



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
September 13, 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. EMPLOYEE NEW HIRE RECOGNITION

- A. Neal Pugliese, Senior Project Manager - City Manager's Office

III. DISCUSSION ITEMS

- A. Palmetto Pride Project Update
- B. Continued Discussion Regarding Food Trucks

IV. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, and Section 70 (a) of the South Carolina Code of Law: Discussion Regarding Legal Matters Related to Burton Fire District and Discussion Regarding Appointments to Boards and Commissions, Tourism Development Advisory Committee

V. ADJOURN



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/9/2016
FROM: William Prokop, City Manager
AGENDA ITEM
TITLE: Neal Pugliese, Senior Project Manager - City Manager's Office
MEETING DATE: 9/13/2016
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Mr. Pugliese is a newly retired Colonel from the USMC. His Last assignment was Director of Operations at USMC Recruit Depot - Parris Island, SC. He brings a vast knowledge in operations and project management.

PLACED ON AGENDA FOR:

REMARKS:



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/8/2016
FROM: Liza Hill
AGENDA ITEM
TITLE: Palmetto Pride Project Update
MEETING DATE: 9/13/2016
DEPARTMENT: Planning

BACKGROUND INFORMATION:

Update from the Depot Road Beautification Committee on grant received.

PLACED ON AGENDA FOR: Discussion

REMARKS:



CITY OF BEAUFORT
DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 9/8/2016
FROM: William Prokop, City Manager
AGENDA ITEM
TITLE: Continued Discussion Regarding Food Trucks
MEETING DATE: 9/13/2016
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Originally discussed in Worksession on 8-23-16. City Manager has put a draft proposal together for continued discussion. Also obtained copies of Horry County and the Town of Port Royal on how they administer Food Vendor/Trucks

PLACED ON AGENDA FOR: Discussion

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
CM's Draft Proposal	Backup Material	9/8/2016
Horry County Food Truck Ordinance - Reference ONLY	Backup Material	9/8/2016
Town of Port Royal Peddler License Ordinance - Reference ONLY	Backup Material	9/8/2016

City of Beaufort

Food Vendor Program

Mobile Food Unit Vendor: A stationary vendor who conducts business from a food establishment on wheels or is otherwise mobile.

1. LICENSE REQUIRED

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

2. PEDDLER/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)
- (C) No, vehicle, other conveyance or temporary stand shall be closer than 200 feet from any other vending operation, and there 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 20 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) Vending operations shall provide a minimum of two parking spaces. If enough parking cannot be provided, the use may not be located on this site.
- (H) 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.
- (I) 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.
- (J) 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.
- (K) 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.
- (L) 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.
- (M) All vendors shall place at least one 30-gallon garbage receptacle upon site of business for customer use.
- (N) All merchandise, goods, wares or food shall only be displayed or offered for sale from the vendor's vehicle, other conveyance or temporary stand.
- (O) All vehicles, other conveyance or temporary stands shall be equipped with at least one 2A-40 BC fire extinguisher.
- (P) At the conclusion of business activities, the vendor shall clean all debris, trash and litter generated by the vendor's business activities.
- (Q) 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.

3. HEALTH REGULATION

All vendors or peddlers 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.

4. VENDING PERMIT APPLICATION PROCESS

Staff will review applications for completion and no application will be accepted unless deemed complete.

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. Fees for the fire inspection are also annual fees and will not be refunded.
- (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) Mobile food vendors are required to maintain minimum standards for continued participation in the program. Standards include, but are not limited to, the following:
 - Floors, walls, ceiling and food contact surfaces must be easily cleanable (i.e. stainless steel, aluminum or other approved non-corrosive and non-rusting metal)
 - Surfaces must be waterproof, smooth, readily cleanable, and resistant to dents and scratches
 - All outer openings must be screened and/or sealed when not operating
 - Serving areas on top of carts and trucks serving windows may be made of whatever materials is appropriate for food preparation: metal, tile, synthetic countertop, etc.
 - There should be no structural defects (i.e. holes, openings, rust, seams or broken parts)
 - Business name should be affixed to the back or side of the operation and clearly visible to customers.

