



CITY COUNCIL MEETING  
BACK-UP MATERIALS  
FOR  
NOVEMBER 2, 2020



TO: Mayor and City Council

FROM: Jim Clifford, City Administrator

DATE: October 30, 2020

SUBJECT: Regular City Council Meeting of November 2, 2020

**REGULAR COUNCIL MEETING**

**ITEM 5. PRESENTATION: Hometown Hero Banner Project – Aiken County Veteran Council**

Lowell Koppert, Aiken County Veterans Council Chairman and Linda Caldwell, Aiken County Hometown Hero Banner Project Director, will present a certificate to formally thank Council for its partnership to recognize local veterans with the Hometown Hero Banner Project.

**ITEM 6. PROCLAMATION: National American Indian Heritage Month – November 2020**

Dr. Celeste Spence, representing the North Augusta Chapter of the Daughters of the American Revolution, will be attendance to receive the proclamation.

***PROCLAMATION***

***NATIONAL AMERICAN INDIAN HERITAGE MONTH***

*WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and*

*WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George H. W. Bush in August 1990, designating the month of November as National American Indian Heritage Month; and*

*WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned.*

An ordinance has been prepared for Council's consideration on final reading to levy the annual tax on property in the City of North Augusta, South Carolina for the fiscal year beginning January 1, 2021, and ending December 31, 2021.

Please see ATTACHMENT #9 for a copy of the proposed ordinance.

**ITEM 10. PLANNING AND DEVELOPMENT: Ordinance No. 2020-30 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±0.45 Acres of Land Owned by Jeffrey S. Martin, Aiken County Tax Parcel #007-15-01-001, 1132 Frances Street from R-10, Medium Lot, Single Family Residential, to GC General Commercial; Ordinance – Final Reading**

An ordinance has been prepared for Council's consideration on final reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ±0.45 acres of land owned by Jeffrey S. Martin, Aiken County Tax Parcel #007-15-01-001, 1132 Frances Street from R-10, Medium Lot, Single Family Residential, to GC General Commercial.

Please see ATTACHMENT #10 for a copy of the proposed ordinance.

**ITEM 11. PLANNING AND DEVELOPMENT: Ordinance No. 2020-31 – To Amend the Zoning Map of the City of North Augusta, South Carolina by Rezoning ±2.02 Acres of Land Owned by Hardy Land, LLC Aiken County Tax Parcel #005-19-06-005, from PD, Planned Development, to R-5, Mixed Residential; Ordinance – Final Reading**

An ordinance has been prepared for Council's consideration on final reading to amend the zoning map of the City of North Augusta, South Carolina by rezoning ±2.02 acres of land owned by Hardy Land, LLC Aiken County Tax Parcel #005-19-06-005, from PD, Planned Development, to R-5, Mixed Residential.

Please see ATTACHMENT #11 for a copy of the proposed resolution.

**ITEM 12. FINANCE: Ordinance No. 2020-32 – An Ordinance to Amend Section 15 Articles I and V Related to Business Licensing – Final Reading**

An ordinance has been prepared for Council's consideration on final reading to amend Section 15 Articles I and V Related to Business Licensing.

Please see ATTACHMENT #12 for a copy of the proposed ordinance.

**ITEM 13. PARKS, RECREATION, AND TOURISM: Resolution No. 2020-52 – Naming the Amphitheater in Riverside Village as the Sharon Jones Amphitheater**

A resolution has been prepared for Council's consideration to name the amphitheater in Riverside Village as the Sharon Jones Amphitheater.

Please see ATTACHMENT #13 for a copy of the proposed resolution.

# ATTACHMENT #7

ORDINANCE NO. 2020-18  
AMENDING ARTICLE 13, SIGNS, OF THE NORTH AUGUSTA DEVELOPMENT  
CODE, CHAPTER 18 OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA  
CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Section 5.3.3.2 Text Amendments in Article 5, Approval Procedures, of the North Augusta Development Code, any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text; and

WHEREAS, the North Augusta Planning Commission, following a June 18, 2020, public hearing, reviewed and considered a request by the Planning and Development Department to amend Article 13, entitled "Signs," of the North Augusta Development Code to allow electronic readerboard signs for certain permitted non-residential uses in residential districts. The Planning Commission report has been provided to City Council for consideration.

WHEREAS, the Mayor and City Council have reviewed the request as well as the report from the Planning Commission and has determined that the change to the text of the Development Code is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following section. The section of the Code affected by the proposed amendment is identified by the section number.
  - A. Article 13, Signs, is amended to read:
    - a. 13.8.3 Signage Allowed for Non-Residential Districts and Uses
      1. Electronic Readerboards
        - i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts and for any non-residential use allowed in a residential district.

- ii. Must have a dark or black background.
- iii. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- iv. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.

b. Table 13-2 Non-Residential Sign Area:

A	All Signs			Wall Signs		Freestanding Signs				Maximum SF, if not otherwise specified
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B	C	D	E	F	G	H	I	J	
Use or Zoning District*	Maximum Area (sf)	% of Ground	Total sign area Per Linear Foot	Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Freestanding Sign Area per Foot	Maximum Height (ft)	Front/Side Setbacks	Maximum Area (SF)
13. Electronic Readerboards	--	--	--	--	--	--	--	--	--	No maximum

c. Any other needed formatting will be edited to reflect new page numbers, titles or item numbering associated with the text changes outlined herein.

II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk

# Department of Planning And Development



**Memorandum # 20-017**

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**To:** Rachelle Moody, Interim City Administrator

**From:** Libby Hodges, Director 

**Subject:** Text Change for Be Ye Holy Ministries, RZT20-001

**Date:** June 22, 2020

At the June 18, 2020, Planning Commission meeting, the Planning Commission reviewed application RZT20-001, a text change regarding electronic readerboard signs put forward by Be Ye Holy Ministries.

Attached you will find copy of the staff report and attachments for the text change. The Planning Commission did not recommend the changes.

The request is being forwarded for consideration at the next available City Council meeting. Please contact me with any questions.

# Department of Planning and Development



## Project Staff Report

**RZT20-001 Article 13: Signs, Text Amendment**

**Prepared by: Kuleigh Baker**

**Meeting Date: June 18, 2020**

## SECTION 1: PROJECT SUMMARY

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Project Name	Article 13, Signs; Electronic Readerboards
Applicant	Be Ye Holy Ministries, Inc.
Proposed Text Amendment	A request by Be Ye Holy Ministries, Inc. to revise Article 13: Signs. The request is to allow Electronic Readerboards for certain non-residential uses within allowed within residential districts and to increase the allowed sign area.

## SECTION 2: GENERAL DESCRIPTION

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Be Ye Holy Ministries, Inc. has requested that the Planning Commission review proposed changes to North Augusta Development Code Article 13: Signs. The request is to allow Electronic Readerboards for certain allowed commercial or institutional uses within residential districts and to increase the percentage of allowed area for readerboards.

## SECTION 3: PLANNING COMMISSION CONSIDERATION

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The Planning Commission is being asked to review the request for a text amendment based on the following provisions of the North Augusta Development Code:

**5.1.4.6 Legislative and Advisory Hearings** – The purpose of a legislative public hearing is to provide the public an opportunity to be heard consistent with the adoption procedures provided by statute. Unlike quasi-judicial hearings, a legislative proceeding does not require due process protections such as the right of the parties to offer evidence, cross-examination, sworn testimony; or written findings of fact. Like quasi-judicial hearings, legislative hearings are public hearings preceded by notice to interested parties. Public hearings are required for legislative review hearings such as amendments to a comprehensive plan, amendments to this Chapter including the zoning provisions of this Chapter and the Official Zoning Map, and applications for a Planned Development. The order of the proceedings for a legislative hearing shall be as set

forth in §5.1.4.5.b. Testimony may be presented by any member of the public, but need not be submitted under oath or affirmation. The Planning Commission and Board of Zoning Appeals may establish a time limit for testimony.

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### 5.3.2 Applicability

This section applies to any application for an amendment to the text of this Chapter or for an amendment to the Official Zoning Map. An amendment to the Official Zoning Map which reclassifies property from one zoning district to another is known as a “rezoning.” A change to the text of this Chapter is referred to as a “text amendment”.

### 5.3.3 Initiation

This Chapter, including the Official Zoning Map and any supporting map(s), may be amended from time to time by the City Council, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation. Any communication purporting to be an application for a change shall be regarded as mere notice to seek relief until it is made in the form required. Upon receipt of any communication, the interested parties shall be supplied with the proper application form(s) by the Director.

(5.3.3.1 Rezoning, does not apply, removed for brevity)

**5.3.3.2 Text Amendment** – Any person, property owner, board, commission, department or the City Council may apply for a change in zoning ordinance text. A proceeding for approval of a text amendment may be initiated by filing an application with the Department. The application shall be signed by the applicant and shall include the language of the proposed amendment to the text of this Chapter and the justification for the proposed change. Before any application is accepted by the Department, it is recommended that the applicant meet with a representative of the Department. The purpose of the pre-application meeting is to discuss the procedures and requirements for a text amendment request. During the conference, the Department will identify the submittal requirements.

