



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
September 20, 2016

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE,
PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION**

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

WORKSESSION - City Hall Planning Conference Room, 1st Floor - 5:00 PM

I. CALL TO ORDER

II. PRESENTATION

- A. Boundary Street Update as of June 30, 2016

III. DISCUSSION ITEMS

- A. Horse Carriage Rotation Slots Minimum Bid
- B. Final Draft of Proposed Food Vendor Ordinance

IV. ADJOURN



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/16/2016
FROM: Kathy Todd
AGENDA ITEM
TITLE: Boundary Street Update as of June 30, 2016
MEETING DATE: 9/20/2016
DEPARTMENT: Finance

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR: Discussion

REMARKS:

Presentation will given by Rob McFee, Beaufort County Engineer, on Boundary Street. Financial information reported in the presentation is as of June 30, 2016. This presentation was given to the Public Facilities Committee on Monday, September 19, 2016.

ATTACHMENTS:

Description	Type	Upload Date
Boundary Street Presentation	Cover Memo	9/16/2016

Objectives

- Improve safety and traffic flow
- Underground utility network
- Promote redevelopment
- Balance vehicle / pedestrian use
- Create a landmark entrance
- Expand interconnectivity

Boundary Street Project

Contractor:

Preferred Materials, Inc.,
Savannah, Georgia

Original Contract Amount:	\$18,765,274
Approved Change Order #1-5	46,319
Revised Contract Amount:	<u>\$18,811,593</u>

Boundary Street Project

Pending Change Orders:
None

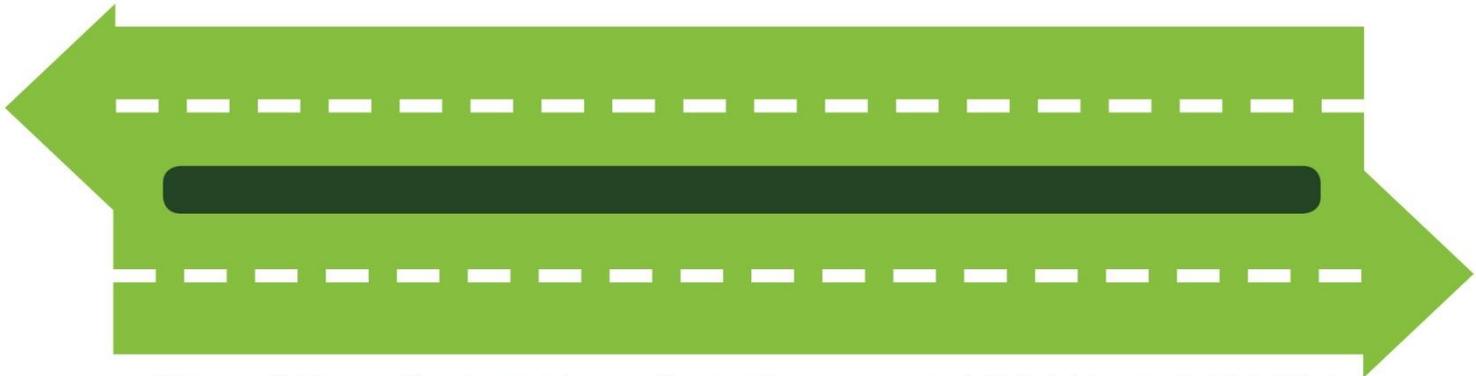
Boundary Street Project Funding Sources

Federal TIGER Grant	\$ 12,635,000
County 2006 Sales Tax	11,346,115
City of Beaufort TIF II	8,223,000
County Road Impact Fees	<u>1,369,243</u>
Total Project Revenue	<u><u>\$ 33,573,358</u></u>

Financial Update as of 6/30/2016

	Actual Expenditures	Encumbered	Total
<u>Beaufort County</u>			
Boundary Street	\$ 9,356,569	\$ 13,351,384	\$ 22,707,953
Parallel Road (First Street)	<u>3,121,916</u>	<u>3,582,971</u>	<u>6,704,887</u>
Subtotal	<u><u>\$ 12,478,484</u></u>	<u><u>\$ 16,934,356</u></u>	<u><u>\$ 29,412,840</u></u>
<u>City of Beaufort</u>			
Boundary Street	\$ 177,801	\$ 3,446,841	\$ 3,624,642
Parallel Road (First Street)	<u>244,696</u>	<u>291,181</u>	<u>535,876</u>
Subtotal	<u><u>\$ 422,496</u></u>	<u><u>\$ 3,738,022</u></u>	<u><u>\$ 4,160,518</u></u>
Grand Total	<u><u>\$ 12,900,980</u></u>	<u><u>\$ 20,672,377</u></u>	<u><u>\$ 33,573,358</u></u>

BoundaryStreetUpdate.com



City of Beaufort ■ Beaufort County ■ FHWA ■ SCDOT

Boundary Street Project Site work



Coordination with
Utilities

Boundary Street Project Site work



Duct bank work

Boundary Street Project Site work



SC170/HWY21
Realignment



Boundary Street Project Site work



Boundary Street
Lane Shift



Boundary Street Project Site work



Nighttime Work



Boundary Street Project Site work



Battery Saxton





CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/16/2016
FROM: William Prokop, City Manager
AGENDA ITEM
TITLE: Horse Carriage Rotation Slots Minimum Bid
MEETING DATE: 9/20/2016
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

By way of City Ordinance Section 7-11069 (b), City Council determines the minimum bid amount for the Horse Carriage Slots (2). The Request for Bids is going out October 3, 2016. The current slot rotation fees are scheduled to expire December 31, 2016. The slot fees are for 5 years.

