Ex. 1

Title 6 - LOCAL GOVERNMENT—PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS

CHAPTER 31
South Carolina Local Government Development Agreement Act

SECTION 6-31-10. Short title; legislative findings and intent; authorization for development agreements; provisions are supplemental to those extant.

(A) This chapter may be cited as the "South Carolina Local Government Development Agreement Act".

(B)(1) The General Assembly finds: The lack of certainty in the approval of development can result in a waste of economic and land resources, can discourage sound capital improvement planning and financing, can cause the cost of housing and development to escalate, and can discourage commitment to comprehensive planning.

(2) Assurance to a developer that upon receipt of its development permits it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, reduces the economic costs of development, allows for the orderly planning of public facilities and services, and allows for the equitable allocation of the cost of public services.

(3) Because the development approval process involves the expenditure of considerable sums of money, predictability encourages the maximum efficient utilization of resources at the least economic cost to the public.

(4) Public benefits derived from development agreements may include, but are not limited to, affordable housing, design standards, and on and off-site infrastructure and other improvements. These public benefits may be negotiated in return for the vesting of development rights for a specific period.

(5) Land planning and development involve review and action by multiple governmental agencies. The use of development agreements may facilitate the cooperation and coordination of the requirements and needs of the various governmental agencies having jurisdiction over land development.

(6) Development agreements will encourage the vesting of property rights by protecting such rights from the effect of subsequently enacted local legislation or from the effects of changing policies and procedures of local government agencies which may conflict with any term or provision of the development agreement or in any way hinder, restrict, or prevent the development of the project. Development agreements will provide a reasonable certainty as to the lawful requirements that must be met in protecting vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which promote the public safety, health, and general welfare of the citizens of our State.

(C) It is the intent of the General Assembly to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development.

(D) This intent is effected by authorizing the appropriate local governments and agencies to enter into development agreements with developers, subject to the procedures and requirements of this chapter.

(E) This chapter must be regarded as supplemental and additional to the powers conferred upon local governments and other government agencies by other laws and must not be regarded as in derogation of any powers existing on the effective date of this chapter.

HISTORY: 1993 Act No. 150, SECTION 1.

SECTION 6-31-20. Definitions.

As used in this chapter:

(1) "Comprehensive plan" means the master plan adopted pursuant to Sections 6-7-510, et seq., 5-23-490, et seq., or 4-27-600 and the official map adopted pursuant to Section 6-7-1210, et seq.

(2) "Developer" means a person, including a governmental agency or redevelopment authority created pursuant to the provisions of the Military Facilities Redevelopment Law, who intends to undertake any development and who has a legal or equitable interest in the property to be developed.

(3) "Development" means the planning for or carrying out of a building activity or mining operation, the making of a material change in the use or appearance of any structure or property, or the dividing of land into three or more parcels. "Development" as designated in a law or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the planning for or the act of developing or to the result of development. Reference to a specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of this item.

(4) "Development permit" includes a building permit, zoning permit, subdivision approval, rezoning certification, special exception, variance, or any other official action of local government having the effect of permitting the development of property.

(5) "Governing body" means the county council of a county, the city council of a municipality, the governing body of a consolidated political subdivision, or any other chief governing body of a unit of local government, however designated.

(6) "Land development regulations" means ordinances and regulations enacted by the appropriate governing body for the regulation of any aspect of development and includes a local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of property.

(7) "Laws" means all ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies and rules adopted by a local government affecting the development of property and includes laws governing permitted uses of the property, governing density, and governing design, improvement, and construction standards and specifications, except as provided in Section 6-31-140 (A).

(8) "Property" means all real property subject to land use regulation by a local government and includes the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as a part of real property.

(9) "Local government" means any county, municipality, special district, or governmental entity of the State, county, municipality, or region established pursuant to law which exercises regulatory authority over, and grants development permits for land development or which provides public facilities.

(10) "Local planning commission" means any planning commission established pursuant to Sections 4-27-510, 5-23-410, or 6-7-320.

Three or more parcels

(11) "Person" means an individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, state agency, or any legal entity.

(12) "Public facilities" means major capital improvements, including, but not limited to, transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

HISTORY: 1993 Act No. 150, SECTION 1; 1994 Act No. 462, SECTION 3.

SECTION 6-31-30. Local governments authorized to enter into development agreements; approval of county or municipal governing body required.

A local government may establish procedures and requirements, as provided in this chapter, to consider and enter into development agreements with developers. A development agreement must be approved by the governing body of a county or municipality by the adoption of an ordinance.

HISTORY: 1993 Act No. 150, SECTION 1.

SECTION 6-31-40. Developed property must contain certain number of acres of highland; permissible durations of agreements for differing amounts of highland content.

A local government may enter into a development agreement with a developer for the development of property as provided in this chapter provided the property contains twenty-five acres or more of highland. Development agreements involving property containing no more than two hundred fifty acres of highland shall be for a term not to exceed five years. Development agreements involving property containing one thousand acres or less of highland but more than two hundred fifty acres of highland shall be for a term not to exceed ten years. Development agreements involving property containing two thousand acres or less of highland but more than one thousand acres of highland shall be for a term not to exceed twenty years. Development agreements involving property containing more than two thousand acres and development agreements with a developer which is a redevelopment authority created pursuant to the provisions of the Military Facilities Redevelopment Law, regardless of the number of acres of property involved, may be for such term as the local government and the developer shall elect.

HISTORY: 1993 Act No. 150, SECTION 1; 1994 Act No. 462, SECTION 4.

SECTION 6-31-50. Public hearings; notice and publication.

(A) Before entering into a development agreement, a local government shall conduct at least two public hearings. At the option of the governing body, the public hearing may be held by the local planning commission.

(B)(1) Notice of intent to consider a development agreement must be advertised in a newspaper of general circulation in the county where the local government is located. If more than one hearing is to be held, the day, time, and place at which the second public hearing will be held must be announced at the first public hearing.

(2) The notice must specify the location of the property subject to the development agreement, the development uses proposed on the property, and must specify a place where a copy of the proposed development agreement can be obtained.

(C) In the event that the development agreement provides that the local government shall provide certain public facilities, the development agreement shall provide that the delivery date of such public facilities will be tied to defined completion percentages or other defined performance standards to be met by the developer.

HISTORY: 1993 Act No. 150, SECTION 1.

SECTION 6-31-60. What development agreement must provide; what it may provide; major modification requires public notice and hearing.

(A) A development agreement must include:

(1) a legal description of the property subject to the agreement and the names of its legal and equitable property owners;

(2) the duration of the agreement. However, the parties are not precluded from extending the termination date by mutual agreement or from entering into subsequent development agreements;

(3) the development uses permitted on the property, including population densities and building intensities and height;

(4) a description of public facilities that will service the development, including who provides the facilities, the date any new public facilities, if needed, will be constructed, and a schedule to assure public facilities are available concurrent with the impacts of the development;

(5) a description, where appropriate, of any reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property as may be required or permitted pursuant to laws in effect at the time of entering into the development agreement;

(6) a description of all local development permits approved or needed to be approved for the development of the property together with a statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing the permitting requirements, conditions, terms, or restrictions;

(7) a finding that the development permitted or proposed is consistent with the local government's comprehensive plan and land development regulations;

(8) a description of any conditions, terms, restrictions, or other requirements determined to be necessary by the local government for the public health, safety, or welfare of its citizens; and

(9) a description, where appropriate, of any provisions for the preservation and restoration of historic structures.

(B) A development agreement may provide that the entire development or any phase of it be commenced or completed within a specified period of time. The development agreement must provide a development schedule including commencement dates and interim completion dates at no greater than five year intervals; provided, however, the failure to meet a commencement or completion date shall not, in and of itself, constitute a material breach of the development agreement pursuant to Section 6-31-90, but must be judged based upon the totality of the circumstances. The development agreement may include other defined performance standards to be met by the developer. If the developer requests a modification in the dates as set forth in the agreement and is able to demonstrate and establish that there is good cause to modify those dates, those dates must be modified by the local government. A major modification of the agreement may occur only after public notice and a public hearing by the local government.

(C) If more than one local government is made party to an agreement, the agreement must specify which local government is responsible for the overall administration of the development agreement.

(D) The development agreement also may cover any other matter not inconsistent with this chapter not prohibited by law.

HISTORY: 1993 Act No. 150, SECTION 1.

SECTION 6-31-70. Agreement and development must be consistent with local government comprehensive plan and land development regulations.

A development agreement and authorized development must be consistent with the local government's comprehensive plan and land development regulations.

HISTORY: 1993 Act No. 150, SECTION 1.

Ex. 2

A. Applications for Certificate of Zoning Compliance will be accepted only from persons having the legal authority to take action in accordance with the certificate. By way of illustration, in general this means that applications should be made by the owners of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Ordinance, or the agents of such persons (who may make application in the name of such owners, lessees, or contract vendees). The Administrator may require an applicant to submit evidence of his/her authority to submit the application whenever there appears to be a reasonable basis for questioning this authority.

B. All applications for Certificates of Zoning Compliance must be complete before the Administrator is required to consider the application. An application is complete when it contains all the information necessary for the Administrator to determine whether or not the development, if completed as proposed, will comply with all of the requirements of this Ordinance.

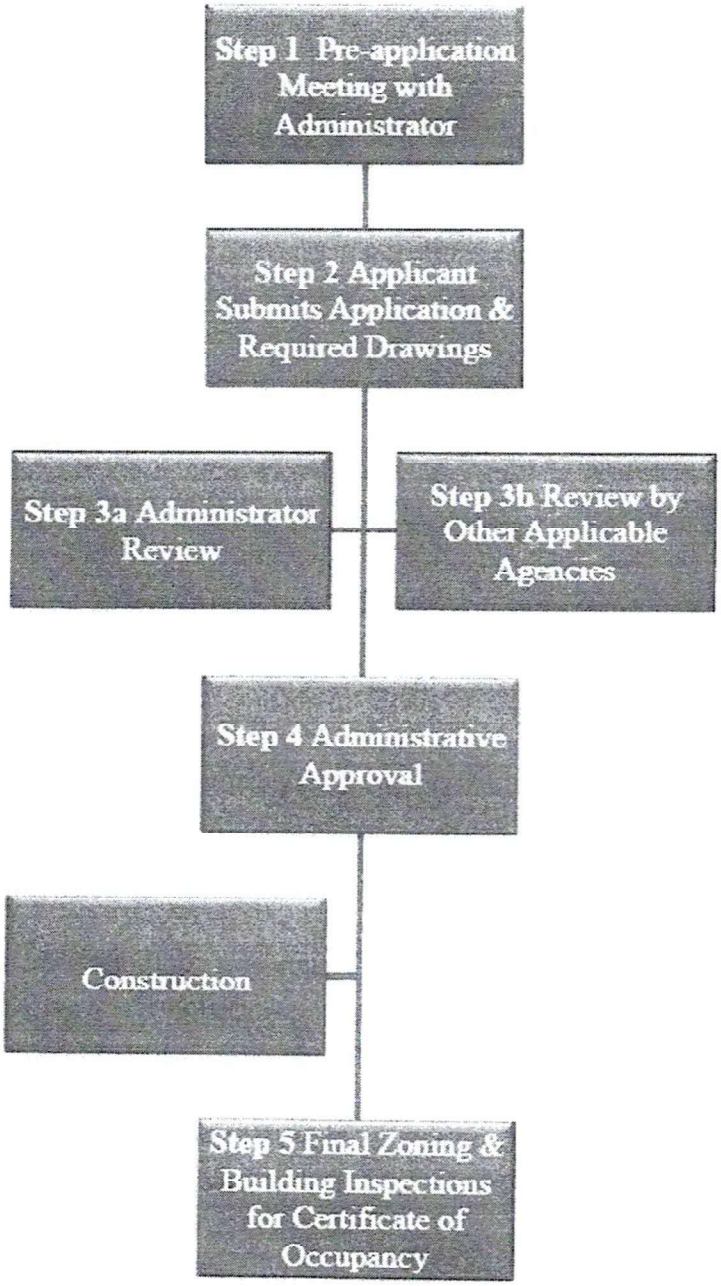
C. A completed application form for a Certificate of Zoning Compliance shall be submitted by filing a copy of the application with the Administrator. A fee, set by the City Council, shall be charged for the processing of such application.