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### 5.3.5 Decision

**5.3.5.1** The Director shall transmit the application to the Planning Commission for consideration at the next regularly scheduled monthly meeting following receipt of a complete application, provided that the complete application is submitted at least thirty (30) calendar days prior to said meeting. Notice of the public hearing shall be provided as set forth in §5.1.3. The Planning Commission shall approve or deny the zoning



amendment in accordance with the procedures for a legislative hearing as set forth in §5.1.4.6.

**5.3.5.2** At least ten (10) days' notice and opportunity to comment must be given to the public if the applicant is allowed to present oral or written comments pursuant to S.C. Code §6-29-760.

**5.3.5.3** The Planning Commission shall submit its recommendation to the City Council within thirty (30) calendar days, or other period required by law, after the initial hearing date (see S.C. Code §6-29-760(A)). A majority vote is required for the Planning Commission to approve, approve with conditions, if applicable, or deny a rezoning or text amendment application. A recommendation of approval with conditions of a rezoning may be submitted only if a conditional use permit is requested pursuant to §5.5.

**5.3.5.4** The City Council shall consider the recommendation of the Planning Commission on each proposed rezoning and text amendment within thirty (30) days of receipt of the Planning Commission report. The City Council is not bound by the recommendation in making a final decision and may call for additional information and/or public hearing(s).

**5.3.5.5** No challenge to the adequacy of notice or challenge to the validity of a rezoning or text amendment, whether enacted before or after the effective date of this section, may be made sixty (60) days after the decision of the City Council if there has been substantial compliance with the notice requirements of this section, with established procedures of the City Council and the Planning Commission and with S.C. Code §6-29.

### **5.3.6 Approval Criteria**

Whenever the public necessity, safety or general welfare justifies such action, the Planning Commission may recommend amendments to the text of this Chapter or changes to zoning district boundaries. The Planning Commission shall consider all of the factors specified in this section, at a minimum, in reviewing an application for a rezoning. **The Planning Commission shall consider the factors specified in §5.3.3.2 in reviewing an application for a text amendment [see above].**

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The Planning Commission is being asked to review the proposed text changes and provide a recommendation of approval or denial, which will be forwarded to the City Council. Section 5.3.3.2 does not provide additional standards for review or analysis.

## SECTION 4: PUBLIC NOTICE

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A public notice of the text amendment request and scheduled date of the Planning Commission public hearing was published in the *North Augusta Star* and on the City's website [www.northaugusta.net](http://www.northaugusta.net) on June 3, 2020.

## SECTION 5: HISTORY

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The North Augusta Development Code was adopted by City Council on December 17, 2007, effective January 1, 2008. In response to issues with interpretation, court rulings, unclear text, and discussions with the Planning Commission, the Planning and Development Department completed a review of the sign regulations in North Augusta.

In 2019, several revisions to the code were presented by Staff to simplify, clarify, allow for new types of signage, and allow for more diverse signage types in Downtown. These revisions were reviewed by a subcommittee consisting of volunteers from the Planning Commission. A "Sign Revision Preview" meeting was held on May 7, 2019, to review the changes and discuss these changes with the public. The Planning Commission recommended the text amendment for approval by the City Council at their regular meeting held June 20, 2019.

City Council adopted Ordinance No. 2019-18 amending the North Augusta Development Code, Article 13: signs of the City of North Augusta, South Carolina Code of Ordinances on December 2, 2019.

## SECTION 6: SUMMARY OF CHANGES AND PROPOSED AMENDMENTS

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### Background Information

Readerboards and electronic readerboards are defined as follows:

Changeable Copy Sign: also known as a "readerboard," is any sign designated so that letters or numbers attached to the sign can be periodically changed to a different message.

Electronic Readerboard: a sign which displays messages in alternating light cycles using electronic messaging or LED lights. They are generally computerized programmable electronic visual communication devices, manufactured for the outside environment.

Section 13.8.1.a states the following: "Signage shall not exceed the limits as defined herein. If a sign type is not listed in that district or use, that type of signage is not allowed in that district or use. Zoning district means the district as established in Article 3, Zoning Districts. Use is more precise than the zoning district. If there is a conflict between district and use, use shall prevail."

This would indicate that use would over-ride zoning, however, the use of electronic readerboards are conditioned further within the code to limit Electronic Readerboards to use in only specific non-residential zoning districts.

#### Section NADC 13.8.3, Signage Allowed for Non-Residential Districts and Uses

##### I. Electronic Readerboards

- i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts.
- ii. Shall not exceed 50% of the sign area of which it is a part.
- iii. Must have a dark or black background.
- iv. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- v. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.

Electronic Readerboards are allowed in the D, OC, GC, TC and IND (NADC 13.8.3, Table 3-3 & NADC 13.8.4.p, except in areas covered by the Neighborhood Preservation Overlay). By specifying that electronic readerboards are useable only in certain zoning districts, this would prohibit electronic readerboard signs in R-14, R-10, R-7, R-5, NC, CR, R-MH, and TND districts. Electronic readerboard signs are also prohibited in the Neighborhood Preservation Overlay District. Signs in the PD or P districts may have conditional allowances for these types of signs. The following uses are Permitted, Conditional Uses, Special Exceptions, or Accessory uses in residential districts:

##### Permitted Non-Residential Uses in Residential Districts

- Tourist homes
- Churches, synagogues, parish houses, Sunday school buildings, convents, including child care during worship services
- Open space, park or active recreational uses operated on a non-commercial basis
- Swimming pool
- Cemeteries
- Telephone exchange and repeater stations
- Utility lines

Conditional Uses (Administrative Approval with public hearings)

- Boarding House
- Childcare
- Private or non-profit clubs including country clubs, athletic clubs, lodges, fraternities, and swimming clubs on a non-commercial membership basis
- Schools, academic, nursery and preschool, grade schools – elementary, middle, high school
- Private boat docks, boat houses, or marinas
- Agricultural uses (raising crops, horticulture, orchards, forests excluding raising livestock)
- Dormitory
- Non-exempt Group homes

Special Exception (granted by the Board of Zoning Appeals)

- Bed and breakfast
- Cell/communication towers and antennae
- Gas or electric generation distribution facilities

Accessory Uses allowed in Residential Districts

- Accessory buildings
- Bus shelters
- Home occupations
- Community centers, meeting halls, community halls, reception halls, wedding halls
- Storage of construction equipment, outdoors, incidental to construction activities
- Studios for artists, designers, musicians, photographers, sculptors (not as a home occupation)
- Parking lots, parking structures, or underground parking areas

The Code does not specify a square footage allowance for non-residential uses in residential districts, but allows the Director to choose the most closely applicable district and use those standards.

**Text Amendment Request**

Be Ye Holy Ministries, Inc. has requested two text amendments to Article 13. The first is for Section 13.8.3.i.i., to allow for electronic readerboards on signs associated with allowed commercial or institutional uses in residential districts. The second amendment request is to change the text of Article 13, Section 13.8.3.i.ii. to allow electronic readerboards to cover 100% of the sign area in which it is a part.

**Text Amendment Recommendations**

Please note: Text that is underlined is added, text that is ~~struck through~~ is to be deleted

If accepted as submitted by the applicant, staff has recommends the following text changes Section 13.8.3:

I. Electronic Readerboards

- i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts and for any non-residential use allowed in a residential district.
- ii. ~~(deleted)~~
- iii. Must have a dark or black background.
- iv. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- v. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.

Table 13-2, item 13 would be amended to read:

**TABLE 13-2 NON-RESIDENTIAL SIGN AREA CHART (USE OR ZONE)**

A	All Signs			Wall Signs		Freestanding Signs				K Maximum SF, if not otherwise specified
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B Maximum Area (sf)	C % of Ground	D Total sign area Per Linear Foot	E Maximum Area (sf)	F % of Wall Area	G Maximum Area (sf)	H Freestanding Sign Area per foot of	I Maximum Height (ft)	J Front/Side Setbacks	
13. Electronic Readerboards	-	--	--	--	--	--	--	--	--	50% of sign area No maximum

Staff recommends additional changes to include clarification of sign sizes allowed.

### 13.8.3 Signage Allowed for Non-Residential Districts and Uses

- a. Applicability: restrictions in this category apply to developments in any zoning district that are currently used for non-residential purposes. ~~If a non-residential use is legally occupying a residentially zoned lot, the Director shall determine the closest applicable district and sign requirements.~~ For non-residential uses permitted by right (not including conditional or special exception uses), the standards for Neighborhood Commercial (NC) signage shall be used.

#### Section NADC 13.8.3, Signage Allowed for Non-Residential Districts and Uses

##### I. Electronic Readerboards

- i. ~~Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts. Shall be permitted only on properties where the primary use of the entire property is non-residential. (Note: This would not include Tourist Homes or Home Occupations, as the primary use remains residential.)~~
- ii. Shall not exceed 50% of the sign area of which it is a part.
- iii. Must have a dark or black background.
- iv. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
- v. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.

