County Council; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment’s compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the rezoning request, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Control-Free District (CFD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Traditional Rural District (TRD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code.

Parcel (Tax Identification Number)

306-00-01-012	297-00-05-008	297-00-05-004	305-00-01-147	306-00-01-003
306-00-01-008	306-00-01-011	306-00-01-022	306-00-01-010	
297-00-05-005	306-00-02-038	306-00-01-023	306-00-01-006	
297-00-05-006	306-00-02-055	306-00-01-004	306-00-01-007	
297-00-05-007	297-00-05-001	305-00-01-009	297-00-04-010	

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

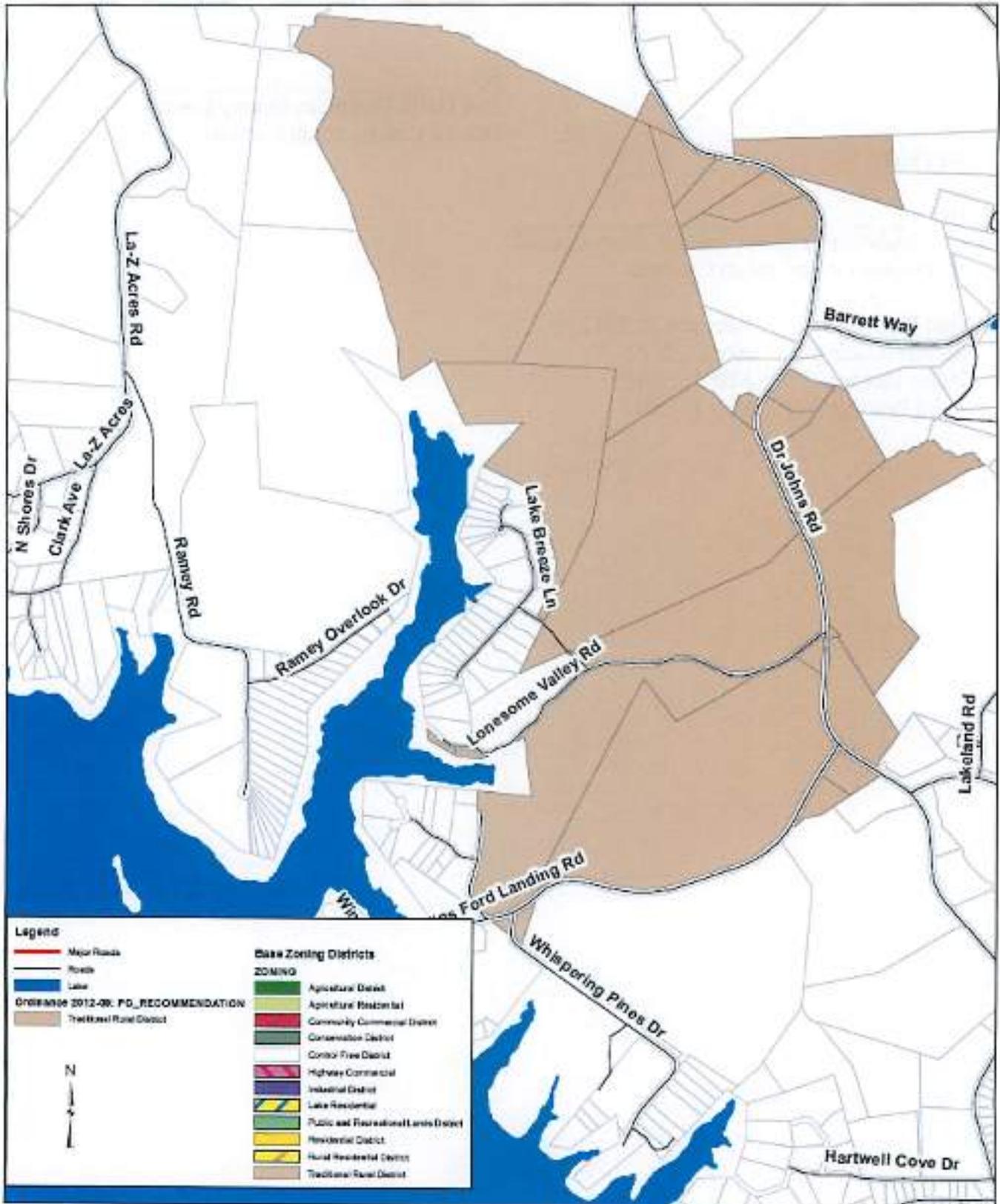
ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: February 21, 2012
Second Reading: April 3, 2012
Public Hearing: May 15, 2012
Third Reading: May 15, 2012

APPENDIX A

Parcels Rezoned by Ordinance 2012-08



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Third Reading Ordinance 2012-09: "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"

BACKGROUND OR HISTORY:

The proposed ordinance 2012-09 consists of 9 parcels, consisting of approximately 270 acres in the vicinity of Burns Mills Road and Safety Harbor Road in Oconee County. Council took first reading on February 21, 2012. The Planning Commission reviewed the proposal and all public input on March 5, 2012 recommending all parcels be zoned as the Traditional Rural District. Council took 2nd reading on April 3, 2012 as recommended and scheduled a public hearing on May 15, 2012.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take 3rd and final reading on ordinance 2012-09.

FINANCIAL IMPACT:

None Anticipated

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: N/A

ATTACHMENTS

Ordinance 2012-09

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Ann J. Cobley

Department Head/Elected Official

Approved for Submittal to Council:

Scott Moulder

Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-09**

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “County Council”), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the “Act”), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the “Code”) to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the “Zoning Enabling Ordinance”, or “ZEO”), codified at Chapter 38 of the Oconee Code of Ordinances (the “Oconee County Code”), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of the Zoning Enabling Ordinance, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance was duly presented to County Council; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment’s compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the rezoning request, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Control-Free District (CFD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Traditional Rural District (TRD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code.

Parcel (Tax Identification Number)

162-00-01-004
162-00-01-005
162-00-01-041
162-00-02-001
162-00-02-003
162-00-02-006
163-00-01-022
163-00-01-029
163-00-01-078

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

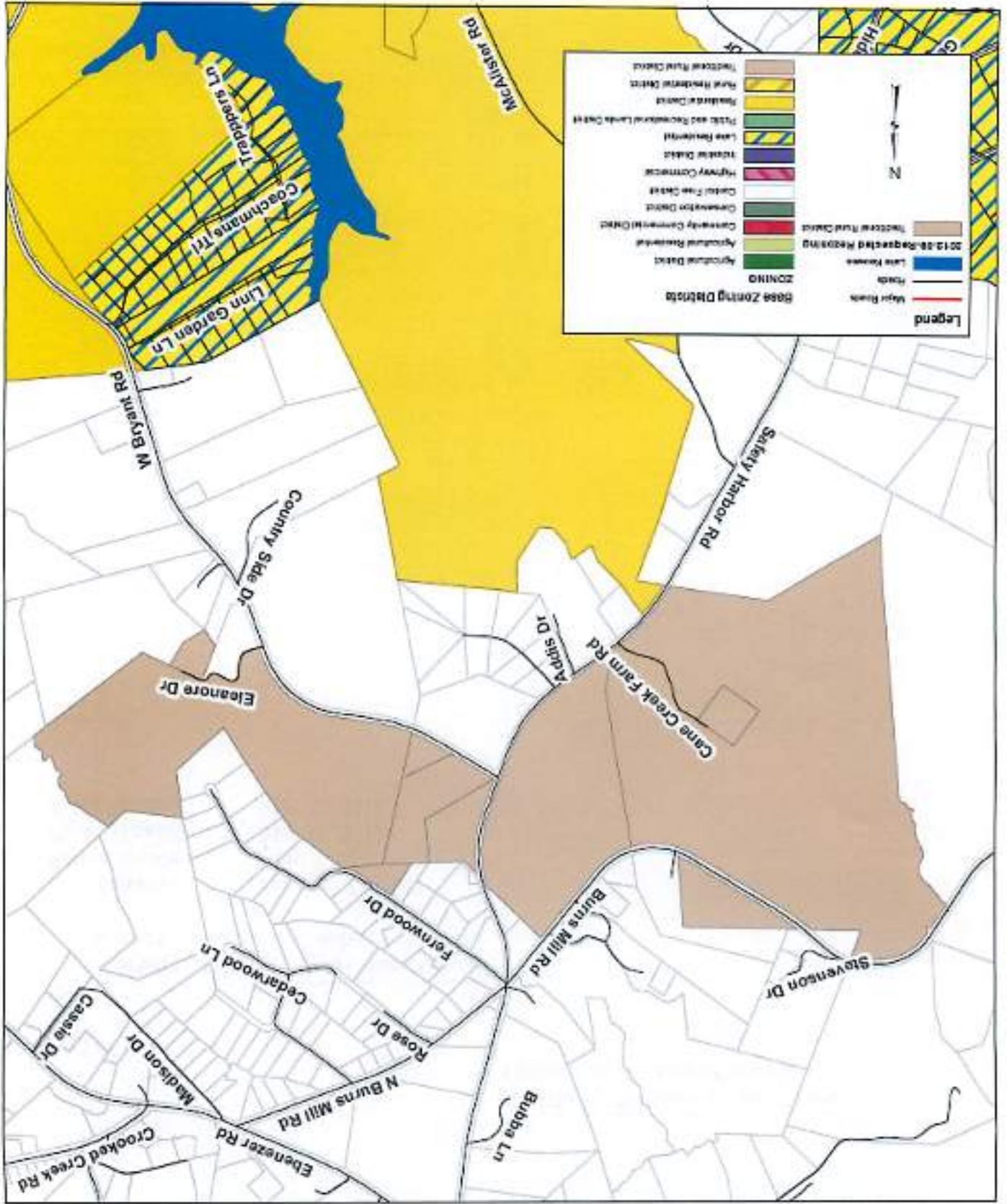
OCONEE COUNTY, SOUTH CAROLINA

By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: February 21, 2012
Second Reading: April 3, 2012
Public Hearing: May 15, 2012
Third Reading: May 15, 2012



Parcels Rezoned by Ordinance 2012-09

APPENDIX A

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

Third Reading of Ordinance 2012-10: "AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO"

BACKGROUND OR HISTORY:

The proposed ordinance 2012-10 consists of 3 parcels in the vicinity of Ervin Rogers Road in Oconee County. Council took first reading on February 21, 2012. The Planning Commission reviewed the proposal and recommended all parcels to be zoned as Traditional Rural District. Council took 2nd reading on April 3, 2012 as recommended and scheduled the public hearing for May 15, 2012.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take 3rd and final reading of ordinance 2012-10.

FINANCIAL IMPACT:

None Anticipated

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: N/A

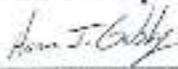
ATTACHMENTS

Ordinance 2012-10

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Scott Moulder, County Administrator

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-10**

AN ORDINANCE TO AMEND THE OCONEE COUNTY ZONING ENABLING ORDINANCE, ORDINANCE 2007-18, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY, AS TO REZONE A SERIES OF PARCELS SPECIFIED HEREIN, AND TO RATIFY AND AFFIRM ALL OTHER PROVISIONS OF ORDINANCE 2007-18 NOT AMENDED OR MODIFIED HEREBY; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “County Council”), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the “Act”), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the “Code”) to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, by and through its Zoning Enabling Ordinance, 2007-18, finally adopted on November 6, 2008 (the “Zoning Enabling Ordinance”, or “ZEO”), codified at Chapter 38 of the Oconee Code of Ordinances (the “Oconee County Code”), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of the Zoning Enabling Ordinance, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance was duly presented to County Council; and,

WHEREAS, in accordance with the Act and the Zoning Enabling Ordinance, Oconee County Council has referred such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment’s compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, reviewed the rezoning request, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend the Zoning Enabling Ordinance, as codified at Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and to otherwise ratify and reaffirm the Zoning Enabling Ordinance and other provisions of Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Control-Free District (CFD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Traditional Rural District (TRD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code.

Parcel (Tax Identification Number)

120-00-02-004
120-00-02-012
120-00-02-042

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. The Zoning Enabling Ordinance, Ordinance 2007-18, and Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

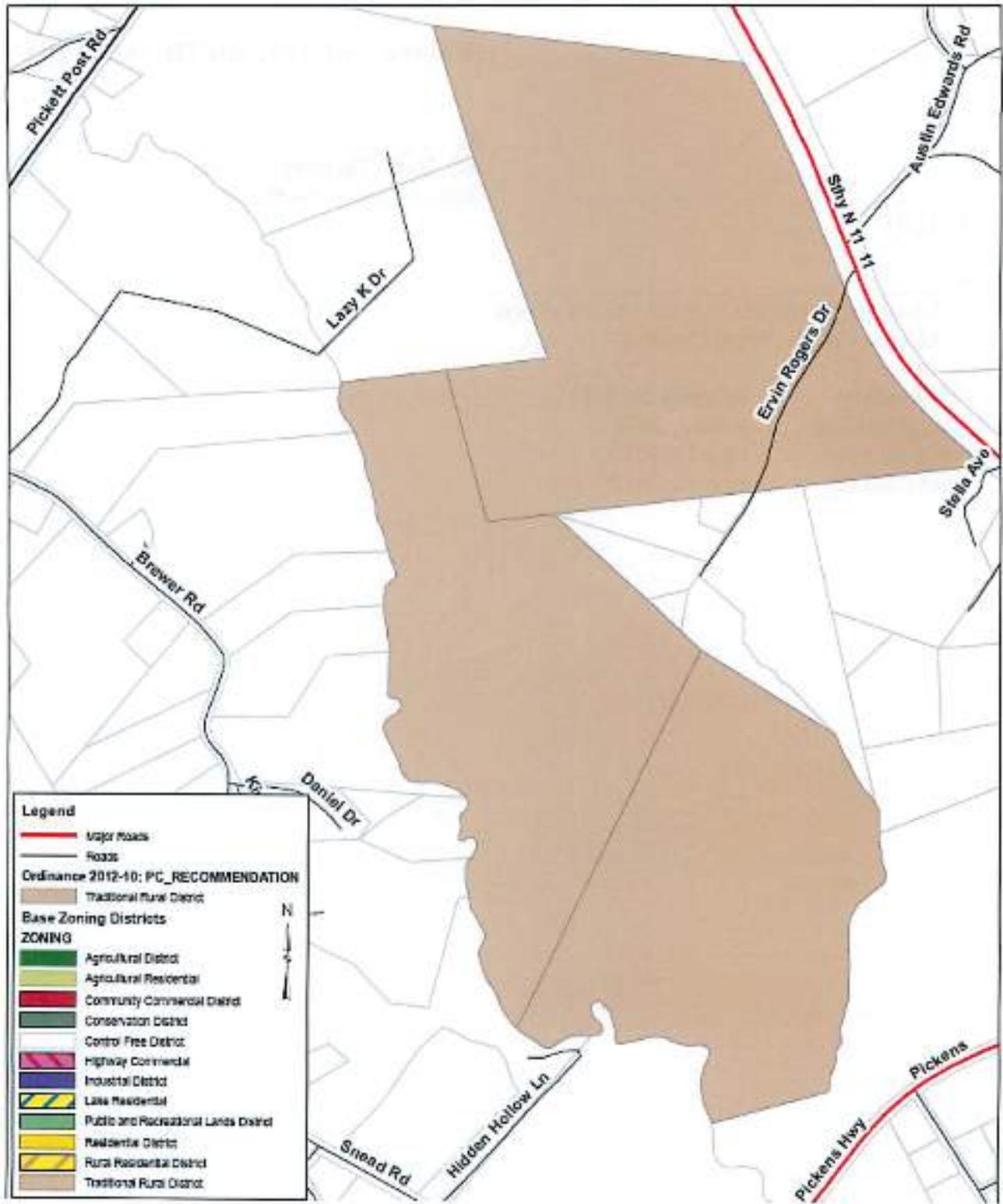
By: _____
Joel Thrift, Chairman, County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading: February 21, 2012
Second Reading: April 3, 2012
Public Hearing: May 15, 2012
Third Reading: May 15, 2012

APPENDIX A
Parcels Rezoned by Ordinance 2012-10



**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE:

Third Reading of Ordinance 2012-14: "AN ORDINANCE TO REWRITE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY; AND OTHER MATTERS RELATED THERETO"

BACKGROUND DESCRIPTION:

The ordinance stems from a series of changes recommended by the Planning Commission after a comprehensive review of adopted zoning standards. Council took 1st Reading on Ordinance 2012-14 on April 3, 2012 as recommended by the Planning and Economic Development Committee of Council, and held a special meeting with the Planning Commission on April 16, 2012. Council took 2nd Reading on May 1, 2012.

SPECIAL CONSIDERATIONS OR CONCERNS:

None

FINANCIAL IMPACT:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ Finance

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ Grants

ATTACHMENTS:

Draft Ordinance 2012-14

STAFF RECOMMENDATION:

Amend updated Official Zoning Map into Ordinance 2012-14, and adopt on 3rd Reading.

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE NUMBER 2012-14**

AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 ZONING OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), acting by and through its governing body, the Oconee County Council (the "County Council"), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"), as amended, from time to time; and

WHEREAS, Chapter 38 of the Code of Ordinances contains terms, provisions and procedures applicable to zoning in Oconee County; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures and rules applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to revise the zoning procedures and law of the County, based on three years of practical experience with such procedures and law, and to meet the changing needs of the County; and

WHEREAS, there is a need to amend, specifically, the provisions of Chapter 38 *Zoning* of the Oconee County Code of Ordinances:

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. The entire content of the current Chapter 38 *Zoning* of the Oconee County Code of Ordinances is hereby revoked, rewritten, stricken, and replaced in its entirety with the rewritten Chapter 38 of the Oconee County Code of Ordinances contained as Attachment A, hereto, and hereby incorporated herein as fully as if set forth verbatim, herein, which shall, after enactment of this ordinance, constitute the effective zoning provisions of the County. All zoning and land use maps of the County in effect and in use in Oconee County at the time of enactment of this ordinance shall remain in full force and effect, and shall become the maps adopted by this ordinance and Attachment A, hereto, to the effect that use of any such maps is called for by this Ordinance or Attachment A.

2. Oconee County Council hereby declares and establishes its legislative intent that Attachment A, hereto, as may perhaps be amended from time to time, become the applicable zoning provisions of Oconee County, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by the Oconee County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in Attachment A, hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking in any regard any prior zoning or rezoning acts, actions, or decisions of Oconee County or Oconee County Council, in any regard.

5. All other terms, provisions, and parts of the Oconee County Code of Ordinances not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council, and will apply to all zoning processes initiated after first (1st) reading hereof. All zoning processes actually initiated by submitting a properly and legally completed rezoning petition to Oconee County Council, at a minimum, prior to first (1st) reading of this ordinance and the establishment of the pending ordinance doctrine thereby, shall be completed under the zoning rules and regulations of Chapter 38, of the Oconee County Code of Ordinances, as in effect prior to final adoption of this ordinance.

ORDAINED in meeting, duly assembled, this 15th day of May, 2012.

ATTEST:

Elizabeth Hulse,
Clerk to Oconee County Council

Joel Thrift,
Chairman, Oconee County Council

First Reading: April 3, 2012
Second Reading: April 16, 2012 [tabled]
Second Reading: May 1, 2012
Public Hearing: May 15, 2012
Third Reading: May 15, 2012

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE NUMBER 2012-14**

**AN ORDINANCE TO REWRITE AND REVISE CHAPTER 38 *ZONING*
OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN
LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER
MATTERS RELATED THERETO.**

Attachment A

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Article 1. Legal Provisions

Section 38-1.1 Purpose

The zoning regulations and districts as set forth in this Chapter have been made in accordance with the Oconee County Comprehensive Plan. These regulations are designed to lessen traffic congestion, to protect public safety, to promote the health and general welfare of the citizens of Oconee County, reduce the sprawl of development, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements. These regulations have been made with reasonable consideration of the character of each community and reflect concern for protecting the property and lifestyles of all Oconee County citizens.

Section 38-1.2 Authority

The provisions of this Chapter are adopted under authority of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code Title 6, Chapter 29.

Section 38-1.3 Jurisdiction

The regulations set forth in this Chapter shall be applicable within the unincorporated areas of Oconee County.

Section 38-1.4 Conflicting Regulations

In the event that a regulation in this Chapter conflicts with any other county regulation or zoning districts, the more stringent standard shall apply.

Section 38-1.5 Severability

If, for any reason, one or more sections, sentences, clauses, or parts of this Chapter are held unconstitutional or invalid, such decision shall not affect, impair, or invalidate the remaining provisions of this Chapter and they shall remain in full force and effect.

Section 38-1.6 Exemptions (grandfathering) –

Any lawfully existing land use or structure present at the time zoning regulations are adopted and/or amended by county council shall be exempt from these regulations or such amended regulations, respectively, until such a time as the intensity of use changes, or the use is abandoned as outlined in Sec. 38-4.1. Nonconforming (or grandfathered) uses shall be subject to the standards listed in Article 4, “Nonconforming Uses”, of this Chapter.

Section 38-1.7 Effective Date of Ordinance

This Chapter was first adopted on third and final reading of Oconee County Ordinance 2007-18 by County Council on November 6, 2008 and implemented on May 1, 2009.

Article 2. Application and Enforcement

Section 38-2.1 General Prohibition

The use of all land and structures within the unincorporated jurisdiction of Oconee County shall comply with all of the provisions contained within this Chapter. As such, no building or structure, no use of any building, structure, or land; and no lot of record which did not exist on the effective date of these regulations, or any amendment hereof, shall be created, established, altered, moved, diminished, divided, eliminated, or maintained in any manner except in conformity with the provisions of this Chapter, or such amendment, respectively. No standard set forth in this document shall in any manner be construed to conflict with the provisions of the South Carolina Right to Farm Act or the South Carolina forestry regulations in effect on the date of adoption of these regulations, or any amendment hereof.

Section 38-2.2 Zoning Official

The County Administrator shall appoint a Zoning Official(s) to enforce the provisions of this Chapter. County Zoning officials shall keep records of all variances and amendments to this Chapter.

Section 38-2.3 Violations

In the event the provisions of these regulations are found to be violated, the party deemed responsible for the violation shall first be notified in writing, and ordered to discontinue the lack of conformity. Said notification shall include the specific nature of the violation, and the corrections and remedies necessary to come into compliance.

Section 38-2.4 Zoning Permit

No permit shall be issued by the Oconee County Zoning Officer, their designee, or the Board of Zoning Appeals except in conformity with the provisions of this Chapter.

- 1) A Zoning Permit shall be issued administratively for permitted uses and uses permitted with conditions. Appropriate fees may be established by County Council from time to time.
- 2) For those uses requiring a special exception, the Zoning Official shall not grant a zoning permit unless ordered to do so by the Board of Zoning Appeals.
- 3) No permit shall be issued by any department or agency of Oconee County prior to certification of zoning compliance by the Zoning Official.
- 4) Unless specifically waived by the Planning Director or his/her designee, permitted uses with conditions and uses permitted by Special Exception shall require a site plan review prior to the issue of a Zoning Permit. The Zoning Official may require a site plan review for permitted uses when necessary to insure compliance.
- 5) An approved site plan shall consist of two (2) sets of plans drawn to an appropriate engineering scale, one (1) of which shall be appropriately stamped and/or signed and returned to the applicant upon approval. The following items shall be noted on all site plans:

- a) The shape and dimensions of the lot on which the proposed building is to be located
 - b) The location of said lot with respect to adjacent rights-of-way
 - c) The shape, dimensions, and location of all buildings, existing and proposed, and required setbacks
 - d) The nature of the proposed use of the building or land, including the extent and location of the use
 - e) The location and dimensions of off-street parking and loading space and means of ingress and egress
 - f) The location of all required buffers
 - g) Required driveway/encroachment permits
 - h) A copy of any required storm water and/or erosion control permits
 - i) Any other information deemed necessary by staff for enforcement of the provisions of this Chapter.
- 6) No permanent utility connection shall be authorized, and no Certificate of Occupancy will be issued, until the Zoning Official certifies a required site plan is complete, and an approved 'as built plan' is on file.
- 7) Copies of documents related to zoning permits and Board of Zoning Appeals activities shall be kept on file by the Zoning Official, and shall be subject to all provisions of the Freedom of Information Act. Appropriate fees to cover costs related to research and copying may be established by County Council from time to time.

Section 38-2.5 Temporary Use Certificates

A Temporary Use Certificate may be issued by the Zoning Official. Such certificates shall be issued for a specific period of time, with none to exceed fifteen (15) days, and shall be subject to any and all limitations deemed to be necessary to protect the character of the district affected. In the event said temporary use proves to result in no apparent negative impacts, a Temporary Use Certificate may be renewed for additional fifteen (15) day periods; however, no more than three (3) such renewals shall be approved.

Section 38-2.6 Appeals of Staff Decisions

Decisions made by the Zoning Official related to the issuance or denial of a Zoning Permit or Temporary Use Certificate may be appealed to the Board of Zoning Appeals pursuant to the South Carolina Code of Laws.

Section 38-2.7 Complaints

All complaints of violations shall be submitted in writing on a form provided by the Zoning Official. The complaint shall include a detailed description of the alleged violation, as well as the complainant's name, address and signature. Complainants must reside within the same planning district in which the potential violation lies. All complaints shall be acted on within ten (10) days of submission. Anonymous reports of alleged violations will not be considered valid.

Section 38-2.8 Cancellation of Permits

Violation of the provisions of this Chapter found after the issuance of a Land Use Permit, Building Permit, or other permit or certificate issued by Oconee County contingent on an approved Zoning Permit or Temporary Use Certificate shall constitute a voiding or cancellation of all issued permits, and subject the applicant to the full extent of penalties provided for by law.

Section 38-2.9 Penalties

Any person or entity violating the regulations set forth in this Chapter is guilty of a misdemeanor and may be fined up to five hundred (\$500.00) dollars or imprisoned for thirty (30) days or both.

Section 38-2.10 Zoning Districts / Abbreviations

CFD	Control Free District	Section 38-10.2
TRD	Traditional Rural District	Section 38-10.3
RRD	Rural Residential District	Section 38-10.4
CD	Conservation District	Section 38-10.5
AD	Agricultural District	Section 38-10.6
RD	Residential District	Section 38-10.7
LRD	Lake Residential District	Section 38-10.8
CCD	Community Commercial District	Section 38-10.9
HCD	Highway Commercial District	Section 38-10.10
ID	Industrial District	Section 38-10.11
ARD	Agricultural Residential District	Section 38-10.12
PRLD	Public and Recreation Lands District	Section 38-10.13
MUD	Mixed Use District	Section 38-10.14
PDD	Planned Development District	Section 38-10.15

Article 3. Official Zoning Map and Zoning Districts

Section 38-3.1 Official Zoning Map

The boundary of the unincorporated areas of Oconee County and all adopted zoning districts are shown on a map entitled "Official Zoning Map, Oconee County, South Carolina," which is hereby adopted and declared to be part of this Chapter and incorporated herein by reference.

- 1) **Amendments** – Amendments to the Official Zoning Map shall be made as necessary by the Oconee County Council, in accordance with the procedures outlined in this Chapter and according to § 6-29-760 of the State of South Carolina Code of Laws, 1976, as amended. The map shall at all times portray the current status of the zoning district boundaries.
- 2) **Custodian Map** – A reproducible copy of the Official Zoning Map shall be kept in the office of the Oconee County Zoning Official, and copies shall be made available for inspection by the public.

Section 38-3.2 Interpretation of Districts' Boundaries

When uncertainty exists with respect to the boundaries of a zoning district, as shown on the Official Zoning Map, the following rules shall apply:

- 1) **Delineation** – Zoning district boundary lines are intended to follow the centerline of roadways, streams or other water channels, and follow platted lot lines or other property lines. In the absence of visual district boundaries or specified distances on the Official Zoning Map, dimensions or distances shall be determined by the scale on the Official Zoning Map.
- 2) **Interpretation** – In the event that the Zoning Official is unable to make a decision regarding the exact boundary on the Official Zoning Map, the Board of Zoning Appeals shall interpret the district's boundary.

Article 4. Nonconforming Uses

Section 38-4.0

Any usage of a parcel or structure lawful at the time these regulations or any amendment thereof become effective shall be allowed to continue as a non-conforming usage, subject to the restrictions listed herein. For purposes of this Article usage shall be construed to include, without limitation and in addition to the usual meaning of the word, usage expressly and explicitly approved, indicated and stated in a deed restriction, restrictive covenant, or other form of land use restriction imposed or obtained in a private, arm's length, contractual transaction which is reduced to a matter of public record, and actually recorded as a public record, at the time of enactment of Ordinance 2007-18 on November 6, 2008.

Section 38-4.1 Discontinuation of Use

Any non-conforming use discontinued or abandoned for a period of twelve (12) months or more shall void any exemption as a non-conformity, and thereafter the use shall conform to all provisions of these regulations. However, suspension of a use for longer than twelve (12) months solely as a result of fire, flood, wind, explosion, or other calamity or Act of God; catastrophic illness or injury detrimental to the continuation of the use; or the exercise of eminent domain or other governmental act (other than that which results from criminal activity proven in a court of competent jurisdiction) shall not constitute discontinuance or abandonment.

A non-conforming use may be discontinued for more than twelve (12) months due to a national or regional recession (as recognized by competent state or national authority), or business restructuring due to bankruptcy (other than through dissolution of the business in question), provided the owner of said non-conforming use submits a request in writing to the County planning department prior to discontinuation of the non-conforming use, supported by appropriate documentation, for an extension of non-conformance for an additional twelve (12) months. No more than three (3) such extensions shall be granted, and if the non-conforming use has not been resumed by the end of the last such extension, the non-conforming use shall be deemed to have been abandoned or expired.

Section 38-4.2

In the event an alteration is proposed for any nonconforming structure, the following standards shall apply:

- 1) The altering, expanding, changing, rebuilding, or resuming of a nonconformity shall be subject to review and permitting under provisions established in this Chapter.
- 2) If a nonconforming building or structure is reused or reoccupied without alteration, or an abandoned use is resumed within twelve (12) months, no permit is required under this Chapter, provided, the nature and degree of the nonconformity will not be changed or increased from that which existed before the nonconformity became unused, unoccupied, or abandoned.

- 3) An expansion of a non-conforming structure that is a non-conformity solely due to dimensional setbacks shall be permitted, provided the dimensional nonconformity will not be increased.
- 4) Nonconforming buildings or structures utilized as an integral part of a business at the time of adoption of these regulations or any sequential rezoning shall be permitted to be expanded by an amount up to fifty (50) percent of the building footprint existing at the time of adoption, as a Special Exception, provided:
 - a) district setback and height requirements are met, with no existing dimensional nonconformities being increased;
 - b) any increase in excessive light, noise, dust, or other negative impacts on neighboring uses resulting from the proposed expansion are mitigated by screening, fencing, or other means necessary.
- 5) Any proposed change in usage of a “nonconforming use” may be permitted as a special exception by the Board of Zoning Appeals, if the proposed use does not increase the effects of the existing usage in the neighborhood and all other provisions for granting a special exception are met.

For the purposes of this section, the terms “altering”, ”expanding” and “changing” shall be strictly construed. “Rebuilding” shall mean the rebuilding, reconstruction, or restoration of any nonconforming building or structure which was damaged or partially destroyed by fire, flood, wind, explosion, or other calamity or Act of God. “Resuming” shall mean the reusing or reoccupying of a nonconforming building or structure which was unused or unoccupied for a continuous period, or the resuming of a nonconforming use which was abandoned for a continuous period. All structures rebuilt or otherwise modified under the provisions of this Chapter shall be constructed to conform to adopted codes.

Article 5. Conditional Uses

Section 38-5.0

The standards listed in this section shall be applied in addition to any and all zoning district requirements applicable for the use specified. The Zoning Official may require site plans, technical specifications, and/or any other reasonable documentation necessary to verify compliance.

Section 38.5.2 Auction Houses (zoning district: ARD, RRD, CCD, HCD)-

All noises, excess light, or dust shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial uses. A landscape plan which provides for screening and buffering of a minimum width of fifteen (15) feet shall be submitted at the time of application for a zoning permit. Parking areas shall be no closer than fifteen (15) feet from the boundary of any adjoining parcel, and bordered on adjoining sides by a landscaped area which contains an evergreen screen a minimum of four (4) feet in height.

Section 38.5.3 Bed and Breakfast Inns (zoning districts: AG, CCD)-

Off street parking shall be provided in accordance with the average amount of expected traffic utilizing the said business. A minimum of two spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur in the rear of the business.

Section 38.5.4 Cemeteries and Accessory Uses (zoning district: CCD)

Adquate ingress and egress shall be provided for and commercial cemeteries greater than 30 sites shall provide access points on two thoroughfares.

Section 38.5.6 Conservation Subdivision (zoning districts: TRD, AG, ARD, RRD, RD, LRD, HCD)

- 1) A licensed landscape architect shall design the site layout and preliminary layout plans for the subdivision
- 2) A minimum of 50% of the gross area shall be preserved as green space.
- 3) Lot size may be reduced to 10,000 square feet provided that a non-traditional septic system is approved by the South Carolina Department of Health and Environmental Control (DHEC). An increase in green space by at least 15% shall permit the developer to decrease the minimum lot size by 20% (to 8,000 square feet).
- 4) Views of house lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping.

- 5) At least half of the lots shall directly abut conservation land or face conservation lands from across the street.
- 6) Covenants and restrictions governing the preservation of green space, wetlands, and other sensitive lands shall be recorded with the final subdivision plat prior to any sales. A statement assigning the home owners association responsibility for maintaining the conservation land shall be clearly placed on the final subdivision plat.
- 7) All conservation lands shall be contiguous to provide for integrated open space throughout the subdivision, excluding thoroughfares. Long thin strips of conservation land (less than 150 feet in width) shall be prohibited.

Section 38.5.7 Home occupations (zoning districts: TRD, AG, ARD, CD, RRD, RD, LRD, CCD, HCD)

Sufficient off street parking shall be provided to accommodate the average amount of expected traffic utilizing the said business. At a minimum, two spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur in the rear of the business.

Section 38.5.8 Motor vehicle services and repair (zoning district: CCD)

Space shall be provided in the rear of the building for long term and overnight storage of vehicles. No more than 3 working bays shall be permitted, unless otherwise approved by the Board of Zoning Appeals.

Section 38.5.9 Outdoor Retail (zoning district: MUD)

Setbacks from the roadway shall be a minimum of fifty (50) feet. Parking shall be clearly designated area apart from the merchant stands. Fire access shall be maintained throughout the entire outdoor retail area with fire lanes and thoroughfares that are a minimum of 20 feet wide. All adjacent residential areas shall be screened or buffered so as to ensure that the visual impacts are minimized. See Appendix A for screening and buffering guidelines.

Section 38.5.17 Restaurants (up to 2,500 square feet) (zoning district: TRD, RRD)-

Sufficient off street parking shall be provided to accommodate the average amount of expected traffic utilizing the said business. A minimum of ten spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur to the rear or side of the business.

Article 6. Board of Zoning Appeals

Section 38-6.1 References

All references within these regulations to the Board of Zoning Appeals shall be considered to indicate the Oconee County Board of Zoning Appeals, created under the provisions of Title 6 Chapter 29 of the South Carolina Code of Laws, 1976, as amended.

Section 38-6.2 Responsibilities

The Board of Zoning Appeals shall:

- 1) hear all appeals, request for variances, and special exceptions from these regulations, in accordance with the Code of Laws of South Carolina, Title 6, Chapter 29 and the adopted bylaws of the Board of Zoning Appeals.
- 2) hear and decide appeals where there is an alleged error in any order, or decisions made by the Zoning Official or designated staff.

Article 7. Variances and Special Exceptions

Section 38-7.1 Variances

The Board of Zoning Appeals may grant a variance in an individual case of unnecessary hardship if the Board of Zoning Appeals makes and explains in writing the following findings:

- 1) there are extraordinary and exceptional conditions pertaining to the particular piece of property;
- 2) these conditions do not generally apply to other property in the vicinity;
- 3) because of these conditions, the application of this Chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- 4) the authorization of a variance will not be of substantial detriment to adjacent uses or to the public good, and the character of the district will not be harmed by the granting of the variance.
 - a) The Board of Zoning Appeals may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted. The fact that the property may be utilized more profitably, should a variance be granted, may not be considered a grounds for a variance.
 - b) The Board of Zoning Appeals may grant a variance to extend physically an existing nonconforming use provided that the expansion does not adversely affect the character of the community and is designed so as to minimize any negative secondary impacts.
 - c) In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board of Zoning Appeals may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.

The developer shall have the burden of providing evidence to the County of compliance with the general requirements of this Chapter and the specific requirements of the applicable section. The Board of Zoning Appeals may impose whatever reasonable conditions it deems necessary to ensure that any proposed development will comply substantially with the objectives in this Chapter.

Section 38-7.2 Special Exceptions

The Board of Zoning Appeals may grant a special exception only if it finds adequate evidence that any proposed development will meet all of the following general requirements as well as any specific requirements and standards listed for the proposed use. The Board of Zoning Appeals shall among other things require that any proposed use and location be:

- 1) In accordance with the Comprehensive Plan and is consistent with the spirit, purposes, and the intent and specific requirements of this Chapter, to include the definition and intent of the district in which the special exception is being requested;
- 2) In the best interests of the County, the convenience of the community and the public welfare;

- 3) Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
- 4) Suitable in terms of effects on highway traffic, parking and safety with adequate access arrangements to protect streets from undue congestion and hazards

The developer shall have the burden of providing evidence to the County of compliance with the general requirements of this Chapter and the specific requirements of the applicable section. The Board of Zoning Appeals may impose whatever reasonable conditions it deems necessary to ensure that any proposed development will comply substantially with the objectives in this Chapter.

Article 8. Amendments and Rezoning

Section 38-8.1 Consideration by Planning Commission and County Council

All proposed amendments to these regulations, official zoning map, or any other part of this document shall be reviewed by the Oconee County Planning Commission, who shall issue a recommendation to County Council. Upon receipt of the Planning Commission report, County Council shall act on the proposed amendment within sixty (60) days.

Section 38-8.2 Public Notice Requirements

- 1) **Public Hearings-** County Council shall conduct all required public hearings for amendments and rezoning. No amendment to these regulations or official zoning map shall be considered for third and final reading until after the public notice and hearing requirements set forth in the South Carolina Code of Laws and this Chapter have been met.
- 2) **Notice of Hearing-** Notice of public hearing shall be published in a newspaper of general circulation at least 15 days prior to hearing. The notice shall carry an appropriate descriptive title and shall state the time, date, and place of the hearing. All interested parties shall be heard at the public hearing.
- 3) **Posting-** Pursuant to the provisions of the South Carolina Code of Laws, signs noting a rezoning for the small area method shall be posted on or adjacent to affected parcels along public thoroughfares. In the event less than 10 effected parcels are so situated as to share frontage along the same public thoroughfare, a sign shall be located on each parcel, provided no two (2) signs are closer than one hundred (100) feet of each other. In the event ten (10) or more affected parcels are so situated as to share frontage along the same public thoroughfare, or any number of parcels are located off of the public thoroughfare, signs shall be posted as close as is practical in a manner sufficient to insure due public notice. At a minimum, signs shall be posted at the beginning and end of any continuous shared public frontage, with no more than 1 mile between signs; at least one sign shall be visible from all directions in each intersection adjacent to a parcel for which rezoning is proposed. The rezoning of lands owned by the United States, the State of South Carolina, Public Universities, or Oconee County shall be posted at any major identifying signs stating the identification of the property; in the event that no signs are present, State posting guidelines shall be followed. For all other rezoning, state posting guidelines shall be followed.
- 4) **Notification of Property Owners-** A written notice containing all pertinent information related to any public hearing shall be sent by first class mail to the registered owner of each affected parcel at least fifteen (15) days prior to the event. For the purposes of this section, the name and address of the owner of the parcel shall be that listed on tax records maintained by the Oconee County Tax Assessor.
- 5) **Action by Council-**After conducting a duly advertised public hearing, county council shall consider all information presented at the hearing, staff review, and the recommendation received from the Oconee County Planning Commission, prior to making their decision.