- (C) Trucks or trailers must be sized to fit into the parking spaces. Spaces dimensions are typically 8'X22'.
- (D) Only two permitted vendor will be allowed to vend at each designated public space at any time. Subleasing is not permitted. The permit covers only the vehicle on file. If a secondary or alternate vehicle is used for the business, it must also carry an updated fire inspection decal after being inspected and approved by the Fire Marshall's Office.
- (E) Vending at designated 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 Mon.-Fri., 10am to 3pm only
 - No vending is allowed on Bay Street, West Street, and Scott Street or in the "Point" area of the City
 - 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

- (F) Carteret Street and Bladen Parking locations are regulated by the lunch meal time only which is designated from 10am to 2pm, Monday through Friday. This timeframe includes an hour for set-up and with lunch being served from 11am to 2pm.
- (G) All sales must be made directly from the licensed unit.
- (H) Mobile food trucks/trailers must park in the same direction as traffic.
- (I) 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.
- (J) 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).
- (K) Fees are subject to change with City Manager approval.
- (L) 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, sidewalk or ground;

- 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).

(M) 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.

(N) 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

- (A) 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.

RENEWAL PROCESS

(A) Vendor license expire on June 30th of each year with annual renewals subject to administrative review, modification (if necessary) and approval.

ASSOCIATED FEES

2016 Potential Fees	Food Trucks/Trailers
Annual Food Vendor Program Fee	\$300
Annual Fire Inspection Fee (per vehicle)	<u>\$50</u>
Total	\$350

DRAFT

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

Horry County Food Vending Ordinance

This is for reference only

521. - Food Vending.

Intent: The purpose of this ordinance is to provide standards for mobile food vendors while balancing the interests of public health, safety, and overall community wellbeing.

521.1 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 of operations as approved by DHEC and is used for either the preparation or the sale of food products, or both. This does not include mopeds.

Food trailer: means an 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 the 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.

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

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

521.2 General Requirements

(A) Mobile food units (with the exception of ice cream trucks) may be allowed as a conditional use in the following zones: HC, NC, CC, TRS, RCS, RE-1, RE-2, RE-3, RE-4, EIO, PA1, OPI, PR-1, PR-2, MA-1, MA-2, MA-3, MI, LI, HI, AC, AM1, AM2, and commercial areas of PUD/PDD provided they meet the following requirements:

1. The mobile food unit meets a 25' front setback. If adjacent to a residential area, then the mobile food unit must meet the side and rear setback requirements of its underlying zoning district;
2. There is a principal structure and/or business on site; the mobile food units are located on a parcel with no less than a improved dust-free surface thirty (30) feet driveway throat length; Ingress, egress, and internal circulation of vehicular traffic shall not create a hazard for traffic on an adjacent street or on the subject parcel; The mobile food unit is not within ten (10) feet of an entranceway to any business open to the public;