Table 13-2 would not be modified.

## SECTION 7: ATTACHMENTS

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1. Public Notice
2. Applicant request for text changes
3. Staff recommended Revised Text of Article 13: Signs

# Application for Development Approval

Please type or print all information



Staff Use	
Application Number _____	Date Received _____
Review Fee _____	Date Paid _____

1. Project Name Be Ye Holy Ministries, Inc.

Project Address/Location 1117 Seymour Drive North Augusta S.C. 29841

Total Project Acreage 0.43 Current Zoning R-10

Tax Parcel Number(s) 007 08 10 001

2. Applicant/Owner Name Joe L. Newsome Applicant Phone 706-339-5590

Mailing Address 532 Marble Falls Drive

City Grovetown ST GA Zip 30813 Email beyeholy@comcast.net

3. Is there a Designated Agent for this project?  Yes  No  
If Yes, attach a notarized Designation of Agent form. (required if Applicant is not property owner)

4. Engineer/Architect/Surveyor \_\_\_\_\_ License No. \_\_\_\_\_

Firm Name \_\_\_\_\_ Firm Phone \_\_\_\_\_

Firm Mailing Address \_\_\_\_\_

City \_\_\_\_\_ ST \_\_\_\_\_ Zip \_\_\_\_\_ Email \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

5. Is there any recorded restricted covenant or other private agreement that is contrary to, conflicts with or prohibits the use or activity on the property that is the subject of the application?  
(Check one.)  yes  no

6. In accordance with Section 5.1.2.3 of the North Augusta Development Code, I hereby request the City of North Augusta review the attached project plans. The documents required by the City of North Augusta, as outlined in Appendix B of the North Augusta Development Code, are attached for the City's review for completeness. The applicant acknowledges that all required documents must be correct and complete to initiate the compliance review process.

7. Joe L. Newsome  
Applicant or Designated Agent Signature

3 June 2020  
Date

Joe L. Newsome  
Print Applicant or Agent Name

# Designation of Agent

Please type or print all information



This form is required if the property owner is not the applicant.

Staff Use Only

Application Number RZT20-001 Date Received 05-19-2020

1. Project Name Be Ye Holy Ministries  
Project Address/Location 1117 Semour Drive  
Project Parcel Number(s) \_\_\_\_\_

2. Property Owner Name Be Ye Holy Ministries Owner Phone Joe Newsome  
Mailing Address 1117 Semour Drive  
City North Augusta ST SC Zip 29841 Email be\_ye\_holy@comcast.net

3. Designated Agent Michael Shan Villanueva  
Relationship to Owner Contractor  
Firm Name Coastal Outdoor Services, LLC Phone 843-576-9524  
Agent's Mailing Address 417 Glenmore Drive  
City Monks Corner ST SC Zip 29441 Email coastaloutdoor11@gmail.com  
Agent's Signature Michael Villanueva Date 5/11/2020

4. I hereby designate the above-named person (Line 3) to serve as my agent and represent me in the referenced application.

Joe Newsome  
Owner Signature Date 11 May 2020

5. Sworn and subscribed to before me on this 1<sup>st</sup> day of May, 2020.

David L Harden  
Notary Public  
10 Jul 2020  
Commission Expiration Date







BE YE HOLY MINISTRIES, INC.  
1117 SEYMOUR DRIVE  
NORTH AUGUSTA, S.C. 29841



To,  
Mrs. Libby Hodges  
Director of Planning and Development  
**City of North Augusta**  
100 Georgia Avenue  
P.O Box 6400  
North Augusta, SC 29841

**Subject:** *Request approval to allow Be Ye Holy Ministries, Inc. to install an Electronic Readerboard at 1117 Seymour Drive, North Augusta, S.C. 29841.*

Dear Mrs. Libby Hodges

It has come to our attention that the City of North Augusta has prohibited or placed restrictions to permit the installation of our proposed Electronic Readerboard.

Be Ye Holy Ministries, Inc., is a (501) © 3, Non-Profit Organization that represents Christ to the community. As a ministry, we have been instructed to propagate the Word of God. (Luke 14:23) Tells us to "Go out into the highways and hedges, and compel them to come in, that my house may be filled".

Be Ye Holy has been an active community member of North Augusta since December 2009. We provide public religious services to include worship, education, and counseling. We open our food pantry and clothes closet monthly. Also, we typically sponsor blood drives in conjunction with the Shepard blood center to enhance and contribute to the wellbeing of our community.

Permitting Be Ye Holy to install the proposed electronic readerboard allows us to freely brand and reach the public 24 hours a day, which can be utilized to provide a comforting message, welcome guests, or inform people when the next service is taking place. While sharing all this information is essential, visibility is the key. The electronic readerboard allows us to exercise our faith.

Article 13(l)(i)/(ii) puts an unreasonable restriction on Be Ye Holy Ministries, *hindering its ability to exercise religious activities in the community*. We believe the current zoning code on Electronic Reader boards in residential districts is antiquated and represents the past, not the future. Putting up letters and taking down messages is what we did when we began in 1992.

Our goal is to enhance the community through our complimentary landscape and spiritual fitness services.

Be Ye Holy request a "Text Amendment" to Article 13, para 13.8.3(l)(i) to allow electronic readerboards on signs associated with allowed commercial or *institutional uses* in residential districts. Our electronic readerboard is 8 ft. high, with a sign area of 32 sq. ft.



BE YE HOLY MINISTRIES, INC.  
1117 SEYMOUR DRIVE  
NORTH AUGUSTA, S.C. 29841



Be Ye Holy request a "Text Amendment" to Article 13, para 13.8.3(l)(ii) to allow our electronic readerboard to cover 100% of the sign area in which it is a part.

We request the City of North Augusta approve the installation of the proposed church sign at 1117 Seymour Drive, North Augusta, South Carolina 29841. We thank you in advance for your consideration and look forward to a continued community partnership.

Respectfully Submitted,

  
JOE L. NEWSOME  
Pastor  
Be Ye Holy Ministries, Inc.  
Phone: 706-339-5590  
Email: beyeholy@comcast.net

City of  
North Augusta, South Carolina  
**Planning Commission**

**PUBLIC HEARING NOTICE**

The North Augusta Planning Commission will hold a public hearing at its regular monthly meeting beginning at 7:00 PM on Thursday, June 18, 2020, in the Council Chambers, North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, to receive public input on the following application:

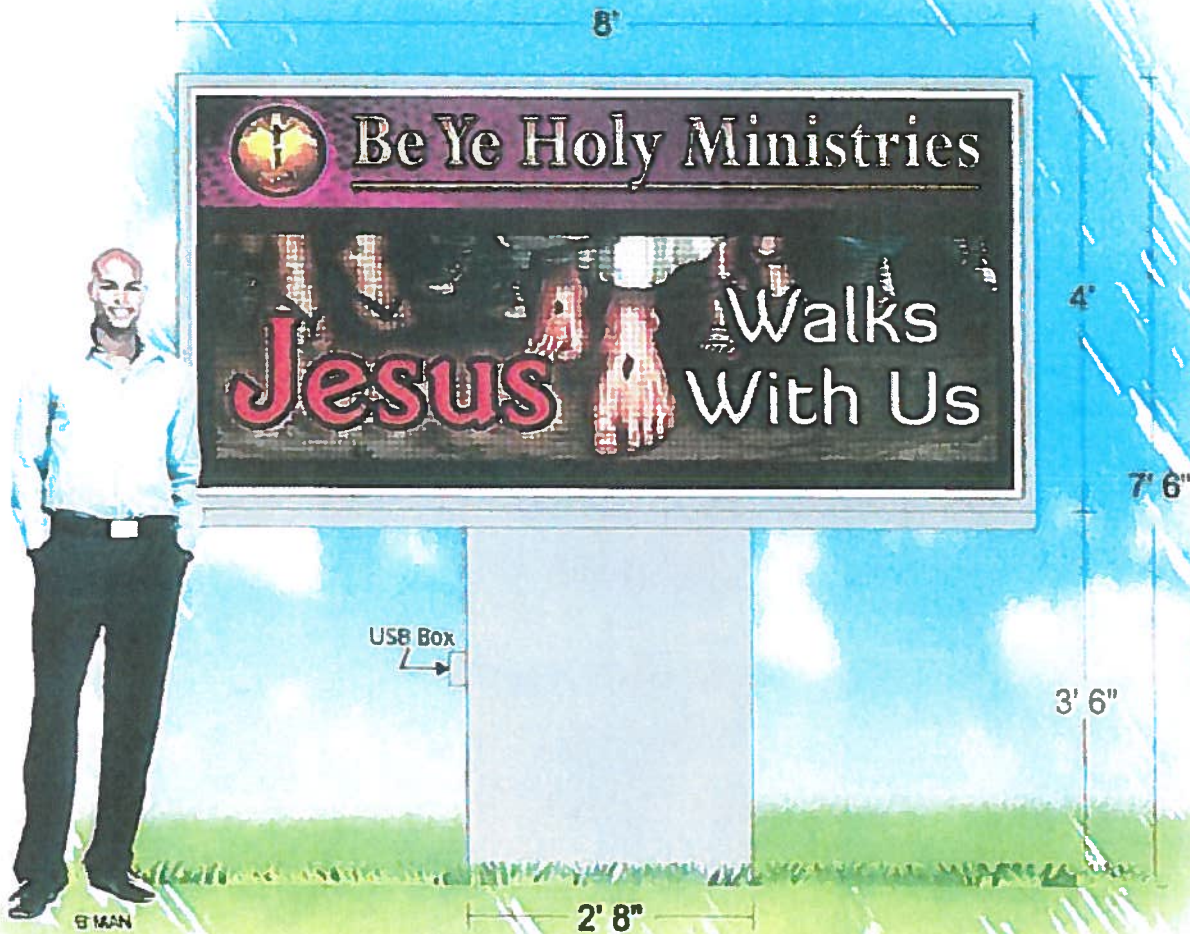
**RZT20-001** – A request by Be Ye Holy Holy Ministries for a Text Amendment to allow electronic readerboards in residential districts. The request affects Article 13, Signs of the North Augusta Development Code.