Section 38-8.3 Reconsideration of Request for Amendment

When County Council shall have denied a request for an amendment to this Chapter, it shall not consider the same or a less restrictive reclassification for an amendment affecting the same property until one year from the date of said denial. A more restrictive classification is not subject to the one year period.

Section 38-8.4 Effective Date of Change-

Any Ordinance effecting a change in the text of the zoning Chapter or zoning maps shall become effective upon final adoption by Council.

Section 38-8.5 Methods of Initial Rezoning-

Upon adoption of this Chapter, rezoning of a parcel or group of parcels shall be initiated by one of the following methods:

- 1) Method 1- Planning District Request Initiated by Citizens
 - a) Any group of citizens living within any planning district described within this section may petition for initial rezoning for the entirety of their district. The Planning Districts, which are based on the approximate boundaries traditionally used by local fire stations as service areas, are as follows:
 - i) Oakway District
 - ii) Salem District
 - iii) Corinth-Shiloh District
 - iv) Mountain Rest District
 - v) Walhalla District
 - vi) Westminster District
 - vii) Seneca District
 - viii) Fair Play District
 - ix) Long Creek District
 - x) Cleveland District
 - xi) Keowee Ebenezer District
 - xii) Friendship District
 - xiii) Cross Roads District
 - xiv) Picket Post-Camp Oak District
 - xv) South Union District
 - xvi) West Union District
 - xvii) Keowee District

The boundaries of each Planning District shall conform to the exterior property line of all parcels lying within; in no instance shall a single parcel lie in more than one (1) Planning District. Parcels shall be assigned to a Planning District based on the location of its centroid,

which shall be determined by the Oconee County Geographic Information System (GIS). The boundaries of the various Planning Districts are shown on the Map of Planning Districts, which shall be adopted as part of these standards.

- b) Petitions by citizens to County Council to initiate a rezoning of an entire Planning District shall be made in the following manner:
 - i) Citizen Petition- Citizens wishing Council to amend the map of their Planning District shall acquire the signatures of a minimum of fifteen percent (15%) of the owners of parcels lying within the boundaries of the said planning district. The petition shall contain the following statement of support:
 - ii) "I hereby certify that I own a parcel lying within the _____ Planning District, and I support the consideration by Oconee County Council of amending the zoning map."
 - iii) Presentation to County Council-If County Council finds the petition is within the parameters of this Chapter, they may direct the Planning Commission and Planning Department to proceed with amending the zoning chapter and map. Council may take first reading, in title only, on the zoning amendments at this time.
 - iv) Review of Land Use Map-The Planning Commission shall undertake a review of the district's portion of the Future Land Use Map.
 - v) Initial Zoning Meeting in District-Following the review of the Future Land Use Map, the Planning Department will schedule a public meeting to begin working with citizens to develop a proposed zoning map. Nominations for the District Planning Advisory Committee will be called for at this time.
 - vi) Appointment of District Planning Advisory Committee- County Council will review the nominations for the District Planning Advisory Committee and appoint individuals to the committee. The Committee shall consist of seven owners of parcels lying within the district. The committee shall elect a chair who shall conduct committee meetings, call subsequent meetings as necessary, and set forth the agenda for subsequent meetings.
 - vii) Creation of proposed District Zoning Map- With assistance from planning staff, the District Planning Advisory Committee will use the Future Land Use Map as a guide in creating proposed changes to the district's portion of the Official Zoning Map. All proposed amendments shall be chosen from the zoning districts and their corresponding regulations established in this Chapter.
 - viii) Planning Commission Review of proposed Zoning Map- When completed, the Committee shall present their draft map to the planning commission for review. The planning commission shall review the changes to ensure that they are compatible with the comprehensive plan. During this time, the planning department shall mail a survey to all district property owners soliciting their opinion of the proposed changes, with a deadline to respond of thirty (30) days. At the end of the survey period, the commission shall forward a recommendation regarding the proposed changes to county council. A positive recommendation of the commission shall require both a finding of compliance with the comprehensive plan, and a minimum of 51% of the returned responses to the survey favoring the proposed changes.
 - ix) Consideration of Recommendation- County Council shall consider the proposed zoning map amendments and may take second reading on the Chapter at this time.

- x) **Comment Period-** A comment period of no less than thirty (30) days shall be held at this time.
- xi) **Consideration of survey results by County Council-** Upon the completion of the comment period, County Council may hold a public hearing on the proposed amendments. Once the public hearing has been completed, County Council may take third and final reading of an ordinance to amend the Planning Districts portions of the Official Zoning Map.
- xii) **Failed attempts to amend the zoning chapter-**In the event County Council formally rejects a citizen-initiated petition to amend a Planning District's portion of the Official Zoning Map for any reason, a new attempt to amend the map through citizen petition shall not be considered sooner than two years from the date of Council's decision.

2) Method 2- Small Area Rezoning

- a) This method of rezoning shall be initiated by a signed petition containing signatures of one or more of the listed property owners of a minimum of 51% of the affected properties in the area in question established by one of the following two methods, chosen by the petitioner.
 - i) Any property owner, or group of property owners of parcels, with a combined minimum ownership of at least 200 acres may petition County Council for initial rezoning, provided the petition[s] include at least fifty one percent [51%] of the property owners of the properties in question signed by one or more of the property owners of each [as stated above] representing a minimum of seventy five percent [75%] of the acreage within the established boundary for the rezoning request.
 - ii) Any property owner, or group of property owners, may petition County Council for initial rezoning, provided the platted subdivision(s) proposed for rezoning is recorded in the office of the Oconee County Register of Deeds and/or is an area with all parcels 1.5 acres or less, and provided the proposal for rezoning is contiguous with a total area of at least twenty five (25) acres, or contains a minimum of twenty (20) parcels.
- b) Upon obtaining 51% of the required signatures for a method chosen above, petitioners may add any parcel that is contiguous to such active rezoning request as long as there is a favorable petition (as described herein) for such parcel(s).
- c) Parcels totally encompassed by a small area rezoning request, which in their own rights are now unable to meet the minimum requirements of the two methods described above, shall be included by staff in such small area request, as part of the request, prior to first reading, if their inclusion would not defeat the 51% requirement of this section.
- d) In addition, any property owner owning a parcel, currently in the Control Free District, which is contiguous to parcels that have already been rezoned from the Control Free District, may petition (as described herein) to rezone their parcel(s) provided the requested rezoning is similar in nature to that which has been previously adopted for the contiguous area.
- e) For the purposes of this chapter, in addition to standard definitions, parcels separated by a perennial stream or a cove within a body of water shall be considered contiguous.
- f) Proposed changes to any part of these regulations shall be subject to review by the planning commission, as set forth in Section 8.1 (above), and public notice requirements contained in Section 8.2 (above), as well as other applicable standards established by the

South Carolina Code of Laws, 1976, as amended. Citizens who cannot meet the standards established under this method may utilize method 1 or method 3 as an alternative option.

3) Method 3- County Initiated

The governing body of the County may at any time after adoption of these standards rezone any parcel or parcels owned or maintained by Oconee County. Additionally, County Council may at any time rezone any parcel or group of parcels to bring them into compliance with the goals established in the Oconee County Comprehensive Plan. Proposed changes to any part of these regulations shall be subject to review by the planning commission, as set forth in Section 8.1 (above), and public notice requirements contained in Section 8.2 (above), as well as other applicable standards established by the South Carolina Code of Laws, 1976, as amended.

Section 38-8.6 Subsequent Rezoning

- 1) Subsequent to the initial change of zoning of any parcel or group of parcels following adoption of these regulations, any individual property owner may make application for rezoning of a parcel(s). All such re-zonings shall be subject to the standards set forth in these regulations and South Carolina Code of Laws, 1976, as amended.
- 2) Notwithstanding any effort to accomplish a prior rezoning, County Council may at any time rezone a parcel or group of parcels pursuant to the goals established in the Oconee County Comprehensive Plan.

Article 9. General Provisions

Section 38-9.1 Use Interpretation

- 1) Each zoning district has uses permitted by right, conditional uses, and special exception uses. Lists are shown for each district placing uses under one of the three categories. Uses not expressly permitted are prohibited. The following describes the processes of each of the three categories that the uses are subject to:
 - a. **Uses Permitted by Right:** Administrative review and approval subject to district provisions and other applicable requirements only.
 - b. **Conditional Uses:** Administrative review and approval subject to district provisions, other applicable requirements, and conditions outlined in this Chapter.
 - c. **Special Exceptions:** The Board of Zoning Appeals review and approval is subject to any and all district provisions, other applicable requirements, and conditions of approval. Some Special Exceptions may also be subject to conditions in this Chapter. Those uses currently governed by the Unified Performance Standards Sections of the Oconee County Code of Ordinances as special exceptions shall be governed by those standards unless otherwise noted in this Chapter.
- 2) A mix of two or more uses on the same lot of record is permitted as long as both uses are listed as permitted within the zoning district. The requirements for the most restricted use shall apply. For example, if “Use A” is permitted by right and “Use B” is permitted with a Special Exception, then the property requires a Special Exception for both uses.

Section 38-9.2 Zoning Map Interpretation

The map entitled *Oconee County Official Zoning Map*, as adopted and amended by the Oconee County Council establishes the official zoning districts and overlay districts. Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the Zoning Official shall employ the following rules of interpretation.

- 1) **Centerline:** Where a boundary line lies within and follows a street or alley right-of-way, a railroad right-of-way, or utility easement, the boundary shall be construed to be the centerline of such street or alley right-of-way, railroad right-of-way, or utility easement boundary. If such a street or alley right-of-way, railroad right-of-way, or utility easement forming the boundary between two separate zoning districts is abandoned or removed from dedication, the district boundaries shall be construed as following the edge of the abandoned or vacated road bed or utility easement.
- 2) **Edge Line:** Where a boundary line follows the edge of a street or alley right-of-way, a railroad right-of-way, or utility easement, the boundary shall be construed to be on the centerline of such street or alley right-of-way, railroad right-of-way, or utility easement boundary.

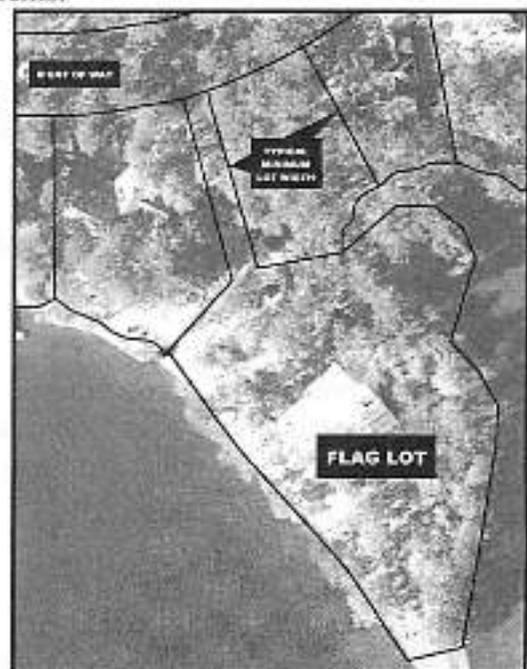
- 3) **Lot Line:** Boundaries indicated as approximately following lot lines shall be construed as following such lot lines.
- 4) **County/Municipal Limits:** Boundaries indicated as approximately following County/Municipal limits or extraterritorial boundary lines shall be construed as following the County/Municipal limits or extraterritorial boundary lines.
- 5) **Watercourses:** Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
- 6) **Extensions:** Boundaries indicated as parallel to or extensions of street or alley rights-of-way, utility easements, lot lines, city limits, county lines, or extraterritorial boundaries shall be so construed.
- 7) **Scaling:** In a case where a district boundary does not coincide with any boundary lines as above and no distances are described by specific ordinance; the boundary shall be determined by the use of the scale appearing on the map.
- 8) In the event physical features existing on the ground, or actual property lines or other man-made boundary lines used to depict zoning district boundaries, are different than those shown on the Official Zoning Map, the Board of Zoning Appeals shall have the authority to interpret Zoning district boundaries.

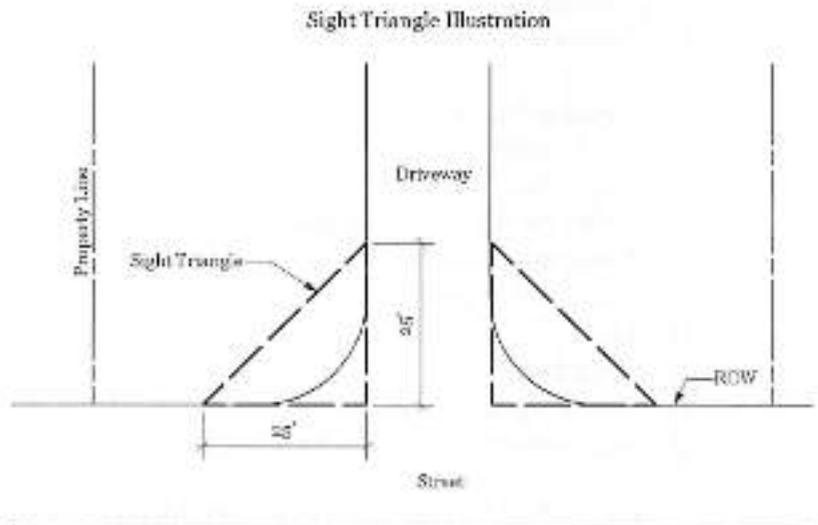
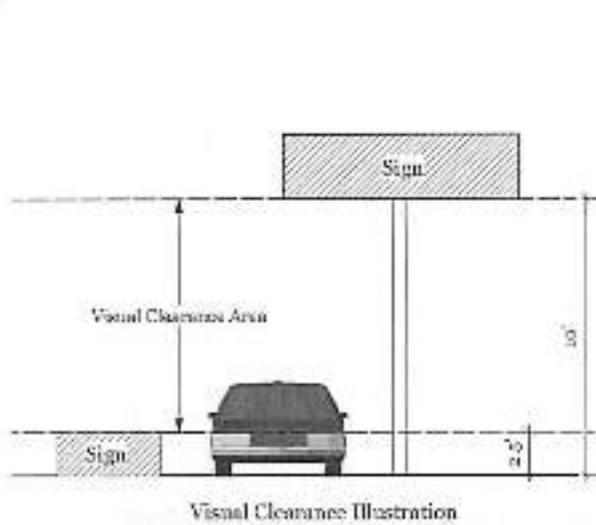
Section 38-9.3 Dimensional Requirements: General Provisions & Exceptions

In addition to the dimensional requirements listed below and district dimensional requirements, further dimensional requirements may be set forth in Article 5 for those uses listed as conditional. The *control free district* shall be exempt from the provisions of this section.

1) Lot Size & Configuration

- a) Public utilities and government uses shall not be subject to the minimum lot size requirements, but shall meet the setback requirements.
- b) A flag lot shall contain no more than two (2) single-family dwellings and uninhabited accessory structures. Flag lots may be permitted under the following conditions:
 - i) The maximum flagpole length shall be 300 feet.
 - ii) The minimum flagpole width shall be 30 feet;
 - iii) The front setback shall be measured from where the lot meets the district minimum width requirements.
 - iv) The flagpole portion of the lot shall not be used to calculate area, width, or setbacks of the lot or to provide off-street parking.
 - v) There shall be no more than one (1) flag lot per each 4 lots, per subdivision or development.





- f) Any garage door shall be set back a minimum of 20 feet from the property line that it faces so that vehicles may be parked in the driveway without encroaching into the right-of-way. If the district setback is greater than 20 feet, then the more restrictive setback shall prevail.
- g) The side and rear setbacks in the CCD and HCD shall not apply to the shared property line of attached buildings.
- h) The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, cornices, eaves, window air conditioning units, and other architectural features, provided that such features shall project no more than two (2) feet into any required yard.
- i) Steps and heating and cooling units may project into a required yard a distance not to exceed five (5) feet but no closer than five feet of a property line. Fences, free standing walls, hedges, and septic lines may be located in any setback, so long as they remain on the property.

Section 38-9.4 Height

- 1) The height of a building or structure shall be measured according to methods provided for in adopted building codes. The height of a tree shall be measured as the distance from the ground at the base to the highest point of vegetation.
- 2) The height limitations of this Chapter shall not apply to the following:
 - a) Belfries
 - b) Chimneys
 - c) Church spires

- d) Conveyors
- e) Cooling towers
- f) Cupolas
- g) Domes
- h) Elevator bulkheads
- i) Fire Towers
- j) Flag Poles
- k) Ornamental towers and spires
- l) Public monuments
- m) Public utility poles
- n) Silos
- o) Skylights
- p) Smoke stacks
- q) Stage towers or scenery lofts

Such features shall be erected only to such height as is necessary to accomplish the purpose they are intended to serve and no height extension shall serve as a place for human habitation.

- 3) Communication towers, antennas, and water tanks shall be exempt from district height requirements in these standards, but shall instead be subject to standards provided for in the Oconee County Unified Performance Standards Chapters of the Oconee County Code of Ordinances; however, all other district dimensional standards shall apply as specified.

Section 38-9.5 Other Requirements

In addition to Zoning District Regulations see the following Sections for other requirements:

- 1) See Article 5 for “Conditional Uses”
- 2) See Article 7 for “Special Exceptions”
- 3) See Appendix A for specifications on “Landscaping”, “Buffering”, “Parking”, “Lighting”, and “Signage”. Standards contained on Appendix A shall apply only to those zoning districts or overlay districts specifically identified in Section 10, “Zoning District”, and Section 11, “Overlay Districts”, as being subject to Appendix A, each of which may be subject to all or part of the entire appendix, but only as specified. In no instance shall standards contained in Appendix A apply to any zoning district or overlay district unless so specified in such sections.
- 4) Notwithstanding any other provision herein to the contrary, proposed utility generation facilities and structures needed by regional and local utility providers in the production, transmission, and distribution of electricity, natural gas, water, or sewer services, as well as any facility or structure necessary to comply with any federal or state license requirements, related to such production, transmission, and distribution, shall be permitted by right in any district and shall be exempt from any standard set forth in this Chapter.

Article 10. Zoning Districts

Section 38-10.1 Establishment of Base Zoning Districts

Base zoning districts are created to provide comprehensive land use regulations throughout Oconee County. There are 14 base zoning districts that provide for a variety of uses that are appropriate to the character of the areas in which they are located in accordance with the Oconee County Comprehensive Plan. All permitted, conditional, and special exceptions are identified in the zoning use matrix. All conditional uses shall meet the guidelines established in Article 5 of this Chapter. Likewise, all special exceptions shall meet the guidelines established in Article 6 of this Chapter. For the purpose of this Chapter, Oconee County is hereby divided into the following base zoning districts. These districts shall comply with all of the general and specific requirements of this Chapter.

CFD	Control Free District	Section 38-10.2
TRD	Traditional Rural District	Section 38-10.3
RRD	Rural Residential District	Section 38-10.4
CD	Conservation District	Section 38-10.5
AD	Agricultural District	Section 38-10.6
RD	Residential District	Section 38-10.7
LRD	Lake Residential District	Section 38-10.8
CCD	Community Commercial District	Section 38-10.9
HCD	Highway Commercial District	Section 38-10.10
ID	Industrial District	Section 38-10.11
ARD	Agricultural Residential District	Section 38-10.12
PRLD	Public and Recreation Lands District	Section 38-10.13
MUD	Mixed Use District	Section 38-10.14
PDD	Planned Development District	Section 38-10.15

Section 38-10.2 Control Free District (CFD)

The usage of parcels within areas designated as “control free” shall not be regulated by this Chapter; however, said usage shall comply with all adopted performance standards, overlay districts, or any other applicable ordinance of Oconee County or chapter of the Oconee County Code of Ordinances. The Control Free District is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the Control Free District at any future date.

Section 38-10.3 Traditional Rural District (TRD)

Title: Traditional Rural District

Definition: Parcels located in areas with little or no commercial, industrial, or other significant development; residential development is primarily limited to single-family dwellings. Public infrastructure is limited.

Intent: This district is meant to provide for a continuation of traditional lifestyles in sparsely populated areas with low intensity commercial, industrial, or other development; and to preserve the character of more remote rural areas. Additionally, residents of Traditional Rural areas typically have access to fewer public conveniences than more urban areas, but retain greater freedom in the manner in which they use their land.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/2 acre (21,780 sf)	2 dwellings per acre	80	35	10	20	

Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/2 acre (21,780 sf)	80	35	10	20	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.4 Rural Residential District (RRD)

Title: Rural Residential District

Definition: Those areas wanting to protect the rural nature of their community but allow for limited residential growth.

Intent: The intent of this district is to allow for residential development in rural areas that wish to minimize the impact of dense residential development.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	5 acres	1 dwelling per 5 acres	400	35	20	50	65

Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	5 acres	600	35	20	50	65

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.5 Conservation District (CD)

Title: Conservation District

Definition: Those areas designated for preservation and protection.

Intent: This district is intended to protect and promote the continuation of Oconee County's natural resources.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	10 acres	1 dwelling per 10 acres	600	35	20	50	65
Nonresidential Uses	Minimum Lot Size		Min. Width (ft.)	Minimum Yard Requirements			Max. Height
	Min. Lot Size			Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	10 acres		600	35	20	50	65

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.6 Agriculture District (AD)

Title: Agriculture District

Definition: Those areas in which rural lifestyles have traditionally been and continue to be intertwined with agricultural activity and production which has a significant economic impact to the area and Oconee County.

Intent – Agricultural districts are intended for the protection of farm land in Oconee County while ensuring sufficient residential and commercial development opportunities exist to serve the needs of citizens living in those areas.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	1 dwelling per acre	100	35	10	20	
Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	1 acre (43,560 sf)	100	35	10	20		

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.7 Residential District (RD)

Title: Residential District

Definition: Those areas where the primary land use is single family residential.

Intent: This district is intended to provide for residential single family development in the county and for those related uses that are normally associated with residential communities. Those uses that may generate negative secondary effects impacting life shall be discouraged.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/4 acre (10,890 sf) Utilities Available	4 dwellings per acre	80	25	5	10	65
	1/2 acre Utilities not available	2 dwellings per acre	80	25	5	10	65
Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	1/4 acre or 1/2 acre depending on availability of utilities	80	35	10	30	65	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.8 Lake Residential District (LRD)

Title: Lake Residential District

Definition: Those areas around the Lakes where the primary land is single family residential with limited multi-family residential use.

Intent: This district is intended to provide for residential single family development around the Lakes and for those related uses that are normally associated with lake residential communities. Those uses that may generate negative secondary effects impacting the quality of life shall be discouraged.

Dimensional Requirements (*)

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/4 acre (10,890 sf) Utilities Available	4 dwellings per acre	80	25	5	10	65
1/2 acre Utilities not available	2 dwellings per acre	80	25	5	10	65	
Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	1/4 acre or 1/2 acre depending on availability of utilities	80	35	10	30	65	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.9 Community Commercial District (CCD)

Title: Community Commercial District

Definition: Those areas well suited to supporting low intensity commercial activity centered around providing service to the adjacent community.

Intent: This district is intended to protect rural areas, while allowing for the development of commercial and business establishments that are low intensity and provide basic goods and services to the surrounding community.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	1 dwelling per acre	100	25	5	10	

Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre (43,560 sf)	100	25	5	10	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.10 Highway Commercial District (HCD)

Title: Highway Commercial District

Definition: Those areas well suited for higher intensity more regional scale commercial activity typically found adjacent to major highways and intersections.

Intent: This district is intended to provide commercial goods and services to a larger service area at a more regional scale. The uses are much more intense than what would be expected in a community commercial district.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/6 acre (7,260 sf)	6 dwellings per acre	70	25	5	10	
Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	¼ acre (10,890 sf)	70	30	5	10		

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.11 Industrial District (ID)

Title: Industrial District

Definition: Those areas suited for light and/or heavy industries.

Intent: The intent of this district is to provide for the industrial and commercial needs of Oconee County while protecting other uses from potential negative impacts associated with such activities.

Dimensional Requirements*

ID District	Minimum District Size		Minimum District Buffer			Max. Height
		10 Acres		50 feet		
Nonresident ial Uses (interior lots)	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1/2 acre (21,780 sf)	90	30	10	15	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.12 Agricultural Residential District (ARD)

Title: Agricultural Residential District (ARD)

Definition: Those areas for which it is desirable to protect the residential nature of their agricultural community, but also allow for the continuation of certain uses compatible with country living.

Intent: The intent of this district is to protect existing residential areas in rural communities by limiting high-density development, and high impact agricultural, commercial and industrial uses not compatible with the character of the community. In general, many residents in these areas still participate in farming- related activities, but do so primarily on a part time basis, for either personal enjoyment or supplementing their primary income through gardening, keeping a small number of livestock or poultry, or other agricultural pursuits.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre	1 dwelling unit per acre	80	35	5	10	65

Nonresidential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	1 acre with availability of utilities	80	35	10	30	65

*See Article 9 for general provisions and exceptions to Dimensional Requirement (Amended 8-17-2010)

Section 38-10.13 Public and/or Recreation Lands District (PRLD)

Title: Public and Recreation Lands District

Definition: Those areas set aside for the promotion, use, and protection of natural resources in the form of (but not limited to) parks, forests, and educational or research facilities; or federal, state, and county owned lands typically maintained for the benefit of the public.

Intent: This district is meant to provide for a continuation and identification of public lands and to allow for those uses typically associated with accomplishing the mission of the agency charged with the care and promotion of the land.

Dimensional Requirements

See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.14 Mixed Use District (MUD)

Title: Mixed Use District

Definition: Those areas in which a mix of uses situated adjacent or nearby imposes no significant negative impacts, with the proximity of the activities associated with the development enhancing the surrounding properties.

Intent: This district is intended to provide for the development of mixed-use projects, as well as the continuation of, or expansion of, areas comprised of a blend of compatible uses.

Dimensional Requirements*

Residential Uses	Density & Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	½ acre	2 units per acre	100	25	5	10	65
Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Max. Height	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
	½ acre	100	25	5	10	65	

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Section 38-10.15 Planned Development District (PDD)

Title: Planned Development District

Definition: Those areas suitable for relatively intense mixed-use development that offers significant amounts of open space and designed amenities that enhance the surrounding scenic, natural, and cultural characteristics.

Intent: This district is intended to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments in order to preserve natural and scenic features of open spaces that might be negatively impacted by more restrictive zoning districts.

Definitions: For the purposes of this district, the following definitions shall apply.

- 1) Impervious Surface Ratio (ISR)- The ratio of impervious surface area to a development's total area (ISR= Area of Impervious Surface/Total Project Area).
- 2) Open Space- Portions of a project not occupied by private lots, amenities, public road right-of-ways, or other restricted or built-upon areas, that are generally accessible for passive recreational use by the development's residents, tenants, patrons and guests. Open space shall not include lawns, landscaping, and other areas considered accessory to a specific amenity or structure, but may include required buffer areas.

Uses:

Permitted Uses

A listing of uses permitted within a particular planned development district shall be contained in a plan adopted as part of the regulations applying to that district only. Uses may be of similar residential or commercial character, or may consist of a mix of residential, commercial, or other appropriate uses. Uses shall be restricted to those listed in the adopted plan.

Dimensional Requirements*

Project Area, Density & Open Space			Minimum Yard Requirements and Lot Size		Max. Height
Min. Project Area	Max. Density	Min. Open Space	Front, Side and Rear Setbacks	Min. Lot Size	Structure Height (ft.)
5 acres	Set in approved plan	15% of Site Project Area	Set in approved plan	Set in approved plan	65

*See Article 9 for general provisions and exceptions to Dimensional Requirements.

Additional Requirements:

- 1) With the exception of the draft ordinance of amendments necessary to amend these zoning regulations to approve the planned development, all draft plans, agreements, or other materials related to the establishment of a Planned Development District shall be the responsibility of the developer.
- 2) All such plans shall be stamped and signed by an appropriate design professional licensed by the State of South Carolina.
- 3) Proposed planned developments shall meet standards established for non-residential parking, buffering/screening, and lighting established in Appendix A of Chapter 38 (Zoning) of the Oconee County Code of ordinances , as amended.
- 4) All commercial signage in proposed planned developments shall be designed and located so as to avoid any negative impacts on neighboring uses both inside and outside the development. All road signage shall meet the standards established in the latest edition of the Manual of Uniform Traffic Control Devices.
- 5) All variations from adopted County regulations shall be specifically and clearly stated in the approved plan. Any regulation, standard or requirement not varied in an approved plan shall be strictly applied.
- 6) Proposed planned developments shall consist of a use mix of no less than 5% commercial, and 20% residential.
- 7) All historic and/or culturally significant structures and sensitive natural areas within the boundaries of the proposed planned development shall be identified on plans, and protected, preserved and maintained by methods endorsed by appropriate state and federal agencies. A maintenance plan for each such significant or sensitive feature shall be included as part of an approved planned development plan.
- 8) To the extent possible, all proposed planned developments shall be designed to provide for pedestrian and bicycle traffic, with 'bicycle lanes' included on roads designed to accommodate more than 400 Average Daily Trips (ADT's). An all-weather trail or sidewalk designed to safely accommodate both pedestrian and bicycle traffic may be approved in lieu of this requirement.
- 9) Stormwater control measures shall be designed and maintained so as to adequately ensure post-construction runoff generated from planned development meets minimum requirements as defined by state regulations. Low Impact Development (LID) measures utilizing controls such as natural infiltration and vegetative conveyance systems, as well as storm water wetlands, bioretention areas, and vegetative filter strips are encouraged to be utilized to the extent possible.

Zoning Use Matrix

Uses	TRD	AD	ARD	CD	RRD	PRLD	RD	LRD	CCD	HCD	ID	MUD
	Zoning Use Matrix											
Agricultural production, crops, livestock, and poultry	P	P	X	P	P	X	x	X	X	X	X	X
Agricultural production, crops, livestock, and poultry (excluding commercial chicken houses, commercial hog parlors, and commercial feed lots)	P	P	P	P	P	X	P	X	P	P	P	X
Agricultural support services-veterinarians, kennels, feed/seeds, supply stores, implements, etc	P	P	P	X	P	X	X	X	P	P	P	X
Air strips	S	S	X	X	S	X	X	X	X	S	S	X
Auction houses	P	P	S	X	P	X	X	X	C	C	X	C
Auditorium / Indoor Public Assembly	P	S	X	X	X	X	X	X	P	P	X	X
Bed and Breakfast Inns	P	C	P	S	P	X	S	S	C	P	X	X
Building and Trade Contractors, including materials and supply uses	P	P	S	X	X	X	X	X	P	P	P	P
Cemeteries and accessory uses	P	P	P	P	P	X	P	X	C	P	P	P
Civic, fraternal, professional, & political organizations	P	P	P	X	P	X	S	X	P	P	X	P
Commercial Fishing, Hunting & Trapping	P	P	S	S	S	S	X	X	X	X	X	X
Communications towers	S	S	S	S	S	S	X	X	S	S	S	S
Conservation subdivisions	C	C	C	S	C	X	C	C	X	C	X	C
Convenience stores (excluding motor vehicle services)	P	S	S	X	S	X	X	X	P	P	P	P
Correctional facilities and half-way houses	X	X	X	X	X	X	X	X	X	X	S	X
Day Care Facilities (all ages)	P	P	S	X	S	X	S	S	P	P	X	S
Distribution and other Warehouses	P	P	X	X	X	X	X	X	S	P	P	S
Educational buildings, and Research Facilities (all types)	S	S	X	S	S	P	S	X	P	P	P	S
Emergency services	P	P	P	X	P	X	P	P	P	P	P	P
Farm and roadside markets	P	P	P	P	P	P	X	X	P	P	X	X
Financial Services	P	S	X	X	X	X	X	X	P	P	X	P
Forestry / Silviculture	P	P	P	P	P	P	P	P	P	P	P	P
Fuel supply services	X	P	X	X	X	X	X	X	S	P	P	S
Funeral homes & services	X	X	X	X	X	X	X	X	P	P	X	P
Golf courses , country clubs, driving ranges	S	X	S	X	X	X	P	P	X	P	X	X

Uses	TRD	AG	ARD	CD	RRD	PRLD	RD	LRD	OCD	HCD	ID	MUD
	Zoning Use Matrix, cont.											
Government buildings (excluding correctional facilities)	P	S	X	S	P	P	P	X	P	P	P	P
Group Homes	S	S	S	X	S	S	S	X	X	X	X	S
Greenhouses, nurseries, and landscape commercial services	P	P	P	S	P	X	X	X	P	P	P	P
Gun and Archery clubs and shooting ranges	S	S	X	S	S	X	X	X	X	S	X	X
Health care services, service retail, and emergency short term shelters	P	P	S	X	P	X	X	X	P	P	X	P
Home occupations and businesses	C	C	C	C	C	X	C	C	C	C	X	C
Hotels, Motels, & Inns	S	S	X	X	X	X	X	X	P	P	X	X
Laundry Mats	P	P	P	X	X	X	X	X	P	P	X	P
Laundry & dry cleaning services	P	X	X	X	X	X	X	X	P	P	X	S
Light Manufacturing	P	S	X	X	X	X	X	X	S	P	P	S
Liquor stores and bars	X	X	X	X	X	X	X	X	S	S	X	S
Lumber & saw mills (permanent)	P	P	X	X	X	X	X	X	X	X	P	X
Lumber & saw mills (portable)	P	P	P	P	P	P	P	P	P	P	P	P
Manufactured Home Dealer	X	X	X	X	X	X	X	X	X	P	P	X
Heavy Manufacturing	X	X	X	X	X	X	X	X	X	S	P	X
Martins	S	S	S	X	S	S	S	S	P	P	P	X
Mini storage or mini warehouses	X	X	X	X	X	X	X	X	P	P	P	X
Mining	S	S	X	X	X	X	X	X	X	X	X	X
Mixed Use Buildings and parcels	P	P	X	X	P	X	S	X	P	P	X	P
Motor vehicle parking & garages (as a principal business use)	X	X	X	X	X	X	X	X	P	P	P	X
Motor vehicle sales and rental	S	X	X	X	X	X	X	X	P	P	P	X
Motor vehicle services and repair	P	P	P	X	X	X	X	X	C	P	P	C
Motor vehicle services and gas stations (excluding truck stops)	P	P	X	X	P	X	X	X	P	P	P	P
Movie theater	P	X	X	X	X	X	X	X	S	P	X	X
Multi-family residential development (structures containing 5 or more residential units)	P	X	S	X	X	X	S	S	S	P	X	S
Multi-family residential development (structures containing no more than 4 residential units)	P	X	S	X	X	X	P	S	S	S	X	P
Museums, cultural centers, historical sites, sightseeing, & similar institutions	P	P	P	S	P	P	P	X	P	P	X	P
Office uses, general	P	X	X	X	X	X	S	X	P	P	X	P
Outdoor Retail	P	P	P	X	P	X	X	X	P	P	X	C

Uses	TRD	AG	ARD	CD	RRD	PRLD	RD	LRD	CCD	HCD	ID	MUD
Zoning Use Matrix, cont.												
Places of worship	P	P	P	P	P	P	P	P	P	P	S	P
Public, Private, and Commercial parks and recreation, camping or social facilities	P	P	P	S	P	P	P	S	P	P	X	X
Public & private utilities	P	P	P	P	P	P	X	X	P	P	P	P
Railroad stations	P	X	X	X	X	X	X	X	P	P	P	X
Residential care facilities	S	X	X	X	S	X	S	X	P	P	X	S
Restaurants (up to 2,500 square feet)	C	P	S	X	C	X	X	X	P	P	S	P
Restaurants (greater than 2,500 square feet)	S	S	X	X	S	X	X	X	P	P	S	S
Retail uses (up to 5,000 square feet)	P	S	S	X	P	X	X	X	P	P	P	P
Retail uses (5,000-50,000 square feet)	S	X	X	X	S	X	X	X	X	P	P	S
Retail uses (greater than 50,000 square feet)	X	X	X	X	X	X	X	X	X	P	S	X
Roadside Stands	P	P	P	P	P	X	P	P	P	P	P	P
Salvage yard, Junkyard, & Recycling Operations	S	S	X	X	X	X	X	X	X	X	P	X
Single-family detached residential	P	P	P	P	P	X	P	P	P	P	X	P
Single-family subdivisions (10 units or less)	P	S	P	X	P	X	P	P	P	X	X	P
Single-family subdivisions (more than 10 units)	S	X	X	X	X	X	P	P	S	X	X	S
Solid waste landfill and Waste Management Services; (excluding hazardous waste)	S	S	X	X	X	X	X	X	X	X	S	X
Taxidermy, slaughter houses & wild game processing	P	P	S	S	P	X	X	X	S	S	X	X
Waste management services (excluding hazardous waste)	S	S	X	X	X	X	X	X	X	X	P	X

X-not permitted

P-permitted

C-conditional use- permitted if conditions are met

S- special exception- approved by Board of Zoning Appeals

Article 11. Overlay Districts

The following overlay districts are hereby created to guide development within areas of Oconee County deemed to be of extraordinary value to its citizens. The standards applicable within the boundaries of the various overlays are intended to encourage and maintain positive attributes, while limiting the negative effects associated with unmanaged growth.

Section 38-11.1 Lake Overlay District

- 1) **Title:** Lake Overlay District
- 2) **Definition:** The Lake Overlay is not intended to be a separate zoning district, but shall be assigned to the shoreline areas of Oconee County lakes that are considered by County Council to be vital to the economic prosperity and general well-being of all county citizens.
- 3) **Intent:** This overlay is intended to protect water quality, maintain natural beauty, and limit secondary impacts of new development that may negatively affect the lifestyles of those living near the lakeshore and the general enjoyment of the lakes by all citizens.
- 4) **Boundary:** The boundaries of the Lake Overlay District are shown on the Official Oconee County Zoning Map, and are divided into the following sub-districts:
 - a) Keowee/Jocassee Overlay (Lakes Keowee and Jocassee) - The following standards shall apply within seven hundred and fifty (750') feet of the full pond contour of Lake Keowee and Lake Jocassee, to be measured along a perpendicular line from the full-pond contour.
 - i) Standards
 - (1) No single-family or multi-family development shall have a net density greater than 2 dwelling units per acre within the boundary of the overlay.
 - (2) No structure constructed in the overlay shall have a building height greater than 65 feet above finished grade. In no circumstance shall the grade elevation be altered beyond that necessary to provide for structural soundness. For the purposes of this section, unless otherwise stated, all dimensions, heights, elevations and other specifications related to structures shall be measured in accordance with adopted building codes.
 - (3) Marinas and commercial boat storage shall comply with Duke Energy's regulations and shall not be located within a mile radius of an existing platted and properly recorded subdivision.
 - (4) All non-residential projects that have a proposed developed area fully or partially located within the boundaries of the Lake Keowee/Jocassee Overlay shall be subject to a Special Exception hearing by the Board of Zoning Appeals. The Board of Zoning Appeals shall use Appendix A as a

guide and for good cause shown they may waive the strict application of any standard therein.

(5) Natural Vegetative Buffer

- (a) A natural vegetative buffer shall be established on all waterfront parcels whose property line is located within 25 feet from the full pond contour. Those parcels not meeting this criteria shall be exempt from this standard.
- (b) The buffer shall extend to a depth of twenty-five (25) feet measured along a perpendicular line from the full-pond contour ~~or any~~; in the event permanent shoreline stabilization, such as rip-rap, retaining walls, is located at the full-pond contour, the buffer may begin at the back of the stabilization, provided the minimum required area is achieved. Right-of-way maintenance activities by all utilities shall be exempt.
- (c) All structures and landscaping existing at the time of adoption of this Chapter shall be considered as permitted and shall not be considered impediments to the buffer. Any new structures or any other new objects that are impediments to the establishment of the required buffer shall be placed outside the natural buffer areas unless the total square footage occupied by the structure, not to exceed 20% of the required buffer area, is added to the buffer at another location on the same parcel, provided the resulting buffer area is equal to the required buffer area, and the effectiveness of the buffer is not compromised.
- (d) In order to ensure that the natural buffer is maintained during the development of property a properly installed and maintained silt fence shall be installed 25 feet from the full pond elevation, separating the buffer from the developed area, until the completion of construction. No construction or disturbance shall occur below the silt fence unless it is deemed necessary by a certified arborist to remove diseased trees. Dead trees may be removed with the approval of the zoning administrator. No trees larger than six-inch caliber at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist. Trees may be limbed up to 50 percent of their height. A removal plan shall be submitted for approval.
- (e) No development activity or soil disturbance shall occur in the buffer area, unless permitted by the zoning administrator.
- (f) Shoreline stabilization shall be permitted provided any soil disturbance or other stabilization activities are supervised and approved by the appropriate licensed design professional and submitted to the zoning administrator.
- (g) A map indicating those parcels to which the standards of this section apply, as well as the status of the establishment of the required buffer, shall be created and maintained as a layer in the county's Geographic Information System (GIS), and shall be available to the public.