D. For single-family and two-family residential structures, a Plot Plan with the following information shall be submitted to the Administrator with the Certificate of Zoning Compliance application and fee:

1. The shape and dimensions of the lot on which the proposed building or use is to be erected or conducted;
2. The location of said lot with respect to adjacent rights-of-way;
3. The shape, dimensions, and location of all buildings, existing and proposed, on said lot;
4. The nature of the proposed use of the building or land, including the extent and location of the use, on said lot;
5. The location and dimensions of off-street parking and driveways;
6. The proposed impervious area including all buildings, driveways, sidewalks, and patios;
7. Building elevations of the front façade in accordance with Section 12.5; and
8. Any other information which the Administrator may deem necessary for consideration in enforcing the provisions of this Ordinance.
9. Tree survey in accordance with the requirements of Section 6.3.

E. For all other developments requiring a Certificate of Zoning Compliance, a Site Plan shall be submitted in accordance with Section 12.4 and follow the approval process outlined below. Any development project requiring a Special Exception, shall follow the approval process outlined in Section 11.3 prior to issuance of a Certificate of Zoning Compliance by the Administrator.

CERTIFICATE OF ZONING COMPLIANCE (WITH SITE PLAN) APPROVAL PROCESS



Step 1. Pre-Application Meeting with Administrator to Review Sketch Plan (optional)

A. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this Ordinance, pre-application consultation between the developer and the Administrator concerning the application of this Ordinance to the proposed development is recommended.

B. Before submitting a Certificate of Zoning Compliance application and Site Plan, the developer may submit to the Administrator a Sketch Plan in accordance with requirements of Section 12.3. The Administrator shall meet with the developer as soon as conveniently possible to review the Sketch Plan.

C.

The Administrator shall review the Sketch Plan for general compliance with the requirements of this Ordinance and any other applicable requirements. The Administrator shall advise the developer or his authorized agent of the regulations pertaining to the proposed development and the procedures to be followed.

D. One (1) copy of the Sketch Plan shall be retained as a part of the record of the Administrator with one (1) copy being returned to the developer or his authorized agent along with any comments made by the Administrator concerning the proposed development.

Step 2. Applicant Submits Application & Required Drawings

The applicant shall submit the applicable application, fee, and the Site Plan that meets the development plan requirements of Section 12.4 and other required materials.

Step 3a & b. Administrator and Other Applicable Agency Review

A. The Administrator and other applicable agencies shall review the Site Plan in accordance with the requirements of this Ordinance and any other applicable requirements.

B. Other applicable agencies may provide comments to the Administrator regarding the design of the development. It shall be the responsibility of the Administrator to address those comments, wherever possible. The reviewing government agencies and officials may include, but need not be limited to the following: Public Works Department, Public Safety Department, Building Inspector, City Attorney, SCDOT, SCDHEC, utilities providers, Board of Education, Rural Planning Organization, US Army Corps of Engineers, contracted expertise, and other agencies as needed.

Step 4. Administrative Approval

If a Site Plan is found to meet all of the applicable regulations of this Ordinance, then the Administrator shall issue a Certificate of Zoning Compliance. The developer may then obtain a building permit and begin construction.

Step 5. Final Building & Zoning Inspections for Certificate of Occupancy

Prior the issuance of a Certificate of Occupancy by the building inspector, the Administrator or his designee shall conduct a final zoning inspection to ensure that the approved plan has been followed and all required improvements have been installed to City standards.

Ex. 3

Sec. 34-180. - Protection of public health.

(a) During any and all improvements, expansions, extensions, repairs or fire calls the City or its lessee shall exercise all reasonable precautions to protect the quality of the water supply, including, but not limited to, flushing of mains and chlorination.

(b) In the interest of the public health and safety, the City shall be permitted to take such emergency action as may be deemed necessary in the operation of the waterworks system, including, but not limited to, the right to close down any water line or portion of the waterworks system for the purpose of making connections, alterations or repairs.

(c) The City or its lessee shall conduct periodic tests in a recognized and generally accepted manner to ensure a potable water supply to the customer.

(Code 1994, § 18-158; Code 2003, § 17.304)

Sec. 34-181. - Right of entry.

The City or its lessee shall have the right to enter the customer's premises without notice for the purpose of making emergency repairs, disconnection or reconnection of service, necessary installations, or reading of meters. The City or its lessee shall further have the right to enter the customer's premises for inspections, or for any other reason for administering reasonable service, provided that the customer is notified in advance.

(Code 1994, § 18-159; Code 2003, § 17.305)

Sec. 34-182. - Emergency action; amendments.

The City reserves the right to take such immediate action for emergencies, not specifically covered in this division, as it may deem necessary in the interest of public health and safety, and further reserves the right to amend this division, in part or in whole, whenever it may deem necessary.

(Code 1994, § 18-160; Code 2003, § 17.306)

Sec. 34-183. - Damaging or tampering with system.

It shall be unlawful and a violation of this division for any person to damage, deface, alter, change or tamper with any part of the waterworks system. Upon conviction, such person shall be guilty of a misdemeanor.

(Code 1994, § 18-161; Code 2003, § 17.307)

Sec. 34-184. - Unlawful connection.

It shall be unlawful and a violation of this division for any person to make any connection to the waterworks system or to reconnect service when it has been discontinued for any reason, except where specifically approved in writing by the City or its lessee, with approval being contingent upon satisfaction of all sections of this division. Upon conviction of violation of this section, such person shall be guilty of a misdemeanor.

(Code 1994, § 18-162; Code 2003, § 17.308)

Sec. 34-185. - Connection to, use of public system required.

Every building located within 250 feet of any water main operated and maintained by the City or its lessee shall be connected thereto and shall utilize such water main for water. For the purposes of the penalty provisions of this division, following ten days' written notice by the City or its lessee, each day during which such building is not connected to the water main shall be a separate

offense and punishable accordingly.

(Code 1994, § 18-163; Code 2003, § 17.309)

Sec. 34-186. - Building plumbing.

(a) All building plumbing shall conform with the adopted standard plumbing code and this Code and shall be accomplished only by a regularly licensed plumber authorized by the City. It shall be the responsibility of each person requesting a water connection to notify the City or its lessee and arrange for final inspection of the plumbing while visible and accessible to the City inspecting agent or its lessee before permission to connect is granted.

(b) The City inspection agent or its lessee shall make inspections of existing building plumbing and, if any condition is found which, in the opinion of the City or its lessee, constitutes a health hazard or a potential health hazard to the water supply or operation of the waterworks system, the City or its lessee shall require immediate action to be taken by that customer or shall sever the water connection until remedial measures are instituted and the hazard eliminated to the complete satisfaction of the City or its lessee.

(Code 1994, § 18-164; Code 2003, § 17.310)

Sec. 34-187. - Taps.

(a) No water connection shall be made until the tap fee has been paid.

(b) All taps and related water connections shall be accomplished by the City or its lessee using standard equipment and materials. Before placing in service to the customer, all water lines shall be chlorinated and flushed of all foreign particles.

(c) Tap fees shall be as shown on a schedule adopted by the City Council by resolution. When adopted by resolution, the rates shall become a part of this division.

(d) It shall be the responsibility of any developer to bear all cost of any main line extensions to serve proposed property. Developers shall furnish plans, maps, profiles or other drawings prepared and stamped by a licensed engineer.

(Code 1994, § 18-165; Code 2003, § 17.311)

Sec. 34-188. - Application for service; deposit; fees.

(a) Each new water customer shall make application to the City or its lessee for service by completing the City's standard contract for water service and paying the current deposit and service charge. If an apartment complex is responsible for providing service to the entire complex, only one deposit shall be required for all meters. The deposit shall be in the name of the complex, and the bill shall be paid by the parent company owning the complex. When a customer has received service near the end of a cycle and has not used 3,000 gallons of water he will not be billed until the next cycle.

(b) Whenever service is discontinued, the deposit, without interest, shall be returned to the customer, after first deducting all outstanding bills for service. If outstanding bills exceed the amount of the deposit, the customer shall be liable for settlement of the bills under any and all applicable codes, statutes, laws, ordinances and payment of all costs incident to the enforcement thereof. When a customer's account is terminated and there was no consumption, he will not be billed for another cycle. (Example: nonpay; customers who do not request a cut-off when they move.) If service is discontinued and the customer requests an adjustment because he was on 20 days or fewer in a cycle, an adjustment of one-half of the minimum water bill and sewer charges and one-half of the garbage fees shall be made.

(c) For each new water connection, in addition to conforming with Subsection (a) of this section, the person applying for water service shall pay a tap fee according to Section 34-187 before the water connection is provided by the City or its lessee.

(d) If a customer transfers service to another address in the City, the deposit shall be transferred to the new address. The

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Ex. 4

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(b) The City inspection agent or its lessee shall make inspections of existing building plumbing and, if any condition is found which, in the opinion of the City or its lessee, constitutes a health hazard or a potential health hazard to the water supply or operation of the waterworks system, the City or its lessee shall require immediate action to be taken by that customer or shall sever the water connection until remedial measures are instituted and the hazard eliminated to the complete satisfaction of the City or its lessee.

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(d) If a customer transfers service to another address in the City, the deposit shall be transferred to the new address. The

PHONE: 843-782-1065

CITY OF WALTERBORO
300 HAMPTON STREET
WALTERBORO, SC 29488

FAX: 843-782-4747

SERVICE CONTRACT ADDENDUM

Date: 11/29/2021 Service Address: 321 A State St

Account #: 37687

In addition to signing this application for ✓ water and/or ✓ sewer and/or ✓ garbage, the applicant must provide ✓ identification, _____ social security card and ✓ proof of ownership or lease/rental agreement.

Customer is hereby notified there will be a $5.00 connection fee on the first billing. By signing this application, the applicant also agrees to pay all costs of collection of the applicant's unpaid bills. The City of Walterboro has the right pursuant to the South Carolina Setoff Debt Collection Act to collect any sum due and owed by the applicant through offset of the applicant's state income tax refund. If the City of Walterboro chooses to pursue debts owed by the applicant through the Setoff Debt Collection Act, the applicant agrees to pay all fees and costs incurred through the setoff process, including fees charged by the Department of Revenue, the South Carolina Association of Counties, the Municipal Association of South Carolina, and/or the City of Walterboro. If the City of Walterboro chooses to pursue debts in a manner other than setoff, the applicant agrees to pay the costs and fees associated with the selected manner as well.

****IT IS THE RESPONSIBILITY OF THE CUSTOMER TO NOTIFY THE WATER DEPT WHEN YOU NO LONGER NEED SERVICE PROVIDED BY THE CITY.**

Signature: _____ **Appointment Date/time:** _____

I understand that if I miss my appointment and we must schedule another appointment I will be charged a $25.00 service charge.