PLACED ON AGENDA FOR: Discussion

REMARKS:



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/16/2016
FROM: William Prokop, City Manager
AGENDA ITEM
TITLE: Final Draft of Proposed Food Vendor Ordinance
MEETING DATE: 9/20/2016
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Final Draft Proposal. This item has been discussed in Worksession 8-23 and 9-13-16. Final Draft to include Councils recommended changes/inclusions.

PLACED ON AGENDA FOR: Discussion

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Final Draft	Backup Material	9/16/2016

City of Beaufort

Food Vendor Program Ordinance

September 2016

1. INTENT

The Purpose of this program is to provide standards for mobile food vendors while balancing the interests of public health, safety, and overall community well-being.

2. LICENSE REQUIRED

- (A) Unless otherwise exempted, every vendor or food truck vendor, before commencing business within the City of Beaufort, shall make application in writing and under oath to the Business License Department.
- (B) It shall be unlawful for any vendor to engage in business within the City of Beaufort except when licensed as a stationary or mobile vendor or food truck vendor.
- (C) A separate license shall be required for each vendor and for each vehicle or other conveyance engaged by a mobile vendor or food truck vendor.

3. VENDOR STANDARDS

All vendors licensed under this section shall conform to the following standards:

- (A) A vendor must be 18 years or older.
- (B) No vendor shall be licensed for a location in a Residential Zoned Districts (T3 and T4-HN - new code) R-1, R-2, R-3, R-4, and GR Districts (current 2016 code).
- (C) No, vehicle, other conveyance or temporary stand shall be a minimum of 200 feet separation from any residential use or residential zoning district. The distance shall be measured as the shortest distance between the nearest point of the vending facility to the closest residential property line or district. The limitation shall not apply to or within the boundaries of the City of Beaufort permitted community event.
- (D) No vehicle, other conveyance or temporary stand shall be located closer than 10 feet from any building or structure on the licensed property or adjoining property.
- (E) No vehicle, other conveyance or temporary stand shall locate closer than 50 feet from flammable combustible liquid or gas storage and dispensing structures.
- (F) No vehicle, other conveyance or temporary stand shall locate closer than 200 feet of a City of Beaufort permitted community event without the written permission of the event organizers.

- (G) No vendor shall locate his or her vehicle, other conveyance, or temporary stand within 20 feet of any public right-of-way or within 20 feet of the intersection of any public right-of-way and private driveway.
- (H) No signs or signage shall be permitted other than that which can be contained on the vehicle, conveyance or temporary stand utilized to sell food or merchandise.
- (I) No vendor shall utilize music or other noise in the sale of goods or services, which music or noise may be considered to be unreasonably loud, harsh or excessive and in violation of City Ordinance.
- (J) No vendor shall obstruct or cause to be obstructed the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where vending items are being sold or offered for sale.
- (K) All lighting must be permanently or semi-permanently affixed to the vending facility. No lighting shall be permitted to shine on or into any public right-of-way or other private property, or cause any glare that could be considered a public hazard, nuisance or distraction to vehicular movement, neighboring business operations, or residential uses. No flashing or strobe lighting shall be permitted.
- (L) All vendors shall place at least one 30-gallon garbage receptacle upon site of business for customer use.
- (M) All merchandise, goods, wares or food shall only be displayed or offered for sale from the vendor's vehicle, other conveyance or temporary stand.
- (N) All vehicles, other conveyance or temporary stands shall be equipped with at least one 2A 40 BC fire extinguisher. If cooking operations produces grease-laden vapors, a Type I Hood System with Fire Suppression must be installed. This system must be inspected annually by a SC licensed company.
- (O) At the conclusion of business activities, the vendor shall clean all debris, trash and litter generated by the vendor's business activities.
- (P) No portion of a vendor's inventory, sales equipment, or any other structure or equipment used in the sales or solicitation process shall be left overnight upon any unenclosed portion of any lot or site within the City of Beaufort.

4. HEALTH REGULATION

All vendors or food truck vendors selling food and/or drinks which are not prepackaged shall obtain all necessary County and State Health permits before a license will be issued and shall comply with all laws, rules and regulations regarding food handling, and all vehicles used for the sale of food shall comply with all the laws, rules and regulations respecting such vehicles as established by the State of South Carolina.

5. VENDING PERMIT APPLICATION PROCESS

The Business License staff will review applications for completion and no application will be accepted unless deemed complete. All procedures for obtaining a business license will be followed for applications and enforcement of vending permits.