- (h) Natural, existing vegetation is encouraged; however, the following mix of plants shall be required for every twenty-five hundred (2500) square feet of vegetative buffer area that is established by planting:
- (i) The following mixture of plants for every twenty-five hundred (2500) square feet of natural vegetative buffer shall be required when existing:
 - 1. 3- large maturing shade trees, equally spaced, 4 inch or greater caliper at 4 feet
 - 2. 3-understory trees, equally spaced, 2 inch or greater caliper at 4 feet
 - 3. 6-small evergreen trees
 - 4. 20- shrubs; or
 - (ii) A diverse mix of native plants and unmanaged (uncut below 12 inches and untreated) native grasses where available and suited to the site.
- (i) A view lane of no more than fifteen percent (15%) of the buffer area shall be permitted in the natural buffer area. Impervious surface no greater than 20 percent of the allowed view lane area is permitted. All impervious surfaces shall be considered part of the view lane. Other structures must be temporary.
- (j) No new manicured lawns or other managed grasses shall be established within the buffer area. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the buffer area.
- (k) In the event that a property owner is unable to establish the said buffer they may request a variance, to be considered at a hearing before the Board of Zoning Appeals of Zoning Appeals, stating the reasons why a buffer cannot be established. The Board of Zoning Appeals of Zoning Appeals may, in its sole discretion, grant or not grant such variance, for good cause shown.

Section 38-11.2 I-85 Overlay District

Title: I-85 Overlay District

Definition: The I-85 Overlay District is not intended to be a separate zoning district, but shall be assigned to those areas County Council has determined to be essential to the future economic prosperity and general well being of all Oconee citizens.

Intent: The Overlay is intended to promote development that reflects the best building and site design practices in a manner that will maintain the greatest marketability of the area over time, while limiting any negative effects that may impact the existing lifestyle of the area's citizens.

Boundary: The boundaries of the I-85 Overlay District shall be shown on the Official Oconee County Zoning Map:

The I-85 Overlay District shall be divided into the following sub-districts:

- a) Carolina Gateway (Interstate 85)
- b) Fair Play Village
- c) Cleveland Creek

Standards:

- 1) No new residential subdivision development consisting of more than ten (10) residential housing units proposed for any sub-district of the I-85 Overlay
- 2) District shall have a gross density not greater than one (1) dwelling unit per acre, unless otherwise specified..
- 3) The regulations contained within Appendix A of this Chapter shall apply in their entirety to all non-residential uses within the Carolina Gateway (Interstate 85) overlay, excluding agriculture uses.
- 4) Sexually Oriented Businesses, as defined by the Unified Performance Standards Chapter of the Oconee County Code of Ordinances, shall not be located in the I-85 Overlay District.
- 5) All new residential and non-residential buildings, accessory buildings, and other permanent structures proposed to be located within the boundaries of the Fair Play Village Sub-district shall be subject to the following standards:
 - a) Maximum Density: Two (2) Dwelling Units per acre
 - b) Minimum Lot Width on Road Frontage: One Hundred (100) feet
 - c) Minimum Yard Setbacks:

Front – Twenty Five (25) Feet Side – Five (5) Feet Rear – Ten (10) Feet

Article 12. Terms and Definitions

Section 38-12.1 Rules of Construction and Interpretation of Terms –

The following rules shall govern the interpretation of words and phrases used in this chapter:

- 1) Customary meanings of words. The words and phrases used in this chapter shall have their customary meanings except for specific words and phrases.
- 2) Tense. The present tense includes the future tense.
- 3) Number. The singular number includes the plural number, and the plural number includes the singular number.
- 4) Person. The word "person" includes a firm, association, partnership, trust, company, corporation or any other entity usually defined in legal usage as a person.
- 5) Shall and may. The word "shall" is mandatory; the word "may" is permissive.
- 6) Used and occupied. The word "used" or "occupied" include the words "intended, designed or arranged to be used or occupied."
- 7) Building. The word 'building' includes all structures of every kind, except fences and walls regardless of similarity to buildings.
- 8) Used for. The term 'used for' shall include the phrases: arranged for, designed for, intended for, and occupied for.
- 9) Lot. The word "lot" shall include the words: piece, tract, and plot.
- 10) 'Contiguous' as applied to lots. The word "contiguous" shall be interpreted as meaning: sharing a common lot boundary at any point, and not separated by an intervening public street or alley.
- 11) 'Contiguous' as applied to planning districts or zoning classifications. The word "contiguous" shall be interpreted as meaning: sharing a common boundary at any point, disregarding any intervening public street or alley.
- 12) 'On the premises of.' The phrase "on the premises of" as applied to accessory uses or structures shall be interpreted to mean: on the same lot or on a contiguous lot in the same ownership.

Section 38-12.2 Definitions –

Except where specifically defined herein, all words used in this Chapter shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

Abandoned Sign: a sign which is not being maintained as required by SC Code of Laws, 1976, as amended 57-25-110, or which is overgrown by trees or other vegetation not on the road right-of-way, or which has an obsolete advertising message or no advertising message for a period of six months. Any public service signage shall not be considered abandoned under this definition.

Abutting: having property or district lines in common; i.e.; two lots are abutting if they have property lines in common. Lots are also considered to be abutting if they are directly opposite each other and separated by a street, alley, railroad right-of-way, or stream.

Access: a way of approaching or entering a property. Access also includes ingress, the right to enter and egress, and the right to leave.

Accessory Building or Use: a building or use, not including signs, which is:

- 1) Conducted or located on the same parcel as the principal building or use, except as may be specifically provided elsewhere in the Chapter;
- 2) Clearly incidental to, subordinate in area and purpose to, and serves the principal use; and
- 3) Either in the same ownership as the principal use or is clearly operated or maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use.

Addition (to an existing building): means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation or reconstruction to any building, that was constructed prior to the initial Flood Insurance Study for that area, and the addition, renovation or reconstruction does not equal 50% of the present market value of the structure. Where a fire wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

Adult Entertainment Establishment(Sexually Oriented Business): includes clubs and eating and drinking establishments with nude or seminude entertainment or dancing; physical culture establishments, such as but not limited to, establishments that include adult bookstores, adult motion picture theaters, adult motels and hotels, and other similar establishments which depict or emphasize sexual activities and/or nudity.

Affected land (relating to mining): the surface area of land that is mined, the surface area of land associated with a mining activity so that soil is exposed to accelerated erosion, the surface area of land on which overburden and waste is deposited, and the surface area of land used for processing or treatment plant, stockpiles, nonpublic roads, and settling ponds.

Agriculture: the practice of farming by means of cultivating the soil, producing crops, and raising livestock; such as but not limited to dairying, pasturage, viticulture, horticulture, hydroponics, floriculture, aquaculture, truck farming, orchards, forestry, and animal and poultry husbandry.

Airport: any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary

taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

Alley: a public or private right-of-way or easement primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street, and not intended for general traffic.

Alter: to make any structural changes in the supporting or load-bearing members of a building, such as load-bearing walls, columns, beams, girders, or floor joists.

Apartment: a room or suite of rooms intended for use as a residence by a single household or family. Such a dwelling unit may be located in a multi-family structure, duplex, or as an accessory use in a single family home or a commercial building.

Apartment House: (See Multi-family housing)

Area of special flood hazard: is the land in the floodplain within a community subject to a one percent or greater chance of being flooded in any given year.

Awning, Canopy, Marquee: a roof-like cover that is temporary or portable in nature and that project from the wall of a building for the purpose of shielding a doorway or window from the elements. Canopies and marquees are rigid, structures of a more permanent nature attached to a building or supported by columns extending to the ground.

Bed and Breakfast: sleeping accommodations for travelers where meals may be included or available. There is no restaurant, but a dining room may be used by overnight guests only. The owner must be a resident.

Billboard: large format outdoor advertising displays or signs intended for viewing from extended distances. Billboards include but are not limited to 30-sheet posters, 8-sheet posters, vinyl-wrapped posters, bulletins, wall murals, and stadium / arena signage as defined by the Outdoor Advertising Association of America. Typically the sign area of a billboard ranges anywhere from 50 square feet to 672 square feet.

Board of Zoning Appeals: a local body, created by ordinance pursuant to the authority of Chapter 28 of Title 6 of the South Carolina Code of Laws, 1976, as amended, whose responsibility is to hear appeals from decisions of the Zoning Administrator and to consider requests for variances from the terms of the Zoning Chapter.

Boarding House: a building other than a hotel, inn, or motel, where, for compensation, meals are served and lodging is provided.

Buffer: a portion of property designated to mitigate impacts between land uses or transportation routes, or to protect water features from pollutants.

Buffer, Undisturbed Natural Vegetative: an area consisting of an undisturbed, maintenance free, self-perpetuating stand of vegetation comprised of plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides, or pesticides.

Buildable Area (Building Envelope): the space remaining on a parcel after the minimum open space requirements (yards, setbacks) have been met.

Building: any roofed structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto.

Building, Accessory: see Accessory Building or Use.

Building Footprint: the portion of a lot's area that is enclosed by the foundation of buildings, plus any cantilevered upper floor.

Building Height: the vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the building. Spires, cupolas, chimneys, antennae attached to a building, and/or projections from buildings, radios, TV, communications, telecommunication, and water towers are not to be included in the calculations of building height.

Building Lot Coverage: the amount of net lot area or land surface area, expressed in terms of a percentage that is covered by all principal buildings.

Building, Principal (Main): a building in which is conducted the principal use of the parcel on which it is situated.

Building Setbacks: the minimum distance from the property line to closest projection of the exterior face of buildings, walls, or other form of construction (i.e. decks, landings, terraces, porches, and patios on grade).

Building Setback Line: the line on the front, rear, and sides of a lot, set according to the district regulations, which delineates the areas upon which a structure may be built or maintained. At the time of application, all yard setbacks are determined from the most recent Oconee County Tax Map.

Front yard setback - shall be measured from the roadway right-of-way as shown on tax maps.

Side and Rear yard setbacks - shall be measured from the property lines as shown on tax maps.

Corner lot setbacks - shall be measured from the roadway right-of-ways it is adjacent to

On a flag lot the "building setback line" runs parallel to the street and is measured from the point in the main portion of the lot (i.e. the "flag" part of the lot, not the "pole" part), which is closest to the street. (The minimum lot width must be met in this area, as well. Therefore, if the point closest to the street is a corner rather

than a line, the setback will have to extend as far as necessary to meet the required minimum lot width!)

Built-Upon Area: built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious surfaces, including buildings, pavement, gravel roads, recreation facilities (e.g. tennis courts), etc.

Campground: land upon which, for compensation, shelters (such as tents, travel trailers, and recreational vehicles) are erected or located for occupation by transients and/or vacationers. They may include such permanent structures and facilities as are normally associated with the operation of a campground.

Centerline: a line along the center of a road, highway, river, creek, or property that equal divides the object into two equal parts; a line running through the middle.

Centroid: The geometric center of a polygon. In spatial information systems (GIS), the centroid is a point in a polygon to which attribute information about that specific area is linked. It is the “center of gravity” or mathematically exact center of an irregularly shaped polygon. The centroid is the center.

Certificate of Occupancy: official certification that a premise conforms to provisions of the Zoning Chapter (and State Building Code) and may be used or occupied. Such a certificate is granted for new construction or for alterations or additions to existing structures or a change in use. Unless such a certificate is issued, a structure cannot be occupied, but a certificate may be issued for a portion of a structure ready for occupancy, such as separate dwelling or commercial units in a structure with multiple units.

Civic, fraternal, professional, & political organizations: A nonprofit association of persons, who are bona fide members paying dues, which owns, hires, or leases a building, or portion thereof, the use of such premises being restricted to members and their guests. The affairs and management of such “private club or lodge” are conducted by a Board of Directors, executive committee, or similar body chosen by the members. It shall be permissible to serve food and meals on such premises, providing adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed, provided it is secondary and incidental to the promotion of some other common objective of the organization, and further provided that such sale of alcoholic beverages is in compliance with the applicable federal, state, and local laws.

Common open space or green space: a parcel or parcels of land, or an area of water, or a combination of both land and water, within the site designated for development and designed and intended for the use and enjoyment of residents of the development or for the general public, not including streets or off-street parking areas. Common Open Space shall be substantially free of structures, but may contain such improvements as are in the plan as finally approved and are appropriate for the benefit of residents of the development.

Conditional Use(s) - provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district which have been set forth in the text of the zoning Chapter.

Condominium: an attached multi-family dwelling unit in which the ownership of the occupancy rights to the dwelling unit is individually owned or for sale to an individual, and such ownership is not inclusive of any land.

Contractor: one who accomplishes work or provides facilities under contract to another. The major portion of a contractor's work normally occurs outside and away from his business location. As used in this Chapter, the term "contractor" does not include general assembly, fabrication, or manufacture at his business location.

Convenience Store: a commercial building where a variety of items are sold, which may include food, magazines, automobile accessories and maintenance supplies, and other such items. In addition to the commercial building, other services on the premises may include gasoline sales, and a coin operated (automated) car wash.

Conversion: changing the original purpose of the building to a different use.

County Council: the governing body of Oconee County.

Covenant: a private legal restriction on the use of land, which is contained in the deed to the property or otherwise formally recorded. There may be certain legal requirements for formal establishment of a covenant such as a written document, a mutual interest in the property, that the covenant be concerned with the use of the land rather than individual characteristics of ownership, etc.

Current Land Use Map— a non-regulatory map that graphically represents the existing land use, by parcel, throughout the county.

Day Care Facility (Adults and Children): a commercial facility, which provides for the care of children or adults. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults, and for which care a payment, fee, or grant is made. All State registration requirements and inspections shall be met.

Dedication: the transfer of property from private to public ownership with or without compensation involved.

Density: the average number of families, persons, housing units, or buildings per unit of land.

Density, gross: the total number of dwelling units proposed on a property per acre.

$$\text{Gross Density} = \frac{\text{Proposed number of dwelling units}}{\text{The total acreage}}$$

Density, net: the total number of dwelling units proposed on a property per acre after the area of the infrastructure is taken into account.

$$\text{Net Density} = \frac{\text{Proposed number of dwelling units}}{\text{(The total acreage – roads and right-of-ways)}}$$

District, Zoning: a specifically delineated area in a Planning District, shown on the Official Zoning Map, within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.

Dripline: a collective name for all vertical lines from the earth to the outermost tips of the crown of a tree. These lines will completely encircle the tree and thereby define its outermost reaches.

Driveway: a private roadway located on a parcel or lot used for vehicle access.

Dwelling: a building or portion thereof designed, arranged, or used for permanent living quarters. The term “dwelling” shall not be deemed to include a travel trailer, motel, hotel, tourist home, or other structures designed for transient residence.

Dwelling, Single Family: a building containing one dwelling that is entirely surrounded by open space on the same lot, but may include separate units as accessory uses to be occupied only by employees or relatives of the household.

Easement: a right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give an easement on his property to allow utility facilities like power lines or pipelines, to allow light to reach a neighbor’s windows, or to allow access to another property. No land is dedicated to the party receiving an easement, only permission to use the land for a specific purpose.

Elevated building: means, for floodplain management purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

Erect: build, construct, erect, rebuild, reconstruct, or re-erect any building or other structure.

Façade: the exterior walls of a building exposed to public view or that wall viewed by persons not within the building.

Farm and Roadside Market: a market or stand operated on a seasonal or year-round basis that allows for agricultural producers to retail their products and agricultural related items directly to consumers and enhance income through value-added products, services, and activities.

Floor Area (for determining off-street parking and loading requirements): the gross total horizontal area of all floors below the roof, including usable basements, cellars, and accessory storage areas such as counters, racks, or closets, but excluding, in the case of nonresidential facilities, arcades, porticos, and similar areas open to the outside air which are accessible to the general public and which are not designed or used as areas for sales, display, storage, service, or production. However, "floor area", for the purpose of measurement for off-street parking spaces shall not include: floor area devoted to primarily storage purposes (except as otherwise noted above); floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or basement floor other than area devoted to retailing activities, to the production or processing of goods, or business or professional offices.

Flood or flooding: a general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1) The overflow of inland or tidal waters; and,
- 2) The unusual and rapid accumulation of runoff of surface waters from any source.

Floodway: the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor: the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor Area, Gross: the total floor area enclosed within a building.

Foot-candle: a unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) candle.

Frontage: all of the real property abutting a street line measured along the street right-of-way.

Future Land Use Map (FLUM): a non-regulatory map that graphically represents what the citizens would like to see the county look like in the future; bringing together the goals expressed in all of the elements of the Comprehensive Plan.

Garage, Private: a building or space used as an accessory to, or a part of, the main building permitted in any district, providing for the storage of motor vehicles, and in which no business, occupation, or service for profit is in any way conducted, except in an approved home occupation.

Glare: the effect of brightness in the field of view that causes annoyance or discomfort or interferes with seeing. It may be direct glare from a light source or reflected glare from a glossy surface.

Grade: the percent of rise or descent of a sloping surface; the average elevation of a specified area of land.

Greenhouses, nursery, and landscape commercial services: a place where various plants and trees are grown for sale, transplanting, or experimentation.

Groundcover: any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

Group Home: a public, private, or not-for profit facility which may provide licensed or unlicensed counseling services, schooling, and care, and which houses ten or more persons not related by blood or adoption in a residential or dormitory environment for a period of 30 days or more per year. Residential treatment centers (RTC's) are included in this definition.

Exempted Residential Facility: residential summer camps, day facilities, and religious retreat facilities, any of which do not provide for long-term stays of 30 days or more. Hospitals, nursing homes, and accredited college/ accredited university housing are exempted from this definition.

Home Occupation: any occupation or profession carried on entirely within a dwelling or accessory building on the same parcel by one or more occupants thereof, providing the following:

- 1) That such use is clearly incidental and secondary to the use of the dwelling for dwelling purposes; this shall be construed to include in-home duly licensed daycare;
- 2) That no more than twenty-five percent (25%) of the total floor area of the dwelling is used for such purposes;
- 3) That there is no outside or window display;
- 4) That no mechanical or electrical equipment is installed or used other than is normally used for domestic, , or hobby purposes,; and,
- 5) That not more than one person not a resident of the dwelling is employed in connection with the home occupation.

Hotel: a building or other structure kept, maintained, advertised as, or held out to the public to be a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants. Rooms are furnished for the accommodation of such guests, and the hotel may or may not have one or more dining rooms, restaurants, or cafes where meals are served. Such sleeping accommodations and dining rooms, restaurants, or cafes, if existing, are located in the same building. Entry to sleeping rooms shall be from the interior of the building.

Impervious Surface: four (4) sq. ft. or more of continuous surface area of any material that prevents absorption of stormwater into the ground.

Intensity of Use: a measure of the extent to which a land parcel is developed.

Landfill, solid waste: a sanitary landfill facility for stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth and other solid wastes resulting from construction, demolition or land clearing.

Landfill, waste management services: a facility where waste material and refuse is placed temporarily for shipping to the appropriate facility.

Landscape Architect: a professional landscape architect registered by the State of South Carolina.

Landscaped Area: a portion of the site or property containing vegetation to exist after construction is completed. Landscaped areas can include, but are not limited to, natural areas, buffers, lawns, and plantings.

Large-maturing Tree: an evergreen or deciduous tree having a mature height of over thirty-five (35) feet. Examples include but are not limited to: sycamore, oak, deodar cedar, red maple, elm, red cedar.

Large-maturing Shade Tree: an evergreen or deciduous tree having a mature height of over thirty-five (35) feet with a substantial canopy that provides shade and overhead cover. Examples include but are not limited to: sycamore, oak, red maple, elm.

Loading Area or Space, Off-Street: an area logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles. Required off-street loading space is not to be included as off-street parking space in computing required off-street parking space.

Lot: a parcel of land in undivided ownership occupied, or intended for occupancy, by a main building or group of main buildings together with any accessory buildings, including such yards, open spaces, width, and area as are required by this Chapter, either shown on a plat of record or described by metes and bounds and recorded with the Register of Deeds. For the purpose of this Chapter, the word "lot" shall be taken to mean any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are erected or are to be erected.

Lot, Corner: a lot abutting the intersection of two (2) or more streets or a lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot at the apex meet at any angle of less than one hundred thirty-five (135) degrees. In such a case the apex of the curve forming the corner lot shall be considered as the intersection of street lines for the purpose of this Chapter, such as in corner visibility requirements.

Lot, Depth: the depth of a lot is the average distance between the front and back lot lines measured at right angles to its frontage and from corner to corner.

Lot, Interior: a lot other than a corner lot.

Lot Lines: the lines bounding a lot. Where a lot of record includes a right-of-way, the lot lines are presumed not to extend into the right-of-way.

Lot, Through: an interior lot having frontage on two streets.

Lot, Width: the straight line distance between the points where the building setback line intersects the two side lot lines.

Lot of Record: a lot which is a part of a subdivision, a plat of which has been recorded in the office of the Oconee County Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the Oconee County Register of Deeds by the owner or predecessor in title thereto.

Marina: any commercial business on a public access body of water where commercially rented, leased, or for sale boat slips for overnight, on water or docked storage of boats; or access for trailered boats to be cast into the water. Other activities such as restaurants and mini-storage for boating purposes may be permitted on premises. Common docks for subdivision development is excluded.

Mining:

- 1) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores or other solid matter.
- 2) Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location.
- 3) The preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial or construction use.

Mining does not include:

- 1) Those aspects of deep mining not having significant effect on the surface, where the affected land does not exceed one acre in area.
- 2) Excavation or grading when conducted solely in aid of on-site farming or of on-site construction for purposes other than mining, such as constructing a residence, garage, commercial or industrial building.
- 3) Mining operations where the affected land does not exceed one (1) acre in area.
- 4) Plants engaged in processing minerals produced elsewhere and whose refuse does not affect more than one (1) acre of land.
- 5) Removal of overburden and mining of limited amounts of any ores or mineral solids when done only for the purpose and to the extent necessary to determine the location, quantity, or quality of any natural deposit, provided that no ores or mineral solids removed during exploratory excavation or mining are sold, processed for sale, or

consumed in the regular operation of a business, and provided further that the affected land resulting from any exploratory excavation does not exceed one (1) acre in area.

Mini storage or mini warehouses: a building, or group of buildings, in a controlled access and/or fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of a customer's goods or wares. No sales, service, or business activities shall occur out of the rented units.

Mixed Use Building or Parcel: any building comprised of a mixture of light commercial and residential uses; the commercial area shall be at least 25% of the building with the residential area, comprising no less than 35% of the building area. Parcels with existing or permitted residential structures may also include independent structures of light commercial usage limited to the permitted uses in the said district. Also, within any district, in addition to the permitted uses, multi-family residential (not to exceed 4 units), retail up to 2,500 square feet, restaurants up to 2,500 square feet, and office uses up to 2,500 square feet are also considered permitted use for mixed use buildings or parcels.

Motel: a building or other structure kept, maintained, advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants and where rooms are furnished for the accommodation of such guests. Entry to sleeping rooms may be from the interior or exterior of the building. Food may be served in dining rooms, restaurants, or cafes, which may be located in the same building as the sleeping rooms or may be in one or more separate buildings.

Motor vehicle services and gas stations (excluding truck stops): any building or land use for the dispensing, sale, or offering for sale at retail any automobile fuels along with accessories and services such as lubricants or tires, car washing, except that mechanical and electrical repairs, and tire repairs shall only be performed incidental to the conduct of the service station and are performed indoors. There shall be no fuel pumps within fifteen (15) feet of any property line or street right-of-way and incidental activities shall not include tire re-treading, major body work, major mechanical work, or upholstery work.

Motor vehicle services and repair: any buildings or land used for the servicing or repairing of vehicles excluding fuel sales, but including the sale and/or the installation of lubricants or tires, car washing, mechanical and electrical repairs, tire repairs, and body work.

Multi-family residential: a building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided.

Nonconforming Lot: a lot of record at the time of adoption or amendment, respectively, of this Chapter which does not meet the minimum requirements for area and/or width applicable in the district in which such lot is located.

Nonconforming Structure: a structure which existed lawfully on the date this Zoning Chapter became effective or the effective date of any amendments and does not conform to the permitted uses for the zoning district in which it is situated. Nonconforming uses are incompatible with permitted uses in the districts involved. Such nonconformities are permitted to continue until they are removed or vacated, as specified in this Chapter.

Nonconforming Use: a use that lawfully occupied a building or land at the time this Chapter, or any amendment thereto, became effective, which has been lawfully continued and which does not now conform to the use regulations.

Ordinance: the Zoning Enabling Ordinance, Oconee County Ordinance 2007-18, creating this chapter, and any ordinance amendatory thereof. Whenever the effective date of the Chapter is referred to, the reference includes the effective date of any amendatory ordinance.

Overlay District: a district, which applies additional supplementary or replacement regulations to land that is already classified in an existing zoning district.

Parking Bay: the parking module consisting of one or two rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces.

Parking Lot or Area: an area or plot of land used for, or designated for, the parking or storage of motor vehicles, either as a principal use or as an accessory use.

Parking Space: a storage space of not less than one hundred sixty (160) square feet for one automobile, plus the necessary access space.

Parking Space, Off-Street: a parking space located outside of a dedicated street right-of-way.

Permitted Uses : those uses explicitly stated as permitted in the definition of a particular zoning district or any use that clearly meets the definition and intent of the zoning district in question, including accessory buildings and uses.

Petition: for the purposes of the zoning regulations contained in this Chapter, a signed document in which one or more property owner(s) provides County Council input as to their opinion on the proposed zoning or future use of their property, surrounding properties, or an area being considered for rezoning. Petitions are simply one mechanism for providing County Council with such public input and do not limit or in any manner bind County Council's decisions, and as such should in no way be considered to be a vote for or against a proposed rezoning. It is ultimately the sole prerogative and duty and decision of County Council whether to zone any area(s) in Oconee County or not, and how to zone such area(s), if at all, in accordance with state law, the Comprehensive Land Use Plan of the County, and applicable zoning practices and regulations of the County.

Planning District Advisory Committee: a committee appointed by County Council from within a Planning Area considering zoning. This committee will, among other activities, create a proposed zoning map to be considered as an amendment to the existing county zoning map and this chapter.

Planning District: various planning areas modeled on the approximate Oconee County Fire Districts; although the Planning Areas are based upon the Fire District boundaries, no link between the two exists, and either may be amended without impacting the boundaries of the other.

Person: an individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Pervious Pavement: paving material that permits full or partial absorption of stormwater into the ground.

Place of Worship: for the purposes of this chapter, any parcel or building, church, synagogue, temple, mosque, or other facility used primarily for religious worship; or, any parcel, building, or facility owned, managed, or otherwise governed by a religious organization with the intent to enhance or otherwise further the mission or purpose for which such organization exists.

Planned Development District (PDD): a form of development usually characterized by a unified site design for a number of housing units, clustering buildings, providing common open space, density increases, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis.

Planning Commission: the public agency in a specific jurisdiction usually empowered to prepare a comprehensive land plan and to evaluate proposed changes in land use, either by public or private developers, for conformance with the plan.

Plant Material: large-maturing trees, understory trees, and / or shrubs.

Planting Island: in parking lot design, a built-up, curbed structure placed at the end or within parking rows for landscaping and as a guide to traffic.

Plat: a map, usually of land which is to be or has been subdivided, showing the location, boundaries, and ownership of properties; the location, bearing, and length of every street and alley line, lot line, and easement boundary line; and such other information as may be necessary to determine whether a proposed subdivision or development meets all required standards of this Chapter and other ordinances and amendments.

Premises: a single piece of property as conveyed in deed, or a lot or a number of adjacent lots on which is situated a land use, a building, or group of buildings designed as a unit or on which a building or a group of buildings are to be constructed.

Private Road or Street: any road or street which is not publicly owned and maintained and is used for access by the occupants of the development, their guests, and the general public. The right-of-way has not been dedicated to either the State of South Carolina or Oconee County.

Property Owner(s): for the purposes of this Chapter, the person(s), entity(ies), corporation(s), or partnership(s), whether one or more, listed as being an owner of record of the property in question, either recorded with the deed of the property or as listed by the public tax records of Oconee County.

Public Road or Street: roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the State of South Carolina or Oconee County.

Residential Care Facility (including, without limitation, convalescent homes): a facility which combines the functions of any combination of a retirement community, rest home, nursing home, and convalescent home, providing residential facilities for independent living, assisted care, and, possibly, nursing care.

Right-of-Way: an area owned and maintained by a municipality, the State of South Carolina, a public utility, a railroad, or a private entity for the placement of such utilities and/or facilities for the passage of vehicles or pedestrians, including roads, pedestrian walkways, utilities, or railroads.

Roadside Stand: typically a seasonally temporary stand less than 200 square feet used to sell farm and garden products, hand crafts, and other homemade items; or those locations used for educational, religious, or recreational fundraisers; or those locations used for the conveyance of public information. Stands must be authorized by the property owner and the appropriate right-of-way entity such as SCDOT, Oconee County, etc. Unsafe or abandoned structures, or any structure that presents a health or safety threat to the public, shall not be considered a legitimate Roadside Stand.

Salvage yard, junk yard, and recycling operations: any area, in whole or in part, where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, vehicles, rubber tires, and bottles. A “junk yard” includes an auto-wrecking yard, but does not include uses established entirely within enclosed buildings. A “junk yard” for vehicles is defined as four or more junk, inoperable or unlicensed vehicles stored on the property.

Screening: the use of plant materials and other landscape or architectural elements used separately or in combination to obscure views.

Searchlight: an apparatus with reflectors for projecting a powerful beam of light of approximately parallel rays in a particular direction, usually devised so that it can be swiveled about.

Setback: the required minimum distance between every structure and the lot lines of the lot on which it is located (measured from the road right of way in the front and property lines on the remaining portions of the property).

Sight Triangle: a triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Sign : any sign structure or combination of sign structure and message in the form of outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, advertising structure, advertisement, logo, symbol, or other form which is designated, intended, or used to advertise or inform. The term does not include official traffic control signs, official markers, nor specific information erected, caused to be erected or approved by the South Carolina Department of Transportation.

Sign, Awning: a sign mounted, painted, or attached to an awning.

Sign, Banner: any sign, except an awning sign, made of flexible fabric-like material.

Sign, Canopy: a sign mounted, painted, or attached to a canopy.

Sign, Directional: signs limited to directional messages, principally for pedestrian or vehicular traffic, such as “one-way”, “entrance”, and “exit”.

Sign, Flashing: any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. For the purposes of this Chapter any moving, illuminated sign shall be considered a “flashing sign”. Such signs shall not be deemed to include time and temperature signs or public message displays using electronic switching.

Sign, Hanging: a sign forming an angle with a building which extends from the building and is supported by the building

Sign, Monument: a freestanding sign constructed on the ground with a continuous footing or foundation with the base of the sign at grade level.

Sign, Portable: a sign that is not permanent, affixed to a building, structure, or the ground.

Sign, Projecting: a sign forming an angle with a building which extends from the building and is supported by the building

Sign, Revolving/Rotating: any sign or part of a sign that changes physical position or light intensity by any movement or animation or that gives the visual impression of such movement.

Sign, Roof: a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

Sign, Temporary: a sign or advertising display intended to be displayed in connection with a specific event for a limited duration.

Sign, Wall: a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and that does not project more than six (6) inches from such building or structure.

Sign, Window: a sign that is mounted for display on or within a window, and intended to be viewed from the outside.

Single-family Detached Residential: a parcel or lot containing a detached dwelling unit; includes homes and manufactured homes, but in no way excludes activities generally associated with residential living, such as; private parties, gardening, personal workshop(s), keeping of household pets and other animals such as horses provided sufficient acreage is available for such animals.

Site Plan: a plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes such things as lot lines, streets, building sites, reserved open space, buildings, major landscape features – both natural and manmade and depending on requirements, the locations of proposed utility lines.

Special Exception: a Special Exception use is one which is not permitted by right, but which may be permitted after a public hearing by the Board of Zoning Appeals and all conditions stated in this Chapter are met. The Zoning Chapter lists, by zoning district, those uses that may be allowed by right or by Special Exception. Uses that are included or fit the intent of these lists will be considered in each zoning district.

Spot Zoning: rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the goals in the comprehensive plan.

Stormwater: water that accumulates on land as a result of precipitation events, and can include runoff from impervious areas such as roads and roofs.

Street Line: the line between the street right-of-way and abutting property (i.e. right-of-way line).

Structure: anything constructed or erected, the use of which requires location in or on the land or attachment to something having a permanent location in or on the land.

Structural Alterations: any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, except for repair or replacement.

Subdivision: The current official definition is found in the Oconee County Subdivision Regulations, including exceptions stated therein. All subdivisions shall conform to and with the dimensional requirements stated in this Chapter, with the exception of existing and properly approved and recorded plats.

Substantial improvement: means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or, (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Tree Protection: measures taken, such as temporary fencing and the use of tree wells, existing at a minimum outside the dripline, to protect existing trees from damage or loss during and after project construction.

Understory Tree: an evergreen or deciduous tree with a mature height of less than thirty-five (35) feet. Examples include but are not limited to: red bud, dogwood, crape myrtle, wax myrtle, ornamental cherry.

Use: any continuing or repetitive occupation or activity taking place upon a parcel of land or within a building including, but not limited to; residential, manufacturing, retailing, offices, public services, recreational, and educational.

Variance: a variance is a waiver of the dimensional terms of the Zoning Chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the Chapter would result in unnecessary and undue hardship; and does not involve a change in the use of the property.

View Lane: the portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation

in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.

Viewshed: an area of land, water, and / or other environmental elements that are visible from a fixed vantage point (or series of points along a linear transportation facility).

Yard: an open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in this Chapter is unoccupied and unobstructed from the ground upward, except as may be expressly permitted.

Yard, Front (Highway Yard): a yard across the full width of the lot extending from the front line of the building.

Yard, Side: an open space on the same lot with a building, between the building and the side line of the lot, extending through, from the front building line, to the rear of the lot.

Yard, Rear: a yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

Zoning: a police power measure, enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and conditional uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. The Zoning Chapter consists of two parts – a text and a map.

Zoning Administrator: the official person in charged with the enforcement of the Zoning Chapter.

Zoning Chapter: the zoning chapter of the Oconee County Code of Ordinances, currently Chapter 38.

Zoning District: an area established by this Chapter where the individual properties are designed to serve compatible functions and to be developed at compatible scales.

Appendix A

(a) **BUILDING STANDARDS**

Diversity in design consistent with the local natural and architectural surroundings is encouraged.

1. To the extent feasible, primary facades and entrances shall face the street.
2. All buildings less than or equal to twenty (20) feet in height shall have a setback of at least thirty (30) feet from the property line along the primary road. Setback from remaining property lines shall be fifteen (15) feet.
3. Buildings more than twenty (20) feet in height shall have a setback of thirty (30) feet plus an additional distance equal to one foot in horizontal distance for each one foot in additional vertical distance (building height over 20 feet) along the primary road. Setbacks from remaining property lines shall be twenty-five (25) feet.
4. Exterior building materials visible from the traffic lanes shall not consist of unadorned concrete masonry units (concrete blocks), corrugated metal, and/or sheet metal. Pre-cast panels and pre-engineered metal wall units, and 'split-faced' and other rusticated masonry wall are permitted.
5. Suitable materials for treating building facades may include, but are not limited to: stone, brick, glass, wood siding, split block, or stucco. Alternative materials may be approved by the Planning Director.
6. Blank, uninterrupted building facades shall not face residential areas or public or private street right-of-ways. Design techniques using architectural elements or repetitive features should be utilized to visually break up the facade. Examples include, but are not limited to: windows, doors, columns, canopies, lighting fixtures, building offsets / projections, decorative tile work, artwork, or other elements approved by the Planning Director. The following standards apply:
 - 1) Industrial uses shall not have blank walls greater than fifty (50) feet in length.
 - 2) All other uses shall not have blank walls greater than thirty (30) feet in length.
7. The appearance of strip development resulting from flat, unvaried roof lines is discouraged. Roofline variation may be achieved using one or more of the following methods: vertical or horizontal offsets in ridge lines, variation in roof pitch, gables, or dormers.
8. Roof mounted mechanical equipment shall be enclosed or screened to ensure such features are not visible to the extent possible. Enclosures and screens shall be compatible with the architectural style of the building.
9. Shipping and receiving areas / docks shall be located in the rear of the structure and should not be visible from primary adjacent parking areas or street rights-of way.

(b) **SIGNAGE STANDARDS**

The sign standards are created to maintain and enhance the aesthetic environment of transportation and economic gateways into Oconee County. The location and design of all signs shall be consistent with the objective of high-quality development and safe and efficient vehicular and pedestrian circulation.

(1) **General Standards**

All signs, including their supports, braces, guys, anchors, electrical parts and lighting fixtures, and all painted and display areas shall be constructed and maintained in accordance with the building and electrical codes adopted by Oconee County.

- a. It shall be unlawful for any person to erect, construct, enlarge, move, or replace any sign (with the exception of signage requiring no permit) without first obtaining a sign permit from the Planning Department, except as relates to routine maintenance and repair or the changing of tenant name panels.
- b. A preliminary sign permit application along with applicable fees and sign plan shall be submitted to Oconee County. The detailed sign plan shall include the following information, stamped by a South Carolina licensed surveyor, landscape architect, or engineer:
 - i. Parcel number
 - ii. Scale of site plan & north arrow
 - iii. Drawing of entire property with all existing & proposed structures shown
 - iv. Length of street frontage
 - v. Dimensioned setbacks from street and side property line
 - vi. Plan drawing with actual dimensions of sign (as seen from above)
 - vii. Location of all existing signs
 - viii. Location of all proposed signs
 - ix. Elevation drawing of the proposed sign or sign revision including size, height, copy, colors, illumination, materials
 - x. Verification that the proposed sign(s) meet all requirements set forth in this Chapter.
- c. All on-premise non-conforming signs shall come into compliance with these standards when abandoned or the cost of repairs or replacement of such signs is beyond fifty (50%) percent of their replacement costs. Non-conforming signs are subject to all requirements of this code regarding safety, maintenance, and repair.
- d. Signage shall be set back a minimum of ten (10) feet from right-of-way, side, or rear property lines.
- e. No sign shall produce a traffic hazard, such as visual obstruction at intersections or glare from lighting. Signs shall not obstruct the view of or resemble traffic directional / safety signs.
- f. Rooftop signs are prohibited.
- g. Flashing or animated signs are prohibited.
- h. No sign shall be attached to a utility pole or street sign, or attached to or painted on tree trunks, rocks, or other natural objects.
- i. No sign shall be placed within the public rights-of-way.
- j. Signs shall not rotate or revolve.

(2) Signs Allowed Without a Permit

The following signs require no permit. These signs are subject to all requirements of this code regarding safety, maintenance, and repair.

- a. Temporary / Portable Signs:
 - i. Shall be displayed only for the duration of time that they remain relevant to a specific event.
 - ii. Temporary signs shall be removed within seven (7) days following the conclusion of the specific event being promoted.
 - iii. No temporary sign exceeding six (6) square feet may be erected on a residential parcel.
 - iv. The maximum allowable size of any non-residential temporary sign is 32 square feet.