Water bills are due on	Bill plus 10% Penalty	Bill + 10% + $10 late fee	Bill + 10% + late fee + $30
January 25th	January 26th	February 16th	February 17th
March 25th	March 26th	April 16th	April 17th
May 25th	May 26th	June 16th	June 17th
July 25th	July 26th	August 16th	August 17th
September 25th	September 26th	October 16th	October 17th
November 25th	November 26th	December 16th	December 17th

IF PAYMENT IS NOT MADE, SERVICES WILL BE DISCONTINUED ON THE 17TH.

✓ EMERGENCY AFTER HOURS, PLEASE CALL THE POLICE DEPT AT 843-782-1030.

PAYMENTS CAN BE MADE BY THE FOLLOWING:
Phone:. 1-843-258-1456
✓ Online: www.walterborosc.org/utilities (link is in red and on the right)
Mail: City of Walterboro, 300 Hampton Street, Walterboro, SC 29488
In person at drive thru, night deposit box or walk in.
Email address: _____

✓ annexation ✓ emailed annex ✓ hosp/atax forms ✓ business license

PHONE: 843-782-1065

CITY OF WALTERBORO
300 HAMPTON STREET
WALTERBORO, SC 29488

FAX: 843-782-4747

SERVICE CONTRACT ADDENDUM

Date: 11/29/21 Service Address: 321 S State St.

Account #: 31683

In addition to signing this application for ✓ water and/or ✓ sewer and/or ✓ garbage, the applicant must provide _identification, _____social security card and ✓ proof of ownership or lease/rental agreement.

Customer is hereby notified there will be a $5.00 connection fee on the first billing. By signing this application, the applicant also agrees to pay all costs of collection of the applicant's unpaid bills. The City of Walterboro has the right pursuant to the South Carolina Setoff Debt Collection Act to collect any sum due and owed by the applicant through offset of the applicant's state income tax refund. If the City of Walterboro chooses to pursue debts owed by the applicant through the Setoff Debt Collection Act, the applicant agrees to pay all fees and costs incurred through the setoff process, including fees charged by the Department of Revenue, the South Carolina Association of Counties, the Municipal Association of South Carolina, and/or the City of Walterboro. If the City of Walterboro chooses to pursue debts in a manner other than setoff, the applicant agrees to pay the costs and fees associated with the selected manner as well.

****IT IS THE RESPONSIBILITY OF THE CUSTOMER TO NOTIFY THE WATER DEPT WHEN YOU NO LONGER NEED SERVICE PROVIDED BY THE CITY.**

Signature: _____ **Appointment Date/time:** _____

I understand that if I miss my appointment and we must schedule another appointment I will be charged a $25.00 service charge.

Water bills are due on	Bill plus 10% Penalty	Bill + 10% + $10 late fee	Bill + 10% + late fee + $30
January 25th	January 26th	February 16th	February 17th
March 25th	March 26th	April 16th	April 17th
May 25th	May 26th	June 16th	June 17th
July 25th	July 26th	August 16th	August 17th
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PAYMENTS CAN BE MADE BY THE FOLLOWING:
Phone:. 1-843-258-1456
Online: www.walterborosc.org/utilities (link is in red and on the right)
Mail: City of Walterboro, 300 Hampton Street, Walterboro, SC 29488
In person at drive thru, night deposit box or walk in.
Email address: _____

X annexation X emailed annex X hosp/atax forms ✓ business license

Walterboro

City of Walterboro | 300 Hampton Street | Walterboro, SC 29488 | 843-782-1065
www.walterborosc.org

WATER DEPARTMENT

Date: 11/29/21

Account Name: Reginald Johnston

Address: 321 State St

Deposit Date: 11/29/21 Deposit Amount: 200.00

Receipt #: 150634 150647 Account #: 37687 & 37688

I hereby transfer my CONSUMER DEPOSIT for water services with the City of Walterboro for the above amount to Shonda D. Johnston.

relinquishing all claims on said deposit.

Signed: [signature] L.S. SS # 090-52-3912

Print Name: Reginald B Johnston

New Customer Signatures: [signature] L.S. SS # 248-68-4668

Print Name: Shonda Johnston

Personally appeared before me Brooke A. Crosby (Notary) and made oath that he/she saw the within-named Reginald Johnston (Previous Customer) sign, seal and as his/her act and deed.

deliver the above transfer for the uses and purposes therein mentioned.

Sworn to before me this 3 day of December, 2021

[signature] L.S.
Notary Public

My commission expires: August 11, 2031

BROOKE A. CROSBY
My Commission Expires
NOTARY PUBLIC
August 11, 2031
STATE OF SOUTH CAROLINA

Walterboro

City of Walterboro | 300 Hampton Street | Walterboro, SC 29488 | 843-782-1065
www.walterborosc.org

WATER TAP APPLICATION

Date: April 11, 2022

Name: Shonda D. Johnston

Address: 321 State Street Block G Lots 41

Phone Number: (609) 805-7949

Size: ¾" [1"] 1½" 2"

Type of Service: [Residential] Irrigation Commercial

Location: [Inside City] Outside City

Directions:

✓ I understand that after inspection, there may be a bore fee of $1,600.00.

✓ I have received the water tap placard. I understand it is my responsibility to position this placard where I would like the water meter to be located. If there is an issue with the placement, the city will contact you. If the placard is not positioned, the water meter will be placed in the most convenient location for the city.

✓ I understand this new tap must have a personal cutoff valve installed prior to activation of service.

✓ I understand a backflow preventer must be installed to this service if an irrigation system is to be connected. All backflow information must be submitted to the water department.

Applicants Signature: S Johnston

Customer Copy: _____

**********OFFICIAL USE ONLY**********

APPROVED OR DENIED: _____

Supervisor Signature: _____

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Customer Copy: _____

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Walterboro

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SEWER TAP APPLICATION

Date: April 11, 2022

Name: Shonda D. Johnston

Job Address: 321 State Street Block G Lots 41

Tax Map # 163-03-00-

Phone Number: (609) 805-7949

Type of Service: [Residential] Commercial

Location: [Inside City] Outside City $_____

Plumber/Engineer The Residential Group LLC - Walterboro, SC - (843) 782-3388

Use of Location: [Residential] Business Restaurant Motel

Directions:

S Johnston _____ _____

Applicants Signature Director/Superintendent Approval

Date: April 11, 2022 Date: _____

THIS TAP WAS INSTALLED ON _____ BY _____

ARTICLE 11
Vested Rights

Ex 4.1

SECTION 6-29-1510. Citation of article.

This article may be cited as the "Vested Rights Act".

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

SECTION 6-29-1520. Definitions.

As used in this article:

(1) "Approved" or "approval" means a final action by the local governing body or an exhaustion of all administrative remedies that results in the authorization of a site specific development plan or a phased development plan.

(2) "Building permit" means a written warrant or license issued by a local building official that authorizes the construction or renovation of a building or structure at a specified location.

(3) "Conditionally approved" or "conditional approval" means an interim action taken by a local governing body that provides authorization for a site specific development plan or a phased development plan but is subject to approval.

(4) "Landowner" means an owner of a legal or equitable interest in real property including the heirs, devisees, successors, assigns, and personal representatives of the owner. "Landowner" may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan pursuant to this article.

(5) "Local governing body" means: (a) the governing body of a county or municipality, or (b) a county or municipal body authorized by statute or by the governing body of the county or municipality to make land-use decisions.

(6) "Person" means an individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any legal entity as defined by South Carolina laws.

(7) "Phased development plan" means a development plan submitted to a local governing body by a landowner that shows the types and density or intensity of uses for a specific property or properties to be developed in phases, but which do not satisfy the requirements for a site specific development plan.

(8) "Real property" or "property" means all real property that is subject to the land use and development ordinances or regulations of a local governing body, and includes the earth, water, and air, above, below, or on the surface, and includes improvements or structures customarily regarded as a part of real property.

(9) "Site specific development plan" means a development plan submitted to a local governing body by a landowner describing with reasonable certainty the types and density or intensity of uses for a specific property or properties. The plan may be in the form of, but is not limited to, the following plans or approvals: planned unit development; subdivision plat; preliminary or general development plan; variance; conditional use or special use permit plan; conditional or special use district zoning plan; or other land-use approval designations as are used by a county or municipality.

(10) "Vested right" means the right to undertake and complete the development of property under the terms and conditions of a site specific development plan or a phased development plan as provided in this article and in the local land development ordinances or regulations adopted pursuant to this chapter.

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

SECTION 6-29-1530. Two-year vested right established on approval of site specific development plan; conforming ordinances and regulations; renewal.

(A)(1) A vested right is established for two years upon the approval of a site specific development plan.

(2) On or before July 1, 2005, in the local land development ordinances or regulations adopted pursuant to this chapter, a local governing body must provide for:

(a) the establishment of a two-year vested right in an approved site specific development plan; and

(b) a process by which the landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval.

(B) A local governing body may provide in its local land development ordinances or regulations adopted pursuant to this chapter for the establishment of a two-year vested right in a conditionally approved site specific development plan.

(C) A local governing body may provide in its local land development ordinances or regulations adopted pursuant to this chapter for the establishment of a vested right in an approved or conditionally approved phased development plan not to exceed five years.

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

SECTION 6-29-1540. Conditions and limitations.

A vested right established by this article and in accordance with the standards and procedures in the land development ordinances or regulations adopted pursuant to this chapter is subject to the following conditions and limitations:

(1) the form and contents of a site specific development plan must be prescribed in the land development ordinances or regulations;

(2) the factors that constitute a site specific development plan sufficient to trigger a vested right must be included in the land development ordinances or regulations;

(3) if a local governing body establishes a vested right for a phased development plan, a site specific development plan may be required for approval with respect to each phase in accordance with regulations in effect at the time of vesting;

(4) a vested right established under a conditionally approved site specific development plan or conditionally approved phased development plan may be terminated by the local governing body upon its determination, following notice and public hearing, that the landowner has failed to meet the terms of the conditional approval;

(5) the land development ordinances or regulations amended pursuant to this article must designate a vesting point earlier than the issuance of a building permit but not later than the approval by the local governing body of the site specific development plan or phased development plan that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit;

(6) a site specific development plan or phased development plan for which a variance, regulation, or special exception is necessary does not confer a vested right until the variance, regulation, or special exception is obtained;

(7) a vested right for a site specific development plan expires two years after vesting. The land development ordinances or regulations must authorize a process by which the landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local

governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval. The land development ordinances or regulations may authorize the local governing body to:

(a) set a time of vesting for a phased development plan not to exceed five years; and

(b) extend the time for a vested site specific development plan to a total of five years upon a determination that there is just cause for extension and that the public interest is not adversely affected. Upon expiration of a vested right, a building permit may be issued for development only in accordance with applicable land development ordinances or regulations;

(8) a vested site specific development plan or vested phased development plan may be amended if approved by the local governing body pursuant to the provisions of the land development ordinances or regulations;

(9) a validly issued building permit does not expire or is not revoked upon expiration of a vested right, except for public safety reasons or as prescribed by the applicable building code;

(10) a vested right to a site specific development plan or phased development plan is subject to revocation by the local governing body upon its determination, after notice and public hearing, that there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval;

(11) a vested site specific development plan or vested phased development plan is subject to later enacted federal, state, or local laws adopted to protect public health, safety, and welfare including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the building, fire, plumbing, electrical, and mechanical codes in force at the time of the issuance of the building permit;

(12) a vested site specific development plan or vested phased development plan is subject to later local governmental overlay zoning that imposes site plan-related requirements but does not affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses;

(13) a change in the zoning district designation or land-use regulations made subsequent to vesting that affect real property does not operate to affect, prevent, or delay development of the real property under a vested site specific development plan or vested phased development plan without consent of the landowner;

(14) if real property having a vested site specific development plan or vested phased development plan is annexed, the governing body of the municipality to which the real property has been annexed must determine, after notice and public hearing in which the landowner is allowed to present evidence, if the vested right is effective after the annexation;

(15) a local governing body must not require a landowner to waive his vested rights as a condition of approval or conditional approval of a site specific development plan or a phased development plan; and

(16) the land development ordinances or regulations adopted pursuant to this article may provide additional terms or phrases, consistent with the conditions and limitations of this section, that are necessary for the implementation or determination of vested rights.