3. Only one mobile food unit may be permitted per parcel at a time (unless otherwise permitted in a PUD/PDD). Parcels over 30 acres in size may have up to one mobile food unit per 2 acres. In any case, there shall be no more than 15 mobile food trucks per parcel;
 4. A minimum of two (2) parking spaces must be provided per mobile food unit and maintained in addition to the minimum parking required for the principal business;
 5. No portion of the mobile food unit shall be allowed to occupy or obstruct access to any parking stall, or parking aisle required by the Zoning Ordinance;
 6. The mobile food unit is not located within three hundred (300) feet of the principal public entrance to any food service business not owned by the vendor or property owner, which sells merchandise which is approved for sale in this ordinance (unless the adjacent food service business owner provides a legal affidavit agreeing to a lesser distance). If a restaurant opens within the three-hundred-foot zone after the mobile food vendor has continuously operated his business in the location for at least two (2) years, the mobile food vend or may remain in that location;
 7. The mobile food unit is not located within two hundred (200) feet of the principal public entrance to any PreK-12 educational facility, unless approval from the school exists in writing and is provided upon request;
 8. A letter and/or copy of an official lease agreement from the property owner to vend on the subject parcel and a copy of the property owner's business license must be provided. If applicable, the vendor must provide a copy of the approved county hospitality tax application and a State sales tax number to the Zoning Administrator before a vending permit is issued;
 8. A list of all requested sites, including the property owners and physical addresses. The applicant must submit site plans, to scale, showing all proposed locations of the vending operation on the plans. The Zoning Administrator must find that the proposed operation complies with all applicable provisions of this Section, and that the proposed operation will not adversely affect the traffic accessibility, or health and public safety;
 9. The mobile food unit must obtain an annual zoning compliance;
- (B) Ice cream trucks may be allowed as a conditional use in all zones, provided they meet the following:
1. The unit shall only be stationary for a maximum of 30 minutes per stop and move at least one block before making another stop;
 2. It is unlawful for any ice cream truck to stop on private property without the consent of the property owner.
- (C) Applicants for all mobile food units, including ice cream trucks, must submit the following to receive a Horry County Mobile Food Permit:
1. The applicant's permanent street address and mailing address;
 2. A brief description of the nature of the business and goods to be sold;
 3. SCDHEC Certification, or a letter from SCDHEC stating that certification is not required;
 4. Proof of current license plate and vehicle(s) registration;
 5. Color photographs of the vehicle(s) exterior in sufficient number to provide permitting officials to be familiar with all the exterior views of the mobile food unit;
 6. A maximum of 50 permits (including mobile food units and ice cream trucks) shall be allowed at any given time.

521.3 Duration and Fees (for all mobile food units, including ice cream trucks):

- (A) The fee levied by this ordinance is for the purpose of providing such regulation as may be required by the businesses subject thereto and for the purpose of raising revenue through a privilege tax.

The mobile food permits issued under this ordinance will be valid beginning on date of this ordinance's enactment until April 30 of the ensuing year. In the following years, a permit shall be from May 1 until April 30 of the ensuing year;

(B) The permitting fee for each mobile food unit is \$150.00, which includes review of two vending locations. For any additional location reviews made in conjunction with an initial application, there will be a fee of \$100.00 per location.

(C) The annual permitting fee for each ice cream truck is \$150.00.

521.4 Permitted Merchandise (for all mobile food units, including ice cream trucks):

Mobile food vendors shall be limited to edible and hot and cold beverages containing no alcohol. The selling of non-food or non-drink items shall be limited to merchandise displaying the Mobile Food Vendor company logo and/or branding. No items may be displayed outside of the vehicle.

521.5 Signage (for all mobile food units, including ice cream trucks):

1. No advertising shall be permitted on any mobile food unit except to identify the name of the product or the name of the vendor, and the posting of prices;
2. Electronic or illuminated signs shall not be utilized by vendors while mobile;
3. Temporary off-site signs for the mobile food units shall be prohibited;
4. One on-site sandwich style shall be permitted per mobile food unit, maximum two (2) feet by three (3) feet in size, located within ten (10) feet of the mobile food unit, and must be located outside of all buffers and right-of-ways, unless prohibited by Overlay requirements.

521.6 Prohibited conduct (for all mobile food units, including ice cream trucks):

No vendor shall:

1. Vend on any street or sidewalk where vending is otherwise prohibited;
2. Vend between the hours of 3:00 a.m. through 6:00 a.m.;
3. Leave any mobile food unit unattended;
4. Store, park, or leave any mobile food unit overnight at any vending location;
5. Sell food or beverages for immediate consumption unless there is a litter receptacle and recycling bins available for the patrons' use;
6. Leave any location without first removing and disposing of all trash or refuse remaining from sales made by the vendor;
7. Allow any items relating to the operation of the vending business to be placed anywhere other than within, on, or under, the mobile food unit;
8. Set up, maintain or permit the use of any crate, carton, rack, or any other device to increase the selling or display capacity of the mobile food unit with the exception of one table 3' x 5' in size (subject to site plan approval), and no taller than 4' in height is allowed;
9. Sell anything other than permitted merchandise as detailed in this ordinance;
10. All mobile food units shall abide by the requirements stated in Section 13-32 "Certain Noises Prohibited";
11. Allow the mobile food unit or any other item relating to the permitted vending operation to lean against or hang from any building, utility pole, or other structure.