- b. Traffic, directional, warning, official notice or informational signs authorized by any public agency.
- c. Building nameplates with related inscriptions.
- d. Window signs.
- e. Flags and flagpoles.
- f. On-site directional signs, where each sign does not exceed nine (9) square feet in area or four (4) feet in height.
- g. Signs that display name, trademark, logo, brand, or prices, provided the display is an integral part of a vending machine, automatic teller machine, or gas pump. Such signage shall not exceed 32 square feet in area per side.

(3) Signs Allowed that Require a Permit

- a. Allowable signs shall be the following:
 - i. Monument
 - ii. Wall
 - iii. Hanging / Projecting
 - iv. Canopy / Awning
- b. Monument Signs:
 - i. Shall be architecturally designed to reflect the character of the structure /development for which they are advertising.
 - ii. No monument sign shall exceed ten (10) feet in height.
 - iii. One (1) double faced or single faced sign shall be allowed per parcel.
 - iv. Developments with 400 feet of road frontage serving more than one (1) building shall be permitted one (1) additional sign, which shall not exceed (100) square feet in area. Minimum separation for all monument signs shall be at least (200) linear feet. However, if a building is located on a corner lot with two street facing sides, one (1) sign may be located on each side served by an entryway.
- c. Wall Signs:
 - i. Wall signage shall not exceed fifteen (15%) percent of the wall area, per wall face.
 - ii. Wall signs shall display only one (1) surface and shall not be mounted more than six (6) inches from any wall.
- d. Hanging / Projecting Signs:
 - i. Only one (1) projecting / hanging sign is allowed per building frontage, except for shopping centers, which may have one projecting / hanging sign for each business use.
 - ii. Signs shall project at a right (90 degree) angle to the building frontage.
 - iii. Signs shall not extend more than four (4) feet beyond the line of the building or structure to which it is attached.
 - iv. Signs shall maintain a vertical clearance of eight feet above the sidewalk or ground level accessible to pedestrians.
- e. Canopy / Awning Signs:
 - i. Shall not exceed fifteen (15%) percent of the surface area of the face or the canopy or awning to which the sign is attached.
 - ii. Sign shall not extend more than three (3) inches horizontally from the surface of the awning or canopy.
 - iii. Sign shall not project vertically outside the area of the canopy or awning.
- f. Illumination:
 - i. No internal lighting shall include exposed incandescent or fluorescent bulbs

- ii. Externally illuminated signs must have indirect light sources shielded from the view of persons viewing the sign and be further shielded and directed so that the light shines only on the sign and that illumination beyond the copy area is minimized.
- iii. Signs shall not have light reflecting backgrounds but may use light reflecting lettering.
- iv. No sign shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.

g. Maintenance:

All signs shall be maintained in good condition and working order, and be free of graffiti, peeling paint or paper, faded colors, weeds, vines, and/or broken and damaged materials. No internally or externally illuminated sign shall have only partial illumination for a period of more than thirty (30) days.

(c) LIGHTING STANDARDS

The purpose of these standards is to assure that adequate exterior lighting is provided to facilitate crime prevention, security, and safe passage, and that exterior lights be shielded to reduce the impact of lighting on neighboring uses, potential safety hazards to the traveling public, and the effect on viewsheds and nightscapes.

- 1) Lighting plans shall be submitted with the zoning permit application on projects that include the installation of outdoor lighting fixtures. Prior to obtaining a zoning permit, an applicant must receive approval of a lighting plan. The lighting plan shall be prepared by an appropriately licensed design professional in the state of South Carolina. The plan shall include the following information:
 - a. The location, type, and height of luminaries including both building and ground-mounted fixtures.
 - b. A description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer.
 - c. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission.
 - d. Additional information as may be required to determine compliance with this Chapter.
- 2) Exterior lighting shall be shielded and directed to avoid illuminating the night sky.
- 3) Lighting shall not illuminate neighboring properties or distract / harm the traveling public on road rights-of-way. Any necessary screening of lighting shall be shown on site plans. Lighting will be inspected before a certificate of occupancy is granted.
- 4) On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of buildings.
- 5) In order to promote safety and security in developments, lighting should be used at intersections, entrances, and in parking areas.
- 6) The overall height of lighting fixtures shall not exceed twenty (20) feet.
- 7) Blinking or flashing lights shall be prohibited unless the lights are required as a safety feature (e.g. beacons on towers). Searchlight and laser light operation for advertising / commercial purposes is prohibited.

(d). PARKING STANDARDS

Parking areas should be designed in a manner to provide safe and efficient circulation of traffic and safe access for pedestrians. Appropriate parking design and layout should be used to reduce impacts associated with impervious surfaces.

1) Parking Layout

Avoid parking layouts that dominate a development. The layout of parking areas, pedestrian connections, and open space should reduce the visual impact of parking. Parking is strongly encouraged to be located to the side or rear of the building unless prevented by a physical limitation of the site.

2) Perimeter Parking Buffer

A perimeter parking area buffer of fifteen (15) feet shall be required on sides parallel to abutting properties or street rights-of-way. Buffers shall be planted as specified in the *Landscape Standards*.

If parking is located in the front of the building, buffer requirements will be increased to twenty-five (25) feet.

3) Parking Striping

Parking areas shall have parking spaces marked by surface paint lines or approved alternative traffic marking material.

4) Wheel Stops

Wheel stops or curbs are required where a parked vehicle encroaches on adjacent property, pedestrian access / circulation areas, right-of-way or landscaped areas.

5) Planting Islands

Parking areas shall be designed so that a planting island is provided for every ten (10) parking spaces in a continuous row. Planting islands are also required at the beginning and end of all parking bays. Planting islands shall be surrounded by curbing to prevent vehicular damage to plantings. Minimum size for required planting islands is 9' x 15' (inside of curb). Islands shall be planted as specified in the *Landscape Standards*.

6) Stormwater

Parking areas shall be designed to convey and / or preferably infiltrate stormwater on-site. Stormwater shall not contribute to the subsidence, erosion, or sedimentation of the development site or off-site areas.

7) Paving

Parking areas shall be paved unless otherwise approved by the Planning Commission. Alternative paving materials that increase permeability such as pervious concrete, pervious asphalt, pavers, grid pavers, or any other approved pervious paving materials are encouraged.

(e). LANDSCAPE STANDARDS

Trees and landscaping contribute to the public health, safety, and welfare. Among the benefits of landscaping are: screening of undesirable views; aesthetic enjoyment; climate modification; reduction of glare, noise, odors and dust; reduction of storm water runoff and flooding; buffers between land use; shelter and food for wildlife; and improved air quality. All of these benefits contribute to a higher quality of life and enhance property values within the county.

1) Landscape Plan

The landscape plan shall be submitted with the zoning permit application. Prior to obtaining a zoning permit, an applicant must receive approval of a landscape plan. The landscape plan shall be prepared by a landscape architect licensed by the state of South Carolina. The landscape plan must contain all information necessary to show that the planned use, structure, or development complies with the standards set forth. This shall

include utility information, irrigation plans, existing trees used for credit, and tree protection plans, if applicable.

2) Installation

No certificate of occupancy shall be issued until the landscaping is completed as certified by an on-site inspection. If the season or weather conditions prohibit planting of trees, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to one hundred twenty-five (125%) percent of the cost of installing the required plantings to guarantee the completion of the required planting within two hundred seventy (270) days. The financial surety shall be canceled and / or returned upon completion of the required landscaping. If the required landscaping is not completed within the time allowed, the owner shall forfeit the guarantee and the county shall use such funding to complete the required landscaping.

3) Maintenance

The plantings that constitute a landscape area must be properly maintained in order for the landscape area to fulfill the purposes for which it is established. The owner of the property shall be responsible for the maintenance of all plant material within the landscaped areas. This includes keeping landscaped areas free of litter and debris and keeping plantings healthy and orderly in appearance. Tree staking shall be removed within eight months after installation to prevent permanent damage. All dead or diseased vegetation shall be removed. Additionally, any required vegetation that dies or becomes diseased shall be replaced.

4) Minimum Material Size

All required trees shall be a minimum size of 2 1/2" caliper measured 6 inches above ground at the time of installation. All required shrubs shall be a minimum size of three (3) gallons at the time of installation. Reference the American Landscape and Nursery Association (ANLA) publication *American Standard for Nursery Stock* (ANSI Z60, 1-2004) for plant material quality specifications. All plant material shall be mulched with an organic mulch or other approved material.

5) Water Source

A permanent water source (hose bib, etc.) shall be provided not more than one-hundred (100) feet from any required landscaping.

6) Foundation Landscaping

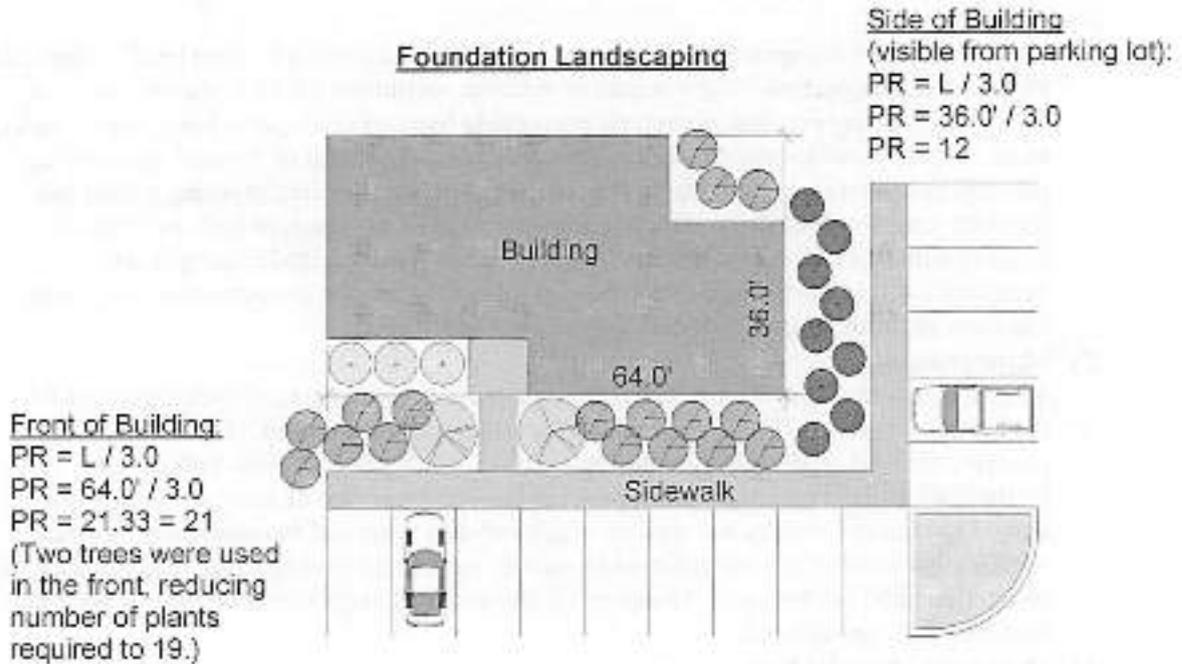
Landscaping shall be provided around the foundation of structures visible from any parking area. Plant material, as defined in this Chapter, shall be located in a planting area adjacent to the building in the following quantities:

$PR = L / 3.0$ where:

PR = number of plants required

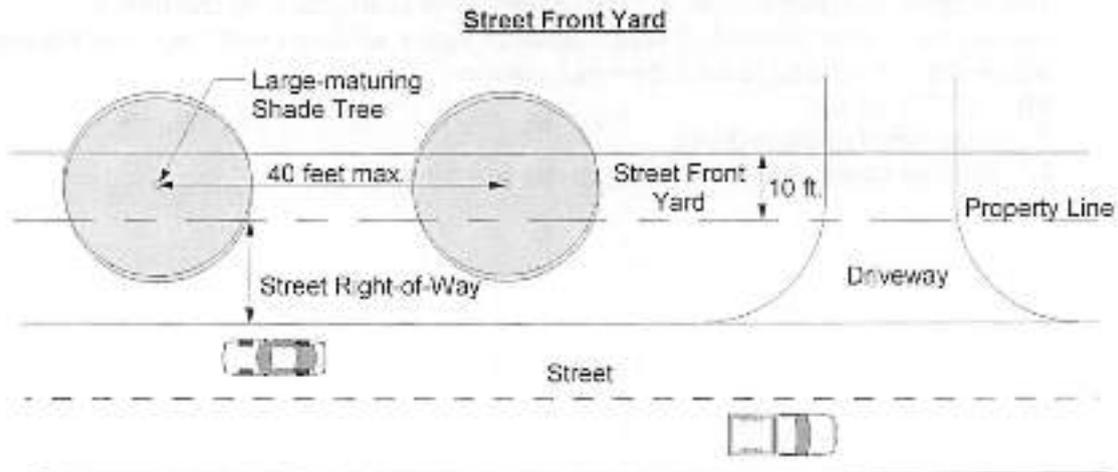
L = building length, in feet, visible from any parking area

Each tree provided counts as a total of two (2) required plants.



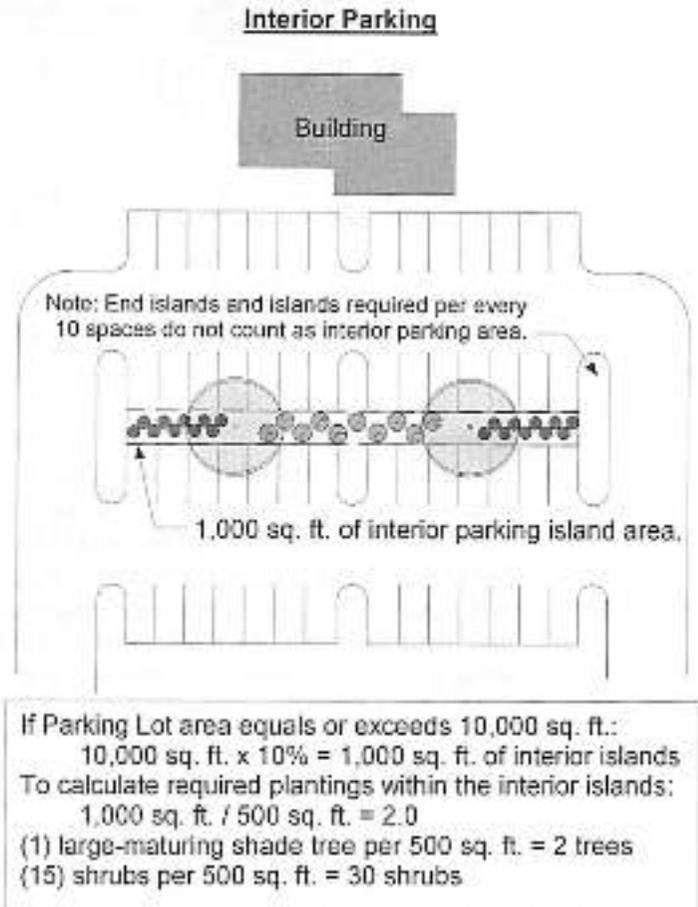
7) Street Front Yard

Street front yards shall be located along property adjacent to all street rights-of-way. Street front yards must be located on private property and not within the street right-of-way. Portions of the property needed for driveways are exempted from these requirements. Street front yards shall be a minimum of ten (10) feet in width, measured from the street(s) right-of-way abutting the property. Each street front yard shall contain at least one (1) large maturing shade tree every forty (40) linear feet or fraction thereof. No street front yard shall contain less than one (1) shade tree. Shrubs, groundcover, understory, and / or turf shall cover the remaining area within the street front yard.



8) Interior Parking

Whenever the impervious parking cover equals or exceeds 10,000 square feet, a planting area equal to ten percent of the total impervious surface must be provided as islands within the interior of the parking area. One (1) large maturing shade tree and fifteen (15) shrubs must be planted for each 500 square feet of required interior landscape area. Plantings in landscape islands referenced under the *Parking Islands* section may not be used to satisfy this requirement. However, existing trees preserved in appropriately sized islands may be counted as outlined in the *Existing Trees* section.



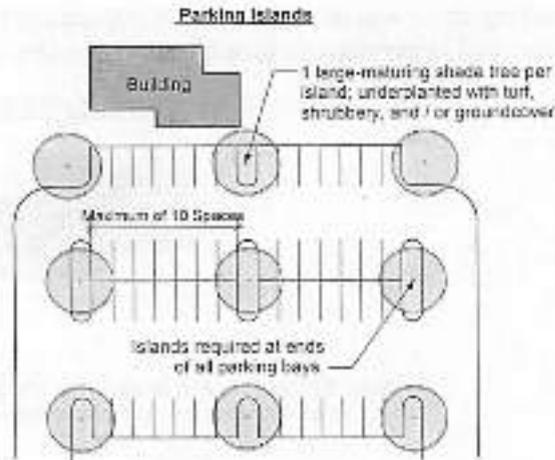
9) Existing Trees

Existing trees that have a minimum caliper size of 4 inches may be counted towards satisfying interior landscaping and street front yard requirements if such trees are preserved and adequately protected

through all phases of construction. Credited trees shall be uniformly encircled by a fenced protection area of sufficient size (a circle whose center is the trunk and outer edge is the dripline) to insure tree health. Each four (4) caliper inches of an existing tree shall be deemed the equivalent of one required two (2) inch caliper tree. If any preserved tree used for credit dies or fails to thrive, the owner shall plant new trees equal to the number of credited trees.

10) Parking Islands

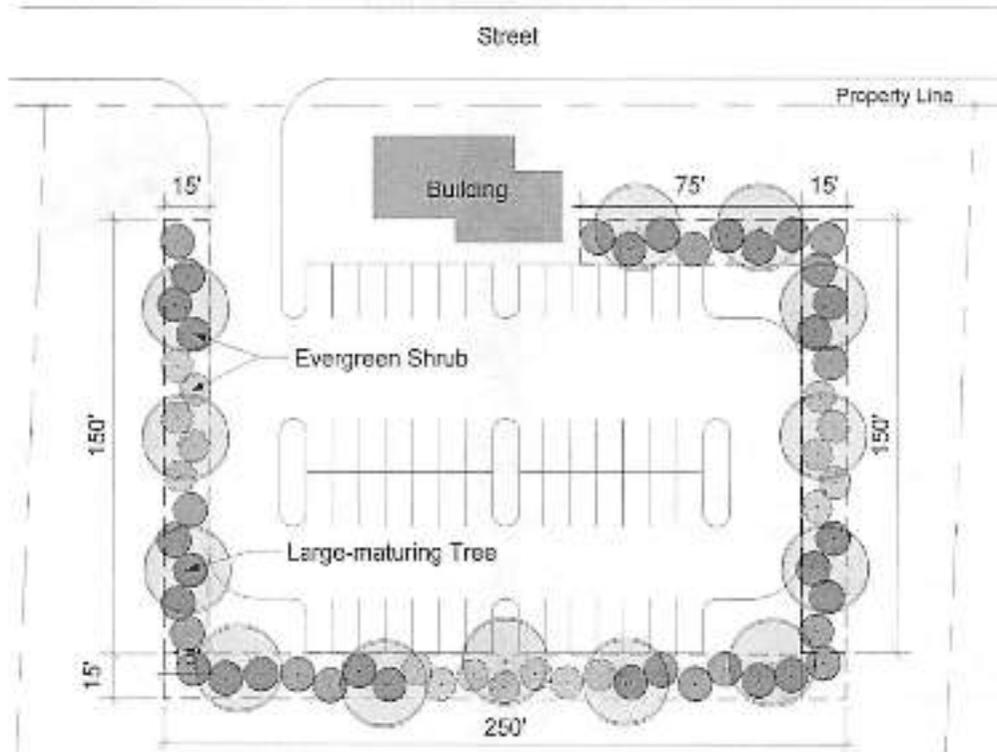
A planted parking island shall be provided for every ten (10) parking spaces in a continuous row. Planting islands are also required at the beginning and end of all parking bays. Refer to the *Parking Standards* section for parking island design standards. Planter islands shall contain at least one (1) large maturing shade tree, having a minimum clean trunk of six (6) feet. Shrubbery, groundcover, and / or turf shall be used in the remainder of the island.



11) Perimeter Parking Buffer

All parking lots and vehicular use areas shall be screened from all abutting properties or rights-of-way. The landscaped area shall be directly adjacent to the parking lot edge, and shall be a minimum width of fifteen (15) feet. The perimeter shall contain at a minimum, one (1) large maturing tree for every fifty (50) linear feet, and evergreen shrubs in sufficient quantity to provide screening with a minimum mature height of four (4) feet. If parking is located in the front of the building, buffer requirements will be increased by thirty (30%) percent in terms of width and planting quantities.

Parking Perimeter Buffer



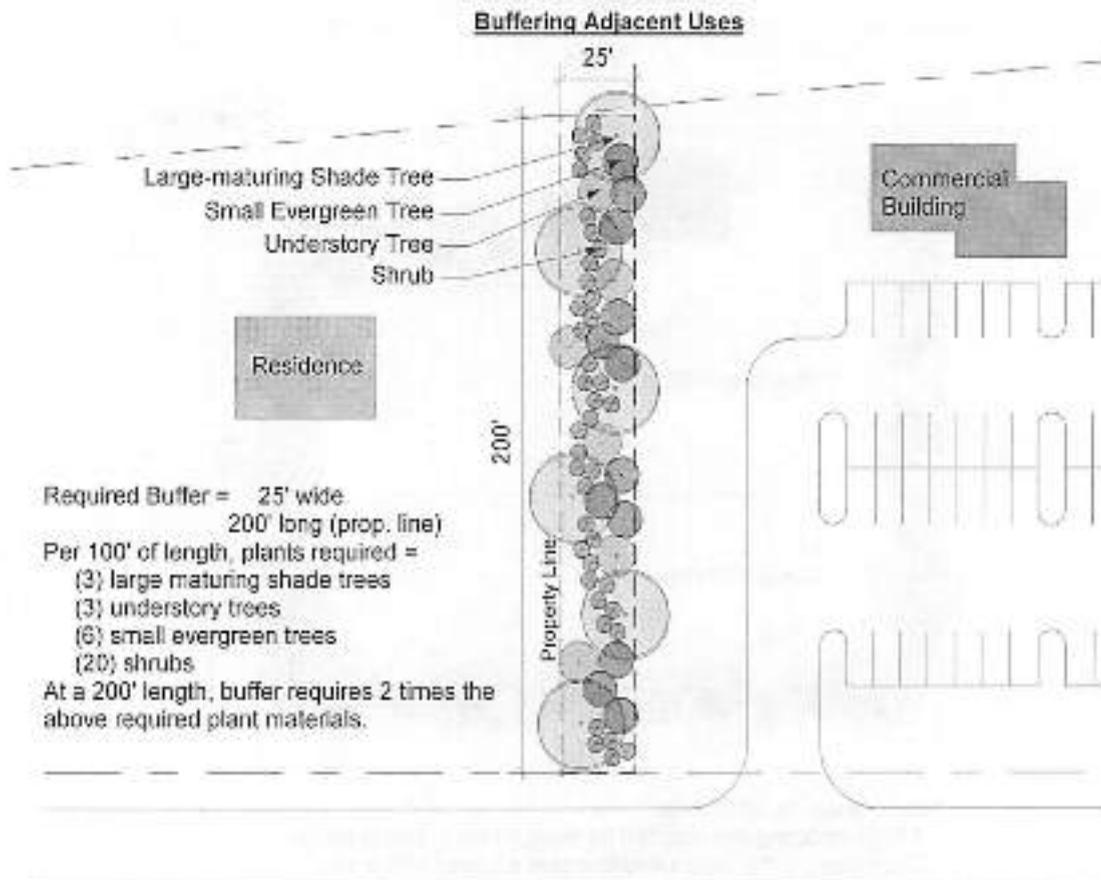
- * Buffer must be 15' in width.
- * 1 large-maturing tree required for every 50 linear feet of buffer.
- * Evergreen shrubs as required to create a screen with a min. mature height of 4'.
 - 150' buffer / 50' = 3 large-maturing trees
 - 250' buffer / 50' = 5 large-maturing trees
 - 75' buffer / 50' = 1.5 = 2 large-maturing trees

12) Buffering Adjacent Uses

In the event that non-residential development borders residential areas or industrial development bordering non-industrial development, a twenty-five (25) feet wide landscape buffer shall be required along the common property boundary. The following mixture of plants per one hundred (100) feet of property boundary shall be required:

- (3) large maturing shade trees, equally spaced
- (3) understory trees, equally spaced
- (6) small evergreen trees
- (20) shrubs

If an abutting parcel contains a required buffer or screen, it shall count towards the buffer requirements.



13) Existing Natural Buffers

When a natural, undisturbed buffer is retained along a property boundary where a buffer is required, a waiver (in whole or part) of the required landscaping may be granted. The existing buffer must achieve the same screening effects as the required buffer materials and adhere to the requirements for protection and size outlined in the *Buffering Adjacent Uses* section.

14) Screening of Collection Areas

Screening of loading and trash collection areas must be accomplished with an opaque wall of masonry, rot-resistant wood, or evergreen shrubs that are one foot taller than the object to be screened. If evergreen shrubs are used, they must achieve the required screening at the time of planting.

15) Sight Triangles

The placement of any material shall not obstruct the view between access drives and streets, or the intersecting streets of a corner lot. No fence, building, wall or other structure, (excepting single trunk trees less than 12" in diameter, pruned to a height of eight (8) feet, and poles and support structures less than 12" in diameter), shall exist between a height of two and one-half (2.5) feet and eight (8) feet above the upper face of the nearest curb (or street centerline if no curb exists) and the sight triangle. For a corner lot, the sight triangle area is the area bounded

on two sides by the street right-of-way lines, each having a length of 25 feet, and a third side connecting the two right-of-way sides. For an intersecting street and driveway, the sight triangle is formed by measuring from the point of intersection of the right-of-way and the edge of drive the distance of twenty-five (25) feet and connecting the points so established to form a triangle on the area of the lot adjacent to the street. Note that road design criteria concerning sight distances is governed by the standards in Chapter 32, Unified Performance Standards of the Oconee County Code of Ordinances.

OCONEE COUNTY, SOUTH CAROLINA OFFICIAL ZONING MAP

For Title, Call:
Oconee County Council

Attn:

Elizabeth G. Hays, Clerk
Oconee County Council

1st Reading: September 15, 2017

Public Hearing: April 19, 2018

2nd Reading: September 11, 2018

Public Hearing: October 21, 2018

3rd Reading: November 2018

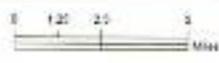
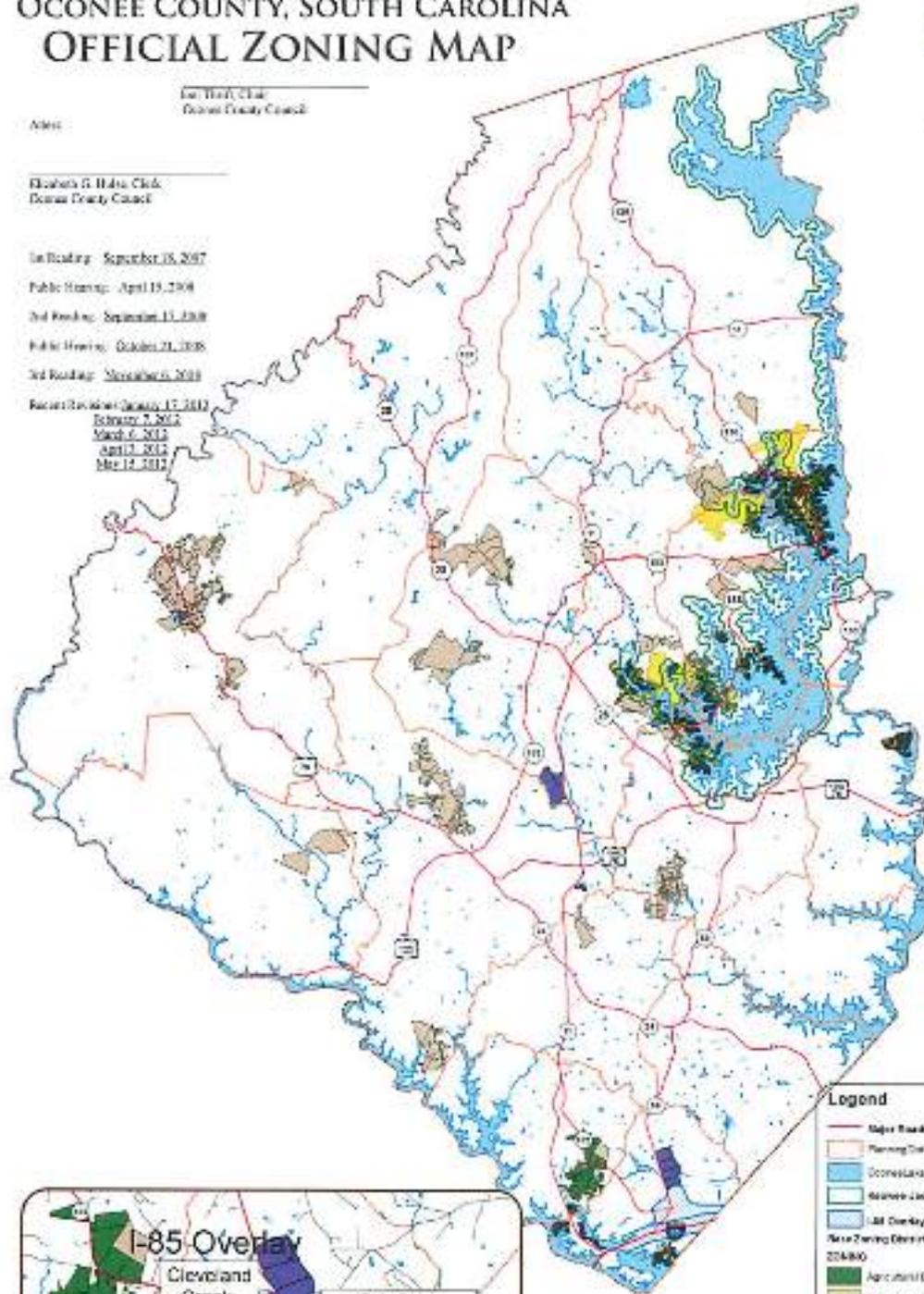
Recent Reviews: January 11, 2012

February 7, 2012

March 6, 2012

April 17, 2012

May 14, 2012



Legend

- Major Roads
- Planning Districts
- Oconee Lakes
- Marion-Jackson Overlay
- 1-85 Overlay
- Base Zoning Districts
- 2018/19
- Agricultural District
- Agricultural Residential District
- Community Commercial District
- Conservation District
- Central Tree District
- Highway Corridor and District
- Innovation District
- Large Residential District
- Wood Use District
- Planned Development District
- Public and Recreational Lands District
- Placemaking District
- Rural Residential District
- Traditional Rural District

Oconee County Planning Department
January, 2017

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE 2012-15**

AN ORDINANCE AUTHORIZING THE TRANSFER OF CERTAIN OCONEE COUNTY REAL PROPERTY; AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT, LIMITED WARRANTY DEED, AND OTHER DOCUMENTS RELATED TO THE TRANSFER OF THE PROPERTY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina (the "County"), is the owner of that certain piece, parcel or tract of land situate in Oconee County ("County Property"), consisting of approximately 10 acres, and being more fully shown and designated on survey of Souther Land Surveying entitled BOUNDARY SURVEY FOR: NEW HORIZON ELECTRIC COOPERATIVE, INC. dated March 9, 2012 ("Survey"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, New Horizon wishes to acquire from the County, and the County wishes to convey to New Horizon, the County Property in consideration of New Horizon's construction thereon or on the New Horizon Property of the Substation (such acquisition and conveyance, the "Transfer"), subject to the terms and provisions of a Purchase and Sale Agreement ("Purchase Agreement") now before the Oconee County Council ("Council"), a copy of which Purchase Agreement is attached as Exhibit B hereto; and

WHEREAS, Section 4-9-30(2) of the Code of Laws of South Carolina, 1976, as amended, (the "Code") authorizes the County to transfer or otherwise dispose of interests in real property;

NOW, THEREFORE, be it ordained by Council, in meeting duly assembled, that:

1. Council hereby approves the Transfer, subject to and in conformity with the provisions of the Purchase Agreement.
2. The Administrator of the County ("Administrator") shall be, and hereby is, authorized to execute and deliver the Purchase Agreement on behalf of the County in substantially the form attached as Exhibit B hereto, or with such changes as are not materially adverse to the County and as the Administrator shall approve, upon the advice of legal counsel, such Administrator's approval to be deemed given by his execution of the Purchase Agreement; provided, however, that the Purchase Agreement must contain a provision requiring New Horizon to meet its obligation to construct the Substation on the County Property in accordance with its terms and the terms of the Purchase Agreement.
3. The Administrator shall be, and hereby is, authorized to execute and deliver on behalf of the County a limited warranty deed conveying title to the County Property to New Horizon in accordance with the provisions of the Purchase Agreement in a form and substance acceptable to the Administrator, on advice of legal counsel to the County.
4. The Administrator shall be, and hereby is, authorized to execute and deliver any and all other documents or instruments on behalf of the County related to the Transfer in a form and substance acceptable to the Administrator, on advice of legal counsel to the County.

5. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

6. All orders, resolutions, and enactments of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

7. This ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this 15th day of May, 2012.

ATTEST:

Elizabeth Hulse,
Clerk to Oconee County Council

Joel Thrift,
Chairman, Oconee County Council

First Reading: April 3, 2012
Second Reading: April 17, 2012
Third Reading: May 15, 2012
Public Hearing: May 15, 2012

Exhibit A

Survey of County Property

[see attached]

Exhibit B

Purchase Agreement

[see attached]

**AGREEMENT FOR THE PURCHASE
AND SALE OF REAL PROPERTY**

THIS AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY, made and entered into as of this _____ day of May, 2012 (“Effective Date”), by and between **OCONEE COUNTY, SOUTH CAROLINA**, a body corporate and politic existing under the laws of the State of South Carolina (“Seller”), and **NEW HORIZON ELECTRIC COOPERATIVE, INC.** a South Carolina Nonprofit Corporation (“Purchaser”).

RECITALS

A. Seller is the owner in fee simple title to that certain piece, parcel or tract of land (“Land”) consisting of approximately ten (10) acres and being more fully described on Exhibit A attached hereto and by reference made a part hereof; and

B. Purchaser desires to purchase the Property (as described below) for the purpose of constructing and operating the Substation (as defined below) thereon.

C. Seller desires to sell and convey the Property to Purchaser subject to the terms and conditions of this Agreement.

AGREEMENT

1. SALE OF PROPERTY.

1.1. Property. For and in consideration of **TEN AND 00/100 DOLLARS (\$10.00)** (“Purchase Price”), receipt of which is hereby acknowledged, and the mutual covenants and agreements contained herein, Seller agrees to sell and convey all of Seller’s right, title and interest in and to the property described below (“Property”) to Purchaser, and Purchaser agrees to purchase the same from Seller, pursuant to the terms and conditions set forth herein.

1.2. Description of Property. The Property shall consist of:

- (a) The Land;
- (b) All rights, privileges and easements appurtenant to the Land, including all rights, rights-of-way, roadways, roadbeds, and reversions (“Appurtenant Rights”);
- (c) All improvements on or within the Land, if any (“Improvements”).

2. SELLER’S REPRESENTATIONS, WARRANTIES AND COVENANTS. In order to induce Purchaser to enter into this Agreement and to purchase the Property, in addition to warranties, representations, covenants, and undertakings contained elsewhere in this Agreement, Seller hereby makes the following representations, warranties and covenants, each of which is material and is relied upon by Purchaser:

2.1. Title to Property. Seller is the sole owner of good, marketable and insurable fee simple title to the Property.

2.2. Authority of Seller. Seller has the right, power and authority to enter into this Agreement and to sell the Property in accordance with the terms and conditions hereof, and this Agreement, is a valid and binding obligation of Seller as of the date first set forth above. As of the Closing, all necessary action shall have been taken by Seller authorizing the execution and delivery of all documents and instruments to be executed and delivered by Seller at Closing. This Agreement, when executed and delivered by Seller, will be a valid and binding obligation of Seller in accordance with its terms.

2.3. Taxes. The Property is not subject to special taxes or assessments for roadway, sewer, or water improvements or other public improvements and the Property is free and clear of any tax liens except for ad valorem tax liens that are not yet due and payable.

2.4. Options and Contracts. No options or other contracts have been granted or entered into which are still outstanding and which give any other party a right to purchase any interest in the Property or any part thereof.

2.5. Condemnation Proceedings. There are no condemnation or eminent domain proceedings pending against the Property or any part thereof and the Seller has received no notice, oral or written, of the desire of any public authority or other entity to take or use the Property or any part thereof.

2.6. Mechanic's Liens. No payments for work, materials, or improvements furnished to the Property will be due or owing at Closing and no mechanics lien, materialmans lien, or other similar lien shall be of record against the Property as of Closing.

2.7. Pending Litigation. There is no claim, litigation, or other proceeding, the probable outcome of which will have a material adverse effect on the value of the Property or its intended use, pending or threatened before any court, commission, or other body or authority, and, further, Seller has not received written notification of any asserted failure of Seller or the Property to comply with applicable laws (whether statutory or not) or any rule, regulation, order, ordinance, judgment or decree of any federal, municipal or other governmental authority.

2.8. No Defaults. Neither the execution of this Agreement nor the consummation of the transactions contemplated hereby will:

(a) Conflict with, or result in a breach of, the terms, conditions, or provisions of, or constitute a default under, any agreement or instrument to which Seller or any predecessor of Seller is a party, or

(b) Violate any restriction to which Seller is subject, or

(c) Constitute a violation of any applicable code, resolution, law, statute, regulation, ordinance, rule, judgment, decree, or order, or

(d) Result in the acceleration of any mortgage or note pertaining to the Property or the cancellation of any contract or lease pertaining to the Property, or

(e) Result in the creation of any lien, charge or encumbrance upon any of the properties or assets to be sold or assigned to Purchaser pursuant to the provisions of this Agreement.

2.9. Events Prior to Closing. Seller will not cause or permit any action to be taken which would cause any of Seller's representations or warranties to be untrue as of the Closing. Seller agrees immediately to notify Purchaser in writing of any event or condition which occurs prior to Closing hereunder, which causes a change in the facts related to, or the truth of, any of Seller's representations.

2.10. Further Acts of Seller. On or before the Closing, Seller will do, make, execute and deliver all such additional and further acts, deeds, instruments and documents as may reasonably be required by Purchaser or Purchaser's title insurance company to vest in and assure to Purchaser full rights in or to the Property.

2.11. Maintenance of Property. Between the date of this Agreement and Closing, Seller will continue to maintain the Property as it currently is maintained and exists; and Seller shall not make or enter into any lease or other agreement for the use, occupancy or possession of all or any part of the Property without Purchaser's prior written approval.

2.12. AS IS SALE. OTHER THAN THE SPECIFIC REPRESENTATIONS AND WARRANTIES HEREIN, SELLER MAKES NO REPRESENTATIONS, WARRANTIES, OR PROMISES REGARDING THE PROPERTY, INCLUDING, BUT NOT LIMITED TO REPRESENTATIONS, WARRANTIES OR PROMISES AS TO THE PHYSICAL OR ENVIRONMENTAL CONDITION, LAYOUT, FOOTAGE, ZONING, UTILITIES, PRESENCE OF HAZARDOUS MATERIALS, OR ANY OTHER MATTER OR THING AFFECTING OR RELATING TO THE PROPERTY OR ITS SALE TO PURCHASER. PURCHASER AGREES THAT NO SUCH REPRESENTATIONS, WARRANTIES OR PROMISES HAVE BEEN MADE AND AGREES TO TAKE THE PROPERTY "AS IS." PURCHASER REPRESENTS TO SELLER THAT PURCHASER HAS CONDUCTED, OR WILL CONDUCT PRIOR TO CLOSING, SUCH INVESTIGATIONS OF THE PROPERTY AS ARE DESIRED BY PURCHASER, INCLUDING BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AND WILL RELY SOLELY UPON SAME AND NOT UPON ANY INFORMATION PROVIDED BY OR ON BEHALF OF SELLER OR ITS AGENTS OR EMPLOYEES WITH RESPECT THERETO, OTHER THAN SUCH REPRESENTATIONS, WARRANTIES AND COVENANTS OF SELLER AS ARE EXPRESSLY SET FORTH IN THIS AGREEMENT. THIS PROVISION SHALL SURVIVE CLOSING.