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

SECTION 6-29-1550. Vested right attaches to real property; applicability of laws relating to public health, safety and welfare.

A vested right pursuant to this section is not a personal right, but attaches to and runs with the applicable real property. The landowner and all successors to the landowner who secure a vested right pursuant to this article may rely upon and exercise the vested right for its duration subject to applicable federal, state, and local laws adopted to

protect public health, safety, and welfare including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grandfathering of the vested right. This article does not preclude judicial determination that a vested right exists pursuant to other statutory provisions. This article does not affect the provisions of a development agreement executed pursuant to the South Carolina Local Government Development Agreement Act in Chapter 31 of Title 6.

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

SECTION 6-29-1560. Establishing vested right in absence of local ordinances providing therefor; significant affirmative government acts.

(A) If a local governing body does not have land development ordinances or regulations or fails to adopt an amendment to its land development ordinances or regulations as required by this section, a landowner has a vested right to proceed in accordance with an approved site specific development plan for a period of two years from the approval. The landowner of real property with a vested right may apply at the end of the vesting period to the local governing body for an annual extension of the vested right. The local governing body must approve applications for at least five annual extensions of the vested right unless an amendment to the land development ordinances or regulations has been adopted that prohibits approval. For purposes of this section, the landowner's rights are considered vested in the types of land use and density or intensity of uses defined in the development plan and the vesting is not affected by later amendment to a zoning ordinance or land-use or development regulation if the landowner:

(1) obtains, or is the beneficiary of, a significant affirmative government act that remains in effect allowing development of a specific project;

(2) relies in good faith on the significant affirmative government act; and

(3) incurs significant obligations and expenses in diligent pursuit of the specific project in reliance on the significant affirmative government act.

(B) For the purposes of this section, the following are significant affirmative governmental acts allowing development of a specific project:

(1) the local governing body has accepted exactions or issued conditions that specify a use related to a zoning amendment;

(2) the local governing body has approved an application for a rezoning for a specific use;

(3) the local governing body has approved an application for a density or intensity of use;

(4) the local governing body or board of appeals has granted a special exception or use permit with conditions;

(5) the local governing body has approved a variance;

(6) the local governing body or its designated agent has approved a preliminary subdivision plat, site plan, or plan of phased development for the landowner's property and the applicant diligently pursues approval of the final plat or plan within a reasonable period of time under the circumstances; or

(7) the local governing body or its designated agent has approved a final subdivision plat, site plan, or plan of phased development for the landowner's property.

HISTORY: 2004 Act No. 287, SECTION 2, eff July 1, 2005.

Ex. 5

The following historical research substantiates The City of Walterboro extended sewer and water line connections to serve the Oaklawn Subdivision.

The City Attorney, W. J. McLeod, Jr. with The Firm of Jefferies, McLeod, Unger, and Fraser.

NOTE: Oaklawn is an established subdivision developed by **D. B. Black and** H. W. Black, Jr.; final phase completed in 1946. **D. B. Black was the Town of Walterboro City Council Clerk and Treasurer; elected by Town Council, Town of Walterboro on June 9, 1942.**

Oaklawn Subdivision Time Line:

1. **April 2, 1968; Document #149**; ..."A petition for annexation from the freeholders of Oaklawn Subdivision was turned over to City Attorney, W. J. McLeod, Jr....

2. **May 7, 1968; Document #154**; ..."The petition for annexation of the Oaklawn Subdivision was received by Council. Mr. McLeod advised that the petition be checked by the City Clerk and the Supervisor to determine if it has been signed by an adequate percentage of freeholders. Councilman Simmons' motion that the petition be accepted and turned over to the Clerk for certification was unanimously passed."...

3. **May 14, 1968; Document #156**; ..."The Clerk and Treasurer and the City Supervisor certified that the petition for annexation received from Oaklawn was signed by a majority of the landowners. Thereupon, Council unanimously passed a motion giving first and second readings to an ordinance entitled AN ORDIANCE TO CERTIFY THAT A PETITION SIGNED BY A MAJORITY OF THE FREEHOLDERS IN THE TERRITORY HEREIN DESCRIBED HAS BEEN FILED WITH THE CITY COUNCIL, AND TO REQUEST THE ORDERING OF A SPECIAL ELECTION IN SAID TERRITORY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF WALTERBORO ON THE QUESTION OF ANNEXATION OF SAID TERRITORY."...

4. **May 21, 1968; Document #165**; .. "WHEREAS, a petition was presented and submitted to the City Council of the City of Walterboro on the 21st day of May 1968, praying the annexation by the City of Walterboro...that an election be ordered to ascertain whether or not the said territory be annexed to and included in the City of Walterboro, and ...majority of freeholders residing in the territory...requested...a special election to ascertain whether or not said territory should be annexed to the City of Walterboro, and"...

5. **June 18, 1968; Document #161**; ..."The date for the annexation election for Oaklawn Subdivision was set for the third Tuesday in July"...

6. **July 16, 1968; Document #165**. ..."WHEREAS, the said election was duly held on the 16th day of July, 1968,"...

7. **July 30, 1968; Document #252**; ..."Mayor Dean reported...Fire Chief. ...Motion was seconded by Councilman McLeod and unanimously passed. ...As requested by the local Post Office, Council changed the names of four streets in town with names duplicated in other areas. Motion was made that new names be assigned and that opportunity be given for any objections to be heard before final action is taken at the next meeting. The new names were given as follows.

   Pine in Oaklawn Subdivision to Spruce
   Center in Oaklawn Subdivision to State
   Simmons in Oaklawn Subdivision to Trinity
   Cedar in Oaklawn Subdivision to Meadow"...

8. **August 6, 1968; Document #165**, ..."Donald Fraser, City Attorney. Minutes of the meeting of July 30 were read and approved....Council unanimously passed third and final reading of an ordinance as follows: AN ORDINANCE TO PUBLISH THE RESULTS OF A SPECIAL ELECTION HELD ON JULY 16, 1968, RELATIVE TO THE ANNEXATION OF TERRITORY TO THE TOWN OF WALTERBORO, TO DECLARE THE ANNEXED TERRITORY A PART OF THE TOWN OF WALTERBORO, AND TO NOTIFY THE SECRETARY OF STATE THEREABOUTS."...

9. **August 6, 1968; Document #166**; ..."Section III: That in accordance with the applicable statutes of Secretary of State of South Carolina be given formal notice that the said territory has been annexed to and now forms a part of the area of the City of Walterboro, South Carolina. DONE AND RATIFIED IN COUNCIL ASSEMBLED THIS 6th DAY OF AUGUST 1968."...

10. **August 20, 1968; Document #167**; ...Albert Lucus, Peoples Water Service Company...asked for permission to extend an 8" line under Hwy 15-N from the 7-Up plant to serve Oaklawn Subdivision and also for future extension. Motion by Councilman Black was unanimously passed."..."Regular meeting of City Council...The following members were present: Mayor Wallace Dean;...and City Attorney W. J. McLeod, Jr. Minutes of the meetings of June 25 and August 6 were read and approved."...

    Document #159; "Motion was unanimously passed granting Mr. Lucus permission to place culverts in which to run water lines under the Bells Highway..."

SECTION 2: That the property below described is hereby incorporated into the limits of the City of Walterboro and such limits of the City of Walterboro are extended to include such lands, the same being contiguous to the present limits of the City of Walterboro, effective with the passage of this Ordinance, and in accordance with the provisions of Section 47-19.5(3) of the Code of Laws of South Carolina for 1962, as amended, and as contained in the 1967 Cumulative Statement thereof; the lands referred to and hereby annexed being described as follows:

All that certain piece, parcel or tract of land situate, lying and being in Colleton County, South Carolina, measuring and containing Nine Tenths (0.9) of an acre, more or less, being shown and delineated on a plat prepared by Harry M. Fripp, Registered Land Surveyor, dated July 30, 1946, and bounded on the North by lands of L. W. Alford; East by lands of Irene B. Fennell, et al.; South by lands of Irene B. Fennell, et al., and West by U. S. Highway 15;

Also: All that certain piece, parcel, or tract of land situate, lying and being in Colleton County, South Carolina, measuring and containing Ten (10) acres, more or less, and being shown and delineated on a plat of J. W. Frank, Registered Civil Engineer & Surveyor, dated March 14, 1934, and bounded on the North by land of Godley; East by run of Ireland Creek, separating the same from lands now or formerly of J. E. Peurifoy; South by lands now or formerly of E. R. Bryan, and West by U. S. Highway 15.

The two parcels above described are also shown on a composite plat thereof, made by W. Gene Whitesell, R. L. S., dated April 12, 1968, on which the lands of L. W. Alford and Grace G. Alford are shown as Parcel B, and lands of Maree V. McKee are shown as Parcel A.

DONE AND RATIFIED IN COUNCIL ASSEMBLED THIS 2ND DAY OF APRIL 1968.

A petition for annexation from the freeholders of Oakdown Subdivision was turned over to City Attorney, W. J. McLeod, Jr.

Mayor Dean informed Council of correspondence received from Norton's Fire Equipment Company stating delivery within 120 days after receipt of the fire truck chassis at the Boardman factory in Oklahoma City. The Mayor stated that he had signed the contract with Norton's and that bids on the chassis would be let.

Council discussed the formation of a planning commission to make recommendations to Council on sewerage, zoning, parks and playgrounds, beautification, and waterworks, and also mentioned several names of men to approach. With Council's authorization, Mayor Dean appointed Dr. Hiott, chairman, Marion Sams, Jr., and E. L. Miller, Jr., as a committee to recommend the names of five men willing to serve on such a commission.

Mayor Dean reported that legislation had been introduced authorizing the Town to hold an election on the issuance of general improvement bonds not to exceed $500,000. This is for the needed improvements to sewer system, waterworks, streets, parks and playgrounds, and parking lots.

Also discussed was the possibility of increasing the tax levy from 25 to 35 mills for general purposes.

A request by E. W. Sanders, Jr., for permit to enlarge his business facilities, including abattoir, at the corner of Elizabeth and Thompson Streets was discussed. Council decided to advertise before granting permit.

Councilman Hiott moved first and second readings of an ordinance entitled: AN ORDINANCE TO DESIGNATE THE TIME AND PLACE FOR HOLDING A GENERAL ELECTION IN THE CITY OF WALTERBORO FOR THE ELECTION OF A MAYOR AND SIX ALDERMEN. Motion was seconded by Councilman Miller and unanimously passed. There being no further business, Council adjourned at 7:40 p.m. with respect to Mrs. H. H. Sweat.