Documents related to the applications will be available for public inspection after June 11th in the Department of Planning and Development on the second floor of the North Augusta Municipal Center, 100 Georgia Avenue, North Augusta, South Carolina, 803-441-4221. Citizens and property owners interested in expressing a view on the request are encouraged to attend.

**CITIZEN ASSISTANCE:**

Individuals needing special assistance or a sign interpreter to participate in the meeting are asked to please notify the Department of Planning and Development at 803-441-4221 at least 48 hours prior to the meeting.

COVID-19 Procedure Changes: Please visit [www.northaugusta.net](http://www.northaugusta.net) for updates on processes and procedures related to city services and hearings.



**Stewart Signs**  
 AN EBSCO COMPANY

1-800-237-3928 [stewartsigns.com](http://stewartsigns.com)

**TekStar Color 20mm 32x112**

Cabinet size: 4'x8'

1/2"=1' Sk: 953299-1 Cust: 3110125

4/17/2020 Ca/cMiller PROPOSAL

Scale: 5/8"=1 Color(s) Digital Print Paint Color Silver Gray  
 Draft Color White

Approved

as shown  with changes

Signature

Date



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Backwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations, final product dimensions may vary. LED images shown are simulated to replicate optimum viewing results. Original design, do not duplicate.

- I. Electronic Readerboards
  - i. Shall be used only in the Office Commercial (OC), General Commercial (GC), Thoroughfare Commercial (TC), and Industrial (IND) districts and for any non-residential use allowed in a residential district.
  - ii. (deleted)
  - iii. Must have a dark or black background.
  - iv. Shall not display any animation, scrolling, flashing, or the appearance of animation or other prohibited sequence of lighting.
  - v. Electronic Readerboards are prohibited in the Neighborhood Preservation Overlay.
  
- m. Changeable Copy
  - i. Shall be used only in the Office Commercial (OC), General Commercial (GC) and Thoroughfare Commercial (TC) districts.
  - ii. Must be part of a larger wall or freestanding sign.
  - iii. Shall not exceed 30% of the sign area of which it is a part.
  - iv. Changeable Copy signs are prohibited in the Georgia Avenue and Neighborhood Preservation Overlay.
  
- n. Maximum Total Square Footage of All Signage on a Non-Residential Parcel or Lot
  - i. Zoning Districts
    - a. Neighborhood Commercial (NC):
      - i. Maximum Square Footage: 200 sq ft. or 4% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
    - b. Office Commercial (OC):
      - i. Maximum Square Footage: 300 sq ft. or 6% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
    - c. General Commercial (GC) and Thoroughfare Commercial (TC):
      - i. Maximum Square Footage: 300 sq ft. or 10% of ground floor area, or 3 sq ft per linear foot of street frontage, whichever is least.
    - d. Industrial (IND) Districts
      - i. Maximum Square Footage: 300 sq. ft. or 2% of ground floor area, or 3 sq. ft. per linear foot of street frontage, whichever is less.

**TABLE 13-2 NON-RESIDENTIAL SIGN AREA CHART (USE OR ZONE)**

A	All Signs			Wall Signs		Freestanding Signs				K Maximum SF, if not otherwise specified
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				
	B Maximum Area (sf)	C % of Ground Floor Area	D Total sign area Per Linear Foot of Frontage	E Maximum Area (sf)	F % of Wall Area	G Maximum Area (sf)	H Freestanding Sign Area per foot of Linear Frontage (sf)	I Maximum Height (ft)	J Front/Side Setbacks (ft)	
Use or Zoning District*	Maximum Area (sf)	% of Ground Floor Area	Total sign area Per Linear Foot of Frontage	Maximum Area (sf)	% of Wall Area	Maximum Area (sf)	Freestanding Sign Area per foot of Linear Frontage (sf)	Maximum Height (ft)	Front/Side Setbacks (ft)	Maximum Area (SF)
1. Construction Signage	--	--	--	--	--	--	--	--	--	32
2. Temporary Signs	--	--	--	--	--	--	--	--	--	16
3. Temporary Signs, NC District	--	--	--	--	--	--	--	--	--	6
4. Vacant Lots over 5 acres	--	--	--	--	--	--	--	--	--	32
5. Vacant Lots less than 5 acres	--	--	--	--	--	--	--	--	--	16
6. Identification	--	--	--	--	--	--	--	--	--	2
7. Accessory Signs	--	--	--	--	--	--	--	--	--	4
8. Window Signs	--	--	--	--	--	--	--	--	--	50% of window area
9. Subdivision/Project Identification Signs	--	--	--	--	--	32	--	5	--	--
10. Shopping Centers	1,000	5	1	1,000	10	150	0.50	25	5/10	16
11. Menu Boards	--	--	--	--	--	--	--	--	--	32
12. Canopy Signs	--	--	--	--	--	--	--	--	--	50% of canopy
13. Electronic Readerboards	--	--	--	--	--	--	--	--	--	No Maximum.
14. Changeable Message Signs	--	--	--	--	--	--	--	--	--	30% of sign area
15. Neighborhood Commercial (NC)	200	4	3	160	10	60	0.25	10	5/10	6
16. Office Commercial (OC)	300	6	3	300	10	100	0.50	12	5/10	16
17. General Commercial (GC)	300	10	3	300	10	100	0.50	20	5/10	16
18. Thoroughfare Commercial (TC)	300	10	3	300	10	100	1	25	5/10	16
19. Highway Corridor Overlay (HC)	300	10	6	300	10	100	0.50	25	5/10	16
20. Neighborhood Preservation Overlay (NP)	200	6	3	160	--	60	0.50	10	5/5	6
21. Georgia Avenue Overlay (GA)	100	10	6	100	7	20	0.25	8	0/0	
22. Industrial (IND)	300	2	3	--	--	150	0.50	20	5/10	16



# ATTACHMENT #8

ORDINANCE NO. 2020-28  
ADOPTING A BUDGET FOR FISCAL YEAR 2021  
CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES  
BY THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA,  
FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2021,  
AND DECLARING THAT SAME SHALL CONSTITUTE THE BUDGET  
OF THE CITY OF NORTH AUGUSTA FOR SUCH BUDGET YEAR

WHEREAS, in accordance with the Laws of South Carolina, and the Ordinance of the City of North Augusta, the City Administrator must prepare and submit to the City Council a Balanced Budget for the next budget year to begin on January 1, 2021, and end on December 31, 2021; and

WHEREAS, a public hearing has been held on said budget, as required by law.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- Section I. The City Council hereby adopts the 2021 Fiscal Year Budget, incorporated by reference as though it were set out herein in its entirety, for the conduct of the business of the municipal government of North Augusta for the budget year, January 1, 2021, to December 31, 2021.
- Section II. The transfer of budgeted amounts between functional areas of expenditures or expenses shall be approved by City Council; however, transfers of budgeted line items within the functional areas of expenditures or expenses not to exceed \$5,000, may be approved by the City Administrator as long as total expenditures or expenses do not exceed appropriations in the functional area. Management can also over expend appropriations, with the City Administrator's approval, at the line item and department level, as long as the total expenditures or expenses do not exceed appropriations of the functional area. Functional areas are: General Government; Public Safety; Public Works; Parks, Recreation, and Tourism; Sanitation Services; Stormwater Utility; and Water and Wastewater.
- Section III. The Mayor or City Administrator may authorize the expenditure of an amount not to exceed \$500 at any one time from the Council Contingencies Account without prior approval of the City Council provided that any such expenditure is reported in the minutes of the next Council meeting.
- Section IV. The City Council must approve expenditures from the following funds: Sales Tax I, Sales Tax II, Sales Tax III, Sales Tax IV, Street Improvements, Transportation Improvement, Capital Projects, Riverfront/Central Core Development, Depreciation, Contingent, Construction, Tax Increment Financing, and the North Augusta Public Facilities Corporation unless otherwise previously budgeted.
- Section V. The City Administrator may execute all necessary documents relating to the lease purchase financing of equipment specifically authorized and identified in the 2021 Budget. The financial institution selected for 2021 lease purchase financing shall be selected based upon competitive bidding in conformance with the City's purchasing procedures.