3. **CONDITIONS PRECEDENT TO PURCHASER'S OBLIGATIONS.**

3.1. Purchaser's Review Period. Purchaser shall have a period (the "Review Period") commencing on the date hereof and expiring one hundred twenty (120) days thereafter to do the following, each of which shall be a condition precedent to Purchaser's obligations hereunder:

(a) To conduct, at Purchaser's cost, any and all inspections, engineering and feasibility studies, including, but not limited to environmental inspections and studies, which Purchaser deems necessary, in an effort to determine whether or not to proceed

with the Closing of this transaction. Without limitation of the generality of the foregoing, it is agreed that Purchaser's inspection of the Property may include soil borings, surface water and groundwater testing and analysis, boundary, structural, topographical, and other surveys and any other studies and/or tests desirable for Purchaser to determine that the Property is suitable for its intended purpose. In this regard, Seller hereby agrees that Purchaser, and/or Purchaser's agents or employees, may have unlimited access to the Property during such Review Period to conduct such studies and inspections. Upon completion of such inspections, Purchaser shall restore the surface of the Property to substantially the same condition of the surface on the date hereof after all such tests and inspections are completed.

(b) To obtain a commitment for owner's title insurance (issued by a title insurance company acceptable to Purchaser) on standard ALTA Owner's Policy Form (2006) (together with copies of all instruments and plats evidencing exceptions stated therein), by which commitment the title insurance company agrees to insure the fee simple title to the Property in Purchaser in an amount equal to the purchase price of the Property subject only to exceptions acceptable to Purchaser and Purchaser's lender, if applicable.

(c) To obtain a survey of the Property, such survey disclosing rights-of-way, easements, encroachments or other encumbrances upon the Property acceptable to Purchaser.

(d) To obtain such assurances or approvals from the appropriate governmental authorities as Purchaser deems necessary in relation to Purchaser's intended use of the Property or the environmental condition of the Property. In connection therewith, within Ten (10) days from the Date of this Agreement, Seller shall deliver or make available to Purchaser true and correct copies of all contracts, leases, documents, agreements or other information which affects the use, condition (including environmental condition), operation or ownership of the Property. Seller agrees to use its best efforts to cooperate with Purchaser so that Seller shall deliver to Purchaser any item in the possession or control of Seller which Purchaser would like to receive and inspect.

3.2. Termination of Agreement. Prior to the expiration of the Review Period, Purchaser shall have the right to terminate this Agreement in its sole discretion based on Purchaser's findings during the Review Period, in which event this Agreement shall be void, and neither party shall have any further obligation hereunder.

3.3. Status of Title. At Closing (as defined below) Seller shall deliver the Closing Documents (as such term is defined below) to Purchaser as provided by Section 6.2 below, and shall be capable of conveying, and the Closing Documents will purport to convey, good and marketable fee simple title to the Property to Purchaser subject only to encumbrances and title exceptions acceptable to Purchaser. Seller shall not create, cause or permit any encumbrance, impairment or transfer of title to the Property, other than as specifically provided herein; provided, however, that Seller shall have no obligation to cure, have the Property released from or terminate any encumbrance on, impairment of, or lien against the Property caused by Purchaser or related to Purchaser's activity on or use of the Property.

4. **CLOSING.** The purchase and sale contemplated hereunder shall be consummated at the closing (referred to herein as the "Closing") which shall take place no later than December 31, 2012. The Closing shall take place at the offices of Seller's counsel:

McNair Law Firm, P.A.
132 East Benson Street, Suite 200
Anderson, SC 29624

5. **PRO-RATED ITEMS AND ADJUSTMENTS.** Purchaser shall pay for the title insurance premiums due in connection with the issuance of Purchaser's owner's title insurance policy, if any, and for the cost of any survey of the Property prepared at Purchaser's request. Purchaser shall pay all deed recording fees (formerly known as documentary tax stamps) and intangible taxes assessed with respect to the deed conveying title to the Property to Purchaser. Purchaser and Seller shall each pay their own legal fees related to the transaction contemplated hereby.

6. **SELLER'S DELIVERIES.** In addition to other conditions precedent set forth elsewhere in this Agreement, Seller shall deliver to Purchaser all of the following documents and items, the delivery and accuracy of which shall further condition Purchaser's obligations to consummate the purchase and sale herein contemplated:

6.1. Items Delivered Within Ten (10) Business Days. Seller shall deliver all of the following in Seller's possession or control to Purchaser within Ten (10) business days following the Date of this Agreement:

- (a) Results of any soil boring tests with respect to the Property.
- (b) All building plan drawings, surveys and topographical renderings of the Property.
- (c) All environmental studies of the Property and any environmental permits or approvals with respect to the Property.

6.2. Items Delivered to Purchaser at Closing. Seller shall deliver the following items (collectively, the "Closing Documents") at Closing to Purchaser:

- (a) A limited warranty deed, satisfactory in form and substance to Purchaser or Purchaser's title insurance company, conveying good and marketable fee simple title to the Property, free and clear of all liens, encumbrances, easements, and restrictions except as may be permitted under this Agreement.
- (b) An Owner's Affidavit, lien waiver, and or other agreements (not to include provisions requiring indemnification by Seller) and affidavits satisfactory for the purpose of removing the "standard" exceptions from Purchaser's Owner's Title Insurance Policy for the Property.

7. **PURCHASER'S DELIVERIES AT CLOSING.** [INENTIONALLY OMITTED]

8. CONDEMNATION OR CASUALTY LOSS. In the event of condemnation or receipt of notice of condemnation or taking of any part of the Property by governmental authority prior to the Closing, or any material casualty loss to the Property prior to Closing, Purchaser, at its option, shall have the right to terminate this Agreement. After Closing, all risk of loss due to condemnation or casualty shall lie with Purchaser.

9. COMMISSIONS.

9.1. Real Estate Commission. Seller and Purchaser represent and warrant to each other that no brokerage fees or real estate commissions are or shall be due or owing in connection with this transaction or in any way with respect to the Property.

10. DEFAULT.

10.1. Seller's Defaults. In the event Seller breaches any warranty or representation contained in this Agreement or fails to comply with or perform any of the conditions to be complied with or any of the covenants, agreements or obligations to be performed, Purchaser at Purchaser's option shall: (i) be entitled to thereafter exercise any and all rights and remedies available to Purchaser at law and in equity, including without limitation the right of specific performance; or (ii) be entitled, upon giving written notice to Seller, as herein provided, to terminate this Agreement. Upon any such termination, this Agreement and all rights and obligations created hereunder shall be deemed null and void and of no further force or effect.

10.2. Purchaser's Defaults. In the event Purchaser breaches any warranty or representation contained in this Agreement or fails to comply with or perform any of the conditions to be complied with or any of the covenants, agreements or obligations to be performed, Seller at Seller's option shall: (i) be entitled to thereafter exercise any and all rights and remedies available to Seller at law and in equity, including without limitation the right of specific performance; or (ii) be entitled, upon giving written notice to Purchaser, as herein provided, to terminate this Agreement. Upon any such termination, this Agreement and all rights and obligations created hereunder shall be deemed null and void and of no further force or effect.

11. CONSTRUCTION OF SUBSTATION.

11.1. Construction of Substation. Purchaser acknowledges and agrees that this Agreement is being entered into by Seller with the commitment of Purchaser that it shall build and commence operation of an electric substation and any necessary ancillary improvements ("Substation") on the Property as required by industrial users who commit to locate in the Park or as needed to serve residential users in the area. Purchaser further covenants and agrees that it will design and build such Substation with dedicated feeds based on actual plans and industry loads for industries locating in the park; that its agreement to construct and operate the Substation on the Property as necessary is a material term of this Agreement and a material inducement to Seller's agreement to convey the Property to Purchaser under this Agreement, but the timing of the Substation construction will finally be determined by Purchaser based on service reliability and capacity needs.

11.2. Attorney's Fees. If the Seller retains an attorney to enforce Section 11.1 of this Agreement, the Seller shall be entitled to recover, in addition to all other items of recovery permitted by law, reasonable attorney's fees and costs incurred through litigation and all appeals.

12. MISCELLANEOUS

12.1. Completeness; Modification. This Agreement constitutes the entire agreement between the parties hereto with respect to the transaction contemplated herein and it supersedes all prior discussions, undertakings or agreements between the parties. This Agreement shall not be modified except by a written agreement executed by both parties.

12.2. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto, and their respective, heirs, devisees, personal representatives, successors and assigns.

12.3. Survival. Except as otherwise expressly provided herein, it is the express intention and agreement of the parties to this Agreement that all covenants, agreements, statements, representations and warranties made by Purchaser and Seller in this Agreement (which shall be deemed to include the matters and information disclosed in any of the Exhibits attached hereto or in any document or instrument delivered by Seller pursuant to the provisions of this Agreement or at or in connection with the Closing), including without limitation, the specific agreement for the Purchaser to build and commence operation of the Substation, shall survive the Closing.

12.4. Governing Law. This Agreement shall be governed by and construed under the laws of the State of South Carolina.

12.5. Headings. The headings as used herein are for convenience or reference only and shall not be deemed to vary the content of this Agreement or the covenants, agreements, representations, and warranties set forth herein or limit the provisions or scope of this Agreement.

12.6. Pronouns. All pronouns and any variations thereof shall be deemed to refer to the masculine, feminine, neuter, singular or plural, as the identity of the person or entity may require.

12.7. Time of Essence. Both parties hereto specifically agree that time is of the essence to this Agreement with respect to the performance of the obligation of the parties under this Agreement.

12.8. Counterparts. To facilitate execution, this Agreement may be executed in as many counterparts as may be deemed appropriate by the parties, all of which shall comprise one (1) agreement.

12.9. Notices. All notices, requests, consents and other communications hereunder shall be in writing and shall be personally delivered or mailed by First Class, Registered or Certified Mail, return receipt requested, postage prepaid, as follows:

(a) If to Purchaser:

New Horizon Electric Cooperative, Inc.
Attn.: Terry Thompson
P.O. Box 1169
Laurens, South Carolina 29360

With a Copy to:

Lister, Flynn & Kelly, P.A.
Attn.: Lawrence E. Flynn, Jr., Esq.
P.O. Box 2929
Spartanburg, South Carolina 29304

(b) If to Seller:

Oconee County, South Carolina
Attn.: Oconee County Administrator
415 South Pine Street
Walhalla, South Carolina 29691

With a copy to:

McNair Law Firm, P.A.
Attn.: Thomas L. Martin, Esq.
132 East Benson Street, Suite 200
Anderson, SC 29624

Any such notice, request, consent or other communications shall be deemed received at such time as it is personally delivered or on the fifth business day after it is so mailed, as the case may be.

12.10. Assignment. Neither this Agreement nor any rights or obligations created or existing under this Agreement may be assigned by Purchaser without the prior written consent of Seller.

12.11. Invalid Provisions. In the event any one or more of the provisions contained in this Agreement shall be for any reason held invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein or therein.

[execution page follows]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

SELLER:

OCONEE COUNTY, SOUTH CAROLINA

By: _____

Its: _____

PURCHASER:

NEW HORIZON ELECTIC COOPERATIVE, INC.

By: _____

Its: _____

Exhibit A
Description of Land

All that certain piece, parcel or tract of land lying and being situate in Oconee County, South Carolina containing ten (10) acres, more or less, and more specifically shown on a plat entitled "BOUNDARY SURVEY FOR: NEW HORIZON ELECTRIC COOPERATIVE, INC." prepared by Souther Land Surveying dated March 9, 2012 and recorded in the office of the Register of Deeds for Oconee County, South Carolina on _____, 2012 in Plat Book _____, at Page _____.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2012-01**

AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

BE IT ORDAINED by the County Council for Oconee County, South Carolina, (the "County Council"), in accordance with the general law of the State of South Carolina and the Acts and Joint Resolutions of the South Carolina General Assembly, as follows:

SECTION 1

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, the following amounts are hereby appropriated for the 2012-2013 fiscal year for Oconee County (the "County") for ordinary county purposes:

General Fund:	\$ 43,179,332
Special Revenue Funds:	
Victim Services Sheriff's Office	131,916
Victim Services Solicitor's Office	57,888
911 Fund	352,500
Enterprise Fund:	3,657,018
Debt Service Fund:	<u>3,201,850</u>
 TOTAL:	 \$ 50,580,504

SECTION 2

A tax of sufficient millage to fund the aforesated appropriations for the Oconee County Budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013, after crediting against such appropriations all other unrestricted revenue anticipated to accrue to Oconee County and any fund balance budgeted to be used during said fiscal year, is hereby directed to be levied upon all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The Auditor of Oconee County is hereby requested to recommend to the Oconee County Council, for approval by Oconee County Council, a sufficient millage levy and the Treasurer of Oconee County is herein directed to collect sufficient millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of Oconee County for the fiscal year beginning July 1, 2012 and ending June 30, 2013. The Auditor and Treasurer of Oconee County are hereby directed to fund such bond repayment sinking fund(s) as are necessary to provide for an orderly and timely payment of the debt service of Oconee County and to satisfy any debt covenants.

SECTION 3

A tax of 2.1 mills to provide funding for the Tri-County Technical College Special Revenue Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The revenue from this levy, not to exceed \$1,036,754 is hereby appropriated for support of Tri-County Technical College. The Auditor of Oconee County is hereby

requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated appropriations of the Tri-County Technical College Special Revenue fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Tri-County Technical College Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 4

A tax of 3.9 mills to provide funding for the Emergency Services Protection Special Revenue Fund is hereby levied on all taxable property within the special tax district, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance, not to exceed \$2,088,600, is hereby appropriated for the Emergency Services Protection Special Revenue Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property within the special tax district in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Emergency Services Protection Special Revenue Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Emergency Services Protection Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 5

A tax of 1 mill to provide funding for the Bridge and Culvert Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The revenue from this levy, not to exceed \$450,000, is hereby appropriated for the Bridge and Culvert Capital Project Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Bridge and Culvert Capital Project Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Bridge and Culvert Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 6

A tax of 1 mill to provide funding for the Economic Development Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy, other anticipated restricted revenues, transfers, and a portion of fund balance as authorized by County Council, not to exceed \$8,611,009, is hereby appropriated for the Economic Development Capital Projects Fund for projects approved by County Council. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Economic Development Capital Project Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all

such revenues shall be retained and accounted for in the Economic Development Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 7

Oconee County receives certain recurring revenues that are restricted for certain purposes. These revenues are accounted for in various special revenue funds including the Victim Services-Sheriff's Office Fund, Victim Services-Solicitor's Office Fund, and 911 Fund, special revenue funds. Any surplus in these funds of the County or any moneys accruing therefrom shall be retained and accounted for in these funds and shall be carried forward from year to year as fund balances in such funds.

SECTION 8

All appropriations made by prior year budget ordinances for which the respective monies have been obligated or encumbered are hereby carried forward and reappropriated, as of July 1, 2012, as a part of the budget authorized by this Ordinance.

SECTION 9

Capital projects are budgeted on a project basis instead of an annual basis and as such, unexpended appropriations for uncompleted capital projects are carried forward as a part of the budget authorized by this ordinance.

SECTION 10

All unexpended appropriations as of June 30, 2012, except for those specifically carried forward by this ordinance shall lapse and expire and the monies involved shall revert to the fund balance of the fund from which the appropriation originated.

SECTION 11

The County Administrator, as required by state law, shall oversee and supervise the day-to-day implementation of this budget ordinance, including the execution and delivery, on behalf of the County, of all contractual documents necessary or required for the expenditure of funds authorized by this budget ordinance, for the purposes for which such funds are so authorized. Subject to the procurement policies of the County, the County Administrator is hereby authorized to contact and enter into contracts on behalf of the County for purposes, activities and matters budgeted for herein.

SECTION 12

The fees authorized for all county departments to charge for services of the county and to use for operations of the county are as set forth in a schedule of fees. This schedule of fees is incorporated herein, by reference, as fully as if set forth verbatim herein, and adopted as part of this Ordinance and the fees are hereby approved to be charged by the appropriate county departments.

SECTION 13

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

SECTION 14

All other orders, resolutions, and ordinances of Oconee County, inconsistent herewith, are, to the extent of such inconsistency only, hereby revoked, rescinded and repealed.

SECTION 15

This Ordinance shall become effective upon approval on third reading and enforced from and after July 1, 2012.

SECTION 16

The budget provisos are hereby incorporated herein, by reference, as fully as if set forth verbatim herein, and adopted as part of this Ordinance.

Adopted in meeting duly assembled this ____ day of June, 2012.

OCONEE COUNTY, SOUTH CAROLINA

Joel Thrift, Chairman
Oconee County Council

ATTEST

Elizabeth G. Hulse
Clerk to County Council

First Reading: May 1, 2012
Second Reading: May 15, 2012
Public Hearing: June 11, 2012
Third Reading: June 19, 2012

OCONEE COUNTY, SOUTH CAROLINA
BUDGET PROVISOS FISCAL YEAR 2012-2013
ORDINANCE 2012-01

Section 1

The appropriations made herein shall not be exceeded without proper authority or amendment by Oconee County Council. Any officer incurring indebtedness on the part of the County in excess of the appropriations herein made shall be liable upon his official bond.

Section 2

The Finance Director and Treasurer of Oconee County shall prepare such separate records and books of account as may be required by the United States Government or any of its agencies or by the State of South Carolina or any of its agencies, reflecting the receipt and disposition of all funds.

Section 3

All purchasing and contracting for the acquisition of goods and services for County purposes shall be in accordance with procedures outlined in the County Procurement Ordinance, as codified. Subject to the provisions of Oconee County policies, whenever possible and practical, goods and services shall be purchased from firms and individuals located in Oconee County whenever goods and services of equal quality and specifications are available from local suppliers at prices less than or equal to prices submitted by nonresident suppliers.

Section 4

No bills or claims against Oconee County shall be approved for payment and no check will be issued for same unless such bills or claims are properly itemized showing the goods purchased or services rendered, dated as of the date of delivery of said goods and/or services and signed by the person receiving said goods or services.

Section 5

No officer, elected official or employee of Oconee County shall furnish any services or sell any materials or supplies to the County for pay, except upon open quote or bid in accordance with the County Procurement Ordinance, as codified.

Section 6

The County Council may transfer funds from any fund, department, activity or purpose to another by normal Council action, subject to all other applicable legal requirements. The County Administrator shall be authorized to transfer appropriations between departments within a fund. All transfers authorized by this section are subject to the overall appropriation limits of this Ordinance.

Section 7

For any equipment, vehicle or any other item that is approved in the budget as a replacement for existing items, the item being replaced will be relinquished to the Procurement Director for disposal or reassignment.

Section 8

The standard mileage rate reimbursed to County employees for use of their personal vehicles will be equal to the amount set, as the authorized rate, by the Internal Revenue Service, at any given time.

Section 9

Oconee County will pay County employees a per diem for meals while traveling on County business, including travel related to training. No per diem will be paid for meals that are included in registration fees. The rates will be \$8 for breakfast, \$12 for lunch and \$15 for dinner. Per Diem for breakfast will be reimbursed if the employee is required to leave home before 7:30 a.m. Per Diem for dinner will be reimbursed if the employee returns home after 6 p.m. For non-overnight travel reimbursement for meals will be based on actual expenditures for meals, limited to the per diem amounts above. Receipts for meals will be required for reimbursements.

Section 10

The Part-time Clerk position in the Clerk of Court's office first funded in the 2010-2011 budget is a temporary position, only, funding for this position is approved for an additional year, and is intended to increase the collection of past due fines and fees owed to the County. In order for this position to be considered in future budget years, the Clerk of Court's office must provide the Administrator with quarterly reports indicating the number of cases researched and the amount of fines and fees collected that are attributable to this position. These reports are due 15 days after the end of the quarter. Oconee County Council is not obligated to fund the position at such future time, however, all other factors notwithstanding. This position is never to be considered a permanent position unless and until Oconee County Council so designates it, so that this position is exempt from any provision of federal, state, or local law restricting the ability of Oconee County Council to decrease funding for the Office of the Clerk of Court. In other words, this position is not a part of the permanent funding of the Office of the Clerk of Court for Oconee County.

Section 11

Funding for the temporary Assistant Solicitor and Paralegal positions in the Solicitor's office first funded in the 2010-2011 budget is funded for an additional year and is intended to provide representation for Oconee County in the magistrate courts of Oconee County. These are temporary positions, only. In order for these positions to be considered in future budget years, the Solicitor's office must provide the Administrator with quarterly reports indicating the number of new cases referred each quarter, the number of court appearances each quarter and a certification from the Solicitor that these positions were only used for representation in magistrate court on Oconee County cases during the quarter. These reports are due 15 days after the end of the quarter. Oconee County Council is not obligated to fund these positions at such future time, however, all other factors notwithstanding. These positions are never to be considered permanent positions unless and until Oconee County Council so designates them, so that these positions are exempt from any provision of federal, state, or local law restricting the ability of Oconee County Council to decrease funding for the Office of the Tenth Circuit Solicitor. In other words, these positions are not a part of the permanent funding of the Office of the Tenth Circuit Solicitor for Oconee County.

Section 12

The First Fifteen Hundred Dollars (\$1500) of Oconee County building permit fees (under Building Codes on the attached, and incorporated Oconee County Departmental Fees Schedule for this budget year) and related and associated Building Code fees are, to the extent permitted by law, hereby waived and set at \$0 for any Oconee County non-profit or eleemosynary entity duly recognized as such by the State of South Carolina and granted tax exempt status by the Internal Revenue Service of the United States ("IRS"), only for so long as such entity maintains such non-profit or eleemosynary status and tax exempt recognition by the IRS. All building permit fees and building code fees in excess of \$1500, per applying non-profit, eleemosynary entity per application, will be applied and collected as usual, per this budget, this proviso, and the attached, incorporated Oconee County Departmental Fees Schedule. Oconee County Council hereby determines and finds that this reduction in fees is appropriate and justified by the

provision of public services which these non-profit, eleemosynary entities provide to Oconee County and the public of Oconee County – services of public use and public benefit which would otherwise have to be provided by some unit of local government.

Section 13

Pursuant to authority given to governing bodies of South Carolina counties by the South Carolina General Assembly in Section 12-43-360 of the South Carolina Code of Laws, 1976, as amended, the Oconee County Council hereby reduces the assessment ratio otherwise applicable in determining the assessed value of general aviation aircraft subject to property tax in Oconee County to a ratio of four percent (4%) of the fair market value of such general aviation aircraft. Such assessment ratio shall apply uniformly to all general aviation aircraft subject to *ad valorem* property taxation in Oconee County. This proviso first became effective in the 2011-2012 budget ordinance and is a part of the budget ordinance beginning July 1, 2012 and ending June 30, 2013.

Section 14

The Oconee County fund balance policy, as stated and established in Oconee County Resolution R2011-09, is hereby implemented as a part of this budget. Oconee County Council hereby sets the following amounts of fund balance for the respectively stated purposes:

Committed funds for the Solid Waste Reserve fund balance: \$2,811,628
Committed funds for the Healthcare Reserve fund balance: \$3,215,644

Section 15

County Council adopts the employee benefit plan and ratifies the designation of the County Administrator to act as the Plan Administrator and affirms all plan amendments.

Section 16

County Council approves and ratifies the forgiveness of the Walhalla Rescue Squad Loan balance.

Section 17

Oconee County receives federal, state and local grants for specified purposes. Oconee County is hereby authorized, absent any other factor, to apply for, receive, and expend all such grants for which no local match is required or for which such funds are budgeted herein, in addition to all other authority elsewhere given, and in accordance with all other policies and directives of Oconee County. These grants, including any local match, are deemed budgeted for the specified purposes upon acceptance of such grants. These grants are budgeted for on a project basis in accordance with the grantors' terms and conditions instead of an annual basis and as such, unexpended appropriations for uncompleted grant projects are carried forward as a part of the budget authorized by this ordinance.

**Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
GENERAL COUNTY FEES [applicable to all departments]:		

Copies

8 1/2 X 11 [per page]	\$ 0.25	\$ 0.25
8 1/2 X 14 [per page]	\$ 0.50	\$ 0.50
11 X 17 [per page]	\$ 0.50	\$ 0.50
Blue Line Copies - See GIS/Map Room		

County Road Maps

County Road Map	\$ 2.00	\$ 2.00
County Road Map Bulk (50 or more)	\$ 1.50	\$ 1.50

Fees Collected by Department [Alphabetical Order]

Animal Control Fees

Dog Adoptions	\$75.00 per dog	\$75.00 per dog
Cat Adoptions	\$65.00 per cat	\$65.00 per cat
Horse Adoption Fee	\$100 - \$200	\$100 - \$200
Quarantine Fee	\$ 60.00	\$ 60.00
Owner Pick-up Fee (Cat or Dog)	\$ 10.00	\$ 10.00
Boarding Fee - (Cat or Dog)	\$5.00 per day	\$5.00 per day
Owner Pick -Up Fee - Large Animal	\$ 20.00	\$ 20.00
Boarding Fee- Large Animal	\$10 per day	\$10 per day

Airport Fees

T-Hanger Rental Rates	\$145.00 per month	\$145.00 per month
1988 T-Hangars A, B, Box D (27)	\$225.00 per month	\$225.00 per month
New T-Hangars E (8)	\$ -	\$250.00 per month
Aircraft Tie-down rate	\$30.00 per month	\$30.00 per month
Long term parking fee	\$10.00 per month per vehicle	\$10.00 per month per vehicle
After Hour Callout Fee	\$ 80.00	\$ 80.00
Ramp Fee for Transient Business Planes over 15,000 lbs	\$ 50.00	\$ 50.00
Airport Customers with a based corporate aircraft purchase of 150 or more gallons of Jet A fuel at one time will receive a 10 cent per gallon discount off the County Airport's normal retail price for the Jet a Fuel.	\$ -	\$0.10 reduction for 150 gallons or more
Airport customers purchasing 200 gallons or more of Jet A Fuel at one time will receive a 10 cent per gallon discount off the County Airport's normal retail price for the Jet A Fuel.	\$ -	\$0.10 reduction for 200 gallons or more

Auditor

Temporary Tags	\$5.00	\$5.00
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Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Building Codes		
<i>(See Section 13 of Provisos to the Oconee County Budget for this year)</i>		
All Buildings and Mechanical Trades \$10,000 or less	\$ 50.00	\$ 50.00
All Buildings and Mechanical Trades \$10,000 and up	\$50.00 plus \$4.00 for each additional thousand or fraction thereof	\$50.00 plus \$4.00 for each additional thousand or fraction thereof
Farm Exempt Structures	\$ 50.00	\$ 50.00
Manufactured Home Permits		
Set-Up Permit (Includes County Decal)	\$ 100.00	\$ 100.00
Decal Only	\$ 20.00	\$ 20.00
Manufactured Home De-title Fee		\$40.00
Inspection Fee		
Manufactured Home Moving Permit Fee	\$ 20.00	\$ 20.00
Moving Permits (structures other than Manufactured Homes)	\$ 50.00	\$ 50.00
Demolition Inspection Fee	\$ 50.00	\$ 50.00
Swimming Pools - Inspection Fees		
Commercial Pools	\$ 500.00	\$ 500.00
Single Family Residence Pools	\$ 100.00	\$ 100.00
Signs: Less than 75 square feet, No Fee		
75 Square feet to 200 square feet	\$ 100.00	\$ 100.00
Greater than 200 square feet	\$ 300.00	\$ 300.00
Commercial Plan Review Fee, 1/2 of building permit fee		
Penalty Fees, Where work for which a permit is required by this Ordinance is stated prior to		
Re-inspection Fee	\$50.00 fee shall be charged if an inspection is scheduled and the work is not ready when the inspector arrives	\$50.00 fee shall be charged if an inspection is scheduled and the work is not ready when the inspector arrives
Stop Work Order Fee	\$50.00 fee shall be charged if the inspector issues a stop word order	\$50.00 fee shall be charged if the inspector issues a stop word order
County Council		
CD/Audio Cassette / per event	\$ 5.00	\$ 5.00
Delinquent Tax Collector		
Administrative Fee	\$ 10.00	\$ 10.00

**Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
GIS		
Custom Production billed in 1/2 hour increments	\$30.00 per Hour	\$30.00 per Hour
Roads Directory (Microsoft Access Database) CD		\$20 per CD
Custom Scan and Prints	\$30.00 per Hour	\$30.00 per Hour
GIS A 8.5 X 11	\$ 3.00	\$ 3.00
GIS B 11 X 17	\$ 5.00	\$ 5.00
GIS C 18 X 24	\$ 6.00	\$ 6.00
GIS D 24 X 36	\$ 7.00	\$ 7.00
GIS E 36 X 48	\$ 8.00	\$ 8.00
Tax Map Grid with Roads	\$ 3.00	\$ 3.00
Voting Precincts and Council Districts	\$ 3.00	\$ 3.00

Library		
Overdue Fees:		
Books / Magazines / Music CD's	0.10 per day to a maximum of \$2.00 per book / magazine / music CD	0.10 per day to a maximum of \$2.00 per book / magazine / music CD
Videos and DVDs	1.00 per day to a maximum of \$6.00 per item	1.00 per day to a maximum of \$6.00 per item
Items Borrowed through Interlibrary Loan	0.50 per day per item	0.50 per day per item
Lost materials (books, CDs, Videos, etc.)	Original price of item	Original price of item
South Carolina Room research (by mail or e-mail)	\$5.00 plus price of photocopies	\$5.00 plus price of photocopies
Lost library cards	\$ 2.00	\$ 2.00
Black and White Prints	\$ 0.25	\$ 0.25
Color Prints	\$ 0.50	\$ 0.50
Out of County Card	\$50.00 Annually *	\$50.00 Annually *

*Not charged to patrons from Anderson and Pickens County who are in good standing with their libraries, or individuals who work or own property in Oconee County.

Map Room		
Custom Scan and Prints:		
GIS A 8.5 X 11	\$ 3.00	\$ 3.00
GIS B 11 X 17	\$ 5.00	\$ 5.00
GIS C 18 X 24	\$ 6.00	\$ 6.00
GIS D 24 X 36	\$ 7.00	\$ 7.00
GIS E 36 X 48	\$ 8.00	\$ 8.00
Layout, Chickasaw Point	\$ 3.00	\$ 3.00
Layout, Foxwood Hills	\$ 3.00	\$ 3.00
Tax Map Grid with Roads	\$ 3.00	\$ 3.00
Voting Precincts and Council Districts	\$ 3.00	\$ 3.00
Daily Parking per Vehicle	\$ 2.00	\$ 2.00
Daily Parking per Boat & Trailer	\$ 5.00 per boat	\$ 5.00 per boat

Park Fees		
ADMISSION FEES (all parks)		
Daily Parking per Vehicle	\$ 2.00	\$ 2.00
Daily Parking per Boat & Trailer	\$5.00 per boat	\$5.00 per boat
Annual Pass - Calendar Year (Oconee County residents)	\$ 25.00	\$ 25.00
Annual Pass - Calendar Year - Discounted for Sr. Citizens (62+), legally disabled and veterans	\$ 15.00	\$ 15.00

**Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
Annual Pass - Calendar Year - Out of County, South Carolina Residents	\$ 50.00	\$ 50.00
Annual Pass - Calendar Year - Discounted for Sr. Citizen (62+), legally disabled and veterans	\$ 40.00	\$ 40.00
CAMPING [all parks]		
Oconee County Resident	\$15.00 per night	\$15.00 per night
Non-resident	\$20.00 per night	\$20.00 per night
Waterfront Site Oconee County Resident	\$20.00 per night	\$20.00 per night
Waterfront Site Non-resident	\$25.00 per night	\$25.00 per night
Winter Camping Rate November 1 - February 28	\$12.00 per night	\$12.00 per night
All campers must have current license plates. No site may be occupied for more than thirty (30) days.		
BUILDING RESERVATIONS [all parks]		
Security deposit required. Refundable if site left clean.		
Recreation Building 1-100 People	\$50.00 = 1/2 day	\$50.00 = 1/2 day
Recreation Building 101-150 People	\$100.00 = 1/2 day	\$100.00 = 1/2 day
Recreation Building 151-200 People	\$175.00 = 1/2 day	\$175.00 = 1/2 day
Recreation Building 201-300 People	\$275.00 = 1/2 day	\$275.00 = 1/2 day
Recreation Building 301+ People	\$450.00 = 1/2 day	\$450.00 = 1/2 day
Picnic Shelters		
Chau Ram Park		
Shelter #1 maximum number of 36 persons	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelter #2 maximum number of 36 persons	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelter #3 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
Gazebo #1 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
Gazebo #2 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
South Cove Park		
Pavilion	\$50.00 for 1/2 day	\$50.00 for 1/2 day
High Falls Park		
Shelters 1 - 50 People	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelters 51 - 75 People	\$40.00 for 1/2 day	\$40.00 for 1/2 day
Shelters 76-100 People	\$60.00 for 1/2 day	\$60.00 for 1/2 day
Shelters 101-150 People	\$80.00 for 1/2 day	\$80.00 for 1/2 day
Weddings/Rehearsals		
Weddings	\$250.00 1/2 day	\$250.00 1/2 day
Weddings	\$500.00 full day	\$500.00 full day
Rehearsal Dinners & Reception (for off site wedding)		
Less than 100 persons	\$100.00 1/2 day	\$100.00 1/2 day
Less than 100 persons	\$200.00 full day	\$200.00 full day
101+ persons	Recreation	Recreation
Tennis - Per Hour to Reserve	\$ 5.00	\$ 5.00
Miniature golf - Per Game	\$ 3.00	\$ 3.00
Softball field - Per Hour to Reserve	\$ 5.00	\$ 5.00
Volleyball - Per Hour to Reserve	\$ 5.00	\$ 5.00

Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Planning		
Subdivision Review (Minor subdivision <4 units)	\$ 50.00	\$ 50.00
Subdivision Review (Minor subdivision 4 - 10 units)	\$50 + \$10 per unit	\$50 + \$10 per unit
Subdivision Review (Major Subdivision)	\$100 + \$10 per unit	\$100 + \$10 per unit
Subdivision Variance (Individual Parcel/Unit)	\$50 + cost of required advertising	\$50 + cost of required advertising
Variances and Special Exception Fees for All Developments of 2 or More Parcels/Units	\$100 + cost of required advertising	\$100 + cost of required advertising
Communication Towers (New build and Collocate)= \$1,000	\$1,000	\$1,000
Group Homes	\$50	\$50
Sexually Oriented Business	\$1,000 Annual Fee	\$1,000 Annual Fee
Sexually Oriented Business Employee	\$25 per Employee	\$25 per Employee
Sign Permit (Billboard)	\$ 100.00	\$ 100.00
Tattoo Facilities	\$ 1,000.00	\$ 1,000.00
All Other Non-Zoning Variances	\$50+ cost of required advertising	\$50+ cost of required advertising
All Other Non-Zoning Special Exceptions	\$50+ cost of required advertising	\$50+ cost of required advertising
NEW FEE - All Other Appeals to Planning Commission or Board of Zoning Appeals		\$50 + cost of required advertising
Pre-Bound Document (Less than 50 pages)	\$ 5.00	\$ 5.00
Pre-Bound Document (greater than 50 pages)	\$5 + .10 per page	\$5 + .10 per page
Documents on CD	\$ 1.00	\$ 1.00
Maps (8.5 X 11.0)	\$ 3.00	\$ 3.00
Maps (18 X 24)	\$ 5.00	\$ 5.00
Maps (24 X 36)	\$ 7.00	\$ 7.00
Maps (36 X 48)	\$ 8.00	\$ 8.00
Custom Mapping (Planning and Zoning Projects Only)	\$30 per hour	\$30 per hour

**Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
Probate Court		
In estate and conservatorship proceedings, the fee shall be based upon the gross value of the decedent's probate estate or the protected person's estate as shown on the inventory and appraisal as follows:		
(1) Property valuation less than \$5,000	\$ 25.00	\$ 25.00
(2) Property valuation of \$5,000.00 but less than \$20,000	\$ 45.00	\$ 45.00
(3) Property Valuation of \$20,000.00 but less than \$60,000	\$ 67.50	\$ 67.50
(4) Property valuation of \$60,000.00 but less than \$100,000	\$ 95.00	\$ 95.00
(5) Property valuation of \$100,000.00 but less than \$600,000	\$95.00, plus .15 percent of the property valuation between \$100,000.00 and \$600,000	\$95.00, plus .15 percent of the property valuation between \$100,000.00 and \$600,000
(6) Property valuation of \$600,000.00 or higher amount	set forth in (5) above plus one-fourth of one percent of the property valuation above \$600,000	set forth in (5) above plus one-fourth of one percent of the property valuation above \$600,000
Issuing certified copy	\$ 5.00	\$ 5.00
Issuing exemplified/authenticated copy	\$ 20.00	\$ 20.00
Reforming or correcting marriage record	\$ 6.75	\$ 6.75
Issuing duplicate marriage license	\$ 6.75	\$ 6.75
Filing conservatorship accountings	\$ 10.00	\$ 10.00
Filing conservatorship orders	\$ 5.00	\$ 5.00
Recording authenticated or certified record	\$ 20.00	\$ 20.00
Reopening closed estates	\$ 22.50	\$ 22.50
Appointment of special, temporary or successor personal representative	\$ 22.50	\$ 22.50
Filing and indexing will under Section 62-2-901	\$ 10.00	\$ 10.00
Certifying appeal record	\$ 10.00	\$ 10.00
Filing affidavit for collection of personal property under Section 62-3-1201, the fee pursuant to item (B) above based upon property valuation shown	(see item (B) above)	(see item (B) above)
Filing affidavit for collection of personal property where the property valuation is less than \$100.00	\$ 12.50	\$ 12.50
Newspaper advertisements:		
Keowee Courier / Westminster News	\$ 20.00	\$ 25.00
Daily Journal	\$ 45.00	\$ 75.00
Filing initial petition in any action or proceeding other than (B) above, same fee as charged for filing civil actions in circuit court	\$ 150.00	\$ 150.00
Filing demands for notice	\$ 5.00	\$ 5.00
Marriage license - Domestic Violence Fund Fee / each marriage application [state]	\$ 20.00	\$ 20.00
Marriage Ceremony Fee - Instate Resident	\$ 5.00	\$ 10.00
Marriage Ceremony Fee - Out of State Resident	\$ 5.00	\$ 15.00
Marriage License Fee-Instate Resident	\$ 5.00	\$ 10.00
Marriage License Fee-Out of State Resident	\$ 5.00	\$ 25.00
Certified copy of marriage license	\$ 5.00	\$ 5.00

**Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule**

Register of Deeds	FY 2012 Fees	FY 2013 Fees
Deeds and Mortgages	\$10.00 more than 4 pages \$1.00 per additional)	\$10.00 more than 4 pages \$1.00 per additional)
Dead Stamps	\$3.70 per \$1000 rounded up to next \$500	\$3.70 per \$1000 rounded up to next \$500
Instrument which assigns, transfers, or releases real estate mortgage	\$6.00 for first page \$1.00 for each additional	\$6.00 for first page \$1.00 for each additional
Affidavit of missing assignment	\$ 10.00	\$ 10.00
Lease, Contract of Sale, Trust Indenture	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Satisfaction of Real Estate Mortgage	\$ 5.00	\$ 5.00
Plat larger than 8 1/2 X 14	\$ 10.00	\$ 10.00
Plat of "Legal Size" Dimensions or Smaller	\$ 5.00	\$ 5.00
Plats Larger than 17 X 24	\$ 20.00	\$ 20.00
Any other paper affecting title or possession of real estate or personal property and required by law to be recorded, except judicial records	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Power of Attorney, Trustee Qualification, or other appointment	\$15.00 more that 4 pages \$1.00 per additional	\$15.00 more that 4 pages \$1.00 per additional
Mechanics Liens	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Cancellation of Mechanics Lien	\$ 5.00	\$ 5.00
UCC Financing Statements UCC1 or UCC3	\$8.00; more than 2 pages \$10.00; more than two debtors \$10.00; each additional debtor more than two \$2.00; continuations \$8.00; amendments \$8.00; assignments \$8.00; partial release \$8.00	\$8.00; more than 2 pages \$10.00; more than two debtors \$10.00; each additional debtor more than two \$2.00; continuations \$8.00; amendments \$8.00; assignments \$8.00; partial release \$8.00
Public finance transaction and manufactured home transactions	\$ 20.00	\$ 20.00
Copies mailed \$1.00 to certify	\$5.00 for 4 pages then \$.25 per additional page	\$5.00 for 4 pages then \$.25 per additional page
Copies 8 1/2 X 11 [per page]		.50 cents
Copies 8 1/2 X 14 [per page]		.50 cents

Oconee County, South Carolina
FY 2011-2012 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Road Department		
Sign Fee / Municipalities	materials cost	materials cost
Sign Fee / Other	2.5 times the materials cost	2.5 times the materials cost
Encroachment Fee (Residential/Commercial)	\$ 60.00	\$ 60.00
Encroachment Fee (Pavement Cut Fee - Contractor Only)	250 + 10 sqf	250 + 10 sqf
Encroachment Fee (Permit Extension)	\$ 10.00	\$ 10.00
Encroachment Fee (Re-Inspection)	\$ 60.00	\$ 60.00
Encroachment Fee (Longitudinal work in ROW)	60 + .10lf	60 + .10lf
Encroachment Fee(Annual Blanket Permit)	\$ 1,000.00	\$ 1,000.00
Road Inspection Fee	\$1.50 per foot Minimum \$600	\$1.50 per foot Minimum \$600
Storm water Fees	Pipe Price + tax + Gravel Price + Tax X 2.5 =Price for pipe installation	Pipe Price + tax + Gravel Price + Tax X 2.5 =Price for pipe installation

	Price per Ton	Price per Ton
Rock Quarry Fees		
#1 Crusher Run	\$ 7.75	\$ 7.75
#2 Crusher Run Sap Rock	\$ 6.00	\$ 6.00
#3 Oversize	\$ 10.00	\$ 10.00
#4 Screenings	\$ 3.00	\$ 3.50
#5 1" 57	\$ 9.75	\$ 9.75
#6 Pa Gravel 789	\$ 9.25	\$ 9.25
#7 Class A Rip Rap	\$ 11.50	\$ 11.50
#8 Class B Rip Rap	\$ 11.75	\$ 11.75
#9 Asphalt Sand	\$ 7.00	\$ 7.00
#10 County Rock	\$ 7.75	\$ 7.75
#11 3/4" 6M	\$ 9.75	\$ 9.75
#13 Class E Rip Rap	\$ 17.00	\$ 17.00
#14 Flat Boulders	\$ 20.00	\$ 20.00
#15 Class C Rip Rap	\$ 12.00	\$ 12.00
#16 Class D Rip Rap	\$ 12.25	\$ 12.25

Sheriff's Office		
Sheriff's Civil Fees		
Mechanics	\$ 10.00	\$ 10.00
Subpoenas	\$ 10.00	\$ 10.00
Foreclosures	\$ 25.00	\$ 25.00
Judgments	\$ 25.00	\$ 25.00
Writs	\$ 25.00	\$ 25.00
Affidavit of Non-Service	\$ 5.00	\$ 5.00
Other	\$ 15.00	\$ 15.00
Misc Sheriff		
Incident Reports	\$ 2.00	\$ 2.00
Record Check	\$ 5.00	\$ 5.00
Executions	\$ 25.00	\$ 25.00

Solid Waste Fees		
MSW Transfer Station Tipping Fee	\$45.00 per ton	\$45.00 per ton
C & D Landfill Tipping Fee (rate last set in 1998)	\$30.00 per ton	\$30.00 per ton
Mulch	\$10.60 per scoop	\$10.60 per scoop

Solicitor's Fees

Oconee County, South Carolina
 FY 2011-2012 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Worthless Check Fees		\$50 for checks up to \$500; \$100 dollars for checks \$500 to \$1000 and \$150 for checks \$1000 or greater

Treasurer		
Decal Fee	\$ 1.00	\$ 1.00
Bad Check Fee	\$ 30.00	\$ 30.00
Replacement Check Fee	\$ 30.00	\$ 30.00

Zoning		
Non-CFD Rezoning Application Fee Per Parcel	\$ 25.00	\$ 25.00
Appeals, Variances and Special Exception Application Fee	\$ 50.00	\$ 50.00

Summary

		Savings from Merit Period Adjustment	Savings from COLA Removal	Total Savings to FY13 Budget
10 Fund	General Fund	\$ (338,505.14)	\$ (197,981.70)	\$ (536,486.84)
17 Fund	Rock Quarry	\$ (18,899.03)	\$ (7,695.49)	\$ (26,594.52)
210 Fund	Sheriff's Victims Advocate	\$ (775.06)	\$ (1,104.98)	\$ (1,880.04)
215 Fund	Solicitor's Victims Advocate	\$ (679.75)	\$ (471.78)	\$ (1,151.53)
	Total Savings	\$ (358,858.98)	\$ (207,253.95)	\$ (566,112.93)

NOTE: Both, the Victims Advocate Funds interfund transfers from and the General Fund interfund transfers to will be reduced by the total savings above as well.