Respectfully submitted,
Virginia F. Whatley

Read in Open Session and approved this the 16th day of April, 1968.

4. Preparing and recommending to the City Council for adoption ordinances promoting orderly development in accordance with the comprehensive plan;

5. Determining whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;

6. Reviewing and recommending to the City Council any needed changes in the Zoning Ordinances and the map of the City of Walterboro.

7. Preparing and recommending for adoption Subdivision Regulations and to administer such regulations;

8. Keeping the City Council and the general public informed and advised as to these matters.

SECTION 4. REPEAL AND DATE OF EFFECT

All ordinances and/or Resolutions in conflict herewith are hereby repealed, and this ordinance shall take effect from and after its passage, this 7th day of May, 1968, the public welfare of the City of Walterboro, South Carolina, demanding it.

SECTION 5. VALIDITY

Should any section, or provision of this ordinance be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the ordinance as a whole or any part thereof which is not specifically declared to be invalid and unconstitutional.

DONE AND RATIFIED IN COUNCIL ASSEMBLED THIS THE 7th DAY OF MAY, 1968.

Councilman Miller moved that the Town purchase 67 additional parking meters from Duncan Parking Meter Corporation at the price and terms of those last purchased. Motion was seconded by Councilman Sams and unanimously passed.

The petition for annexation of the Oaklawn Subdivision was received by Council. Mr. McLeod advised that the petition be checked by the City Clerk and the Supervisor to determine if it has been signed by an adequate percentage of freeholders. Councilman Simmons' motion that the petition be accepted and turned over to the Clerk for certification was unanimously passed.

The Fire Committee recommended the following pay rate for the Volunteer Firemen:

A. Rate of pay for volunteer firemen is as follows:

(1) False Alarm . . . . . $ 3.00
(2) Monthly Meeting 3.00
(3) Small Hose Hook-up. 5.00
(4) Hydrant Hook-up 10.00
(5) Any Call (except false alarm)--10 P. M. to 6 A.M.. . . . 10.00
False Alarm--10 P.M. to 6 A.M.. . . . . 7.00
(6) The Fire Chief, the Assistant Fire Chief, or the ranking fire department member that assumes command of the fire detail will receive seven dollars ($7.00) unless the call is between 10:00 p.m. and 6:00 a.m. or a hydrant hook-up is made. The pay then shall be twelve dollars ($12.00).

B. The Fire Chief shall receive a monthly salary of thirty dollars ($30.00).

Councilman Strickland moved that the above rate be adopted retroactive to April 1. Councilman Miller seconded the motion which was unanimously passed.

and Gas Company; and on the Southeast by South Carolina State Highway right of way, known as Recold Road; and being the tract of land delineated on a plat prepared by G. E. Miley, Jr., Registered Land Surveyor, dated April 2, 1968.

Councilman Sams and Councilman Black of the Traffic Committee and the Street Committee called for action on the problem of people using metered parking spaces from which to sell their produce and other items. Councilman Sams moved, Councilman Miller seconded, and Council unanimously passed first and second readings of an Amendment to Chapter 11. of the City Code by adding:

Section 11-43. SELLING FROM A METERED PARKING SPACE.

It shall be unlawful for any person to sell goods of any kind from a metered parking space.

Councilman Simmons brought to Council's attention the need for repair work on the gutters on the Walter Street side of the building formerly occupied by Edwards, Inc. Mayor Dean offered to write Mr. Blanding Holman and ask that they be repaired.

There being no further business, meeting adjourned at 6:45.p.m.

Town of Walterboro incorporated as a City, Act no 1225 of 1968 May 29, 1968.

Respectfully submitted,

Benjamin F Wheeley
Clerk and Treasurer

Read in Open Session and approved this the 21st day of May, 1968.

City Hall
Walterboro, S. C.
May 21, 1968

A regular meeting of City Council was held at 6:00 p.m. Tuesday, May 21, 1968. Those members present were as follows: Mayor H. Wallace Dean; Councilmen Carl Simmons, E. L. Miller, Jr., Glen Strickland, Marion Sams, Jr., E. W. Black, and J. E. Hiott.

Minutes of the meeting of May 7 were approved as corrected and those of May 14 were approved as read.

The Clerk and Treasurer and the City Supervisor certified that the petition for annexation received from Oaklawn was signed by a majority of the landowners. Thereupon, Council unanimously passed a motion giving first and second readings to an ordinance entitled AN ORDINANCE TO CERTIFY THAT A PETITION SIGNED BY A MAJORITY OF THE FREEHOLDERS IN THE TERRITORY HEREIN DESCRIBED HAS BEEN FILED WITH THE WALTERBORO CITY COUNCIL, AND TO REQUEST THE ORDERING OF A SPECIAL ELECTION IN SAID TERRITORY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF WALTERBORO ON THE QUESTION OF ANNEXATION OF SAID TERRITORY.

The Fire Committee reported that it had received bids on the fire truck chassis from Roger Odum Chevrolet-Olds on a 478 cu. inch GMC truck at $6,043.40 and from Walterboro Motor Sales on a 534 cu. inch C-850 Ford for $6,874.08. The Committee had no recommendations, but Councilman Sams reported that representatives of the Boardman Company, the Waterous Pump Company, and Southeastern Underwriters Association had each personally recommended the Ford engine. Councilman Strickland moved that the Town buy the 478 cu. inch truck from the low bidder, Roger Odum Chevrolet-Olds Company, subject to approval of the specifications by Southeastern Underwriters Association. The motion was seconded and brought to a vote--Councilmen Strickland and Hiott voting "yes"; the other four Councilmen voting "no." With the defeat of this motion Councilman Sams moved that the Town accept the bid for a 534 cu. in. engine from Walterboro Motor Sales with the condition that the rear springs be increased to 10,000 lbs. and the front axle decreased to 9,000 lb. and subject to the approval of specifications by Southeastern Underwriters. Councilman Simmons seconded and Council passed the motion with a vote of 5 - 1, Councilman Hiott voting "no."

In discussion of the wreck lot behind City Hall, Councilman Miller moved that the City Attorney be instructed to immediately take every step necessary to initiate legal action to have the owner clean up the lot behind City Hall in compliance with the City Ordinances and to clarify for Council any conflicts with state law. Duly seconded and passed.

There being no further business, meeting adjourned at 8:40 p.m.

Respectfully submitted,

Virginia F Whatley
Clerk and Treasurer

Read in Open Session and approved this the 18th day of June, 1968.

City Hall
Walterboro, S. C.
June 18, 1968

Regular meeting of Council was held at 6:00 p.m. on Tuesday, June 18, 1968. Those members present were as follows: Mayor H. Wallace Dean; Councilmen E. L. Miller, Jr., Thomas Barry, J. E. Hiott, E. W. Black, and Marion Sams, Jr.; and Mr. W. J. McLeod, Jr., City Attorney.

Minutes of the last meeting were read and approved.

Mr. Ralph Beach appeared before Council with his complaint that the Police Department did not answer a call to his residence on Breland Street in Peurifoy Terrace since it was not in the City limits. When this section of Peurifoy Terrace from the city limits to Francis Street was developed by John H. Peurifoy approximately 15 years ago, City Council agreed to let Mr. Peurifoy connect to the city sewerage system provided he pay city taxes on this property. As this area has been developed, other city services, garbage and fire protection, have been provided. However, the police have no jurisdiction outside the legal city limits. Council agreed with Mr. Beach that this situation should be corrected since the Town collects taxes from this area but cannot legally provide police protection. Mr. Beach felt that the majority of the landowners would want to be brought into the city limits; therefore, Council agreed to help draw up a petition for annexation to incorporate this area.

The date for the annexation election for Oaklawn Subdivision was set for the third Tuesday in July.

Mr. Hydrick, Supervisor, reported that the traffic light at Carn and Memorial had been knocked down and to replace with four individual lights and a control, as required by the State Highway Department, would cost $1115. However, the State Highway Department may supply the needed lights at less cost. Councilman Hiott moved that Mr. Hydrick be authorized to make arrangements, as best he can, to have the lights put up. Motion was seconded by Councilman Miller and unanimously passed.

Mayor Dean informed Council that the VonLehes had accepted the Town's counter-proposal to lease the Brick Store Lot for $900 per month, removing the building and supplying them with 30,000 brick. The terms of the lease would be ten years, with option for ten. As planned, the Town could sell the store for about $1500 and then buy 30,000 of the cleaned brick at $35 per 1,000. Council agreed to give the VonLehes thirty days in which to remove from the building all things they wish to keep. Mayor Dean appointed Councilmen Sams and Miller to work with him and Mr. McLeod to draft a lease on lot and present it to Council.

Council discussed the contract submitted by Harwood-Beebe for a retainer agreement and for a sewer study, which is needed before the Town could

City Hall
Walterboro, S. C.
August 6, 1968

A regular meeting of City Council was held at 6:00 p.m. on Tuesday, August 6, 1968, with the following members present: Mayor Pro Tempore Glen Strickland; Councilmen E. W. Black, Marion Sams, Jr., E. L. Miller, Jr., and Thomas Berry; and Donald Fraser, City Attorney.

Minutes of the meeting of July 30 were read and approved.

On motion of Councilman Sams, Council unanimously passed third and final reading of an ordinance as folldws:

AN ORDINANCE

TO PUBLISH THE RESULTS OF A SPECIAL ELECTION HELD ON JULY 16, 1968, RELATIVE TO THE ANNEXATION OF TERRITORY TO THE TOWN OF WALTERBORO, TO DECLARE THE ANNEXED TERRITORY A PART OF THE CITY OF WALTERBORO, AND TO NOTIFY THE SECRETARY OF STATE THEREABOUTS.

WHEREAS, a petition was presented and submitted to the City Council of the City of Walterboro on the 21st day of May, 1968, praying the annexation by the City of Walterboro of an area adjoining the City of Walterboro which territory is hereafter described and praying that an election be ordered to ascertain whether or not the said territory be annexed to and included in the City of Walterboro, and

WHEREAS, the City Council of the City of Walterboro thereafter certified to the County Commissioners of Election of Colleton County that the said petition contained the names of the majority of freeholders residing in the territory described and requested the ordering of a special election to ascertain whether or not said territory should be annexed to the City of Walterboro, and

WHEREAS, the County Commissioners of Election of Colleton County, South Carolina, duly ordered that an election be held on the 16th day of July, 1968, to ascertain if the said territory should be included within the City of Walterboro, and

WHEREAS, the said election was duly held on the 16th days of July, 1968, in accordance with the statutes applicable to such election, and

WHEREAS, the County Commissioners of Election of Colleton County have certified to the City Council of the City of Walterboro that the residents within the area proposed to be annexed voted for annexation by a vote of 32 for and 1 against and that the residents of the City of Walterboro voting upon the said annexation voted 26 for and None against annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WALTERBORO IN COUNCIL ASSEMBLED:

SECTION I: It is hereby determined and declared that the City Council of the City of Walterboro has ascertained that the statement made in the recitals hereof, as the preamble hereto, are in all respects true and correct.