Section VI. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section VII. This Ordinance shall become effective immediately upon its adoption on second reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_ DAY OF \_\_\_\_\_, 2020.

First Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

Second Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk



# ATTACHMENT #9

ORDINANCE NO. 2020-29  
LEVYING THE ANNUAL TAX ON PROPERTY  
IN THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA,  
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021,  
AND ENDING DECEMBER 31, 2021

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- Section I.                   The annual tax for the fiscal year (budget year) 2021, beginning January 1, 2021, and ending December 31, 2021, is hereby imposed and levied for general corporate purposes upon all the taxable property of the City of North Augusta.
- Section II.                  The period for which the tax levy is due on all taxable property, except for motorized vehicles, shall be from January 1, 2020, to December 31, 2020.
- Section III.                 The period for which the tax levy is due for all motorized vehicles which are required to be licensed by Section 53-3-110, Code of Laws of South Carolina, shall be from January 1, 2021, to December 31, 2021.
- Section IV.                 The tax levy imposed upon all taxable property shall be 72.00 mills to the General Fund and 1.5 mills to the Capital Projects Fund for a total tax levy of 73.5 mills.
- Section V.                  All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- Section VI.                 This Ordinance shall become effective January 1, 2021.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

First Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

Second Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk

# ATTACHMENT #10

## ORDINANCE NO. 2020-30

### TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA BY REZONING ± .45 ACRES OF LAND OWNED BY JEFFREY S. MARTIN, AIKEN COUNTY TAX PARCEL #007-16-01-001, 1132 FRANCES STREET FROM R-10, MEDIUM LOT, SINGLE FAMILY RESIDENTIAL, TO GC, GENERAL COMMERCIAL

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, pursuant to Section 5.3, North Augusta Development Code, the North Augusta Planning Commission may recommend amendments to the Zoning Map, provided such amendments are consistent with the City's North Augusta 2017 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following an August 20, 2020, public hearing, reviewed and considered a request by WTC of Martintown, LLC, to amend the Official Zoning Map of North Augusta from Medium Lot, Single-Family Residential (R-10) to General Commercial (GC). The staff report and results of this hearing have been provided to City Council.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. A parcel consisting of ±.45 acres owned by Jeffrey S. Martin, is hereby rezoned from R-10, Medium Lot, and Single-Family Residential to GC, General Commercial. Said property is Aiken County tax map parcel # 007-16-01-001 located at 1132 Frances Street and specifically identified on Exhibit "A" attached hereto.
- II. The Official Zoning Map for the City of North Augusta is hereby amended to reflect this rezoning.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on second and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

First Reading \_\_\_\_\_

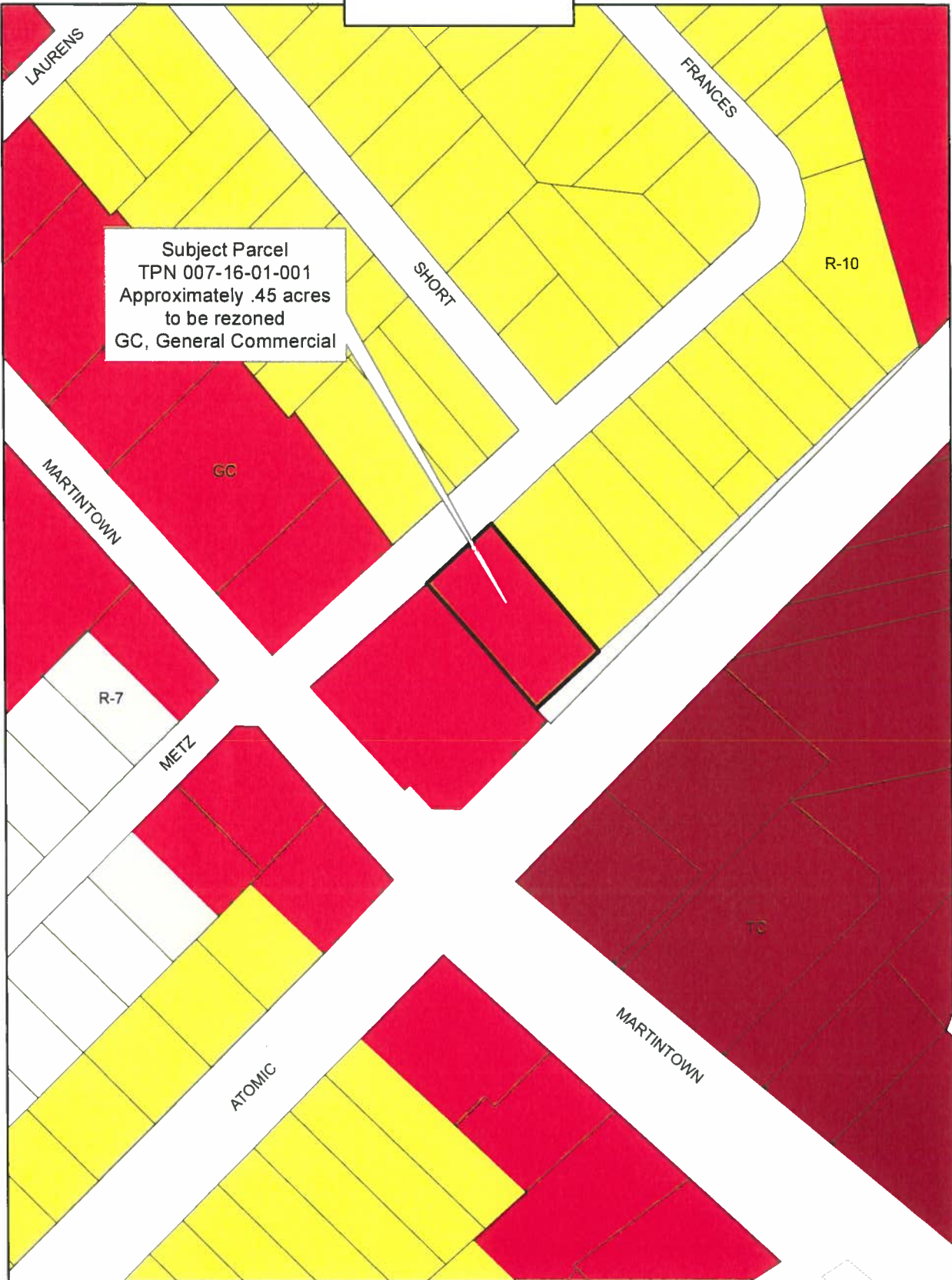
Second Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk

EXHIBIT A



Subject Parcel  
 TPN 007-16-01-001  
 Approximately .45 acres  
 to be rezoned  
 GC, General Commercial



A request to rezone approximately .45 acres  
 from R-10, Medium Lot, Single-Family Residential  
 to GC, General Commercial

ATTACHMENT #11

ORDINANCE NO. 2020-31  
TO AMEND THE ZONING MAP OF THE CITY OF NORTH AUGUSTA,  
SOUTH CAROLINA BY REZONING ± 2.02 ACRES OF LAND  
OWNED BY HARDY LAND, LLC, AIKEN COUNTY TAX PARCEL #005-19-06-005,  
FROM PD, PLANNED DEVELOPMENT, TO R-5, MIXED RESIDENTIAL

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code and a citywide Zoning Map which is consistent with the City’s North Augusta 2017 Comprehensive Plan; and

WHEREAS, pursuant to Section 5.3, North Augusta Development Code, the North Augusta Planning Commission may recommend amendments to the Zoning Map, provided such amendments are consistent with the City’s North Augusta 2017 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following an August 20, 2020, public hearing, reviewed and considered a request by Glynn Bruker, to amend the Official Zoning Map of North Augusta from Planned Development (PD) to Mixed Residential (R-5) The staff report and results of this hearing have been provided to City Council.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

- I. A parcel consisting of ±2.02 acres owned by Hardy Land, LLC, is hereby rezoned from PD, Planned Development to R-5, Mixed Residential. Said property is Aiken County tax map parcel # 005-19-06-005 and specifically identified on Exhibit “A” attached hereto.
- II. The Official Zoning Map for the City of North Augusta is hereby amended to reflect this rezoning.
- III. All ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on second and final reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