521.7 Exemptions (for all mobile food units, including ice cream trucks):

The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and which are specifically approved by County Council or as an approved Special Event. This section shall not apply to activities conducted pursuant to a franchise

agreement or other contract with Horry County. Refer to Sections 13-34 "Special Event Permits," Section 14-14 "Commercial Activity Prohibited at Public Boat Landing and Other Property Open to the General Public Owned by Horry County," Section 5-16 "Solicitation and Commercial Activities Prohibited," and Section 5-19 "Vehicles Prohibited."

521.8 Violations (for all mobile food units, including ice cream trucks):

The vendor, property owner/lessee and assigns shall be responsible for any violation of this section or any other sections of the Horry County Code of Ordinances. Such violations may result in the revocation or denial of a Certificate of Zoning Compliance and vending permit, and may also result in the revocation and denial of a Certificate of Zoning Compliance and for any future vending permits. If the mobile food unit receives more than 3 violations, the permit will be revoked for one year.

(Ord. No. 30-10, § 1, 5-18-10; Ord. No. 23-15, § 1, 5-19-15; Ord. No. 87-15, § 1, 1-19-16)

Using as
Reference Only



BIRTHPLACE OF AMERICAN CIVILIZATION

Town of Port Royal South Carolina

Henry Robinson
Mayor

Council

Yvonne C. Butler
Mayor Pro Tem

Samuel E. Murray
Shirley R. Heyward
Mary Beth Heyward

Town Officials

John P. Perry
Town Manager

Cecilia Short
Clerk/Treasurer

Chief G.D. Smith
Dir. Public Safety

Harvey W. Cawthorn
Dir. of Public Works
& Building Official

ORDINANCE 93-8

AN ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES OF THE TOWN OF PORT ROYAL, SOUTH CAROLINA, ENTITLED "OCCUPATIONAL LICENSES AND REGULATIONS"

Sec. 12-4.a Payment of license fee; discount for early payment.

The business license fee levied by this Chapter is due and payable on or before the fifteenth day of April in each year (Sec. 12-4); however, if the owner shall make payment prior to the fifteenth day of February, a five percent (5%) discount of the total monies due is hereby established.

Sec. 12-10.

The reissuance of a business license shall be predicated upon proper documentation that all property taxes are paid for the previous year. Documentation shall be defined as a receipt from the Beaufort County Treasurer's Office for the property, both real and personal, used in the operation of the business.

All issuance of a business license shall be predicated upon a review of the Zoning Ordinance to ensure that such business is in conformance with the Town's comprehensive plan. If it is found not to be in full compliance, withholding of the license is hereby authorized.

Sec. 12-22. Classification Rate Schedules.

The license fee for each class of business shall be computed in accordance with the following rates. The major groups of businesses included in each class are listed with the major group number according to the Standard Industrial Classification Manual (SIC). The license inspector shall determine the proper class for a business according to the SIC.

RE:CHAP-12

***CLASS 8
RATES**

INCOME: 0 - \$2,000

ALL OVER \$2,000
RATE PER THOUSAND
OR FRACTION THEREOF

SIC

15 Contractors, Construction, all types

17 A. Having place of business within the Town:

From work in Town	\$58.00	\$1.81
From work outside of Town	\$116.00	\$3.62

All over \$1,320,000

Declining Rate

B. Itinerant (no place of business within Town or non-resident) Double the above rate for work done in the Town

The total fee for the full amount of the contract shall be paid prior to commencement of each job and shall entitle contractor to complete the job without regard to the normal license expiration date.