SECTION II: City Council does hereby publish the results of said election as hereinabove set forth and does hereby declare that the following described territory has been annexed to the City of Walterboro and is now a part of said City, the said territory being described as follows:

The following tracts adjacent to the Town of Walterboro as shown on a plat annexed to the petition of a majority of the freeholders hereinabove referred to and [illegible]

The following lands adjacent to the Town of Walterboro as shown on a plat annexed to the petition of a majority of the freeholders hereinabove referred to and filed with the city council and included within the following lines:

The area for annexation will include all the land from the intersecting point of the original city limits on U. S. Highway No. 15 North, thence North on U. S. Highway No. 15 North to the intersecting point of Poplar Street in Oaklawn Subdivision; thence West on Poplar Street to an intersecting point One Hundred Fifty (150) feet West of Orange Avenue; thence South along the property boundary lines to the intersecting point with the branch; thence Southeast along said branch to the original city limits, and being bounded generally as follows: On the East by U. S. Highway No. 15 North; on the North by Poplar Street; and the West by property boundary line One Hundred Fifty (150) feet West of Orange Avenue, and Southwest by run of branch extending to the original city limits of the Town of Walterboro.

The above described lands are shown and delineated on a plat prepared by W. Gene Whetsell, Registered Land Surveyor, dated 8 December 1967.

SECTION III: That in accordance with the applicable statutes the Secretary of State of South Carolina be given formal notice that the said territory has been annexed to and now forms a part of the area of the City of Walterboro, South Carolina.

DONE AND RATIFIED IN COUNCIL ASSEMBLED THIS 6th DAY OF AUGUST 1968.

Councilman Black moved and Councilman Sams seconded that third and final reading be given an Ordinance entitled as follows:

AN ORDINANCE

TO AMEND SECTION 10-2 (c) OF THE CODE OF THE TOWN OF WALTERBORO BY CHANGING THE WORD "THIRTY" ON LINE 2 THEREOF TO "SIXTY" AND BY CHANGING THE WORD "SIXTY" ON LINE 4 THEREIN TO READ "NINETY."

BE IT ORDAINED BY THE MAYOR AND THE ALDERMEN OF THE CITY OF WALTERBORO NOW IN SESSION:

Section 1: Section 10-2 (c) of the Code of the Town of Walterboro is the same as hereby amended by changing the word "thirty" on line 2 thereof to "sixty" and by changing the word "sixty" on line 4 therein to read "ninety" so that said section when so amended shall read as follows:

"Any person required herein to obtain license and who fails to obtain said license within sixty days after the same is due shall be required to pay ten per cent penalty; if said license shall not have been obtained within ninety days after same is due, fifteen per cent penalty shall be paid. The penalty herein provided is in addition to penalty prescribed in section 1-7.

RATIFIED BY COUNCIL THIS 6th DAY OF AUGUST 1968.

Motion was unanimously passed.

Council discussed a suggestion that all business licenses be raised a flat rate of 20 percent for one year until a scale could be worked out which would make the rates more just. Council agreed that a raise in fee of 20 percent would only draw criticism without helping the situation. Councilman Miller moved that action be postponed until the next meeting when the Finance Committee could make recommendations. Motion was unanimously carried.

The committee studying the lease being written on the brick store lot discussed various parts of said lease with Council. The lease was then turned back over to the Committee to present to Council before presenting to the Vonlehe's.

On recommendation of Asst. Chief of Police P. H. Carter and motion by Councilman Miller, H. H. Crosby, Jr., was elected as an officer on the police force.

Albert Lucas, Peoples Water Service Company, asked for permission to extend city water lines into Druid Hills, a subdivision between the Savannah Highway and Hwy 63. No action was taken.

He also asked for permission to extend an 8" line under Hwy 15-N from the 7-Up plant to serve Oaklawn Subdivision and also for future extension. Motion by Councilman Black was unanimously passed.

Motion by Councilman Black that the hydrant promised Continental Motors be placed 100 feet closer to the warehouse than originally planned was unanimously passed.

There being no further business, meeting adjourned at 7:00 p.m.

Respectfully submitted,

Virginia F Whitley

Clerk and Treasurer

Read in Open Session and approved this the 20th day of August, 1968.

City Hall
Walterboro, S. C.
August 20, 1968

Regular meeting of City Council was held at 6:00 p.m. Tuesday, August 20, 1968. The following members were present: Mayor H. Wallace Dean; Councilmen Thomas Barry, Glen Strickland, E. L. Miller, Jr., and Marion Sams, Jr.; and City Attorney W. J. McLeod, Jr.

Minutes of the meetings of June 25 and August 6 were read and approved.

The Mayor reported that the Finance Committee has been studying a change in the Business License and discussed a type based on gross receipts.

On recommendation by Mayor Dean, Councilman Sams moved that the base salary for officers on the Police Force be raised to the following amounts:

Corporal	-- $400
Sargent	-- 425
Asst. Chief	-- 475
Chief	-- 525

Motion was unanimously passed.

Councilman Sams also moved that the Clerk, the Supervisor, and the Clerk's assistant be given a raise in salary of $25 per month. Council unanimously carried the motion.

Council was given a list of 1968 City Taxes to nulla bona as uncollectable. Discussion concerned past agreements between the City and the property owners in a section of Peurifoy Terrace who are connected to the sewer system and receive all other City services except police protection, but who are not actually in the City limits. Council discussed what right the City had to require personal property taxes from those renting in this area. Action to nulla bona these taxes was postponed until the terms of the past agreements could be clarified.

Regarding the unpaid taxes on the property of the heirs of J. Randall Thompson which is also located out of town on Francis St. and has sewer service, Councilman Sams moved that Mrs. Randall Thompson be reminded of the agreement made on September 1, 1964, between her late husband and the City that sewer connection be allowed and that City taxes on the property be paid each year. He also moved that she be notified that the sewer would be disconnected within sixty days if taxes are not paid. This was seconded by Councilman Black and unanimously passed.

Millage for 1970 Taxes was set at 45 mills for general purposes, 30 mills for general improvement bonds, and 3 mills for fire protection, totaling 78 mills.

Action on the Highway Department's plan for creating two lanes of west bound traffic on Hampton Street between Walter and Jefferies Boulevard by eliminating parking on the south side of this block was postponed by request of the Traffic Committee.

Mayor Dean reported that Theo Syfrett had withdrawn his application for the position of Fire Chief. Councilman Berry moved it be publicized that applications for Fire Chief would be received until 12:00 Noon the first Tuesday in August. Motion was seconded by Councilman McLeod and unanimously passed.

With the unanimous approval of Council, Mayor Dean designated the first Tuesday of each month as regular meeting night, reserving the third Tuesday night of each month for committee meetings.

As requested by the local Post Office, Council changed the names of four streets in town with names duplicated in other areas. Motion was made that new names be assigned and that opportunity be given for any objections to be heard before final action is taken at the next meeting. The new names were given as follows:

Pine in Oaklawn Subdivision to Spruce
Center in Oaklawn Subdivision to State
Simmons in Oaklawn Subdivision to Trinity
Cedar in Oaklawn Subdivision to Meadow
Cypress in Myrtle Court to Birch

City Supervisor T. H. Hydrick, Jr., reported meeting with Councilman Berry and Senator J. P. Harrelson about the joint use of the City Dump. He expressed hopes that the County may contribute $3,000 this year and the Highway Department may dig the large hole needed in getting the dump ready for use by both the City and County.

Mayor Dean told of negotiations with Mr. Albert Wichman and Miss Caroline Klein for a 75-foot right of way for a road from Witsell Street to Jefferies Boulevard. He felt it important that the City get the rights of way while the opportunity is present.

Councilman Hiott proposed a meeting with the Planning Commission to bring Council up to date on the work being done by the Commission. The Mayor suggested meeting on the date of the next regular meeting in July.

The use, construction or installation of any septic tank in any such county without the prior approval of the county board of health as herein provided for shall be deemed a misdemeanor, punishable by a fine of not less than ten dollars nor more than fifty dollars or imprisonment of not less than five days nor more than twenty days, and each day during which such violation shall continue shall constitute a separate offense.

Ex. 6

HISTORY: 1962 Code § 32-1270; 1952 Code § 32-1270; 1943 (43) 298.

SECTION 44-55-710. Validity of permits.

Septic tank permits issued prior to the effective date of this section under Title 44 of the 1976 Code shall continue to be valid unless the physical character of the property for which they were issued changes, provided the conditions of the original permit are met.

HISTORY: 1983 Act No. 71.

Article 9. Approval of Sewage Disposal Methods at Homesites

SECTION 44-55-810. Declaration of legislative purpose.

The General Assembly, having considered the problems associated with proper sewage disposal, finds that many mobile, modular and permanently constructed homes are being constructed, located, and installed in areas of this State which will not support an individual sewage disposal system, and further finds that this situation has resulted in the discharge of sewage to the ground or to adjacent waters. To correct this problem is the purpose of this article.

HISTORY: 1975 (59) 597.

SECTION 44-55-820. Electricity may not be furnished unless sewage disposal method has been approved.

No private or public utility, municipality, or electric cooperative supplying power shall connect temporary or permanent power to a new site of any mobile, modular or permanently constructed building or facility until such time as the power supplier is presented with a certificate, license, or permit by the county or municipality when the proposed connection is to be made within the corporate limits thereof authorizing such connection. No such certificate, license, or permit shall be issued by the county or municipality without a permit from the county health department approving the method of sewage disposal; nor shall such permit, certificate or license be issued until evidence is presented that all other appropriate safety and health regulations, permits, codes and ordinances have been complied with. Such permits, certificates or licenses shall state the location of the approved site. The governing body of each county or municipality shall provide one office to issue evidence that all such requirements have been met by the applicant.

HISTORY: 1962 Code § 32-1251; 1975 (59) 597

SECTION 44-55-822. Preliminary tract evaluation; issuance of preliminary and final subdivision approval letters; determination of suitability for use of onsite wastewater systems.

(A)(1) The Department of Health and Environmental Control may issue a preliminary tract evaluation for tracts of land that may be developed in the future. For purposes of this section, a tract of land is any tract of land that is not yet divided into individual lots for the immediate or future purpose of building development. A preliminary tract evaluation will determine whether a tract of land is conceptually appropriate for the use of onsite wastewater systems. If the proposed subdivision is

DOMINION ENERGY

EMAIL: RELEASEDESK@DOMINIONENERGY.COM

Electric Release Form #1

SENT AT 10:40

Today's Date: 8/26/2022

Municipality: City of Walterboro **Inspector:** LAURENCE LIVINGSTON

Release Date	Permit #	Address						Release Type	Utility	Notes
		Street #	Street Name	Suffix	Lot/Unit	Subdivision	Description			
8/4/2022	21WAL-COM00005	321	STATE	ST			OK TO TURN ON POWER	PERM	ELEC	OK TO TURN ON POWER

ARTICLE I
DECLARATION OF RIGHTS

Editor's Note
The amendment ratified by 1971 Act No 276 (1971 (57) 315) revised and rewrote this article, substituting present Section Section 1 to 23 for former Section Section 1 to 29. The amendment also transferred and renumbered the following sections of the former article: former Section 3 was transferred and renumbered as Section 1A of Article III; former Section 6 was transferred and renumbered as Section 3A of Article X; former Section 7 was transferred and renumbered as Section 3B of Article X; former Section 11 was transferred and renumbered as Section 1B of Article XVII; former Section 28 was transferred and renumbered as Section 4 of Article XIV. The provisions of former Section 9 of this article now appear in Section 1 of Article II, as amended by amendment ratified by 1971 Act No 277 (1971 (57) 319).

SECTION 1. Political power in people.

All political power is vested in and derived from the people only, therefore, they have the right at all times to modify their form of government. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 1 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see former Art I, Section 1.

SECTION 2. Religious freedom; freedom of speech; right of assembly and petition.