First Reading \_\_\_\_\_

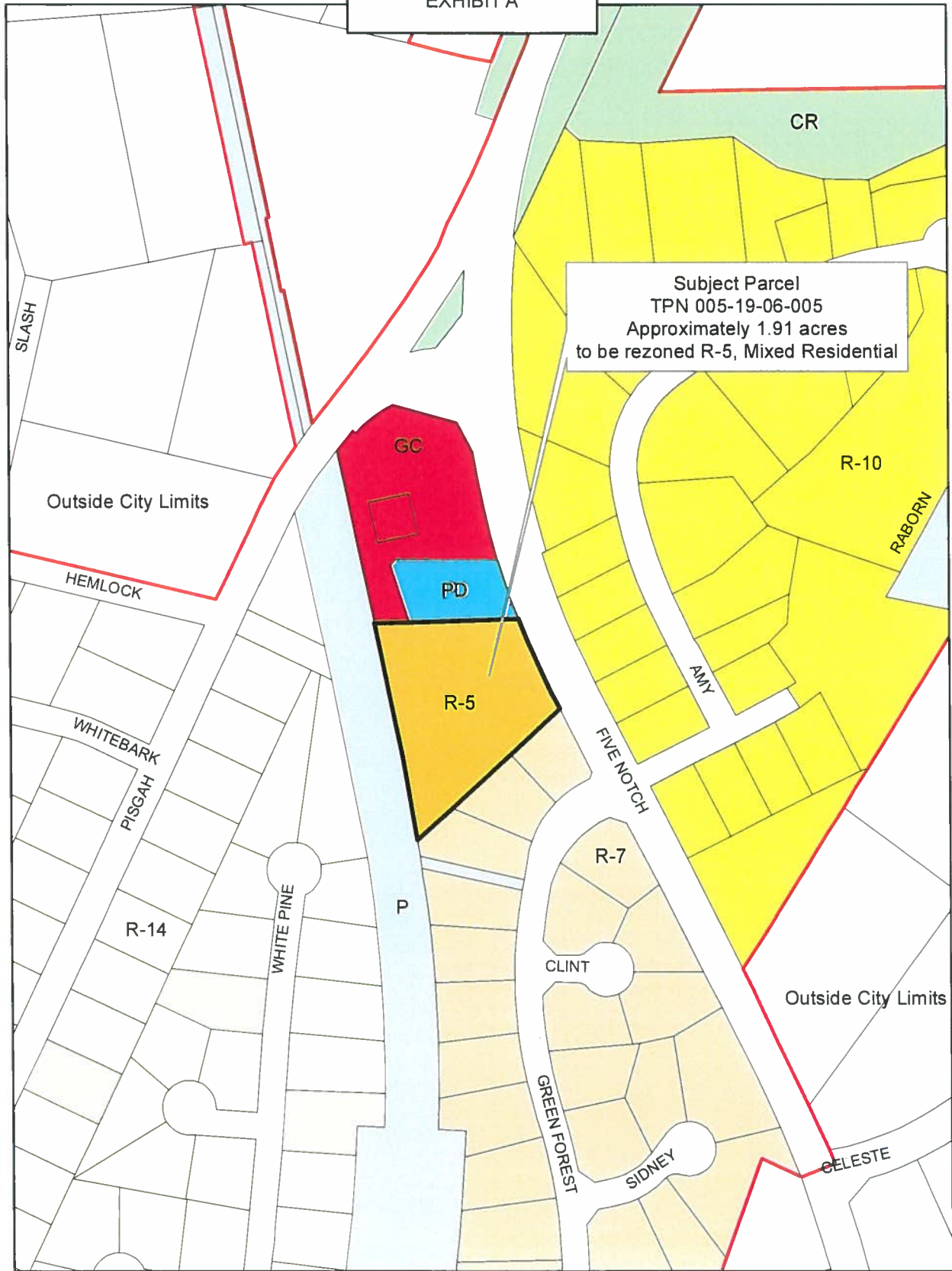
Second Reading \_\_\_\_\_

\_\_\_\_\_  
Robert A. Pettit, Mayor

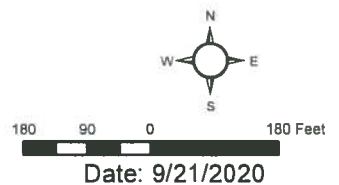
ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk

EXHIBIT A



Application RZM20-004  
Tax Parcel Number 005-19-06-005  
A request to rezone approx 1.91 acres  
from PD, Planned Development to  
R-5, Mixed Residential





# ATTACHMENT #12

## ORDINANCE NO. 2020-32 AN ORDINANCE TO AMEND SECTION 15 ARTICLES I AND V RELATED TO BUSINESS LICENSING

WHEREAS, Chapter 15, Article I of the City of North Augusta Code of Ordinances provides for matters related to obtaining a business license with the City of North Augusta; and,

WHEREAS, this Article was codified in 2008 with no revisions since then; and,

WHEREAS, the Municipal Association of South Carolina developed a “model business license ordinance” that is in compliance with state and federal law and other best practices of business licensing; and,

WHEREAS, the “model business license ordinance” provides standardization of business licensing among municipalities across South Carolina; and,

WHEREAS, Mayor and City Council believe that it is appropriate for the City of North Augusta to revise this Ordinance concerning business licensing in conformity with the “model business license ordinance” as put forth by the Municipal Association of South Carolina; and,

WHEREAS, Mayor and City Council believe the deletion of the current Article I in its entirety and replacement of same with a revised version is appropriate.

WHEREAS, Mayor and City Council also believe the deletion of the current Article V in its entirety is appropriate as it is now included in the revised Article I.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that:

- I. Section 15, Article I, entitled **BUSINESS LICENSES** and Section 15, Article V, entitled **RETAIL TELECOMMUNICATIONS SERVICES** are hereby amended by deleting the entire sections as they are currently drawn and inserting in its place the following, so that such Ordinance, when revised, would read as follows:

### **Sec. 1. License Required.**

Every person engaged or intending to engage in any calling, business, occupation or profession, in whole or in part, within the limits of the City of North Augusta, South Carolina, is required to pay an annual license tax for the privilege of doing business and obtain a business license as herein provided.

## **Sec. 2. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

“*Business*” means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

“*Charitable Organization*” means an organization that is determined by the Internal Revenue Service to be exempt from Federal income taxes under 26 U.S.C. section 501 (c) (3), (4), (6), (7), (8), (10) or (19).

“*Charitable Purpose*” means a benevolent, philanthropic, patriotic, or eleemosynary purpose which does not result in personal gain to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization.

“*Classification*” means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by the Council.

“*Gross Income*” means the gross receipts or gross revenue of a business, received or accrued, for one calendar or fiscal year collected or to be collected from business done within the Municipality, excepting therefrom income earned outside of the Municipality on which a license tax is paid by the business to some other municipality or a county and fully reported to the Municipality. Gross income for agents means gross commissions received or retained, unless otherwise specified. Gross income for insurance companies means gross premiums written. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross receipts or gross revenues for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Department of Insurance, or other government agencies.

“*License Official*” means a person designated to administer this ordinance.

“*Licensee*” means the business, the person applying for the license on behalf of the business, an agent or legal representative of the business, a person who receives any part of the net profit of the business, or a person who owns or exercises control of the business.

“*Municipality*” means the City of North Augusta, South Carolina.

“*Person*” means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or



plural, and the agent or employee having charge or control of a business in the absence of the principal.

**Sec. 3. Purpose and Duration.**

The business license levied by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each yearly license shall be issued for the twelve-month period of May 1 to April 30. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by the Council.

**Sec. 4. License Tax.**

A. The required license tax shall be paid for each business subject hereto according to the applicable rate classification on or before the due date of the 30th day of April in each year, except for those businesses in Rate Class 8 for which a different due date is specified.

B. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license tax shall be computed on the combined gross income for the classification requiring the highest rate. A license tax based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The tax for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial tax for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business that is discontinued.

**Sec. 5. Registration Required.**

A. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality, and an annexed business shall be required to have a business license within thirty (30) days of the annexation. A license for a bar (NAICS 722410) must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

B. Application shall be on a form provided by the License Official which shall contain the Social Security Number and/or the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, and all information about the applicant and the Licensee and the business deemed appropriate to carry out the purpose of this ordinance by the License Official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross receipts and gross revenue figures.

C. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments, personal property taxes on business property and other monies due and payable to the Municipality have been paid.

**Sec. 6. Deductions, Exemptions, and Charitable Organizations.**

A. No deductions from gross income shall be made except income earned outside of the Municipality on which a license tax is paid by the business to some other municipality or a county and fully reported to the Municipality, taxes collected for a governmental entity, or income which cannot be included for computation of the tax pursuant to State or Federal law. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof.

B. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by State or Federal law. The License Official shall determine the appropriate classification for each business in accordance with the latest issue of the North American Industry Classification System (NAICS) for the United States published by the Office of Management and Budget. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of liability for payment of any other tax or fee by reason of application of this ordinance.

C. A Charitable Organization shall be exempt from the business license tax on its gross income unless it is deemed a business subject to a business license tax on all or part of its gross income as provided in this section. A Charitable Organization, or any for-profit affiliate of a Charitable Organization, that reports income from for-profit activities, or unrelated business income, for Federal income tax purposes to the Internal Revenue Service shall be deemed a business subject to a business license tax on the part of its gross income from such for-profit activities or unrelated business income.