General Fund

FY 12-13 Budget Changes from Administrator's Original Presentation

Changes for May 3, 2012 Meeting	
Economic Development	Some line item amounts adjusted but overall departmental amount stayed the same.
Emergency Management	New position added. Temporary agency employee will be hired by the County as a part-time Secretary I. Scott Krein's salary will be subsidized by LEMP Grant in the amount equal to the new hire's salary allowing for the new hire's salary of \$16, 639 to be covered.
Information Technology	Add back \$105,000 for GIS for ESRI contract, etc. (\$60,000 Maintenance of Equipment, \$40,000 Professional, and \$5,000 Small Capital)

Changes for May 15, 2012 Meeting	
Revenues	
Property Tax Revenues Reduced to Prevent Adding Millage	\$ (750,000)
Local Gov. Funds Increased to \$2,939,860	\$ 534,903
Total Revenue Adjustments	\$ (215,097)
Expenditures	
Remove the 1% COLA	\$ (197,981)
Adjust Merit to Pay Period for Each Employee's Anniversary	\$ (338,505)
Reduction to Interfund Transfer to Sheriff's Victims Advocate Fund - 210 for Funding Salaries	\$ (1,880)
Reduction to Interfund Transfer to Solicitor's Victims Advocate Fund - 215 for Funding Salaries	\$ (1,152)
Additional Funding for OMC	\$ 150,000
Funding for Mountain Lakes Business Development Corporation (MLBDC)	\$ 39,000
Funding for Ten at the Top (TATT)	\$ 5,000
Salary Adjustments for Vacancies Since Last Report	\$ (4,995)
Balance to Administrator's Contingency	\$ 135,416
Total Expenditures Adjustments	\$ (215,097)
Transfer Balance of the 2011 Lease Purchase Funds for the Communications Tower at 6/30/12 to Capital Projects Fund via Interfund Transfer that will come from the Restricted Fund Balance for the Lease Purchase Funds	\$ 380,000

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2012-01**

AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

BE IT ORDAINED by the County Council for Oconee County, South Carolina, (the "County Council"), in accordance with the general law of the State of South Carolina and the Acts and Joint Resolutions of the South Carolina General Assembly, as follows :

SECTION 1

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended, the following amounts are hereby appropriated for the 2012-2013 fiscal year for Oconee County (the "County") for ordinary county purposes:

General Fund:	\$ 43,014,429
Special Revenue Funds:	
Victim Services Sheriff's Office	133,796
Victim Services Solicitor's Office	59,039
911 Fund	352,500
Enterprise Fund:	3,683,612
Debt Service Fund:	<u>3,201,850</u>
 TOTAL:	 \$ 50,445,226

SECTION 2

A tax of sufficient millage to fund the aforesated appropriations for the Oconee County Budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013, after crediting against such appropriations all other unrestricted revenue anticipated to accrue to Oconee County and any fund balance budgeted to be used during said fiscal year, is hereby directed to be levied upon all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The Auditor of Oconee County is hereby requested to recommend to the Oconee County Council, for approval by Oconee County Council, a sufficient millage levy and the Treasurer of Oconee County is herein directed to collect sufficient millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of Oconee County for the fiscal year beginning July 1, 2012 and ending June 30, 2013. The Auditor and Treasurer of Oconee County are hereby directed to fund such bond repayment sinking fund(s) as are necessary to provide for an orderly and timely payment of the debt service of Oconee County and to satisfy any debt covenants.

SECTION 3

A tax of 2.1 mills to provide funding for the Tri-County Technical College Special Revenue Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The revenue from this levy, not to exceed \$1,036,754 is hereby appropriated for support of Tri-County Technical College. The Auditor of Oconee County is hereby

requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated appropriations of the Tri-County Technical College Special Revenue fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Tri-County Technical College Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 4

A tax of 3.9 mills to provide funding for the Emergency Services Protection Special Revenue Fund is hereby levied on all taxable property within the special tax district, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy and a portion of fund balance, not to exceed \$2,088,600, is hereby appropriated for the Emergency Services Protection Special Revenue Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property within the special tax district in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Emergency Services Protection Special Revenue Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Emergency Services Protection Special Revenue Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 5

A tax of 1 mill to provide funding for the Bridge and Culvert Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The revenue from this levy, not to exceed \$450,000, is hereby appropriated for the Bridge and Culvert Capital Project Fund. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Bridge and Culvert Capital Project Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all such revenues shall be retained and accounted for in the Bridge and Culvert Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 6

A tax of 1 mill to provide funding for the Economic Development Capital Project Fund is hereby levied on all taxable property, eligible to be lawfully taxed for such purposes, in Oconee County. The combined revenue from this levy, other anticipated restricted revenues, transfers, and a portion of fund balance as authorized by County Council, not to exceed \$8,611,009, is hereby appropriated for the Economic Development Capital Projects Fund for projects approved by County Council. The Auditor of Oconee County is hereby requested to levy and the Treasurer of Oconee County is herein directed to collect the millage on taxable property in Oconee County to provide for the aforesated operations appropriations and direct expenditures of the Economic Development Capital Project Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013. To the extent such levy results in revenues in excess of the amount appropriated above, all

such revenues shall be retained and accounted for in the Economic Development Capital Project Fund and shall be carried forward from year to year as fund balance in this fund to be appropriated by Oconee County Council through future budget adoption or budget amendments.

SECTION 7

Oconee County receives certain recurring revenues that are restricted for certain purposes. These revenues are accounted for in various special revenue funds including the Victim Services-Sheriff's Office Fund, Victim Services-Solicitor's Office Fund, and 911 Fund, special revenue funds. Any surplus in these funds of the County or any moneys accruing therefrom shall be retained and accounted for in these funds and shall be carried forward from year to year as fund balances in such funds.

SECTION 8

Oconee County receives federal, state and local grants for specified purposes. Oconee County is hereby authorized, absent any other factor, to apply for, receive, and expend all such grants for which no local match is required or for which such funds are budgeted herein, in addition to all other authority elsewhere given, and in accordance with all other policies and directives of Oconee County. These grants, including any local match, are deemed budgeted for the specified purposes upon acceptance of such grants. These grants are budgeted for on a project basis in accordance with the grantors' terms and conditions instead of an annual basis and as such, unexpended appropriations for uncompleted grant projects are carried forward as a part of the budget authorized by this ordinance.

SECTION 9

All appropriations made by prior year budget ordinances for which the respective monies have been obligated or encumbered are hereby carried forward and reappropriated, as of July 1, 2012, as a part of the budget authorized by this Ordinance.

SECTION 10

Capital projects are budgeted on a project basis instead of an annual basis and as such, unexpended appropriations for uncompleted capital projects are carried forward as a part of the budget authorized by this ordinance.

SECTION 11

All unexpended appropriations as of June 30, 2012, except for those noted in Section 8, Section 9, and Section 10 of this ordinance shall lapse and expire and the monies involved shall revert to the fund balance of the fund from which the appropriation originated.

SECTION 12

The County Administrator, as required by state law, shall oversee and supervise the day-to-day implementation of this budget ordinance, including the execution and delivery, on behalf of the County, of all contractual documents necessary or required for the expenditure of funds authorized by this budget ordinance, for the purposes for which such funds are so authorized. Subject to the procurement policies of the County, the County Administrator is hereby authorized to contact and enter into contracts on behalf of the County for purposes, activities and matters budgeted for herein.

SECTION 13

The fees authorized for all county departments to charge for services of the county and to use for operations of the county are as set forth in a schedule of fees. This schedule of fees is incorporated herein, by reference, as fully as if set forth verbatim herein, and adopted as part of this Ordinance and the fees are hereby approved to be charged by the appropriate county departments.

SECTION 14

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

SECTION 15

All other orders, resolutions, and ordinances of Oconee County, inconsistent herewith, are, to the extent of such inconsistency only, hereby revoked, rescinded and repealed.

SECTION 16

This Ordinance shall become effective upon approval on third reading and enforced from and after July 1, 2012.

Adopted in meeting duly assembled this ___ day of June, 2012.

OCONEE COUNTY, SOUTH CAROLINA

Joel Thrift, Chairman
Oconee County Council

ATTEST

Elizabeth G. Hulse
Clerk to County Council

First Reading: May 1, 2012
Second Reading: May 15, 2012
Public Hearing:
Third Reading:

OCONEE COUNTY, SOUTH CAROLINA
BUDGET PROVISOS FISCAL YEAR 2012-2013
ORDINANCE 2012-01

Section 1

The appropriations made herein shall not be exceeded without proper authority or amendment by Oconee County Council. Any officer incurring indebtedness on the part of the County in excess of the appropriations herein made shall be liable upon his official bond.

Section 2

The Finance Director and Treasurer of Oconee County shall prepare such separate records and books of account as may be required by the United States Government or any of its agencies or by the State of South Carolina or any of its agencies, reflecting the receipt and disposition of all funds.

Section 3

All purchasing and contracting for the acquisition of goods and services for County purposes shall be in accordance with procedures outlined in the County Procurement Ordinance, as codified. Subject to the provisions of Oconee County policies, whenever possible and practical, goods and services shall be purchased from firms and individuals located in Oconee County whenever goods and services of equal quality and specifications are available from local suppliers at prices less than or equal to prices submitted by nonresident suppliers.

Section 4

No bills or claims against Oconee County shall be approved for payment and no check will be issued for same unless such bills or claims are properly itemized showing the goods purchased or services rendered, dated as of the date of delivery of said goods and/or services and signed by the person receiving said goods or services.

Section 5

No officer, elected official or employee of Oconee County shall furnish any services or sell any materials or supplies to the County for pay, except upon open quote or bid in accordance with the County Procurement Ordinance, as codified.

Section 6

The County Council may transfer funds from any fund, department, activity or purpose to another by normal Council action, subject to all other applicable legal requirements. The County Administrator shall be authorized to transfer appropriations between departments within a fund. All transfers authorized by this section are subject to the overall appropriation limits of this Ordinance.

Section 7

For any equipment, vehicle or any other item that is approved in the budget as a replacement for existing items, the item being replaced will be relinquished to the Procurement Director for disposal or reassignment.

Section 8

The standard mileage rate reimbursed to County employees for use of their personal vehicles will be equal to the amount set, as the authorized rate, by the Internal Revenue Service, at any given time.

Section 9

Oconee County will pay County employees a per diem for meals while traveling on County business, including travel related to training. No per diem will be paid for meals that are included in registration fees. The rates will be \$8 for breakfast, \$12 for lunch and \$15 for dinner. Per Diem for breakfast will be reimbursed if the employee is required to leave home before 7:30 a.m. Per Diem for dinner will be reimbursed if the employee returns home after 6 p.m. For non-overnight travel reimbursement for meals will be based on actual expenditures for meals, limited to the per diem amounts above. Receipts for meals will be required for reimbursements.

Section 10

The Part-time Clerk position in the Clerk of Court's office first funded in the 2010-2011 budget is a temporary position, only, funding for this position is approved for an additional year, and is intended to increase the collection of past due fines and fees owed to the County. In order for this position to be considered in future budget years, the Clerk of Court's office must provide the Administrator with quarterly reports indicating the number of cases researched and the amount of fines and fees collected that are attributable to this position. These reports are due 15 days after the end of the quarter. Oconee County Council is not obligated to fund the position at such future time, however, all other factors notwithstanding. This position is never to be considered a permanent position unless and until Oconee County Council so designates it, so that this position is exempt from any provision of federal, state, or local law restricting the ability of Oconee County Council to decrease funding for the Office of the Clerk of Court. In other words, this position is not a part of the permanent funding of the Office of the Clerk of Court for Oconee County.

Section 11

Funding for the temporary Assistant Solicitor and Paralegal positions in the Solicitor's office first funded in the 2010-2011 budget is funded for an additional year and is intended to provide representation for Oconee County in the magistrate courts of Oconee County. These are temporary positions, only. In order for these positions to be considered in future budget years, the Solicitor's office must provide the Administrator with quarterly reports indicating the number of new cases referred each quarter, the number of court appearances each quarter and a certification from the Solicitor that these positions were only used for representation in magistrate court on Oconee County cases during the quarter. These reports are due 15 days after the end of the quarter. Oconee County Council is not obligated to fund these positions at such future time, however, all other factors notwithstanding. These positions are never to be considered permanent positions unless and until Oconee County Council so designates them, so that these positions are exempt from any provision of federal, state, or local law restricting the ability of Oconee County Council to decrease funding for the Office of the Tenth Circuit Solicitor. In other words, these positions are not a part of the permanent funding of the Office of the Tenth Circuit Solicitor for Oconee County.

Section 12

Building permit fees (under Building Codes on the attached, and incorporated Oconee County Departmental Fees Schedule for this budget year) and related and associated Building Code fees are, to the extent permitted by law, hereby waived and set at \$0 for any non-profit or eleemosynary entity duly recognized as such by the State of South Carolina and granted tax exempt status by the Internal Revenue Service of the United States ("IRS"), only for so long as such entity maintains such non-profit or eleemosynary status and tax exempt recognition by the IRS.

Section 13

Pursuant to authority given to governing bodies of South Carolina counties by the South Carolina General Assembly in Section 12-43-360 of the South Carolina Code of Laws, 1976, as amended,

the Oconee County Council hereby reduces the assessment ratio otherwise applicable in determining the assessed value of general aviation aircraft subject to property tax in Oconee County to a ratio of four percent (4%) of the fair market value of such general aviation aircraft. Such assessment ratio shall apply uniformly to all general aviation aircraft subject to *ad valorem* property taxation in Oconee County. This proviso first became effective in the 2011-2012 budget and is a part of the budget beginning July 1, 2012 and ending June 30, 2013.

Section 14

The Oconee County fund balance policy, as stated and established in Oconee County Resolution R2011-09, is hereby implemented as a part of this budget. Oconee County Council hereby sets the following amounts of fund balance for the respectively stated purposes:

Committed funds for the Solid Waste Reserve fund balance:	\$2,811,628
Committed funds for the Healthcare Reserve fund balance:	\$3,215,644

Section 15

County Council adopts the employee benefit plan and ratifies the designation of the County Administrator to act as the Plan Administrator and affirms all plan amendments.

Section 16

County Council approves and ratifies the forgiveness of the Walhalla Rescue Squad Loan balance.

**Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
GENERAL COUNTY FEES [applicable to all departments]:		

Copies

8 1/2 X 11 [per page]	\$ 0.25	\$ 0.25
8 1/2 X 14 [per page]	\$ 0.50	\$ 0.50
11 X 17 [per page]	\$ 0.50	\$ 0.50
Blue Line Copies - See GIS/Map Room		

County Road Maps

County Road Map	\$ 2.00	\$ 2.00
County Road Map Bulk (50 or more)	\$ 1.50	\$ 1.50

Fees Collected by Department [Alphabetical Order]

Animal Control Fees

Dog Adoptions	\$75.00 per dog	\$75.00 per dog
Cat Adoptions	\$65.00 per cat	\$65.00 per cat
Horse Adoption Fee	\$100 - \$200	\$100 - \$200
Quarantine Fee	\$ 60.00	\$ 60.00
Owner Pick-up Fee (Cat or Dog)	\$ 10.00	\$ 10.00
Boarding Fee - (Cat or Dog)	\$5.00 per day	\$5.00 per day
Owner Pick -Up Fee - Large Animal	\$ 20.00	\$ 20.00
Boarding Fee- Large Animal	\$10 per day	\$10 per day

Airport Fees

T-Hanger Rental Rates	\$145.00 per month	\$145.00 per month
1998 T-Hangars A, B, Box D (27)	\$225.00 per month	\$225.00 per month
New T-Hangars E (8)	\$ -	\$250.00 per month
Aircraft Tie-down rate	\$30.00 per month	\$30.00 per month
Long term parking fee	\$10.00 per month per vehicle	\$10.00 per month per vehicle
After Hour Callout Fee	\$ 80.00	\$ 80.00
Ramp Fee for Transient Business Planes over 15,000 lbs	\$ 50.00	\$ 50.00

Auditor

Temporary Tags	\$5.00	\$5.00
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Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Building Codes		
(See Section 13 of Provisos to the Oconee County Budget for this year)		
All Buildings and Mechanical Trades \$10,000 or less	\$ 50.00	\$ 50.00
All Buildings and Mechanical Trades \$10,000 and up	\$50.00 plus \$4.00 for each additional thousand or fraction thereof	\$50.00 plus \$4.00 for each additional thousand or fraction thereof
Farm Exempt Structures	\$ 50.00	\$ 50.00
Manufactured Home Permits		
Set-Up Permit (includes County Decal	\$ 100.00	\$ 100.00
Decal Only	\$ 20.00	\$ 20.00
Manufactured Home Detitle Fee		\$40.00
Inspection Fee		
Manufactured Home Moving Permit Fee	\$ 20.00	\$ 20.00
Moving Permits (structures other than Manufactured Homes)	\$ 50.00	\$ 50.00
Demolition Inspection Fee	\$ 50.00	\$ 50.00
Swimming Pools - Inspection Fees		
Commercial Pools	\$ 500.00	\$ 500.00
Single Family Residence Pools	\$ 100.00	\$ 100.00
Signs: Less than 75 square feet, No Fee		
75 Square feet to 200 square feet	\$ 100.00	\$ 100.00
Greater than 200 square feet	\$ 300.00	\$ 300.00
Commercial Plan Review Fee, 1/2 of building permit fee		
Penalty Fees, Where work for which a permit is required by this Ordinance is stated prior		
Re-inspection Fee	\$50.00 fee shall be charged if an inspection is scheduled and the work is not ready when the inspector arrives.	\$50.00 fee shall be charged if an inspection is scheduled and the work is not ready when the inspector arrives.
Stop Work Order Fee	\$50.00 fee shall be charged if the inspector issues a stop word order	\$50.00 fee shall be charged if the inspector issues a stop word order
County Council		
CD/Audio Cassette / per event	\$ 5.00	\$ 5.00
Delinquent Tax Collector		
Administrative Fee	\$ 10.00	\$ 10.00

**Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
GIS		
Custom Production billed in 1/2 hour increments	\$30.00 per Hour	\$30.00 per Hour
Roads Directory (MicroSoft Access Database) CD		\$20 per CD
Custom Scan and Prints	\$30.00 per Hour	\$30.00 per Hour
GIS A 8.5 X 11	\$ 3.00	\$ 3.00
GIS B 11 X 17	\$ 5.00	\$ 5.00
GIS C 18 X 24	\$ 6.00	\$ 6.00
GIS D 24 X 36	\$ 7.00	\$ 7.00
GIS E 36 X 48	\$ 8.00	\$ 8.00
Tax Map Grid with Roads	\$ 3.00	\$ 3.00
Voting Precincts and Council Districts	\$ 3.00	\$ 3.00

Library		
Overdue Fees:		
Books / Magazines / Music CD's	0.10 per day to a maximum of \$2.00 per book / magazine / music CD	0.10 per day to a maximum of \$2.00 per book / magazine / music CD
Videos and DVDs	1.00 per day to a maximum of \$6.00 per item	1.00 per day to a maximum of \$6.00 per item
Items Borrowed through Interlibrary Loan	0.50 per day per item	0.50 per day per item
Lost materials (books, CDs, Videos, etc.)	Original price of item	Original price of item
South Carolina Room research (by mail or e-mail)	\$5.00 plus price of photocopies	\$5.00 plus price of photocopies
Lost library cards	\$ 2.00	\$ 2.00
Black and White Prints	\$ 0.25	\$ 0.25
Color Prints	\$ 0.50	\$ 0.50
Out of County Card	\$50.00 Annually *	\$50.00 Annually *

*Not charged to patrons from Anderson and Pickens County who are in good standing with their libraries, or individuals who work or own property in Oconee County.

Map Room		
Custom Scan and Prints:		
GIS A 8.5 X 11	\$ 3.00	\$ 3.00
GIS B 11 X 17	\$ 5.00	\$ 5.00
GIS C 18 X 24	\$ 6.00	\$ 6.00
GIS D 24 X 36	\$ 7.00	\$ 7.00
GIS E 36 X 48	\$ 8.00	\$ 8.00
Layout, Chickasaw Point	\$ 3.00	\$ 3.00
Layout, Foxwood Hills	\$ 3.00	\$ 3.00
Tax Map Grid with Roads	\$ 3.00	\$ 3.00
Voting Precincts and Council Districts	\$ 3.00	\$ 3.00
Daily Parking per Vehicle	\$ 2.00	\$ 2.00
Daily Parking per Boat & Trailer	\$ 5.00 per boat	\$ 5.00 per boat

**Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
Park Fees		
ADMISSION FEES (all parks)		
Daily Parking per Vehicle	\$ 2.00	\$ 2.00
Daily Parking per Boat & Trailer	\$5.00 per boat	\$5.00 per boat
Annual Pass - Calendar Year (Oconee County residents)	\$ 25.00	\$ 25.00
Annual Pass - Calendar Year - Discounted for Sr. Citizen (62+), legally disabled and veterans	\$ 15.00	\$ 15.00
Annual Pass - Calendar Year - Out of County, South Carolina Residents	\$ 50.00	\$ 50.00
Annual Pass - Calendar Year - Discounted for Sr. Citizen (62+), legally disabled and veterans	\$ 40.00	\$ 40.00
CAMPING [all parks]		
Oconee County Resident	\$15.00 per night	\$15.00 per night
Non-resident	\$20.00 per night	\$20.00 per night
Waterfront Site Oconee County Resident	\$20.00 per night	\$20.00 per night
Waterfront Site Non-resident	\$25.00 per night	\$25.00 per night
Winter Camping Rate November 1 - February 28	\$12.00 per night	\$12.00 per night
All campers must have current license plates. No site may be occupied for more than thirty (30) days.		
BUILDING RESERVATIONS [all parks]		
Security deposit required. Refundable if site left clean.		
Recreation Building 1-100 People	\$50.00 = 1/2 day	\$50.00 = 1/2 day
Recreation Building 101-150 People	\$100.00 = 1/2 day	\$100.00 = 1/2 day
Recreation Building 151-200 People	\$175.00 = 1/2 day	\$175.00 = 1/2 day
Recreation Building 201-300 People	\$275.00 = 1/2 day	\$275.00 = 1/2 day
Recreation Building 301+ People	\$450.00 = 1/2 day	\$450.00 = 1/2 day
Picnic Shelters		
Chau Ram Park		
Shelter #1 maximum number of 36 persons	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelter #2 maximum number of 36 persons	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelter #3 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
Gazebo #1 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
Gazebo #2 maximum number of 12 persons	\$20.00 for 1/2 day	\$20.00 for 1/2 day
South Cove Park		
Pavilion	\$50.00 for 1/2 day	\$50.00 for 1/2 day
High Falls Park		
Shelters 1 - 50 People	\$30.00 for 1/2 day	\$30.00 for 1/2 day
Shelters 51 - 75 People	\$40.00 for 1/2 day	\$40.00 for 1/2 day
Shelters 76-100 People	\$60.00 for 1/2 day	\$60.00 for 1/2 day
Shelters 101-150 People	\$80.00 for 1/2 day	\$80.00 for 1/2 day
Weddings/Rehearsals		
Weddings	\$250.00 1/2 day	\$250.00 1/2 day
Weddings	\$500.00 full day	\$500.00 full day
Rehearsal Dinners & Reception (for off site wedding)		
Less than 100 persons	\$100.00 1/2 day	\$100.00 1/2 day
Less than 100 persons	\$200.00 full day	\$200.00 full day
101+ persons	Recreation	Recreation

Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Tennis - Per Hour to Reserve	\$ 5.00	\$ 5.00
Miniature golf - Per Game	\$ 3.00	\$ 3.00
Softball field - Per Hour to Reserve	\$ 5.00	\$ 5.00
Volleyball - Per Hour to Reserve	\$ 5.00	\$ 5.00

Planning		
Subdivision Review (Minor subdivision <4 units)	\$ 50.00	\$ 50.00
Subdivision Review (Minor subdivision 4 - 10 units)	\$50 + \$10 per unit	\$50 + \$10 per unit
Subdivision Review (Major Subdivision)	\$100 + \$10 per unit	\$100 + \$10 per unit
Subdivision Variance (Individual Parcel/Unit)	\$50 + cost of required advertising	\$50 + cost of required advertising
Variances and Special Exception Fees for All Developments of 2 or More Parcels/Units	\$100 + cost of required advertising	\$100 + cost of required advertising
Communication Towers (New build and Collocate)= \$1,000	\$1,000	\$1,000
Group Homes	\$50	\$50
Sexually Oriented Business	\$1,000 Annual Fee	\$1,000 Annual Fee
Sexually Oriented Business Employee	\$25 per Employee	\$25 per Employee
Sign Permit (Billboard)	\$ 100.00	\$ 100.00
Tattoo Facilities	\$ 1,000.00	\$ 1,000.00
All Other Non-Zoning Variances	\$50+ cost of required advertising	\$50+ cost of required advertising
All Other Non-Zoning Special Exceptions	\$50+ cost of required advertising	\$50+ cost of required advertising
NEW FEE - All Other Appeals to Planning Commission or Board of Zoning Appeals		\$50 + cost of required advertising
Pre-Bound Document (Less than 50 pages)	\$ 5.00	\$ 5.00
Pre-Bound Document (greater than 50 pages)	\$5 + .10 per page	\$5 + .10 per page
Documents on CD	\$ 1.00	\$ 1.00
Maps (8.5 X 11.0)	\$ 3.00	\$ 3.00
Maps (18 X 24)	\$ 5.00	\$ 5.00
Maps (24 X 36)	\$ 7.00	\$ 7.00
Maps (36 X 48)	\$ 8.00	\$ 8.00
Custom Mapping (Planning and Zoning Projects Only)	\$30 per hour	\$30 per hour

Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Probate Court		
In estate and conservatorship proceedings, the fee shall be based upon the gross value of the decedent's probate estate or the protected person's estate as shown on the inventory and appraisal as follows:		
(1) Property valuation less than \$5,000	\$ 25.00	\$ 25.00
(2) Property valuation of \$5,000.00 but less than \$20,000	\$ 45.00	\$ 45.00
(3) Property Valuation of \$20,000.00 but less than \$60,000	\$ 67.50	\$ 67.50
(4) Property valuation of \$60,000.00 but less than \$100,000	\$ 95.00	\$ 95.00
(5) Property valuation of \$100,000.00 but less than \$600,000	\$95.00, plus .15 percent of the property valuation between \$100,000.00 and \$600,000	\$95.00, plus .15 percent of the property valuation between \$100,000.00 and \$600,000
(6) Property valuation of \$600,000.00 or higher amount	set forth in (5) above plus one-fourth of one percent of the property valuation above \$600,000	set forth in (5) above plus one-fourth of one percent of the property valuation above \$600,000
Issuing certified copy	\$ 5.00	\$ 5.00
Issuing exemplified/authenticated copy	\$ 20.00	\$ 20.00
Reforming or correcting marriage record	\$ 6.75	\$ 6.75
Issuing duplicate marriage license	\$ 6.75	\$ 6.75
Filing conservatorship accountings	\$ 10.00	\$ 10.00
Filing conservatorship orders	\$ 5.00	\$ 5.00
Recording authenticated or certified record	\$ 20.00	\$ 20.00
Reopening closed estates	\$ 22.50	\$ 22.50
Appointment of special, temporary or successor personal representative	\$ 22.50	\$ 22.50
Filing and indexing will under Section 62-2-901	\$ 10.00	\$ 10.00
Certifying appeal record	\$ 10.00	\$ 10.00
Filing affidavit for collection of personal property under Section 62-3-1201, the fee pursuant to item (B) above based upon property valuation shown	(see item (B) above)	(see item (B) above)
Filing affidavit for collection of personal property where the property valuation is less than \$100.00	\$ 12.50	\$ 12.50
Newspaper advertisements:		
Keowee Courier / Westminster News	\$ 20.00	\$ 25.00
Daily Journal	\$ 45.00	\$ 75.00
Filing initial petition in any action or proceeding other than (B) above, same fee as charged for filing civil actions in circuit court	\$ 150.00	\$ 150.00
Filing demands for notice	\$ 5.00	\$ 5.00
Marriage license - Domestic Violence Fund Fee / each marriage application [state]	\$ 20.00	\$ 20.00
Marriage Ceremony Fee - Instate Resident	\$ 5.00	\$ 10.00
Marriage Ceremony Fee - Out of State Resident	\$ 5.00	\$ 15.00
Marriage License Fee-Instate Resident	\$ 5.00	\$ 10.00
Marriage License Fee-Out of State Resident	\$ 5.00	\$ 25.00
Certified copy of marriage license	\$ 5.00	\$ 5.00

**Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule**

	FY 2012 Fees	FY 2013 Fees
Register of Deeds		
Deeds and Mortgages	\$10.00 more than 4 pages \$1.00 per additional)	\$10.00 more than 4 pages \$1.00 per additional)
Deed Stamps	\$3.70 per \$1000 rounded up to next \$500	\$3.70 per \$1000 rounded up to next \$500
Instrument which assigns, transfers, or releases real estate mortgage	\$6.00 for first page \$1.00 for each additional	\$6.00 for first page \$1.00 for each additional
Affidavit of missing assignment	\$ 10.00	\$ 10.00
Lease, Contract of Sale, Trust Indenture	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Satisfaction of Real Estate Mortgage	\$ 5.00	\$ 5.00
Plat larger than 8 1/2 X 14	\$ 10.00	\$ 10.00
Plat of "Legal Size" Dimensions or Smaller	\$ 5.00	\$ 5.00
Plats Larger than 17 X 24	\$ 20.00	\$ 20.00
Any other paper affecting title or possession of real estate or personal property and required by law to be recorded, except judicial records	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Power of Attorney, Trustee Qualification, or other appointment	\$15.00 more than 4 pages \$1.00 per additional	\$15.00 more than 4 pages \$1.00 per additional
Mechanics Liens	\$10.00 more than 4 pages \$1.00 per additional	\$10.00 more than 4 pages \$1.00 per additional
Cancellation of Mechanics Lien	\$ 5.00	\$ 5.00
UCC Financing Statements UCC1 or UCC3	\$8.00; more than 2 pages \$10.00; more than two debtors \$10.00; each additional debtor more than two \$2.00; continuations \$8.00; amendments \$8.00; assignments \$8.00; partial release \$8.00	\$8.00; more than 2 pages \$10.00; more than two debtors \$10.00; each additional debtor more than two \$2.00; continuations \$8.00; amendments \$8.00; assignments \$8.00; partial release \$8.00
Public finance transaction and manufactured home transactions	\$ 20.00	\$ 20.00
Copies mailed \$1.00 to certify	\$5.00 for 4 pages then \$.25 per additional page	\$5.00 for 4 pages then \$.25 per additional page
Copies 8 1/2 X 11 [per page]		.50 cents
Copies 8 1/2 X 14 [per page]		.50 cents

Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
Road Department		
Sign Fee / Municipalities	materials cost	materials cost
Sign Fee / Other	2.5 times the materials cost	2.5 times the materials cost
Encroachment Fee (Residential/Commercial)	\$ 60.00	\$ 60.00
Encroachment Fee (Pavement Cut Fee - Contractor Only)	250 + 10 sqf	250 + 10 sqf
Encroachment Fee (Permit Extention)	\$ 10.00	\$ 10.00
Encroachment Fee (Re-Inspection)	\$ 60.00	\$ 60.00
Encroachment Fee (Longitudinal work in ROW)	60 + .10lf	60 + .10lf
Encroachment Fee(Annual Blanket Permit)	\$ 1,000.00	\$ 1,000.00
Road Inspection Fee	\$1.50 per foot Minimum \$600	\$1.50 per foot Minimum \$600
Storm water Fees	Pipe Price + tax + Gravel Price + Tax X 2.5 =Price for pipe installation	Pipe Price + tax + Gravel Price + Tax X 2.5 =Price for pipe installation

Rock Quarry Fees

	Price per Ton	Price per Ton
# 1 Crusher Run	\$ 7.75	\$ 7.75
#2 Crusher Run Sap Rock	\$ 6.00	\$ 6.00
#3 Oversize	\$ 10.00	\$ 10.00
#4 Screenings	\$ 3.00	\$ 3.50
#5 1" 57	\$ 9.75	\$ 9.75
#6 Pa Gravel 789	\$ 9.25	\$ 9.25
#7 Class A Rip Rap	\$ 11.50	\$ 11.50
#8 Class B Rip Rap	\$ 11.75	\$ 11.75
#9 Asphalt Sand	\$ 7.00	\$ 7.00
#10 County Rock	\$ 7.75	\$ 7.75
#11 3/4" 6M	\$ 9.75	\$ 9.75
#13 Class E Rip Rap	\$ 17.00	\$ 17.00
#14 Flat Boulders	\$ 20.00	\$ 20.00
#15 Class C Rip Rap	\$ 12.00	\$ 12.00
#16 Class D Rip Rap	\$ 12.25	\$ 12.25

Sheriff's Office

Sheriff's Civil Fees

Mechanics	\$ 10.00	\$ 10.00
Subpoenas	\$ 10.00	\$ 10.00
Foreclosures	\$ 25.00	\$ 25.00
Judgments	\$ 25.00	\$ 25.00
Writs	\$ 25.00	\$ 25.00
Affidavit of Non-Service	\$ 5.00	\$ 5.00
Other	\$ 15.00	\$ 15.00
Misc Sheriff		
Incident Reports	\$ 2.00	\$ 2.00
Record Check	\$ 5.00	\$ 5.00
Executions	\$ 25.00	\$ 25.00

Oconee County, South Carolina
FY 2012-2013 - Departmental Fees Schedule

	FY 2012 Fees	FY 2013 Fees
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Solid Waste Fees		
MSW Transfer Station Tipping Fee	\$45.00 per ton	\$45.00 per ton
C & D Landfill Tipping Fee (rate last set in 1998)	\$30.00 per ton	\$30.00 per ton
Mulch	\$10.60 per scoop	\$10.60 per scoop

Solicitor's Fees		
Worthless Check Fees		\$50 for checks up to \$500; \$100 dollars for checks \$500 to \$1000 and \$150 for checks \$1000 or greater

Treasurer		
Decal Fee	\$ 1.00	\$ 1.00
Bad Check Fee	\$ 30.00	\$ 30.00

Zoning		
Non-CFD Rezoning Application Fee Per Parcel	\$ 25.00	\$ 25.00
Appeals, Variances and Special Exception Application Fee	\$ 50.00	\$ 50.00

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2012-02**

AN ORDINANCE TO ESTABLISH THE BUDGET FOR THE SCHOOL DISTRICT OF OCONEE COUNTY (the "School District") AND TO PROVIDE FOR THE LEVY OF TAXES FOR THE OPERATIONS OF THE SCHOOL DISTRICT OF OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

BE IT ORDAINED by the County Council for Oconee County, South Carolina, (the "County Council"), in accordance with the general law of the State of South Carolina and the Acts and Joint Resolutions of the South Carolina General Assembly, as follows:

SECTION 1

The following amounts are hereby approved for budget purposes and appropriated for the 2012-2013 fiscal year for the School District of Oconee County:

School Operations:	\$ 60,516,328.00
School Debt:	<u>\$ 16,712,418.06</u>
Total School District:	\$ 77,228,746.06

SECTION 2

A tax of sufficient millage to fund the aforesated appropriations for the School District of Oconee County Budget for the fiscal year beginning July 1, 2012 and ending June 30, 2013 is hereby directed to be levied upon all taxable property in Oconee County and duly collected.