The General Assembly shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government or any department thereof for a redress of grievances. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 4 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 6, 7, 9, 10.

SECTION 3. Privileges and immunities; due process; equal protection of laws.

The privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 5 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 12.

SECTION 4. Attainder; ex post facto laws; impairment of contracts; titles; effect of conviction.

No bill of attainder, ex post facto law, law impairing the obligation of contracts, nor law granting any title of nobility or hereditary emolument, shall be passed, and no conviction shall work corruption of blood or forfeiture of estate. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 8 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 4, 21.

SECTION 5. Elections, free and open.

All elections shall be free and open, and every inhabitant of this State possessing the qualifications provided for in this Constitution shall have an equal right to elect officers and be elected to fill public office. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 10 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 31.

SECTION 6. Residence.

Temporary absence from the State shall not forfeit a residence once obtained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 12 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 35.

SECTION 7. Suspension of laws.

The power to suspend the laws shall be exercised only by the General Assembly or by its authority in particular cases expressly provided for by it. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are similar to former Section 13 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 24.

SECTION 8. Separation of powers.

In the government of this State, the legislative, executive, and judicial powers of the government shall be forever separate and distinct from each other, and no person or persons exercising the functions of one of said departments shall assume or discharge the duties of any other. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 14 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 26.

SECTION 9. Courts; speedy remedy.

All courts shall be public, and every person shall have speedy remedy therein for wrongs sustained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are identical to former Section 15 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 15.

SECTION 10. Searches and seizures; invasions of privacy.

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures and unreasonable invasions of privacy shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, the person or thing to be seized, and the information to be obtained. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note
The present provisions of this section are similar to former Section 16 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section 22.

SECTION 11. Presentment or indictment.

No person may be held to answer for any crime the jurisdiction over which is not within the magistrate's court, unless on a presentment or indictment of a grand jury of the county where the crime has been committed, except in cases arising in the land or naval forces or in the militia when in actual service in time of war or public danger. The General Assembly may provide for the waiver of an indictment by the accused. Nothing contained in this Constitution is deemed to limit or prohibit the establishment by the General Assembly of a state grand jury with the authority to return indictments irrespective of the county where the crime has been committed and that other authority, including procedure, as the General Assembly may provide. (1970 (56) 2684; 1971 (57) 315; 1989 Act No. 5; 1989 Act No. 8.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 18, 23.

SECTION 12. Double jeopardy; self-incrimination.

No person shall be subject for the same offense to be twice put in jeopardy of life or liberty, nor shall any person be compelled in any criminal case to be a witness against himself. (1970 (56) 2684; 1971 (57) 315.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art 1, Section Section 18, 23.

SECTION 13. Taking private property; economic development; remedy of blight.

(A) Except as otherwise provided in this Constitution, private property shall not be taken for private use without the consent of the owner, nor for public use without just compensation being first made for the property. Private property must not be condemned by eminent domain for any purpose or benefit including, but not limited to, the purpose or benefit of economic development, unless the condemnation is for public use.

(B) For the limited purpose of the remedy of blight, the General Assembly may provide by law that private property constituting a danger to the safety and health of the community by reason of lack of ventilation, light, and sanitary facilities, dilapidation, deleterious land use, or any combination of these factors may be condemned by eminent domain without the consent of the owner and put to a public use or private use if just compensation is first made for the property. (1970 (56) 2684; 1971 (57) 315; 2007 Act No. 15.)

Editor's Note

The present provisions of this section are similar to former Section 17 of Article I as it existed prior to the 1971 revision. For similar provisions in Constitution of 1868, see Const 1868, Art I, Section Section 18, 23.

SECTION 14. Trial by jury; witnesses; defense.

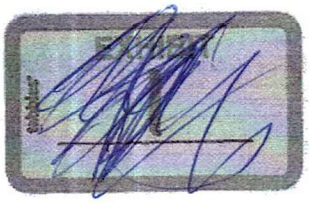
The right of trial by jury shall be preserved inviolate. Any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury; to be fully informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to be fully heard in his defense by himself or by his counsel or by both. (1970 (56) 2684; 1971 (57) 315.)

Amy Risher

Shanda Johnston 609-805-9949

Mr Johnston 732 673 7700

From: Wayne Crosby
Sent: Tuesday, April 12, 2022 8:17 AM
To: Amy Risher
Subject: FW: Service State Street



From: Wayne Crosby
Sent: Thursday, February 17, 2022 10:42 AM
To: Jeffrey Molinari <jmolinari@walterborosc.org>
Subject: FW: Service State Street

See the below information provided to Billy Cain.

From: Wayne Crosby
Sent: Thursday, February 10, 2022 10:15 AM
To: billy cain <c3_billy@yahoo.com>
Subject: Service State Street

$6,217.20

Billy,
The line extension, 2 service connections and associated material to provide water service to the referenced property will be $12,434.40. This is a worst case scenario but is pretty close. I don't expect any extraordinary conflicts in this area. Please let me know if you have any questions. Keep in mind that the cost will have to be collected prior to construction.

balance - $9840.40

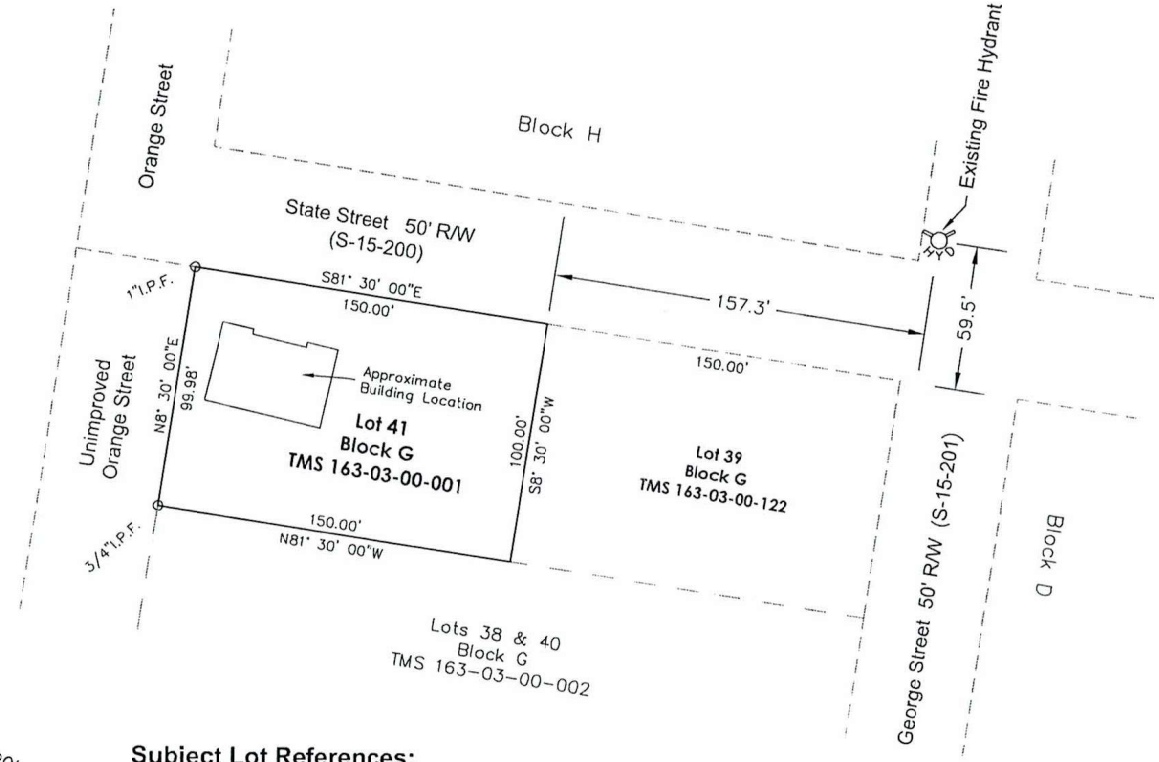
due now - $3623.20

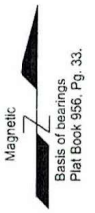
4-12-22
called @ 9 03 am, mailbox is full

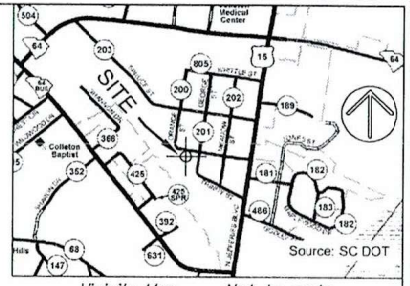
called Mr Johnston @ 9 35 am, left message

spoke w/ Mr. & Mrs Johnston @ 1[illegible]:00 am.

* Received in discovery no official communication received.







Vicinity Map Not to scale

Legend

I.P.S.	= 1" Iron Pipe Set
I.P.F.	= Iron Pipe Found
C.M.F.	= Concrete Monument Found
R.F.	= Rebar Found
C.R.F	= Capped Rebar Found
RR I.F.	= Rail Road Iron Found
I.F.	= Iron Found
C.P.	= Calculated Point (No monument set)
M.P.	= Meander Point (No monument set)
A.I.F.	= Angle Iron Found
———	= Property Line
—·— ·—	= Tax Map Line
— — — —	= Road
- - - - -	= Property Line to be abandoned

Subject Lot References:

Shonda D. Johnston
TMS 163-03-00-001
Deed Book 2810, Pg. 57
Plat Book 956, Pg. 33.

Notes:

1. Existing lot lines (property lines) were taken from Plat Book 956, Pg. 33.
2. This document is not intended to be a plat or boundary survey.
3. Surveyor has made no investigation or independent search for easements of record encumbrances, restrictive covenants, ownership, title evidence, or any other facts that an accurate and current title search may disclose.
4. Declaration is made to original purchaser(s) of the survey. It is not transferable to additional institutions, or subsequent owners.
5. For right of way of George Street (S-15-201) and State Street (S-15-200), reference SCDOT Docket 15.316 dated December 1, 1956.

I hereby state that to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein.