No contractor shall be issued a business license until all State and Town 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, and no deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor. When a building permit is applied for, the contractor must furnish the Building Inspector a list, including the name, address and amount or contract, of all sub-contractors and individuals such as craftsmen or artisans, not regularly employed by the contractor, but who are called in to perform work on the job by contract, by day labor, or by the hour and receive pay therefrom. If the sub-contractors or craftsmen are unknown at the time the permit is applied for, the prime contractor shall furnish the Building Inspector with such a list prior to the performance of any work by the sub-contractor or craftsmen. The contractor must also ensure that all subcontractors or craftsmen are licensed by the Town of Port Royal prior to the performance of work by the sub-contractors or craftsmen. Should a contractor or craftsmen employed to perform work who does not have a business license, or should the contractor allow a sub-contractor or craftsmen to begin work without first obtaining a business license, the contractor shall be subject to a fine of not more than \$200.00 or thirty (30) days in jail.

To: Janine

***CLASS 8 (cont'd)**

<u>SIC</u>	<u>RATES</u> <u>INCOME: 0 -- \$2,000</u>	<u>ALL OVER \$2,000</u> <u>RATE PER THOUSAND</u> <u>OR FRACTION THEREOF</u>
40	<u>Railroad Companies:</u>	As Set by State Law
4121	<u>Taxi License</u> On Gross Income.....Rate Class 7 License tag (Regulatory) \$ 25.00 per vehicle. Each replacement tag - \$ 10.00.	
55	<u>Automobile and Motor Vehicle Dealers and Farm Machinery:</u> <u>Retail</u> \$ 17.00 \$.67 Gross receipts for this classification shall include full sales price without deductions for trade-ins.	
5812	<u>(a) Restaurants and Catering</u> \$215.00 \$3.02 <u>Service (with alcoholic beverages and entertainment):</u> Establishments <u>primarily</u> engaged in the <u>retail sale of prepared food</u> for consumption on the premises. The sale of beer, ale, wine, liquor and other alcoholic beverages and providing entertainment other than live theatrical presentations account for a portion of the receipts of these establishments. The sale of prepared food accounts for a major portion of the receipts of these establishments.	
5812	<u>(b) Restaurants and Catering</u> , \$132.00 \$1.32 <u>(with entertainment):</u> Establishments <u>primarily</u> engaged in the <u>retail sale of prepared food</u> . The sale of prepared food accounts for a major portion of the receipts of these establishments. The providing of entertainment accounts for a portion of the receipts of these establishments.	
5813	<u>Drinking Places:</u> \$272.00 \$4.53 <u>(with entertainment):</u> Establishments <u>primarily</u> engaged in the <u>retail sale of drinks</u> , such as beer, ale, wine, liquor, and other alcoholic beverages for consumption on the premises, and engaged in providing entertainment other than live theatrical presentations. The sale of food and the providing of entertainment frequently accounts for a portion of the receipts of these establishments. The sale of alcoholic beverages accounts for a major portion of the receipts of these establishments.	

*CLASS 8 (cont'd.)

	<u>RATES</u>	
	<u>INCOME: 0 -- \$2,000</u>	<u>ALL OVER \$2,000</u> <u>RATE PER THOUSAND</u> <u>OR FRACTION THEREOF</u>
<u>SIC</u>		
5932 <u>Pawn Brokers, All Types</u>	\$161.00	\$3.02

Licensed granted only upon special action of Town Council. Any person operating a pawnshop or pawnbrokerage in the Town shall be required to furnish the Police Department of the Town, daily, a list of all articles placed in pawn, together with the name and social security number of the person pawning same. This information is to be written (or preferably printed) on forms to be supplied for the purpose in a clearly legible manner.

5963 Peddlers, All types \$288.00 \$2.17

Public Property

Peddlers will not be issued a business license to conduct business on public property other than those designated by Town Council.

Private Property

Peddlers applying for a business license for private property must provide the following documentation

1. Written permission from the owner certified by a notary public, to conduct business on private property.
2. Proof the business has filed with the South Carolina Tax Commission.
3. Approval from the South Carolina Health Department where applicable.