A Charitable Organization shall be deemed a business subject to a business license tax on its total gross income if (1) any net proceeds of operation, after necessary expenses of operation, inure to the benefit of any individual or any entity that is not itself a Charitable Organization as defined in this ordinance, or (2) any net proceeds of operation, after necessary expenses of operation, are used for a purpose other than a Charitable Purpose as defined in this ordinance. Excess benefits or compensation in any form beyond fair market value to a sponsor, organizer, officer, director, trustee or person with ultimate control of the organization shall not be deemed a necessary expense of operation.

**Sec. 7. False Application Unlawful.**

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of, any false information with respect to the license or tax required by this ordinance.

**Sec. 8. Display and Transfer.**

A. All persons shall display the license issued to them on the original form provided by the License Official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person or in a vehicle used in the business readily available for inspection by any authorized agent of the Municipality.

B. A change of address must be reported to the License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license, based on old business income.

**Sec. 9. Administration of Article.**

The License Official shall administer the provisions of this article, collect license taxes, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or suspension and revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

**Sec. 10. Inspection and Audits.**

A. For the purpose of enforcing the provisions of this ordinance, the License Official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. In the event an audit or inspection reveals that the licensee has filed false information, the costs of the audit shall be added to the correct license tax and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper amount of license tax shall constitute a separate offense.

B. The License Official shall have the authority to make inspections and conduct audits of businesses within the Municipality to insure compliance with the ordinance. Financial information obtained by inspections and audits shall not be deemed public records, and the License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee, except as authorized by this ordinance, State or Federal law, or proper judicial order. Statistics compiled by classifications are public records.

**Sec. 11. Assessments, Payment under Protest, Appeal.**

A. If a person fails to obtain a business license or to furnish the information required by this ordinance or the License Official, the License Official shall examine such records of the business or any other available records as may be appropriate, and conduct such investigations and statistical surveys as the License Official may deem appropriate to assess a license tax and penalties as provided herein.

B. A notice of assessment shall be served by certified mail or personal service. An application for adjustment of the assessment may be made to the License Official within five (5) days after the notice is mailed or personally served or the assessment will become final. The License Official shall establish a uniform procedure for hearing an application for adjustment of assessment and issuing a notice of final assessment.

C. A final assessment may be appealed to the Council only by payment in full of the assessment under protest within five (5) days and the filing of written notice of appeal within ten (10) days after payment pursuant to the provisions of this ordinance relating to appeals to Council.

**Sec. 12. Delinquent License Taxes, Partial Payment.**

A. For non-payment of all or any part of the correct license tax, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid tax for each month or portion thereof after the due date until paid. Penalties shall not be waived. If any license tax remains unpaid for sixty (60) days after its due date, the License Official shall report it to the municipal attorney for appropriate legal action.

B. Partial payment may be accepted by the License Official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

**Sec. 13. Notices.**

The License Official may, but shall not be required to, mail written notices that license taxes are due. If notices are not mailed, there shall be published a notice of the due date in a newspaper of general circulation within the municipality three (3) times prior to the due date in each year. Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax due or grounds for waiver of penalties.

**Sec. 14. Denial of License.**

The License Official shall deny a license to an applicant when the License Official determines:

A. The application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact; or

B. The activity for which a license is sought is unlawful or constitutes a public nuisance per se or per accidens; or

C. The applicant, Licensee or prior Licensee or the person in control of the business has been convicted, within the previous ten years, of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods; or

D. The applicant, Licensee or prior Licensee or the person in control of the business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the Municipality or in another jurisdiction; or

E. The applicant, Licensee or prior Licensee or the person in control of the business is delinquent in the payment to the Municipality of any tax or fee; or

F. The license for the business or for a similar business of the Licensee in the Municipality or another jurisdiction has been denied, suspended or revoked in the previous license year.

A decision of the License Official shall be subject to appeal to Council as herein provided. Denial shall be written with reasons stated.

**Sec. 15. Suspension or Revocation of License.**

When the License Official determines:

A. A license has been mistakenly or improperly issued or issued contrary to law; or

B. A Licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or

C. A Licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or

D. A Licensee has been convicted, within the previous ten years, of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods; or

E. A Licensee has engaged in an unlawful activity or nuisance related to the business;  
or

F. A Licensee is delinquent in the payment to the Municipality of any tax or fee,

the License Official shall give written notice to the Licensee or the person in control of the business within the Municipality by personal service or certified mail that the license is suspended pending a hearing before Council for the purpose of determining whether the license should be revoked.

The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Council meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

**Sec. 16. Appeals to Council.**

A. Any person aggrieved by a decision, final assessment, proposed revocation, suspension, or a denial of a business license by the License Official may appeal the decision to the Council by written request stating the reasons therefore, filed with the License Official within ten (10) days after service by mail or personal service of the notice of decision, final assessment, proposed revocation, suspension or denial.

B. An appeal or a hearing on proposed revocation shall be held by the Council within thirty (30) days after receipt of a request for appeal or service of notice of suspension at a regular or special meeting of which the applicant or licensee has been given written notice, unless continued by agreement. At the hearing, all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by Council shall govern the hearing. Council shall by majority vote of members present render a written decision based on findings of fact and application of the standards herein which shall be served upon all parties or their representatives and shall be the final decision of the Municipality.

**Sec. 17. Consent, franchise or license required for use of streets.**

A. It shall be unlawful for any person to construct, install, maintain or operate in, on, above or under any street or public place under control of the municipality any line, pipe, cable, pole, structure or facility for utilities, communications, cablevision or other purposes without a consent agreement or franchise agreement issued by the Council by ordinance that prescribes the term, fees and conditions for use.

B. The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license taxes unless specifically provided by the franchise or consent agreement.

**Sec. 18. Confidentiality.**

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required

under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

**Sec. 19. Violations.**

Any person violating any provision of this ordinance shall be deemed guilty of an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

**Sec. 20. Severability.**

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

**Sec. 21. Classification and Rates.**

A. The classifications of businesses included in each rate class are listed with United States North American Industry Classification System (NAICS) codes, by sector, sub-sector, group or industry. The Business License Class Schedule (Appendix B) is a tool for classification and not a limitation on businesses subject to a license tax. The business classification, pursuant to the most recent version of the Business License Class Schedule adopted by the council, most specifically identifying the subject business, shall be applied to the business. The License Official shall have the authority to make the determination of the business classification most specifically applicable to a subject business...

B. The license tax for each class of businesses subject to this ordinance shall be computed in accordance with the current Business License Rate Schedule, designated as Appendix A to this ordinance, which may be amended from time to time by the Council. A copy of the Class Schedule and Rate Schedule shall be filed in the office of the municipal clerk.

**APPENDIX A**  
**RATE SCHEDULE**

<u>RATE CLASS</u>	<u>INCOME: \$0 - \$2,000</u> <u>BASE RATE</u>	<u>INCOME OVER \$2,000</u> <u>Rate per Thousand or fraction thereof</u>
1	\$ 25.00	\$ 1.10
2	\$ 30.00	\$ 1.25
3	\$ 35.00	\$ 1.40
4	\$ 40.00	\$ 1.55
5	\$ 45.00	\$ 1.70
6	\$ 50.00	\$ 1.85
7	\$ 55.00	\$ 2.00
8.1	\$ 25.00	\$ 1.10
8.2	\$ set by State statute	
8.3	MASC Telecommunications	
8.41	\$ 200.00	\$ 1.60
8.42	\$ 50.00	\$ 1.60
8.5	\$ 25.00	\$ 1.10
8.61	\$ 100.00	\$ 1.60
8.62	\$ 50.00	\$ 1.60
8.7	MASC Insurance	
8.81	\$12.50 + \$12.50 per machine	
8.82	\$ 25.00	\$ 1.60
8.83	\$12.50 + \$12.50 per machine	
8.91	\$ 100.00	\$ 5.10
8.92	\$ 100.00	\$ 2.10
8.93	\$ 50.00	\$ 1.25
8.10	\$ 50.00 + \$5.00 per table	\$ 1.30

**NON-RESIDENT RATES**

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the municipality.



**CLASS 8 RATES**

Each NAICS Number designates a separate sub-classification. The businesses in this section are treated as separate and individual subclasses due to provisions of State law, regulatory requirements, service burdens, tax equalization considerations, etc., which are deemed to be sufficient to require individually determined rates. Non-resident rates do not apply except where indicated.

- 8.1 NAICS 230000 - Contractors, Construction, All Types** [Non-resident rates apply]  
Having permanent place of business within the municipality  
Minimum on first \$2,000.....\$25.00  
PLUS Each additional 1,000.....\$1.10

A trailer at the construction site or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

The total tax for the full amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base tax shall be paid in a license year.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job. No deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Official a list of sub-contractors furnishing labor or materials for each project.

- 8.2 NAICS 482 - Railroad Companies** – (See S.C. Code § 12-23-210)

- 8.3 NAICS 517311, 517312 - Telephone Companies:**

A. Notwithstanding any other provisions of the Business License Ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by amendment. The business license tax year shall begin on January 1 of each year. Declining rates shall not apply.