SOUTH CAROLINA
CARTER ENGINEERING & SURVEYING, LLC
No.6984
CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA
PROFESSIONAL ENGINEER AND LAND SURVEYOR
No. 14564
MARK M. CARTER

HORIZONTAL SCALE
50 25 0 50 100
(IN FEET)
1"=50'

Carter Engineering & Surveying, LLC
5036 Lodge Road
Lodge, SC 29082
843-729-2053

Mark M. Carter

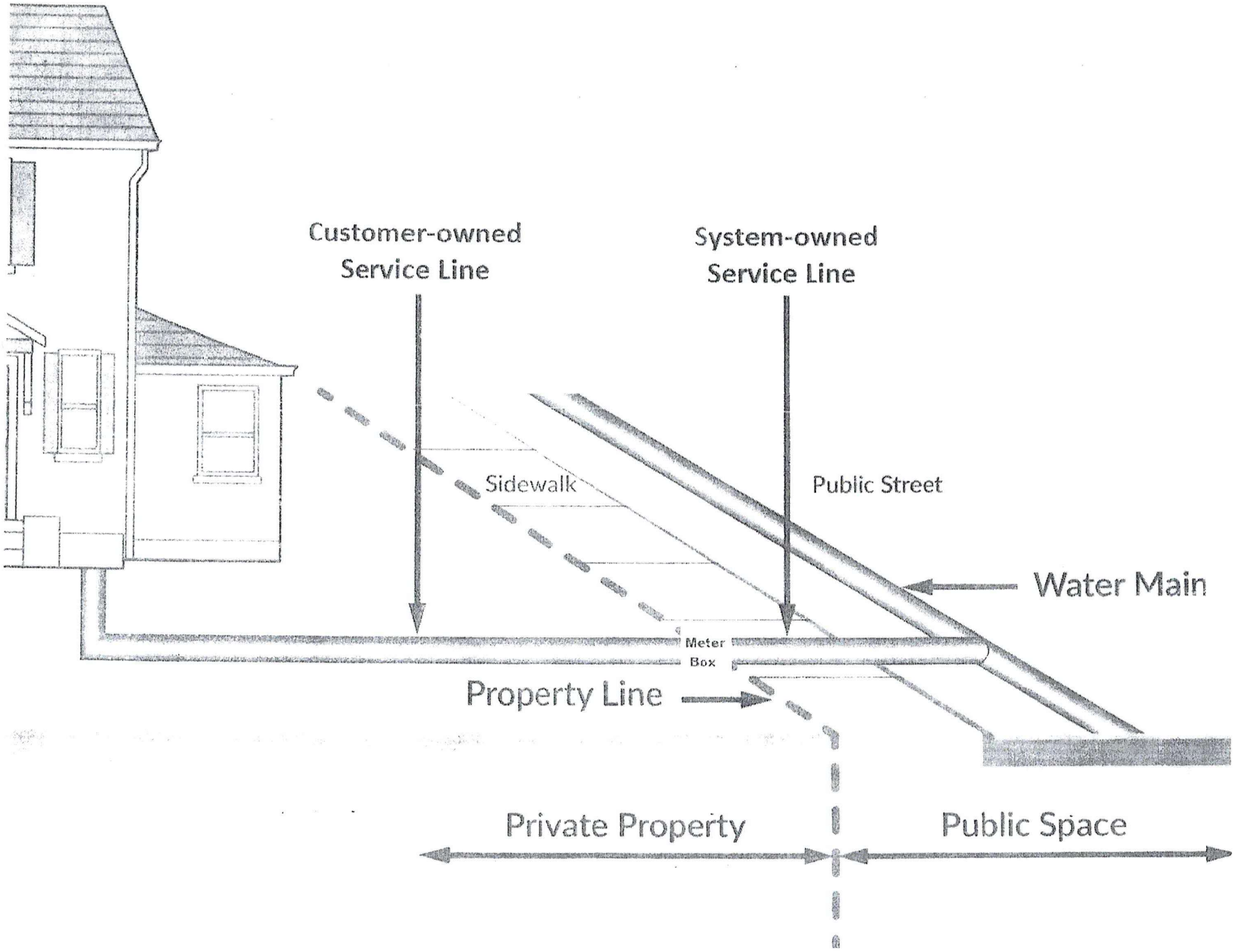
MARK M. CARTER P. E. & P. L. S. No. 14564

DATE: 03/02/2026	REVISED	
DRAFTER: MMC	SHEET 1 OF 1	SCALE: 1"=50'
FILENAME: Reginald Johnston. dwg		

Fire Hydrant Location Survey for Reginald L. Johnston

Located in Walterboro

Colleton County, South Carolina


Customer-owned
Service Line
System-owned
Service Line
Sidewalk
Public Street
Water Main
Meter
Box
Property Line
Private Property
Public Space


Service Line

Ex. 8

321 State St - TMS#163-03-00-001 --- Zoned MDR

2 messages

Bonnie J Ross <bross@walterborosc.org> Tue, Jul 30, 2019 at 11:59 AM
To: chappi055@gmail.com <chappi055@gmail.com>
Cc: Stephanie Ferguson <sferguson@walterborosc.org>

Hello Shonda,

Please see the attached. Look for MDR in the charts to see what is a Permitted Use, Conditional Use, or a Special Exception. I've included Chapter 3 Conditions so you can look up the conditions that are referred to in Chapter 2.

Call or email if you have any questions.

Thanks,

Bonnie J Ross

City of Walterboro

Planning & Permit Tech

300 Hampton Street

Walterboro, SC 29488

843-782-1000 x "0"

bross@walterborosc.org

Walterboro
The Front Porch of the Lowcountry®

877.7LITTER Litter Busters Hotline

Bonnie J Ross <bross@walterborosc.org> Mon, Aug 19, 2019 at 3:43 PM
To: chappi055@gmail.com <chappi055@gmail.com>
Cc: Stephanie Ferguson <sferguson@walterborosc.org>

Shonda, I told you the wrong zoning for State St today, it is MDR not SFR. Go by the measurements for MDR on the chart that I highlighted. Sorry for the confusion.

Call or email if you have any questions.

Section 2.4 Permitted Uses Table

2.4.1 Intent

The Permitted Uses Table contains a listing of uses which may be permitted in one or more of the various zoning districts. Uses are listed in alphabetical order within seven (7) categories as follows:

- Residential
- Civic, Government, & Institutional
- Office & Service
- Retail & Wholesale
- Recreation & Entertainment
- Industrial, Warehousing, & Transportation
- Other

2.4.2 Table Key

The following is a list of the meanings of table entries:

- **"P"** indicates that the use is permitted **by right** in the zoning district.
- **"C"** indicates that the use is permitted as a **Conditional Use** with additional conditions outlined in Chapter 3. The section reference number for each of these uses is located in the far right-hand column under "Conditions."
- **"S"** indicates that the use is permitted as a **Special Exception**, subject approval by the Board of Zoning Appeals, in accordance with Section 11.3.
- **"S/C"** indicates the use is permitted as a **Special Exception** but also has **additional conditions** outlined in Chapter 3.
- A blank space under a zoning district column indicates that a use is not permitted in that district.

SECTION 2.4 PERMITTED USES TABLE

Residential Uses	RCD	SFR	MDR	HDR	NCD	CBD	GCD	HCD	HCD	ID	Conditions
Accessory apartment		C	C	C	C	C	C	C	C	C	3.2.1
Accessory structure (residential)		C	C	C	C	C	C	C			3.2.2
Bed & breakfast inn		C									3.2.3
Boarding or rooming house				C							3.2.4
Conservation development		C	C	C	C						3.2.5
Family care home for the handicapped		C	C	C	C		C	S			3.2.6
Home occupation		C	C	C	C	C	C	C			3.2.7
Mobile home park				S/C				C			3.2.8
Multi-family dwelling (includes apartments & townhomes)				S/C	S/C	S/C	S/C	S/C			3.2.9
Single-family dwelling, detached		P	P	P	P		P	S			
Temporary emergency residence		C	C	C	C	C	C	C			3.2.10
Two-family dwelling (duplex)			P	P	P						
Civic, Government, & Institutional Uses	**RCD**	**SFR**	**MDR**	**HDR**	**NCD**	**CBD**	**GCD**	**HCD**	**HCD**	**ID**	**Conditions**
Assembly hall		S/C	S/C	S/C	S/C			P	P		3.3.1
Cemetery (with or without chapel)	S							P			
Colleges, Universities, & associated facilities		S				S	S	S			
Community center		S/C	S/C	S/C	S/C			P			3.3.1
Correctional facility										S	
Daycare center		S/C	S/C	S/C	S/C		C	C	C	S/C	3.3.2
Government office	S	S	S	S	S	P	P	P	P	P	
Hospitals & medical treatment facilities (greater than 20,000 sq. ft.)								P	P		
Museum, historical displays				S	P	P	P	P	P		
Public safety facility	S	S	S	S	S	S	S	S	S	P	
Public utility facility (excluding sewage treatment)	S	S	S	S	S	S	S	S	S	P	
Public utility facility (including sewage treatment)								S	S	S	
Religious institution & related uses		S	S	S	S			P	S	P	
Research facility, laboratory					S					P	
Residential care facility			S	S	S		P	P	P	S	
School & associated facilities (public & private elementary & secondary)		S/C	S/C	S/C	S/C	S/C	C	C		S/C	3.3.3
School (trade & vocational)						C	P	P	P	P	
Visitors' center & public information facility	P				S	P	P	P	P		

P=Permitted Use C=Conditional Use S=Special Exception Blank=Not Permitted Conditions=See Chapter 3 for Conditional Uses

✓ Treated the same by the City of Walterboro Planning & Zoning.

CITY LIMITS FOR WALTERBORO

REVISED/UPDATED on **June 17, 2021**

(QUESTIONS, CALL BONNIE OR TIFFANY AT 843- 782-1000)

ACKERMAN STREET	All of street is IN the City.
ACORN ROAD	Only the righthand side is IN the City, all the way to the interstate. (Acorn St is next to Shoney's.)
AGNES STREET	All of street is IN the City.
ALEXANDER STREET	All of street is IN the City.
BAILEY STREET	All of street is IN the City.
BAY STREET	630 is the last house IN the City.
BEACH ROAD	On the right 48, 72 and **200 (vacant 8 acres before 246 Beach Rd)** are IN the City. On the left side, Druid Hills II (189) is IN the City.
BEACHWOOD ROAD	All of street is IN the City.
BELLINGER STREET	All of street is IN the City.
BELLS HWY	Both sides of Bells Hwy to and including I-95 are IN the City. **EXCEPT 184, 196, 222, 264, 314, 482, 608, 628, 700, 1522 are OUT** of the City. **Going past I-95** on the RIGHT the Super 8 Motel, Super Wal-Mart properties, Retail Shops and the Vacant 4 Acres (2222) next to the Detention Pond (2200) are IN the City, on the LEFT the old Bobops Amoco is IN the City. **The Old Coastal Lumber Co property (1857) is IN the City as of FEB 2020.**
BENSON STREET	All of street is IN the City.
BETHEA STREET	All of street is IN the City.
BIRCH STREET	All RESIDENCES on Birch Street are OUT, **EXCEPT 113 Birch St is IN.**
BISHOP STREET	Only 106 Bishop Street is IN the City.
BLACK STREET	916 Black Street is the last residence IN the City.
BLANCHARD STREET	All of street is IN the City, **EXCEPT** the mobile home at 309-B Blanchard is **OUT** of the City.
BRELAND STREET	All of street is IN the City.
BRIARWOOD ROAD	All of street is IN the City.

STARK DRIVE	All of street is IN the City.
STATE STREET	All of street is IN the City.
STOBO LANE	All of street is IN the City. (In Dogwood Hills Country Club)
STRICKLAND STREET	All of street is IN the City.
SWEAT STREET	All of street is IN the City.
TERRACE DRIVE	All of street is OUT **EXCEPT 121 Terrace Dr is IN** the City.
THOMPSON STREET	All of street is IN the City.
TRACY STREET	All of street is IN the City.
TRINITY STREET	All of street is IN the City.
ULMER ALLEY	All of street is IN the City.
UNDERHILL ROAD	All of street is IN the City.
VALLEY STREET	All of street is IN the City.
VARN STREET	All of street is IN the City.
VERDIER STREET	All of street is IN the City.
WALNUT STREET	All of street is IN the City.
WALTER STREET (North & South)	All of street is IN the City.
WARREN STREET	All of street is IN the City.
WASHINGTON ST (East & West)	All of street is IN the City.
WEBB STREET	All of street is IN the City.
WEITERS STREET	All of street is IN the City.
WHITTLE STREET	All of street is IN the City.
WICHMAN STREET	The City limits end at the intersection of Wichman and Francis Street. The highest number IN the City is 1705 Wichman Street.
WILDWOOD DRIVE	All of street is IN the City.
WILEY STREET	All of street is IN the City.