63 Insurance Companies

On gross premiums collected through offices or agents located in the Town, where ever the risk is located, or collected on policies written on property or risks located in the Town, where ever the premiums are collected.

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

***CLASS 8 (cont'd.)**

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 the policy or claim constitute doing business within the Town whether or not an office is maintained therein. A premium collected within the Town.

PREMIUMS

631	<u>Life, Health and Accident</u>	\$115.00	\$3.02
632	All Over \$1,320,000.		Declining Rate
633	Insurance companies, fire and		
639	casualty, title and others not elsewhere classified (declining rate applies over \$1,320,000.)		2%
<p>Fire and Casualty -- Non Admitted: On gross premiums collected on policies of companies not licensed in South Carolina, the broker shall collect and remit annually to the Municipal Association of South Carolina, with a copy of the report required by the Insurance Commission showing the location of the risks insured.....2% of gross premiums.</p>			
6512	<u>Leasing/Renting of Non-Residential Buildings</u>		
	Gross Income of \$12,000 or more annually	\$77.00	\$3.42
6513	<u>Leasing/Renting of Residential Buildings</u>		
	Five (5) or more units	\$77.00	\$3.42
6794	<u>Telephone Company</u>		
	Three percent (3.0%) of gross receipts from business done exclusively in the Town, including local telephone service charges, sales, and all other service charges not including long-distance service charges, plus \$100.00 for long-distance connection to the local system.		
7999	<u>Carnivals</u> (per day)	\$230.00	\$6.04
8051	<u>Nursing Home</u>	\$58.00	\$1.32
8059	<u>Convalescent Home</u>	\$58.00	\$1.32

***CLASS 8 (cont'd.)**

Permit Vending Machines

Fee Wholesaler Non-Durable, inside Town only, on gross income.
Only Rate Class 2
5199 Machine permit tag (Regulatory) \$5.00 per machine. Rate will change in accordance with state law; the rate shall be \$5.00 or the maximum allowable under state law, whichever is greater.

7999 **Amusement Machines**

Amusement & Recreation Services on gross income. Rate Class 2.

Administrative Business Office

A business office located in the Town of Port Royal, separated from its primary business operation located outside the Town of Port Royal and performing only basic administrative functions. Fee will be the minimum rate for the first \$2000 of the classification of the type of business.

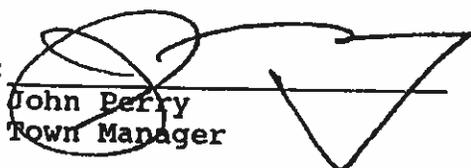
Declining rate applies in all Classes for gross income in excess of \$1,320,000.00.

Compute the amount of percent over the first \$1,320,000. as follows:

<u>AMOUNT (IN MILLIONS)</u> <u>GROSS INCOME</u>	<u>PERCENT OF RATE FOR</u> <u>EACH ADDITIONAL \$1,000</u>
1.32 - 2.32	1.00
2.32 - 3.32	.95
3.32 - 4.32	.89
4.32 - 5.32	.84
5.32 - 6.32	.79
6.32 - 7.32	.74
7.32 - 8.32	.68
8.32 - 9.32	.63
9.32 - 10.32	.53

REQUESTED BY:

BY:


John Perry
Town Manager

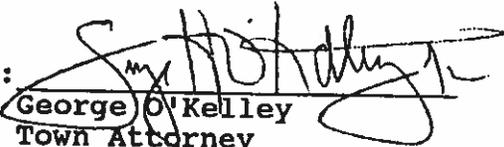
APPROVED BY:

BY:


Henry Robinson
Mayor

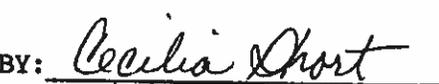
APPROVED AS TO FORM:

BY:


George O'Kelley
Town Attorney

ATTEST:

BY:


Cecilia Short
Clerk/Treasurer

Introduced: May 12, 1993

Final Reading: 8-11-93

RE: CHAP-12