SECTION 3

The Auditor of Oconee County is hereby requested to recommend to the Oconee County Council, for approval by Oconee County Council, a sufficient millage levy and the Treasurer of Oconee County is herein directed to collect sufficient millage on all taxable property in Oconee County on which school taxes may be levied to provide for the aforesated operations appropriations and direct expenditures of the School District of Oconee County for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

SECTION 4

In accordance with the Constitution and general law of the State of South Carolina, and the Acts and Joint Resolutions of the South Carolina General Assembly, the Auditor of Oconee County shall set the millage levy for the debt service requirements of the School District and the Treasurer of Oconee County shall collect sufficient millage on all taxable property in Oconee County on which school taxes may be levied to provide for the debt service requirements of the School District of Oconee County for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

SECTION 5

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

SECTION 6

All other orders, resolutions, and ordinances of Oconee County, inconsistent herewith, are, to the extent of such inconsistency only, hereby revoked, rescinded and repealed.

SECTION 7

This Ordinance shall become effective upon approval on third reading and enforced from and after July 1, 2012.

Adopted in meeting duly assembled this ___ day of June, 2012.

OCONEE COUNTY, SOUTH CAROLINA

Joel Thrift, Chairman
Oconee County Council

ATTEST

Elizabeth G. Hulse
Clerk to County Council

First Reading: May 1, 2012
Second Reading: May 15, 2012
Public Hearing:
Third Reading:

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2012-03**

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013.

BE IT ORDAINED by the County Council for Oconee County, South Carolina, (the "County Council"), in accordance with the general law of the State of South Carolina, including, without limitation, Section 4-9-30, South Carolina Code, 1976, as amended and the Acts and Joint Resolutions of the South Carolina General Assembly, as follows:

SECTION 1

For the fiscal year beginning July 1, 2012 and ending June 30, 2013, \$707,500 is hereby appropriated for fire protection services in the Keowee Fire Special Tax District.

SECTION 2

A tax of sufficient millage, not to exceed 14.5 mills, to fund the aforesated appropriations for the Keowee Fire Special Tax District for the fiscal year beginning July 1, 2012 and ending June 30, 2013, after crediting against such appropriations all other unrestricted revenue anticipated to accrue to Keowee Fire Special Tax District and any fund balance budgeted to be used during said fiscal year, is hereby directed to be levied on all taxable property, eligible to be lawfully taxed for such purposes, in the Keowee Fire Special Tax District.

SECTION 3

The Auditor of Oconee County is hereby requested to recommend to the Oconee County Council, for approval by Oconee County Council, a sufficient millage levy and the Treasurer of Oconee County is herein directed to collect sufficient millage on taxable property in the Keowee Fire Special Tax District to provide for the aforesated appropriations and direct expenditures of that Special Tax District for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

SECTION 4

If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

SECTION 5

All other orders, resolutions, and ordinances of Oconee County, inconsistent herewith, are, to the extent of such inconsistency only, hereby revoked, rescinded and repealed.

SECTION 6

This Ordinance shall become effective upon approval on third reading and enforced from and after July 1, 2012.

Adopted in meeting duly assembled this ____ day of June, 2012.

OCONEE COUNTY, SOUTH CAROLINA

Joel Thrift, Chairman
Oconee County Council

ATTEST

Elizabeth G. Hulse
Clerk to County Council

First Reading: May 1, 2012
Second Reading: May 15, 2012
Public Hearing:
Third Reading:

COUNTY PURPOSES IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012”, Ordinance 2012-18, is hereby ratified and shall remain in full force and effect as originally adopted. All other sections of Ordinance 2011-01 not modified, directly or by implication shall likewise remain in full force and effect. This ordinance shall take effect immediately on approval on third reading. All ordinances and resolutions inconsistent herewith are, to the extent of such inconsistency only, hereby revoked, repealed, and rescinded.

Passed and approved this day, _____, of _____ 2012.

OCONEE COUNTY, SOUTH CAROLINA

Joel Thrift, Council Chairman
Oconee County, South Carolina

Attest:

Elizabeth G. Hulse
Clerk to Council

First Reading: May 1, 2012
Second Reading: May 15 2012
Public Hearing:
Third & Final Reading:

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2012-19**

ORDERING A REFERENDUM IN OCONEE COUNTY, SOUTH CAROLINA, TO SUBMIT TO THE ELECTORS OF THE COUNTY THE QUESTION OF WHETHER THE AUTHORIZATION PREVIOUSLY GRANTED IN A REFERENDUM HELD ON APRIL 13, 1976, SHALL BE MODIFIED TO AUTHORIZE AND EMPOWER THE COUNTY TO ACQUIRE, CONSTRUCT AND OPERATE WASTEWATER TREATMENT FACILITIES, TO PROVIDE WASTEWATER SERVICES IN THE UNINCORPORATED AREA OF THE COUNTY AND TO UTILIZE FUNDS FROM SPECIFIED SOURCES FOR SUCH PURPOSES; PROVIDING FOR THE FORM OF BALLOT TO BE USED; PROVIDING FOR NOTICE OF THE REFERENDUM; AND PROVIDING ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTION.

BE IT ORDAINED BY THE COUNTY COUNCIL OF OCONEE COUNTY, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Findings. The County Council (the "Council") of Oconee County, South Carolina (the "County"), hereby finds and determines:

(a) Pursuant to Section 4-9-10 of the S.C. Code, the County operates under the Council-Administrator form of government, and the County Council constitutes the governing body of the County.

(b) Pursuant to Article VIII, Section 16 of the Constitution of the State of South Carolina, 1895, as amended, any county may, upon majority vote of the electors voting on the question, acquire by initial construction or purchase and thereafter operate a sewer system.

(c) In a referendum held on April 13, 1976 (the "1976 Referendum") the electors of the County authorized the County to acquire, construct and operate a wastewater treatment facility. The County now desires to submit to the electors of the County a referendum question which would modify the previous 1976 Referendum and authorize and empower the County to acquire, construct and operate wastewater treatment facilities to provide for the collection, treatment and disposal of wastewater in the unincorporated areas of the County and to provide for the sources funds which may be used for such acquisition, construction and operation.

(d) It is in the best interest of the County for the Council to provide that a referendum be held in order to submit to the qualified electors of the County the question set forth in Section 6 hereof.

SECTION 2. Order to Hold Referendum. Pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina, there is hereby ordered a referendum to be

held in the County on November 6, 2012 (the "Referendum"), at which there shall be submitted to all persons being residents of the County, qualified to vote under the Constitution and laws of the State of South Carolina as more specifically set forth in Section 6 hereof, the question set forth in Section 4 hereof.

SECTION 3. Voting and Polling Places. The voting precincts, or any portion thereof, in the County for the Referendum shall be as designated by Section 7-7-430 of the South Carolina Code of Laws 1976, as amended (the "Code"). The polling places in each of such precincts shall be designated by the Oconee County Voter Registration and Elections Commission (the "Election Commission").

SECTION 4. Form of Ballot. The Election Commission is directed to cause there to be provided a sufficient number of Ivotronic voting machines for use at all voting places in the Referendum, and to cause there to be provided for each voting place a number of paper ballots not to exceed ten percent (10%) of the registered qualified voters at the voting place. The Referendum shall be conducted in accordance with the provisions of the South Carolina Election Law governing voting machines. Such voting machines shall be delivered to the Commission for distribution to the Managers of Election at the several polling places. The form of question on the voting machines to be used in the Referendum and the instructions to voters appearing thereon shall be in the form set forth below. However, the format of the question on the ballot may be changed to accommodate voting machines.

(FORM OF BALLOT)

OFFICIAL BALLOT
REFERENDUM ON THE ACQUISITION, CONSTRUCTION AND
OPERATION OF WASTEWATER TREATMENT FACILITIES

OCONEE COUNTY, SOUTH CAROLINA
November 6, 2012

No. _____

Precinct _____

Initials of Issuing Officer

OFFICIAL BALLOT
REFERENDUM ON THE ACQUISITION, CONSTRUCTION AND
OPERATION OF WASTEWATER TREATMENT FACILITIES

OCONEE COUNTY, SOUTH CAROLINA
November 6, 2012

Shall the authorization to acquire, construct and operate a wastewater treatment facility previously granted to Oconee County, South Carolina (the "County"), in a referendum held on April 13, 1976, be modified to authorize and empower the County to acquire, construct and operate (or to undertake any one or more of the foregoing) wastewater treatment facilities (including, but not limited to, treatment plants, trunk lines, collector lines, connector lines, force mains, and all other necessary equipment) to provide for the collection, treatment and disposal of wastewater in any portions or all of the unincorporated area of the County; provided the funds to be used for such acquisition, construction and operation (or to undertake any one or more of the foregoing) shall be derived from one or more of the following sources:

- (1) moneys from State and Federal grants;
- (2) revenue bonds issued by the County;
- (3) general obligation bonds issued by the County payable from special assessments, taxes or service charges;
- (4) *ad valorem* or other taxes or fees, funds of the County and other available sources;
- (5) one or more contracts between the County and any persons, corporations, political subdivisions or other entities utilizing the facilities; and
- (6) revenues derived from the operation of the facilities?

In favor of the question / yes

Opposed to the question / no

If the voter wishes to vote in favor of the question, place a check or cross mark in the oval in front of the words "In favor of the question / yes"; if the voter wishes to vote against the question, place a check or cross mark in the square after the words "Opposed to the question / no".

Explanation:

The referendum question proposes modification of the authorization previously granted by the voters of Oconee County to acquire, construct and operate a wastewater treatment facility. If approved, the County would be authorized to acquire, construct and operate wastewater treatment facilities for the collection, treatment and disposal of wastewater in the unincorporated areas of the County, and to expend funds for such purposes from the various sources set forth in the question.

SECTION 6. Qualifications of Voters. Every person offering to vote (a) must be at least 18 years of age; (b) must be duly registered on the books of registration for Oconee County as an elector in the precinct in which he or she resides and offers to vote; (c) must be registered on or before the date on which said books of registration are closed for the Referendum; and (d) must present his or her valid and current (i) South Carolina driver's license, (ii) other form of identification containing a photograph issued by the Department of Motor Vehicles, (iii)

passport, (iv) military identification containing a photograph issued by the federal government, or (v) South Carolina voter registration card containing a photograph of the voter. Any registered elector who has moved his or her place of residence after the date on which the books of registration are closed for the Referendum, but before the date of the Referendum, shall be entitled to vote in the Referendum in his or her previous precinct of residence.

Absentee ballots for the Referendum shall be available at the office of the Election Commission. The books of registration shall be closed thirty (30) days before the Referendum.

SECTION 7. Notice of Referendum. The Council hereby authorizes the publication of a Notice of Referendum to be published in *The Journal*, a newspaper of general circulation in the County, in compliance with Section 7-13-35 of the S.C. Code. Such notice shall be published 60 days before the date of the Referendum and again two weeks after the first notice. Such Notice of Referendum, substantially in the form hereinafter set forth, shall be published again in *The Journal* at least once not less than 15 days prior to the occasion set for the holding of the Referendum.

(FORM OF NOTICE OF REFERENDUM)

NOTICE OF REFERENDUM
ON THE ACQUISITION, CONSTRUCTION AND OPERATION OF WASTEWATER
TREATMENT FACILITIES

OCONEE COUNTY, SOUTH CAROLINA
November 6, 2012

NOTICE IS HEREBY GIVEN that a Referendum will be held in Oconee County, South Carolina (the "County"), on November 6, 2012, for the purpose of submitting to all persons qualified to vote in the County, under the Constitution and laws of the State of South Carolina the following question:

REFERENDUM ON THE ACQUISITION, CONSTRUCTION AND
OPERATION OF WASTEWATER TREATMENT FACILITIES

OCONEE COUNTY, SOUTH CAROLINA
November 6, 2012

Shall the authorization to acquire, construct and operate a wastewater treatment facility previously granted to Oconee County, South Carolina (the "County"), in a referendum held on April 13, 1976, be modified to authorize and empower the County to acquire, construct and operate (or to undertake any one or more of the foregoing) wastewater treatment facilities (including, but not limited to, treatment plants, trunk lines, collector lines, connector lines, force mains, and all other necessary equipment) to provide for the collection, treatment and disposal of wastewater in any portions or all of the unincorporated area of the County; provided the funds to be used for such acquisition, construction and operation (or to undertake any one or more of the foregoing) shall be derived from one or more of the following sources:

- (1) moneys from State and Federal grants;
- (2) revenue bonds issued by the County;
- (3) general obligation bonds issued by the County payable from special assessments, taxes or service charges;
- (4) *ad valorem* or other taxes or fees, funds of the County and other available sources;
- (5) one or more contracts between the County and any persons, corporations, political subdivisions or other entities utilizing the facilities; and
- (6) revenues derived from the operation of the facilities?

In favor of the question / yes

Opposed to the question / no

If the voter wishes to vote in favor of the question, place a check or cross mark in the oval in front of the words "In favor of the question / yes"; if the voter wishes to vote against the question, place a check or cross mark in the square after the words "Opposed to the question / no".

Explanation:

The referendum question proposes modification of the authorization previously granted by the voters of Oconee County to acquire, construct and operate a wastewater treatment facility. If approved, the County would be authorized to acquire, construct and operate wastewater treatment facilities for the collection, treatment and disposal of wastewater in the unincorporated areas of the County, and to expend funds for such purposes from the various sources set forth in the question.

The question is being submitted pursuant to Article VIII, Section 16 of the Constitution of the State of South Carolina, 1895, as amended; Title 7, Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ enacted on _____, 2012, by the County Council of Oconee County, South Carolina. The question is being submitted to determine whether a majority of qualified electors in the County who vote on the question approve the modification of the authorization previously granted in a referendum held on April 13, 1976, to authorize and empower the County to acquire, construct and operate (or to undertake any one or more of the foregoing) wastewater treatment facilities (as more particularly described in the above question) in the unincorporated areas of the County; provided the funds to be used for such acquisition, construction and operation shall be derived from the sources set forth in the question.

The precincts or portions thereof within the County and locations of the several polling places for such Referendum are as follows:

<u>Precinct</u>	<u>Location of Polling Place</u>
Bounty Land	Hamilton Career Center 100 Vocational Dr., Seneca, SC

Earles Grove	Community Center 398 Cedar Ln. Rd., Westminster, SC
Friendship	Friendship Fire Station 1307 Friendship Rd., Seneca, SC
Fair Play	150 School Road Fair Play, SC 29643
Holly Springs	Community Center 125B Reese Cobb Rd., Westminster, SC
Keowee	Keowee-Ebenezer Fire Station 7031 Keowee School Rd., Seneca, SC
Long Creek	Community Center 12351 Long Creek Hwy. Westminster, SC
Madison	Cleveland Fire Station 684 Cleveland Pike Rd. Westminster, SC
Mountain Rest	Community Center 120 Verner Mill Rd., Mountain Rest, SC
Newry-Corinth	Newry Masonic Hall 701 Broadway St., Newry, SC
Oakway	Oakway Middle School 150 School House Rd., Westminster, SC
Ravenel	Corinth-Shiloh Fire Station 9401 Old Clemson Hwy., Seneca, SC
Return	Return Baptist Church Fellowship Hall 733 Return Church Rd., Seneca, SC
Richland	Rock Springs Methodist Church 895 Poplar Springs Rd., Westminster, SC
Salem	Salem City Hall 5 Park Ave., Salem, SC
Seneca No. 1	Shaver Gymnasium 698 W.S. 4 th Street, Seneca, SC
Seneca No. 2	Shaver Gymnasium 698 W.S. 4 th Street, Seneca, SC
Seneca No. 3	Shaver Gymnasium 698 W.S. 4 th Street, Seneca, SC
Seneca No. 4	Shaver Gymnasium 698 W.S. 4 th Street, Seneca, SC
Shiloh	Oconee County Airport 365 Airport Road, Seneca, SC
South Union	South Union Fire Station 111 Fire Station Rd., Westminster, SC
Stamp Creek	Duke Power "World of Energy" 7812 Rochester Hwy., Seneca, SC
Tamassee	Pickett Post-Camp Oak Fire Station 7660 N. Hwy. 11, Walhalla, SC

Tokeena/Providence	Cross Roads Baptist Church 215 Cross Roads Dr., Seneca, SC
Utica	Tri-City Rescue Squad Bldg. 233 Goddard Ave., Seneca, SC
Walhalla No. 1	Walhalla Fire Station 207 E.N. Broad St., Walhalla, SC
Walhalla No. 2	Walhalla Fire Station 207 E.N. Broad St., Walhalla, SC
Westminster No. 1	American Legion Hut 205 Lucky St., Westminster, SC
Westminster No. 2	American Legion Hut 205 Lucky St., Westminster, SC
West Union	West Union Fire Station 220 N. Hwy 11, West Union, SC

The polls shall be opened from 7:00 a.m. until 7:00 p.m. at the polling places designated above and shall be open during these hours without intermission or adjournment. Appropriate vote recorders will be provided at the polling places for the casting of ballots on the aforesaid question. Managers of Election will be appointed by the Oconee County Voter Registration and Election Commission. The Managers of Election shall see that each person offering to vote takes the oath that he or she is qualified to vote at this referendum according to the Constitution of this State and that he or she has not voted previously in this Referendum.

Every person offering to vote (a) must be at least 18 years of age on the date of the Referendum; (b) must reside in the County; (c) must be duly registered on the books of registration for Oconee County as an elector in the precinct in which he or she resides and offers to vote on or before the date on which the books of registration are closed for the Referendum; and (d) must present his or her valid and current (i) South Carolina driver's license, (ii) other form of identification containing a photograph issued by the Department of Motor Vehicles, (iii) passport, (iv) military identification containing a photograph issued by the federal government, or (v) South Carolina voter registration card containing a photograph of the voter.

Any person eligible to register who has been discharged or separated from his service in the Armed Force of the United States prior to _____, 2012, and returned home too late to register at the time when registration is required is entitled to register for the purpose of voting in the Referendum after the discharge or separation from service, up to 5:00 p.m. on the day of the Referendum. This application for registration must be made to the Oconee County Voter Registration and Elections Commission, and if qualified, the person must be issued a registration notification stating the precinct in which he or she is entitled to vote and a certification of the managers of the precinct that he or she is entitled to vote and should be placed on the registration rolls of the precinct. Persons who become of age during the 30-day period preceding the Referendum shall be entitled to register before the closing of the books if otherwise qualified.

The last day on which persons may register in order to be eligible to vote in the Referendum will be October __, 2012. Applications for registration to vote sent by mail must be mailed postmarked not later than _____, 2012, to the Oconee County Voter Registration and

Elections Commission, 415 South Pine Street, Walhalla, South Carolina 29691 on or before _____, 2012. The process of examining the return-addressed envelopes containing absentee ballots will begin at 2:00 p.m. on the date of the Referendum in the Office of the Oconee County Voter Registration and Elections Commission.

Voters who are blind, who are otherwise physically handicapped, or who are unable to read or write are entitled to assistance in casting their ballot. This assistance may be given by anyone the voter chooses except his or her employer, an agent of his or her employer, or an officer or agent of his or her union. The Managers of Election must be notified if assistance is needed. Voters who are unable to enter their polling place due to physical handicap or age may vote in the vehicle in which they drove or were driven to the polls. When notified, the Manager will help voters effectuate this curbside voting provision. Registered voters may be eligible to vote by absentee ballot. Persons wishing more information concerning absentee balloting should contact the Oconee County Voter Registration and Elections Commission at 864.638.4196.

The Oconee County Voter Registration and Elections Commission shall hold a hearing on ballots challenged in the Referendum on November __, 2012, at _____ a.m., in Room ___ of the Oconee County Voter Registration and Elections Commission, 415 South Pine Street, Walhalla, South Carolina 29691.

Oconee County Council,
South Carolina

Oconee County Voter Registration and Elections
Commission

SECTION 8. Election Commission. A certified copy of this Ordinance shall be filed with the Election Commission and the Election Commission is hereby requested as follows:

- (a) To join in the action of the Council in providing for the Notice of Referendum in substantially the form contained herein;
- (b) To prescribe the form of ballot to be used in the Referendum;
- (c) To arrange for polling places in each precinct within the County;
- (d) To appoint Managers of Election;
- (e) To provide voting machines for the Referendum;
- (f) To conduct the Referendum, receive the returns thereof, canvass such returns, declare the results thereof, and certify such results to the Council; and
- (g) To take other steps and prepare such other means as shall be necessary or required by law in order to properly conduct the Referendum.

SECTION 9. Execution of Documents. The Council hereby authorizes the Chairman of County Council, County Administrator and the Clerk to County Council to execute such documents and instruments as necessary with regard to the Referendum.

SECTION 10. Effective Date. All rules, regulations, resolutions, and parts thereof, procedural or otherwise, in conflict herewith are, to the extent of such conflict, hereby repealed. This Ordinance shall take effect and be in full force from and after its effective date.

Enacted this ___ day of _____, 2012.

OCONEE COUNTY, SOUTH CAROLINA

(SEAL)

Chairman, County Council
Oconee County, South Carolina

ATTEST:

Administrator, Oconee County, South Carolina

Clerk to County Council,
Oconee County, South Carolina

Date of First Reading: May 1, 2012
Date of Second Reading: May 15, 2012
Date of Third Reading:
Date of Public Hearing:

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE [Brief Statement]:

ORDINANCE 2012-21: AN ORDINANCE TO REWRITE AND REVISE CHAPTER 10 EMERGENCY MANAGEMENT AND SERVICES AND CHAPTER 26 ROADS AND BRIDGES OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO.

BACKGROUND DESCRIPTION:

At the March 8, 2011, meeting of the Transportation Committee of County Council, the Committee directed staff to resolve sections of the Oconee County Code of Ordinances pertaining to street name signage.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None.

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

Ordinance to rewrite and revise Chapter 10 Emergency Management and Services and Chapter 26 Roads and Bridges of the Oconee County Code of Ordinances.

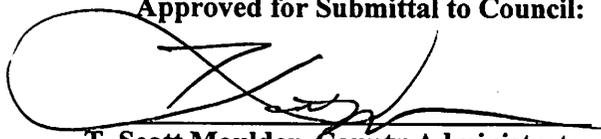
STAFF RECOMMENDATION [Brief Statement]:

To accept the attached Ordinance on the 1st Reading.

Submitted or Prepared By:

Department Head/Elected Official

Approved for Submittal to Council:


T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE NUMBER 2012-21**

**AN ORDINANCE TO REWRITE AND REVISE CHAPTER 10
EMERGENCY MANAGEMENT AND SERVICES AND CHAPTER 26
ROADS AND BRIDGES OF THE OCONEE COUNTY CODE OF
ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS,
ONLY; AND OTHER MATTERS RELATED THERETO.**

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), acting by and through its governing body, the Oconee County Council (the "County Council"), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"), as amended, from time to time; and

WHEREAS, Chapter 10 of the Code of Ordinances contains terms, provisions and procedures applicable to Emergency Management and Services in Oconee County; and

WHEREAS, Chapter 26 of the Code of Ordinances contains terms, provisions and procedures applicable to Roads and Bridges in Oconee County; and

WHEREAS, from time to time, provisions of the Code of Ordinances need to be amended, to update such provisions, to add guidelines and procedures and rules applicable to Oconee County government, and to update all provisions of the Code of Ordinances, to keep them in concert and accord with state and county law and regulations; and

WHEREAS, there is a need to revise the emergency management and services law of the County, to avoid duplication with other provisions of the Code of Ordinances and to meet the changing needs of the County; and

WHEREAS, there is a need to amend, specifically, the provisions of Section 10-74. *Addressing and Road Names* of Article III. *Public Safety Communication Center* of Chapter 10. *Emergency Management and Services* of the Oconee County Code of Ordinances; and

WHEREAS, there is a need to amend Section 26-107. *Road Signage* of Article II. *Road Naming and Addressing* of Chapter 26. *Roads and Bridges* of the Oconee County Code of Ordinances, in order to insure both flexibility and consistency in the provision of road signage in the County:

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. The entire content of the current Section 10-74. *Addressing and Road Names* of Article III. *Public Safety Communication Center* of Chapter 10. *Emergency Management and Services* of the Oconee County Code of Ordinances is hereby revoked, rewritten, stricken, and replaced in its entirety with the following: "Road naming and addressing in Oconee County shall be conducted in accordance with the terms, regulations, and provisions of Article II. *Road Naming and Addressing* of Chapter 26. *Roads and Bridges*, hereof."

2. Section 26-107. *Road Signage* of Article II. *Road Naming* of Chapter 26. *Roads and Bridges* of the Oconee County Code of Ordinances is hereby revised and amended, by adding a new subsection 26-107(e), to read:

“26-107(e). Property owners’ Associations (“POAs”) and Homeowners’ Associations (“HOAs”) which are properly organized as legal entities and insured to the satisfaction of County Council, and which satisfactorily demonstrate to County Council the financial ability to do so, may request the County, acting by and through the County Council, to enter into a legally binding agreement with such POA/HOA authorizing the POA/HOA to maintain road signage within its respective community, subject to: agreeing to indemnify the County and hold the County harmless as to all harm, damages, or liability which might occur because of the POA/HOA’s maintenance of such signage; compliance with Subsection 26-107(a) hereof; complete payment by the POA/HOA of all costs of any type associated with maintaining such signage; and maintenance by the POA/HOA of adequate insurance, naming the County as an additional insured, to fulfill its obligations hereunder and thereunder. If the POA/HOA meets all conditions of this subsection, it may utilize signage of its own design and choosing, consistent with County Roads and Bridges Department policies as to sign background color, lettering style, and inclusion of road number designation on street name signage, to the satisfaction of County Council, in that respective community.”

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. All other terms, provisions, and parts of the Oconee County Code of Ordinances not amended hereby, directly or by implication, shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2012.

ATTEST:

Elizabeth Hulse,
Clerk to Oconee County Council

Joel Thrift,
Chairman, Oconee County Council

First Reading: _____
Second Reading: _____
Third Reading: _____
Public Hearing: _____

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: May 15, 2012
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE OR DESCRIPTION:

The South Carolina State Library has encouraged the library to apply for \$15,000,000 in LSTA (Library Services and Technology Act) grant funds. The funds will be used to secure the services of a consultant to identify 21st Century Skills needed by our employees to successfully perform their jobs.

BACKGROUND OR HISTORY:

Over the last two years, management staff in the library have been concerned in identifying those skills needed by our employees. We need outside assistance to determine what skills are needed. This has implications for not only the training of brand new employees, but also the continuous training of existing employees as the adoption of new technologies changes how work is done. Moreover, the County's new evaluation procedures ask supervisors to not only evaluate staff members, but also prescribe training for those employees judged as needing improvement.

SPECIAL CONSIDERATIONS OR CONCERNS:

The project, if approved for funding by the South Carolina State Library, will involve the entire staff of the library department during the grant period of October, 2012 through August, 2013.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]

If no, explain briefly:

STAFF RECOMMENDATION:

Submit a full application to the South Carolina State Library by May 25, 2012 after discussion by the Library Board at its next regularly scheduled meeting on May 21, 2012.

FINANCIAL IMPACT:

LSTA grants require a 34% local match of in-kind and/or cash contributions.

OCPL (In Kind) Salaries \$5,000 Materials-\$3,000

No additional local funds will be requested.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much: In Kind match of a portion of the salaries of existing library department staff who will work on the project and \$3,000 from the library department's FY13 budget for library materials.

ATTACHMENTS

Attachment #1 Preliminary Budget Plan 21st century skills

Attachment#2 21st Century Skills(IMLS)

Reviewed By/ Initials:

_____ County Attorney

nk Finance

sl Grants

_____ Procurement

Submitted or Prepared By:

Phillip Cheney, Library Director
Department Head/Elected Official

Approved for Submittal to Council:

[Signature]
Scott Moulder, County Administrator

Project Budget

7.a. Budget Table

Enter anticipated expenditures of LSTA and local dollars. Round all amounts to the nearest whole dollar; calculate totals. Explain all budget items in Section 7.b., the Budget Narrative. *LSTA funds may not be used to supplant local funds or for administrative overhead.*

BUDGET ITEM	LSTA GRANT FUNDS	LOCAL CONTRIBUTION	PROJECT TOTAL
Personnel			
<i>Salary/wages</i>	0	\$5,000.00	\$5,000.00
<i>Benefits</i>	0		
Total Personnel	0	\$5,000.00	\$5,000.00
Library Materials			
<i>Library books</i>	0	\$3,000.00	\$3,000.00
<i>Other library materials (describe)</i>			
Total library materials	0	\$3,000.00	\$3,000.00
Other expenditures; Fees for services			
<i>Professional fees</i>	\$15,000.00		\$15,000.00
<i>Communication, transportation</i>	0		0
<i>Printing, advertising</i>	0		0
<i>Technology services, fees</i>	0		0
<i>Other fees</i>	0		0
<i>Other expenditures (describe)</i>			
Total other expenditures, fees	\$15,000.00		\$15,000.00
Equipment and Supplies			
<i>Technology equipment</i>	0		0
<i>Office supplies</i>	0		0
<i>Operating supplies</i>	0		0
<i>Other supplies (describe)</i>			
Total other equipment, supplies	0		0
BUDGET TOTALS	\$15,000.00	\$8,000.00	\$23,000.00

The total Local Contribution represents your local match, which must be at least 34% of the total project cost. Adjust either your LSTA funds requested or your local contribution as necessary to reach the required match amount.

Read the handout "Calculating the LSTA Match and Managing your Grant Funds" provided with your application for more information and instructions for match calculation.

Skills Definitions

The IMLS Project Team and Task Force considered the list of skills commonly referred to as “21st Century Skills” and modified it slightly to better align with library and museum priorities.⁶

The resulting list includes the following additions: Basic Literacy, Scientific & Numerical Literacy, Visual Literacy, Cross-Disciplinary Skills, and Environmental Literacy.

Not every skill on this list will be aligned with every institution’s vision and mission. Further, not every community will prioritize the same skills. Library and museum leaders should consider this list as a starting point beyond which it should be customized to fit the unique character, requirements, and priorities of the institution and its audiences.

Learning and Innovation Skills

CRITICAL THINKING AND PROBLEM SOLVING

Reason Effectively

- Use various types of reasoning (e.g., inductive, deductive, etc.) as appropriate to the situation

Use Systems Thinking

- Analyze how parts of a whole interact with each other to produce overall outcomes in complex systems

Make Judgments and Decisions

- Effectively analyze and evaluate evidence, arguments, claims and beliefs
- Analyze and evaluate major alternative points of view
- Synthesize and make connections between information and arguments
- Interpret information and draw conclusions based on the best analysis
- Reflect critically on learning experiences and processes

Solve Problems

- Solve different kinds of non-familiar problems in both conventional and innovative ways
- Identify and ask significant questions that clarify various points of view and lead to better solutions

CREATIVITY AND INNOVATION

Think Creatively

- Use a wide range of idea creation techniques (such as brainstorming)
- Create new and worthwhile ideas (both incremental and radical concepts)
- Elaborate, refine, analyze, and evaluate ideas in order to improve and maximize creative efforts
- Demonstrate imagination and curiosity

Work Creatively with Others

- Develop, implement, and communicate new ideas to others effectively
- Be open and responsive to new and diverse perspectives; incorporate group input and feedback into the work
- Demonstrate originality and inventiveness in work and understand the real world limits to adopting new ideas
- View failure as an opportunity to learn; understand that creativity and innovation is a long-term, cyclical process of small successes and frequent mistakes

⁶ Except as otherwise noted, the skills definitions are derived from the Partnership for 21st Century Skills Framework (www.21stcenturyskills.org).

Learning and Innovation Skills (continued)

Implement Innovations

- Act on creative ideas to make a tangible and useful contribution to the field in which the innovation will occur

COMMUNICATION AND COLLABORATION

Communicate Clearly

- Articulate thoughts and ideas effectively using oral, written, and nonverbal communication skills in a variety of forms and contexts
- Listen effectively to decipher meaning, including knowledge, values, attitudes, and intentions
- Use communication for a range of purposes (e.g., to inform, instruct, motivate, and persuade) and in diverse environments (including multi-lingual)
- Utilize multiple media and technologies, and know how to judge their effectiveness a priori as well as assess their impact

Collaborate with Others

- Demonstrate ability to work effectively and respectfully with diverse teams
- Exercise flexibility and willingness to be helpful in making necessary compromises to accomplish a common goal
- Assume shared responsibility for collaborative work, and value the individual contributions made by each team member

VISUAL LITERACY

- Demonstrate the ability to interpret, recognize, appreciate, and understand information presented through visible actions, objects and symbols, natural or man-made⁶

SCIENTIFIC AND NUMERICAL LITERACY

- Demonstrate the ability to evaluate the quality of scientific and numerical information on the basis of its sources and the methods used to generate it
- Demonstrate the capacity to pose and evaluate scientific arguments based on evidence and to apply conclusions from such arguments appropriately
- Demonstrate ability to reason with numbers and other mathematical concepts

CROSS-DISCIPLINARY THINKING

- Apply knowledge, attitudes, behaviors, and skills across disciplines in appropriate and effective ways

BASIC LITERACY

- Demonstrate the ability to use language to read, write, listen, and speak

⁶ Derived from definition attributed to John Debes, per the International Visual Literacy Association (www.ivla.org/erg_what_vis_lit.htm).

Information, Media and Technology Skills

INFORMATION LITERACY

Access and Evaluate Information

- Access information efficiently (time) and effectively (sources)
- Evaluate information critically and competently

Use and Manage Information

- Use information accurately and creatively for the issue or problem at hand
- Manage the flow of information from a wide variety of sources
- Apply a fundamental understanding of the ethical/legal issues surrounding the access and use of information

MEDIA LITERACY

Analyze Media

- Understand both *how* and *why* media messages are constructed and for what purposes
- Examine how individuals interpret messages differently, how values and points of view are included or excluded, and how media can influence beliefs and behaviors
- Apply a fundamental understanding of the ethical/legal issues surrounding the access and use of media

Create Media Products

- Understand and utilize the most appropriate media creation tools, characteristics, and conventions
- Understand and effectively utilize the most appropriate expressions and interpretations in diverse, multi-cultural environments

ICT (INFORMATION, COMMUNICATIONS AND TECHNOLOGY) LITERACY

Apply Technology Effectively

- Use technology as a tool to research, organize, evaluate, and communicate information
- Use digital technologies (e.g., computers, PDAs, media players, GPS, etc.), communication/networking tools, and social networks appropriately to access, manage, integrate, evaluate, and create information to successfully function in a knowledge economy
- Apply a fundamental understanding of the ethical/legal issues surrounding the access and use of information technologies

21st Century Themes

GLOBAL AWARENESS

- Use 21st century skills to understand and address global issues
- Learn from and work collaboratively with individuals representing diverse cultures, religions, and lifestyles in a spirit of mutual respect and open dialogue in personal, work, and community contexts
- Understand other nations and cultures, including the use of non-English languages

FINANCIAL, ECONOMIC, BUSINESS, AND ENTREPRENEURIAL LITERACY

- Demonstrate the ability to make appropriate personal economic choices
- Understand the role of the economy in society
- Apply entrepreneurial skills to enhance workplace productivity and career options

CIVIC LITERACY

- Participate effectively in civic life through knowing how to stay informed and understanding governmental processes
- Exercise the rights and obligations of citizenship at local, state, national, and global levels
- Understand the local and global implications of civic decisions

HEALTH LITERACY

- Obtain, interpret, and understand basic health information and services and use such information and services in ways that enhance health
- Understand preventive physical and mental health measures, including proper diet, nutrition, exercise, risk avoidance, and stress reduction
- Use available information to make appropriate health-related decisions
- Establish and monitor personal and family health goals
- Understand national and international public health and safety issues

ENVIRONMENTAL LITERACY

- Demonstrate ecological knowledge and understanding of how natural systems work, as well as knowledge and understanding of how natural systems interface with social systems
- Demonstrate understanding of the relationship between beliefs, political systems, and environmental values of various cultures
- Demonstrate understanding of environmental issues caused as the result of human interaction with the environment, and knowledge related to alternative solutions to issues
- Demonstrate active and considered participation aimed at solving problems and resolving issues²

² Adapted from the Environmental Literacy Council Framework

Life and Career Skills

FLEXIBILITY AND ADAPTABILITY

Adapt to Change

- Adapt to varied roles, job responsibilities, schedules, and contexts
- Work effectively in a climate of ambiguity and changing priorities

Be Flexible

- Incorporate feedback effectively
- Deal positively with praise, setbacks, and criticism
- Understand, negotiate, and balance diverse views and beliefs to reach workable solutions, particularly in multi-cultural environments

INITIATIVE AND SELF-DIRECTION

Manage Goals and Time

- Set goals with tangible and intangible success criteria
- Balance tactical (short-term) and strategic (long-term) goals
- Utilize time and manage workload efficiently

Work Independently

- Monitor, define, prioritize, and complete tasks without direct oversight

Be Self-directed Learners

- Go beyond basic mastery of skills and/or curriculum to explore and expand one's own learning and opportunities to gain expertise
- Demonstrate initiative to advance skill levels towards a professional level
- Demonstrate commitment to learning as a lifelong process
- Reflect critically on past experiences in order to inform future progress

SOCIAL AND CROSS-CULTURAL SKILLS

Interact Effectively with Others

- Know when it is appropriate to listen and when to speak
- Conduct oneself in a respectable, professional manner

Work Effectively in Diverse Teams

- Respect cultural differences and work effectively with people from a range of social and cultural backgrounds
- Respond open-mindedly to different ideas and values
- Leverage social and cultural differences to create new ideas and increase both innovation and quality of work

PRODUCTIVITY AND ACCOUNTABILITY

Manage Projects

- Set and meet goals, even in the face of obstacles and competing pressures
- Prioritize, plan, and manage work to achieve the intended result

Produce Results

- Demonstrate additional attributes associated with producing high quality products including the abilities to:
 - Work positively and ethically
 - Manage time and projects effectively
 - Multi-task
 - Participate actively, as well as be reliable and punctual
 - Present oneself professionally and with proper etiquette
 - Collaborate and cooperate effectively with teams
 - Respect and appreciate team diversity
 - Be accountable for results

LEADERSHIP AND RESPONSIBILITY

Guide and Lead Others

- Use interpersonal and problem-solving skills to influence and guide others toward a goal
- Leverage strengths of others to accomplish a common goal
- Inspire others to reach their very best via example and selflessness
- Demonstrate integrity and ethical behavior in using influence and power

Be Responsible to Others

- Act responsibly with the interests of the larger community in mind



Oconee County Planning Department

415 S. Pine Street, Walhalla, SC 29691

Telephone: 864-638-4218

Fax: 864-638-4168

May 15, 2012

To: County Council
County Administrator

From: Art Holbrooks

A handwritten signature in black ink, appearing to read "Art Holbrooks", written over the printed name.

Re: Planning Commission Annual Prioritization of Capital Projects

This is to confirm that the Planning Commission has completed their annual review and prioritization of proposed capital projects as set forth in the South Carolina Planning Act. The following projects are recommended by the Commission for funding as prioritized below:

High Priority (Funding 0-2 Years)

- Echo Hills Infrastructure (\$5,000,000)
- Sewer Line to Coneross Sewer Plant to Serve I-85 & GCCP (\$8,000,000)
- High Falls County Park Campsite Renovations (\$300,000)
- Library System Upgrades (*for all branches*) (\$9,100,000)
- Expand 2nd Busiest Manned Convenience Center (\$850,000)

Medium Priority (Funding 3-5 Years)

- Golden Corner Commerce Park Development (\$3,500,000)
- Brown Building Up-fit (\$750,000)
- Land for Rock Quarry (\$550,000)
- Construction of New Office for South Cove County Park (\$200,000)

Low Priority (Funding 5+ Years)

- Extend Commerce Way to Armstrong Road (\$1,200,000)
- Land for Oconee County Commerce Center (\$1,500,000)
- Revolving Shell Building Program (\$2,000,000)
- Westminster Library Expansion (\$1,000,000)
- South Oconee County Library Branch (\$2,000,000)
- Driving Range for Training (cost spread out over several years) (\$750,000)
- Landfill Expansion Seneca C&D 1 (\$750,000)

Please do not hesitate to contact me for more information.