PROGRAM FEES

- (A) All vendors must submit the appropriate food vendor program fee as outlined below.
- (B) The full annual program fee is due upon acceptance into the City of Beaufort Food Vendor Program. If a vendor chooses to withdraw from the program, the annual fee is forfeited.
- (C) **The business license fee is a separate fee and cannot be refunded.**

RULES AND REGULATIONS

- (A) Allowable vehicles include enclosed trucks and trailers for parking spaces in which service is provided to customers through the side of the vehicle at the sidewalk only. Canteen trucks that require or encourage standing in the street or behind the vehicle are not allowed.
- (B) Trucks or trailers must be sized to fit into the parking spaces.
- (C) Vending at designated public food truck zones will be allowed at the times listed below. No vending operations shall take place outside the hours noted.
 - 500 Carteret Street and Bladen Parking area locations daily, 8am to 3pm only
 - No vending is allowed on Bay Street, West Street, and Scott Street or in the “Point” area of the City or is on Private property unless approved by City Council.
 - All other food trucks zones as approved by Planning and Zoning regulations:

Sunday	8:00am – 12:00am
Monday-Thursday	8:00am – 12:00am
Friday	8:00am – 12:00am
Saturday	8:00am – 2:00am

- (D) Vending Private Property – A written agreement from the property owner/manager with regard to the time(s) and location of the use for the premises must be provided with the application.
- (E) All sales must be made directly from the licensed unit.
- (F) If any area is closed for an emergency or other permitted activity, no vendors will be allowed to set up. Areas will be monitored for compliance and any violations could result

in a permit being suspended or revoked. The Division of Parking will notify participants in the program and any planned special event that would close the area.

- (G) The entire operation must be fully mobile. For trucks/trailers, coolers may not be placed on the ground, nor any tables and chairs provided for customers. Generators must be attached to the mobile unit and should be whisper or quiet generators are required that produce no more than 75 decibels (dB). No extension cords shall be used to supply vendor with power from any other electrical source on site.
- (H) Fees are subject to change with City Manager approval.
- (I) Prohibited items:
 - Radio or sound-amplifying devices;
 - Flashing signs or signs that move or give the appearance of moving
 - Sign, menu board, tables, chairs, waste receptacle or other objects in the roadway, or sidewalk;
 - The sales of merchandise or any other article other than food;
 - Water, sewer, gas or electrical connections to a building;
 - Participants must ensure that no pollutants, including waste/grease, liquid wastes, gray water garbage/debris, and other materials are discharged to the City's storm drain system (including gutters, curbs, and storm drain).
- (J) A waste receptacle shall be provided for the use of customers. Trash must be removed from the site by the vendor. Use of City waste receptacles is prohibited. Participants are required to pick up, remove and dispose of all garbage, refuse or litter consisting of foodstuffs, wrappers, and/or materials dispensed from the vending vehicle and any residue deposited on the street from the operation thereof, and otherwise maintain in a clean and debris-free condition the entire area within a 25-foot radius of the location where mobile food vending is occurring.
- (K) The vendor shall secure and maintain a policy of automobile liability insurance coverage issued by a company authorized to do business in the State of South Carolina in the amount of at least \$1,000,000 for injury to or death of any person or persons in any one incident and \$1,00,000 for property damage, and the policy shall list the City of Beaufort as an additional insured.

REVOCATION OR SUSPENSION

The participant may be removed from the Program at the discretion of the City Manager in the event that:

- The use of conditions under which the truck, trailer, is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity;
- The property is operated or maintained so as to constitute a nuisance;
- The use is operated in violation of the conditions of the program; or
- Any other violation of applicable law.

- And will be subject to a fine of \$100.00 and loss of permit.

RENEWAL PROCESS

Vendor license expire on December 31st of each year with annual renewals subject to administrative review, modification (if necessary) and approval.

ASSOCIATED FEES

2017 Fees	Food Trucks/Trailers
Annual Food Vendor Program Fee and Annual Fire Inspection Fee (per vehicle)	\$200

6. DEFINITIONS

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Mobile food vendor: means any person selling food from a mobile unit.

Mobile food unit: means a self-contained, vehicle-mounted food service unit that returns daily to its base operations as approved by DHEC and is used for either the preparation or the sales of food products, or both. This does not include mopeds.

Food trailer: means enclosed attached or detached trailer that is equipped with facilities for preparing, cooking and selling various types of food products.

Food truck: means an enclosed motor vehicle equipped with facilities for preparing, cooking and selling various types of food products.

Ice cream truck: means motor vehicle containing a freezer and from which a vendor sells frozen prepackaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water, etc.

Mobile food pushcart: means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the department of motor vehicles, used for displaying, storing or transporting of articles offered for sale by a vendor, and which does not exceed four feet in width, six feet in length, and five feet in height, excluding canopy or cover.

Prepackage food truck: means an enclosed motor vehicle equipped to sell various types of prepackage food products.

Snow cone/ice truck: means motor vehicle containing a freezer and from which a vendor sells prepared frozen foods such as flavored ice, etc.

7. PROGRAM COMPLIANCE

I understand and will abide by these Policies and Procedures for Food Vendor Program. I further understand that should I commit any violation of this policy, my participation in this program may be revoked.

Signature

Date

DRAFT