- B. In conformity with S.C. Code Section 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.
- C. The business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.
- D. The delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.
- E. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.
- F. Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31, 2003.
- G. All fees collected under such a franchise or contractual agreement expiring after December 31, 2003, shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.
- H. As authorized by S. C. Code Section 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code Section 58-9-2200 shall continue in effect.

**8.41 NAICS 423930 - Junk or Scrap Dealers [Non-resident rates apply]**

Minimum on first \$2,000 .....\$200.00  
 PLUS Per \$1,000, or fraction, over \$2,000  
 .....\$1.60

**8.42 NAICS 522298 - Pawn Brokers - All Types**

Minimum on first \$2,000 .....  
 \$50.00 PLUS Per \$1,000, or fraction, over \$2,000  
 .....\$ 1.60

**8.5 NAICS 4411, 4412 - Automotive, Motor Vehicles, Boats, Farm Machinery or Retail**

(except auto supply stores - see 4413)

Minimum on first \$2,000

.....\$25.00 PLUS Per \$1,000, or  
fraction, over \$2,000 .....\$1.10

One sales lot not more than 400 feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership.

Gross receipts for this classification shall include value of trade-ins. Dealer transfers or internal repairs on resale items shall not be included in gross income.

**NAICS 454390 - Peddlers, Solicitors, Canvassers, Door-To-Door Sales**

direct retail sales of merchandise. [Non-resident rates apply]

**8.61 Regular activities [more than two sale periods of more than three days each per year]  
Minimum on first \$2,000**

.....\$100.00 PLUS Per \$1,000, or  
fraction, over \$2,000.....\$ 1.60

**8.62 Seasonal activities [not more than two sale periods of not more than three days each  
year, separate license required for each sale period]  
Minimum on first \$2,000**

.....\$50.00 PLUS Per \$1,000, or  
fraction, over \$2,000.....\$ 1.60

Applicant for a license to sell on private property must provide written authorization from the property owner to use the intended location.

**8.7 NAICS 5241 - Insurance Companies:**

Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition, "gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall

constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Gross premiums shall include all business conducted in the prior calendar year.

Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Declining rates shall not apply.

**NAICS 52411 - Life, Health and Accident** ..... 0.75% of Gross Premiums

**NAICS 524126 - Fire and Casualty**..... 2% of Gross Premiums

**NAICS 524127 - Title Insurance** ..... 2% of Gross Premiums

Notwithstanding any other provisions of this ordinance, license taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

Any exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

Pursuant to S.C. Code Ann. §§ 38-45-10 and 38-45-60, the Municipal Association of South Carolina, by agreement with the municipality, is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The agreement with the Association for administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300.

[The South Carolina General Assembly, in order to ensure consistency with the federal Non-admitted and Reinsurance Reform Act of 2010 ("NRRA"), ratified an act (Rat# 283) on June 28, 2012, amending S.C. Code §§ 38-7-16 and 38-45-10 through 38-45-195. The act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax. The act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums.]

**NAICS 713120 - Amusement Machines, coin operated (except gambling) -**

Music machines, juke boxes, kiddy rides, video games, pin tables with levers, and other amusement machines with or without free play feature licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(1) and (A)(2) – [Type I and Type II]

**8.81 Operator of machine**

.....\$12.50/machine  
PLUS.....\$12.50 business  
license  
for operation of all machines (not on gross income).[§12-21-2746]

**8.82 Distributor selling or leasing machines**

(not licensed by the State as an operator pursuant to §12-21-2728) - [Nonresident rates apply.]  
Minimum on first \$2,000 .....  
\$25.00  
PLUS Per \$1,000, or fraction, over \$2,000.....\$1.60

**NAICS 713290 - Amusement Machines, coin operated, non-payout**

Amusement machines of the non-payout type or in-line pin game licensed by SC Department of Revenue pursuant to S.C. Code §12-21-2720(A)(3) [Type III]

**8.83 Operator of machine**

.....\$12.50/machine  
PLUS.....\$12.50 business  
license  
for operation of all machines (not on gross income). [§12-21-2720(B)]

**8.82 Distributor selling or leasing machines (not licensed by the State as an operator pursuant to §12-21-2728) - [Nonresident rates apply.] –**

Minimum on first \$2,000 .....  
\$25.00  
PLUS Per \$1,000, or fraction, over \$2,000.....\$1.60

**8.91 NAICS 713290 - Bingo halls, parlors –**

Minimum on first \$2,000 .....  
\$100.00  
PLUS Per \$1,000, or fraction, over \$2,000.....\$5.10

**8.92 NAICS 711190 - Carnivals and Circuses -**

Minimum on first \$2,000 .....  
\$100.00  
PLUS Per \$1,000, or fraction, over \$2,000.....\$2.10

**8.93** NAICS 722410 - Drinking Places, bars, lounges, cabarets (Alcoholic beverages consumed on premises)  
 Minimum on first \$2,000 .....  
 \$50.00  
 PLUS Per \$1,000, or fraction, over \$2,000.....\$1.25

License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

**8.10** NAICS 713990 - Billiard or Pool Rooms, all types ..... \$5.00 or \$12 per table  
 Minimum on first \$2,000 .....  
 \$50.00  
 PLUS Per \$1,000, or fraction, over \$2,000.....\$1.30

NAICS 22112 - Electric Power Distribution ..... See Consent or Franchise

NAICS 22121 – Natural Gas Distribution ..... See Consent or Franchise

NAICS 517110 – Television: Cable or Pay  
 Services using public streets.....See Franchise

- II. The NAICS Numerical Index is an attachment to this ordinance and incorporated herein.
- III. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- IV. This Ordinance shall become effective immediately upon its adoption on second reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

\_\_\_\_\_  
 Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
 Sharon Lamar, City Clerk

# ATTACHMENT #13

RESOLUTION NO. 2020-52  
NAMING THE AMPHITHEATER IN RIVERSIDE VILLAGE AS  
THE SHARON JONES AMPHITHEATER

WHEREAS, the late, great singer Sharon Jones lived her early years in North Augusta, as a child first displayed her singing talent in a North Augusta Baptist Church Christmas play as a singing angel; and became a resident of North Augusta in her final years; and

WHEREAS, Sharon Jones' extraordinary talent was finally recognized at age 40 while singing professionally in the New York City area; and

WHEREAS, Sharon Jones was the lead singer for the soul band, the Dap-Kings, for 20 years; and

WHEREAS, Sharon Jones and the Dap-Kings sparked the soul music revival, defined the sound of modern soul, and received a Grammy nomination for their album *Give the People What They Want*; and

WHEREAS, Sharon was widely acclaimed as the "Female James Brown," and her dynamic performances and sensational albums made her a fan favorite around the world; and

WHEREAS, Sharon's battle with pancreatic cancer, which ultimately took her life in 2016 at age 60, was the subject of the inspirational 2016 documentary, "*Miss Sharon Jones!*"; by the two-time Academy Award winning filmmaker Barbara Kopple; and

WHEREAS, the amphitheater in Riverside Village was envisioned as a venue for vocal and instrumental concerts by local and national performers.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, the Riverside Village Amphitheater shall be named the "Sharon Jones Amphitheater," and

BE IT FURTHER RESOLVED that the City Administrator is directed to have appropriate signage designed, manufactured, and erected identifying the amphitheater as the "Sharon Jones Amphitheater" and to prepare one or more plaques highlighting the life, career and accomplishments of Sharon Jones and prominently display same at an appropriate location(s), and;

BE IT FURTHER RESOLVED funding for the above signage and plaques shall come from the Capital Projects Fund.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF NOVEMBER, 2020.

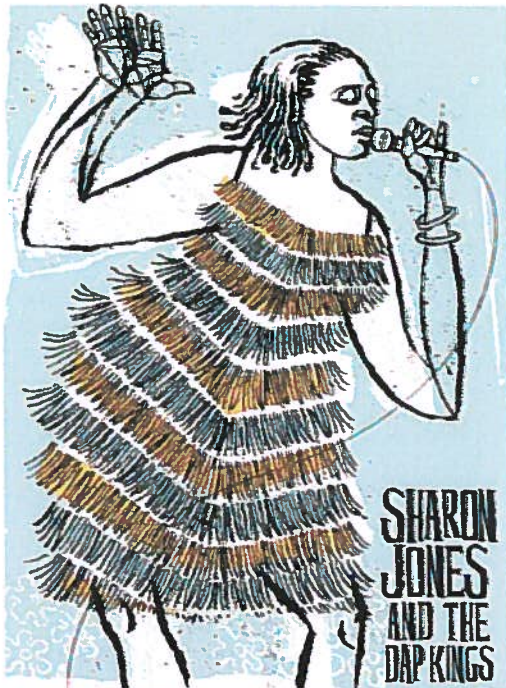
\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

\_\_\_\_\_  
Sharon Lamar, City Clerk



# NORTH AUGUSTA'S SHARON JONES AS THE WORLD SAW HER



OR PRODUCTIONS PRESENTS MARCH 12, 2011 THE IMPERIAL THEATRE AUGUSTA, GA