CC: Clerk to Council



Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	Paul Corbeil	Wayne McCall	Archie Barron	Joel Thrift	Reg Dexter			
							2010-2014	2008-2012	2010-2014	2008-2012	2008-2012	2010-2014	2008-2012	
							District I	District II	District III	District IV	District V	At Large	At Large	
Aeronautics Commission	2-262	5 - 2	YES	YES	YES	Jan - June 2013	Randy Renz	Dan Suddeth	Edward Perry	Dan Schmeidt	Ronald Chiles	Thomas Luke	VACANT	
Arts & Historical Commission	2-321	5 - 2	YES	YES	YES	Jan - June 2013	Rick Bethea	Luther Lyle	Al Robinson	Barbara Waters	Henry Richardson	Bess Ciupak	Jean D. Bamwell	
Board of Zoning Appeals	38-6-1	5 - 2	YES	YES	YES	Jan - June 2013	VACANT	Sammy Lee	Gary Littlefield	Marty McKee	Dick Hughes	Berry Nichols	Paul Reckert	
Building Codes Appeal Board		5 - 0	YES	YES	YES	Jan - June 2013	Roger Mize	Neal Workman	VACANT	Mike Willimon	Harry Tollison			
Economic Development Commission	24-31	5 - 0	YES	YES	YES	Jan - June 2013	Kim Alexander	Harold Gibson	Hank Field	Sam Dickson	Gene Blair			
Emergency Management Commission	ON HOLD PENDING DEPARTMENT REVIEW / UPDATE OF ORDINANCE													
Scenic Highway Committee	26-151	0 - 2	YES	YES	YES	Jan - June 2013						Allen D. Boggs	VACANT	
Library Board	4-9-35 / 18-1	0 - 9	YES	YES	YES	Jan - June 2013	2013: R. Daniel Day, John Adams, Jody Gaulin, Vicki Miller, Carol Baumgarner, P. Ellis Hughes / 2015: Biff Kennedy, William Caster, Sally Long							
Planning Commission	6-29-310 32-4	5 - 2	YES		YES	Jan - June 2013	Andrea Heller	Howard Moore	William Gilster	Tommy Abbott	Ryan Honea	Gwen McPhail	John Lyle	
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	YES	YES	June	Steve Jenkins, Harold Alley, Louie Holleman, Wanda Long, Fred Hamilton, Joan Black, Jere DuBois							
Capital Project Advisory Committee	2-391	CC,PC, Infra + 2	NO	YES	1 yr	May 2012	Council Representative, Planning Commission Representative, Infrastructure Advisory Representative Appointments = Yearly					John Rau	David Mead	
Infrastructure Advisory Commission	34-1	N/A	NO	NO	NO	January	Council Representative Appointed Annually							
ACOG BOD				NO	NO	JAN 2013	Council Rep: CC CHAIR or designee [yearly]; 2 yr terms Citizen Rep: Bob Winchester, Minority Rep: Bennie Cunningham							
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open							
Conservation Bank Board	2-381	Appointed by Category	YES	YES			Shea Airey, Bob Hill, Rocky Nation, Lynn Harwell, Ed Land, Andy Lee, Marvin Prater							
PRT Commission	2-381	Appointed by Industry	YES	YES	June 2013		2013: Brian Greer, Jo Ann Blake, Rosemary Bailes			2015: Mike Wallace, Dave Lavera, OPEN & Rick Lacey				

OCONEE COUNTY BOARD / COMMISSION / COMMITTEE CANDIDATE LISTING

	DX	Verified	At Large	REAPPOINTMENT REQUESTED	Aeronautics Commission	Anderson-Oconee Behavioral Health Commission	Arts & Historical Commission	Board of Zoning Appeals	Building Codes Appeal Board	Capital Project Advisory Committee	Conservation Bank Board	Economic Development Commission	Emergency Management Commission	Library Board	Planning Commission	PRT Commission	Scenic Highway Committee
Abbott, Julian	1										x				x		
Amsden, Gregory	1		Yes												x		
Buddin, Glenn	1		Yes								x						
Champion, Alisa	1													x			
Denny, Keith	1										x						
Dunn, Kenneth	1		Yes												x		
Fuller, Donald	1		Yes							x							
Koepnick, Judith	1																x
Lengyel, Edward	1		Yes							x		x			x		
Little, John	1		Yes												x		
Lovely, Linda	1		Yes					x							x		
MacLeod, Steven	1							x									
Martin, Lynn	1		Yes								x						
McKibben, James	1								x								
Medford, Allen	1		Yes		x			x	x			x			x	x	x
Owen, Donald	1		Yes												x		
Smith, Charles	1		Yes					x							x		
Soper, Phil	1							x							x	x	x
Watson, Susan	1														x		
Allen, John W.	2	NO									x						
Graham, William	2		Yes												x		
Hedden, David	2										x						
King, Stanley	2		Yes					x	x				x		x		
Lyle, Luther	2		Yes								x						
Moore, Steven	2		Yes									x					
Moss, Corky	2		Yes								x	x				x	
Nichols, Berry	2		Yes	YES				x									
Rocherster, Matt	2		NO						x								
Stephens, Joshua	2		Yes							x	x	x	x	x	x	x	n/a
Stephens, Kyle	2		Yes								x						
Suddeth, Dan	2		Yes	YES	x												
Wilbanks, Charles	2		Yes				x	x	x						x	x	
Wilson, Duane	2		Yes					x		x	x	x			x	x	

OCONEE COUNTY BOARD / COMMISSION / COMMITTEE CANDIDATE LISTING

	DX	Verified	At Large	REAPPOINTMENT REQUESTED	Aeronautics Commission	Anderson-Oconee Behavioral Health Commission	Arts & Historical Commission	Board of Zoning Appeals	Building Codes Appeal Board	Capital Project Advisory Committee	Conservation Bank Board	Economic Development Commission	Emergency Management Commission	Library Board	Planning Commission	PRT Commission	Scenic Highway Committee
Adams, Brit	3		Yes									x			x		
Littlefield, Gary	3			YES				x							x		
Nicholson, Grant	3										x						
Roth, Doug	3		Yes												x		
Bayliss, Peggy	4		Yes								x						
Cain, Richard	4		Yes								x						
Linsin, Larry	4		Yes												x		
Sanders, Jenny	4		Yes												x		
Ables, Frank	5										x						
Franks, Rodney	5												x				
Gray, Michael	5		Yes		x												
Mast, Samuel	5								x								
Owen, David	5												x				
Reckert, Paul	5		Yes	YES				x									
Taylor, Priscilla	5		Yes			x	x					x		x			



NOTES
BUDGET, FINANCE & ADMINISTRATION COMMITTEE
COUNCIL CHAMBERS, OCONEE ADMINISTRATIVE OFFICES, WALHALLA, SC
May 3, 2012

Council Discussion with Administrator regarding [1] FY 2012-2013 Administrator Recommended Budget Priorities, and [2] Projected Revenues, Capital Projects, Special Funds, etc.

Mr. Dexter prior to opening the floor for discussion noted that this meeting will focus on policy direction for the Administrator and staff and budget priorities.

Mr. Moulder noted that this budget reflects the monies needed to accomplish the goals as set by Council for Fiscal year 2012-2013 and nothing more.

Council discussed various issues in the budget to include:

- salary increases for staff [including COLA and merit increases]
- cost savings related to calculating salary increases based on anniversary dates
- the proposed 1 mill increase for Emergency Services
- the municipal fire contracts
- the School District of Oconee County [SDOC] budget
- SDOC Bonds
- reductions in the Local Government Fund [LGF]
- funding challenges for state mandated programs

Council also discussed increasing Direct Aid funding for the Oconee Medical Center EMS services and the Mountain Lakes Business Development Center.

Council directed the Administrator to provide the following information at a future meeting:

- merit increases based on anniversary date – identification of potential available funds
- funding options for increases to Direct Aid as discussed
- scheduling a meeting with the Delegation to discuss the LGF
- review if additional 1 mill required to meet Fire Plan goals in this budget
- request line item budget and additional meeting with the SDOC

T. Scott Moulder
Administrator

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864 638-4245
Fax: 864 638-4246

E-mail:
smoulder@oconeesc.com

COUNCIL

Paul Corbett
District I

Wayne McCall
District II

Archie Barron
District III

Joel Thrift
District IV
Chairman

Reginald T. Dexter
District V

Administrator's Report
Oconee County Council Meeting
May 15, 2012

Transportation

- Cobb Bridge has been removed from the priority list; an alternate project will be evaluated by the Committee before being submitted to Council for approval
- Staff is working on draft for Ordinance revision document for consideration
- Second paving contract bid opening is scheduled for May 22

Real Estate, Facilities & Land Management

Incubator Site at Brown Building

- MLBDC currently renting to 4 small businesses, with a fifth in line upon completion of some minor renovations

Chau Ram Park Ranger House

- Slight delay in completion due to recent rainfall

Planning & Economic Development

Planning / Zoning

- Seven (7) rezoning requests are currently in progress [four (4) scheduled for completion this evening], and at present, there are no additional rezoning efforts underway.

Golden Corner Commerce Park

- Master Plan for the Golden Corner Commerce Park is in development; two conceptual plans have been fully reviewed by staff. A community meeting will be scheduled for public input.

Oconee FOCUS / Broadband

- We are currently in Phase II of the project [we currently have 80 miles of fiber installed].
- Staff is working with the attorneys for a customer contract agreement - we hope to be customer-ready by as early as mid-July.

Echo Hills Site

- The substation for the Park is being installed on schedule.

Budget, Finance & Administration

FY 2013 Budget

- The next presentation of the FY2013 Budget will be presented to the Budget, Finance and Administration Committee on Tuesday, May 22, at 6 p.m.

Administrator Notes

- The 9th Annual Oconee County Humane Society fly-in was a great success. Our airport hosted approximately 2,000 visitors, and raised an estimated \$5,000 for the Humane Society.
- The first Oconee E-cycle Event was a great success. Even though the weather hurt a little, we enjoyed a successful event. We had over 40 donors and collected 11 bins of electronic waste. This equaled approximately 4,400 pounds of electronics that will be recycled or repurposed. 4,400 pounds that will not be placed into the landfills of Oconee County.
- Our cooperative efforts with the SDOC to combine in-county Courier Services to our outlying offices have shown to be a great success. We anticipate at least \$500 in fuel savings from this endeavor.
- Construction of two (2) fire substations [Foxwood Hills and Holly Springs areas] will be forthcoming within weeks. We are currently performing site tests.
- The Stone Pond community petition for the formation of a special tax district is still in progress, and we hope to be nearing the completion of the first phase. Staff is in the process of verifying approved signatures, and tax information before the submission of the documents to the attorneys for review.



**OCONEE COUNTY, SOUTH CAROLINA
GENERAL FUND REVENUE BUDGET REPORT
JULY 1, 2011 to APRIL 30, 2012**

DESCRIPTION	ORIGINAL BUDGET	YEAR-TO-DATE	REMAINING BALANCE	PERCENT COLLECTED
PROPERTY TAX	\$ 31,315,601	\$ 29,065,839	\$ 2,249,762	93%
INTERGOVERNMENTAL	3,128,300	1,736,591	1,391,709	56%
LICENSES, PERMITS & FEES	3,115,386	2,080,962	1,034,424	67%
FINES & FORFEITURES	600,500	260,095	340,405	43%
CHARGES FOR SERVICE	1,378,640	1,300,404	78,236	94%
INVESTMENT INCOME	400,000	143,168	256,832	36%
MISCELLANEOUS REVENUE	179,763	102,373	77,390	57%
SALE OF ASSETS	30,000	32,243	(2,243)	107%
TRANSFER-IN	828,402	26,017	802,385	3%
CAPITAL LEASE	1,614,812	1,614,812	-	100%
INSURANCE PROCEEDS	-	11,353	(11,353)	
APPROPRIATED FUND BALANCE	552,236	-		
	<u>\$ 43,143,640</u>	<u>\$ 36,373,857</u>	<u>\$ 6,217,547</u>	<u>86%</u>

**OCONEE COUNTY
BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

	ORIGINAL BUDGET	YEAR-TO- DATE	PERCENT EXPENDED
ADMINISTRATOR'S OFFICE	\$ 695,109	\$ 352,604	51%
AIRPORT	815,767	806,757	99%
ANIMAL CONTROL	498,857	437,697	88%
ASSESSOR	1,275,756	1,099,740	86%
AUDITOR	437,475	351,135	80%
BRD OF ASSESSMENT APPEALS	11,868	3,554	30%
BUILDING CODES	488,342	382,601	78%
BUILDING MAINTENANCE	1,078,666	955,155	89%
CHAU RAM PARK	188,911	154,711	82%
CLERK OF COURT	705,248	595,876	84%
COMMUNICATIONS	1,739,957	1,136,024	65%
CORONER	155,992	126,122	81%
COUNTY COUNCIL	709,800	282,457	40%
DELEGATION	82,779	67,543	82%
DEPT OF SOCIAL SERVICES	11,500	9,789	85%
DIRECT AID	2,894,406	2,894,379	100%
ECONOMIC DEVELOPMENT	484,136	320,297	66%
EMERGENCY SERVICES	2,418,827	1,408,285	58%
FINANCE DEPARTMENT	560,895	455,336	81%
HEALTH DEPARTMENT	109,751	74,438	68%
HIGH FALLS PARK	281,133	210,490	75%
HUMAN RESOURCES	885,481	828,110	94%
INFORMATION TECHNOLOGY	1,467,553	1,192,889	81%
LAW ENFORCEMENT CENTER	3,221,756	2,215,594	69%
LIBRARY	1,342,010	1,065,975	79%
MAGISTRATE	670,238	571,754	85%
NON-DEPARTMENTAL	779,400	777,071	100%
PARKS, RECREATION, & TOUR	535,547	434,280	81%
PLANNING DEPARTMENT	231,264	204,570	88%
PROBATE COURT	360,440	306,123	85%
PROCUREMENT	191,964	160,612	84%
PUBLIC DEFENDER	150,000	175,000	117%
REGISTER OF DEEDS	313,534	261,680	83%
REGISTRATION & ELECTIONS	175,294	146,445	84%
ROAD DEPARTMENT	3,933,409	2,722,935	69%
SHERIFF	6,411,305	5,390,254	84%
SOIL & WATER CONSERVATION	55,551	43,363	78%
SOLICITOR	597,956	509,749	85%
SOLID WASTE DEPARTMENT	3,838,850	3,007,080	78%
SOUTH COVE PARK	291,019	196,969	68%
TAX COLLECTOR	426,369	313,485	74%
TRANSFERS OUT	81,804	-	0%
TREASURER	517,664	414,533	80%
VEHICLE MAINTENANCE	843,471	697,972	83%
VETERANS' AFFAIRS	176,586	144,957	82%

\$ 43,143,640

\$ 33,906,390

79%

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
ADMINISTRATOR'S OFFICE	Personnel	\$ 229,113	69%
	Operating	81,413	25%
	Capital	42,078	105%
		<u>\$ 352,604</u>	
AIRPORT	Personnel	\$ 227,044	84%
	Operating	569,043	110%
	Capital	10,670	41%
		<u>\$ 806,757</u>	
ANIMAL CONTROL	Personnel	\$ 213,695	84%
	Operating	197,888	91%
	Capital	26,114	97%
		<u>\$ 437,697</u>	
ASSESSOR	Personnel	\$ 747,601	87%
	Operating	352,139	84%
		<u>\$ 1,099,740</u>	
AUDITOR	Personnel	\$ 294,607	85%
	Operating	56,528	61%
		<u>\$ 351,135</u>	
BRD OF ASSESSMENT APPEALS	Personnel	\$ 3,261	31%
	Operating	293	21%
		<u>\$ 3,554</u>	

**OCONEE COUNTY
DETAIL BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
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**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
BUILDING CODES	Personnel	\$ 354,614	80%
	Operating	27,987	60%
		<u>\$ 382,601</u>	
BUILDING MAINTENANCE	Personnel	\$ 452,632	85%
	Operating	467,061	93%
	Capital	35,462	84%
		<u>\$ 955,155</u>	
CHAU RAM PARK	Personnel	\$ 123,202	84%
	Operating	17,874	57%
	Capital	13,635	126%
		<u>\$ 154,711</u>	
CLERK OF COURT	Personnel	\$ 477,691	88%
	Operating	110,677	82%
	Capital	7,508	25%
		<u>\$ 595,876</u>	
COMMUNICATIONS	Personnel	\$ 896,849	78%
	Operating	218,328	106%
	Capital	20,847	5%
		<u>\$ 1,136,024</u>	
CORONER	Personnel	\$ 64,446	83%
	Operating	61,676	79%

**OCONEE COUNTY
DETAIL BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
<u>\$ 126,122</u>	

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
COUNTY COUNCIL	Personnel	\$ 108,023	86%
	Operating	174,434	30%
		<u>\$ 282,457</u>	
DELEGATION	Personnel	\$ 55,954	84%
	Operating	11,589	71%
		<u>\$ 67,543</u>	
DEPT OF SOCIAL SERVICES	Operating	\$ 9,789	85%
		<u>\$ 9,789</u>	
DIRECT AID	Operating	\$ 2,894,379	100%
		<u>\$ 2,894,379</u>	
ECONOMIC DEVELOPMENT	Personnel	\$ 161,554	67%
	Operating	127,199	60%
	Capital	31,544	101%
		<u>\$ 320,297</u>	
EMERGENCY SERVICES	Personnel	\$ 751,599	59%
	Operating	348,221	39%
	Capital	308,465	125%
		<u>\$ 1,408,285</u>	
FINANCE DEPARTMENT	Personnel	\$ 412,550	83%
	Operating	42,786	64%
		<u>\$ 455,336</u>	

**OCONEE COUNTY
DETAIL BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
---------------------	-----------------------------

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
HEALTH DEPARTMENT	Operating	\$ 74,438	68%
		<u>\$ 74,438</u>	
HIGH FALLS PARK	Personnel	\$ 157,784	84%
	Operating	52,706	57%
		<u>\$ 210,490</u>	
HUMAN RESOURCES	Personnel	\$ 186,283	85%
	Operating	641,827	96%
		<u>\$ 828,110</u>	
INFORMATION TECHNOLOGY	Personnel	\$ 467,754	77%
	Operating	427,475	85%
	Capital	297,660	84%
		<u>\$ 1,192,889</u>	
LAW ENFORCEMENT CENTER	Personnel	\$ 1,628,513	72%
	Operating	553,262	61%
	Capital	33,819	69%
		<u>\$ 2,215,594</u>	
LIBRARY	Personnel	\$ 834,331	81%
	Operating	231,644	73%
		<u>\$ 1,065,975</u>	

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
MAGISTRATE	Personnel	\$ 454,618	84%
	Operating	96,058	87%
	Capital	21,078	96%
		<u>\$ 571,754</u>	
NON-DEPARTMENTAL	Operating	\$ 777,071	100%
		<u>\$ 777,071</u>	
PARKS, RECREATION, & TOUR	Personnel	\$ 194,715	75%
	Operating	216,626	86%
	Capital	22,939	100%
		<u>\$ 434,280</u>	
PLANNING DEPARTMENT	Personnel	\$ 170,890	88%
	Operating	12,699	90%
	Capital	20,981	95%
		<u>\$ 204,570</u>	
PROBATE COURT	Personnel	\$ 278,665	86%
	Operating	27,458	77%
		<u>\$ 306,123</u>	
PROCUREMENT	Personnel	\$ 150,281	84%
	Operating	10,331	75%
		<u>\$ 160,612</u>	
PUBLIC DEFENDER	Operating	\$ 175,000	117%

**OCONEE COUNTY
DETAIL BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
<u>\$</u>	<u>175,000</u>

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
REGISTER OF DEEDS	Personnel	\$ 197,915	87%
	Operating	63,765	75%
		<u>\$ 261,680</u>	
REGISTRATION & ELECTIONS	Personnel	\$ 89,524	77%
	Operating	56,921	98%
		<u>\$ 146,445</u>	
ROAD DEPARTMENT	Personnel	\$ 1,679,366	83%
	Operating	675,953	72%
	Capital	367,616	38%
		<u>\$ 2,722,935</u>	
SHERIFF	Personnel	\$ 4,487,525	85%
	Operating	659,149	74%
	Capital	243,580	97%
		<u>\$ 5,390,254</u>	
SOIL & WATER CONSERVATION	Personnel	\$ 32,519	84%
	Operating	10,844	65%
		<u>\$ 43,363</u>	
SOLICITOR	Personnel	\$ 509,151	85%
	Operating	598	40%
		<u>\$ 509,749</u>	

**OCONEE COUNTY
 DETAIL BUDGET REPORT BY DEPARTMENT
 JULY 1, 2011 to APRIL 30, 2012**

		<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
SOLID WASTE DEPARTMENT	Personnel	\$ 1,506,536	85%
	Operating	1,379,053	78%
	Capital	121,491	40%
		<u>\$ 3,007,080</u>	
SOUTH COVE PARK	Personnel	\$ 141,806	80%
	Operating	55,163	49%
		<u>\$ 196,969</u>	
TAX COLLECTOR	Personnel	\$ 127,391	84%
	Operating	186,094	68%
		<u>\$ 313,485</u>	
TRANSFERS OUT	Operating		0%
		<u>\$ -</u>	
TREASURER	Personnel	\$ 294,135	85%
	Operating	120,398	71%
		<u>\$ 414,533</u>	
VEHICLE MAINTENANCE	Personnel	\$ 614,451	84%
	Operating	59,764	65%
	Capital	23,757	100%
		<u>\$ 697,972</u>	
VETERANS' AFFAIRS	Personnel	\$ 141,476	84%
	Operating	3,481	40%

**OCONEE COUNTY
DETAIL BUDGET REPORT BY DEPARTMENT
JULY 1, 2011 to APRIL 30, 2012**

<u>YEAR-TO-DATE</u>	<u>PERCENT EXPENDED</u>
<u>\$ 144,957</u>	
<u>\$ 33,906,390</u>	79%

**OCONEE COUNTY, SOUTH CAROLINA
ROCK QUARRY FUND BUDGET REPORT
JULY 1, 2011 to APRIL 30, 2012**

DESCRIPTION	ORIGINAL BUDGET	YEAR-TO-DATE	REMAINING BALANCE	PERCENT COLLECTED/ EXPENDED
REVENUE:				
ROCK SALES	\$ 3,600,000	\$ 2,247,534	\$ 1,352,466	62%
INVESTMENT INCOME	5,000	1,874	3,126	37%
CREDIT APPLICATION FEE	400	300	100	75%
GAIN ON SALE OF ASSET		3,121		
TOTAL REVENUE	<u>\$ 3,605,400</u>	<u>\$ 2,252,829</u>	<u>\$ 1,355,692</u>	<u>62%</u>
EXPENDITURES:				
PERSONNEL	\$ 907,059	\$ 786,523	\$ 120,536	87%
OPERATING	1,036,922	719,124	317,798	69%
DEPRECIATION	441,882	368,235	73,647	83%
CAPITAL	443,385	222,495	220,890	50%
TOTAL EXPENDITURES	<u>\$ 2,829,248</u>	<u>\$ 2,096,376</u>	<u>\$ 732,872</u>	<u>74%</u>

**OCONEE COUNTY, SOUTH CAROLINA
EMERGENCY SERVICES FUND BUDGET REPORT
JULY 1, 2011 to APRIL 30, 2012**

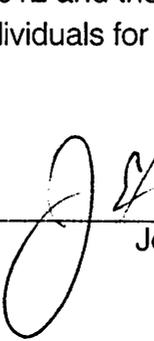
DESCRIPTION	ORIGINAL BUDGET	YEAR-TO-DATE	REMAINING BALANCE	PERCENT COLLECTED/ EXPENDED
REVENUE:				
PROPERTY TAX REVENUE	\$ 1,278,874	\$ 1,341,163	\$ (62,289)	105%
TOTAL REVENUE	<u>\$ 1,278,874</u>	<u>\$ 1,341,163</u>	<u>\$ (62,289)</u>	<u>105%</u>
EXPENDITURES:				
OPERATING	\$ 56,400	\$ 30,496	\$ 25,904	54%
CAPITAL	788,000	45,876	742,124	6%
DIRECT AID TO DISTRICTS	1,226,000	847,678	378,322	69%
TOTAL EXPENDITURES	<u>\$ 2,070,400</u>	<u>\$ 924,050</u>	<u>\$ 1,146,350</u>	<u>45%</u>

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

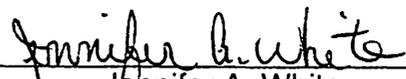
**IN RE: Oconee County Council
 Public Hearing for Ordinance 2012-15**

BEFORE ME the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said paper on April 24, 2012 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Jerry Edwards
Publisher

Subscribed and sworn to before me this
24th day of April A.D. 2012



Jennifer A. White
Notary Public for South Carolina
My Commission Expires: 05/18/2014

LEGALS

Baptist Fellowship Hall,
at 183 Old Greenville.

2) 2012 AR 03: Final
Review for a new mixed
use facility at 100/104
Daniel Drive also
fronting 105/107/113
Earle Street.

4. Staff Reports

5. Adjourn

NOTICE OF APPLICATION

Notice is hereby given that **MCCLOSKEY, LLC** intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and ON premises consumption of BEER AND WINE at 15740, N. HWY 11, SUITE 1B, SALEM, SC 29678. To object to the issuance of this permit/license written protest must be post-marked no later than **APRIL 21, 2012**.

For a protest to be valid it must be in writing, and should include the following information:

- (1) the name, address and telephone number of the person filing the protest;
 - (2) the specific reasons why the application should be denied;
 - (3) that the person protesting is willing to attend a hearing (if one is requested by the applicant);
 - (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,
 - (5) the name of the applicant and the address of the premises to be licensed.
- Protests must be mailed to: S.C. Department of Revenue, ABL SECTION, P.O. Box 125, Columbia, SC 29214-0907; or faxed to: (803)898-5699.

NOTICE OF APPLICATION

Notice is hereby given that **BOUNTYLAND FOOD SERVICE, INC.**, intends to apply to the South Carolina Department of Revenue

LEGALS

following information:

(1) the name, address and telephone number of the person filing the protest;

(2) the specific reasons why the application should be denied;

(3) that the person protesting is willing to attend a hearing (if one is requested by the applicant);

(4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,

(5) the name of the applicant and the address of the premises to be licensed.

Protests must be mailed to: S.C. Department of Revenue, ABL SECTION, P.O. Box 125, Columbia, SC 29214-0907; or faxed to: (803)898-5699.

The Oconee County Council will hold a Public Hearing for Ordinance 2012-15 "AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN PROPERTY TO NEW HORIZON ELECTRIC" on Tuesday, May 15, 2012 at 6:30 p.m. in County Council Chambers, Oconee Administrative Offices, 415 South Pine Street, Walhalla, SC 29691.

Any citizen wishing to speak at the meeting regarding this ordinance may do so by signing up at the meeting. Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting. Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

PUBLIC SALE PUBLIC-SALE-TUESDAY

DAY, May 8 at 9:00 a.m. at BOUNTYLAND PROPERTIES, 285 Keowee School Road, Seneca (across from the Fred P. Hamilton Career Center). Sale conducted by Jack Allen, S.C.

LEGALS

SELF STORAGE UNIT #280 rented by Gerson Sosa, contents include (but not limited to) a washer, dryer, dresser.

SELF STORAGE UNIT #270 rented by Kim Callaway, contents include (but not limited to) clothes, dresser, boxes of personal items.

SELF STORAGE UNIT #271 rented by Stephanie Hughes, contents include (but not limited to) lamp, futon, vacuum, cooler, microwaves, boxes of personal items.

SELF STORAGE UNIT #283 rented by Anthony Neal, contents include (but not limited to) Christmas decorations, plastic bins, dresser.

SELF STORAGE UNIT #349 rented by Eric Macoangil, contents include (but not limited to) television, computer, toys, mattress set, boxes of personal items.

SELF STORAGE UNIT #350 rented by Alexia Porter, contents include (but not limited to) dressers, cooler, boxes of personal items.

SELF STORAGE UNIT #392 rented by Casey Galloway, contents include (but not limited to) fishing poles, furniture, boxes of personal items.

SELF STORAGE UNIT #398 rented by Derek Lewis, contents include (but not limited to) dresser, toys, mattresses, boxes of personal items.

SELF STORAGE UNIT #387 rented by Chris Miller, contents include (but not limited to) dresser, mattresses, chair, boxes of personal items.

SELF STORAGE UNIT #389 rented by Jessica Hix, contents include (but not limited to) book shelf, hutch, boxes of personal items.

SELF STORAGE UNIT #391 rented by Beverly Crowe, contents include (but not limited to) coffee table and chairs.

LEGALS

STATE OF SOUTH CAROLINA COUNTY OF OCONEE

IN THE COURT OF COMMON PLEAS

C/A NO:

2011-CP-37-747

NOTICE OF SALE

(Deficiency

Demanded)

TD Bank, National Association as successor by merger to

Carolina First Bank,

Plaintiff,

vs.

Paul Helms,

Defendant.

By virtue of the Decree of the Court of Common Pleas for Oconee County, heretofore granted in the case of TD Bank, National Association as successor by merger to Carolina First Bank versus Defendant, Paul Helms, Civil Action Number: 2011-CP-37-747:

I, the undersigned Clerk of Court for Oconee County will sell on May 7, 2012 at 11:00 a.m. at the Oconee County Courthouse, 205 West Main Street, Walhalla, S C 29691 to the highest bidder the following described property to wit:

All that certain piece, parcel or lot of land situated, lying and being in the State of South Carolina, County of Oconee, being shown and designated as Lot No. 9, Section E, THE CLIFFS AT KEOWEE FALLS according to a plat recorded in the ROD Office for Oconee County, South Carolina, in Plat Book A707 at Pages 1 and 2, and having, according to said plat such metes and bounds as are more fully shown thereon.

Together with a perpetual, non-exclusive easement for ingress and egress over any and all private roads to public roads.

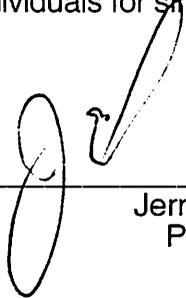
The above described property is subject to any and all easements and/or rights of way for

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

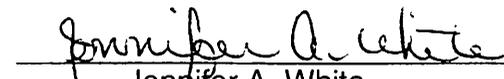
**IN RE: Oconee County Council
 Public Hearing - May 15, 2012
 Re: Ordinance 2012-12**

BEFORE ME the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said paper on April 25, 2012 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Jerry Edwards
Publisher

Subscribed and sworn to before me this
25th day of April A.D. 2012



Jennifer A. White
Notary Public for South Carolina
My Commission Expires: 05/18/2014

TRANSPORTATION

150 MOTORCYCLES



2005 HONDA VTX

1300, black, lots of performance pipes, chrome, exc. cond. **BUB** marked no later than APRIL 28, 2012. For a prospect to be valid it must be in writing, and should include the following information:

159 TRUCKS

2008 HEAVY 1/2 ton Chevy work truck, 4.3L V6 auto, Reese hitch, 7,000 miles \$11,000. Call 872-1436.

160 WANTED TO BUY



ALL JUNK CARS
We pay \$225 - \$1000 for cars, trucks, buses
- Same Day - Free Pickup - Cash Paid
864-844-8799
864-376-3001

WANTED



Up to \$1200
7 days a week
We pay cash & pick-up same day
864-280-3519

161 AUTOS FOR SALE



2006 BRONZE Mercury Montego
72,000 miles
Garaged in Kowee
Key \$9,500, OBO \$4,649

LEGALS

INVITATION TO QUOTE

The School District of

LEGALS

consent that will allow the sale and ON premises consumption of BEER, WINE AND LIQUOR at 698 Bypass 123, Seneca, SC 29678. To object to the issuance of this permit, written notice must be post-marked no later than APRIL 28, 2012. For a prospect to be valid it must be in writing, and should include the following information:

(1) the name, address and telephone number of the person filing the prospect; (2) the specific reasons why the application should be denied; (3) that the person protesting is willing to attend a hearing (if one is requested by the applicant); (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and, (5) the name of the applicant and the address of the premises to be licensed.

Protests must be mailed to S.C. Department of Revenue, Attn: SEC-TION, P.O. Box 123, Columbia, SC 29214, 10:00 AM or later on the day of record and as shown on plat of subdivision, as shown and described on a plat prepared by Robert Spearman, RLS, recorded in Plat Book P-46, page 105, records of Oconee County, South Carolina, reference to which is made for a more complete and accurate description. This being the identical property conveyed to Roger L. Boulis by deed at page 145, TMS # 277-00-03-057, recorded July 13, 2005 in Deed Book 1431 at page 279.

LEGALS

notice of the former highest bidder), Personal or judgment being waived, the bid will not remain open after the date of sale, but compliance with the bid may be made immediately. Purchaser to pay for preparation of deed and dead strips. Beverly H. Whitfield, Clerk of Court for Oconee County, Westons Adams Law Firm

LEGALS

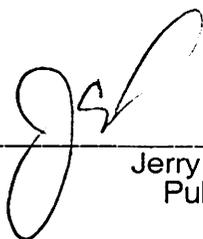
ask of the former highest bidder), Personal or judgment being waived, the bid will not remain open after the date of sale, but compliance with the bid may be made immediately. Purchaser to pay for preparation of deed and dead strips. Beverly H. Whitfield, Clerk of Court for Oconee County, Westons Adams Law Firm

PUBLISHER'S AFFIDAVIT

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

**IN RE: Oconee County Council
Public Hearing rescheduled for
May 15, 2012 - Re: Ordinance
2012-07, 2012-08, 2012-09
and 2012-10**

BEFORE ME the undersigned, a Notary Public for the State and County above named, this day personally came before me, Jerry Edwards, who being first duly sworn according to law, says that he is the Publisher of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said paper on April 20, 2012 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Jerry Edwards
Publisher

Subscribed and sworn to before me this
20th day of April A.D. 2012



Jennifer A. White
Notary Public for South Carolina
My Commission Expires: 05/18/2014

2000 FLEETWOOD DISCOVERY, 38', 28,000mi, 2 slides, W/D, diesel, ice maker. Great cond., \$54,950. 864-972-0528.



2010 WINNEBAGO, ACCESS 31N, Ford V-10, 2 slides, 17K mi., garaged, no pets or smoke, leather upgrade, surround sound, undercoated, must see. Reduced \$71,000. Call for appt. 864-944-2098 or 386-295-2475

CAR TOW DOLLY, 2012, all cars, swivels, tilts, never used, new retail \$2750. 1st \$995. cash. 864-275-6478

TRANSPORTATION

150 MOTORCYCLES

1997 HD SPORTSTER 1200, black, lots of chrome, lots of extras kept. \$1,200



2005 HONDA VTX 1300, black, lots of chrome, exc. cond., BUB performance pipes, 3900mi, 45mpg \$6885 OBO. 864-723-3625 after 5pm.

152 PARTS & ACCESSORIES

REESE HITCH - Fits Ford Ranger, \$80. 864-638-0228 or 864-280-8557.

Get News Quick with The Journal Call Today!

Notice is hereby given that McCLOSKEY LLC intends to apply to the South Carolina Department of Revenue for a license/permit that will allow the sale and OFF premises consumption of LIQUOR at 15740 N. HWY 11, SUITE 1C, SALEM, SC 29675. To object to the issuance of this permit/license written protest must be post-marked no later than **APRIL 21, 2012.**

For a protest to be valid it must be in writing, and should include the following information:

- (1) the name, address and telephone number of the person filing the protest;
- (2) the specific reasons why the application should be denied;
- (3) that the person protesting is willing to attend a hearing (if one is requested by the applicant);
- (4) that the person protesting resides in the same county where the proposed place of business is located or within five miles of the business; and,
- (5) the name of the applicant and the address of the premises to be licensed.

Protests must be mailed to: S.C. Department of Revenue, ABL SECTION, P.O. Box 125, Columbia, SC 29214-0907, or faxed to: (803)896-5899.

The Oconee County Council Public Hearings for Ordinance 2012-07, 2012-08, 2012-09 and 2012-10 originally scheduled on Tuesday, May 1, 2012 have been rescheduled to Tuesday, May 15, 2012 at 6:30 p.m. in County Council Chambers, Oconee Administrative Offices, 415 South Pine Street, Walhalla, SC 29691.

NOTICE OF SALE 2010-CP-37-04522 BY VIRTUE of a decree heretofore granted in the case of: Citifinancial, Inc. against Edward W. Collins, Sherry Collins and LVNV Funding, LLC, I, the undersigned Clerk

Should the Plaintiff or one of its representatives, fail to be present at the time of sale, the property is automatically withdrawn from said sale and sold at the next available sales day upon the terms and conditions as set forth in the Judgment of Foreclosure and Sale or any Supplemental Order. The successful bidder will be required to pay for documentary stamps on the Deed and interest on the amount of the bid from the date of sale to the date of compliance with the bid at the rate of 8.0040%. **THIS SALE IS SUBJECT TO ASSESSMENTS, COUNTY TAXES, EXISTING EASEMENTS, EASEMENTS AND RESTRICTIONS OF RECORD, AND OTHER SENIOR ENCUMBRANCES.** No personal or deficiency judgment being demanded, the bidding will not remain open after the date of sale, but compliance with the bid may be made immediately. **NOTICE:** The foreclosure deed is not a warranty deed. Interested bidders should satisfy themselves as to the quality of title to be conveyed by obtaining an independent title search well before the foreclosure sale date. Beverly H. Whitfield, Clerk of Court Oconee County, Riley, Pope & Laney, LLC, Post Office Box 11412, Columbia, SC 29211 (803) 799-9993 Attorneys for Plaintiff 941876 4/20, 4/27, 05/04/2012

NOTICE OF SALE 2011-CP-37-00117 BY VIRTUE of a decree heretofore granted in the case of: Citicorp Trust Bank, FSB against Isabel Gibby and Harold Gibby, I, the undersigned Clerk of Court for Oconee County, will sell on May 7, 2012 at 11:00AM at Oconee County Courthouse in Walhalla, South Carolina, to the highest

THIS SALE IS SUBJECT TO ASSESSMENTS, COUNTY TAXES, EXISTING EASEMENTS, EASEMENTS AND RESTRICTIONS OF RECORD, AND OTHER SENIOR ENCUMBRANCES. No personal or deficiency judgment being demanded, the bidding will not remain open after the date of sale, but compliance with the bid may be made immediately. **NOTICE:** The foreclosure deed is not a warranty deed. Interested bidders should satisfy themselves as to the quality of title to be conveyed by obtaining an independent title search well before the foreclosure sale date. Beverly H. Whitfield, Clerk of Court Oconee County, Riley, Pope & Laney, LLC, Post Office Box 11412, Columbia, SC 29211 (803) 799-9993 Attorneys for Plaintiff 940550 4/20, 4/27, 05/04/2012

NOTICE OF SALE BY VIRTUE of a decree heretofore granted in the case of: Wells Fargo Bank, NA vs. Norman S. Alger, Laurel J. Alger, C/A No. 11-CP-37-0674, The following property will be sold on May 7, 2012, at 11:00 AM at the Oconee County Courthouse to the highest bidder All that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Oconee, being shown and designated as Lot Number Ninety-Five (95) of Stone Pound Subdivision on a plat prepared by James G. Hart, RLS #6674, dated January 26, 2004 and recorded in Plat Book B149 at Page 10, records of Oconee County, South Carolina, reference to which is invited for a more complete and accurate description. Derivation: Book 1663 at Page 250 805 Laurel Haven Court, Seneca, SC 29678 291-01-02-022 SUBJECT TO